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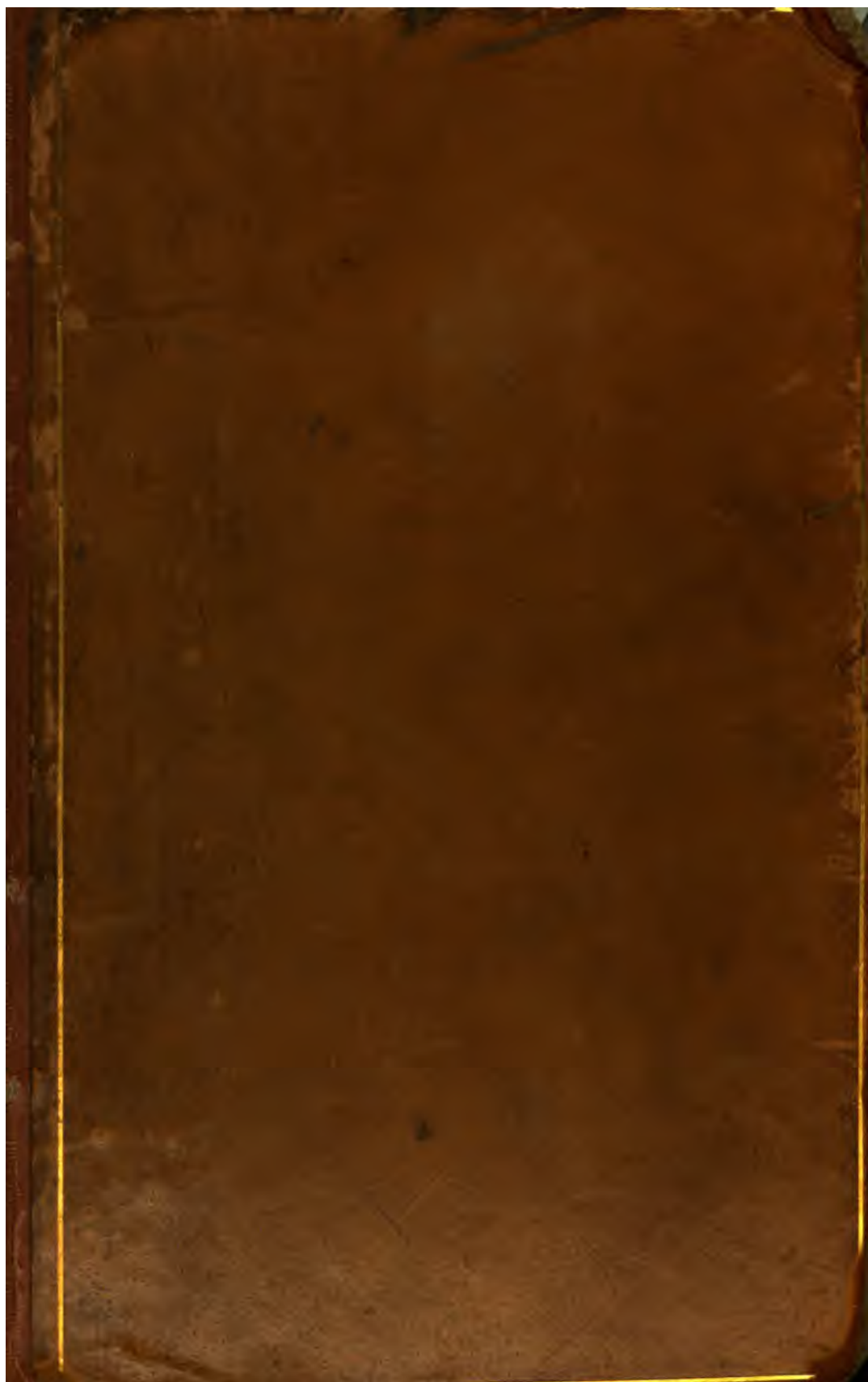
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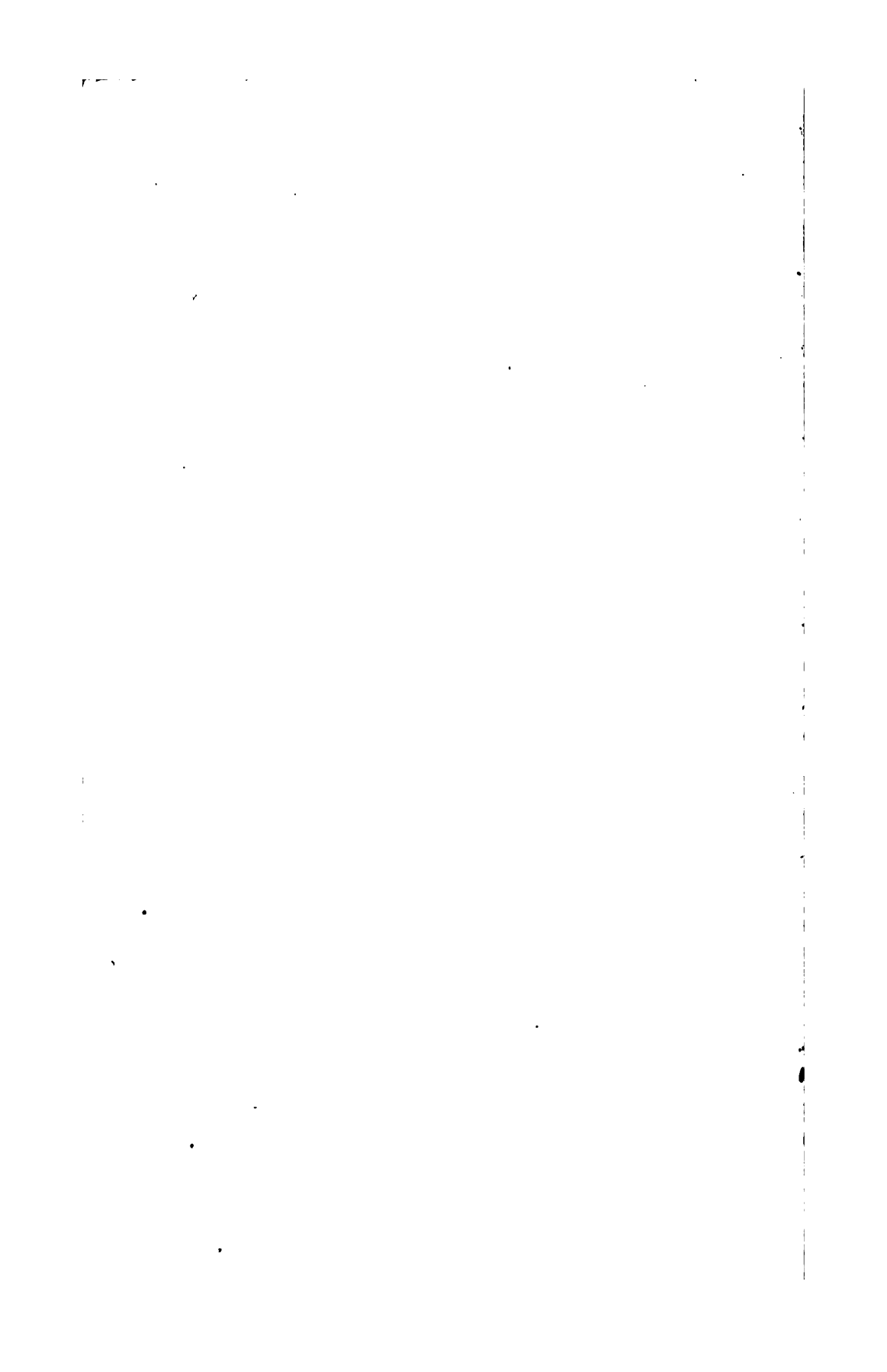
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# SYNODALIA.

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A COLLECTION OF  
ARTICLES OF RELIGION, CANONS,  
AND  
PROCEEDINGS OF CONVOCATIONS

IN THE PROVINCE OF CANTERBURY,  
FROM THE YEAR 1547 TO THE YEAR 1717.

WITH NOTES HISTORICAL AND EXPLANATORY

BY  
EDWARD CARDWELL, D.D.  
PRINCIPAL OF ST. ALBAN'S HALL.

VOL. I.

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# SYNODALIA, &c.

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## PREFACE.

**T**HESE Volumes contain such records of the Convocations holden for the province of Canterbury as appear to be important in connection with the government or the history of the Church of England from the time of the Reformation. They are naturally arranged under the three heads of Articles of faith, Canons and constitutions, Acts and proceedings, and may be considered as comprising all the valuable information respecting the legislature of the church, which it is now possible to obtain, as the earlier registers were destroyed in the great fire of 1666, and the printed records of subsequent times have been corrected and enlarged from the copious extracts made from the later registers by archbishop Wake.

The origin of English synods, the relation they bore to the state on the one hand, and the church on the other, and the different duties and powers attaching to them as councils or convocations, are subjects, which, however interesting in themselves, do not come within the limits of this publication. Their earlier history moreover belongs to a period when distinctions, such as would alone be considered important in the present times, were either totally unknown, or observed partially and capriciously. Like the first stages accordingly of an art or a manufacture, they might be employed to shew the operation of certain general principles, but in all other re-

spects, if placed by the side of more modern information, would be quoted in the way of contrast rather than of resemblance. But at the period of the Reformation a distinct form and character were given to the external constitution of the church, owing partly to the extraordinary nature of the case, and partly to the temper of the reigning sovereign; and the changes that were then effected, being of great importance not only in their own nature, but more especially in their connection with the history of English synods, must be clearly and particularly described.

The resistance which had at all times been offered to the usurpations of the papal see, and since the time of king Edward III. had been supported by the statutes of provisors and præmunire, was employed by king Henry VIII. for the prosecution of his own purposes, and became in consequence the occasion of great embarrassment to the clergy. Practices hitherto allowed to pass without observation were now found to be encroachments upon the rights of the crown, and were brought under the cognizance of strict and penal laws. Of this state of things the case of cardinal Wolsey, naturally the most pregnant and impressive of that period, furnished the most remarkable examples. He had been invested with legatine authority by the pope, and had received full permission from the king to exercise it. But blinded either by the greatness of his spiritual dignities, or by his confidence in the continuance of the royal favour, he employed his powers in such a manner, giving benefices by prevention, and granting faculties and issuing instruments unlawfully, as to expose both himself and the clergy at large, who acted under his authority, to the penalties of invading the king's prerogative. The opportunity thus presented to Henry of placing the church at his mercy, and employing it according to his own discretion in his contest with the pope, was too valuable to be neglected. In the year 1529 an indictment was preferred against the cardinal upon the statute of præmunire, which terminated in the loss of his personal liberty and the forfeiture of all his property; and the solemn notice was brought more completely home to the clergy in general by a succession of similar indictments. To add to these warnings of impending danger, several bold measures of church reform obtained the assent of the crown,

in opposition to the wishes of the clergy, but at the earnest solicitation of the house of commons; and the general act of pardon, which also passed in the parliament of the same year, and might have been expected to shelter the clergy no less than common criminals, especially excepted all offences against the statutes of provisors and præmunire.

Whilst the storm was thus collecting in its strength, the convocation was vainly endeavouring to escape from it by making some ineffectual attempts at the reformation of abuses, and by remitting a loan which the king had formerly obtained from them. In the following year, however, as soon as he had ordered a translation to be made of the New Testament into English, and had issued a proclamation forbidding the exercise of any papal authority whatever to the prejudice of his prerogative, it became evident that no time was to be lost. The convocation of the southern province purchased their security from the præmunire at the price of 100,000*l.*, and by a still more galling concession acknowledged the king to be the protector and supreme lord and head of the church and clergy of England. By these timely measures they obtained a complete indemnity for the past.

But Henry had still other and more important objects to accomplish. Foreseeing great danger to the state, if he did not require the same subjection to himself which had hitherto been yielded to the pope, he resolved that the legislative authority of the church should be curtailed, and that its whole jurisdiction for the future should originate and end in the crown. There would, he was persuaded, be little benefit to himself or his subjects in shaking off the oppression of a foreign yoke, if at the same time a rival legislature should have been established within the empire itself, independent of the secular power, and too strong to be controlled by it.

Reasonable and inevitable as these views were in connection with the tranquillity and welfare of the kingdom, it is evident that they would meet with opposition from two large and powerful parties, from those who, whatever were the cause, continued to be attached to the papal see, and from that more formidable class of persons, who considered the sanctions of the church as higher and more sacred than the authority of the state. But no time or opening was afforded them for con-

certing measures of resistance. In the parliament that met in January, 1532, the strange relations now subsisting between the church and the state were frequently and earnestly discussed. The whole question was ultimately laid before the king in a petition presented to him by the house of commons on the 18th of March, and containing, together with the statement of other grievances, the following representation :

“ That<sup>a</sup> the clergy of this your realm being your highness’s subjects, in the convocation by them holden within this your realm have made and daily make sanctions or laws concerning temporal things, and some of them be repugnant to the laws and statutes of your realm, not having ne requiring your most royal assent to the same laws so by them made, neither any assent or knowledge of your said lay subjects is had to the same, neither to them published and known in their mother tongue ; albeit divers and sundry of the said laws extend in certain causes to your excellent person, your liberty and prerogative royal, and to the interdiction of your lands and possessions, and so likewise to the goods and possessions of your lay subjects, declaring the infringers of the law so by them made not only to incur into the terrible sentence of excommunication, but also the detestable crime and sin of heresy ; by the which divers of your most humble and obedient lay subjects be brought into this ambiguity, whether they may do and execute your laws according to your jurisdiction royal of this realm, for dread of the same censures and pains comprised in the same laws so by them made in the convocations, to the great trouble and inquietation of your said humble and obedient lay subjects, and to the impeachment of your jurisdiction and prerogative royal.”

This petition having been referred by the king to the convocation which was then sitting, an answer was prepared by that body with the view of conciliating his favour, without surrendering the independence of the church, and was delivered by Henry to the house of commons after he had himself examined it, with a plain intimation that it was not satisfactory. Knowing the sentiments of their royal master, and feeling the extreme danger of their situation, the convoca-

<sup>a</sup> Wilkins, Conc. vol. 3. p. 751.

tion now addressed themselves to him in person, declaring their "especial trust and confidence in his excellent wisdom and incomparable learning," and promising during his natural life to forbear from making or enforcing any constitutions without his royal license and approbation. This promise was evidently constructed with a view to its being withdrawn at a future period, and was also expressed with such a reservation of immunities and liberties that a degree of suspicion was thrown upon its immediate bearings. It was met with the peremptory demand "that no constitution or ordinance shall be hereafter by the clergy enacted, promulged, or put in execution, unless the king's highness approve the same by his high authority and royal assent, and his advice and favour be also interposed for the execution of every such constitution among his highness' subjects." And this demand was instantly followed by a measure pregnant with the most serious consequences. On the next day, (May 11, 1532,) the king sent the following message to the house of commons: "We<sup>b</sup> thought that the clergy of our realm had been our subjects wholly, but now we have well perceived that they be but half our subjects, yea, and scarce our subjects. For all the prelates at their consecration make an oath to the pope clean contrary to the oath that they make to us; so that they seem to be his subjects and not ours. The copy of both the oaths I deliver here to you, requiring you to invent some order, that we be not thus deluded of our spiritual subjects."

Overpowered by a necessity from which they had in vain endeavoured to escape, and compelled to close their session abruptly by the appearance of the plague, the convocation agreed to the act of submission, and presented it to the king on the 16th day of May, 1532, expressed in the following terms:

"We<sup>c</sup> your most humble subjects, daily orators and beadsmen of your clergy of England, having one special trust and confidence in your most excellent wisdom, your princely goodness and fervent zeal to the promotion of God's honour and Christian religion, and also in your learning, farr exceeding in

<sup>b</sup> Hall, Henry VIII. f. 205. Ed. Grafton, 1550.

<sup>c</sup> Wilkins, Conc. vol. iii. p. 754.

our judgment the learning of all other kings and princes that we have reed of; and doughting nothing but that the same shall still continew and dailey increase in your majesty, first do offer and promise in *verbo sacerdotii* here unto your highness, submitting our selfs most humbly to the same, that we will never from henceforthe enact, put in ure, promulge or execute any newe canons or constitution provincially, or any other newe ordinance, provincially or synodally, in our convocations or synode, in time comyng, which convocation is, alway hath byn, and must be assembled onely by your high commandment of writte; only your highness by your royall assent shall lycense us to assemble our convocation and to make, promulge and execute such constitutions and ordinances, as shall be made in the same, and thereto give your royall assent and autorite. Secondly, that whereas diverse of the constitutions, ordinances and canons provincially or synodally, which have been heretofore enacted, but thought to be not only muche prejudiciall to your prerogative royall, but also over muche onerous to your highnesses subjects; your clergy aforesaid is contented, if it may stand so with your highnesses pleasure, that it be committed to the examination and judgment of your grace, and of thirty two persones, whereof sixteen to be of the upper and nether house of the temporalte, and other sixteen of the clergy, all to be chosen and appointed by your most noble grace. So that fynally whichsoever of the said constitutions, ordinances or canons provincially or synodally shall be thought and determyn'd by your grace and by the most part of the said thirty two persones not to stand with God's laws, and the laws of your realme, the same to be abrogated and taken away by your grace and the clergy. And such of them as shall be seen by your grace and by the most part of the said thirty two persones to stand with Goddes laws and the laws of your realme, to stand in full strength and power, your grace's most royall assent and autorite ones impetrate fully given to the same."

To make this submission imperative upon the clergy, and to place it beyond their power of revocation, the king resolved that it should become an act of the supreme legislature, and be enforced by pains and penalties. On the 30th of March accordingly in the year 1534, after various other measures had been

put in progress for the purpose of completing the separation between the churches of England and Rome, the king gave his assent to the bill which ratified the submission of the clergy. Their act is expressed in that memorable statute (25 Henry VIII. chap. 19.) in the following manner :

“ Be yt therefore now enacted by auctoritie of this present parliament according to the said submission and petition of the said cleregy, that they ne enny of them from hencefurth shall presume to attempt, alege, clayme or put in ure any constitutions or ordinancys provinciall or sinodalye, or any other canons, nor shall enact, promulge or execute any suche canons, constitutions or ordinannce provinciall, by whatsoever name or names they may be called, in their convocacions in tyme comyng, whiche alway shal be assembled by auctorite of the kinges wrytt, oneles the same cleregy may have the kingis moste roiall assent and licence to make, promulge and execute suche canons, constitutions and ordinanncys, provinciall or sinodall, upon pain of every one of the said cleregy doying contrary to this act and beyng thereof convicte, to suffer empresonament, and make fyne at the king's will<sup>d</sup>.”

From these words it is evident that the king was determined to bind his fetters in such a manner that no strength or artifice on the part of his prisoner should enable him to escape from them; and we know from the subsequent history of

<sup>d</sup> The act goes on to constitute the commission of thirty-two persons according to the suggestion of the clergy, and terminates with the following proviso, which was added in the house of lords by way of rider: “ Provided also that suche canons, constitutions ordynannces provyncyall and synodalls beyng all-reddy made, which be not contrariant nor repugnant to the laws, statutes and customes of this realme, nor to the damage nor hurte of the kings prerogative royall, shall now still be used and executyd as they were afore the making of this act, tyll suche tyme as they be vewed, serched or otherwise ordered and determined by the said thirty two persons, or the more part of them, according to the tenour, fourme and effect of this present act.” No such

revision has ever been completed; and it is to this proviso that the church of England is indebted for the interest it still possesses in the constitutions of popes and the ordinances of papal councils, and for that peculiar darkness which still continues to brood over ecclesiastical laws. “ The business upon this head ” (says Burn, *Eccl. Law. Pref.* p. xxxiv.) “ must be to inquire, first, what is the canon law upon any point; and then to find out how far the same was received here before the said statute; and then to compare the same with the common law, and with the statute law, and with the law concerning the king's prerogative (which is also part of the common law); and from thence will come out the genuine law of the church.”



the church, and the many fruitless attempts which have been made to obtain a relaxation of them, that the king's design has been eminently successful.

The effect produced upon the constitution of an English synod by this joint act of the convocation and the parliament may be stated in the words of archbishop Wake: "King Henry the VIIIth being resolved to tie up the hands of the clergy, that so they might not be in a condition of making any considerable opposition to his designs; in the first place, by the latitude of the word Convocation, (which was now indifferently applied to any kind of synodical meeting of the clergy,) restrained them from assembling by any ecclesiastical summons, without the authority of the king's writ; and thereby secured himself, that not only no state convocations, but no provincial councils should be held against his consent. But because it would be necessary for him to call the clergy to convocation, in order to the raising of those subsidies upon them there, which they had not yet been accustomed to grant elsewhere; and that being met in convocation by his writ, they might there proceed, by the consent and authority of their metropolitan, to act synodically without any leave granted to them by himself so to do; therefore to secure himself against any danger on this side too, it was further provided that they should not from thenceforth attempt or make any canons or constitutions provincial without the king's most royal assent and license as well to make as to promulge and execute the same. So that now the clergy being come together in one capacity, by virtue of the king's writ, could not (as before they might have done) by the sole permission of their archbishop, without any assent or authority from the king, proceed to act in another; but must as well have his license to make canons when assembled in convocation, as his writ to authorize the metropolitan to assemble them there.

"Now this being the true design of that prince in laying such a restraint upon the clergy, and what his parliament as well as himself aimed at in the statute which they made to this effect; the case of the convocation with respect to their power of acting, I take to be plainly this: that being called by the king's writ to assemble in their state capacity, (as both the words of it import, and the continuance of the like form

of summons now, by which they had been wont to be assembled under that capacity heretofore, do plainly shew,) they are by that writ empowered not only to meet, according to the mandate of their metropolitan issued out thereupon, but being met, are authorized freely to act in that capacity, without any other restraint than that one, of not being any longer at liberty to enforce their subsidies by ecclesiastical censures; which indeed from thenceforth they could not do, because they were by this act generally restrained from making any canons or constitutions, provincial or synodical, without the king's license; and no exception or provision was made for a liberty to do that in this one case, which they might not do in any other besides.

“Accordingly, whilst they continued to grant their own money, they had no need of any license either to debate of or to come to a final resolution upon any subsidies for the government. They granted them freely as before; and drew up their grants into a solemn instrument; and by their president offered it under his metropolitaneal seal to the king for his acceptance.

“If they had any addresses to make, or any petitions to present to the bishops, the parliament, or the prince, they had, and still have, a full liberty to make and to offer them. And as before, if they saw it needful to proceed to any proper synodical debates, in order to the regulating of any thing that might be wanting in the doctrine or discipline of the church, they had an undoubted right to draw up their requests to their archbishop and bishops for leave or directions to proceed upon it, so I do humbly conceive, they may do the same now: only with this difference, that their petition must now run, not for their leave or consent, (who are no longer able to grant them any,) but that they would obtain the prince's assent and license, who alone, since this act, can authorize them in this particular.

“And here, if I mistake not, the power of the convocation, as such, determines. If they mean to proceed any further, and to confer, not in order to a petition for a license, but (as the judges well expressed it) to constitute canons, they must first qualify themselves for such conference by the king's license; or they will come within the penalty of that statute

which prohibits any such attempt. But such a license being obtained, they are thereby made a council as well as a convocation, and from thenceforth may act, within the bounds of such their license, as securely in that capacity as by their writ of summons they had authority to proceed in their other."

It might reasonably be supposed, from considering the nature of a convocation, as claiming to represent the great body of the clergy, that it would at all times be treated as the legislature of the church, and be entrusted with the granting of aids and subsidies from the clergy, and with the enactment of ecclesiastical laws. But if we follow the course of its history, we shall find that in this latter department, which would seem to come most properly within its province, it has not in reality exercised its natural rights. It was not permitted to pass its judgment on the second Service-book put forth by authority of parliament in the reign of king Edward VI., and for this plain reason, that it would have thrown all possible difficulties in the way of its publication. It was treated with more respect by queen Elizabeth, being at that time free from the imputation of hostility to the court; but even then it was regarded rather as a collection of individuals deeply interested in the pending measures, and well qualified to give advice respecting them, than as an authority in any manner coordinate with the crown. It received greater consideration from king James I., who admitted its claims to be consulted by him on certain questions, and practically shewed the great interest he took in its counsels. It reached its highest degree of power in the reign of king Charles I.; who, guided at once by his convictions and his necessities, gave a greater range and a larger authority to its decrees. But throughout the whole of this interval there was no distinct demarcation of its powers, nor any acknowledgment that it possessed an independent jurisdiction. New articles of religion were not wanted; sufficient standards had already been provided for conducting the national worship; the purposes of church discipline could for the most part be accomplished without employing so cumbrous a machinery; and nothing remained to be transacted in a convocation except the task which the sovereign readily imposed upon his clergy, and they cheerfully sustained, of raising subsidies for the exigences of the state. It follows, therefore, that after the

ratification of the XXXIX Articles in the year 1571, although the convocation on several occasions dispatched business of importance, enacting canons, which in one instance have become the settled laws of the church, in another were rejected by the sovereign, and in a third have been overpowered by the uniform opposition of public sentiment, its general history, from the time of the Reformation to the period of the great rebellion, consisted merely of aids and subsidies constantly increasing in amount, and carried at last to the fatal experiment of free benevolences.

Contrary as these facts might seem to the probabilities of the case, they were in reality a natural result arising partly from the condition of a synod itself, and partly from the many substitutes that were found for it in governing the national church. The powers of the archbishop, great in themselves, and still greater when viewed in his high station as the president of a synod, had recently been augmented in the eyes of true churchmen by the rejection of the pope, and the supposed transfer of the most sacred elements of his office to the primate. To aid this impression there was a tradition in the church that in ancient times he was invested with the authority of a patriarch; and it was a natural consequence that when the Roman pontiff had been stripped of this as well as other usurpations, it would revert, whatever might be the amount of it, to its original possessor. In the earlier periods accordingly that followed the Reformation, when the conditions of a visible church were generally understood, and the necessity of a spiritual head to preside over it was distinctly acknowledged, the power of the archbishop was a most effective instrument for church government. Being also under the direct and absolute dominion of the sovereign, conferred according to his will, and liable to be suspended at his displeasure, it was a most valuable auxiliary for state purposes, and contracted by a natural reciprocation something of the influence and authority of the civil ruler. Even at a recent period, when ancient jurisdictions had been disputed and invaded, archbishop Tenison was strongly urged to publish a book of family devotions on his own authority, not because it was equivalent to that of a convocation, but as being more easily obtained, and equally conclusive in effect among the members of the church.

But a more formidable engine for the purposes of church

government was the court of high commission, which had the double advantage of being authorized by statute, and yet left at liberty to derive its weapons from the inexhaustible armoury of the king's prerogative. It was the policy of queen Elizabeth to employ the authority of this court for all the purposes of the church, whether executive or legislative, considering the prelates whom she placed in it, with the primate at their head, as a delegation from the house of bishops, and acquiring the further advantage of controlling their opinions by means of the other commissioners appointed from among her own ministers. Doubtless this court, from the unbounded extent of its jurisdiction and the extreme cogency of its measures, was an instrument admirably adapted for the hands of an absolute ruler; but Elizabeth seems also to have considered it as capable of sustaining any weight of odium or resistance that might be occasioned by her rigorous views of church discipline. The Advertisements that were issued in the year 1564 by the bishops in commission, consisting of orders for the government of the church, which were founded upon no past sanctions, either legislative or synodical, and were not permitted to receive her own formal ratification, shew, by a memorable instance, that the queen placed no limit upon the authority of that court, and had no fears as to any amount of opposition it might meet with.

And beyond and above all these methods of coercion and direction was the supremacy of the crown, which at the time of the Reformation may be said to have combined the rights of an absolute monarch with the spiritual domination of the pope, and to have been restrained in the personal exercise of the latter functions only by its own act of self-denial admitted and confirmed by the legislature. The oath of supremacy, provided in the statute, (1 Eliz. c. 1,) declared the queen to be the "only supreme governor of the realm, as well in all spiritual and ecclesiastical things or causes, as temporal;" and there was nothing to exclude her from "challenging authority and power of ministry of divine service in the church," until she expressly renounced it in her Injunctions of the year 1559, and allowed her renunciation to be confirmed by an act of parliament in the year 1571, when the XXXIX Articles of religion became the law of the land.

But although these high and rival authorities were sufficient

to cripple the power of convocations, and to relieve them from the discharge of their most important duties, there still remained to them the office of providing subsidies from the great and wealthy body whom they represented. This office they fulfilled during the most trying periods of the monarchy with constant and unabated loyalty, advancing large sums by way of loan, taxing themselves to a great amount for terms of years, and granting in several instances lavishly, and in one instance fatally, a free benevolence. It is a fact worth observing, and only to be explained by the acknowledged connection in interest and in existence between the church and the throne, that these imposts, though frequently attended with great hardship, were freely voted, and for the most part were readily paid. But a benevolence was a method of raising supplies which came recommended to the sovereign by two most important advantages. It was paid to him directly, and without the liability of his rendering any account of it, and—what became at last its most pernicious attribute—it did not require, as all common subsidies did, to be confirmed and levied by authority of parliament. It was enforced by means of the weapons of the church; and as excommunication was full of terrors, both spiritual and temporal, to all those from whom the benevolence was to be collected, it needed no assistance from the common penalties of the law. This was the measure to which recourse was had by Charles I. in the year 1640; and archbishop Laud, who was painfully alive to all the consequences of the approaching conflict, but had not duly estimated the relative strength and influence of the combatants, recommended that the benevolence should be raised, and took his precedent from a similar proceeding of archbishop Whitgift in 1585, when the jealousy of the commons could not be offended, and the prerogative of the crown was undisputed. To this act of archbishop Laud, above the other conspiring causes of that eventful period, may be ascribed the complete and disastrous alienation that followed between the church and the parliament.

The recollection of this important measure, and of the great constitutional interests involved in it, survived the long interval of disorder, and led at the period of the restoration to a new æra in the history of convocations. All persons, whether

promoting the welfare of the church or of the state, appeared to acquiesce in the necessity for some change, to prevent the occurrence of any future contests between the clergy and the commons. The one party naturally suggested that an uniform system of taxation, enforced by the same authority, should prevail throughout the kingdom; and the other readily acquiesced in a proposal, which not only dispensed equal justice to all parties, but in doing so relieved their own adherents from great oppression. The experiment moreover had been tried during the protectorate, and having been considered successful had created a kind of necessity in its favour. The clergy were aware that by surrendering this right of self-taxation, they were abandoning many disputable pretensions of their predecessors in order to accomplish an arrangement of real usefulness; but they probably did not foresee the ultimate consequences of their measure, consequences, which though remote were unavoidable, commencing in the immediate disparagement of all church synods, and terminating in their virtual annihilation. This arrangement, adopted by all parties tacitly at the time, and never confirmed by any sufficient authority, legislative or synodical, has since, like wild plants in an intricate forest, become intermingled with provisions of acts of parliament, and taken firm root among them; being, as bishop Gibson has observed, the greatest alteration ever made in the constitution without an express law.

It was soon found that convocations were an empty pageant. They were of no value to the government; they were regarded with some degree of jealousy by the bishops; attendance on them was irksome and harassing to the lower clergy; and it was only the sense of their constitutional importance, and the fear that the church would lose its proper influence in the counsels of the nation, which made any party desire that convocations should still maintain a decent and determinate existence. A time of great trouble followed, when all the energies of the church were needed, and its individual members entering boldly into the conflict were the means of saving both the church and the state from impending destruction; and yet convocations continued silent. The revolution was effected, and one of its immediate consequences was to bring the great body of the clergy into collision with the civil go-

vernment, and to invest them with an unusual degree of influence and authority. And this was precisely the period, when a man of active and resolute spirit, devoted to the cause of church privilege, and inflamed with temporal ambition, would find an ample field for his exertions, and a large body of followers ripe for extreme measures. The discussion had already been opened by other writers; but the book published by Atterbury in the year 1700, entitled "The rights, powers and privileges of an English convocation stated and vindicated," and the eloquence and intrepidity with which he followed up his defence of the lower house, soon placed him at the head of the high-church party, and in open opposition to the measures of the court. In the political changes which took place in the earlier portion of the 18th century, he filled high stations and exercised a commanding influence, although he was finally driven into banishment. During the same interval there were also times when under the advantage of the royal favour the convocation was called upon to transact important business in connection with church discipline. But the feud between the two houses, which Atterbury had studiously carried to extremities, had sunk deep into the memory of the nation, and tainted in public opinion the very nature of a synod.

And yet it appears that in this protracted contest the blame belonged exclusively to the lower clergy, who sought in opposition to all past practice to obtain an acknowledgment that their house was coordinate in every respect with the house of bishops, making a large use of their alleged analogy with the commons in the constitution of a parliament. The points on which they practically insisted were the right of declaring their own adjournments, of holding intermediate sessions independently of the prorogations issuing from the president, and of demanding a free conference between the two houses. But the questions that were most earnestly debated, and the right judgment to be formed respecting them, may be seen from the following resolutions adopted in the course of the contest by the bishops, resolutions, which were intended at once to protect the upper house from the assaults of the lower clergy, and the convocation at large from the more formidable encroachments of the civil power.



“ \*The upper house having observed that the most part of those unhappy differences which have arisen between the bishops and clergy concerning the methods of proceeding in convocation, have been occasioned by a wrong notion of the convocation's being a parliamentary assembly ; and that the forms of sitting and doing business ought to be regulated by those of the parliament ; have thought it necessary to cause the records of our provincial synods and convocations to be exactly searched, and an extract to be drawn from thence of the customary methods of their meeting, acting, proroguing, and dissolving, as well before the Act of Submission, 25 Hen. VIII. c. 19, as since ; with proper proofs to support the truth of every article ; and having duly examined and considered the same, have thereupon come to the following resolutions :

“ 1. It is the opinion of this house that the constitution of our provincial synods and convocations is in many particulars very different from that of the parliament.

“ 2. That it does not appear to this house upon the strictest inquiry they can make, that the convocation or synod provincial is any where in our records called by the name of a parliament spiritual ; nor can we find in those records any ground for any such title.

“ 3. That both the word of *adjournment* and the thing meant by that word, as distinguished from *prorogation*, are utterly unknown to our records : nor can we find it was ever made use of in any royal writs sent to the convocation, but only in the 19th of king James I. (and then, as we conceive, by the ignorance or inadvertency of the clerk who drew the writ). And in the execution of it made in the other province, whose acts alone of that year remain to us, the convocation pursued its own method, and was prorogued by the commissary of the archbishop, as usual, thereupon.

“ 4. That all the continuations of our convocations or synods provincial, as they are in our records called prorogations, so are they properly such : and the continuance of the business before them from one session to another, depends not upon any imaginary distinction between adjournments and prorogations, (which we take to be newly coined to serve a present

purpose,) but upon the authority and intention of the archbishop, as president of the assembly, to continue both the meetings, and the affairs of them, from time to time, 'in statu quo nunc sunt.'

" 5. That the queen by her writ does not either assemble, prorogue, or dissolve the convocation, but direct and require the archbishop so to do.

" 6. That the royal writ of prorogation having no words in it that require the archbishop to put an end to the business of the convocation, but requiring him on the contrary to prorogue it 'modo debito;' i. e. as we conceive, according to the received custom, and usage of convocation; his grace is in full possession of his ancient and undoubted right to continue the business and treating of the convocation; as his predecessors have, time immemorial, done.

" 7. That the archbishop continuing the convocation upon the royal writ 'in statu quo nunc est,' as he does in all his other prorogations, the convocation must thereby meet under the same right and capacity of going on with the business, as it would have done, if the prorogation had been made without any such writ.

" All which being so; it is lastly the opinion of this house;

" 8. That it is our duty to support the true and ancient constitution of our ecclesiastical synods or convocations; which however we willingly acknowledge to be subject both in their assembling and acting to the royal supremacy, (as they always were before the statute 25 Henry VIII. c. 19, and ought to have been, though that statute had never been made,) yet we cannot so far consent to alter the nature and condition of them, as to deprive them of that ecclesiastical authority they confessedly had before the making of that statute, and we conceive ought still to enjoy, notwithstanding what has been thereby done to limit or restrain the exercise of it."

Another difficulty which befel convocations incidentally, affecting their character at all times, and at last contributing to shorten their existence, was the office of condemning heretical publications. At an earlier period this office had been discharged by the court of high commission; and the state of public feeling at the time, conspiring with the supreme authority and the matchless vigour of that court, made such offences of rare occurrence, and prevented them, whenever they

occurred, from being brought before other tribunals. But when the court of high commission was abolished, and the spirit of the times removed much of the restraint which had previously been imposed upon the press, occasions were constantly arising for the interference of some church authority, and a spiritual judge was wanted, whose arm could reach to every part of the kingdom, and strike terror into every species of offender. This duty, which the bishops' courts, however adequate to their own respective dioceses, were too restricted or too feeble to discharge, was undertaken by the convocation; but the case of Toland, a case that occurred as early as the year 1701, and seemed likely to try their strength to the uttermost, soon furnished them with reasons for doubting whether they possessed any jurisdiction in such matters. Their doubts were confirmed by several legal opinions that were given against them; and it was not till the year 1711, when the memorable case of Whiston had roused the spirit and strengthened the resolution of the clergy, that the twelve judges were commanded by the queen to give their opinion on the subject, and eight of their number, together with the attorney and solicitor general, declared themselves in favour of the authority of convocation. In the midst of the warfare then raging between the two houses, these questions led to further discord in some instances, and to a zealous cooperation in others. Among the most remarkable were the cases of bishop Burnet and doctor Samuel Clarke; but the most formidable and fatal opponent was bishop Hoadly, whose "Preservative against the non-jurors" and "Sermon on the kingdom of Christ," written in defence of the existing government, and shielded by their public approbation, led to the virtual extinction of convocations. In the year 1717, the lower house drew up a hostile representation respecting those books; but it had not yet been laid before the bishops, when the king's government sent down a writ of prorogation, being warned by the great scandal of some former controversies, and determined to protect a prelate, who was the earnest advocate of their own opinions. From that day the convocation appears to have been doomed to a perpetual silence.

After this general narrative some observations would seem to be required respecting the relations of the two houses to each other, and of the whole body to the great authorities of

the state. Each subject indeed is attended with its own difficulties, and the latter of them is of such a nature as to involve conflicting principles, and to lead onward into dangerous speculations. But the statement may be sustained by a constant reference to facts, and with such a limitation will recommend itself by its own natural importance.

The house of bishops uniformly asserted and maintained their superiority over the lower house. The archbishop as president of the whole body possessed his own individual 'privileges; but the upper house, with the president at its head, had the right of determining the sittings of the lower clergy, of assigning the business to be prepared by them, of calling for their assistance in committee, and confirming their election of a prolocutor. The lower clergy could present petitions containing complaints or suggestions, could offer amendments on the propositions of the bishops, or render them of no effect by finally dissenting from them. And this disparity resulted naturally from the authority possessed by the bishops individually over their respective presbyters, from the higher kind of sacredness attaching to their order, which, though not openly maintained till near the end of Elizabeth's reign, was one of the constant principles of her conduct, and from the constitution of early synods, consisting, as they did, of bishops and prelates only, the lower clergy having been called together originally for advice and counsel, and not acquiring a distinct and permanent interest till they were found useful for the purpose of granting subsidies. It was observed accordingly in queen Mary's reign "with<sup>g</sup> what loftiness the bishops, few as they were in number, carried it towards the lower house;" and the canons of 1571, "upon<sup>h</sup> which it was fully agreed in the synod by the lord Matthew, archbishop of Canterbury, and all the rest of the bishops of his province," speak expressly of constitutions<sup>i</sup> as made by the sole authority of the archbishop and his suffragans.

<sup>f</sup> The archbishop had a veto on all measures, a privilege which he also retained for himself, whenever another bishop presided for him; he had the right of giving leave of absence to the members of the lower house, and of absolving or punish-

ing them for their absence in other cases; of admitting or refusing proxies; and of determining controverted elections.

<sup>g</sup> Strype, Mem. vol. iii. P. i. p. 75.

<sup>h</sup> Strype, Parker, vol. ii. p. 60.

<sup>i</sup> See infra, p. 122.

But a more important question was the relation subsisting between a convocation and a parliament. And here it must be remembered that two large parties in the commonwealth may set out in their views of government from two opposite principles, the one maintaining that by a law of Christianity, all questions relating to religion, whether in the way of doctrine or of discipline, must be determined by the church, the other that by a law of nature, all questions whatever affecting the interests of society must be determined eventually by the supreme legislature. It is easy to conceive that occasions might arise from cases of a mixed nature when these two principles would be brought into dangerous conflict; and that in such cases no remedy could be found but the prudence, which trains and modifies them as they occur, and treats them throughout the whole period of their existence with extreme caution and mutual forbearance. And such appears to have been the conduct, that has generally been pursued with regard to the opposing claims of convocation and parliament. As early as in the year 1547 the lower clergy petitioned the house of commons "that<sup>k</sup> according to the ancient custom of this realm and the tenor of the king's writs for the summoning of the parliament, ..... the clergy of the lower house of convocation may be adjoined and associate with the lower house of parliament; or else that all such statutes and ordinances as shall be made concerning all matters of religion and causes ecclesiastical may not pass without the sight and assent of the said clergy." In the year 1571, when the XXXIX articles were under the consideration of the commons, and it appeared to be their wish to omit a certain number of them, archbishop Parker remonstrated with their committee, and suggested that in the whole of that matter they should defer to the judgment of the bishops. In like manner queen Elizabeth repeatedly ordered that bills regarding the church should first be approved by the clergy: king James I, when he found the commons dealing with the perilous subject of excommunication, desired that they would first confer with the convocation respecting it: and king Charles I. empowered the convocation of 1640 to continue sitting, after the parliament had been dissolved, and

<sup>k</sup> Wake MSS. Misc. v. 40. p. 78. see also *infra*, p. 421.

assented to those memorable canons, of which lord Clarendon says that "in the best of times they might have been questioned, and were sure to be condemned in the worst." The house of commons resisted, in some instances temperately, in all instances firmly, these varied solicitations. To the remonstrance of archbishop Parker their committee answered in the person of Mr. Wentworth, that they would pass nothing without examination. They replied to the orders of queen Elizabeth with assurances of dutiful submission, at the same time proceeding steadily in their measures of church reform. Become more bold under a weaker sovereign they declared the conference recommended by king James to be unprecedented and derogatory from their privileges, although they were willing to confer with the bishops as lords of parliament. But a better conclusion may be drawn from their conduct on two subsequent occasions, when the church and the state had been brought into actual collision, and the merits of the whole question were more distinctly understood. In the year 1662, when the changes made by the convocation in the book of Common Prayer were debated in the house of commons, it was decided, though only by a small majority, to adopt them without examination; and with a still greater deference to the authority of the church, in the year 1689, when the bill of comprehension was before the commons, they petitioned the king to summon a convocation, as the more proper assembly for discussing ecclesiastical questions. In this sentiment the lords afterwards concurred, and a joint address was presented to the throne praying that "according<sup>1</sup> to the ancient practice and usage of this kingdom in time of parliament, his majesty would be graciously pleased to issue forth his writs, as soon as conveniently might be, for calling a convocation of the clergy of this kingdom, to be advised with in ecclesiastical matters."

Nevertheless, although the reasonable claims of the convocation have been practically admitted, and the precedents that would be quoted in their favour are at once the most recent in their occurrence, and the most distinct in their declaration, it is clear from the nature of the case that the parliament possesses

<sup>1</sup> Hist. of Confer. p. 410.

an exclusive jurisdiction in most matters and a decided superiority in all. When the subsidies of the clergy were formerly imposed by themselves, they still could not be levied in the customary manner without the authority of parliament. The only proper punishments by which at any time a convocation can enforce its ordinances, are of a spiritual nature, and from the character of different offences are least likely to be effective, where there is greatest need of them. The church indeed might easily relieve itself from the incumbrance of such offenders; but if measures of that nature were properly within its province, the individuals would still continue members of the civil community, and would only require a greater superintendance, because they had already forfeited the ordinary and most persuasive means of reformation. It has always therefore been sought to unite excommunication with penalties of a civil origin, employing the prompt and personal measures of the law to support the tardy and argumentative correction of the spiritual courts. And if recourse was gladly had to provisions of acts of parliament, with equal gladness did the house of commons offer their assistance, that they might throw their fetters over the rival legislature. Hence has followed a natural and inevitable tendency to place the regulations of the church as much as possible under the protection of the statute, and to give strength and cogency to liturgies and articles of faith by means of an act of parliament, although they had already obtained synodical authority. In this tendency, viewed in its own nature, there is nothing to lament or complain of. The true members of the church do not require the sanctions or enforcements of the state, because they have already complied with the decrees of a convocation before a question can arise as to the application of the statute. But there are others of its members, who would share in its privileges without taking part in its duties; and if when the church has been found insufficient to cope with this latter class of churchmen, the state should be induced to deal with them, constraining them to live according to their profession, but leaving them to profess according to their own judgment, it is the act of the state providing for its own interests, and the wisdom or the folly of it must be given to the agent. From this interposition however of the statute law a result has prac-

tically followed, the force of which has not at all times been fully estimated. When the decrees of a synod have become the acts of a parliament, the former legislature has lost its authority over them. It cannot repeal them, it cannot modify them, it cannot pass any other decrees inconsistent with them. The whole power is lodged for the future in the hands of parliament; and whether the practical inconvenience arising from this result be great or otherwise, it is beyond the reach of a remedy, and is one of those cases where the duty on the one side is to acquiesce and on the other to forbear, the whole disorder being left in each individual instance to that silent operation of wisdom and virtue, which in a well-constituted society will ultimately work out its own restoration.

But whatever may be the amount of benefit resulting from this combination of the two authorities, however decided is the practical ascendancy of the one, as compared with the other, it is evident that the connection between them, although extremely desirable for both, is not essential to the existence of either. The case is otherwise as regards the supremacy of the crown. The church is united indissolubly with the throne; and by the act of the legislature as well as by the act of the church, founded in each instance on their respective interpretation of the divine law, no decree of convocation can be begun or completed without the permission and concurrence of the sovereign.

What then are the present condition and the prospects of the church in regard to its government? The convocation of the province of Canterbury consists of two houses, the one comprising the archbishop and his suffragans, the other composed of the deans of cathedrals, of the archdeacons, of one proctor from each chapter, and two proctors from the clergy of each diocese. "In<sup>m</sup> this province therefore the lower house consists of 22 deans, 24 proctors for the chapters, 53 archdeacons, in the whole 99 of the cathedral clergy; and there are but at the same time 44 proctors for the parochial clergy." Now it is declared in the canons of king James that a synod so constituted "is the true church of England by representation;" and by this dictum is meant, not that a synod

<sup>m</sup> Burn, *Eccl. Law*, vol. ii. p. 25.



is a selection made equally and by themselves from the clergy at large, much less a selection of any kind from the whole body of the faithful, but merely that it is invested with the real character and power of the church. It is however to the former meaning of the word representation that the spirit of modern times has uniformly tended, and the tendency has been promoted and established by the changes that have been made in the constitution of the state. The incongruity moreover which has followed in the construction of a synod, has been increased in a multiplied progression, from the greater prominence and the augmented numbers that have been acquired by the parochial clergy, and the diminished and depressed condition of the chapters. Under such circumstances and with the current of public opinion borne so strongly in the opposite direction, it may reasonably be asked whether a synod so constituted could wisely be employed to accomplish any work of difficulty, obtaining no respect or sympathy from churchmen in general, and regarded with suspicion or jealousy by the clergy themselves.

Has the church then been hitherto drifting in the wide ocean of accidents? We answer,

— Pater amisso fluitantem errare magistro  
Sensit, et ipse ratem nocturnis rexit in undis.

But though it may be granted that synods from their constitution are ill suited to the actual condition of the church, and from past experience of their conduct have been condemned to a perpetual silence, the church is not left without its outward and effectual forms of government. Let it be remembered that the articles of religion, the liturgy and the homilies, the standards of the national faith, have all been approved by synods as well as parliaments; and though they are not unchangeable in their nature, being ordained only by man's authority, still it is unreasonable to assume that they are in want of correction, and unwise on a mere assumption to create facilities for correcting them. Such authority<sup>n</sup> in short as is at present requisite is rather executive than legislative.

<sup>n</sup> The only case likely to give occasion to practical difficulties, is that of the canons, which are acknowledged to be laws of the church, but were passed at a period, when the state of society was very different

Now the power of a bishop over his clergy is great in itself and in its judicial functions ; but it is still greater in their

from its present condition, and legislation was carried into matters of extreme detail. It may readily be presumed that there are regulations among them which it would now be unwise to observe and impossible to enforce, but which from the present state of convocations cannot be either repealed or even modified. Are they then still binding, and if so to what extent, upon the conscience of a churchman ?

The answer to this question might be confined to the two following particulars : 1. That owing to the interposition of acts of the supreme legislature, the cases of real difficulty, such for instance as relate to the treatment of dissenters, are actually removed, and the few cases of perplexity that remain may be met by other considerations ; and 2. That the enacting power having either abdicated or been dismissed from its office, it would seem irrational to wait for the same power to remodel its former measures, rather than to resort to the authority next in order, and to act according to its judgment or counsel. These considerations apply only to individuals who may have to treat a given difficulty as a case of conscience. The question is entirely different as applied to the spiritual courts, which will proceed strictly according to the laws of the church, and have always found the laws of the land sufficient to relieve them from any apparent embarrassment.

But a few more remarks may be desirable respecting the obligation that lies upon churchmen as individuals to observe the canons.

It is clear that in the earliest periods after the reformation they were put forth as binding upon laymen. Queen Elizabeth declared even her injunctions, drawn up merely by a commission without the assent of convocation, to be binding upon all her subjects, "every man in their offices, degrees, and states;" and

when she ratified the canons of 1597, she ordered them to be diligently observed and obeyed by all her subjects in virtue of her royal supremacy. The same language was held by king James I. and king Charles I. when they published the canons of 1604 and 1640 respectively. And these views were enforced by means of the court of high commission, as long as that court continued to exist ; but the courts of common law, acting upon the dictum laid down by sir E. Coke (12. Co. 72.) have decided in several instances that laymen could not be included within the operation of modern canons ; and since the unanimous decision of the court of king's bench, as delivered by lord Hardwicke in the year 1737 (Stra. 1056), it is universally admitted that "the canons of 1604, not having been confirmed by parliament, do not *proprio vigore* bind the laity." It is clear however that this decision affects the question only as a point of jurisprudence, confining itself entirely to the force which the canons derive from the king's prerogative and the law and constitution of the land. There is still to be considered the foundation they possess in the institution of Christianity, and the obligation they lay upon the conscience, as the enactments of a church which received its appointment and authority from Christ. And this is an obligation entirely distinct from the former, liable indeed to be controlled by it whenever the two would otherwise come into conflict, but acting by means of different motives, and appealing to a different jurisdiction. It is indeed part of its nature that it is incapable of being strictly defined ; but it is not on that account the less binding on all those, who profess themselves members of the church of England, and look upon it as inheriting the privileges of the church of Christ.

The synod which was held at Jerusalem in the time of the apostles

estimation of it, when they think of him and of themselves in their spiritual character; of him as the depository of sacred in-

claimed and exercised authority over the members of the Christian church without distinction. And in this instance we have the maximum of obligation, which any council of the church can be supposed capable of imposing. To this instance then how nearly can any other synod at any other period approximate? Let it be granted, whether on the ground of unbroken descent, or on the more general plea of church unity, that a convocation of the church of England constituted as it has always been, is entitled to claim succession from the council of Jerusalem; and some estimate may be formed of the extent to which modern decrees are binding upon present churchmen. Deduct from the case of the apostles their individual and joint infallibility, and together with it that independence and freedom, which a church united with the state has necessarily surrendered, and the difference is the condition of a modern English synod, capable of being misled, as consisting of men who can give no proof that they are divinely inspired, limited even by its original constitution, because it cannot decree in opposition to the words of Christ and his apostles, and still further limited by its alliance with the state, because no man can serve two masters. After these important abatements however, there is still some degree of obligation remaining; and whatever that may be, and however impossible it may be to convey it in any prescribed rule of conduct, it represents the real extent to which the canons of 1604 are still binding upon the lay members of the church. That this extent is to be determined by each individual for himself, contracting a responsibility which from the nature of the question the church cannot exercise for him, is a fact which only adds to the amount of his duties, and to the care and seriousness he must use in endeavouring to discharge them.

When this general estimate has been formed, the cogency of any particular case is still subject to the following limitations. Canons may be considered as no longer binding; 1. Where it is no longer possible to observe them; as in the 86th canon, where mention is made of the court of high commission, and the 55th, where the church of Scotland is included within the bidding prayer. 2. Where it would be contrary to law to require the observance of them; as in canon 80 respecting the book of Common Prayer, and the many canons affected by the test and toleration acts. 3. Where their expressed or clearly implied object would be defeated or left unfulfilled by observing them; as in canon 74, which gives instructions respecting dress calculated in the present day to occasion ridicule. 4. Where they require a lower degree of observance than is actually practised; as in canon 42, where the study of the New Testament is directed to the Latin translation and not to the Greek original. 5. Where they are superseded in *eadem materia* by the improved nature of the present practice; as in the use of the Latin Grammar of king Henry VIII. (can. 79) which a convocation itself had undertaken to reform; and in the distinct duties assigned to preachers and other ministers, that distinction having ceased in the advanced condition of the clergy. To these considerations, which properly apply to all cases of ancient and minute injunctions, must be added in the case of the canons the further qualification that the authority from which they proceeded is virtually extinct, and that the high spiritual persons, whose jurisdiction is next in order to that of a synod, though they are not competent to annul a canon formally, are competent to instruct and direct the conscience as to the continued observance of it.

fluence, and of themselves as under him the ministers and dispensers of it. And if there are any among them with whom such motives make no impression, and the strong arm of the law is the only valid argument, the bishop is supported by acts of the legislature, and the civil sword is placed in his hands for the punishment of evil doers. And whatever considerations of this kind apply to any single bishop, they apply with increased effect to the primate, than whom we acknowledge no higher spiritual person upon earth. If then, apart from the wide range of his judicial powers, we suppose him to have taken counsel with his suffragans, and to express his opinion on a question, on which any members of the church have honestly been seeking for it, there can scarcely be desired an authority more conclusive with the parties themselves, or more closely in accordance with the primitive pattern. In a church, indeed, united with the state, such opinions are not of the nature of decrees and ordinances, and cannot be enforced by penances and excommunications; but they carry with them a moral and spiritual force, which would be decisive to all reasonable minds, and to a Christian temper would be irresistible.

In selecting materials for this publication, the first object was to bring together all such documents as had at any time within the prescribed interval been possessed of full synodical authority. It may be conceived from the inexact methods of legislation and registration in earlier times, that some documents of this description may have been altogether lost, or at least have been handed down in an imperfect condition; but, if this were the case, it would only increase the desire that all such papers as are still to be obtained, should be brought into one body, and published in the precise forms which were known to be authoritative. The articles accordingly of the year 1562, furnishing one of the most remarkable examples that could have been given of the case, are taken from the printed edition of R. Wolfe, put forth with the royal authority in 1563, in preference to the original MS., which is still extant, and still bears the signatures of both houses of convocation, but was evidently corrected before the articles were ratified by the queen. And this is only one instance out of many, where a record of the convocation, the document which at first sight would seem to be conclusive, is in reality superseded by a printed copy, the

latter being the earliest known record which can be shewn to have obtained full synodical authority.

Doubtless there are many minds so constituted, that a decree of convocation, attested by the subscriptions of all its members, would appear to have a moral force and obligation that needs no further sanction to make it imperative; and it may readily be allowed, that such a decree, where it has not been negatived by the sovereign, either by his express condemnation, or by the mere omission of it from the authorized record, is entitled to every degree of respect and deference, short of the implicit obedience that is due to a positive law. But questions of government are not matters of private feeling or individual interpretation. It is manifest that no mere decree of convocation can be binding either in law or in conscience, whatever may be the moral force it possesses, since it has been solemnly declared by the church as well as by the state, that all such decrees are utterly invalid, until they have received the approbation of the sovereign.

In this class of authoritative documents are naturally added the memorable canons of 1640, which were adopted by the convocation of that period, and obtained the sanction of king Charles I., but by the overpowering weight of circumstances have never passed into acknowledged laws of the church. The history of these canons affords one of the most remarkable instances on record of the paramount force of public opinion in its ordinary and healthy condition, when opposed to enactments, which are admitted to have been formal in their origin, but were passed at a time of disordered principles and extreme discord. Historically, however, they are entitled to a place among the documents of the church, and, besides other collateral advantages, are of considerable value in the moral lesson they inculcate.

But in addition to this first and most important class of synodical records, there are other decrees of convocations, possessed of no authority whatever, but entitled to be received into a collection of ecclesiastical documents, on account of their intimate connection with the history of the church in some of its most critical periods, and the striking illustrations they afford of its character and nature. Such for example are the canons, so called, of 1606, first published under the direc-

tion of archbishop Sancroft, with the title of bishop Overall's Convocation book, canons, that represent the extreme views of church authority belonging to the reign of king James I. but were rejected by that sovereign with a degree of wisdom and prudence, which, among his many inconsistencies, he frequently shewed in the matters of the church, and very rarely in his general government. These canons may be considered as the ecclesiastical code of a party, always respectable and sometimes powerful, which has been raised up in the church periodically, during times of disorder and disunion, as a tempest is sometimes employed to stay the ravages of a pestilence, and may be best exemplified by the conduct of the non-jurors in the reigns of king William and queen Anne.

Among the proceedings of convocations it was not always easy to determine what papers ought to be admitted and what excluded. There are many memorials and representations made by the two houses respectively, and especially at the period of their great controversy, which being merely the opinions of one member of the legislative body, are of no real authority, and have moreover no peculiar value in illustrating the history of the times. But among those proceedings there are in many instances heads or notices of legislation, which could not reasonably be omitted, whether they are regarded in their own intrinsic importance, or in the mature consideration they received from both houses of the clergy. In such cases the papers have been admitted, and their nature and value have been explained in the notes that accompany them.

The proceedings themselves are for the most part copies of the abridgments published by Wilkins in his Concilia, the mere matters of form being altogether omitted, and the remainder being expressed as much as possible in the words of the original records. But in such memorable convocations as those of the year 1562, 1640 and 1661, memorable not only for the construction of the XXXIX articles, the second book of homilies, the canons of archbishop Laud, and the liturgy in its present form, but also for the fact that the registers of the upper house belonging to those periods have been singularly preserved, it has been thought right to republish the proceedings at full length from the Synodus Anglicana of bishop Gibson.

The darkness, which broods generally over the annals of the church, and is most remarkable in the history of its councils, has been greatly increased by the destruction of the registers of the upper house in the great fire of London, a loss, for which the registers of the lower house make no compensation, owing to the inferiority of its powers and the limited range of its business. The deficiencies of earlier date have accordingly been supplied, as far as the case admitted, by the use of the best and most authentic editions; and in the more recent documents recourse has been had to the voluminous collections of archbishop Wake, to which free access was granted in the library at Christ church, and many additions and corrections have consequently been made, which had escaped the diligence of former collectors. Errors doubtless may have been still continued; but many others, some of which were of a serious nature, have certainly been removed.

The notes were too essential to the value of the work to be treated with carelessness or compiled without discrimination. They were intended to supply a knowledge of the motives and details that constitute the living substance of history, without which the reader would in the present instance have had before him the bare skeleton of the church, considered in its jurisprudence, and have been unable to form any conjecture as to its animation or activity.

The work itself completes the series of which the Editor gave notice when he sent forth his two volumes of Documentary Annals. If the object should be answered that was sought in the publication of it, it will tend to support that general sobriety of mind and principle, which, however occasionally deranged by factious men, and at convulsive periods, is among the many blessings conferred upon the nation by the reformed church of England.

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I.

Papæ Rom.	Archiep. Cant.	Anno Christi	Reg. Angliæ
JULII III. 3.	THO. CRANMER 21.	1552.	EDWARD. VI. 6.

*Articuli, de quibus in Synodo Londinensi, Anno Dom.*

M.D.LII. ad tollendam opinionum dissensionem, et consensus veræ religionis firmandum, inter Episcopos et alios eruditos viros convenerat: REGIA autoritate in lucem editi.

1. *De fide in Sacrosanctam Trinitatem.*

UNUS est vivus et verus Deus, æternus, incorporeus, <sup>10</sup> impartibilis, impassibilis, immensæ potentia, sapientia, ac bonitatis: creator et conservator omnium, tum

*Articuli, de quibus]* These Articles, forty-two in number, the first that were constructed by the church of England on the principles of the reformation, were indebted to the clear theological distinctions of <sup>15</sup> Melancthon and other reformers of Germany, and derived more especially from the confession of Augsburg (Laur. Bamp. Lec. p. 295 &c.) But some progress had already been made in this work by the English divines during the reign of Henry VIII., although the Articles published at several times by his authority were strongly in favour of the <sup>20</sup> ancient learning. In compliance with his earnest wishes, and with the view of promoting other important objects, as well as an agreement in religious sentiments, a deputation of three eminent reformers had been sent from the Protestant princes of Germany in the year 1538, who immediately on their arrival in England joined with Cranmer and <sup>25</sup> others in drawing up articles of religion, on the model generally adopted by their own countrymen. A book of Articles, which is still preserved among the public records, is believed to contain the result of their labours up to the time when they were interrupted by the personal interference of Henry; and though in a few points it appears <sup>30</sup>

visibilium tum invisibilium. Et in unitate hujus divinæ naturæ tres sunt personæ, ejusdem essentiæ, potentiæ, ac æternitatis, Pater, Filius, et Spiritus Sanctus.

2. *Verbum Dei, verum hominem esse factum.*

Filius, qui est verbum patris, \* in utero beatæ Virginis, 5 ex illius substantiâ naturam humanam assumpsit, ita ut duæ naturæ, divina et humana, integre atque perfecte in unitate personæ fuerint inseparabiliter conjunctæ, ex quibus est unus CHRISTUS, verus Deus et verus homo, qui verè passus est, crucifixus, mortuus et sepultus, ut patrem 10 nobis reconciliaret, essetque hostia non tantum pro culpa originis, verum etiam pro omnibus actualibus hominum peccatis.

to have receded from the confession of Augsburg, there are some peculiar clauses in it, which persons assembled from different countries 15 would be likely to have inserted, and which are also to be found in the subsequent Articles of 1552. This book, in short, having formerly been approved by Cranmer in conjunction with other reformers, both of England and of Germany, would naturally be employed by him in the year 1552, although in its thirteen Articles, the whole number of 20 which it consists, much would be found to be irrelevant and inapplicable, and great alterations had taken place in the meantime both in his own sentiments and in those of the people at large. (See Jenkyns' Pref. to Cranmer's Works, p. xxiii.)

The manner in which the Articles were drawn up is thus described 25 by archbishop Wake, abridging the larger narrative of Strype, and correcting some mistakes that were made by Heylin in his History of the Times. "In 1551 the king and the privy council ordered the archbishop to frame a book of Articles of religion, for preserving and maintaining peace and unity of doctrine in the church, to be set forth 30 by public authority. He drew them, and committed them to certain bishops to be inspected and approved of by them. By a letter of council dated May 2, 1552, the archbishop was commanded to send them the Articles delivered the last year to the bishops, and to signify whether the same were set forth by any public authority, according to 35 the minutes. The Articles were accordingly sent by the archbishop, and returned again in a little time to him. For in September they

### 3. *De descensu Christi ad Inferos.*

Quemadmodum CHRISTUS pro nobis mortuus est et sepultus, ita est etiam credendus ad inferos descendisse. [Nam corpus usque ad resurrectionem in sepulchro jacuit, Spiritus ab illo emissus, cum spiritibus qui in carcere sive in inferno detinebantur, fuit, illisque prædicavit; quemadmodum testatur Petri locus.]

### 4. *Resurrectio Christi.*

Christus vere à mortuis resurrexit, suumque corpus cum carne, ossibus, omnibusque ad integritatem humanæ naturæ pertinentibus, recepit, cum quibus in cælum ascendit, ibique residet, quoad extremo die ad judicandos homines revertatur.

\* \* \*

### 5. *Divinæ Scripturæ doctrina sufficit ad salutem.*

Scriptura sacra continet omnia quæ sunt ad salutem 15

were again in his hands; when being put into a better order, and titles added to each of the Articles, and a supply made of what was thought defective, they were on the 19th of the same month remitted by the archbishop to sir William Cecil and sir John Cheke for their inspection and advice upon them. They agreed that the archbishop should offer 20 them to the king; which accordingly he did not long after. They were then communicated to some other divines, by the king's order, about the beginning of October; and upon the 20th of November were sent back again by the council to the archbishop. The archbishop made his last remarks upon them, and so returned them again in three 25 days to the council, beseeching them to prevail with the king to give authority to the bishops to cause their respective clergy to subscribe the same." (Wake's State of the Church &c. p. 599.)

But the most important part of their history still remains. Although they profess in their title to have been agreed upon in the convocation 30 of that period, it has always been doubted whether they ever received any sanction of the kind; and their last editor, who may be considered as peculiarly qualified for such inquiries, has expressly declared that they were drawn up by individuals appointed by the king, totally independent of the convocation, and were never submitted to that body. 35



necessaria, ita ut quicquid in ea nec legitur neque inde probari potest, [licet interdum à fidelibus, ut pium et conducibile ad ordinem et decorum admittatur, attamen] à quoquam non exigendum est ut tanquam articulus fidei credatur, et ad salutis necessitatem requiri putetur. \* \* \* \* 5

6. “ *Vetus Testamentum non est rejiciendum.* ”

“ Testamentum Vetus, quasi Novo contrarium sit, non est repudiandum, sed retinendum, quandoquidem tam in veteri quàm in novo per CHRISTUM qui unicus est mediator Dei et hominum, Deus et homo, æterna vita<sup>10</sup> humano generi est proposita. Quare non sunt audiendi, qui veteres tantum in promissiones temporarias sperasse confingunt.”

(See Dr. Lamb's Articles, pp. 9 and 4.) And this opinion is probably made to rest on the letters addressed by the king to the several bishops<sup>15</sup> in the following June, where he says that the Articles “ were gathered with great study, and by counsel and good advice of the greatest learned part of our bishops, and sundry others of our clergy.” (Strype Mem. vol. ii. P. 2. p. 105.) Perhaps, however, it will be found on a close examination of such evidence as is still producible, that the authority<sup>20</sup> of the upper house, which at that time was held to involve the authority of the whole synod, was given to these Articles, if not directly, at least by delegation ; and this would be consistent with the language of the king's letter. It is admitted that Heylin and Fuller found no notice of them in the registers which were extant in their time,<sup>25</sup> and were of opinion that the Articles were not adopted by the great body of the convocation ; that the Catechism to which they were originally appended, was declared by the first convocation of the following reign to have obtained no authority from that body ; and that the members of both houses, and more especially the bishops, who strongly<sup>30</sup> resisted the alterations recently made in the Book of Common Prayer, would be equally opposed to the Articles, as not only setting forth the tenets of the new learning, but also requiring an express approval of the Prayer-book. But it is true on the other hand that the registers of that period were exceedingly imperfect, being “ but one degree<sup>35</sup> above blanks ;” that any testimony derived merely from their omissions is of no value ; that Heylin and Fuller supposed the Articles to

7. *Symbola tria.*

Symbola tria, Nicenum, Athanasii, et quod vulgo Apostolicum appellatur, omnino recipienda sunt \*. Nam firmissimis divinarum scripturarum testimoniis probari possunt.

5

8. *Peccatum originale.*

Peccatum originis non est (ut fabulantur Pelagiani, [et hodie Anabaptistæ repetunt]) in imitatione Adami situm, sed est vitium et depravatio naturæ cujuslibet hominis ex Adamo naturaliter propagati: qua fit ut ab originali 10 justitia quam longissime distet, ad malum sua natura propendeat, et caro semper adversus spiritum concupiscat: unde in unoquoque nascentium, iram Dei atque damnationem meretur. Manet etiam in renatis hæc

have received the sanction of the convocation, not indeed directly, but 15 by means of a delegation; that it was the Catechism alone which was disowned by the convocation of queen Mary, and that the exclusive condemnation of the Catechism is so far evidence in favour of the Articles; that though the higher clergy would probably disapprove of them, yet Cranmer's belief was that they would be generally subscribed, 20 if the sovereign should enjoin it; but above all, that in their title, when put forth by the king's authority, they are called "Articuli, de quibus in Synodo Londinensi inter Episcopos et alios eruditos viros convenerat;" that when sent down by the royal visitors to be subscribed in the university of Cambridge in June 1553, it is still said respecting 25 them, "in Synodo Londinensi conclusum;" that in the Examination of the declaration of certain London ministers put forth in the beginning of queen Elizabeth's reign (ad fin.) they are said to have been agreed upon by the church, and subscribed by the clergy, which statement the ministers in their answer admitted to be just, thereby shewing the 30 belief, which then generally existed, of their synodical authority; and lastly, that in the convocation of 1562, when preparations were making for the construction of the thirty-nine articles, copies of king Edward's Articles were put into the hands of the members, and were still called "Articuli in Synodo Londinensi editi." (Syn. Angl. p. 193.) 35

If then the evidence have been fairly and completely given in this statement, it would appear that the synodical authority of these Arti-

naturæ depravatio, qua fit ut affectus carnis, Græcè *φρόνημα σαρκὸς*, quod alii sapientiam, alii sensum, alii affectum, alii studium vocant, legi Dei non subjiciatur. Et quam renatis et credentibus nulla propter CHRISTUM est condemnatio, peccati tamen in sese rationem habere concupiscentiam fatetur Apostolus.

### 9. *De libero arbitrio.*

“ Absque gratia Dei, quæ per Christum est, nos præveniente ut velimus, et cooperante dum volumus, ad pietatis opera facienda, quæ Deo grata sint et accepta, nihil valemus.”

cles is not only supported by positive testimony obtained from various quarters, but also that the strongest presumption on the other side is the mere absence of a witness, who ought to have appeared in their favour, and whose absence admits of an easy explanation. This at least may be asserted, that considering the unbounded extent of the king's supremacy in church matters, the submission of the clergy as recorded in the statute 25 Henry VIII. c. 19, the great powers given by law to the crown in the framing of canons and ordinances (25 Henry VIII. c. 19. 3 and 4 Edw. VI. c. 11.) the admitted superiority of the bishops over the rest of the convocation, and the evidence which the Articles certainly presented in their own favour, it was reasonable that their synodical authority should have been generally allowed.

The convocation met on the 2nd of March 1553, and was prorogued on the 1st of the month following. The king's letter requiring the publication of the Catechism, and prefixed to the book to which the Articles are appended, bears date on the 20th of May, the seventh year of his reign [1553]. This book was immediately printed in its original Latin by R. Wolf in small 8vo., and in the same year appeared an English translation printed by J. Day. But the Articles were also published in a separate form and in English, from the press of Grafton; and the publication of these books independently of the Catechism is a sufficient evidence that the Articles had obtained a more general circulation than the Catechism, and could not have been treated as a mere appendage to it.

35

It is not clear whether it was intended to obtain for them the authority of parliament; and owing to the implicit obedience which was

10. [*De gratia.*

Gratia Christi, seu spiritus sanctus qui per eundem datur, cor lapideum auferit, et dat cor carneum. Atque licet ex nolentibus quæ recta sunt, volentes faciat : et ex volentibus prava, nolentes reddat, voluntati nihilominus violentiam nullam infert. Et nemo hac de causa, cum peccaverit, seipsum excusare potest, quasi nolens aut coactus peccaverit, ut eam ob causam accusari non mereatur aut damnari.]

11. *De hominis justificatione.*

“Justificatio ex sola fide JESU CHRISTI, eo sensu quo  
“in Homelia de justificatione explicatur, est certissima et  
“saluberrima christianorum doctrina.”

\* \* \*

12. *Opera ante justificationem.*

Opera quæ fiunt ante gratiam CHRISTI, et Spiritus ejus

at that time required to the supremacy of the crown, it would scarcely  
have been thought necessary. But it was certainly enjoined that they  
should be subscribed by the clergy generally throughout the kingdom,  
and this design, carried probably to some extent into execution, was  
only prevented from being fully accomplished by the death of king  
Edward, which took place on the 6th day of July 1553.

They are printed from the edition already mentioned of R. Wolf,  
a copy of which, formerly the property of Selden, may be seen in the  
Bodleian ; and the peculiar marks that appear upon them, agreeably  
with the distinctions made in Dr. Lamb's work, denote the following  
particulars :

The parts printed in smaller letter were omitted in the Articles of  
1562.

The parts included within inverted commas were altered.

\* \* denote that new matter was added in those places in the Arti-  
cles of 1562.

Comp. Fuller, Ch. Hist. cent. 16. b. 7. p. 420. Heylin, Eccl. Rest.  
p. 121. Wake, State of the Church, p. 599. Collier, Eccl. Hist. vol. ii.  
p. 325. Neal, Hist. of Pur. vol. i. p. 51. Burnet, Hist. Ref. vol. iii.  
p. 403. Lingard, Hist. vol. iv. p. 461. Strype, Cranm. pp. 390—421.  
Mem. vol. ii. P. i. p. 589. Atterbury, Rights &c. p. 205. Fox, Acts  
and Mon. vol. ii. p. 1410.

afflatum, cum ex fide Jesu CHRISTI non prodeant, minime Deo grata sunt. Neque gratiam (ut multi vocant) de congruo, merentur : Imo cum non sint facta ut Deus illa fieri voluit et præcepit, peccati rationem habere non dubitamus. 5

### 13. *Opera Supererogationis.*

Opera quæ Supererogationis appellant, non possunt sine arrogantia et impietate prædicari : nam illis declarant homines non tantum se Deo reddere quæ tenentur, sed plus in ejus gratiam facere quàm deberent : cum aperte 10 Christus dicat, Cum feceritis omnia quæcunque præcepta sunt vobis, dicite : Servi inutiles sumus.

### 14. *Nemo præter Christum, est sine peccato.*

Christus in nostræ naturæ veritate, per omnia simillis factus est nobis, excepto peccato, à quo prorsus erat 15 immunis, tum in carne tum in spiritu. Venit ut agnus absque macula esset, qui mundi peccata per immolationem sui semel factam tolleret : et peccatum (ut inquit Joannes) in eo non erat. Sed nos reliqui etiam baptizati, et in Christo regenerati, in multis tamen offendimus 20 omnes, et si dixerimus quia peccatum non habemus, nos ipsos seducimus, et veritas in nobis non est.

### 15. *De peccato "in spiritum sanctum."*

Non omne peccatum mortale post baptismum voluntarie perpetratum, est peccatum in spiritum sanctum et 25 irremissibile : proinde lapsis à baptismo in peccata, locus poenitentiae non est negandus. Post acceptum spiritum sanctum possumus à gratia data recedere atque peccare, denuoque per gratiam Dei resurgere ac respiscere. Ideoque illi damnandi sunt, qui se quamdiu hic vivant, amplius 30 non posse peccare affirmant, aut vere respiscentibus poenitentiae locum denegant.

16. [*Blasphemia in spiritum sanctum.*

Blasphemia in Spiritum Sanctum est, cum quis Verborum Dei manifestè perceptam veritatem, ex malitia et obfirmatione animi, convitiis insectatur, et hostiliter insequitur. Atque hujusmodi, quia maledicto sunt obnoxii, gravissimo sese adstringunt sceleri. Unde peccati hoc genus Irremissibile à Domino appellatur, et affirmatur.]

17. *De prædestinatione et electione.*

Prædestinatio ad vitam est æternum Dei propositum, quo ante jacta mundi fundamenta suo consilio, nobis quidem occulto, constanter decrevit eos quos \* elegit ex hominum genere, à maledicto et exitio liberare, atque ut vasa in honorem efficta, per Christum ad æternam salutem adducere: unde qui tam præclaro Dei beneficio sunt donati, illi spiritu ejus opportuno tempore operante, secundum propositum ejus vocantur: vocationi per gratiam parent: justificantur gratis: adoptantur in filios: unigeniti JESU CHRISTI imagini efficiuntur conformes: in bonis operibus sancte ambulant: et demum ex Dei misericordia pertingunt ad sempiternam felicitatem. 20

Quemadmodum prædestinationis et electionis nostræ in Christo pia consideratio, dulcis, suavis, et ineffabilis consolationis plena est vere piis, et his qui sentiunt in se vim spiritus CHRISTI, facta carnis, et membra quæ adhuc sunt super terram mortificantem, animumque ad coelestia et superna rapientem, tum quia fidem nostram de æterna salute consequenda per Christum, plurimum stabilit atque confirmat, tum quia amorem nostrum in Deum vehementer accendit: Ita hominibus curiosis, carnalibus, et spiritu CHRISTI destitutis, ob oculos perpetuo versari prædestinationis Dei sententiam, perniciosissimum est præcipitium, unde illos diabolus pertrudit vel in desperationem, vel in æque perniciosam impurissimæ vitæ securitatem. Deinde [licet prædestinationis decreta sunt nobis ignota,] pro-

missiones [tamen] divinas sic amplecti oportet, ut nobis in sacris literis generaliter propositæ sunt: et Dei voluntas in nostris actionibus ea sequenda est, quam in Verbo Dei habemus diserte revelatam.

18. *Tantum in nomine Christi speranda est æterna salus.* 5

Sunt et illi anathematizandi qui dicere audent, unumquemque in lege aut secta quam profitetur esse servandum, modò juxta illam et lumen naturæ accurate vixerit: cum sacræ literæ tantum JESU CHRISTI nomen prædicent, in quo salvos fieri homines oporteat. 10

19. [*Omnes obligantur ad moralia legis præcepta servanda.*]

Lex à Deo data per Mosen, licet quoad Cæremonias et ritus Christianos non astringat, neque civilia ejus præcepta in aliqua Repub. necessario recipi debeant, nihilominus ab obedientia mandatorum quæ Moralia vocantur, nullus quantumvis Christianus est solutus: quare illi non sunt audiendi, qui sacras literas tantum infirmis datas esse perhibent, et spiritum perpetuò jactant, à quo sibi quæ prædicant, suggeri asserunt, quamquam cum Sacris literis apertissime pugnent.] 15

20. *De Ecclesia.*

20

Ecclesia CHRISTI visibilis, est cætus fidelium, in quo verbum Dei purum prædicatur, et Sacramenta quoad ea quæ necessario exiguntur, juxta Christi institutum recte administrantur.

Sicut erravit Ecclesia Hierosolymitana, Alexandrina, et Antiochena, ita et erravit Ecclesia Romana, non solum quoad agenda et cæremoniarum ritus, verum in his etiam quæ credenda sunt. 25

21. *De Ecclesiæ autoritate.*

Ecclesiæ non licet quicquam instituere, quod verbo Dei scripto adversetur: neque unum Scripturæ locum 30

sic exponere potest, ut alteri contradicat: quare licet Ecclesia sit divinorum librorum testis et conservatrix, attamen ut adversus eos nihil decernere, ita præter illos nihil credendum de necessitate salutis debet obtrudere.

22. *De autoritate conciliorum generalium.* 5

Generalia Concilia sine jussu et voluntate Principum congregari non possunt: et ubi convenerint, quia ex hominibus constant qui non omnes spiritu et “verbis” Dei reguntur, et errare possunt et interdum errârunt, etiam in his quæ ad normam pietatis pertinent: ideo 10 quæ ab illis constituuntur, ut ad salutem necessaria, neque robur habent neque auctoritatem, nisi ostendi possunt è sacris literis esse desumpta.

23. *De purgatorio.*

“Scholasticorum” doctrina de Purgatorio, de Indul-15 gentiis, de veneratione et adoratione tum Imaginum tum reliquiarum, nec non de invocatione sanctorum, res est inutilis, inaniter conficta, et nullis Scripturarum testimoniis innititur, immo verbo Dei [perniciose] contradicit.

24. *Nemo in Ecclesia ministret nisi vocatus.* 20

Non licet cuiquam sumere sibi munus publice prædicandi, aut administrandi Sacramenta in Ecclesia, nisi prius fuerit ad hæc obeunda legitime vocatus et missus. Atque illos legitime vocatos et missos existimare debemus, qui per homines, quibus potestas vocandi ministros 25 atque mittendi in vineam Domini publice concessa est in Ecclesia, cooptati fuerint et asciti in hoc opus.

25. *Agendum est in ecclesia lingua quæ sit populo nota.*

“Decentissimum est et verbo Dei maxime congruit,



“ ut nihil in Ecclesia publice legatur aut recitetur lingua  
 “ populo ignota, Idque Paulus fieri vetuit, nisi adesset  
 “ qui interpretaretur.”

### 26. *De Sacramentis.*

[Dominus noster Jesus CHRISTUS Sacramentis numero paucis-  
 simis, observatu facillimis, significatione præstantissimis, socie-  
 tatem novi populi colligavit, sicuti est Baptismus et Cœna  
 Domini.] \* \* \*

Sacramenta non instituta sunt à Christo ut spectarentur  
 aut circumferrentur, sed ut rite illis uteremur : et in his 10  
 duntaxat qui digne percipiunt, salutarem habent effectum,  
 [idque non ex opere (ut quidam loquuntur) operato, quæ vox ut  
 peregrina est et sacris literis ignota, sic parit sensum minime pium,  
 sed admodum superstitiosum :] qui vero indigne percipiunt  
 damnationem (ut inquit Paulus) sibi ipsi acquirunt. 15

[Sacramenta “ per verbum Dei ” instituta, non tantum sunt  
 notæ professionis Christianorum, sed certa quædam potius testi-  
 monia et efficacia signa gratiæ atque bonæ in nos voluntatis  
 Dei, per quæ invisibiliter ipse in nobis operatur, nostramque  
 fidem in se non solum excitat, verum etiam confirmat.] 20

### 27. *Ministrorum malitia non tollit efficaciam institu- tionum divinarum.*

Quamvis in ecclesia visibili, bonis mali sint semper  
 admixti, atque interdum ministerio verbi et sacramen-  
 torum administrationi præsent, tamen cum non suo sed 25  
 Christi nomine agant, ejusque mandato et autoritate  
 ministrent, illorum ministerio uti licet, cum in verbo Dei  
 audiendo, tum in Sacramentis percipiendis : neque per  
 illorum malitiam effectus institutorum Christi tollitur,  
 aut gratia donorum Dei minuitur quoad eos, qui fide et 30  
 ritè sibi oblata percipiunt, quæ propter institutionem  
 CHRISTI et promissionem efficaciam sunt, licet per malos  
 administrentur.

Ad Ecclesiæ tamen disciplinam pertinet, ut in “ eos”

inquiratur, accusenturque ab iis, qui eorum flagitia noverint, atque tandem justo convicti iudicio, deponantur.

### 28. *De Baptismo.*

Baptismus, non est tantum signum professionis ac discriminis nota, qua Christiani à non Christianis discernuntur, sed etiam est signum regenerationis, per quod tanquam per instrumentum recte Baptismum suscipientes, Ecclesiæ inseruntur, promissiones de remissione peccatorum atque adoptione nostra in filios Dei per Spiritum Sanctum visibiliter obsignantur, fides confirmatur, et vi<sup>10</sup> divinæ invocationis, gratia augetur. “Mos Ecclesiæ baptizandi parvulos et laudandus est, et omnino in “Ecclesia retinendus.”

### 29. *De Cœna Domini.*

Cœna Domini non est tantum signum mutæ benevolentiae Christianorum inter sese, verum potius est Sacramentum nostræ per mortem Christi redemptionis. Atque adeò ritè, dignè et cum fide sumentibus, panis quem frangimus est communicatio corporis Christi: similiter poculum benedictionis, est communicatio sanguinis CHRISTI. <sup>20</sup>

Panis et vini transubstantiatio in Eucharistia, ex sacris literis probari non potest, sed apertis Scripturæ verbis adversatur \* \* \* et multarum superstitionum dedit occasionem.

[Quum naturæ humanæ veritas requirat, ut unius ejusdemque <sup>25</sup> hominis corpus in multis locis simul esse non posset, sed in uno aliquo et definito loco esse oporteat, idcirco CHRISTI corpus, in multis et diversis locis eodem tempore, præsens esse non potest. Et quoniam, ut tradunt Sacræ literæ, CHRISTUS in Cœlum fuit sublatus, et ibi usque ad finem seculi est permansurus, non <sup>30</sup> debet quisquam fidelium carnis ejus et sanguinis Realem et Corporalem (ut loquuntur) præsentiam in Eucharistia vel credere vel profiteri.] \* \* \*

Sacramentum Eucharistiæ ex institutione CHRISTI non servabatur, circumferebatur, elevabatur, nec adorabatur.

\* \* \*

30. *De unica Christi oblatione in cruce perfecta.*

Oblatio Christi semel facta, perfecta est redemptio, propitiatio et satisfactio pro omnibus peccatis totius mundi, tam originalibus quàm actualibus: neque præter illam unicam est ulla alia pro peccatis expiatio. Unde Missarum sacrificia, quibus vulgo dicebatur, sacerdotem offerre Christum in remissionem pœnæ aut culpæ pro vivis et defunctis, figmenta sunt, et perniciosæ impos-<sup>10</sup> turæ.

31. *“Cælibatus ex verbo Dei præcipitur nemini.*

“Episcopis, Presbyteris et Diaconis non est mandatum  
“ ut cælibatum voveant: neque jure divino coguntur  
“ matrimonio abstinere.”

15

32. *Excommunicati vitandi sunt.*

Qui per publicam Ecclesiæ denuntiationem rite ab unitate Ecclesiæ præcisus est et excommunicatus, is ab universa fidelium multitudine, donec per pœnitentiam publice reconciliatus fuerit, arbitrio Judicis competentis,<sup>20</sup> habendus est tanquam Ethnicus et Publicanus.

33. *Traditiones Ecclesiasticæ.*

Traditiones atque cæremonias easdem, non omnino necessarium est esse ubique, aut prorsus consimiles: nam et variæ semper fuerunt et mutari possunt pro Regionum \*<sup>25</sup> et morum diversitate, modo nihil contra Dei verbum instituat.

Traditiones et cæremonias ecclesiasticas, quæ cum verbo

Dei non pugnant, et sunt autoritate publica institutæ atque probatæ, quisquis privato consilio volens et data opera publice violaverit, is, ut qui peccat in publicum ordinem Ecclesiæ, quique lædit autoritatem Magistratus, et qui infirmorum fratrum conscientias vulnerat, publice, ut cæteri timeant, arguendus est. \* \* \*

### 34. “*Homiliæ.*”

“Homiliæ nuper Ecclesiæ Anglicanæ per Injunctiones Regias traditæ atque commendatæ, piæ sunt atque salutares, doctrinamque, ab omnibus amplectendam continent: quare populo diligenter, expedite clareque recitandæ sunt.” \* \* \*

### 35. “*De libro Precationum et cæremoniarum Ecclesiæ Anglicanæ.*”

“Liber qui nuperrime autoritate Regis et Parlamenti Ecclesiæ Anglicanæ traditus est, continens modum et formam orandi, et Sacramenta administrandi in Ecclesiâ Anglicanâ: similiter et libellus eadem autoritate editus De ordinatione ministrorum Ecclesiæ, quoad doctrinæ veritatem, pii sunt, et salutari doctrinæ Evangelii in nullo repugnant sed congruunt, et eandem non parum promovent et illustrant: atque ideo ab omnibus Ecclesiæ Anglicanæ fidelibus membris, et maxime à ministris verbi, cum omni promptitudine animorum et gratiarum actione recipiendi, approbandi, et populo Dei commendandi sunt.”

### 36. *De Civilibus Magistratibus.*

“Rex Angliæ est supremum caput in terris, post CHRISTUM, Ecclesiæ Anglicanæ et Hibernicæ.” \* \*

Romanus Pontifex nullam habet jurisdictionem in hoc Regno Angliæ. [Magistratus civilis est à Deo ordinatus atque

probatas, quamobrem illi non solum propter iram, sed etiam propter conscientiam, obediendum est.]

Leges civiles possunt Christianos propter capitalia et gravia crimina morte punire.

Christianis licet ex mandato Magistratus arma portare et justa bella administrare.

37. *Christianorum bona non sunt communia.*

Facultates et bona Christianorum non sunt communia, quoad jus et possessionem, ut quidam anabaptistæ falsò jactant: debet tamen quisque de his quæ possidet, pro facultatum ratione, pauperibus eleemosynas benignè distribuere.

38. *Licet Christianis jurare.*

Quemadmodum juramentum vanum et temerarium à Domino nostro Jesu Christo et ab Apostolo ejus Jacobo, Christianis hominibus interdictum esse fatemur, ita Christianam religionem minimè prohibere censemus, quin jubente Magistratu, in causa fidei et charitatis jurare liceat, modo id fiat juxta Prophetæ doctrinam, in Justitia, in Judicio et Veritate.

20

39. [*Resurrectio mortuorum nondum est facta.*

Resurrectio mortuorum non adhuc facta est, quasi tantum ad animum pertineat, qui per CHRISTI gratiam à morte peccatorum excitetur, sed extremo die quoad omnes qui obierunt, expectanda est: tunc enim vita defunctis (ut Scripturæ manifestissimè testantur) propria corpora, carnes et ossa restituentur, ut homo integer, prout vel rectè vel perditè vixerit juxta sua opera, sive præmia sive pœnas reportet.]

40. [*Defunctorum animæ neque cum corporibus intereunt, neque otiose dormiunt.*

30

Qui animas defunctorum prædicant usque ad diem judicii absque omni sensu dormire, aut illas asserunt una cum corporibus mori, et extrema die cum illis excitandas, ab orthodoxa fide, quæ nobis in sacris literis traditur, prorsus dissentiunt.]

41. [*Millenarii.*

Qui Millenariorum fabulam revocare conantur, sacris literis adversantur, et in Judaica deliramenta sese præcipitant.]

42. [*Non omnes tandem servandi sunt.*

Hii quoque damnatione digni sunt, qui conantur hodie perniciosam opinionem instaurare, quod omnes, quantumvis impii, servandi sunt tandem, cum definito tempore à justitia divina pœnas de admissis flagitiis luerunt.]

*Κύριε σῶσον τὸν Βασιλέα.*

Excusum Londini apud Reginaldum  
Wolfium, Regiæ Majestatis  
in Latinis Typo-  
graphum.

10

Anno Domini M. D. LIII.

## II.

Pape Rom. JULII III. 3.	Archiep. Cant. THO. CRANMER 21.	Anno Christi 1552.	Reg. Anglie EDW. VI. 6.
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### Articles

<p>agreed on by the Bi- shoppes, and other learned menne in the Synode at London, in the yere of our Lord Godde, M. D. LII. for the avoiding of controversie in opinions, and the establishement of a god- lie concorde, in certeine matiers of Reli- gion.</p>	5
<p>¶ Published by the kinges Majes- ties commaundement, in the Moneth of Maie. Anno Domini 1553.</p>	15
<p>¶ Articles published by the Kinges Majestie.</p>	20

#### 1. *Of faith in the holie Trinitie.*

**T**HERE is but one living and true God, and he is ever-  
lasting, without bodie partes or passions, of infinite  
power, wisdom, and goodnesse, the maker and preserver 25

*Articles agreed on by the*] This translation of the forty-two Articles of king Edward, was probably made concurrently with the original Latin Articles, and under the same direction. This at least is evident, that the translation was published in the month of June, 1553, from the press of Grafton, the king's warrant for the publication of the 30 Catechism (to which the Latin Articles were appended) not having

of all thinges bothe visible and invisible, and in unities of this Godhead there bee three persones of one substance power and eternitie, the Father, the Sonne and the holie Ghoste.

2. *That the worde or Sonne of God was made a very man.*

The Sonne which is the worde of the father took mannes nature in the wombe of the blessed virgine Marie of her substance, so that two hole and perfecte natures, that is to saie, the Godhead and manhode were joined together into one persone, never to be divided, wherof is one Christe very God and very manne, who truly suffred, was crucified, dead and buried, to reconcile his father to us, and to be a Sacrifice for all sinne of manne, bothe originall and actual. 15

3. *Of the goying doune of Christe into Helle.*

As Christ died and was buried for us: so also it is to be beleved, that he went downe into Hell. For the bodie laie in the sepulchre, untill the resurrection: but his Ghoste departing from him, was with the Ghostes that were in prison or in Helle, and didde preache to the same, as the place of St. Peter dooeth testifie.

4. *The resurrection of Christe.*

Christe didde truelie rise againe from deathe, and tooke again his bodie with flesh bones and all thinges

been issued before the 20th day of May preceding. It is not improbable that the translation, as published by Grafton, and here reprinted from a copy in the Bodleian, is earlier than the edition by Jhon Day, the only other English edition of that period; as no more specific date is given in the latter edition, than that of the year 1553. It is clear however from the time when king Edward died, that neither of them can have preceded the other by any considerable period.



appertaining to the perfection of mannes nature, where-  
with he ascended into Heaven, and there sitteth, untill  
he retourne to judge men at the last daie.

5. *The doctrine of holie Scripture is sufficient to Sal-  
vation.* 5

Holie Scripture conteineth all thinges necessarie to  
Salvation: so that whatsoever is neither read therein, nor  
maie be proved therby, although it be sometime received  
of the faithful, as Godlie, and profitable for an ordre and  
comelinesse: yeat no manne ought to be constreigned to 10  
beleve it as an article of faith, or repute it requisite to  
the necessitie of Salvation.

6. *The olde Testamente is not to be refused.*

The olde Testament is not to bee put awaie as though  
it were contrarie to the newe, but to be kept still: for 15  
both in the olde and newe Testamentes, everlasting life  
is offred to mankinde by Christ, who is the onelie Me-  
diatour betwene Godde and manne, being bothe Godde  
and manne. Wherefore thei are not to be hearde, whiche  
feigne that the olde fathers didde looke onely for transi- 20  
torie promises.

7. *The three Credes.*

The three Credes, Nicene Crede, Athanasius Crede,  
and that whiche is commonlie called the Apostles Crede,  
ought throughly to be received: for thei maie be proved 25  
by most certeine warrauntes of holie Scripture.

8. *Of originall or birthe sinne.*

Originall sinne standeth not in the folowing of Adam,  
as the Pellagianes doe vanelie talke, whiche also the  
Anabaptistes doe now a daies renue, but it is the fault 30

and corruption of the nature of every manne, that naturallie is engendred of the offspring of Adam, wherby manne is very farre gone from his former righteousnesse, whiche he had at his creation, and is of his own nature geven to evill, so that the fleshe desireth alwaies contrarie to the spirit, and therefore in every persone borne into this world, it deserveth Goddes wrath and damnation: And this infection of nature doeth remaine, yea in them that are baptized, wherby the lust of the fleshe called in Greke *φρόνημα σαρκός* (which some do expoune, the Wisdome, some sensualitie, some the affection, some the desire of the flesh) is not subject to the lawe of God. And although there is no condemnation for them that beleve, and are baptized, yet the Apostle doeth confesse, that concupiscence and lust hath of itself the nature of sinne.

#### 9. *Of free wille.*

We have no power to doe good woorkes pleasaunte and acceptable to God, without the grace of God by Christ, preventing us that wee maie have a good wille, and working in us, when we have that wille.

#### 10. *Of grace.*

The grace of Christ or the holie Ghost by him geven dothe take awaie the stonie harte, and geveth an harte of fleshe. And although those that have no will to good things, he maketh them to will, and those that would evill thinges, he maketh them not to wille the same: Yet nevertheless he enforceth not the wil. And therefore no man when he sinneth can excuse himself, as not worthie to be blamed or condemned, by alleging that he sinned unwillinglie, or by compulsion.

#### 11. *Of the Justification of manne.*

Justification by onely faith in Jesus Christ in that

sense as it is declared in the homelie of Justification, is a moste certeine and holesome doctrine for Christien menne.

12. *Workes before Justification.*

Workes done before the grace of Christe and the inspiratione of his spirite are not pleasaunt to God, forasmuche as thei spring not of faithe in Jesu Christe, neither do thei make menne mete to receive grace or (as the Scholeauthoures saie) deserve grace of congruitie: but because thei are not done as God hath willed and commaunded them to bee done, we doubt not, but thei have the nature of sinne.

13. *Woorkes of Supererogation.*

Voluntarie woorkes besides over and above Goddes commaundementes whiche thei cal woorkes of Supererogation, cannot be taught without arrogancie and iniquitie. For by them menne dooe declare that thei dooe not onely rendre to God, asmoche as thei are bounde to dooe, but that thei dooe more for his sake, then of bounden duetie is required: Whereas Christe saith plainelie: When you have dooen al that are commaunded you, saie, we be unprofitable servauntes.

14. *No man is without sinne, but Christe alone.*

Christe in the trueth of our nature was made like unto us in all thinges, sinne only except, from whiche he was clearelye voided bothe in his fleshe and in his spirite. He came to be the lambe without spotte, who by sacrifice of himself made ones for ever, should take away the sinnes of the worlde: and sinne (as Saint Jhon saith) was not in him. But the rest, yea, althoughe we be baptized, and borne againe in Christe, yeat we all offende in many thinges: and if we saie, we have no sinne, wee deceive ourselves and the trueth is not in us.

15. *Of sinne against the holie Ghoste.*

Every deadlie sinne willinglie committed after Baptisme is not sinne against the holie Ghost, and unpardonable: wherfore the place for penitentes is not to be denied to soche as fall into sinne after baptisme. After we have received the holie Ghoste, wee maie depart from grace geven and fall into sinne, and by the grace of God we may rise again, and amende our lives. And therefore thei are to be condemned, whiche saie, thei can nomore sinne as long as thei live here, or denie the place for penitentes to soche as truelie repent, and amende their lives.

16. *Blasphemie against the holie Ghoste.*

Blasphemie against the holie Ghost is, when a man of malice and stubburnesse of minde, doeth raile upon the truth of Goddes word manifestlie perceived, and being enemie therunto persecuteth the same. And because soche be guilty of Goddes curse, thei entangle themselves with a moste grievous and hainous crime, wherupon this kinde of sinne is called and affirmed of the Lorde, unpardonable.

17. *Of predestination and election.*

Predestination to life is the everlasting purpose of God, wherby (before the foundations of the worlde were laied) he hath constantlie decreed by his owne judgmente secrete to us, to deliver from curse and damnation those whom he hath chosen out of mankinde, and to bring them to everlasting salvation by Christ, as vesselles made to honour: wherupon, soche as have so excellent a benefite of God geven unto them be called, according to Goddes purpose, by his spirite woorking in due season, thei through grace obeie the calling, thei be justified frely, thei be made sonnes by adoptione, thei be made

like the image of Goddes onely begotten sonne Jesu Christe, thei walke religiouslie in good woorkes, and at length by Goddes mercie, thei atteine to everlasting felicitie.

As the godlie consideration of predestination and our 5 election in Christe is ful of swete, pleasaunte and unspeakable coumfort to godlie persones, and soche as feele in themselves the woorking of the spirite of Christ, mortifying the woorkes of the flesh, and their earthlie mem- 10 bres, and drawing up their minde to high and heavenly thinges, as wel because it doeth greatly stablish and confirme their faith of eternal salvation to bee enjoied through Christe, as because it dooeth ferventlie kindle their love 15 towards Godde: So for curious and carnall persones lacking the spirite of Christ to have continuallie before their yies the sentence of Goddes predestination, is a moste daungerous dounefall, whereby the Devill maie thrust them either into desperation, or into a rechiel- 20 nesse of most uncleane living, no lesse perilous then desperation.

Furthermore, although the Decrees of predestination are unknowen unto us, yeat we must receive Goddes promises, in soche wise, as thei bee generallie set foorth to us in holie Scripture, and in our doinges that wille of Godde is to be folowed, whiche we have expresselie de- 25 clared unto us in the woorde of God.

18. *Wee must truste to obtaine eternal Salvation onely by the name of Christe.*

Thei also are to be had accursed and abhorred that presume to saie that every man shal be saved by the 30 Lawe, or secte whiche he professeth, so that he bee diligente to frame his life according to that Lawe, and the lighte of Nature: For holie Scripture doeth sette out unto us onely the name of Jesu Christ, wherby menne must be saved.

19. *All men are bounde to kepe the moral commaundementes of the Lawe.*

The Lawe which was geven of God by Moses, although it binde not Christian menne, as concerning the ceremonies and rites of the same: Neither is it required that the civile preceptes and ordres of it shoulde of necessitie be received in any commune weale: Yet no manne (bee he never so perfecte a Christian) is exempte and lose from the obedience of those commaundementes, whiche are called moral: wherfore thei are not to be harkened<sup>10</sup> unto, who affirme that holie Scripture is geven onlie to the weake, and do boaste theimselves continually of the spirit, of whom (thei saie) thei have learned soche thinges as thei teache, although the same be most evidently repugnaunt to the holie Scripture. <sup>15</sup>

20. *Of the Churche.*

The visible Churche of Christ is a congregation of faiethfull menne, in the whiche the pure worde of God is preached, and the sacramentes be duellie ministred according to Christes ordinaunce, in all those thinges that<sup>20</sup> of necessitie are requisite to the same.

As the Churche of Jerusalem of Alexandria and of Antioche hath erred: So also the Churche of Rome hath erred, not onelie in their living, but also in matters of their faith. <sup>25</sup>

21. *Of the auctoritie of the Churche.*

It is not lawefulle for the Churche to ordein any thing that is contrarie to Goddes worde writen, neither maie it so expoune one place of Scripture, that it be repugnaunt to another. wherfore although the churche be a<sup>30</sup> witnesse and a keper of holie writte, yet as it ought not to decree any thing againste the same: so besides the

same, ought it not to enforce any thing to bee beleved for necessitie of Salvation.

22. *Of the auctoritie of general Counsailes.*

Generall Counsailes maie not be gathered together without the commaundemente and will of Princes : and when thei be gathered (forasmoch as thei be an assemblee of men, wherof all be not governed with the spirite, and woorde of God) thei maie erre, and sometime have erred, not onelie in worldlie matiers, but also in thinges pertaining unto God. Wherefore thinges ordeined by them, as necessarie to Salvation have neither strength nor auctoritie, onlesse it maie be declared, that thei be taken out of holie Scripture.

23. *Of Purgatorie.*

The doctrine of Scholeaouthoures concerning purgatorie pardones, worshipping and adoration aswell of images as of reliques, and also invocation of Sainctes, is a fonde thing vainlie feigned, and grounded upon no warraunt of Scripture but rather repugnant to the woorde of God.

24. *No manne mai minister in the Congregation except he be called.*

It is not lawfull for any man to take upon him the office of publike preaching or ministring the sacramentes in the congregation, before he be lawfullie called and sent to execute the same. And those we ought to judge lawfullie called and sent, whiche be chosen and called to this woорke by menne, who have publike auctoritie geven unto them in the congregation, to cal and send ministres into the Lordes vineyarde.

25. *Menne must speake in the Congregation in soche tounge, as the people understandeth.*

It is moste semelie and moste agreeable to the woорde

of God, that in the congregation nothing be openlie readde or spoken in a toungue unknowen to the people, the whiche thing S. Paule didde forbidde, except some were presente that should declare the same.

26. *Of the Sacramentes.*

5

Our Lorde Jesus Christe hathe knitte toguether a companie of newe people with Sacramentes, moste fewe in numbre, moste easie to be kepte, most excellent in significatione, as is Baptisme, and the Lordes Supper.

The Sacramentes were not ordeined of Christe to be engaged upon, or to be caried about, but that we shoulde rightlie use them. And in soche onelie, as worthelie receive the same, thei have an wholesome effecte and operacione, and yet not that of the woorke wrought, as some men speake, which worde, as it is straunge and unknowen to holie Scripture: So it engendreth no godlie, but a verie superstitious sense. But thei that receive the Sacramentes unwoorthelie, purchase to theimselves Damnatione, as Sainte Paule saieth.

Sacramentes ordeined by the Worde of God be not onelie Badges and tokens of Christien mennes professione, but rather thei be certeine sure witnesses and effectuall signes of grace and Goddes good will towarde us, by the whiche he dothe worke invisiblie in us, and dothe not onlie quicken, but also strengthen and confirme our faith in him.

27. *The wickednesse of the Ministres dooeth not take awaie the effectuall operation of Goddes ordinaunces.*

Although in the visible Church the evill be ever mingled with the good, and sometime the evill have chief authoritie in the ministracion of the worde and Sacramentes: Yet forasmuche as thei doe not the same in their owne name, but dooe minister by Christes commis-



sion, and auctoritie: we maie use their ministerie bothe in hearing the worde of God and in the receiving the Sacramentes, neither is the effecte of Goddes ordinaunces taken awaie by their wickednesse, or the grace of Goddes giftes diminished from soche, as by faieth and rightlie receive the Sacramentes ministred unto them, whiche bee effectuall because of Christes institutione and promise, although they be ministred by evil men. Neverthelessse it apperteineth to the discipline of the Church, that enquirie be made of soche, and that thei bee accused 10 by those that have knowelege of their offences, and finally being founde guiltie by just judgement, be deposed.

### 28. *Of Baptisme.*

Baptisme is not onelie a signe of profession, and marke of difference, wherby Christien menne are discerned 15 from other that bee not christened, but it is also a signe and seale of our newe birth, wherby, as by an instrument, thei that receive Baptisme rightlie, are grafted in the Church, the promises of forgevenesse of sinne, and our adoption to be the sonnes of God, are visiblie signed 20 and sealed, faith is confirmed, and grace increased by virtue of praier unto God. The custome of the Church to christen yonge children is to bee commended, and in any wise to bee reteined in the Church.

### 29. *Of the Lordes Supper.*

25

The Supper of the Lorde is not onelie a signe of the love that Christiens ought to have among themselves one to another, but rather it is a sacrament of our redemption by Christes death, insomoche that to soche as rightlie woorthelie, and with faieth receive the same, the breade 30 which we breake, is a communion of the bodie of Christe. Likewise the cuppe of blessing is a communion of the bloude of Christe.

Transubstantiation or the chaunge of the substaunce of breade and wine into the substaunce of Christes bodie and bloude, cannot bee proved by holie writte, but is repugnaunt to the plaine woordes of Scripture, and hath geuen occasion to many supersticions. 5

Forasmoch as the trueth of mannes nature requireth, that the bodie of one and the selfsame manne cannot be at one time in diuerse places, but must nedes be in some one certeine place: Therefore the bodie of Christe cannot bee presente at one time in many and diuerse places. 10 And because (as holie Scripture doeth teache) Christe was taken up into Heaven, and there shall continue unto thende of the worlde, a faithful man ought not, either to beleve or openlie to confesse the reall and bodilie presence (as thei terme it) of Christes fleshe and bloude in 15 the Sacramente of the Lordes supper.

The Sacramente of the Lordes supper was not commaunded by Christes ordinaunce to be kepte, caried about, lifted up, nor worshipped.

30. *Of the perfecte oblation of Christe made upon the crosse.* 20

The offering of Christe made ones for ever is the perfecte redemption, the pacifying of Goddes displeasure, and satisfaction for all the sinnes of the whole worlde, bothe original and actuall: and there is none other satisfaction for sinne but that alone. wherfore the sacrifices of masses, in the whiche it was commonlie saied, that the Prieste did offre Christe for the quicke and the dead, to have remission of peine or sinne were forged fables and daungerouse deceptes. 30

31. *The state of single life is commaunded to no man by the worde of God.*

Bishoppes Priestes and Deacons are not commaunded

to vowe the state of single life without marriage, neither by Goddes laws are thei compelled to absteyne from matrymonie.

*32. Excommunicate persones are to be avoided.*

That person whiche by open denunciacion of the Church, is rightlie cut of from the unitie of the Church, and excommunicate, ought to be taken of the whole multitude of the faithfull as an Heathen and publicane, until he bee openly reconciled by penance, and received into the Church by a Judge that hath auctoritie thereto.

*33. Tradicions of the Church.*

It is not necessarie that tradicions and ceremonies bee in all places one or utterlie like. For at all times they have been divers, and maie bee chaunged, according to the diversitie of countries and mennes maners, so that nothing bee ordeined against Goddes worde.

Whosoever through his private judgement willinglie and purposelie doeth openly breake the tradicions and ceremonies of the Church, which bee not repugnaunte to the worde of God and bee ordeined and approved by common auctoritie, ought to be rebuked openly (that other maie feare to doe the like) as one that offendeth against the common ordre of the Church, and hurteth the auctoritie of the Magistrate and woundeth the consciences of the weake brethren.

*34. Homelies.*

Thomelies of late geven and set out by the Kinges auctoritie, be godly and holsome, conteining doctrine to be received of all menne, and therefore are to be readde to the people diligentlie, distinctlie, and plainlie.

35. *Of the booke of Praiers and Ceremonies of the  
Churche of Englande.*

The Booke whiche of very late time was geuen to the Churche of Englande by the Kinges auctoritie and the Parleme[n]te, conteining the maner and fourme of praiering<sup>5</sup> and ministring the Sacramentes in the Churche of Englande, likewise also the booke of ordring ministers of the Churche, set foorth by the forsaided auctoritie, are godlie and in no pointe repugnaunt to the holsome doctrine of the Gospel, but agreable thereunto, ferthering<sup>10</sup> and beautifyng the same not a litle, and therfore of al faithfull membres of the Churche of Englande, and chiefie of the Ministers of the worde, thei ought to be received, and allowed with all readinesse of minde and thankes geving, and to bee commended to the people of<sup>15</sup> God.

36. *Of civile magistrates.*

The King of Englande is Supreme head in earth, nexte under Christe, of the Churche of Englande and Irelande.

The Bishoppe of Rome hath no jurisdiction in this<sup>20</sup> realme of Englande.

The civile magistrate is ordeined and allowed of God: wherefore we must obeie him, not onely for feare of punishment, but also for conscience sake.

The civile lawes maie punishe Christien men with<sup>25</sup> death, for heinous and grievous offences.

It is lawefull for Christians, at the commaundement of the magistrate, to weare weapons, and to serve in laweful warres.

37. *Christien mennes gooddes are not commune.* 30

The richesse and gooddes of Christians are not commune as touching the right title and possession of the same (as certain Anabaptistes dooe falslie boaste) not-

withstanding every man ought of such thinges as he possesseth, liberallie to geve almes to the pore, according to his habilitie.

38. *Christien menne maie take an Othe.*

As we confesse that vaine and rashe swearing is forbed 5  
Christien men by our Lorde Jesu Christe and his Apostle  
James; so we judge that Christien religion doeth not  
prohibite but that a man maie sweare, when the magis-  
trate requireth in a cause of faith and charitie, so it bee  
doen (according to the Prophetes teaching) in justice 10  
judgemente and trueth.

39. *The resurrection of the dead is not yeat brought to  
passe.*

The resurrection of the dead is not as yet brought to  
passe, as though it only belonged to the soulle, whiche by 15  
the grace of Christe is raised from the death of sinne,  
but it is to be loked for at the laste daie: for then (as  
Scripture doeth moste manifestlie testifie) to all that bee  
dead their awne bodies, fleshe and bone shal be restored,  
that the whole man maie (according to his workes) have 20  
other rewarde or punishment, as he hath lived vertuouslie,  
or wickedlie.

40. *The soules of them that departe this life doe neither  
die with the bodies, nor slepe idlie.*

Thei which saie that the soules of suche as departe 25  
hens doe sleepe, being without al sence, fealing, or per-  
ceiving, until the daie of judgement, or affirme that the  
soules die with the bodies, and at the laste daie shal be  
raised up with the same, doe utterlie dissent from the  
right believe declared to us in holie Scripture. 30

41. *Heretickes called Millenarii.*

Thei that goe aboute to renewe the fable of Heretickes called Millenarii, be repugnant to holie Scripture, and caste themselves headlong into a Juishe dotage.

42. *All men shall not bee saved at the length.* 5

Thei also are worthie of condemnacion who indevoure at this time to restore the daungerouse opinion; that al menne, be thei never so ungodlie, shall at lenght bee saved, when thei have suffered paines for their sinnes a certaine time appoincted by Goddes justice. 10

God save the King:

Richardus Graftonus typographus Regius excudebat.

Londini. mense Junii.

An. do. M.D.LIII.

Cum priuilegio ad imprimendum solum.

15

### III.

Archiep. Cant.  
MATT. PARKER 3.

Anno Christi  
1562.

Reg. Angliæ  
ELIZ. 5.

#### Articuli

de quibus in synodo Londinensi  
anno Domini juxta ecclesiæ Angli-  
cane computationem M.D.LXII,  
ad tollendam opinionum dissensio-  
nem, et firmandum in vera Reli-  
gione consensum, inter Archiepisco-  
pos Episcoposque utriusque Provin-  
ciæ, nec non etiam univer-  
sum Clerum convenit. 5

Regia autoritate in lucem editi.  
Londini, Anno Domini 10  
M.D.LXIII.

#### *De fide in Sacro-sanctam Trinitatem.*

**U**NUS est vivus, et verus Deus, æternus, incorporeus,  
impartibilis, impassibilis, immense potentiæ, sapien-  
tiæ ac bonitatis, Creator et Conservator omnium, tum 20

*Articuli de quibus]* These Articles are taken from the edition printed by R. Wolfe in the year 1563. and published by the authority of the queen. It will appear in the sequel that there are circumstances of peculiar interest attaching to this edition.

Dr. Parker had been appointed archbishop of Canterbury in Decem- 25  
ber, 1559, and immediately issued, in conjunction with other bishops, instructions for the direction of the clergy founded upon the queen's injunctions, and intended to be used provisionally, until the state of the church should have been fully considered in convocation. In the mean time the visitors appointed by the queen were making their 30  
progress throughout the kingdom, and under the exercise of their

visibilem, tum invisibilem. Et in unitate hujus divinæ naturæ tres sunt personæ, ejusdem essentialis, potentis, ac æternitatis, Pater, Filius, et Spiritus sanctus.

*Verbum Dei verum hominem esse factum.*

Filius, qui est Verbum Patris, ab æterno a Patre geni-<sup>5</sup>tus, verus et æternus Deus, ac Patri consubstantialis, in utero beatæ Virginis, ex illius substantia naturam humanam assumpsit: ita ut duæ naturæ, divina et humana, integre atque perfecte in unitate personæ fuerint inseparabiliter conjunctæ: ex quibus est unus Christus, verus<sup>10</sup> Deus, et verus homo, qui vere passus est, crucifixus, mortuus, et sepultus, ut Patrem nobis reconciliaret, essetque hostia, non tantum pro culpa originis, verum etiam pro omnibus actualibus hominum peccatis.

*De descensu Christi ad inferos.*

15

Quemadmodum Christus pro nobis mortuus est, et sepultus, ita est etiam credendus ad inferos descendisse.

authority the Church of England was rapidly contracting a bias in favour of the reformed faith. It followed therefore as a natural result, that the convocation which met on the 12th of January, 1563, though<sup>20</sup> it contained persons of different religious sentiments, and some who had imbibed extreme opinions from their residence on the continent, consisted entirely of reformers, and was disposed in general to adopt such cautious measures as the archbishop, acting under the strict control of the queen, would be likely to recommend. It appears that<sup>25</sup> he had himself been recasting the forty-two Articles of king Edward, assisted probably by his constant friends bishops Grindal (of London), Horne (of Winchester), and Cox (of Ely); and that he added to the Articles which had been mainly derived from the earlier Lutheran creeds, some new clauses obtained from the more recent confession of Wurtem-<sup>30</sup>berg. (*Laur. Bampt. Lect. p. 233.*) He took the earliest opportunity after their assembling, of bringing his corrected copy before the house of bishops. But the lower clergy were equally anxious that the church should be provided with some distinct and authoritative confession of faith; for on the same day when we learn for the first time that the<sup>35</sup> bishops were themselves employed upon the subject (*Synod. Anglic.*



*Resurrectio Christi.*

Christus vere a mortuis resurrexit, suumque corpus cum carne, ossibus, omnibusque ad integritatem humanæ naturæ pertinentibus, recepit; cum quibus in cœlum ascendit, ibique residet, quoad extremo die ad judicandos 5 homines reversurus sit.

*De Spiritu sancto.*

Spiritus sanctus, a Patre et Filio procedens, ejusdem est cum Patre et Filio essentiæ, majestatis, et gloriæ, verus ac æternus Deus. 10

*Divinæ Scripturæ doctrina sufficit ad salutem.*

Scriptura sacra continet omnia quæ sunt ad salutem necessaria, ita ut quicquid in ea nec legitur, neque inde probari potest, non sit a quoquam exigendum, ut tanquam

p. 193.), the prolocutor of the lower house reported that they had 15 appointed a committee from among their own members for the same purpose, and had placed in their hands copies of king Edward's Articles, to be reconstructed, and prepared for the future consideration of the whole body. On the following day, the 20th of January, the bishops appear to have been engaged upon the copy of the Articles 20 submitted to them by the primate; and on the 29th of the same month, after three intermediate sessions of secret discussion employed probably upon the same business, they agreed to a Form of Articles, and subscribed their names to it. It was transmitted by the archbishop to the lower house, and was returned to the bishops on the 5th of 25 February, bearing already several signatures, and accompanied with the request that every member of the house should be required to subscribe it.

This authentic document, armed with the subscriptions of both houses of convocation, and ordered to be left in the custody of arch-30 bishop Parker, is still in existence, having been bequeathed by him, together with his other valuable papers, to Corpus Christi College in Cambridge, where it is still preserved. We may gather from the erasures made upon it, that in addition to the alterations previously introduced by the archbishop, the following changes were made in 35

articulus fidei credatur, aut ad necessitatem salutis requiri putetur.

Sacræ Scripturæ nomine, eos canonicos libros veteris et novi Testamenti intelligimus, de quorum auctoritate, in Ecclesia nunquam dubitatum est. 5

*Catalogus librorum sacræ canonicæ Scripturæ veteris Testamenti.*

Genesis.	2 Paralipom.	
Exodus.	2 Esdræ.	
Leviticus.	Hester.	10
Numeri.	Job.	
Deuteron.	Psalmi.	
Josuaë.	Proverbia.	
Judicum.	Ecclesiastes.	
Ruth.	Cantica.	15
2 Samuelis.	Prophetæ Majores.	
2 Regum.	Prophetæ Minores.	

king Edward's Articles whilst they were under consideration in the house of bishops. In the 3d Article, "De descensu Christi ad inferos," they omitted the words "Nam corpus usque ad resurrectionem in sepulchro jacuit, Spiritus ab illo emissus, cum Spiritibus qui in carcere sive in inferno detinebantur, fuit, illisque predicavit, quemadmodum testatur Petri locus." In the 8th Article, after "studium" was added the word "carnis." In the title of the 15th Article, the words "in Spiritum sanctum" were underscored, and the words "after baptisme" written over them. In the 22d Article, the expression "verbis Dei" was altered to "verbo Dei." In the 29th Article, the sentence "Quum naturæ — vel profiteri" had been altered by the archbishop; but both the original and the altered sentence were omitted. In the 33d Article, after "pro regionum," was added "temporum," the former word having been naturally suggested at the conference held with the foreign reformers in 1538, and the latter resulting naturally from the changes which the English divines had themselves witnessed. The 39th, the 40th, and the 42d Articles were omitted, the archbishop having himself previously omitted the 41st; so that after all these alterations were adopted, the number of Articles was now reduced from forty-two to thirty-eight.

But this important document, although attested by the united

*Alios autem libros (ut ait Hieronymus) legit quidem Ecclesia, ad exempla vitæ, et formandos mores; illos tamen ad dogmata confirmanda non adhibet; ut sunt*

Tertius liber Esdræ.	Sapientia.	
Quartus liber Esdræ.	Jesus filius Sirach.	5
Liber Tobiaë.	Libri Machabæorum 2.	
Liber Judith.		

Novi Testamenti libros omnes (ut vulgo recepti sunt) recipimus, et habemus pro canonicis.

*De veteri Testamento.*

10

Testamentum vetus novo contrarium non est, quandoquidem tam in veteri, quam in novo, per Christum, qui unicus est Mediator Dei et hominum, Deus et homo, æterna vita humano generi est proposita. Quare male sentiunt, qui veteres tantum in promissiones temporarias 15

suffrages of both houses of convocation, is of no real authority. It has no token of having received the ratification of the crown, that act of sovereignty, without which the decrees of a convocation cannot become binding on the Church of England. The Articles doubtless were laid before the queen in February, 1563; but it was not till about 20 a year afterwards that there appeared the Latin edition of R. Wolfe, printed by her command, and declaring that they had her royal approval, after she had personally read and examined them. Sir E. Coke says expressly (Inst. P. 4. c. 74. p. 323.), that they were ratified at this time by queen Elizabeth under the great seal of England. 25

Here then, in this edition of Wolfe, is a book of Articles possessed of full synodical authority. And this is the more important to be observed, because the printed book differs in two remarkable instances from the document signed by the two houses of convocation; viz. by adding the memorable clause "Habet Ecclesia ritus statuendi jus, et 30 in fidei controversiis auctoritatem," at the beginning of the 20th Article, and by omitting altogether the 29th Article, whose title is, "Impii non manducant corpus Christi in usu cœnæ." Considering the facts that have been stated, the character of Elizabeth, and the opinions then generally entertained of the ecclesiastical supremacy of 35 the crown, we cannot doubt that these alterations were made by the

sperasse confingunt. Quanquam lex a Deo data per Moſen, quoad cæremonias et ritus, Chriſtianos non aſtringat, neque civilia ejus præcepta in aliqua republica neceſſario recipi debeant, nihilominus tamen ab obedientia mandatorum quæ moralia vocantur nullus quantumvis Chriſtianus eſt ſolutus.

*Symbola tria.*

Symbola tria, Nicænum, Athanaſii, et quod vulgo Apoſtolicum appellatur, omnino recipienda ſunt, et credenda; nam firmiſſimis Scripturarum testimoniis probari poſſunt.

*Peccatum originale.*

Peccatum originis non eſt (ut fabulantur Pelagiani) in imitatione Adami ſitum, ſed eſt vitium, et depravatio naturæ, cujuſlibet hominis ex Adamo naturaliter propa-

council with the concurrence, or more probably at the command, of the queen, and were probably required by her to be followed in the register of the convocation. It is evident from ſeveral other inſtances of the exerciſe of this power, and more eſpecially from a letter of remonſtrance addreſſed to her by archbiſhop Grindal at a ſubſequent period, that ſhe looked upon her ſupremacy as totally independent, not only of temporal but alſo of ſpiritual control. (Hiſt. of Conf. p. 21. Strype, Grindal, p. 449.)

The copy of Wolfe's edition from which this reprint has been taken, is preſerved in the Bodleian, being part of the collection preſented to that library by the executors of Selden. Appended to the cover of it, but not in ſuch a manner as to prove that it originally belonged to the book, is a piece of parchment containing the autographs of the lower houſe of convocation in the year 1571. This book was obtained by Selden from the library of archbiſhop Laud, and is doubtleſs the ſtandard to which the archbiſhop referred, confirming it by atteſted extracts from the original records, when he gave his reaſons for introducing the memorable church-clauſe into the Articles ratified by king Charles I., and into all the editions published in his time. (Speech in the Star Ch. p. 72.)

35

The degree of authority and publicity which the clauſe had obtained, may be inferred from the following facts :

gati: qua fit, ut ab originali justitia quam longissime distet; ad malum sua natura propendeat; et caro semper adversus spiritum concupiscat; unde in unoquoque nascentium, iram Dei atque damnationem meretur. Manet etiam in renatis hæc naturæ depravatio: qua fit, ut affectus carnis, Græcæ *φρόνημα σαρκὸς* (quod alii sapientiam, alii sensum, alii affectum, alii studium<sup>a</sup> interpretantur,) legi Dei non subjiatur. Et quanquam renatis et credentibus nulla propter Christum est condemnatio, peccati tamen in sese rationem habere concupiscentiam, fatetur<sup>10</sup> Apostolus.

*De libero arbitrio.*

Ea est hominis post lapsum Adæ conditio, ut sese naturalibus suis viribus, et bonis operibus, ad fidem et invocationem Dei convertere, ac præparare non possit.<sup>15</sup> Quare absque gratia Dei, quæ per Christum est, nos præveniente, ut velimus, et cooperante, dum volumus, ad

The clause "Habet Ecclesia ritus [sive cæremonias] statuendi jus, et in fidei controversiis auctoritatem" appears in the following copies—20

Anno 1563.	R. Wolfe.	Lat.	Bodl.	
1571.	Jugge and Cawood.	Engl.	Bodl.	
1581.	Chr. Barker.	Engl.	Bodl.	
1586.	Chr. Barker.	Engl.	Bodl.	
1593.	Dep. of Chr. Barker.	Engl.	Bodl.	25
1612.	R. Barker.	Engl.	Bodl.	
1624.	Norton and Bill.	Engl.	Bodl.	
1628.	Norton and Bill.	Engl.	Bodl. with king Charles' Declaration.	

The clause appears constantly in all subsequent editions, as in those 30 of 1629, 1630, 1631, and others which may be seen in the Bodleian; and even in an edition of 1642 bearing this imprint, "Printed for the benefit of the Commonwealth," which however was probably put forth by a royalist. The words "sive cæremonias" are wanting in Wolfe's impression of 1563, but the equivalent English expression is in all the other copies noticed above.

<sup>a</sup> "Carnis" is added by the pen over the line.

pietatis opera facienda, quæ Deo grata sunt, et accepta, nihil valemus.

*De hominis justificatione.*

Tantum propter meritum Domini ac Servatoris nostri Jesu Christi, per fidem, non propter opera, et merita nostra, justi coram Deo reputamur. Quare sola fide nos justificari, doctrina est saluberrima ac consolationis plenissima; ut in homilia de justificatione hominis fusius explicatur.

*De bonis operibus.*

10

Bona opera, quæ sunt fructus fidei, et justificatos sequuntur, quanquam peccata nostra expiari [*sic*], et divini judicii severitatem ferre non possunt; Deo tamen grata sunt, et accepta in Christo, atque ex vera et viva fide

The clause is wanting in other copies, viz.—

15

1563. Juge and Cawood. Engl. Ch. Ch. Oxford.

1571. Johan. Day. Lat. Bodl.

1571. Juge and Cawood. Engl. Bodl.

Of this clause one part is contained expressly in Article 34, and the other by implication in the sequel of Article 20; and perhaps, the method, in which the latter and more important part was elsewhere stated, being indirect but yet conclusive, may explain the different conduct of the two parties as to the adoption or the omission of the clause. The Confession of Wurtemberg from which the additions made by archbishop Parker were generally taken, would certainly have suggested to him the introduction of such a clause, had he not been satisfied that there was in other passages a sufficient acknowledgment made respecting the authority of the church. In that Confession are the following words, "Credimus et confitemur quod—hæc Ecclesia habeat jus judicandi de omnibus doctrinis—quod hæc Ecclesia habeat jus interpretandæ Scripturæ."

Comp. Fuller, Ch. Hist. cent. 16. b. 9. p. 73. Collier, Hist. vol. ii. p. 490. Strype, Ann. vol. i. P. i. pp. 484—487. Parker, vol. i. pp. 237. 243. Burnet, Hist. Ref. vol. iii. p. 579. Bennet, Ess. on the Thirty-nine Art. c. 29, &c. Heylin, Eccl. Rest. p. 331. Hist. Presb. p. 268. Lingard, vol. v. p. 207. Neal, Purit. vol. i. p. 120. Priestcraft in perfec. p. 21, &c. Laur. Bamp. Lect. p. 236.

necessario profluunt, ut plane ex illis æque fides viva cognosci possit, atque arbor ex fructu judicari.

*Opera ante justificationem.*

Opera quæ fiunt ante gratiam Christi, et spiritus ejus afflatum, cum ex fide Jesu Christi non prodeant, minime Deo grata sunt, neque gratiam (ut multi vocant) de congruo merentur. Immo, cum non sint facta ut Deus illa fieri voluit et præcepit, peccati rationem habere non dubitamus.

*Opera supererogationis.*

10

Opera quæ supererogationis appellant, non possunt sine arrogantia et impietate prædicari. Nam illis declarant homines, non tantum se Deo reddere, quæ tenentur, sed plus in ejus gratiam facere quam deberent; cum aperte Christus dicat: Cum feceritis omnia quæcunque præcepta sunt vobis, dicite, Servi inutiles sumus.

*Nemo præter Christum sine peccato.*

Christus in nostræ naturæ veritate, per omnia similis factus est nobis, excepto peccato, a quo prorsus erat immunis, tum in carne, tum in spiritu. Venit ut agnus absque macula esset, qui mundi peccata per immolationem sui semel factam tolleret; et peccatum (ut inquit Johannes) in eo non erat: sed nos reliqui, etiam baptizati, et in Christo regenerati, in multis tamen offendimus omnes. Et si dixerimus, quia peccatum non habemus, nos ipsos seducimus, et veritas in nobis non est.

*De lapsis post Baptismum.*

Non omne peccatum mortale post Baptismum voluntarie perpetratum est peccatum in Spiritum Sanctum, et irremissibile: proinde lapsis a Baptismo in peccata, locus

pœnitentiæ non est negandus. Post acceptum Spiritum Sanctum possumus a gratia data recedere, atque peccare, denuoque per gratiam Dei resurgere, ac respiscere: ideoque illi damnandi sunt, qui se, quamdiu hic vivant, amplius non posse peccare affirmant, aut vere respi-5 scentibus pœnitentiæ locum denegant.

*De prædestinatione, et electione.*

Prædestinatio ad vitam est æternum Dei propositum, quo ante jacta mundi fundamenta, suo consilio, nobis quidem occulto, constanter decrevit, eos, quos in Christo 10 elegit ex hominum genere, a maledicto et exitio liberare, atque ut vasa in honorem efficta per Christum ad æternam salutem adducere. Unde qui tam præclaro Dei beneficio sunt donati, illi Spiritu ejus, opportuno tempore operante, secundum propositum ejus vocantur; vocationi per gra-15 tiam parent; justificantur gratis; adoptantur in filios; unigeniti Jesu Christi imagini efficiuntur conformes; in bonis operibus sancte ambulant; et demum ex Dei misericordia pertingunt ad sempiternam felicitatem.

Quemadmodum prædestinationis et electionis nostræ in 20 Christo pia consideratio, dulcis, suavis, et ineffabilis consolationis plena est vere piis, et his qui sentiunt in se vim Spiritus Christi, facta carnis, et membra, quæ adhuc sunt super terram, mortificantem, animumque ad cœlestia et superna rapientem; tum quia fidem nostram de æterna 25 salute consequenda per Christum plurimum stabilit atque confirmat, tum quia amorem nostrum in Deum vehementer accendit: ita hominibus curiosis, carnalibus, et Spiritu Christi destitutis, ob oculos perpetuo versari prædestinationis Dei sententiam perniciosissimum est præci-30 pitium, unde illos diabolus protrudit, vel in desperationem, vel in æque perniciosam impurissimæ vitæ securitatem. Deinde, promissiones divinas sic amplecti oportet, ut nobis in Sacris Literis generaliter propositæ sunt; et Dei



voluntas in nostris actionibus ea sequenda est, quam in verbo Dei habemus diserte revelatam.

*Tantum in nomine Christi speranda est æterna salus.*

Sunt illi anathematizandi, qui dicere audent unumquemque in lege aut secta quam profitetur esse servandum, modo juxta illam et lumen naturæ accurate vixerit; cum Sacræ Literæ tantum Jesu Christi nomen prædicent, in quo salvos fieri homines oporteat.

#### *De Ecclesia.*

Ecclesia Christi visibilis est cœtus fidelium, in quo<sup>10</sup> verbum Dei purum prædicatur, et Sacramenta, quoad ea quæ necessario exiguntur, juxta Christi institutum recte administrantur. Sicut erravit Ecclesia Hierosolymitana, Alexandrina, et Antiochena; ita et erravit Ecclesia Romana, non solum quoad agenda, et cæremoniarum ritus,<sup>15</sup> verum in his etiam quæ credenda sunt.

#### *De Ecclesiæ autoritate.*

Habet Ecclesia ritus statuendi jus, et in fidei controversiis auctoritatem; quamvis Ecclesiæ non licet quicquam instituere, quod verbo Dei scripto adversetur, nec<sup>20</sup> unum Scripturæ locum sic exponere potest, ut alteri contradicat. Quare licet Ecclesia sit divinorum librorum testis et conservatrix, attamen ut adversus eos nihil decernere, ita præter illos nihil credendum de necessitate salutis debet obtrudere.

25

#### *De autoritate conciliorum generalium.*

Generalia concilia sine jussu et voluntate principum congregari non possunt; et ubi convenerint, quia ex ho-

minibus constant, qui non omnes spiritu et <sup>b</sup> verbo Dei reguntur, et errare possunt, et interdum errarunt, etiam in his quæ ad normam pietatis pertinent: ideo quæ ab illis constituuntur, ut ad salutem necessaria, neque robur habent, neque auctoritatem, nisi ostendi possint e Sacris Literis esse desumpta.

*De purgatorio.*

Doctrina Romanensium de purgatorio, de indulgentiis, de veneratione, et adoratione, tum imaginum, tum reliquiarum, necnon de invocatione Sanctorum, res est inutilis, inaniter conficta, et nullis Scripturarum testimoniis innititur, immo verbo Dei contradicit.

*Nemo in ecclesia ministret nisi vocatus.*

Non licet cuiquam sumere sibi munus publice prædicandi, aut administrandi Sacramenta in Ecclesia, nisi prius fuerit ad hæc obeunda legitime vocatus et missus. Atque illos legitime vocatos et missos existimare debemus, qui per homines, quibus potestas vocandi ministros, atque mittendi in vineam Domini, publice concessa est in Ecclesia, cooptati fuerint, et adsciti in hoc opus.

*Agendum est in Ecclesia lingua quæ sit populo nota.*

Lingua populo non intellecta publicas in Ecclesia preces peragere aut Sacramenta administrare, verbo Dei, et primitivæ Ecclesiæ consuetudini plane repugnat.

*De Sacramentis.*

Sacramenta a Christo instituta, non tantum sunt notæ professionis Christianorum, sed certa quædam potius testimonia, et efficacia signa gratiæ atque bonæ in nos volun-

<sup>b</sup> "Verbis" in the original altered by the pen to "verbo."

tatis Dei, per quæ invisibiliter ipse in nobis operatur, nostramque fidem in se non solum excitat, verum etiam confirmat.

Duo a Christo Domino nostro in Evangelio instituta sunt Sacramenta; scilicet, Baptismus, et Cœna Domini. 5

Quinque illa vulgo nominata Sacramenta; scilicet, Confirmatio, Pœnitentia, Ordo, Matrimonium, et Extrema Unctio, pro Sacramentis Evangelicis habenda non sunt; ut quæ, partim a prava Apostolorum imitatione profluxerunt, partim vitæ status sunt in Scripturis quidem probati, sed Sacramentorum eandem cum Baptismo et Cœna Domini rationem non habentes: quomodo nec Pœnitentia, ut quæ signum aliquod visibile, seu cæremoniam, a Deo institutam non habeat.

Sacramenta non in hoc instituta sunt a Christo, ut spectarentur, aut circumferrentur, sed ut rite illis uteremur; et in his duntaxat qui digne percipiunt salutarem habent effectum: qui vero indigne percipiunt, damnationem (ut inquit Paulus) sibi ipsis acquirunt.

*Ministrorum malitia non tollit efficaciam institutionum divinarum.* 20

Quamvis in Ecclesia visibili bonis mali semper sunt admixti, atque interdum ministerio Verbi et Sacramentorum administrationi præsent; tamen cum non suo, sed Christi nomine agant, ejusque mandato, et auctoritate ministrent, illorum ministerio uti licet, cum in verbo Dei audiendo, tum in Sacramentis percipiendis. Neque per illorum malitiam effectus institutorum Christi tollitur, aut gratia donorum Dei minuitur, quoad eos qui fide et rite sibi oblata percipiunt; quæ propter institutionem Christi et promissionem efficacia sunt, licet per malos administrantur.

Ad Ecclesiæ tamen disciplinam pertinet<sup>c</sup>, ut in malos

<sup>c</sup> "Pertinent" in the original, but altered by the pen to "pertinet."

ministros inquiratur, accusenturque ab his, qui eorum flagitia noverint, atque tandem justo convicti iudicio deponantur.

*De Baptismo.*

Baptismus non est tantum professionis signum, ac 5  
discriminis nota, qua Christiani a non Christianis discernantur, sed etiam est signum regenerationis, per quod, tanquam per instrumentum, recte Baptismus suscipientes<sup>d</sup>, Ecclesiæ inseruntur; promissiones de remissione peccatorum, atque adoptione nostra in filios Dei per Spiritum sanctum visibiliter obsignantur; fides confirmatur; et vi divinæ invocationis gratia augetur.

Baptismus parvulorum omnino in Ecclesia retinendus est, ut qui cum Christi institutione optime congruat.

*De Cæna Domini.*

15

Cæna Domini non est tantum signum mutuæ benevolentiae Christianorum inter sese, verum potius est Sacramentum nostræ per mortem Christi redemptionis. Atque adeo, rite, digne, et cum fide sumentibus, panis quem frangimus est communicatio corporis Christi: similiter poculum benedictionis est communicatio sanguinis Christi. Panis et vini transubstantiatio in Eucharistia ex sacris literis probari non potest, sed apertis Scripturæ verbis adversatur, Sacramenti naturam evertit, et multarum superstitionum dedit occasionem. 20

25

Corpus Christi datur, accipitur, et manducatur in Cæna, tantum cœlesti et spiritali ratione: medium autem, quo corpus Christi accipitur et manducatur in Cæna, fides est.

Sacramentum Eucharistiæ ex institutione Christi non 30  
servabatur, circumferebatur, elevabatur, nec adorabatur.

<sup>d</sup> "Suspicientes" in the original, but altered by the pen.

*De utraque specie.*

Calix Domini laicis non est denegandus; utraque enim pars Dominici Sacramenti, ex Christi institutione et præcepto, omnibus Christianis ex æquo administrari debet.

*De unica Christi oblatione in cruce perfecta.* 5

Oblatio Christi semel facta, perfecta est redemptio, propitiatio, et satisfactio pro omnibus peccatis totius mundi, tam originalibus, quam actualibus: neque præter illam unicum est ulla alia pro peccatis expiatio: unde missarum sacrificia, quibus vulgo dicebatur sacerdotem 10 offerre Christum in remissionem pœnæ aut culpæ pro vivis et defunctis, blasphema figmenta sunt, et perniciosæ imposturæ.

*De Conjugio Sacerdotum.*

Episcopis, Presbyteris, et Diaconis nullo mandato di- 15 vino præceptum est, ut aut cœlibatum voveant, aut a matrimonio abstineant. Licet igitur etiam illis, ut cæteris omnibus Christianis, ubi hoc ad pietatem magis facere judicaverint, pro suo arbitrato matrimonium contrahere.

*Excommunicati vitandi sunt.* 20

Qui per publicam Ecclesiæ denunciationem rite ab unitate Ecclesiæ præcisus est et excommunicatus, is ab universa fidelium multitudine donec per pœnitentiam publice reconciliatus fuerit arbitrio judicis competentis, habendus est tanquam ethnicus et publicanus. 25

*Traditiones Ecclesiasticæ.*

Traditiones atque cæremonias easdem, non omnino necessarium est esse ubique aut prorsus consimiles. Nam ut variæ semper fuerunt, et mutari possunt, pro regionum,

temporum, et morum diversitate, modo nihil contra verbum Dei instituat.

Traditiones, et cæremonias Ecclesiasticas, quæ cum verbo Dei non pugnant, et sunt autoritate publica institutæ atque probatæ, quisquis privato consilio volens, et data opera, publice violaverit, is, ut qui peccat in publicum ordinem Ecclesiæ, qui que lædit autoritatem Magistratus, et qui infirmorum fratrum conscientias vulnerat, publice, ut cæteri timeant, arguendus est.

Quælibet Ecclesia particularis, sive nationalis, autoritatem habet instituendi, mutandi, aut abrogandi cæremonias, aut ritus Ecclesiasticos, humana tantum autoritate institutos, modo omnia ad ædificationem fiant.

Tomus secundus homiliarum, quarum singulos titulos huic articulo subjunximus, continet piam et salutarem doctrinam, et his temporibus necessariam, non minus quam prior tomus homiliarum, quæ editæ sunt tempore Edwardi Sexti. Itaque eas in Ecclesiis per ministros diligenter et clare, ut a populo intelligi possint, recitandas esse judicavimus. 20

*Catalogus homiliarum.*

De recto ecclesiæ usu.

Adversus Idololatriæ pericula.

De reparandis ac purgandis ecclesiis.

De bonis operibus. 25

De jejunio.

In gulæ atque ebrietatis vitia.

In nimis sumptuosos vestium apparatus.

De oratione sive precatone.

De loco et tempore orationi destinatis. 30

De publicis precibus ac Sacramentis idiomate vulgari omnibusque noto habendis.

De sacrosancta verbi divini auctoritate.

De eleemosina.

De Christi nativitate.

De dominica passione.

De resurrectione Domini.

De digna corporis et sanguinis dominici in cœna Domini participatione. 5

De donis spiritus sancti.

In diebus qui vulgo Rogationum dicti sunt, concio.

De matrimonii statu.

De otio seu socordia.

De pœnitentia. 10

Libellus de consecratione Archiepiscoporum, et Episcoporum, et de ordinatione Presbyterorum et Diaconorum, editus nuper temporibus Edwardi VI. et auctoritate Parlamenti illis ipsis temporibus confirmatus, omnia ad ejusmodi consecrationem et ordinationem necessaria continet, 15 et nihil habet, quod ex se sit aut superstitiosum aut impium: itaque quicumque juxta ritus illius libri consecrati aut ordinati sunt, ab anno secundo prædicti Regis Edwardi, usque ad hoc tempus, aut in posterum juxta eosdem ritus consecrabitur, aut ordinabitur, rite ordine, atque legitime statuimus esse, et fore consecratos et ordinatos.

#### *De civilibus Magistratibus.*

Regia Majestas in hoc Angliæ regno, ac cæteris ejus dominiis, summam habet potestatem, ad quam omnium 25 statuum hujus regni, sive illi Ecclesiastici sint, sive non, in omnibus causis suprema gubernatio pertinet, et nulli externæ jurisdictioni est subjecta, nec esse debet.

Cum Regiæ Majestati summam gubernationem tribuimus, quibus titulis intelligimus animos quorundam calum- 30 niatorum offendi, non damus Regibus nostris aut Verbi Dei, aut Sacramentorum administrationem, quod etiam injunctiones ab Elizabetha Regina nostra nuper editæ, apertissime testantur; sed eam tantum prærogativam,

quam in Sacris Scripturis a Deo ipso omnibus piis principibus videmus semper fuisse attributam; hoc est, ut omnes status atque ordines fidei suæ a Deo commissos, sive illi Ecclesiastici sint, sive Civiles, in officio contineant, et contumaces ac delinquentes gladio civili coercant.

Romanus Pontifex nullam habet jurisdictionem in hoc regno Angliæ.

Leges Civiles possunt Christianos propter capitalia, et gravia crimina, morte punire. 10

Christianis licet, ex mandato Magistratus, arma portare, et justa bella administrare.

*Christianorum bona non sunt communia.*

Facultates et bona Christianorum non sunt communia quoad jus et possessionem, ut quidam Anabaptistæ jactant; debet tamen quisque de his quæ possidet, pro facultatum ratione, pauperibus eleemosynas benigne distribuere.

*Licet Christianis jurare.*

Quemadmodum juramentum vanum et temerarium a Domino nostro Jesu Christo, et Apostolo ejus Jacobo, Christianis hominibus interdictum esse fatemur: ita Christianam Religionem minime prohibere censemus, quin jubente Magistratu in causa fidei et charitatis jurare liceat, modo id fiat juxta Prophetæ doctrinam, in justitia, in judicio, et veritate. 25

Hos Articulos fidei Christianæ continentes in universum novendecim paginas in autographo quod asservatur apud Reverendissimum in Christo patrem Dominum Matthæum Cantuariensem Archiepiscopum, totius Angliæ Primatem et Metropolitanum, Archiepiscopi et Episcopi utriusque Provinciæ regni Angliæ in Sacra Provinciali Synodo legitime congregati unanimi assensu recipiunt et profitentur,



et ut veros atque orthodoxos manuum suarum subscriptionibus approbavit, vicesimo nono die mensis Januarii, anno Domini secundum computationem ecclesiae Anglicanae, millesimo quingentesimo sexagesimo secundo: universusque clerus Inferioris domus eosdem etiam unanimiter et recepit et professus est, ut ex manuum suarum subscriptionibus patet, quas obtulit et deposuit apud eundem Reverendissimum, quinto die Februarii, anno praedicto.

Quibus omnibus Articulis Serenissima princeps Elizabeth Dei Gratia Angliae Franciae et Hiberniae Regina, fidei Defensor &c. per seipsam diligenter prius lectis et examinatis Regium suum assensum praebuit.

Excusum Londini  
apud Reginaldum  
Wolfium, Regiae  
Majest. in Latinis  
typographum.  
Anno Domini 1563.

IV.

Archiep. Cant.  
MATTHE. PARKER 3.

Anno Christi  
1562.

Reg. Angliæ.  
ELIZ. 5.

¶ Articles,	
wherevpon it was agreed	5
by the Archbishoppes, and	
Bishops of both the prouin-	
ces, and the whole Cleargie,	
in the conuocation holden at	
London, in the yere of our	10
Lorde God .M.D.LXII. accor-	
ding to the computation of the	
Churche of Englande, for the	
auoydyng of the diversities	
of opinions, and for the	15
stablishyng of con-	
sent, touchyng	
true reli-	
gion.	
Put foorth by the	20
Queenes auc-	
thoritie.	

¶ *Of fayth in the holie Trinitie.*

**T**HERE is but one lyuyng and true God, and he is  
 euerlasting, without body, partes, or passions, of infi-<sup>25</sup>  
 nite power, wisdome and goodnesse, the maker and pre-

*Articles whereupon]* This reprint of the thirty-nine Articles is taken  
 from an edition of Jugge and Cawood, put forth by the queen's  
 authority about the year 1563, a copy of which is preserved in the  
 library of Christ Church among the books of archbishop Wake. There 30

seruer of all thynges, both visible and inuisible. And in vnitie of this Godhead, there be three persons, of one substaunce, power, and eternitie, the father, the sonne and the holy ghost.

*That the word or sonne of God was made very man.* 5

¶ The Sonne, whiche is the worde of the father, begotten from euerlastyng of the father, the very and eternall GOD, of one substaunce with the father, toke mans nature in the wombe of the blessed virgin of her substaunce: So that two whole and perfect natures, that is to say, the Godhead and manhood were ioyned together in one person, neuer to be diuided, whereof is one Christe, very God, and very man, who truely suffered, was crucified, dead, and buried, to reconcile his father to vs, and to be a sacrifice for all sinne, both originall and actual.

is no direct information as to the persons by whom the translation was made; but it is reasonable to suppose that the same bishops who compiled the Articles in their original Latin, would provide an English translation of them, and all parties alike might derive assistance from the English Articles of 1553. There is internal evidence to shew that it was made by members of the convocation, rather than under the direction of the queen's council. It is a remarkable fact, consistent with this view of the case, but not otherwise easily explained (Dr. Lamb's Articles, p. 34.), that this translation does not contain the memorable clause on the authority of the church; but whoever were the translators, it is plain that they were acquainted with the alterations made by the queen, after the Articles had been approved by the convocation, (see the preceding No. p. 38.); for although they omit the clause above mentioned, they also omit the Article "Impii non manducant &c." which the convocation had authorized, but the queen's council had expunged. The Articles therefore in this edition are in reality only thirty-eight in number.

Archbishop Laurence says in his Bampton Lectures (p. 304) that some of the copies differ materially from others; but I have collated the copy belonging to the Library at Christ Church with the fac-simile

*Of the goyng downe of Christ into hel.*

¶ As Christe dyed and was buried for vs: so also it is to be beleued that he went downe into hell.

*Of the Resurrection of Christe.*

¶ Chryst dyd truely ryse agayne from death, and toke s agayne his body with fleshe, bones, and all thynges appertaining to the perfection of mans nature, wherwith he ascended into heauen, and there sitteth, vntyll he returne to iudge al men at the last day.

*Of the holy ghost.*

10

¶ The holy ghost proceeding from the father and the sonne, is of one essence, maiestie, and glory, with the father and the sonne, very and eternall God.

of another edition given in Dr. Lamb's work, and though the latter is the more correct of the two, the differences are all of such a nature as 15 to be errors of copy or printing. The book from which Dr. Lamb has printed is probably the later impression of the two. It appears also from a collation of four peculiar readings in the Ch. Ch. copy with the copy preserved in the University Library at Cambridge, that they also are of different impressions; so that there were at least 20 three different editions of the English Articles by Jugge and Cawood at this period. The four readings are the following:

Art. 13.		
Works bef. Justificat.	we doubt not but <i>that</i> they	
Art. 15.		25
No man is without	Christ is the trueth	
Art. 17.		
Of predestination	deliver from <i>the</i> curse	
Art. 28.		
Of the Lord's Supper.	love that Christians.	30

Another question however of much importance remains to be considered. We have already described the document that received the signatures of the convocation, and the printed form which, as bearing the queen's ratification, became in consequence the record of authority, to govern the proceedings of the church in its spiritual character. 35

*The doctrine of holy Scripture, is sufficient to saluation.*

¶ Holy Scripture conteineth all thynges necessarie to saluation: so that whatsoeuer is not read therin, nor may be proued thereby, is not to be required of any man, that it should be beleued as an article of the fayth, or be thought requisite necessarie to saluation.

By the naming of holy Scripture, we do vnderstande those Canonick bookes of the olde and newe Testament, of whose authoritie, was neuer any doubt in the Church.

¶ *The names and number of the Canonickall bookes.* 10

Genesis.	2. Cronicles.	
Exodus.	2. Esdr.	
Leuiticus.	Hester.	
Numeri.	Job.	
Deuter.	Psalmes.	15
Josue.	Prouerbes.	
Judges.	Eccles. or preacher.	
Ruth.	Cantica, or song of Salomon.	
2. Samuel.	4. Proph. the greater.	
2. Kinges.	12. Proph. the lesse.	20

But what copy of these Articles was adopted by the parliament of queen Elizabeth, and authorized by the statute that enacted temporal pains and penalties in case of disobedience? What copy again is recognised in the Act of Uniformity (13 and 14 Car. II. cap. 4), which requires subscription “unto the nine and thirty Articles of religion, 25 mentioned in the statute made in the 13th year of the reign of the late queen Elizabeth?” This question leads to an investigation of much interest in itself and connected with important consequences. The statement of the facts may be given in the words of Dr. Lamb.

“The first step in the business was taken December 5, 1566 [in 30 the house of commons]; when we find the following entry [of sir Simonds D’Ewes], ‘The bill with a little book printed in the year 1562 [1563] (which was the 4th or 5th year of her majesty’s reign) for the sound Christian religion was read the first time.’ The next step which they took in their intended reformation was upon the fol- 35

As for the other bookes (as Jerom sayth) the Church doth reade for example, and for good instruction of luyng: But yet doth it not applie them to establishe any doctrine. Such are these folowyng.

3. and 4. of Esdras.	Judith.	5
The booke of Wysdome.	Tobias.	
Jesus the sonne of Syrach.	Machabees 2.	

All the bookes of the newe Testament, as they are commonly receaued, we do receaue, and accompt them for Canonically. 10

*Touching the olde Testament.*

¶ The olde Testament is not contrarie to the newe. For, both in the olde and newe Testamentes, euerlastyng lyfe is offered to mankinde by Christ, who is the only mediatur betwene God and man, beyng both God and 15 man. Wherefore they are not to be hearde, whiche faigne that the olde fathers dyd loke only for transitorie promises. Although the lawe geuen by Moyses as touchyng ceremonies and rites, do not binde Christian men, nor the cyuil preceptes thereof, ought of necessitie to be 20 receaued in any comon wealthe: yet notwithstanding, no Christian man whatsoeuer, is free from the obedience of the commaundementes which are called morall.

lowing day, when they read for the first time five other bills concernyng church matters. On Tuesday the 10th of December, 'The bill 25 with the litle book printed in 1562 for the sound Christian religion was read a second time.' On the following Friday, 'The bill for the Articles of Religion passed upon the third reading,' and on Saturday the 14th of December, 'The bill for the Articles of Religion was sent to the lords.' In the journal of the house of lords we have the fol- 30 lowing entry, 'December 14, the bill for the uniformity in doctrine was brought from the house of commons and was read prima vice.' The bill proceeded no further. Her majesty considered it an encroachment upon her prerogative as supreme head of the church, and stopped the second reading in the lords. 35

"The bill for the Articles with the five others rested from this period

*The three Creedes.*

¶ The three Creedes, Nicene Creede, Athanasius Creede, and that whiche is comonly called the Apostles Creede, ought throughly to be receaved and beleued. For they may be proued by moste certayne warraunties of holy Scripture.

*¶ Of originall or birth sinne.*

¶ Originall sinne standeth not in the folowyng of Adam, (as the Pelagians do vaynely talke) but it is the fault and corruption of the nature of euery man, that naturally is ingendred of the ofspryng of Adam, wherby man is very farre gone from his former ryghteousnesse which he had at his creation, and is of his owne nature geuen to euyll: so that the fleshe desyreth alwayes contrarie to the spirite, and therefore in euery person borne into this worlde, it deserueth Gods wrath and damnation. And this infection of nature doeth remayne, yea

until the session of 13 Elizabeth. This parliament, the third of her reign, met on Monday the 2d of April, 1571, and its members lost no time in trying their strength with the queen's prerogative. On the 7th they brought in these six bills of the former session; and the bill for the Articles was read the first time. The proceedings of the commons during this session are so confusedly or briefly set down through the negligence (as D'Ewes states) of Fulk Onslow, esq., clerk of the house of commons, that it is not possible to trace the bill through its second and third reading with any accuracy. There appears however in the journals of the upper house the following entry, 'On the 3d of May two bills were brought from the house of commons, of which the second was the bill for the ministers of the church to be of sound religion.' There is no entry respecting its readings in the house of lords; but on the 29th of May this bill, with several others, received the royal assent."

It is necessary to observe in illustration of the queen's sentiments on this subject, that on the 1st of May the following message was sent from the lords to the house of commons, "that the queen's majesty having been made privy to the said Articles liketh very well of them,

in them that are baptized, whereby the lust of the fleshe, called in Greke *φρόνημα σαρκός* whiche some do expounde, the wysedome : some, sensualitie : some, the affection : some, the desyre of the fleshe, is not subiect to the lawe of God. And although there is no cōdemnation<sup>5</sup> for them that beleue and are baptized : yet the Apostle doth confesse, that concupiscence and lust, hath of it selfe the nature of sinne.

*Of free wyll.*

¶ The condition of man after the fall of Adam, is suche, 10 that he can not turne and prepare hym selfe by his owne naturall strength, and good workes, to fayth, and calling vppon God. Wherefore we haue no power to do good workes, pleasaunt and acceptable to God, without the grace of God by Christ preuenting vs, that we may haue 15 a good wyll and working in vs, when we haue that good wyll.

and mindeth to publish them and have them executed by the bishops, by direction of her highness' regal authority of supremacy of the church of England, and not to have the same dealt in by parliament ;" 20 and yet so resolute were the commons on the subject, that the bill was sent up to the lords only two days afterwards, and the queen did not think it prudent to make any further resistance. Probably she was induced to acquiesce in the cooperation of the parliament, owing to her dread of the papal bull which had been issued against her in the 25 preceding year.

Now although no copy of the Articles is in fact attached to the statute 13 Eliz. cap. 12. in the public records, the circumstances of the case may fairly satisfy us as to the copy agreed upon in parliament. It is not known that any printed editions were then in existence, 30 except the Latin edition already described (No. III.) of Wolfe, and three impressions by Jugge and Cawood of the English translation. Considering therefore that the title of the book as cited at length in the act is in English, exactly corresponding with the title of Jugge's editions ; that in size those editions are precisely the "little book," 35 the term employed by D'Ewes ; that the bill originated in the house of commons, to many of whom the Latin would be unintelligible, and



*Of the iustification of man.*

¶ We are accompted righteous before God, onely for the merite of our Lorde and Sauour Jesus Christe, by fayth, and not for our owne workes or deseruynges. Wherefore, that we are iustified by fayth only, it is a moste wholesome doctrine, and full of comfort, as more largely is expressed in the Homilie of justification.

*Of good workes.*

¶ Albeit that good workes, whiche are the fruite of fayth, and folowe after iustification, cannot put away our sinnes, and endure the seueritie of Gods iudgement: yet are they pleasyng and acceptable to God in Christ, and do spring out necessarily of a true and liuely fayth, inso-much that by them a liuely fayth maye be as evidently known, as a tree discerned by the fruite. 15

who would all of them justly prefer the English; that it continued before that house for nearly a month, and was debated in the spirit which Mr. Wentworth, one of its leading members, expressed in these words, "No, by the faith I bear to God, we will pass nothing before we understand what it is," we cannot reasonably doubt that the Articles enacted in parliament were the English translation imprinted by Jugge and Cawood. If it be urged by way of objection that the English translation does not contain the clause respecting the authority of the church, and that the queen would not forego a declaration, which she had herself introduced into the Latin copies, we must answer that she found the commons resolute and irresistible, and was persuaded that in the actual government of the church, and more especially in the court of high commission, her royal supremacy would never be disputed.

This reprint accordingly is taken with minute exactness from the first English edition of the Thirty-nine Articles, and may be considered, errors of press being excepted, as the exact record that received the authority of parliament.

But the words of the statute are of much importance in the limitation that they appear to place upon the act of subscribing to the

*Workes before iustification.*

¶ Workes done before the grace of Christ, and the inspiration of his spirite, are not pleasaunt to God, forasmuche as they spryng not of fayth in Jesus Christe, neyther do they make men meete to receaue grace, or (as the schoole aucthours say) deserue grace of congruitie : but because they are not done as God hath wylled and commaunded them to be done, we doubt not but that they haue the nature of synne.

*Workes of supererogation.*

10

¶ Voluntarie workes besydes, ouer and aboue Gods commaundementes, whiche they call workes of supererogation, can not be taught without arrogancie and impietie. For by them, men do declare that they do not only render vnto God as much as they are bounde to do : 15 but that they do more for his sake, then of bounden duetie is required. Wheras Christe sayeth playnly : When ye haue done all that are commaunded, say, we be vnprofitable seruautes.

Articles. The words are, " shall declare his assent and subscribe to all 20 the Articles of religion which only concern the confession of the true Christian faith and the doctrine of the Sacraments, comprised in a book imprinted, intituled, ' Articles, whereupon it was agreed ' &c." And this limitation which was intended to be applied in the case of a minister not episcopally ordained (the case that is first noticed in the 25 statute) was declared by the Puritans to have been provided for every case whatever, where subscription was required. According to their interpretation then, the act of subscribing did not apply in any instance to such articles as the 19th, 20th, 35th and 36th, being articles connected with the authority and discipline of the church. This view of 30 the matter certainly receives support from the parliamentary history of the time (D'Ewes Journal, p. 239. Docum. Ann. vol. i. p. 411), and is also confirmed by the proceedings of the convocation in 1575, the first year of the primacy of archbishop Grindal, where the limitation of the statute is distinctly quoted, and applied to all cases of sub- 35 scription to the Articles (Wilk. Conc. vol. iv. p. 284). But it is clear

*No man is without sinne but Christe alone.*

¶ Christe is the trueth of our nature, was made lyke vnto vs in all thinges (sinne onely except) from which he was clearely voyde, both in his fleshe and in his spirite. He came to be the lambe without spot, who by sacrifice of him selfe, made once for euer, should take away the sinnes of the worlde, and sinne (as S. John sayth) was not in him: But the rest, although we be baptized, and borne againe in Christe, yet we offende in many thinges, and if we say we haue no sinne, we deceaue our selues, and the trueth is not in vs.

*Of sinne after Baptisme.*

¶ Euery deadly sinne wyllngly committed after baptisme, is not sinne agaynst the holy ghost, and vnpardonable. Wherefore, the place for penitence is not to be denied, to such as fall into sinne after baptisme. After we haue receaued the holy ghost, we may depart from grace geuen, and fall into sinne, and by the grace of god,

that the statute was otherwise interpreted by sir E. Coke (Inst. P. iv. p. 323); and as the queen and her commissioners would not suffer any 20 reserve or qualification, a different practice certainly prevailed in the administration of the church. From the year 1584, when archbishop Whitgift issued his orders for subscription to the three Articles, which were afterwards confirmed by king James in the canons of 1603, it appears that no exception or limitation was permitted. In the last 25 Act of Uniformity (13 and 14 Car. II. c. 4.) there is no trace of any such distinction being allowed between articles of doctrine and discipline.

Comp. D'Ewes Journal, pp. 132, 133, 180, 184, 185. Bennet's Essay, c. 17, &c. Collier, vol. ii. p. 530. Neal, Purit. vol. i. p. 177. 30 Strype, Ann. vol. i. P. 1. pp. 484—487. Parker, vol. i. pp. 237, 243. Burnet, Hist. Ref. vol. iii. p. 579. Collins, Refl. on Priestcraft in perfec. p. 5. Selden, Table-talk, ad voc. Articles. Heylin, Hist. Presb. p. 267. Pearson, Bibl. Scrip. Eccl. Angl. p. 383. Rogers on the Thirty-nine Articles, an. 1607. Pref. sign. d 2.

we may rise againe and amende our lyues. And therefore, they are to be condemned, which say, they can no more sinne as long as they lyue here, or denie the place of forgeuenes to suche as truely repent and amende their lyues.

5

*Of predestination and election.*

¶ Predestination to lyfe, is the euerlastyng purpose of God, wherby (before the foundations of the world were layd) he hath constantly decreed, to deliuer from the curse and damnation, those whom he hath chosen in  
10 Christ out of mankinde, and to bryng them by Christe to euerlastyng saluation, as vessels made to honour. Wher-  
vpon, such as haue so excellent a benefite of God, geuen vnto them, be called, accordyng to Gods purpose by his spirite working in due season. They through grace obey  
15 the calling, they be iustified freely, they be made sonnes of God by adoption, they be made lyke the image of his only begotten sonne Jesu Christ, they walke religiouslye in good workes, and at length, by Gods mercie, they attayne to euerlastyng felicitie.

20

As the godly consideration of predestination, and our election in Christe, is full of sweete, pleasaunt, and un-  
speakeable comfort to godlye persons, and such as feele in them selues, the workyng of the spirite of Christe, morti-  
fyinge the workes of the fleshe, and their earthlye mem-  
25 bers, and drawing vp their minde to high and heavenly thynges, aswell because it doth greatly establishe, and confirme their fayth of eternall saluation, to be enioyed through Christe, as because it doth feruently kindle their loue towardes God: So, for curious and carnall persons,  
30 lackyng the spirite of Christe, to haue continually before their eyes, the sentence of gods predestination, is a most daungerous downfall, whereby the deuyll doth thrust them either into desperation, or into rechlesnesse of most vn-  
cleane lyuyng, no lesse perilous than desperation.

35

Furthermore, we must receaue gods promises in such wise, as they be generally set foorth to vs in holy scripture, and in our doynge, that wyll of God is to be folowed, which we haue expresly declared vnto vs in the worde of God. 5

*We must trust to obtayne eternall saluation, only by the name of Christe.*

¶ They also are to be had accursed and abhorred, that presume to saye, that euery man shalbe saued by the lawe or sect whiche he professeth, so that he be diligent to frame his lyfe accordyng to that lawe, and the light of nature. For holy scripture doth set out vnto vs only the name of Jesus Christe, whereby men must be saued.

*Of the Church.*

¶ The visible Church of Christe, is a congregation of faythfull men, in the whiche the pure worde of God is preached, and the Sacramentes be duely ministred, accordyng to Christes ordinaunce, in al those thynges that of necessitie are requisite to the same.

As the Church of Hierusalem, Alexandria, and Antioche, haue erred: so also the Church of Rome haue erred, not only in their liuyng and maner of ceremonies: but also in matters of their fayth.

*Of the auctoritie of the Church.*

¶ It is not lawfull for the Church to ordayne any thing that is contrarie to Gods worde written, neyther maye it so expounde one place of Scripture, that it be repugnaunt to another. Wherefore, although the Church be a witnesse, and a keper of holy writ: yet as it ought not to decree any thyng agaynst the same, so besides the same, ought it not to enforce any thyng to be beleued for necessitie of saluation.

*Of the aucthoritie of generall Councils.*

¶ Generall councils may not be gathered together without the commaundement and wyll of Princes. And when they be gathered together (forasmuche as they be an assemblie of men, wherof all be not gouerned with the spirite and worde of God) they may erre, and sometyme haue erred, euen in thynges pertaynyng to God. Wherefore, thinges ordayned by them, as necessarie to saluation, haue neyther strength nor aucthoritie, vnlesse it may be declared, that they be taken out of holy Scripture. 10

*Of Purgatorie.*

¶ The Romishe doctrine concerning purgatorie, pardons, worshippyng and adoration, aswel of images, as of reliques, and also inuocation of Saintes, is a fonde thyng, vaynely fayned, and grounded vpon no warrantie of Scripture, but rather repugnaunt to the word of God. 15

*No man may minister in the congregation, except he be called.*

¶ It is not lawfull for any man to take vpon hym the office of publike preachyng, or ministryng the Sacramentes in the congregation, before he be lawfully called and sent to execute the same. And those we ought to iudge lawfully called and sent, whiche be chosen and called to this worke by men, who haue publike aucthoritie geuen vnto them in the congregation, to call and sende ministers into the Lordes vineyarde. 25

*Men must speake in the congregation in such a tongue as the people vnderstandeth.*

¶ It is a thing playnly repugnaunt to the word of God, to haue publike prayer in the Church, or to minister 30

the Sacraments in a tongue not vnderstanded of the people.

*Of the Sacramentes.*

¶ Sacramentes ordayned of Christ, be not onlye badges and tokens of Christian mens profession : but rather they 5 be certayne sure witnesses, and effectuall signes of grace, and Gods good wyll towards vs, by the which he doth worke invisible in vs, and doth not onlye quicken, but also strengthen and confirme our fayth in hym.

There are two Sacramentes ordayned of Christe our 10 Lorde in the Gospell, that is to say, Baptisme and the Supper of the Lorde.

Those fiue, commonly called Sacramentes, that is to say, Confirmation, Penance, Orders, Matrimonie, and extreme Annoyng, are not to be accompted for Sacra- 15 mentes of the Gospell, beyng such as haue growen partly of the corrupt folowyng of the Apostles, partly are states of lyfe allowed in the Scriptures : but yet haue not lyke nature of Sacramentes with Baptisme and the Lordes Supper. In which sort, neither is penance, for 20 that it hath not any visible signe, or ceremonie, ordayned of God.

The Sacramentes were not ordayned of Christe to be gased vpon, or to be caried about : but that we should duely vse them. 25

And in such onley as worthyly receaue the same, they haue a wholesome effect and operation : But they that receaue them vnworthyly, purchase to them selues damnation, as saint Paule saith.

*The wickednesse of the ministers, doth not take away the 30 effectuall operation of Gods ordinaunces.*

¶ Although in the visible Church the euyl be euer myngled with the good, and sometyme the euyl haue cheefe auctoritie in the ministration of the worde and

Sacramentes : yet, forasmuche as they do not the same in their owne name, but do minister by Christes commission and auctoritie, we may vse their ministerie both in hearyng the worde of God, and in the receauing of the Sacramentes. Neither is theeffect of Gods ordinaunce<sup>5</sup> taken awaye by their wickednesse, nor the grace of Gods gyftes diminished from suche, as by fayth and ryghtly receaue the Sacramentes ministred vnto them, which be effectuall because of Christes institution and promise, although they be ministred by euyll men. 10

Neuerthelesse, it appertayneth to the discipline of the Church, that inquiry be made of suche, and that they be accused by those that haue knowledge of their offences, and finally, beyng founde gyltie by iust iudgment, be deposed. 15

### *Of Baptisme.*

¶ Baptisme is not only a signe of profession, and marke of difference, wherby christian men are discerned from other that be not christened : but it is also a signe and seale of our newe birth, wherby as by an instrument,<sup>20</sup> they that receaue baptisme rightly, are grafted into the Church, the promises of the forgeuenesse of sinne, and our adoption to be the sonnes of God, by the holy ghost are visibly signed and sealed, fayth is confirmed, and grace increased, by vertue of prayer vnto God. The<sup>25</sup> baptisme of young children, is in any wyse to be retayned in the Church, as moste agreeable with the institution of Christe.

### *Of the Lordes supper.*

¶ The supper of the Lorde, is not onely a signe of<sup>30</sup> the loue that Christistians ought to haue among them selues one to another : But rather it is a Sacrament of our redemption by Christes death. Insomuch that to such as ryghtly, worthyly, and with fayth receaue



the same, the bread which we breake, is a communion of the body of Christe, and lykewyse the cup of blessing, is a communion of the blood of Christe.

Transubstantiation, or the change of the substance of bread and wine, into the substance of Christes body and blood, cannot be proued by holy writ: but is repugnant to the playne wordes of scripture, paruerteth the nature of a Sacrament, and hath geuen occasion to many superstitions.

The body of Christ, is geuen, taken, and eaten in the Supper, after a heauenly and spirituall maner onlye. But the meane wherby the body of Christe is receaued, and eaten in the Supper, is fayth.

The Sacrament of the Lordes Supper, was not by Christes ordinaunce reserued, caryed about, lyfted vp, nor worshipped.

*Of both kindes.*

The cup of the Lorde is not to be denied to the lay people. For both the partes of the Lordes Sacrament, by Christes ordinaunce and commaundement, ought to be ministred to all Christian men alyke.

*Of the one oblation of Christ finished vpon the crosse.*

¶ The offryng of Christ once made for euer, is the perfect redemption, the pacifyng of Gods displeasure, and satisfactiō for all the sinnes of the whole worlde, both original and actuall, and there is none other satisfaction for sinne, but that alone. Wherefore the sacrifices of Masses, in the which it was commonly sayd, that the Priestes dyd offer Christe for the quicke and the dead, to haue remission of payne or gylt: were forged fables, and daungerous deceytes.

*Of the Mariage of priestes.*

¶ Bishops, Priestes, and Deacons, are not commaunded

by Gods lawe, either to vowe the state of single life, or to abstayne from maryage. Therefore it is lawfull also for them as for all other christian men, to marry at their owne discretion, as they shall iudge the same to serue better to godlynesse.

5

*Excommunicate persons are to be auoyded.*

¶ That person which by open denuntiation of the Church, is rightly cut of from the vnitie of the Church, and excommunicate, ought to be taken of the whole multitude of the faythfull, as an Heathen and Publicane, <sup>10</sup> vntyll he be openly reconciled by penance, and receaved into the Church by a iudge that hath auctoritie therto.

*Of the traditions of the Church.*

¶ It is not necessary that traditions and ceremonies, <sup>15</sup> be in all places one, or vtterly lyke, for at all tymes, they haue ben dyuers, and maye be chaunged accordyng to the diuersitie of countreys, tymes, and mens maners: so that nothyng be ordayned agaynst Gods worde. Whosoener through his pryuate iudgement, wyllingly and pur- <sup>20</sup> posely doth openlie breake the traditions and ceremonies of the Church, which be not repugnaunt to the worde of God, and be ordayned and approued by common auctoritie, ought to be rebuked openly, (that other may feare to do the lyke) as one that offendeth agaynst the <sup>25</sup> common order of the Church, and hurteth the auctoritie of the magistrate, and woundeth the consciences of the weake brethren.

Euerye particuler or nationall Church, hath auctoritie to ordayne, chaunge, and abolishe ceremonies, or <sup>30</sup> rites of the Church, ordayned onlye by mans auctoritie, so that all thynges be done to edifyng.

The seconde booke of Homilees, the titles whereof we haue ioyned vnder this Article, do contayne a godly and

wholsome doctrine, and necessarie for this tyme, as doth the former booke which was set foorth at London vnder Edward the sixth: And therefore are to be read in our Churches by the ministers, diligentlye, playnely, and distinctly, that they may be vnderstanded of the people. 5

¶ *The names of the Homilees.*

- 1 Of the ryght vse of the Church.
- 2 Agaynst peryll of Idolatrie.
- 3 Of repayryng and kepyng cleane of Churches.
- 4 Of good workes, first of fastyng. 10
- 5 Agaynst Gluttonie and drunkennesse.
- 6 Agaynst excesse of apparell.
- 7 Of Prayer.
- 8 Of the place and tyme of prayer.
- 9 That common prayers and Sacraments ought to be 15  
ministred in a tongue knowē.
- 10 Of the reuerent estimation of Gods worde.
- 11 Of almes doyng.
- 12 Of the Natiuitie of Christe.
- 13 Of the passion of Christe. 20
- 14 Of the resurrection of Christe.
- 15 Of the worthy receauyng of the Sacrament of the  
body and blood of Christe.
- 16 Of the gyftes of the holy ghost.
- 17 For the Rogation dayes. 25
- 18 Of the state of matrimonie.
- 19 Agaynst Idlennesse.
- 20 Of Repentaunce.

The Booke of Consecration of Archbishops and Bishops, and orderyng of Priestes and Deacons, lately set foorth 30 in the tyme of the most noble king Edward the sixt, and confirmed at the same tyme by auctoritie of Parliament, doth contayne all thinges necessarie to suche consecration and orderyng: neyther hath it any thyng, that

of it selfe is superstitious or vngodly. And therefore, whosoever are consecrate, or ordred accordyng to the rites of that booke, synce the seconde yere of the afore-named kyng Edwarde, vnto this tyme, or hereafter shalbe consecrated or ordered accordyng to the same rites, we decree all such to be rightly, orderly, and lawfully consecrated and ordered.

### *Of Ciuil Magistrates.*

The Queenes Maiestie hath the cheefe power in this Realme of Englande, and other her dominions, vnto whom the cheefe gouernment of all estates of this Realme, whether they be Ecclesiasticall, or not, in all causes doth appertayne, and is not, nor ought to be subiect to any forraine iurisdiction.

Where we attribute to the Queenes Maiestie, the cheefe gouernment, by whiche tytles we vnderstande the myndes of some slaunderous folkes to be offended, we geue not to our prynces, the ministryng eyther of Gods worde, or of Sacramentes, the whiche thyng, the Iniunctions also lately set foorth by Elizabeth our Queene, doth moste playnely testifie: But that onely prerogatiue whiche we see to haue ben geuen alwayes to all godly princes in holy scriptures by God himselfe, that is, that they shoulde rule all estates and degrees committed to their charge by God, whether they be Ecclesiasticall, or no, and restrayne with the ciuill sworde, the stubborne and euyll doers.

The Bishop of Rome hath no iurisdiction in this Realme of Englande.

The Ciuill lawes, may punishe Christian men with death, for haynous and greuous offences.

It is lawfull for Christian men, at the commaundement of the Magistrate, to weare weapons, and serue in the warres.

*Christian mens goodes are not common.*

¶ The ryches and goods of Christians, are not common, as touchyng the right, title, and possession of the same, as certayne Anabaptistes do falsely boaste. Notwithstanding euery man ought of suche thynges as he possesseth, liberally to geue almes, accordyng to his habilitie.

*Christian men may take an othe.*

¶ As we confesse that vaine and rash swearing is forbidden christian men, by our Lord Jesu Christ, and James his Apostle: So we iudge that Christian religion doth not prohibite, but that a man maye sweare when the Magistrate requireth, in a cause of fayth and charitie, so it be done accordyng to the Prophetes teachyng, in iustice, iudgement and trueth.

15

¶ Imprinted at London in  
Powles Church yarde, by Richarde  
Jugge, and John Cawood, Prin-  
ters to the Queenes  
Majestie.

20

Cum priuilegio Regiæ  
Majestatis.



visibilium, tum inuisibilium. Et in vnitate hujus diuinæ naturæ, tres sunt personæ, eiusdem essentiæ, potentiæ ac æternitatis, pater, filius, et Spiritus sanctus.

2. *De Verbo, siue filio dei, qui verus homo factus est.*

Filius, qui est verbum patris, ab æterno a patre genitus, 5  
verus et æternus Deus, ac patri consubstantialis, in vtero  
beatæ virginis, ex illius substantia naturam humanam  
assumpsit: ita vt duæ naturæ, diuina et humana, integrè  
atque perfectè in vnitate personæ fuerint inseparabiliter  
coniunctæ, ex quibus est vnus Christus, verus Deus, et 10  
verus homo, qui verè passus est, crucifixus, mortuus, et  
sepultus, vt patrem nobis reconciliaret, essetque hostia,  
non tantùm pro culpa originis, verumetiam pro omnibus  
actualibus hominum peccatis.

3. *De descensu Christi ad Inferos.*

15

Qvemadmodum Christus pro nobis mortuus est, et  
sepultus, ita est etiam credendus ad inferos descendisse.

scribed by the convocation of that period, and committed to the editor-  
ship of bishop Jewel.

During the nine years that elapsed from the time when the thirty- 20  
nine Articles were adopted by the convocation and ratified by the crown,  
to the year 1571 when they were put forth by the authority of parlia-  
ment, little progress had been made by their means in obtaining uni-  
formity of doctrine and discipline. It does not even appear that they  
had passed into general circulation, as we do not find more than four 25  
editions of them published within that period. No notice is taken of  
them in the memorable Advertisements issued by the archbishop and  
bishops in commission in the year 1564, nor yet in the Articles of in-  
quiry provided by the archbishop for the visitation of his province in  
the year 1567, although in both those cases directions are given for 30  
examining into matters of faith and practice. Whatever opinion might  
be entertained in some quarters of the force of the prerogative, a pru-  
dent bishop would certainly wish, in cases where the suspension or  
deprivation of a benefice was concerned, to be fortified with the au-  
thority of an act of parliament.

35

As soon accordingly as it became evident that the queen would yield

#### 4. *De Resurrectione Christi.*

Christus verè a mortuis resurrexit, suumque corpus cum carne, ossibus, omnibusque ad integritatem humanæ naturæ pertinentibus, recepit: cum quibus in cœlum ascendit, ibique residet, quòad, extremo die, ad iudicandos homines reuersurus sit.

#### 5. *De Spiritu sancto.*

Spiritus sanctus a patre, et filio procedens, eiusdem est cum patre, et filio essentiæ, maiestatis, et gloriæ, verus, ac æternus, Deus. 10

#### 6. *De diuinis Scripturis, quod sufficiant ad salutem.*

Scriptura sacra continet omnia, quæ ad salutem sunt necessaria, ita, vt quicquid in ea nec legitur, neque inde probari potest, non sit a quoquam exigendum, vt tanquam articulus fidei credatur, aut ad salutis necessi-  
tatem requiri putetur. 15

Sacræ Scripturæ nomine, eos Canonicos libros veteris,

to the desire of the commons, and the thirty-nine Articles would be confirmed by statute, the bishops took measures for giving them complete effect in all spiritual and ecclesiastical cases. It was ordered in 20 convocation on the 4th of May, the day after the bill was sent up from the commons to the house of lords, "that when the book of Articles touching doctrine shall be fully agreed upon, that then the same shall be put in print by the appointment of my lord of Sarum, and a price rated for the same to be sold. Item, that the same being printed, every 25 bishop to have a convenient number thereof to be published in their synods, throughout their several dioceses, and to be read in every parish-church four times every year." (Wilk. Conc. vol. iv. p. 262.) The English translation of the Articles had not as yet received synodical authority, but a MS. copy, corresponding with the preceding 30 edition of Jugge and Cawood, (except that the twenty-ninth Article was replaced) was now approved in this convocation. The same copy, bearing the signatures of the archbishop and bishops, is still preserved in the Parker library at Corpus Christi College, Cambridge.



et noui Testamenti intelligimus, de quorum authoritate, in Ecclesia nunquam dubitatum est.

*De nominibus, et numero librorum sacrae canonicae Scripturae veteris Testamenti.*

Genesis.	Prior liber Paralipom.	5
Exodus.	Secundus liber Paralipomen.	
Leuiticus.	Primus liber Esdrae.	
Numeri.	Secundus liber Esdrae.	
Deuteron.	Liber Hester.	
Iosuae.	Liber Iob.	10
Iudicum.	Psalmi.	
Ruth.	Prouerbia.	
Prior liber Samuelis.	Ecclesiastes, vel concionator.	
Secundus lib. Samuelis.	Cantica Salomonis.	
Prior liber Regum.	4. Prophetæ maiores.	15
Secundus liber Regum.	12. Prophetæ minores.	

Alios autem libros (vt ait Hieronimus) legit quidem

The following description of the alterations made by bishop Jewel in discharging his duty as editor, is taken from the work of Dr. Lamb.

“ He reduced the titles of all the Articles to the same form by pre-20 fixing the preposition ‘ de’ in the Latin, and ‘ of’ in the English.

“ In the sixth Article he added to the Apocryphal books,

Liber Tobiae.	Historia Susannæ.	
Baruch Propheta.	De Bel et Dracone.	
Canticum trium puerorum.	Oratio Manasses.	25

“ In the eleventh Article the word ‘ cooperante’ had been translated ‘ working in;’ this he corrected to ‘ working with.’ This mistake was first made in the translation of Edward’s Articles in 1553, and was not corrected until this period.

“ In the sixteenth Article, in the last sentence, the Latin copy had 30 ‘ pœnitentiæ locum denegant,’ the English ‘ the place of forgiveness;’ he made these agree by substituting ‘ veniæ’ in the Latin for ‘ pœnitentiæ.’ And in the former part of this Article he changed ‘ place for penitence’ into ‘ graunt of penitence.’ In Edward’s English Articles ‘ locum pœnitentiæ’ was translated ‘ the place for penitents.’ 35

“ In the twentieth Article in the Latin copy ‘ scripto’ is omitted after

*Ecclesia, ad exempla vitæ, et formandos mores: illos tamen ad dogmata confirmanda non adhibet, vt sunt.*

Tertius liber Esdræ.	Baruch Propheta.	
Quartus liber Esdræ.	Canticum trium puerorum.	
Liber Tobiaë.	Historia Susannæ.	5
Liber Iudith.	De Bel et Dracone.	
Reliquum libri Hester.	Oratio Manasses.	
Liber sapientiæ.	Prior lib. Machabeorum.	
Liber Iesu filij Sirach.	Secundus liber Machabeorum.	

Noui Testamenti omnes libros, (vt vulgo recepti sunt) 10 recipimus, et habemus pro Canonicis.

### 7. *De veteri Testamento.*

Testamentum vetus, nouo contrarium non est, quandoquidem tam in veteri, quam in nouo, per Christum, qui vnicus est mediator Dei, et hominum, Deus et homo, 15 æterna vita, humano generi est proposita. Quare male sentiunt, qui veteres tantum in promissiones temporarias sperasse confingunt. Quanquam lex a Deo data per

‘verbo Dei;’ this I consider to be an error, as the English has ‘God’s word written.’

“ In the twenty-fifth he changed the word ‘annoyling’ into ‘unction.’ 20

“ In the twenty-seventh he explained in the English copy the word ‘regeneration’ by adding ‘or new birth.’ In Edward’s English Articles ‘regenerationis’ is rendered ‘of our new byrth.’ 25

“ He made the thirty-fifth Article commence, not at ‘Catalogus Homiliarum,’ but, as it should do, at the beginning of the preceding clause, ‘Tomus Homiliarum &c. ;’ and prefixed to it the title ‘De Homiliis.’

“ To the thirty-sixth he prefixed the title ‘De Episcoporum et 30 Ministrorum consecratione,’ and thus detached it from the preceding Article, to which it seems to have belonged in the MSS. and printed copies.

“ He numbered the whole, making them with the ratification forty: they were not termed the XXXIX Articles until a later period. He 35 likewise added the table to the English edition.

Mosen (quoad ceremonias et ritus) Christianos non astringat, neque ciuilia eius præcepta in aliqua republica necessariò recipi debeant, nihilominus tamen ab obedientia mandatorum (quæ moralia vocantur) (nullus quantumuis Christianus) est solutus.

5

### 8. *De tribus Symbolis.*

Symbola tria, Nycoenum, Athanasij, et quod vulgo Apostolorum appellatur, omnino recipienda sunt, et credenda, nam firmissimis Scripturarum testimonijs probari possunt.

### 9. *De peccato originali.*

10

Peccatum originis non est (vt fabulantur Pelagiani) in imitatione Adami situm, sed est vitium, et deprauatio naturæ, cuiuslibet hominis, ex Adamo naturaliter propagati: qua fit, vt ab originali iusticia quam longissime distet, ad malum sua natura propendeat, et caro semper 15 aduersus spiritum concupiscat, vnde in vnoquoque nascentium, iram Dei, atque damnationem meretur. Manet

“ The following discrepancies between the Latin and English copies were left unaltered.

“ In the twelfth the Latin reads ‘justificatos sequuntur.’

20

“ In the English, ‘follow after justification.’

“ In the title of the eighteenth the Latin reads ‘De speranda æterna salute tantum in nomine Christi.’

“ The English, ‘Of obtaining eternal salvation only by the name of Christ.’

25

“ In Edward’s English copy the title is, ‘We must hope to obtain eternal salvation only by the name of Christ.’

“ The title of the twenty-sixth in the Latin is, ‘De vi institutionum divinarum, quod eam non tollat malitia ministrorum.’

“ In the English, ‘Of the unworthiness of the ministers, which hinder 30 not the effect of the Sacraments.’

“ In the nineteenth Article in Day’s edition there is a typographical error of ‘ut’ for ‘et.’”

These Latin Articles are printed in exact accordance with a copy of the original edition among the books of Selden.

35

Comp. Bennet’s Essay, c. 19, &c. Fuller, Cent. 16. b. 9. p. 102. Strype, Parker, vol. ii. pp. 53—57, &c.

etiam in renatis hæc naturæ deprauatio. Qua fit, vt affectus carnis Greci *Φρόνημα σαρκός*, (quod alij sapientiam, alij sensum, alij affectum, alij studium carnis interpretantur,) legi Dei non subijciatur. Et quanquam renatis et credentibus, nulla propter Christum est condemnatio, peccati tamen in sese rationem habere concupiscentiam, fatetur apostolus.

#### 10. *De libero arbitrio.*

Ea est hominis post lapsum Adæ conditio, vt sese naturalibus suis viribus, et bonis operibus, ad fidem, et inuocationem Dei conuertere, ac præparare non possit. Quare absque gratia Dei (quæ per Christum est) nos præueniente, vt velimus, et cooperante, dum volumus, ad pietatis opera facienda, quæ Deo grata sunt, et accepta, nihil valemus.

15

#### 11. *De hominis iustificatione.*

Tantum propter meritum Domini, ac Seruatoris nostri Iesu Christi, per fidem, non propter opera, et merita nostra, iusti coram Deo reputamur. Quare sola fide nos iustificari, doctrina est saluberrima, ac consolationis plenissima, vt in homilia de iustificatione hominis, fusi-  
us explicatur.

#### 12. *De bonis operibus.*

Bona opera, quæ sunt fructus fidei, et iustificatos sequuntur, quanquam peccata nostra expiare, et diuini iudicij seueritatem ferre non possunt: Deo tamen grata sunt, et accepta in Christo, atque ex vera et viua fide, necessario profluunt, vt planè ex illis, æquè fides viua cognosci possit, atque arbor ex fructu iudicari.

#### 13. *De operibus ante iustificationem.*

30

Opera quæ fiunt, ante gratiam Christi, et spiritus eius

afflatum, cum ex fide Jesu Christi non prodeant, minime Deo grata sunt, neque gratiam (vt multi vocant) de congruò merentur. Immo cum non sint facta, vt Deus illa fieri voluit, et præcepit, peccati rationem habere non dubitamus. 5

#### 14. *De operibus supererogationis.*

Opera quæ supererogationis appellant, non possunt sine arrogancia, et impietate prædicari. Nam illis declarant homines, non tantum se Deo reddere, quæ tenentur, sed plus in eius gratiam facere, quàm deberent, cum apertè 10 Christus dicat: Cum feceritis omnia quæcunque præcepta sunt vobis, dicite, serui inutiles sumus.

#### 15. *De Christo, qui solus est sine peccato.*

Christus, in nostræ naturæ veritate, per omnia similis factus est nobis, excepto peccato, a quo prorsus erat 15 immunis, tum in carne, tum in spiritu. Venit vt agnus, absque macula, qui mundi peccata per immolationem sui semel factam, tolleret, et peccatum (vt inquit Iohannes) in eo non erat: sed nos reliqui etiam baptizati, et in Christo regenerati, in multis tamen offendimus 20 omnes. Et si dixerimus, quia peccatum non habemus, nos ipsos seducimus, et veritas in nobis non est.

#### 16. *De peccato post Baptismum.*

Non omne peccatum mortale post Baptismum voluntariè perpetratum, est peccatum in Spiritum sanctum, et 25 irremissibile. Proinde lapsis a Baptismo in peccata, locus poenitentiae non est negandus, post acceptum spiritum sanctum possumus a gratia data recedere, atque peccare: denuoque per gratiam Dei resurgere, ac resipiscere: ideoque illi damnandi sunt, qui se quàm diu hic viuant, amplius 30 non posse peccare affirmant, aut verè resipiscentibus, veniæ locum denegant.

17. *De prædestinatione, et electione.*

Prædestinatio ad vitam, est æternum Dei propositum, quo ante iacta mundi fundamenta, suo consilio, nobis quidem occultò constanter decreuit, eos quos in Christo elegit ex hominum genere, a maledicto et exitio liberare, 5 atque (vt vasa in honorem efficta) per Christum, ad æternam salutem adducere. Vnde qui tam præclaro Dei beneficio sunt donati, illi spiritu eius, oportuno tempore operante, secundum propositum eius, vocantur, vocationi per gratiam parent, iustificantur gratis, adoptantur in 10 filios Dei vnigeniti eius Iesu Christi imagini efficiuntur conformes, in bonis operibus sanctè ambulant, et demum ex Dei misericordia pertingunt ad sempiternam foelicitatem.

Quemadmodum prædestinationis, et electionis nostræ in Christo pia consideratio, dulcis, suavis, et ineffabilis con- 15 solationis plena est, verè pijs, et hijs qui sentiunt in se vim spiritus Christi, facta carnis, et membra, quæ adhuc sunt super terram, mortificantem, animumque ad cœlestia, et superna rapientem. Tum quia fidem nostram de æterna salute consequenda per Christum plurimum stabilit, atque 20 confirmat, tum quia amorem nostrum in Deum vehementer accendit. Ita hominibus curiosis, carnalibus, et Spiritu Christi destitutis, ob oculos perpetuò versari, prædestinationis Dei sententiam, pernitosissimum est præcipitium, vnde illos diabolus protrudit, vel in desperationem, 25 vel in æque pernitosam impurissimæ vitæ securitatem, deinde promissiones diuinas sic amplecti oportet, vt nobis in sacris literis generaliter propositæ sunt, et Dei voluntas in nostris actionibus ea sequenda est, quam in verbo Dei habemus, desertè reuelatam. 30

18. *De speranda æterna salute tantum in nomine Christi.*

Svnt et illi Anathematizandi, qui dicere audent vnumquemque in lege, aut secta quam profitetur esse seruan-

dum, modo iuxta illam, et lumen naturæ accuratè vixerit, cum sacræ literæ tantum Iesu Christi nomen prædicent, in quo saluos fieri homines oporteat.

### 19. *De Ecclesia.*

Ecclesia Christi visibilis est cœtus fidelium, in quo 5 verbum Dei purum prædicatur, vt sacramenta, quoad ea que necessario exigantur, iuxta Christi institutum rectè administrantur. Sicut errauit Ecclesia Hierosolimitana, Alexandrina, et Antiochena : ita et errauit ecclesia Romana, non solum quoad agenda, et ceremoniarum ritus, 10 verum in hijs etiam quæ credenda sunt.

### 20. *De Ecclesiæ autoritate.*

Ecclesiæ non licet quicumque instituere, quod verbo Dei aduersetur, neque vnum Scripturæ locum sic exponere potest, vt alteri contradicat. Quare licet Ecclesia 15 sit diuinorum librorum testis, et conseruatrix, attamen vt aduersus eos nihil decernere, ita præter illos, nihil credendum de necessitate salutis debet obtrudere.

### 21. *De autoritate Conciliorum generalium.*

Generalia concilia, sine iussu, et voluntate principum 20 congregari non possunt, et vbi conuenerint, quia ex hominibus constant, qui non omnes spiritu, et verbo Dei reguntur, et errare possunt, et interdum errarunt etiam in his que ad normam pietatis pertinent : ideoque quæ ab illis constituuntur, vt ad salutem necessaria, neque 25 robor habent, neque autoritatem, nisi ostendi possint è sacris literis esse desumpta.

### 22. *De purgatorio.*

Doctrina Romanensium de purgatorio, de indulgentijs, de veneratione, et adoratione, tum imaginum, tum reliqui- 30

arum, nec non de inuocatione sanctorum, res est futilis, inanità conficta, et nullis Scripturarum testimonijs, innititur : immo verbo Dei contradicit.

### 23. *De vocatione ministrorum.*

Non licet cuiquam sumere sibi munus publicè prædicandi, aut administrandi sacramenta in ecclesia, nisi prius fuerit ad hæc obeunda legitimè vocatus, et missus. Atque illos legitimè vocatos et missos existimare debemus, qui per homines, quibus potestas vocandi ministros, atque mittendi in vineam Domini, publicè concessa est in ecclesia, coaptati fuerint, et asciti in hoc opus.

### 24. *De precibus publicis dicendis in lingua vulgari.*

Lingua populo non intellecta, publicas in ecclesia preces peragere, aut sacramenta administrare, verbo Dei et primitiæ ecclesiæ consuetudini planè repugnat. 15

### 25. *De Sacramentis.*

Sacramenta à Christo instituta, non tantum sunt notæ professionis Christianorum, sed certa quædam potius testimonia, et efficaciam signa gratiæ, atque bonæ in nos voluntatis Dei, per quæ inuisibiliter ipse in nos operatur, nostramque fidem in se non solum excitat, verumetiam confirmat.

Duo a Christo domino nostro in euangelio instituta sunt sacramenta, scilicet, Baptismus, et cœna Domini.

Quinque illa vulgo nominata sacramenta : scilicet, confirmatio, poenitentia, ordo, matrimonium, et extrema vinctio, pro sacramentis euangelicis habenda non sunt, vt quæ, partim, a praua Apostolorum imitatione profluxerunt, partim vitæ status sunt in scripturis quidem probati : sed sacramentorum eandem cum baptismo, et cœna Domini rationem non habentes, vt quæ signum aliquod visibile, seu cæremoniam à Deo institutum, non habeant.



Sacramenta non in hoc instituta sunt a Christo vt spectarentur, aut circumferrentur, sed vt ritè illis vtremur, et in hijs duntaxat qui dignè percipiunt salutarem habent effectum: Qui verò indignè percipiunt, damnationem (vt inquit Paulus) sibi ipsis acquirunt. 5

26. *De vi institutionum diuinarum, quod eam non tollat malitia Ministrorum.*

Quamuis in ecclesia visibili, bonis mali semper sunt admixti, atque interdum ministerio verbi, et sacramentorum administrationi præsent, tamen cum non suo, sed 10 Christi nomine agant, eiusquè mandato, et autoritate ministrent, illorum ministerio vti licet, cum in verbo Dei audiendo, tum in sacramentis percipiendis. Nequè per illorum malitiam, effectus institutorum Christi tollitur, aut gratia donorum Dei minuitur, quoad eos qui fide, et 15 ritè sibi oblata percipiunt, quæ propter institutionem Christi, et promissionem efficaciat sunt, licet per malos administrantur.

Ad ecclesiæ tamen disciplinam pertinet, vt in malos ministros inquiratur, accusenturque ab his, qui eorum 20 flagitia nouerint, atque tandem iusto conuicti iudicio deponantur.

27. *De Baptismo.*

Baptismus non est tantum professionis signum, ac discriminis nota, qua Christiani a non Christianis discer- 25 nantur, sed etiam est signum regenerationis, per quod, tanquam per instrumentum, rectè Baptismum suscipientes, ecclesiæ inseruntur, promissiones de remissione peccatorum, atque adoptione nostra in filios Dei per Spiritum sanctum visibiliter obsignantur, fides confirmatur, et vi 30 diuinæ inuocationis gratia augetur.

Baptismus paruulorum omnino in ecclesia retinendus est, vt qui cum Christi institutione optimè congruat.

28. *De Cœna Domini.*

Cœna Domini non est tantum signum mutuæ benevolentiae Christianorum inter sese, verum potius est Sacramentum nostræ per mortem Christi redemptionis.

Atque adeo, ritè, dignè, et cum fide sumentibus, panis quem frangimus est communicatio corporis Christi: similiter poculum benedictionis, est communicatio sanguinis Christi.

Panis, et Vini transubstantiatio in Eucharistia, ex sacris literis probari non potest. Sed apertis Scripturæ verbis <sup>10</sup> aduersatur, Sacramenti naturam euertit, et multarum superstitionum dedit occasionem.

Corpus Christi datur, accipitur, et manducatur in Cœna, tantum cœlesti, et spirituali ratione. Medium autem quo corpus Christi accipitur, et manducatur in Cœna, <sup>15</sup> fides est.

Sacramentum Eucharistiæ, ex institutione Christi non seruabatur, circumferebatur, eleuebatur, nec adorabatur.

29. *De manducatione corporis Christi, et impios illud non manducare.* 20

Impij, et fide viua destituti, licet carnaliter, et visibilitèr (vt Augustinus loquitur) corporis, et sanguinis Christi sacramentum, dentibus premant, nullo tamen modo Christi participes efficiuntur. Sed potius tantæ rei sacramentum, seu symbolum, ad iudicium sibi manducant, et <sup>25</sup> bibunt.

30. *De vtraque specie.*

Calix Domini laicis non est denegandus, vtraquè enim pars Dominici sacramenti, ex Christi institutione, et præcepto, omnibus Christianis, ex æquo administrari <sup>30</sup> debet.

**31. *De vnica Christi oblatione in cruce perfecta.***

Oblatio Christi semel facta, perfecta est redemptio, propitiatio, et satisfactio pro omnibus peccatis totius mundi, tam originalibus, quàm actualibus. Nequè præter illam vnica, est vlla alia pro peccatis expiatio, vnde missarum sacrificia, quibus, vulgò dicebatur, sacerdotem offerre Christum, in remissionem pœnæ, aut culpæ, pro viuis et defunctis, blasphema figmenta sunt, et perniciosæ imposturæ.

**32. *De coniugio sacerdotum.***

10

Episcopis, Præsbyteris, et Diaconis nullo mandato diuino præceptum est, vt aut cœlibatum voueant, aut a matrimonio abstineant. Licet igitur etiam illis, vt cæteris omnibus Christianis, vbi hoc ad pietatem magis facere iudicauerint, pro suo arbitrato matrimonium contrahere. 15

**33. *De excommunicatis vitandis.***

Qvi per publicam ecclesiæ denunciationem ritè ab vnitate ecclesiæ præcisus est, et excommunicatus, is ab vniuersa fidelium multitudine (donec per pœnitentiam publicè reconciliatus fuerit arbitrio Iudicis competentis) 20 habendus est tanquam Ethnicus et publicanus.

**34. *De traditionibus Ecclesiasticis.***

Traditiones atquè ceremonias easdem, non omnino necessarium est esse vbiquè, aut prorsus consimiles. Nam et variæ semper fuerunt, et mutari possunt, pro Regionum, 25 temporum, et morum diuersitate, modò nihil contra verbum Dei instituat.

Traditiones, et ceremonias ecclesiasticas quæ cum uerbo Dei non pugnant, et sunt autoritate publica institutæ, atquè probatæ, quisquis priuato consilio volens, et data 30

opera, publicè violauerit, is, vt qui peccat in publicum ordinem Ecclesiæ, quiquè lædit auctoritatem magistratus, et qui infirmorum fratrum conscientias vulnerat, publicè vt cæteri timeant, arguendus est.

Quælibet ecclesia particularis, siuè Nationalis, auctoritatem habet instituendi, mutandi, aut abrogandi Cere-<sup>5</sup> monias, aut ritus ecclesiasticos, humana tantum auctoritate institutos, modo omnia ad ædificationem fiant.

### 35. *De Homiliis.*

Tomus secundus Homiliarum, quarum singulos titulos<sup>10</sup> huic articulo subiunximus, continet piam et salutarem doctrinam, et hijs temporibus necessariam, non minus quàm prior tomus Homiliarum, quæ editæ sunt, tempore Edwardi sexti: Itaque eas in ecclesijs per ministros diligenter, et clarè, vt a populo intelligi possint, recitandas<sup>15</sup> esse iudicauimus.

#### *De nominibus Homiliarum.*

Of the right vse of the church.	Of the reuerent estimation of Gods word.
Agaynst perill of Idolatrie.	Of almes doying. 20
Of repairing and keping cleane of Churches.	Of the Natiuitie of Christ.
Of good workes.	Of the passion of Christ.
First of fastyng.	Of the resurrection of Christ.
Agaynst gluttony and drunkennes.	Of the worthy receiuing of the Sacrament of the <sup>25</sup> body and bloude of Christ.
Agaynst excesse of apparell.	Of the giftes of the holy ghost.
Of prayer.	For the Rogation dayes.
Of the place and time of praier.	Of the state of Matrimonie. 30
That common prayers and Sacramentes ought to be ministered in a knowne tonge.	Of Repentaunce.
	Agaynst idlenes.
	Agaynst rebellion.

**36. *De Episcoporum et Ministrorum consecratione.***

Libellus de consecratione Archiepiscoporum, et Episcoporum, et de ordinatione præsbyterorum, et Diaconorum, editus nuper temporibus Edwardi vj. et autoritate Parlamenti illis ipsis temporibus confirmatus, omnia ad 5 eiusmodi consecrationem, et ordinationem necessaria continet, et nihil habet, quod ex se sit, aut superstitiosum, aut impium: itaque quicumque iuxta ritus illius libri consecrati, aut ordinati sunt, ab anno secundo prædicti regis Edwardi, vsque ad hoc tempus, aut imposterum iuxta 10 eosdem ritus consecrabitur, aut ordinabitur, ritè, atque ordine, atque legitimè statuimus esse, et fore consecratos, et ordinatos.

**37. *De civilibus magistratibus.***

Regia maiestas in hoc anglie regno, ac cæteris eius 15 dominijs, summam habet potestatem, ad quam, omnium statuum huius regni, siuè illi ecclesiastici sint, siuè ciuiles, in omnibus causis, suprema gubernatio pertinet, et nulli externæ iurisdictioni est subiecta, nec esse debet.

Cum Regiæ Maiestati summam gubernationem tribui- 20 mus, quibus titulis intelligimus, animos quorundam calumniatorum offendi, non damus Regibus nostris, aut verbi Dei, aut Sacramentorum administrationem, quod etiam iniunctiones ab Elizabetha Regina nostra, nuper editæ, apertissimè testantur. Sed eam tantum prærogatiuam, 25 quam in sacris scripturis a Deo ipso, omnibus pijs Principibus, videmus semper fuisse attributam, hoc est, vt omnes status, atque ordines fidei suæ a Deo commissos, siuè illi ecclesiastici sint, siue ciuiles, in officio contineant, et contumaces ac delinquentes, gladio ciuili coerceant. 30

Romanus pontifex nullam habet iurisdictionem in hoc regno Angliæ.

Leges Regni possunt Christianos propter capitalia, et graua crimina, morte punire.

Christianis licet, ex mandato magistratus, arma portare, et iusta bella administrare.

38. *De illicita bonorum communicatione.*

Facultates et bona Christianorum non sunt communia, quoad ius et possessionem (vt quidam Anabaptistæ falso iactant) debet tamen quisque de his quæ possidet, pro facultatum ratione, pauperibus elemosynas benignè distribuere.

39. *De iureiurando.*

Quemadmodum iuramentum vanum, et temerarium à Domino nostro Iesu Christo, et Apostolo eius Jacobo, Christianis hominibus interdictum esse, fatemur: ita Christianorum religionem minimè prohibere censemus, quin iubente magistratu in causa fidei, et charitatis iurare liceat, modò id fiat iuxta Prophetæ doctrinam, in iustitia, in iudicio et veritate.

40. *Confirmatio Articulorum.*

Hic liber antedictorum Articulorum iam denuo approbatus est, per assensum, et consensum Serenissimæ Reginæ Elizabethæ Dominæ nostræ, Dei gratia Angliæ, Franciæ, et Hiberniæ Reginæ defensoris fidei &c. retinendus, et per totum Regnum Angliæ exequendus. Qui Articuli, et lecti sunt, et denuò confirmati, subscriptione D. archiepiscopi, et Episcoporum superioris domus, et totius Cleri inferioris domus in Conuocatione Anno Domini. 1571.



power, and eternitie, the father, the sonne, and the holy ghost.

2. *Of the worde or sonne of God which was made very man.*

The Sonne, which is the worde of the Father, begotten 5  
from euerlastyng of the Father, the very and eternall  
GOD, of one substaunce with the father, toke mans  
nature in the wombe of the blessed Virgin, of her sub-  
staunce: so that two whole and perfect natures, that is  
to say, the Godhead and manhood, were ioyned together 10  
in one person, neuer to be diuided, whereof is one Christe,  
very GOD and very man, who truely suffered, was cruci-  
fied, dead, and buried, to reconcile his father to vs, and  
to be a sacrifice, not onely for originall gylt, but also for  
all actuall sinnes of men. 15

3. *Of the goyng downe of Christe into hell.*

As Christe dyed for vs, and was buryed: so also it is  
to be beleued that he went downe into hell.

4. *Of the Resurrection of Christe.*

Christe dyd truely aryse agayne from death, and toke 20  
agayne his body, with flesh, bones, and all thinges appar-  
teyning to the perfection of mans nature, wherewith he  
ascended into heauen, and there sitteth, vntyll he returne  
to iudge all men at the last day.

5. *Of the holy ghost.*

25

The holy ghost, procedyng from the father and the  
sonne, is of one substaunce, maiestie, and glorie, with  
the father and the sonne, very and eternall God.

other editions were put forth by those printers with the same date,  
1571; but in opposition to what might have been expected, they have 30  
retained the disputed clause respecting church-authority in some of  
their impressions, and omitted it in others.



6. *Of the sufficiencie of the holy Scriptures for saluation.*

Holye Scripture conteyneth all thinges necessarie to saluation: so that whatsoeuer is not read therein, nor may be proued therby, is not to be required of anye man, that it shoulde be beleued as an article of the fayth,<sup>5</sup> or be thought requisite necessarie to saluation. In the name of holy Scripture, we do vnderstande those Canonickall bookes of the olde and newe Testament, of whose auctoritie was neuer any doubt in the Church.

*Of the names and number of the Canonickall Bookes.* 10

Genesis.	The .1. booke of Chroni.	
Exodus.	The .2. booke of Chroni.	
Leuiticus.	The .1. booke of Esdras.	
Numerie.	The .2. booke of Esdras.	
Deuteronomium.	The booke of Hester.	15
Josue.	The booke of Job.	
Judges.	The Psalmes.	
Ruth.	The Prouerbes.	
The .1. boke of Samuel.	Ecclesia. or preacher.	
The .2. boke of Samuel.	Cantica, or songes of Sa.	20
The .1. booke of Kinges.	4. Prophetes the greater.	
The .2. booke of Kinges.	12. Prophetes the lesse.	

And the other bookes (as Hierome sayth) the Church doth reade for example of lyfe and instruction of maners: but yet doth it not applie them to establishe any doctrine. Such are these folowyng.

The third boke of Esdras.	Baruch, the Prophet.	
The fourth boke of Esdras.	The song of the 3 children.	
The booke of Tobias.	The storie of Susanna.	
The booke of Judith.	Of Bel and the Dragon.	30
The rest of the booke of Hester.	The prayer of Manasses.	
The boke of VVisdome.	The .1. boke of Machab.	
Jesus the sonne of Sirach.	The .2. booke of Macha.	

All the bookes of the newe Testament, as they are commonly receaued we do receaue and accompt them for Canonically.

7. *Of the olde Testament.*

The olde Testament is not contrary to the newe, for 5 both in the olde and newe Testament euerlastyng lyfe is offered to mankynde by Christe, who is the only mediator betweene God and man, being both God and man. Wherefore they are not to be hearde whiche faigne that the olde fathers dyd looke only for transitorie promises. 10 Although the lawe geuen from God by Moyses, as touchyng ceremonies and rites, do not bynde Christian men, nor the ciuile preceptes therof, ought of necessitie to be receaued in any common wealth: yet notwithstanding, no Christian man whatsoeuer, is free from the obedience 15 of the commaundementes, whiche are called morall.

8. *Of the three Credes.*

The three Credes, Nicene Crede, Athanasius Crede, and that which is commonly called the Apostles Crede, ought throughlye to be receaued and beleued: for they 20 may be proued by moste certayne warrauntes of holye scripture.

9. *Of originall or birth sinne.*

Originall sinne standeth not in the folowing of Adam (as the Pelagians do vainely talke) but it is the fault and 25 corruption of the nature of euery man, that naturally is engendred of the ofspring of Adam, whereby man is very farre gone from originall ryghteousnes, and is of hys owne nature enclined to euyll, so that the fleshe lusteth alwayes contrary to the spirite, and therefore in euery 30 person borne into this worlde, it deserueth Gods wrath and damnation. And this infection of nature doth re-

mayne, yea in them that are regenerated, whereby the luste of the fleshe, called in Greke *φρόνημα σαρκός*, which some do expounde the wisdome, some sensualitie, some the affection, some the desyre of the fleshe, is not subiect to the lawe of God. And although there is no condem-5 nation for them that beleue and are baptized: yet the Apostle doth confesse that concupiscence and luste hath of it selfe the nature of synne.

#### 10. *Of free wyll.*

The condition of man after the fall of Adam is suche, 10 that he can not turne and prepare hym selfe by his owne naturall strength and good workes, to fayth and calling vpon God: Wherefore we haue no power to do good workes pleasaunt and acceptable to God, without the grace of God by Christe preuentyng vs, that we may 15 haue a good wyll, and workyng with vs, when we haue that good wyll.

#### 11. *Of the iustification of man.*

We are accompted righteous before God, only for the merite of our Lord and sauour Jesus Christ, by fayth, 20 and not for our owne workes or deseruynges. Wherefore, that we are iustified by fayth onely, is a most wholesome doctrine, and very full of comfort, as more largely is expressed in the Homilie of iustification.

#### 12. *Of good workes.*

25

Albeit that good workes, whiche are the fruites of fayth, and folowe after iustification, can not put away our sinnes, and endure the seueritie of Gods iudgement: yet are they pleasing and acceptable to God in Christe, and do spring out necessarily of a true and liuely fayth, 30 in so muche that by them, a lyuely fayth may be as evidently knowen, as a tree discerned by the fruit.

13. *Of workes before iustification.*

Workes done before the grace of Christe, and the inspiration of his spirite, are not pleasaunt to God, forasmuche as they spring not of fayth in Jesu Christ, neither do they make men meete to receaue grace, or (as the schole aucthours saye) deserue grace of congruitie: yea rather for that they are not done as GOD hath wylled and commaunded them to be done, we doubt not but they haue the nature of sinne.

14. *Of workes of supererogation.*

10

Voluntarie workes, besydes, ouer and aboue Gods commaundementes, which they call workes of supererogation, can not be taught without arrogancie and impietie. For by them men do declare that they do not onely render vnto God as muche as they are bounde to do, but that they do more for his sake then of bounden dutie is required: Whereas Christe sayth playnely, When ye haue done al that are commaunded to you, say, We be vnprofitable seruauntes.

15. *Of Christe alone without sinne.*

20

Christe in the trueth of our nature, was made like vnto vs in al thinges (sinne only except) from whiche he was clearey voyde, both in his fleshe, and in his spirite. He came to be the lambe without spot, who by sacrifice of hym selfe once made, shoulde take away the sinnes of the worlde: and sinne (as S. John sayeth) was not in him. But al we the rest (although baptized, and borne agayne in Christe) yet offende in many thinges: and if we say we haue no sinne, we deceaue our selues, and the trueth is not in vs.

30

16. *Of sinne after Baptisme.*

Not euery deadly sinne willingly committed after bap-

tisme, is sinne agaynst the holy ghost, and vnardonable. Wherefore, the graunt of repentaunce is not to be denyed to such as fal into sinne after baptisme. After we haue receaued the holy ghost, we may depart from grace geuen, and fall into sinne, and by the grace of god (we 5 may) aryse agayne and amende our lyues. And therefore, they are to be condemned, whiche say they can no more sinne as long as they lyue here, or denie the place of forgeuenesse to suche as truely repent.

17. *Of predestination and election.*

10

Predestination to lyfe, is the euerlastyng purpose of God, wherby (before the foundations of the world were layd) he hath constantly decreed by his counsell secrete to vs, to deliuer from curse and damnation, those whom he hath chosen in Christe out of mankynde, and to bryng 15 them by Christe to euerlastyng saluation, as vessels made to honour. Wherefore they which be indued with so excellent a benefite of God, be called accordyng to Gods purpose by his spirite workyng in due season: they through grace obey the callyng: they be iustified freely: 20 they be made sonnes of God by adoption: they be made lyke the image of his onely begotten sonne Jesus Christe: they walke religiously in good workes, and at length by gods mercy, they attaine to euerlastyng felicitie.

As the godly consyderation of predestination, and our 25 election in Christe, is full of sweete, pleasaunt, and vn-speakeable comfort to godly persons, and such as feele in them selues the working of the spirite of Christe, mortifying the workes of the fleshe, and theyr earthly members, and drawyng vp theyr mynde to hygh and 30 heauenly thinges, aswell because it doth greatly establyshe and confirme theyr fayth of eternall saluation to be enjoyed through Christ, as because it doth feruently kindle their loue towards God: So, for curious and carnal

persons, lacking the spirite of Christe, to haue continually before theyr eyes the sentence of Gods predestination, is a moste daungerous downefall, whereby the deuyll doth thrust them either into desperation, or into rechlesnesse of most vncleane liuing, no lesse perilous than desperation.

Furthermore, we must receaue Gods promises in such wyse, as they be generally set fourth to vs in holy scripture: and in our doynge, that wyl of God is to be folowed, which we haue expreslye declared vnto vs in the worde of God.

18. *Of obtaynyng eternall saluation, only by the name of Christe.*

They also are to be had accursed, that presume to say, that euery man shalbe saued by the lawe or sect which he professeth, so that he be diligent to frame his lyfe according to that lawe, and the lyght of nature. For holye scripture doth set out vnto vs onely the name of Jesus Christe, whereby men must be saued.

19. *Of the Church.*

20

The visible Church of Christe, is a congregation of faythfull men, in the which the pure worde of God is preached, and the Sacramentes be duely ministred, accordyng to Christes ordinaunce in all those thynges that of necessitie are requisite to the same.

25

As the Church of Hierusalem, Alexandria, and Antioche haue erred: so also the Church of Rome hath erred, not only in their luyng and maner of ceremonies, but also in matters of fayth.

20. *Of the auctoritie of the Church.*

30

The Church hath power to decree Rites or Ceremonies, and auctoritie in controversies of fayth: And yet it is

not lawfull for the Church to ordayne any thyng that is contrarie to Gods worde written, neyther may it so expounde one place of scripture, that it be repugnaunt to another. Wherefore, although the Churche be a witnesse and a keper of holy writ: yet, as it ought not to decree any thyng agaynst the same, so besides the same, ought it not to enforce any thing to be beleued for necessitie of saluation.

21. *Of the auctoritie of generall Counselles.*

Generall Counsels may not be gathered together without the commaundement and wyll of princes. And when they be gathered together (forasmuche as they be an assemblie of men, wherof all be not gouerned with the spirite and word of God) they may erre, and sometyme haue erred, euen in thinges parteynyng vnto God. Wherefore, thinges ordayned by them as necessary to saluation, haue neyther strength nor auctoritie, vnlesse it may be declared that they be taken out of holy scripture.

22. *Of Purgatorie.*

The Romishe doctrine concernyng purgatorie, pardons, worshipping and adoration aswell of images, as of reliques, and also inuocation of Saintes, is a fonde thing, vainly inuented, and grounded vpon no warrantie of Scripture, but rather repugnaunt to the worde of God.

23. *Of ministryng in the congregation.*

25

It is not lawful for any man to take vpon hym the office of publike preachyng, or ministring the Sacramentes in the congregation, before he be lawfully called and sent to execute the same. And those we ought to iudge lawfully called and sent, whiche be chosen and called to this worke by men who haue publike auctor-

itie geuen vnto them in the congregation, to call and sende ministers into the Lordes vineyarde.

*24. Of speakyng in the congregation, in such a tongue as the people vnderstandeth.*

It is a thing playnely repugnaunt to the worde of God,<sup>5</sup> and the custome of the primitiue Church, to haue publique prayer in the Church, or to minister the Sacramentes, in a tongue not vnderstanded of the people.

*25. Of the Sacramentes.*

Sacramentes ordayned of Christe, be not only badges<sup>10</sup> or tokens of Christian mens profession: but rather they be certaine sure witnesses and effectuall signes of grace and Gods good wyll towards vs, by the which he doth worke inuisible in vs, and doth not only quicken, but also strengthen and confirme our fayth in hym. <sup>15</sup>

There are two Sacramentes ordayned of Christe our Lorde in the Gospell, that is to say, Baptisme, and the Supper of the Lorde.

Those fyue, commonly called Sacramentes, that is to say, Confirmation, Penance, Orders, Matrimonie, and<sup>20</sup> extreme Unction, are not to be compted for Sacramentes of the Gospel, being such as haue growen partly of the corrupt folowing of the Apostles, partly are states of life allowed in the scriptures: but yet haue not lyke nature of Sacramentes with Baptisme and the Lordes Supper, for<sup>25</sup> that they haue not any visible signe or ceremonie ordayned of God.

The Sacramentes were not ordayned of Christ to be gased vpon, or to be caryed about: but that we shoulde duely vse them. And in such only, as worthyly receaue<sup>30</sup> the same, they haue a wholesome effect or operation: But they that receaue them vnworthyly, purchase to them selues damnation, as S. Paul sayth.



26. *Of the unworthynesse of the ministers, which hinder not the effect of the Sacramentes.*

Although in the visible Church the euyl be euer myngled with the good, and sometime the euyl haue cheefe auctoritie in the ministracion of the worde and Sacramentes: yet forasmuch as they do not the same in their owne name, but in Christes, and do minister by his commission and auctoritie, we may vse their ministerie, both in hearing the word of God, and in the receauing of the Sacramentes. Neither is the effecte of Christes ordi-<sup>10</sup> nance taken away by their wickednesse, nor the grace of Gods gyftes diminished from such as by fayth and ryghtly do receaue the Sacramentes ministered vnto them, which be effectuell, because of Christes institution and promise, although they be ministred by euyl men. <sup>15</sup>

Neuerthesse, it apparteyneth to the discipline of the Church, that enquire be made of euyl ministers, and that they be accused by those that haue knowledge of their offences: and finally, beyng founde gyltie by iust iudgement, be deposed. <sup>20</sup>

27. *Of Baptisme.*

Baptisme is not only a signe of profession, and marke of difference, whereby Christian men are discerned from other that be not christened: but is also a signe of regeneration or newe byrth, whereby, as by an instrument,<sup>25</sup> they that receaue baptisme rightly, are grafted into the Church: the promises of the forgeuenesse of sinne, and of our adoption to be the sonnes of God, by the holy ghost, are visibly signed and sealed: fayth is confirmed: and grace increased by vertue of prayer vnto God. The<sup>30</sup> baptisme of young children, is in any wyse to be retayned in the Church, as most agreable with the institution of Christe.

28. *Of the Lordes supper.*

The Supper of the Lord, is not only a signe of the loue that Christians ought to haue among them selues one to another: but rather it is a Sacrament of our redemption by Christes death. Insomuch that to suche as ryghtlie,<sup>5</sup> worthyly, and with fayth receaue the same, the bread whiche we breake is a parttakyng of the body of Christe, and likewyse the cuppe of blessing, is a parttakyng of the blood of Christe.

Transubstantiation (or the change of the substance<sup>10</sup> of bread and wine) in the Supper of the Lorde, can not be proued by holye writ: but is repugnaunt to the playne wordes of scripture, ouerthroweth the nature of a Sacrament, and hath geuen occasion to many superstitions.

The body of Christe is geuen, taken, and eaten in the<sup>15</sup> Supper, only after an heauenly and spirituall maner: And the meane whereby the body of Christe is receaued and eaten in the Supper, is fayth.

The Sacrament of the Lordes Supper, was not by Christes ordinaunce reserued, caryed about, lyfted vp, or<sup>20</sup> worshipped.

29. *Of the wicked which do not eate the body of Christe in the vse of the Lordes Supper.*

The wicked, and suche as be voyde of a liuelye fayth, although they do carnally and visibly presse with theyr<sup>25</sup> teeth (as Saint Augustine sayth) the Sacrament of the bodye and blood of Christ: yet in no wyse are they parttakers of Christe, but rather to theyr condemnation, do eate and drinke the signe or Sacrament of so great a thing.

30. *Of both kindes.*

30

The cuppe of the Lorde is not to be denyed to the laye people. For both the partes of the Lordes Sacrament, by Christes ordinance and commaundement, ought to be ministred to all Christian men alyke.

35

31. *Of the one oblation of Christe finished vppon the Crosse.*

The offering of Christ once made, is the perfect redemption, propiciation, and satisfaction for all the sinnes of the whole worlde, both originall and actuall, and there is none other satisfaction for sinne, but that alone. Wherefore the sacrifices of Masses, in the which it was commonly said that the Priestes did offer Christe for the quicke and the dead, to haue remission of paine or gylt, were blasphemous fables and daungerous deceites. 10

32. *Of the mariage of Priestes.*

Byshops, Priestes, and Deacons, are not commaunded by Gods lawe eyther to vowe the estate of single lyfe, or to abstayne from mariage. Therefore it is lawfull also for them, as for all other Christian men, to mary at their owne discretion, as they shall iudge the same to serue better to godlynesse. 15

33. *Of excommunicate persons, howe they are to be auoyded.*

That person whiche by open denuntiation of the Church, is ryghtly cut of from the vntie of the Church, and excommunicated, ought to be taken of the whole multitude of the faythfull as an Heathen and Publicane, vntyll he be openly reconciled by penaunce, and receaued into the Church by a iudge that hath authoritie thereto. 20 25

34. *Of the traditions of the Church.*

It is not necessarie that traditions and ceremonies be in all places one, or vtterly like, for at all times they haue ben diuerse, and may be chaunged accordyng to the diuersitie of countreys, times, and mens maners, so that 30

nothing be ordeyned against Gods worde. Whosoeuer through his priuate iudgement, wyllyngly and purposely doth openly breake the traditions and ceremonies of the Church, which be not repugnaunt to the worde of God, and be ordeyned and approued by common auctoritie: 5 ought to be rebuked openly, (that other may feare to do the lyke) as he that offendeth agaynst the Common order of the Church, and hurteth the auctoritie of the Magistrate, and woundeth the consciences of the weake brethren. 10

Euery particuler or nationall Church, hath auctoritie to ordaine, chaunge, and abolishe ceremonies or rites of the Church ordeyned onely by mans auctoritie, so that all thinges be done to edifyng.

### 35. *Of Homilies.*

15

The seconde booke of Homilies, the seuerall titles wherof we haue ioyned vnder this article, doth conteyne a godly and wholesome doctrine, and necessarie for these tymes, as doth the former booke of Homilies, whiche were set fourth in the time of Edwarde the sixt: and 20 therefore we iudge them to be read in Churches by the Ministers diligently, and distinctly, that they may be vnderstanded of the people.

#### *Of the names of the Homilies.*

- 1 Of the right vse of the Church. 25
- 2 Agaynst perill of Idolatrie.
- 3 Of repaying and keping cleane of Churches.
- 4 Of good workes, first of fastyng.
- 5 Agaynst gluttony and drunkennesse.
- 6 Against excesse of apparell. 30
- 7 Of prayer.
- 8 Of the place and time of prayer.

- 9 That common prayers and Sacramentes ought to be ministred in a knowen tongue.
- 10 Of the reuerente estimation of Gods worde.
- 11 Of almes doing.
- 12 Of the Natiuitie of Christe. 5
- 13 Of the passion of Christe.
- 14 Of the resurrection of Christe.
- 15 Of the worthie receauing of the Sacrament of the body and blood of Christe.
- 16 Of the gyftes of the holy ghost. 10
- 17 For the Rogation dayes.
- 18 Of the state of Matrimonie.
- 19 Of repentaunce.
- 20 Agaynst Idlenesse.
- 21 Agaynst rebellion. 15

*36. Of consecration of Bishops and ministers.*

The booke of Consecration of Archbishops, and Bishops, and orderyng of Priestes and Deacons, lately set fourth in the tyme of Edwarde the sixt, and confyrm'd at the same tyme by auctoritie of Parliament, doth containe all thinges necessary to suche consecration and orderyng: neyther hath it any thyng, that of it selfe is superstitious or vngodly. And therefore, whosoeuer are consecrate or ordered accordyng to the rites of that booke, sence the seconde yere of the aforenamed king<sup>25</sup> Edwarde, vnto this time, or hereafter shalbe consecrated or ordered accordyng to the same rites, we decree all suche to be ryghtly, orderly, and lawfully consecrated and ordered.

*37. Of the Ciuill Magistrates.*

30

The Queenes Maiestie hath the cheefe power in this Realme of Englande, and other her dominions, vnto whom the cheefe government of all estates of this Realme, whe-

ther they be Ecclesiasticall or Ciuile, in all causes doth apparteyne, and is not, nor ought to be subiect to any forraigne iurisdiction.

Where we attribute to the Queenes Maiestie the cheefe gouernment, by whiche titles we vnderstande the mindes of some slaunderous folkes to be offended: we geue not to our princes the ministring either of Gods word, or of Sacramentes, the which thing the Iniunctions also lately set forth by Elizabeth our Queene, doth most plainly testifie: But that only prerogatiue whiche we see to haue ben geuen alwayes to all godly Princes in holy Scriptures by God him selfe, that is, that they should rule all estates and degrees committed to their charge by God, whether they be Ecclesiasticall or Temporall, and restraine with the ciuill sworde the stubberne and euill doers.

The Byshop of Rome hath no iurisdiction in this Realme of Englande.

The lawes of the Realme may punishe Christian men with death, for heynous and greeuous offences. 20

It is lawfull for Christian men, at the commaundement of the Magistrate, to weare weapons, and serue in the warres.

38. *Of Christian mens goodes, which are not common.*

The ryches and goodes of Christians are not common, as touching the ryght, title, and possession of the same, as certayne Anabaptistes do falsely boast. Notwithstanding euery man ought of suche thinges as he possesseth, liberallye to geue almes to the poore, accordyng to his habilitie. 30

39. *Of a Christian mans othe.*

As we confesse that vayne and rashe swearing is forbidden Christian men by our lord Jesus Christe, and James his Apostle: So we iudge that Christian religion

doth not prohibite, but that a man may sweare when the Magistrate requireth, in a cause of faith and charitie, so it be done accordyng to the prophetes teaching, in iustice, iudgement, and trueth.

#### 40. *The Ratification.*

5

This Booke of Articles before rehearsed, is agayne approued, and allowed to be holden and executed within the Realme, by the assent and consent of our Soueraigne Ladye Elizabeth, by the grace of GOD, of Englande, Fraunce, and Irelande Queene, defender of the fayth. &c. <sup>10</sup> VVhich Articles were deliberately read, and confirmed agayne by the subscription of the handes of the Arch-bishop and Byshoppes of the vpper house, and by the subscription of the whole Cleargie in the neather house in their Conuocation, in the yere of our Lorde GOD. <sup>15</sup> 1571.

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| 8 Of the three Credes.                  | 21 Of the auctoritie of <sup>30</sup> generall Counsels. |
| 9 Of original sinne.                    | 22 Of Purgatorie.  |
| 10 Of free wyll.                        | 23 Of ministring in the congregation.                    |
| 11 Of Iustification.                    |  |
| 12 Of good workes.                      |  |
| 13 Of workes before iustification.      |  |

- |  |   |    |
|--|---|----|
| <b>24</b> Of speakyng in the congregation.                   | Priestes.                               |    |
| <b>25</b> Of the Sacramentes.                                | <b>33</b> Of excommunicate persons.     |    |
| <b>26</b> Of the vnworthynesse of the Ministers.             | <b>34</b> Of traditions of the Church.  | 5  |
| <b>27</b> Of Baptisme.                                       | <b>35</b> Of Homilies.                  |    |
| <b>28</b> Of the Lordes supper.                              | <b>36</b> Of consecration of Ministers. |    |
| <b>29</b> Of the wicked whiche eate not the body of Christe. | <b>37</b> Of ciuill Magistrates.        |    |
| <b>30</b> Of both kyndes.                                    | <b>38</b> Of christian mens goods.      | 10 |
| <b>31</b> Of Christes one oblation.                          | <b>39</b> Of a christian mans othe.     |    |
| <b>32</b> Of the mariage of                                  | <b>40</b> Of the ratification.          |    |

¶ Imprinted at London in Powles Churchyard, by Richard Iugge and Iohn Cawood, Printers to the Queenes Maiestie, in Anno Domini. 1571. 15

\* Cum Priuilegio Regiæ maiestatis. 20



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**CONSTITUTIONS AND CANONS**  
**ECCLESIASTICAL.**



I.

Archiep. Cant.  
MATTH. PARKER 12.

Anno Christi  
1571.

Reg. Angliæ  
ELIZ. 13.

*Liber quorundam canonum disciplinæ ecclesiæ Anglicanæ*  
anno M. D. LXXI.

5

*Sequuntur in hoc libello certi quidam articuli de sacro ministerio, et procuratione ecclesiarum, in quos plene consensus est in synodo a domino Mathæo, archiepisc. Cantuar. et totius Angliæ primate et metropolitano, et reliquis omnibus ejus provinciæ episcopis, partim personaliter præsentibus, partim procuratoria manu subscribentibus in synodo inchoata Londini in æde divi Pauli tertio die Aprilis, M. D. LXXI.*

*De episcopis.*

**O**MNES episcopi diligenter docebunt evangelium, non tantum in ecclesiis cathedralibus, quibus præsentibus, sed etiam passim, per omnes ecclesias suæ cujusque dioceseos, ubi maxime putabunt expedire.

Inprimis autem cohortabuntur populum ad lectionem,

*Liber quorundam]* "In the framing of this book of Canons, the archbishop, and the bishops of Ely and Winton, had the main hand: but all the bishops of both provinces in synod, in their own persons or by proxy, signed it; but not the lower house. And the archbishop laboured to get the queen's allowance to it, but had it not: she often declining to give her license to their orders and constitutions, reckoning that her bishops' power and jurisdiction alone, having their authority derived from her, was sufficient. In the month of July or August

et auditionem sacrarum scripturarum ; utque statis temporibus convenient ad suas quique ecclesias, et diligenter auscultent sacris concionatoribus ; utque submissee et audiant pias preces, quæ a ministro dicentur, et una precentur ipsi, et cælestium mysteriorum, ut nunc in ecclesiis nostris auctoritate, et jussu totius regni legitime et pie procurantur, sint participes.

Episcopus quisque ante calendas Septembris proximas, advocabit ad se omnes publicos concionatores, quicumque erunt in sua cujusque diocesi, et ab illis repetet facultates concionandi, quas habent, autentico sigillo consignatas, easque vel retinebit apud se vel extinguet. Deinde, delectu illorum prudenter facto, quoscunque ad illam tantam functionem ætate, doctrina, judicio, innocentia, modestia, gravitate, pares invenerit, illis novas facultates ultro dabit ; ita tamen ut prius subscribant articulis christianæ religionis publice in synodo approbatis, fidemque dent, se velle tueri, et defendere doctrinam eam, quæ in

the archbishop sent this book to Grindal, archbishop of York, recommending it to the observation of the clergy in his province ; and for his judgment of it.

“ What that archbishop’s thoughts of it were, is worth observing ; which appears from his answer he sent to the archbishop of Canterbury, as follows : ‘ He thanked his grace for the book of Articles and Discipline : but he stood in doubt whether they had vigorem legis, unless they had either been concluded upon in synod and after ratified by her majesty’s royal assent in scriptis (fine words, added he, fly away as wind, and will not serve us, if we were empleaded in a case of præmunire) ; or else were confirmed by act of parliament. He said, he liked the book very well ; and that if hereafter he should doubt in any point, or wish it enlarged in any respect, he would signify to his grace hereafter. And if there were at present want of sufficient authority, yet it was well that the book was ready, and might receive more authority at the next parliament :’ yet we see he and his provincial bishops signed it. 35

“ But notwithstanding these doubts and suspicions, which did not without reason arise in the minds of these and other of the bishops (knowing what watchful back-friends they had), yet they proceeded according to the above-said book of discipline ; especially in what

illis continetur, ut consentientissimam veritati divini verbi.

Episcopus etiam atque etiam considerabit, quod genus hominum admittat in famulitium. Fit enim interdum, ubi hæc cautio et diligentia non adhibetur, ut homines impios et veræ religionis inimicos, et criminosos, et tota vita impuros, et sceleratos admittamus. Ex eo adversarius facile capiet maledicendi occasionem.

Episcoporum famuli in omni vestis genere ita se modeste et composite ornabunt, ut fratres suos, quos 10 Paulus appellat domesticos fidei, non offendant.

Episcopus nemini posthac manum imponet, nisi instituto in bonis literis, vel in academia, vel in inferiori aliqua schola; aut qui satis commode intelligat Latinam linguam, et probe versatus sit in sacris literis: nec nisi 15 attigerit ætatem illam legitimam, quæ statutis et legibus

concerned their clergy in their respective dioceses." Strype, Parker, vol. ii. p. 60.

"The bishop of Canterbury, in a letter soon after written, told him [archbishop Grindal] that he was in more fear than he trusted would 20 follow: for that he and the bishop of Ely had so ordered the matter with the queen, that seeing there was no new doctrine in the book [but only matters of discipline and good order] she seemed to be contented; and that therefore if it were repealed hereafter, there would be no fear of præmunire-matter; as he might better satisfy himself 25 by considering the statute. Thus archbishop Parker wrote to him to put the book in force. But Grindal did not care to go upon such uncertainties." Strype, Grindal, p. 247.

Although they did not receive any authority from the queen, it is certain that they were laid before her, and probable that she occasioned 30 many alterations to be made in them. In a letter bearing date 4th of June 1571, and preserved among the Petyt papers in the library of the Inner Temple, the archbishop says, "If it may please her majestie to permite our Booke of Discipline, I will labour to put it in printe for farder instruction. Si non placet, faciet Dominus quod bonum est in 35 oculis suis. For my partie, I am at a pointe in theis worldlie respects, and yet shall be readie to heare Quid in me loquatur Dominus." On the 4th of June then the Canons, already approved by the convocation, were waiting her majesty's pleasure; and as a copy of them, in the

est constituta : nec nisi cujus vita et innocentia gravium, et piorum hominum et episcopo notorum fuerit testimonio commendata : nec si in agricultura, vel in vili aliquo et sedentario artificio fuerit educatus : nec nisi qui titulum (quem appellant) aliquem habeat, ut sit unde vitam 5 tueatur, si Dei permissu, vel in cæcitatem, vel in gravem corporis infirmitatem, vel in morbum diuturnum incidat : nec nisi qui intra ipsius diocesim sacro ministerio functurus sit : nec unquam nisi ubi sacrum aliquod ministerium in eadem diocesi vacare contigerit. Neminem autem 10 peregrinum, et ignotum vel ad sacerdotiorum proventus, vel ad ecclesiasticum ministerium recipiet, nisi ab illo episcopo, e cujus diocesi discessit, literas commendatitias, quas appellant dimissorias, secum afferat.

Episcopus præbendarum, et beneficiorum suorum prox- 15 imas secundas aut tertias advocaciones, quas vocant, nulli

condition in which they then stood, and bearing the signatures of the bishops of both provinces, is still in existence, being preserved among the archbishop's papers at Cambridge, it is easy by a comparison with the printed copies to see the extent to which, in this as in many other 20 cases, the queen exercised her power, both in removing what she disliked, and even in introducing new matter. The following instances are given in the words of Dr. Bennet (Essay on the 39 Art. p. 345.) : " The first title is De Episcopis. Now in the second paragraph of this title the original runs thus : 'Concionatoribus, quos aut Regia Majestas, 25 aut Archiepiscopus Cantuariensis aut Episcopus approbaverit ; utque submissee.' In the fifth paragraph it was written in MS. thus : 'Episcoporum famuli caligis istis monstrosis et taliaribus quas publica insania et novitatis insatiabilis libido in usum induxit, imposterum non utentur ; sed in omni vestis genere ita se modeste.' In the second 30 title, and that which is now the third paragraph, after Diocesi these words, 'maxime vero in illis locis, unde ipsis reditus annui et stipendia suppeditantur,' are added in the print, which were not in the MS."

These Canons were published in English as well as Latin, and a copy of the former, printed "at London by John Daye, dwellyng over 35 Aldersgate" (no date), is in the Selden collection in the Bodleian. This Latin reprint is taken from an edition of that period (but without date), several copies of which are in the same collection.

Comp. Collier, vol. ii. p. 530.

dabit (sunt enim et a bonis moribus, et a christiana charitate alienæ) nec dimissiones fructuum, aut reddituum cujuscunque rectoriæ, aut ecclesiastici beneficii quacunque ratione in plurimos annos confirmabit.

Episcopus neminem, qui se otioso nomine lectorem vocet, et manus impositionem non acceperit, in ecclesiæ ministerio versari patietur.

Quivis archiepiscopus et episcopus habebit domi suæ sacra Biblia in amplissimo volumine, uti nuperrime Londini excusa sunt, et plenam illam historiam, quæ inscribitur "Monumenta martyrum," et alios quosdam similes libros ad religionem appositos. Locentur autem isti libri vel in aula, vel in grandi cœnaculo, ut et ipsorum famulis et advenis usui esse possint.

*Decani ecclesiarum cathedralium.*

15

Eosdem illos libros, quos proxime diximus, decanus quisque curabit emi, et locari in ecclesia sua cathedrali ejusmodi in loco, ut a vicariis et minoribus canonicis, et ministris ecclesiæ, et ab advenis, et peregrinis commode audiri et legi possint. 20

Eosdem libros illos decanus et primarius quisque residentiarius, quos appellant ecclesiæ dignitates, ement suo quisque famulatio, eosque opportuno aliquo in loco, vel in aula, vel in cœnaculo locabunt.

Decanus et præbendarii diligenter docebunt sacrum Dei verbum non tantum in ecclesiis cathedralibus ubi vivunt, sed etiam in aliis ecclesiis in eadem diocesi, maxime vero in illis locis, unde ipsis redditus annui, et stipendia suppeditantur. Quod nisi fecerint, pro episcopi arbitrio puniantur. 30

Nullus nec decanus, nec archidiaconus, nec residentiarius, nec præpositus, nec custos, nec præfectus alicujus collegii, aut ecclesiæ cathedralis, nec præses, nec rector, nec quisquam ex illo ordine, quocunque nomine censeatur,



utetur posthac amictu illo, quem appellant Graium Amicum, aut alia ulla veste, simili superstitione contaminata. Sed in ecclesiis quisque suis utentur tantum linea illa veste, quæ adhuc regio mandato retinetur, et scholastica epomide, quæ suo cujusque scholastico gradui et loco conveniat.

Quivis decanus in singulos annos ad minimum quater residebit in ecclesia sua cathedrali, ibique singulis hujusmodi vicibus mensem integrum (si fieri potest) docendo verbum Dei, et hospitalitatem servando, moram faciet, nisi forte gravibus et urgentibus causis impediatur. Eas autem causas in singulas vices indicabit episcopo suo. Ubi autem venerit, una cum præbendariis residentibus curabit, ut statuta illius ecclesiæ, nisi contraria sint (ut multa sunt) verbo Dei, et statuta hujus regni quæcunque sunt, quæ ecclesiasticum ordinem attingunt, et sacræ injunctiones, vel a regia majestate editæ, vel ab episcopo in visitationibus illius ecclesiæ cathedralis impositæ, diligenter observentur. Præterea decanus et residentiarii, quantum maxime possint, dabunt operam, ut minores canonici, aut vicarii et ministri ecclesiæ, ne ignavi, et inutiles vitam ducant in otio, et illicitis lusibus se exercent, adigantur ad studia scripturarum, utque illorum quisque habeat Novum Testamentum, non tantum Latino sermone scriptum, sed etiam Anglico.

Decanus et residentiarii curabunt, ne qua alia forma observetur in canendis aut dicendis sacris precibus, aut in administratione sacramentorum, præterquam quæ proposita, et præscripta est in libro publicarum precum; nec ullum admittent peregrinum ad habendam sacram concionem ad populum, nisi ei aut regia majestas, aut archiepiscopus illius provinciæ, aut illius diocesanos episcopus facultatem indulerit. Et si ejusmodi aliquis concionator, ita vel a regia majestate, vel ab archiepiscopo, vel ab episcopo approbatus, publicabit ad populum pro concione doctrinam aliquam peregrinam, et impiam, et pugnantem

vel cum sacro Dei verbo, vel cum articulis religionis nostræ approbatis in synodo, haud dubie cum eodem verbo Dei consentientibus, vel cum libro publicarum precum; decanus aut residentiarii primo quoque tempore indicabunt id episcopo literis suis, et eorum aliquot, qui concionantem audiverunt, manu consignatis, ut ille statuat, quod videbitur.

### *Archidiaconi.*

Quivis archidiaconus habebit domi suæ et alios libros, et nominatim eos, qui inscribuntur Monumenta martyrum. 10

Archidiaconus, qui vel jure communi, vel præscriptione habet potestatem visitandi, semel in singulos annos in persona sua visitabit provinciam suam, neque quemquam sibi substituet officialem, nisi qui in academia fuerit educatus, et juri civili operam dederit, et annum ætatis 15 vicesimum quartum compleverit; et non solum doctrina, sed etiam gravitate, et modestia par sit obeundo illi muneri.

Archidiaconi, et illorum substituti, quos appellant officiales, in visitationibus suis vocabunt clerum ad rationem, 20 quantum quisque promoverit in studio scripturarum, et quicumque ex illo ordine magisterium artium in academiis non attigerint, illis proponent partem aliquam Novi Testamenti memoriter ediscendam, eosque in proxima synodo ad repetitionem adigent, et contumaces, et negligentes 25 episcopo indicabunt.

Peracta visitatione, archidiaconus significabit episcopo, quos invenerit in quoque decanatu, ea doctrina, et judicio præditos, ut digni sint, qui pro concione doceant populum, et præsentent aliis. Ex illis episcopus potest delectum 30 facere, quos velit esse decanos rurales.

Archidiaconi in omnes delinquentes severe, et graviter animadvertent, neque connivebunt ad vitia, aut quemquam, quem constat offendisse, impune abire patientur.

Archidiaconi curabunt, ut forensium suorum actorum 35

memoriæ fideliter et tuto conserventur ; et semel in singulos annos adferent ad episcopum suum originalia exemplaria omnia testamentorum, quæ coram ipsis anno superiori probata fuerint, ut ea in episcopi registro asserventur ; copias autem illorum testamentorum ad usum suum ipsi sibi describent, si velint.

*Cancellarii, Commissarii, Officiales.*

Quivis cancellarius, commissarius, et officialis erit institutus in legibus ecclesiasticis et civilibus, qui annum ætatis vicesimum sextum attigerit, et in scholis doctrinæ nomine gradum aliquem susceperit, et in forensibus causis mediocriter versatus fuerit, de cujus vita et moribus nullus sinister sermo audiatur. Adhæc quivis horum, aut erit in sacro ministerio, aut si non erit, tamen animo toto et ferventi zelo erga religionem feretur, idque aperte et ingenue præ se feret ; et antequam in functionem ingrediatur, sacramento se obstringet de auctoritate et primatu principis, atque etiam subscribet articulis de religione in synodo episcoporum approbatis.

Nullus horum, nec cancellarius, nec commissarius, nec officialis in cognitione causarum procedet usque ad ferendam sententiam excommunicationis, nisi tantum in causis instantiarum. In correctionis negotiis alia quidem facient omnia, quæ de jure possint, et solent fieri.

Excommunicationis autem sententiam deferent tantum ad episcopum ; eamque aut ipse per se pronunciabit, aut gravi alicui viro in sacro ministerio constituto, pronunciandam committet. Postquam autem sententiam tulerit, addet insuper commonendi populi, et terroris causa, formulam illam verborum, quæ postea suo loco subjicietur ; atque etiam aliam formulam similem, quæ servanda sit in denuncianda ad populum excommunicatione, curabit describi, et mitti ad singulos ecclesiarum præfectos, ut habeant quo utantur, si usus postulet. Commutationem

autem injunctæ pœnitentiæ nec cancellarius faciet, nec archidiaconus, nec officialis, nec commissarius. Ea potestas multis gravibus de causis episcopo soli reservabitur, aut si quem alium episcopus ad eum usum speciali mandato designabit. 5

Ecclesiasticus judex, cujuscunque loci aut ordinis, neminem excommunicatum absolvet domi suæ, aut alioqui in privatis ædibus; sed tantum publice, et pro tribunali.

Cancellarii, officiales, commissarii omnem adhibebunt diligentiam, ut cæteri omnes qui ipsorum jurisdictioni 10 subjiuntur, officium faciant. Inprimis vero ut rectores, vicarii, et ministri ecclesiarum studiose versentur in sacris literis, et sibi libros ordini et professioni suæ congruentes comparent, ut quicumque ad magisterium artium non accesserit, emat sibi duos libros Novi Testamenti, alterum 15 Latine translatum, alterum Anglice, ut illorum quisque memoriter ediscat ea pensa scripturarum, quæ illi vel ab ecclesiastico judice ordinario, vel ab alio, cujus fidem et industriam episcopus eligere maluerit, fuerint imposita: ut observent ordines et ritus descriptos in libro Publi- 20 carum precum, tam in legendis sacris scripturis, et precibus dicendis, quam etiam in administratione sacramentorum, ut neve detrahant aliquid, neve addant, neve de materia, neve de forma: ut honeste se gerant et in gravi vestitu, in libello admonitionum proposito, modeste et 25 decenter ambulent; utque si familiam habeant, et uxores non habeant, mulierem aliam domi suæ ne alant, nisi aut matrem, aut sororem, aut neptem ex fratre aut sorore; quod si coelibes vivant, et uxores non habeant, in taberna aut caupona cibum ne capiant, sed honesta aliqua in 30 domo in eadem parochia, ubi sine suspitione possint vivere: ut ne ludant aleam, neve chartis, aut aliis improbatis lusibus se exercent: ut arcu tantum utantur et sagittis, idque animi causa, at modeste, et in tempore; ne vel ab officio faciendo, vel a sacrarum scripturarum studiis 35 auferantur.

Videbunt etiam, ne rector, vicarius, aut parochus usquam inserviat, vel in capella, vel in oratorio, aut publicas preces dicat in cujusque privatis ædibus, nisi episcopus illi autographo suo, et manus suæ subscriptione ejus rei potestatem fecerit; neve rector aut vicarius, aut parochus 5 inserviat plusquam uni ecclesiæ, aut capellæ uno die.

Quivis minister ecclesiæ, antequam in sacram functionem ingrediatur, subscribet omnibus articulis de religione christiana, in quos consensum est in synodo; et publice ad populum, ubicunque episcopus jusserit, patefaciet conscientiam suam, quid de illis articulis, et universa doctrina sentiat. Semel autem receptus in sacrum ministerium, ab eo inposterum non discedet, nec se aut vestitu, aut habitu, aut in ulla vitæ parte geret pro laico.

Quivis rector ecclesiæ, vicarius, aut parochus quotannis 15 ante vicesimum diem a Paschate exhibebit episcopo, ejusve cancellario aut commissario nomina et cognomina parochianorum suorum tam marium, quam foeminarum (eorum inquam) qui cum exegerint annum ætatis suæ decimum quartum, tamen ad sacrosanctam communionem 20 (uti statutis et legibus ecclesiasticis hujus regni tenentur) non accesserint; quique subire examen ecclesiastici ministri de ediscendo catechismo, et articulis christianæ religionis detractaverint; quique parentes aut domini liberos aut famulos suos ad audiendum discendumque 25 eundem illum catechismum constitutis temporibus ad ecclesiam mittere contempserint. Neminem autem patientur de sacro lavacro infantem suscipere, nisi qui ad mensam dominicam accesserit, et sanctorum mysteriorum particeps fuerit; ad mysteriorum autem communionem 30 neminem admittet, qui catechismum et articulos fidei non didicerit.

Omnibus dominicis, et festis diebus rectores, vicarii, et parochi ita mature et convenienter captato tempore venient ad ecclesias, ut parochiani confectis rebus suis, cum 35 liberis et famulis possint eodem occurrere; ibi vero reve-

reuter (uti par est) et pie peragent sacrum mysterium ita clare, aperte, et distincte, ut populus audire, et intelligere possit quid dicatur, et ex eo consolationem et fructum capere. Eandem pietatem et reverentiam in sacrosanctis etiam mysteriis retinebunt, modo ne ad superstitionem, aut adorationem, aut idololatricum cultum vergant. Quodsi tempore sacræ communionis nulla erit concio, de scripto et e pulpito pronuntiabunt unam aliquam, aut aliam ex illis homiliis, quas jam antea publicavimus in illum usum. Interim cohortabuntur populum, ut diligenter veniant ad ecclesias, ut quæ legantur, quæque dicantur, attente audiant, utque se toto illo tempore reverenter, et modeste gerant. Et ne piorum animi insolentia et irreligiosa levitate offendantur, curabunt ne juvenes, præsertim rustici, quorum ingenia procliviora fere sunt ad neglectum pietatis, et nequitiam, neve pulsent campanas, neve per templum obambulent, neve inter se otiose colloquantur, neve aut risu, aut strepitu, aut scurrilibus ineptiis vel ministrum impediunt, vel offendant populum.

Admonebunt populum, ut frequentius accedant ad sacram communionem, utque jam antea tota mente (uti par est) sese præparent. Et ut omnes intelligant, quid debeant Deo optimo maximo; quid principi, quem colere ac venerari debent ut vicarium Dei; quid legibus, quid magistratibus, quid fratribus suis, quid populo Dei; omnibus dominicis et festis diebus statim a meridie præsto erunt in templis, ibique minimum ad duas horas legent, et docebunt catechismum, et in eo instituent omnes suos omnium ætatum, atque ordinum, non tantum puellas aut pueros, sed etiam, si opus erit, grandiores. Inprimis vero admonebunt adolescentes et juvenes, non tantum mares, sed etiam fœminas, cautum esse legibus, ne quis illorum vel accedat ad sacram communionem, vel contrahat nuptias, vel infantem e sacro fonte suscipiat, nisi antea didi-

cerit rudimenta religionis christianæ, et possit ad omnes partes catechismi convenienter et dextre respondere.

Quod si rectores, vicarii, et parochi vel concionari non possint, vel facultatem concionandi ab episcopo non acceperint, tamen docebunt pueros prima elementa legere, 5 scribere, noscere officium suum, quid debeant Deo, quid parentibus, quidque aliis; et si quos ex illis viderint ea esse indole, ut possint institutione, atque cultu ad literarum cognitionem pervenire, hortabuntur parentes, ut eos deducant ad scholam, ut imbuti bonis disciplinis, 10 possint aliquando idonei esse ad sacrum Dei optimi maximi ministerium; quos autem hebetiores, et ingenio a literis alieniore esse senserint, ut eos curent, vel ad alias artes, vel etiam ad opus rusticum ablegari.

Admonebunt etiam parochianos suos, magnis et gra- 15 vibus de causis constitutum esse in synodo a reverendissimo patre Domino Matthæo, archiepiscopo Cantuar. et aliis episcopis, ne liberi contrahant matrimonium sine consensu parentum; neve juvenis contrahendi potestatem habeat ante annum ætatis suæ decimum sextum, neve 20 puella ante decimum quartum.

*Æditui ecclesiarum et alii selecti viri.*

Æditui pro consuetudine suæ quique parochiæ, parochianorum suorum, et ecclesiastici sui ministri suffragiis eligentur; alioqui æditui non erunt; nec amplius quam 25 unum annum durabunt in illo munere, nisi forte iterum eligantur. Omnes autem æditui semel in singulos annos reddent justam rationem earum pecuniarum, quæ in suas manus pervenerunt; atque etiam indicabunt particulatim, quos sumptus fecerint in sarta tecta et usum ecclesiæ: 30 Postremo vero discedentes ab officio, quicquid pecuniarum, aliarumque ecclesiasticarum rerum supererit, et in ipsorum erit potestate, id omne bona fide tradent parochianis, ut ab illis rursus tradi possit proximis ædituis.

Æditui curabunt ut ecclesiæ plumbo, tegula, materia, vitro diligenter et probe reficiantur, ne vel minister, vel populus, aut in sacro ministerio et cultu Dei, aut in cælestium mysteriorum tractatione, aut in habenda et audienda communione, cæli injuriis quatiatur. Inprimis autem operam dabunt, ut in omni ecclesiastico conventu pax quammaxime conservetur; et in omnibus episcoporum atque archidiaconorum visitationibus fideliter et nominatim detegent, atque indicabunt eos omnes, qui sese in ecclesia immodeste gesserint, quique vel intempesta<sup>10</sup> pulsatione campanarum, vel ambulationibus, vel colloquio et strepitu ministrum aut concionatorem impediverint.

Æditui curabunt ut ædes sacræ, munde et sancte conserventur, ne cuiquam vel pulvere, vel ramentis, vel sordibus moveant nauseam. Curabunt etiam ut sacra Biblia<sup>15</sup> sint in singulis ecclesiis in amplissimo volumine (si commode fieri possit) qualia nunc nuper Londini excusa sunt, ut liber publicarum precum, ut sacræ homiliæ, atque homiliæ, quæ nuper scriptæ sunt contra rebellionem, sint in singulis ecclesiis. Hos libros quammaxime integros<sup>20</sup> et mundos esse convenit; laceros autem aut sordidos nullo modo, ne populo fastidium, et contemptum pariant. Curabunt mensam ex assaribus composite junctam, quæ administrationi sacrosanctæ communionis inserviat; et mundum tapetem, qui illam contegat; et suggestum com<sup>25</sup> modum, unde cælestis doctrina publicetur. Curabunt insuper ut omnia illa solaria, in quibus cruces lignæ aliquando prostabant, et aliæ reliquiæ superstitionis prorsus e medio auferantur; utque templorum parietes nova fidelia inducantur, et lectissimis sanctarum scripturarum<sup>30</sup> sententiis illustrentur; ut illarum lectione et admonitu populus possit ad pietatem commoveri. Postremo curabunt ut in singulis ecclesiis sit sacer fons, non pelvis, in quo baptismus ministretur, isque ut decenter et munde conservetur.

35

Admonebunt etiam caupones, et tabernarios, qui ven-



dunt edulia, ne quem in cauponam, aut tabernam suam recipiant toto illo tempore, quo aut habebitur concio, aut sacrum ministerium peragetur. Quodsi quis per contemptum, et contumaciam contrafecerit, et illum ipsum, et eos, quos ad se receperit, nominatim in proxima visitatione indicabunt. Si quis vel aperto adulterio, vel stupro, vel incestu, vel ebrietate, vel jurandi consuetudine, vel lenocinio, vel usura, vel alia demum quacun- que impuritate vitæ, et nequitia fratres offenderit, illos æditui amice, et fraterne admonebunt, ut resipiscant. Quod nisi fecerint, indicabunt eos nominatim vel rectori, vel vicario, vel parochi, ut ab illis asperius, et vehementius admoneantur; et si perrexerint, tantisper dum redeant ad sanitatem, a sacra communione arceantur. Utque omnes qui incontinenter, et laxè vivunt, pro meritis suis legum severitate castigentur; iidem æditui eosdem illos adulteros, fornicarios, incestos, ebriosos, juratores, lenones, usurarios in episcoporum et archidiaconorum visitationibus patefacient.

Æditui convivia, symposia, cœnas, et invitationes publicas in templis celebrari non patientur; nec campanas superstitiose pulsari, vel in vigilia Animarum, vel postridie Omnium Sanctorum, qui dies non ita pridem geniis mortuorum sacer erat, nec omnino unquam, ubi pulsandi consuetudo ad superstitionem videbitur inclinare. Illis autem tantum temporibus pulsari permittent, quæ in libello admonitionum descripta sunt, et ad eundem tantum usum, eodemque tantum modo.

Nundinas, et mercatus publicos celebrare, et sontes sententia iudicis condemnatos neci dedere, et supplicio afficere diebus dominicis non licebit.

Non patientur ut quisquam ex circumforaneis istis tenuibus, et sordidis mercatoribus, qui aciculas, et ligulas, et crepundia, et res viles et minutas circumferunt ac distrahunt, quos pedarios, aut pedularios appellant, proponant merces suas vel in cœmeteriis, vel in porticibus

ecclesiarum, aut uspiam alibi diebus festis, aut dominicis, interim dum peragitur pars aliqua sacri ministerii, aut habetur sacra concio; nec ut mendici aut erronei, quibus nulla est certa sedes, toto illo sacrorum aut concionum tempore hæreant in cœmeterio vel in porticu; sed mandabunt, ut aut ingrediantur, aut discedant.

Observabunt etiam atque inquirent diligenter ecqui ex parochianis, temporibus lege constitutis, aut non veniant ad ecclesias, aut tardius et negligentius veniant. Quosque invenerint deliquisse, in eos ex legum præscripto animadvertent. Observabunt etiam, ecquid omnes ac singuli parochiani toties accedant ad sacram communionem in singulos annos, quoties leges et statuta jubent; ecqui etiam peregrini atque advenæ ex aliis parochiis frequentius et usitatius veniant ad ecclesiam suam, illosque parochus suo indicabunt, ne illos forte recipiat ad sacram communionem inter alios, sed ad suos potius parochos rejiciat.

Nullum nec rectorem, nec vicarium recipient ad ministerium ecclesiæ suæ, nisi quem episcopus institutione sua approbaverit, et in possessionem illius ecclesiæ mandato suo miserit. Nec parochum recipient, nisi literis et sigillo episcopi nominatim illi ecclesiæ commendatum. Quod si rector, vicarius, aut parochus aliter se gerat in ministerio suo obeundo, aut quod male et obscure, et confuse legat, aut quod solutius et laxius vivat, quam hominem par sit ejus ordinis, et ex ea re gravis offensio suscipietur; æditui eum mature deferent ad episcopum, ut quamprimum animadversio aliqua et vitii emendatio consequatur.

Utque episcopus intelligat, quæ conciones habitæ fuerint in singulis ecclesiis suæ dioceseos; æditui curabunt, ut nomina omnium concionatorum, qui ad se alicunde venerint, annotentur in libello, quem habebunt paratum in eum usum, utque in eodem libello concionator quisque subscribat nomen suum, et diem, quo habuerit concionem, 35

et ejus episcopi nomen, a quo acceperit concionandi potestatem.

Postremo æditui diligenter observari curabunt ea omnia, quæ ad ipsorum officia pertinebunt, quæque regiis injunctionibus, et in libello admonitionum<sup>a</sup> continentur, quæque vel ab archiepiscopo, vel ab episcopo in suis cujusque visitationibus ad usum ecclesiarum proponentur. Quodsi quis eos vel jurgiis petulanter insectetur, vel etiam in jus trahat, quod officium fecerint, et errantes detexerint; id quoque indicabunt episcopo, ut ejus opera et studio facilius a molestia liberentur.

#### *Concionatores.*

Nemo, nisi ab episcopo permissus, in parochia sua publice prædicabit, nec posthac audebit concionari extra ministerium, et ecclesiam suam, nisi potestatem ita concionandi acceperit, vel a regia majestate per omnes regni partes, vel ab archiepiscopo per provinciam, vel ab episcopo per diocesim. Nulla autem potestas concionandi firma erit in posterum, aut auctoritatem aliquam obtinebit, nisi tantum quæ impetrata fuerit post ultimum diem Aprilis, qui fuit in an. M.D.LXXI. Concionatores modeste et sobrie in omni vitæ parte sese gerent.

In primis vero videbunt, ne quid unquam doceant pro concione, quod a populo religiose teneri et credi velint, nisi quod consentaneum sit doctrinæ Veteris aut Novi Testamenti, quodque ex illa ipsa doctrina catholici patres,

<sup>a</sup> *libello admonitionum*] The celebrated Advertisements of the year 1564, which, acting on the same principle as in the case of these canons, the queen refused to put forth with her sanction, although she had required the bishops in commission to draw them up, and afterwards insisted that they should be rigorously enforced. By this and by other synods they seem to have been considered as having the most perfect authority. See Document. Ann. vol. i. p. 287.

et veteres episcopi collegerint. Et quoniam articuli illi religionis christianæ, in quos consensum est ab episcopis in legitima et sancta synodo, jussu atque auctoritate serenissimæ principis Elizabethæ convocata et celebrata, haud dubie collecti sunt ex sacris libris Veteris et Novi Testa-<sup>5</sup> menti, et cum cælesti doctrina, quæ in illis continetur, per omnia congruunt; quoniam etiam liber publicarum precum, et liber de inauguratione archiepiscoporum, episcoporum, presbyterorum et diaconorum nihil continent ab illa ipsa doctrina alienum; quicumque mittentur ad <sup>10</sup> docendum populum, illorum articulorum auctoritatem et fidem, non tantum concionibus suis, sed etiam subscriptione confirmabunt. Qui secus fecerit, et contraria doctrina populum turbaverit, excommunicabitur.

Inter concionandum utentur veste quammaxime mo-<sup>15</sup> desta et gravi, quæ deceat, atque ornet ministrum Dei, qualisque in libello admonitionum descripta est. Nec pecuniam pro concione, aut mercedem ullam exigent; sed victu tantum et simplici apparatu, et unius noctis hospitio contenti erunt.

Vanas et aniles opiniones et hæreses, et errores pontificios, a doctrina, et fide Christi abhorrentes, non docebunt; nec omnino quicumquam, quo imperita multitudo vel ad novitatis studium, vel ad contentionem inflammetur. Semper autem proponent ea, quæ ad ædifica-<sup>25</sup> tionem faciant, et auditores christiana concordia et charitate concilient.

### *Residentia.*

Absentia pastoris a dominico grege, et segura illa negligentia, quam videmus in multis, et destitutio ministerii <sup>30</sup> est res et in se foeda, et odiosa in vulgus, et perniosa ecclesiæ Dei. Itaque hortamur omnes pastores ecclesiarum in Domino Jesu, ut quamprimum redeant ad parochias quique suas, et diligenter doceant evangelium, et pro fructuum suorum ratione alant familiam, et hospi-<sup>35</sup>

talitate juvent pauperes, ibique versentur in singulos annos, non minus quam sexaginta dies.

*Pluralitas.*

Non licebit cuiquam, cujuscunque sit gradus aut ordinis, plusquam duo ecclesiastica beneficia obtinere eodem 5 tempore; neque cuiquam omnino licebit obtinere duo beneficia, si plusquam viginti sex milliariis distincta sint.

*Ludimagistri.*

Non licebit cuiquam docere literas, et instituere pueros nec publice in schola, nec privatim in cujusquam aedibus, 10 nisi quem episcopus ejus diœceseos approbaverit, cuique sub auctentico sigillo suo docendi potestatem fecerit. Hoc autem loco primariam nobilitatem honoris causa excipimus. Episcopus autem nullum ludimagistrum ap- 15 probabit, nec illo munere dignum censebit, nisi quem suo judicio doctum, et illo loco dignum invenerit, quemque de vita et moribus, et inprimis de religione viderit piorum hominum testimonio commendari.

Ludimagistri nullam docebunt grammaticam, nisi eam, quam solam regia majestas per omne regnum in omnibus 20 scholis legi mandavit; nec alium Latinum catechismum, quam qui editus est anno M.D.LXX. quem etiam Anglice redditum, pueros, qui Latine nesciunt, docere volumus.

Alios autem libros docebunt, unde Latini, Græcique sermonis copia et puritas addisci possit, et eos inprimis, 25 qui ad notitiam Christi, et pietatem faciant. Semel autem in singulos annos indicabunt episcopo, quos habeant ex omni numero lectissimos, qui ea sint indole, eoque profectu in literis ut spes sit, vel ad functionem politicam, vel ad sacrum ministerium fore accommodos. Hac 30 spe parentes inducti, eos libentius alent ad literas.

Inprimis vero ita instituent, et formabunt linguas puero- rum, ut aperte, clare, distincteque pronuncient. Et

quoties habebitur sacra concio, eos vel emittent, vel deducant ad templum, ut statim a teneris incipiant erudiri ad pietatem; neve negligenter audierint, ubi redierint ad scholam, vocabunt singulos ad examen, quid ex illa concione didicerint; quoque magis pueriles animi ad virtutem et industriam excitentur, otiosos et ignavos reprehendent, attentos et diligentes collaudabunt.

*Patroni et Proprietarii.*

Episcopus graviter et studiose cohortabitur patronos beneficiorum, ut cogitent necessitates ecclesiæ, et ante oculos habeant ultimum illum diem, et iudicium et tribunal Dei. Itaque ut neminem promoveant ad munus ecclesiasticum, nisi qui doctrina, iudicio, pietate, probitate vitæ, et innocentia possit onus tam grave sustinere, ut nihil in ea re nisi integre, incorrupte, et sincere faciant. Se enim usurum omnibus honestis et legitimis rationibus, ut verum possit inveniri. Quodsi vel in ipsa præsentatione vel etiam postea senserit corruptelam ullam, aut simoniacum commercium, quocunque modo, quantumvis obscure, vel directe, vel indirecte, vel per ipsum, vel per alios intercessisse; ut ad ipsum vel pecunia, vel pretium, vel commoditas aliqua, vel pars aliqua fructuum perveniret, velle se facti nequitiam, et symoniam publicare et palam facere, non tantum in cathedrali ecclesia, sed etiam alibi, ad illius probum, et dedecus sempiternum; et presbyterum, quem ita nequiter præsentaverit, non tantum a sacerdotio, in quod mala fide ingressus sit, sed etiam ab omni ministerio, et a tota diocesi remove.

Domina regina humiliter et submisse roganda est, ut ratio aliqua ipsius permissu et jussu ineatur, ut in ecclesiis, quæ ad illam proprietario jure pervenerunt, cancelli quamprimum reficiantur, ut annum stipendium peragendo sacro ministerio constituatur. Nunc enim multis in locis, et cancelli fœdum in modum corruerunt, et ministerium ecclesiæ propter stipendii vilitatem destituitur.

Episcopus curabit ut justum inventarium, quodque vocant terrarium, omnium agrorum, pratorum, hortorum, pomariorum, quæ ad rectoriam aliquam, aut vicariam pertinent, ex proborum hominum inspectione sumatur, et in archia sua referatur, ad rei memoriam sempiternam. 5

Episcopus non patietur procuratorem alicujus beneficii ullam habere potestatem in ministrum Dei, ut eum vel admittat, vel rejiciat. Neque minister minus a quoquam accipiet nomine stipendii, quam decem libras.

Omnia matrimonia, quæ uspiam contracta sunt intra 10 gradus cognationis, aut affinitatis prohibitos in xviii. Levitici, auctoritate episcopi dissolventur; maxime vero, si quis, priore uxore demortua, ejus sororem uxorem duxerit: hic enim gradus communi doctorum virorum consensu et 15 judicio putatur in Levitico prohiberi.

Non licebit cuiquam matrimonium contrahere inter illos gradus, qui in tabula a reverendissimo patre domino archiepiscopo Cantuariensi, in eum usum scripta et publicata, prohibentur.

*Forma sententiæ excommunicationis.*

20

Fratres, quoniam quicumque profitemur nomen Christi Jesu, sumus omnes membra ejusdem corporis, et par est, ut unum membrum alterius membri sensu et dolore afficiatur; pro officii mei ratione, significo vobis, A. B. publice accusatum esse de adulterio, in quo, fama est, 25 eum vixisse nequiter, et turpiter, cum ipsius dedecore, et infamia, et gravi offensione ecclesiæ Dei; et ea causa, ut insignis illa turpitudine supplicio aliquo afficeretur, ad episcopi tribunal vocatum esse. Et quoniam prædictus A. B. conscientia nequitiae suæ, ad diem legitime dictum 30 comparere contempsit, et se justitiæ contumaciter subduxit, et alios exemplo suo ad similem contumaciam animavit; idcirco hoc etiam vos insuper admonitos volo, episcopum nostrum nomine atque auctoritate Dei optimi maximi excommunicasse illum ab omni societate ecclesiæ 35

Dei, et tanquam membrum emortuum amputasse a Christi corpore. Hoc ille in statu versatur hoc tempore, et in tanto discrimine animæ suæ. Divus Paulus admonitus instinctu divini Spiritus, jubet ut talium hominum societatem, et contubernia fugiamus, ne participes simus 5 ejusdem sceleris. Tamen, ut christiana charitas nos monet, quoniam ipse pro se orari non vult, nec periculum suum intelligit, oremus Deum omnes ejus nomine, ut aliquando agnoscat miseriam, et fœditatem vitæ suæ, et agat pœnitentiam, et convertatur ad Deum: Deus enim noster est 10 misericors, et potest lapsos etiam a morte revocare.

Subscriptiones archiepiscoporum et episcoporum cano- nibus factis M.D.LXXI.

Matthæus Cantuarien. Edmundus Ebor. subsc. per  
Matt. Cant. procur. 15

Edwinus London.

Robert. Winton. Jacobus Dunelm. subscripsit per Rob.  
Winton. procur.

Jo. Hereford.

Richardus Elien. 20

Nic. Wigorn. Edmundus Petriburgen. subscripsit per  
Nic. Wigorn.

Jo. Sarisburien.

Ri. Meneven. Guliel. Cestren.

Edm. Roffen. 25

Gilb. Bath. et Wellen.

Thomas Coventry et Lichfield.

Joannes Norwic.

N. Bangor. Thomas Assaph } subscip. per. N. Bangor.

Hugo Landaff } procur. suum. 30

R. Cicestren.

Thomas Lincoln.

Willhelmus Exon.



## II.

Archiep. Cant.  
EDM. GRINDALL I.

Anno Christi  
1575.

Reg. Angliæ  
ELIZ. 18.

*Articles whereupon it was agreed by the most reverend father in God the archbishop of Cant. and other the bishops and the whole clergie of the province of Canterbury, in the convocation or synod holden at Westminster by prorogation in the year of our Lord God, after the computation of the Church of England, M.D.LXXV. touching the admission of apt and fit persons to the ministry, and the establishing of good orders in the church. Published by the queen's majesty's authority.*

**F**IRST, That none shall be made deacon or minister hereafter, but only such as shall first bring to the bishop of that diocese from men known to the same bishop to be of sound religion, a testimonial both of his honest life, and of his professing the doctrine expressed in the "Articles of religion which concern the confession

*Articles whereupon]* These Articles are copied from the original edition printed, but without date, by "Richarde Jugge, printer to the queene's majestie," a copy of which is preserved in the Bodleian among the books of Selden. Three copies of these Articles in MS. were extant in the time of Strype, and are described by him in the following manner (Grindal, p. 289.) "I have seen two MSS. of these Articles; one in the Paper Office, where they are fourteen in number; and there is a writing added, importing that they were subscribed by the archbishop and bishops, or the proctors of the bishops absent, according to due order of law. The other MS. copy of them was in the possession of William Petyt, esq., late keeper of the Tower records: here the Articles are fifteen in number. This is also an authentic paper, pertaining once to Whitgift, then prolocutor, a writing of his own being on the back side of the said paper, viz. Articles in Convocation 1575. There is also a third copy of them, which I have seen among the synodal collections of the rev. Dr. Atterbury, dean of Carlisle, consist-

of the true christian faith, and the doctrine of the sacraments" comprised in a book imprinted, entitled "Articles whereupon it was agreed by the archbishops and bishops, etc. anno M.D.LXII. put forth by the queen's authority;" and which also shall then be able to answer and render to the same bishop an account of his faith in Latin, agreeable and consonant to the said articles, and shall first subscribe to the said articles. And that every such deacon shall be of the age of twenty-three years, and shall continue in that office the space of a whole year at the least, before he be admitted to the order of priesthood: and every such minister shall be of the full age of twenty-four years. And that neither of those orders shall be given but only upon a Sunday or holy day, and in the face of the church, and in such manner and form, and with all such other circumstances as are appointed by the book entitled "The form and manner of making and consecrating bishops, priests, and deacons."

II. Item, That no bishop shall give either of the said orders to any that be not of his own diocese (other than graduates resiant in either of the universities) unless they

ing also of fifteen Articles. These were transcribed out of the Journal of that convocation by Dr. Heylin. But there was a note in the margin, hinting the reason the fifteenth article was not printed: viz. 'eo quod domina nostra regina, ut dicitur, non assensit eidem.'

The third of these MSS. was printed by Wilkins in his Conc. (vol. iv. p. 284), the second by Strype in the Appendix to his Life of Grindal (p. 537), and the Article which in them was the fifteenth in order, but was wanting in the first-mentioned MS., is as follows: "Item, that the bishops shall take order that it be published and declared in every parish church within their diocese before the first day of May next coming, that marriage may be solemnized at all times of the year, so that the banns be first on three several Sundays or holidays in the service-time openly asked in the church, and no impediment objected; and so that the said marriage be also publicly solemnized in the church at the usual time of morning prayer." The queen probably ordered it to be erased, being unwilling to abandon the ancient custom of the

be dimitted under the hand and seal of that bishop, of whose diocese they are, and not upon letters dimissory of any chancellor, or other officer to any bishop.

III. Item, That unlearned ministers heretofore made by any bishops shall not hereafter be admitted to any cure or spiritual function according to the queen's majesty's injunction in that behalf; for which purpose the bishop shall cause straight and diligent examination to be us'd in the admission of all curates to the charge of any cure. 10

IV. Item, That diligent inquisition be made in every diocese for all such as have forg'd and counterfeit letters of orders, that they may be deposed by the commissioners ecclesiastical.

V. Item, That the bishops by their letters do certify one to another the names of such counterfeit ministers, to the end they be not suffered to serve in any other diocese.

Church, which prohibited the celebration of marriage at such seasons, for instance, as between Septuagesima and the octave of Easter. (Comber's Works, vol. iv. p. 17. Wilk. Conc. vol. ii. p. 178.) The proposition also as coming from the convocation is the more remarkable, when we find in the year 1584 that archbishop Whitgift complained to the queen in the following terms of the proceedings of the house of commons: "They have passed a bill giving liberty to marry at all times of the year without restraint contrary to the old canons continually observed among us, and containing matter which tendeth to the slander of this church, as having hitherto maintained an error." (Strype, Whitg. vol. i. p. 391.) But the rule of archbishop Whitgift was very different from that of his predecessor. What those uncanonical seasons were, we learn from the following clause which, according to Mr. Sancroft's book (Hist. of Confer. p. 388,) was proposed to the convocation of 1661. to be inserted in the newly revised Prayer-book, but was rejected. "By the ecclesiastical laws of this realm, there be some times in the year, wherein marriages are not usually solemnized, as from Advent Sunday until eight days after the Epiphany; from Septuagesima Sunday until eight days after Easter; from Rogation Sunday until Trinity Sunday."

Besides the fifteenth Article, the following one on the subject of

VI. Item, That from henceforth none shall be admitted to any orders ecclesiastical, unless he do presently shew to the bishop a true presentation of himself to a benefice then void within the diocese or jurisdiction of the said bishop; or unless he likewise shew to the said bishop a true certificate, where presently he may be placed to serve some cure within the same diocese or jurisdiction; or unless he be placed in some cathedral or collegiate church or college; or unless the bishop shall forthwith place him in some vacant benefice or cure; or unless he be known to have sufficient patrimony or livelihood of his own.

VII. Item, That none shall be admitted to any dignity or benefice with cure of souls, unless he be qualified according to the tenor of the first article; and if any such dignity or benefice be of the yearly value of thirty pounds or above in the queen's books, unless he shall be a doctor

private baptism, which stands the twelfth in order in all the MSS. copies, was omitted when the Articles were published by royal authority. "Where some ambiguity and doubt hath arisen among divers, by what persons private baptism is to be ministered; for as much as by the Book of Common Prayer allowed by statute, the bishop of the diocese is to expound and resolve all such doubts as shall arise concerning the manner how to understand, do and execute the things contained in the same book; it is now by the said archbishop and bishops expounded and resolved, and every of them doth expound and resolve, that the said private baptism in case of necessity is only to be ministered by a lawful minister or deacon, called to be present for that purpose, and by none other. And that every bishop in his diocese shall take order that this exposition of the said doubt shall be published in writing before the first day of May next coming, in every parish church of his diocese in this province; and thereby all other persons shall be inhibited to intermeddle with the ministering of baptism privately, being no part of their vocation." The omission of this Article may also be ascribed to the queen's unwillingness to depart from the ancient practice, which may be expressed in the words of a synod held at Exeter (Wilk. Conc. vol. ii. p. 131.) "Sacerdos suos

in some faculty, or a batchelor of divinity at the least, or a preacher lawfully allowed by some bishop within this realm, or by one of the universities of Cambridge or Oxford, and shall give open tryall of his preaching before the bishop or ordinary or some other learned men appointed by him, before his admission to such dignity or benefice; and nevertheless where the stipends or livings be very small, there to choose and admit of the best that can be found in such case of necessity.

VIII. Item, That all licences for preaching granted out by any archbishops or bishops within the province of Canterbury, bearing date before the 8th of February, M.D.LXXV. be voyd and of none effect. And nevertheless all such as shall be thought meet for that office, to be admitted again without difficulty or charge, paying nothing for the same.

instruat parochianos, quod non solum sacerdotes, verum etiam clerici et laici, insuper pater et mater, in necessitatis articulo. . . suos parvulos valeant baptizare." The feeling of king James I. as declared in the conference at Hampton Court, was altogether different: "that any but a lawful minister might baptize any where, he utterly disliked; and in this point his highness grew somewhat earnest against the baptizing by women and laikes." (Hist. of Conf. p. 172.)

There are two minor differences also which deserve to be noticed. In the fourth article, the expression of the bishops was, "they may be deposed and punished;" but the two words "and punished" were not allowed to be published. In the eighth article the clause "paying nothing for the same" had been framed by the bishops in the following manner, "paying not above fourpence for the seal, parchment, writing and wax for the same, according to an article of the Advertisements in that behalf." By inserting this clause the bishops might have wished to obtain indirectly the queen's confirmation of the Advertisements; from which however she appears to have withheld her official sanction during the whole of her reign, although they were drawn up and enforced at her command.

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Comp. Collier, Hist. vol. ii. p. 551. Heylin, Hist. Presb. b. 7. sect. 14. Wake's State of the Church, p. 606. App. p. 230.

IX. Item, That every bishop take order, that able preachers within his diocese do earnestly and with diligence teach their auditors sound doctrine of faith and true religion, and continually exhort them to repentance and amendment of life, that they may bring forth the fruits of faith and charity, and be liberal in alms and other good deeds commanded by God's word. And that none be admitted to be a preacher, unless he be first a deacon at the least.

X. Item, That every bishop in his diocese shall with all expedition take order, that the catechism allowed be diligently taught to the youth in every parish church, and that the homilies, (where no sermons be had,) be duly read in order, as they be prescribed, every Sunday and holy day.

XI. Item, That every bishop shall likewise take order within his diocese, that every parson, vicar, curate and stipendiary priest being under the degree of a master of art, and being no preacher, shall provide and have of his own, within two months after warning given to him or them, the New Testament both in Latin and English or Welch, and shall confer daily one chapter of the same, the Latin and English or Welch together. And that archdeacons, commissaries and officials in their synods and visitations shall by their discretion appoint to every of the said parsons, vicars, curates, and stipendiary priests some certain tax of the New Testament to be coned without book, or otherwise to be travailed in, as shall be thought most convenient to the said archdeacons, commissaries, or officials, and shall exact a rehearsal of the same, and examine them how they have profited in the study thereof, at their next synods and visitations, or such other time or times, as to them shall be thought meet.

XII. Item, That from henceforth there be no commu-35

tation of any penance by any having ordinary jurisdiction ecclesiastical, or any their officers or deputies, into any mulct pecuniary, unless the same be done upon great and urgent causes by the consent of the bishop of the diocese, declared in writing and under his hand and seal. 5

XIII. Item, That all archdeacons and others, which have ordinary jurisdiction ecclesiastical, and their officers and deputies, shall call before them all such person and persons, as shall be detected or presented before them, or any of them, of any ecclesiastical crime or fault, and shall 10 use all means by law prescribed to convince and punish such as be found to be offenders, effectually, upon pain of suspension from his and their office.

*God save the Queen.*

### III.

Archiep. Cant.  
JOH. WHITGIFT 2.

Anno Christi  
1585.

Reg. Angliæ  
ELIZ. 27.

*Articuli per archiepiscopum, episcopos, et reliquum clerum  
Cantuariensis provinciæ in synodo inchoata Londini 5  
vicesimo quarto die mensis Novembris, anno Domini  
M. D. LXXXIV. regniq̄ue serenissimæ in Christo principis  
dominæ Elizabethæ, Dei gratia Angliæ, Franciæ, et  
Hiberniæ reginæ, fidei defensoris, &c. vicesimo septimo  
stabiliti, et regia auctoritate approbati et confirmati. 10  
Londini in ædibus A. I.*

*Ut homines idonei ad sacros ordines, et beneficia (uti  
vocant) ecclesiastica admittantur.*

**P**RIMO cautum est, ne quis posthac ad sacros ordines  
suscipiatur, qui non eodem quoque tempore præ-<sup>15</sup>  
sentationem sui ipsius ad beneficium aliquod intra diœ-

*Articuli per archiepiscopum]* These articles are printed after the original edition, a copy of which is in the Selden collection in the Bodleian. Strype printed them (Whitg. vol. iii. p. 145.) from a MS. in the papers of lord treasurer Burghley, and notices the following <sup>20</sup> clause in the first article, which he supposes to have been erased at the treasurer's suggestion, as encroaching upon the rights of patronage (Ann. vol. iii. P. i. p. 331. Whitg. vol. i. p. 397). "Quod si patronus quispiam clericum aliquem ad beneficium aliquod præsentaverit, qui prædictis qualitatibus non fuerit imbutus, licebit etiam episcopo <sup>25</sup> ejusmodi præsentationem rejicere, nec brevi illo de 'Quare impedit' nec ulla alia ratione cogetur eundem instituere, aut ea de causa ullum legis periculum subire." Besides his jealous feeling in favour of the rights of patronage, the treasurer was probably persuaded that such a clause as this would be powerless in a court of law. <sup>30</sup>

The great exertions made by Cartwright and his followers, the evil impression that was left on public opinion, the numerous petitions



cesim sive jurisdictionem ejusdem episcopi a quo sacros ordines petit, tunc vacans exhibuerit; vel qui non eidem episcopo certum, verum, et indubitatum certicatorium attulerit de ecclesia aliqua intra diocesim sive jurisdictionem dicti episcopi, in qua curæ animarum inservire possit; vel qui in aliqua cathedrali aut collegiata ecclesia, vel collegio Cantabrigiensi aut Oxoniensi non fuerit constitutus; vel saltem, qui ab eodem episcopo in beneficium aliquod, sive ad curam (uti vocant) inserviendam tunc etiam vacantem, non sit mox admittendus. 10

Deinde, ne quis episcopus posthac aliquem in sacros ordines cooptet, qui non ex sua ipsius diocesi fuerit, nisi vel ex altera nostratium academiæ prodierit; vel, nisi literas (ut loquuntur) dimissorias ab episcopo, cujus diocesanus existit, attulerit, et vicesimum quartum ætatis suæ annum jam compleverit, ac etiam in altera dictarum

presented in parliament, the hostility of the house of commons, were all of them warnings which archbishop Whitgift was too wise to neglect, but which, confident that he should be supported by the queen, he determined to meet with his usual vigour. The sixteen articles of complaint exhibited by the commons in December 1584, though answered with much discretion by archbishop Sandys, and with his characteristic firmness by the primate, were the occasion of frequent discussions in the convocation of that period, and ultimately led to the adoption of these six canons, bearing upon the most vulnerable points in the government of the church. But as they were designed, so they merely acted, in the way of palliation. They had scarcely received the royal assent, when, in a letter written on the 24th of March, 1585, the archbishop complained to the queen in the following manner of the proceedings of the house of commons: "Notwithstanding the charge of late given by your highness to the lower house of parliament for dealing in causes of the church; albeit also, according to your majesty's good liking, we have set down order for the admitting of meet men in the ministry hereafter; yet have they passed a bill in that house yesterday touching that matter. Which, besides other inconveniences (as, namely, the trial of the minister's sufficiency by twelve laymen, and such like) hath this also, that if it pass by parliament, it cannot hereafter but in parliament be altered, what necessity soever shall urge thereunto. . . . Whereas if it is but as 25 30 35

academiarum gradum aliquem scholasticum susceperit ; vel saltem, nisi rationem fidei suæ juxta articulos illos religionis in synodo episcoporum et cleri approbatos Latino sermone reddere possit, adeo ut sacrarum literarum testimonia, quibus eorundem articulorum veritas innititur, recitare etiam valeat ; ac ulterius, de vita sua laudabili et morum integritate literas testimoniales sub sigillo vel alicujus collegii Cantabrigiæ aut Oxoniensis, ubi antea moram fecerit, vel alicujus justitii ad pacem dom. reginæ conservandam assignati, una cum subscriptione et testimonio aliorum proborum et fide dignorum hominum ejusdem parochiæ, ubi per tres annos ante proxime elapsos commoratus est, exhibeat.

Quodsi vero aliquis episcopus aliquem ad sacros ordines admiserit, qui prædictis qualitatibus non sit præditus, is per archiepiscopum, assidente sibi hac in parte uno alio

a canon from us by your majesty's authority, it may be observed or altered at your pleasure. . . . There is likewise now in hand, in the same house, a bill concerning ecclesiastical courts, and visitation by bishops ; which may reach to the overthrow of ecclesiastical jurisdiction and study of the civil laws."

The queen appears to have coincided in sentiment with the archbishop ; for although in her speech at the close of the session, she reproved the bishops and told them that if " they did not amend faults and negligences, she meant to depose them," her object evidently was not to reform the constitution of the church, but to obtain a more exact conformity than they had hitherto required. She declared that God had made her the overruler of the church, and said in reference to the Puritans, that " she saw many overbold with God Almighty, making too many subtle scannings of His blessed will, as lawyers did with human testaments ; that the presumption was so great, that she might not suffer it ; and that she must pronounce them dangerous to a kingly rule, every man, according to his own censure, making a doom of the validity and privity of his prince's government." (D'Ewes Journal, p. 328. Strype, Whitg. vol. i. p. 391.) The Puritans were defeated for the time, but they soon returned with additional strength, and the contest was continued, until the church was overthrown, and its adversaries were buried in its ruins.

Comp. Hallam, Const. Hist. vol. i. p. 226.

episcopo, ab ordinatione ministrorum et diaconorum per integrum biennium suspendatur, ac eam præterea pœnam incurrat, quæ de jure in ejusmodi episcopos, qui ad ordines ecclesiasticos sine titulo aliquem promovebunt, statuitur.

Adhæc, ne quis episcopus aliquem in beneficium (uti vocant) instituat, nisi qui prædictis conditionibus ornatus fuerit.

Quodsi curia de arcubus aut audientiæ per viam duplicis querelæ, seu alio quovis modo contra episcopum hac in parte agat, quia homines minime idoneos ac habiles admittere renuit; tunc licebit archiepiscopo, vel auctoritate propria, vel gratia speciali a regia majestate impetrata, ejusmodi processus amputare, quo laudabilis episcopi industria debitum ea ratione sortiatur effectum.

Denique, ut quolibet anno ad festum S. Michaelis archangeli, vel intra sex hebdomadas, idem festum subsequentes, unusquisque episcopus numerum, nomina, gradus, et qualitates eorum omnium, quos in sacros ordines, vel in aliqua beneficia eodem anno præcedente promoverit, ad archiepiscopum transmittat.

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#### *De moderanda solennis pœnitentiæ commutatione.*

Ne quæ fiat posthac solennis pœnitentiæ commutatio, nisi rarioribus, gravioribusque de causis, atque adeo cum ipsi episcopo constiterit, eam esse ad reum reconciliandum et reformandum saniolem et tutiolem rationem.

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Deinde, quod mulcta illa pecuniaria vel in relevamen pauperum ejusdem parochiæ, vel in alios pios usus erogetur, idque ecclesiæ solenniter et fideliter approbetur et innotescat.

Quodsi vero crimen fuerit notorium ac publicum, reus ipse vel in propria sua persona, publice in ecclesia pœnitentiam suam minime fictam profitendo, læsæ ecclesiæ satisfaciet, vel ecclesiæ minister in præsentia ipsius rei, palam e suggestu, ejus submissionem, et pœnitentiæ suæ

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coram ordinario suo peractionem, atque etiam in veræ suæ resipiscentiæ testimonium, quantam pecuniarum summam in usus supradictos erogandam reddiderit, denunciabit.

*De moderandis quibusdam indulgentiis pro celebratione matrimonii absque trinundina denunciacione, quam bannos vocant matrimoniales.*

Quandoquidem honestæ, claræ, ac illustris conditionis homines, sive urgente aliqua necessitate, sive aliis non contemnendis rationibus, matrimonium aliquando celebrandi causas habere possunt, facultate sibi de bannis matrimonialibus aut non omnino, aut semel iterumve denunciandis indulta, sine aliquo gravi scandalo seu detrimento; idcirco ad evitanda generaliter quæ hac in parte notantur incommoda, visum est caveri, ne ullæ facultates sive indulgentiæ de celebrando absque bannis matrimonio concedantur, nisi idonea cautio prius sub hisce conditionibus ineatur; nimirum, primo, quod nullum postea constabit impedimentum præcontractus, consanguinitatis, affinitatis, vel ullius alterius legitimæ causæ cujuscunque ratione. Secundo, quod eo tempore, quo ejusmodi facultas sive indulgentia conceditur, nulla controversia, lis, seu querela mota est, vel dependet coram aliquo iudice ecclesiastico aut civili, de ejuscemodi legitimo impedimento matrimonii inter hujusmodi personas contrahendi ut contracti. Ac tertio, quod ad nuptiarum solemnizationem non accedent, nisi assensu et expresso consensu parentum sive tutorum prius impetrato. Et ulterius, quod matrimonii celebratio publice ac tempestive in facie ecclesiæ fiet. Cujus quidem cautionis formula seu exemplar in scriptis concipietur, ac unicuique episcopo in sua cujusque diocesi imitanda proponetur.

Proviso semper, quod quicumque contra hanc ordinationem deliquerit, ab executione officii per sex integros menses suspendetur.

*De quibusdam circa excommunicationem excessibus coercendis sive reformandis.*

Quia excommunicationis usus in ecclesia perpetuæ legis vigorem jam obtinuit, atque in omni jurisdictione ecclesiastica exercenda hucusque retinetur, ideo absque 5 grandi mutatione totius ejusce jurisdictionis et plurimarum hujus regni legum innovari vel alterari nequit; nihilominus, ut excommunicatio (quæ auctoritatis ac disciplinæ ecclesiasticæ quasi nervus quidam ac vinculum habendum est) ad pristinum suum usum, decus et digni- 10 tatem reducatur; cautum est, ut quotiescunque censura ista in immediatam pœnam cujusvis notoriæ hæreseos, schismatis, simoniæ, perjurii, usuræ, incestus, adulterii, seu gravioris alicujus criminis venerit infligenda, sententia ipsa vel per archiepiscopum, episcopum, decanum, archi- 15 diaconum, vel præbendarium, (modo sacris ordinibus et ecclesiastica jurisdictione præditus fuerit,) in propria persona pronunciabitur, una cum ejusmodi frequentia et assistentia, quæ ad majorem rei auctoritatem concilian- 20 dam conducere videbitur.

Denique quod unusquisque vicarius generalis, officialis, seu commissarius, qui ordines ecclesiasticos non suscepit, eruditum aliquem presbyterum sibi accerset et associabit, qui sufficienti auctoritate vel ab ipso episcopo in jurisdictione sua, vel ab archidiacono (presbytero exi- 25 stente) in jurisdictione sua munitus, idque ex præscripto ipsius judicis tunc præsentis, excommunicationis sententiam pro contumacia denunciabit.

Volumus etiam, ut sicut constitutum est ejusmodi excommunicationem per ministrum ecclesiæ denunciari; 30 ita ipse judex de absolutione ipsius rei post satisfactionem suam peractam, eundem ministrum certiolem faciat, qui eandem absolutionem populo publice denunciabit; ac interim quod bene licebit dicto ministro reum a sacris arcere et repellere, tanquam in ecclesiam minime recipi- 35

endum, donec ejusmodi certicatorium ab ipso iudice exhibuerit.

*De beneficiorum pluralitate cohibenda.*

Quod nemini in posterum facultas sive indulgentia concedetur de pluribus beneficiis simul retinendis, nisi hujusmodi tantum, qui pro eruditione sua et maxime digni, et ad officium suum plenius præstandum maxime habiles et idonei censebuntur: nimirum, ut is, qui hujusmodi facultate fruiturus est, sit ad minimum artium magister, et publicus ac idoneus verbi divini concionator; ita tamen, ut idonea etiam cautione obstrictus teneatur, de personali sua residentia in singulis beneficiis per bonam anni cujusque partem faciendam, et quod ejusmodi beneficia triginta miliarium spatio ad summum non distent abinvicem. Denique, quod idoneum curatum habeat, qui plebem ejus parochiæ, in qua non residebit, instituat ac informet, modo facultates ejusdem beneficii talem commode sustinere posse archiepiscopo vel ejus diocesanos episcopo videbuntur.

*De feodis, quæ officiariis ecclesiasticis et eorum ministris debentur.*

Cautum insuper volumus, quod neque alia neque majora feoda ab episcopo, ordinario, archidiacono, vel eorum ministris deinceps ulla de causa percipiantur, quam ea, quæ, ineunte hoc regnum regia nunc majestate, percipi solebant: Quodque tabula quædam, singulorum hujusmodi feodorum summas continens, in quolibet consistorio ante festum S. Johannis Baptistæ proxime venturum figatur, cujus exemplar manu ipsius ordinarii subsignatum intra tempus prædictum ad archiepiscopum transmittetur.

Proviso semper, quod neque archiepiscopo, neque episcopo, vel directe vel indirecte, aliquam pecuniarum

summam pro admittendis ad sacros ordines hominibus accipere licebit, idque sub pœna juris.

*De inquisitione per episcopos ineunda.*

Quamprimum commode fieri poterit, vel ad summum intra unius anni spatium post hujus synodi finem, quisque 5 episcopus de singulorum ministrorum, qui in sua diœcesi degunt, conditione, moribus, ac eruditione diligenter inquirat, per quos etiam et quo tempore ad sacros ordines admissi, quodque vitæ genus sectati sint, priusquam in ministerium sunt cooptati; ac de hisce omnibus ipsum 10 archiepiscopum intra dictum tempus debite certiozem faciet.

Episcopi in sua quisque diœcesi de omnium rectoriarum, vicariarum, ac cæterorum ecclesiasticorum beneficiorum suæ diœceseos valore annuo, juxta censum libri 15 illius, qui Primitiarum dicitur, si modo ibidem censeantur; aliter vero juxta communem eorum æstimationem; quot item appropriationes, cujus veri valoris annui, et qui sint earum proprietarii; necnon de curatorum salariis annuis, diligentem facient inquisitionem. Ac de hisce similiter 20 omnibus intra tempus antea præscriptum, dictum archiepiscopum certiozem reddent.

#### IV.

Archiep. Cant.  
JOH. WHITGIFT 15.

Anno Christi  
1597.

Reg. Angliæ  
ELIZ. 39.

*Capitula sive constitutiones ecclesiasticæ per archiepiscopum, episcopos, et reliquum clerum Cantuariensis provincie in synodo inchoata Londini 25. die mensis Octob. anno Domini M.D. XCVII. regniq[ue] serenissimæ in Christo principis, dominæ Elizabethæ, Dei gratia Angliæ, Franciæ, et Hiberniæ reginæ, fidei defensoris, &c. XXXIX. congregatos tractatæ, ac postea per ipsam regiam majestatem approbatæ et confirmatæ, et utrique provinciæ, tam Cantuariensi, quam Eboracensi, ut diligentius observentur, eadem regia auctoritate sub magno sigillo Angliæ promulgatæ. Londini. Excudebant Deputati Christopheri Barker, Regiæ Majestatis Typographi. Anno Domini 1599.*

*Ut homines idonei ad sacros ordines et beneficia (uti vocant) ecclesiastica admittantur.*

**P**RIMO cautum est, ne quis posthac ad sacros ordines suscipiatur, qui non eodem quoque tempore præsentationem sui ipsius ad beneficium aliquod intra diocesim

*Capitula sive constitutiones]* These Canons are printed after the editions of 1597 and 1599 (Londini. Excudebant Deputati Christopheri Barker, Regiæ Majestatis Typographi) copies of which are preserved in the Bodleian library. 25

The archbishop, being constantly supported in his vigorous measures by the authority of the queen, had been able to repress the attacks that were made on the doctrines and ritual of the church; but heavy complaints were still continued against its courts and the details of its government, and they acquired additional force at this period from some notorious instances of abuse in marriage licenses, and more



sive jurisdictionem ejusdem episcopi, a quo sacros ordines petit, tunc vacans exhibuerit ; vel qui non eidem episcopo certum, verum, et indubitatum certicatorium attulerit de ecclesia aliqua intra diœcesim sive jurisdictionem dicti episcopi, in qua curæ animarum inservire possit ; vel qui in aliqua cathedrali aut collegiata ecclesia, vel collegio Cantabrigiensi aut Oxoniensi non fuerit constitutus ; vel saltem qui ab eodem episcopo in beneficium aliquod, sive ad curam (uti vocant) inserviendum tunc etiam vacantem, non sit mox admittendus. 10

Deinde, ne quis episcopus posthac aliquem in sacros ordines cooptet, qui non ex sua ipsius diœcesi fuerit ; nisi vel ex altera nostratium academiarum prodierit ; vel nisi literas (ut loquuntur) dimissorias ab episcopo, cujus diœcesanus existit, attulerit, et vicesimum quartum ætatis 15 suæ annum jam compleverit, ac etiam in altera dictarum

especially from a case of incest, which shocked the public feeling, and met with severe reprehension from the queen. The convocation determined to republish the Canons of 1585 with additional provisions, and a form of license to be used in the case of a marriage without banns, 20 hoping that by these precautions they might be able to prevent any future scandals. They also took the opportunity afforded by the prevailing excitement, for obtaining the royal approbation under the great seal, a more formal sanction than Elizabeth appears hitherto to have given to any decrees of convocation on matters of discipline. To the 25 Canons of 1585 were added some other regulations respecting recusants, apparitors, and the safe keeping of registers, from which we should have reason to infer, rather that the archbishop was vigilant and resolute in advancing his own views, than that the Puritans had made any progress in theirs. (Strype, Whitg. vol. ii. p. 383.) How 30 anxious the archbishop was that these Canons should be strictly observed, and remove "the grievances most noted, and both in parliament and otherwise complained of to be heavy for the subject to undergo," may be seen in the urgent orders that he issued in August, 1601, and January, 1602. (Wilk. Conc. vol. iv. p. 366.) But it had 35 long been necessary that a more complete body of Canons should be compiled ; and the commencement of a new reign soon gave to the church a sovereign more willing, than Elizabeth was, to join in ecclesiastical legislation.

academiarum gradum aliquem scholasticum susceperit; vel saltem nisi rationem fidei suæ juxta articulos illos religionis in synodo episcoporum et cleri approbatos, Latino sermone reddere possit, adeo ut sacrarum literarum testimonia, quibus eorundem articulorum veritas innititur, recitare etiam valeat; ac ulterius, de vita sua laudabili, et morum integritate literas testimoniales sub sigillo, vel alicujus collegii Cantabrigiæ aut Oxoniensis, ubi antea moram fecerit, vel alicujus justitiarum ad pacem dominæ reginæ conservandam assignati, una cum subscriptione et testimonio aliorum proborum et fide dignorum hominum ejusdem parochiæ, ubi per tres annos ante proxime elapsos commoratus est, exhibeat. Utque hi sacri ordines diebus tantummodo dominicis, ac festivis, idque publice ac tempestive in ecclesia, ubi episcopus moram traxerit, conferantur: proviso semper, ut utriusque academiarum collegiorum socii, qui suorum collegiorum statutis ad sacros ordines intra certum tempus suscipiendos tenentur, hoc decreto (quantum ad ætatem attinet) non obligentur. Quodsi vero aliquis episcopus aliquem ad sacros ordines admiserit, qui prædictis qualitatibus non sit præditus, is per archiepiscopum, assidente sibi hac in parte uno alio episcopo, ab ordinatione ministrorum et diaconorum per integrum biennium suspendatur, ac eam præterea poenam incurrat, quæ de jure in ejusmodi episcopos, qui ad ordines ecclesiasticos sine titulo aliquem promovebunt, statuitur.

Adhæc, ne quis episcopus aliquem in beneficium (uti vocant) instituat, nisi qui prædictis conditionibus ornatus fuerit.

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Si vero curia de arcibus aut audientiarum per viam duplicis querelæ, seu alio quovis modo contra episcopum hac in parte agat, quia homines minime idoneos ac habiles admittere renuit; tunc licebit archiepiscopo vel auctoritate propria, vel gratia speciali a regia majestate impe-

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trata, ejusmodi processus amputare, quo laudabilis episcopi industria debitum ea ratione sortiatur effectum.

Denique, ut quolibet anno ad festum sancti Michaelis archangeli, vel intra sex hebdomadas, idem festum subsequentes, unusquisque episcopus numerum, nomina, 5 gradus, et qualitates eorum omnium, quos in sacros ordines, vel in aliqua beneficia eodem anno præcedente promoverit, ad archiepiscopum transmittat.

*De beneficiorum pluralitate cohibenda.*

Quod nemini in posterum facultas sive indulgentia con- 10 cedetur de pluribus beneficiis simul retinendis, nisi hujusmodi tantum, qui pro eruditione sua et maxime digni, et ad officium suum plenius præstandum maxime habiles et idonei censebuntur; nimirum, ut is, qui hujusmodi facultate fruiturus est, sit ad minimum artium magister, et 15 publicus ac idoneus verbi divini concionator: ita tamen ut idonea etiam cautione obstrictus teneatur, de personali sua residentia in singulis beneficiis per bonam anni cujusque partem faciendam, et quod ejusmodi beneficia triginta milliarium spatio ad summum non distent abinvicem. 20 Denique quod idoneum curatum habeat, qui plebem ejus parochiæ, in qua non residebit, instituat ac informet, modo facultates ejusdem beneficii talem commode sustinere posse, archiepiscopo, vel ejus dioceseos episcopo videbuntur. 25

*Ut beneficiati in suis beneficiis curatis hospitalitatem exercent.*

Quoniam ecclesiarum cathedralium canonici sive præbendarii ecclesiastica beneficia curata alibi sæpius possident, et tamen prætendentes se ratione præbendarum 30 suarum a residentia in curatis beneficiis liberos et im-

munes, ad cathedrales convolant, ibique moram faciunt longiorem; unde nec curæ parochianorum illis commissæ satis prospicitur, nec pauperes domi suæ (sicuti difficultas hujus temporis exigit) aluntur atque sustentantur; idcirco nos huic malo providere desiderantes, decernendum censemus, ut omnes et singuli canonici sive præbendarii, qui beneficia curata unum sive duo obtinent (nec residentarii necessarii in suis ecclesiis cathedralibus existunt) ultra tempus, quo in cathedralibus residere tenentur, a beneficiis suis curatis preteritu præbendarum se non absentent: et si aliqui eorum, qui ad necessariam residentiam in ecclesiis cathedralibus non tenentur, ultra tempus unius mensis aliquo anno in ecclesia illa cathedrali moram traxerint, eos arctari volumus ad familiam in beneficio suo curato (non obstante mora in cathedrali) alendam, et hospitalitatem exercendam toto reliquo tempore, quo a curato abfuerint. Quod autem ad eos attinet, qui ad residentiam in ecclesiis cathedralibus faciendam, per ordinationes illius ecclesiæ obligantur, et communis dividentiæ participes sunt; eos ita inter se anni tempora partiri volumus, quoad residentiam in cathedralibus habendam, ut eorum aliqui in ecclesiis illis semper adsint et personaliter resideant. Ac quo hæc omnia melius peragantur, episcopi, vel alii, ad quos per ecclesiæ statuta vel ordinationes pertinet, in suis respective ecclesiis diligenter providebunt.

*Ut decani et canonici in ecclesiis cathedralibus suis vicibus conciones habeant.*

Cum beneficium propter officium conferri debeat, æquum existimamus, ut ecclesiarum cathedralium decani, et canonici omnes, et singuli, qui in sacris ordinibus sunt constituti, et ad conciones habendas in ecclesiis suis cathedralibus, de jure, statutis, ordinationibus, aut laudabili consuetudine illius ecclesiæ tenentur, in personis suis propriis eas præsentent, nec vicaria in ea re opera

utantur, nisi ex causa ægritudinis, aut alia legitima impediti, concanonicum suum, vel alium in theologia eruditum, ac ad concionandum auctoritate sufficienti approbatum, sua vice substituunt. Quodsi qui hujusmodi decani aut canonici officium ea in re neglexerint, per<sup>5</sup> episcopum, vel eos, ad quos jurisdictio pertinet, quoad se debite correxerint, suspendantur.

*De moderandis indulgentiis pro celebratione matrimonii  
absque trina bannorum denunciatione.*

Quandoquidem honestæ, claræ, ac illustris conditionis<sup>10</sup> homines, sive urgente aliqua necessitate, sive aliis non contemnendis rationibus, matrimonium aliquando celebrandi causas habere possunt, facultate sibi de bannis matrimonialibus aut non omnino, aut semel iterumve denunciandis indulta, sine aliquo gravi scandalo seu detrimento;<sup>15</sup> idcirco ad evitanda generaliter quæ hac in parte notantur incommoda, visum est caveri, ne ullæ facultates sive indulgentiæ de celebrando absque bannis matrimonio concedantur, nisi idonea cautio prius sub hisce conditionibus ineatur; nimirum, primo quod nullum postea constabit<sup>20</sup> impedimentum præcontractus, consanguinitatis, affinitatis, vel ullius alterius legitimæ causæ cujuscunque ratione.

Secundo, quod eo tempore, quo ejusmodi facultas sive indulgentia concedetur, nulla controversia, lis, seu querela mota est, vel dependet coram aliquo judice ecclesiastico<sup>25</sup> aut civili, de ejusmodi legitimo impedimento matrimonii, inter hujusmodi personas contrahendi, aut contracti. Ac tertio, quod ad nuptiarum solemnizationem non accedent, nisi assensu et expresso consensu parentum, sive tutorum prius impetrato; et ulterius, quod matrimonii<sup>30</sup> celebratio publice ac tempestive in facie ecclesiæ fiet. Cujus quidem cautionis formula seu exemplar in scriptis concipietur, ac unicuique episcopo in sua cujusque diœcesi imitanda proponetur.

Præterea adjiciendum putamus, ne cuiquam liceat, episcopalem dignitatem non obtinenti (commissario ad facultates, ac vicariis generalibus archiepiscopi et episcoporum, sede plena, et sede vacante, custodibus spiritualitatis ac ordinariis, episcopalem jurisdictionem de jure exercentibus, in suis jurisdictionibus respective exceptis) licentiam celebrandi matrimonia sine bannis concedere; ea vero duntaxat per se, ac sub manuum suarum subscriptione, non per deputatos aut surrogatos suos, nec aliis, quam suæ jurisdictioni subditis concedatur. Nulli autem cujuscunque sexus, dignitatis, aut ordinis (in parentum seu gubernatorum cura et regimine existenti) concedatur, nisi prius constiterit de expresso consensu parentum vel gubernatorum suorum (si forte parentes excesserint e vita) idque parentum significatione, aut gubernatorum judici personaliter facta, vel chirographis ipsorum, quibus fidem habendam esse non putamus, nisi per nuncios honestæ conditionis et famæ illæ sæ mittantur, qui fidem faciant se de parentum aut gubernatorum manu chirographa hujusmodi recepisse veris nominibus ac cognominibus per hujusmodi nuncios designandorum; cujus chirographi exhibitionis, ac juramenti per nuncium præstiti actum conscribi volumus. Nec vero aliis concedantur hujusmodi indulgentiæ, quam illustris et claræ conditionis hominibus, nisi urgens necessitas intercesserit, eaque judici cognita fuerit.

Præterea in ipso dispensationis sive licentiæ tenore, ecclesia habitationis sive commorationis alterius contrahentium, vel parentum et gubernatorum suorum exprimat, et tempus diei etiam congruum, nempe inter horas octavam et duodecimam ante meridiem assignetur.

Nec sine indulgentia a competente iudice concessa, minister aliquis matrimonium celebret, nisi trina bannerum denunciatione, per legitima intervalla, interveniente, sub pœna constitutionibus provincialibus præscripta.

Proviso semper, quod quicumque contra hanc ordina-

tionem deliquerit, ab executione officii per superiorem per sex integros menses suspendetur; et licentia hujusmodi viribus carebit, et pro nulla quoad pœnam personis clandestinas nuptias celebrantibus imponendam habebitur.

*De sententiis divortii non temere ferendis.*

5

Et quia matrimoniales causæ inter majores hucusque semper habitæ fuerunt; idcirco cum de matrimoniis in judiciis disceptatur, cautius agi oportet, præsertim vero cum matrimonium in ecclesia solemnizatum, prætextu aliquo separari, vel nullum pronuciari postuletur. Æquum 10 igitur visum est,

Primum ut in hujusmodi divortiorum et nullitatis matrimonii processibus deliberate procedatur, ac quantum fieri poterit, rei veritas testium depositionibus, aliisque probationibus legitimis eruatur, nec partium confessioni (quæ 15 in his causis sæpe fallax est) temere confidatur.

Tum ut nullæ posthac sententiæ vel separationis a thoro et mensa, vel nullitatis matrimonii ferantur, nisi publice, ac pro tribunali, et de scientia et consensu vel archiepiscopi, intra provinciam suam, vel episcopi, intra 20 propriam diœcesim, decani de arcubus, judicis audientiæ Cantuariensis, aut vicariorum generalium, aliorumve officialium principalium, vel, sede vacante, custodum spiritualitatis, aut aliorum ordinariorum, quibus de jure competit in suis respective jurisdictionibus ac curiis, atque inter 25 suæ jurisdictionis subditos tantum; deinde, ut in sententiis, quando ad separationem thori et mensæ tantum interponuntur, monitio et prohibitio fiat, ut a partibus abinvicem segregatis caste vivatur, nec ad alias nuptias, alterutro vivente, convoletur; denique quo postremum 30 illud firmiter observetur, sententia separationis non antea pronuciabitur, quam qui eam postulaverint, cautionem fidejussoriam sufficientem interposuerint, se contra monitionem et prohibitionem nihil commissuros.

Judex autem, qui sententiam separationis seu divortii tulerit, et præmissa omnia non præstiterit, per tres integros menses ab executione officii sui per diœcesanum suum suspendetur; et sententia separationis contra formam prædictam lata, pro nulla ad omnem juris effectum 5 habebitur, ac si omnino lata non fuisset.

*De excessibus circa excommunicationem reformandis.*

Quia excommunicationis usus in ecclesia perpetuæ legis vigorem jam obtinuit, atque in omni jurisdictione ecclesiastica exercenda hucusque retinetur, ideo absque grandi 10 mutatione totius ejusce jurisdictionis et plurimarum hujus regni legum innovari vel alterari nequit; nihilominus ut excommunicatio (quæ auctoritatis ac disciplinæ ecclesiasticæ quasi nervus quidam, ac vinculum habenda est) ad pristinum suum usum, decus et dignitatem reducatur; 15 cautum est, ut quotiescunque censura ista in immediatam pœnam cujusvis notoriæ hæreseos, schismatis, simoniæ, perjurii, usuræ, incestus, adulterii, seu gravioris alicujus criminis venerit infligenda, sententia ipsa vel per archiepiscopum, episcopum, decanum, archidiaconum, vel præbendarium (modo sacris ordinibus et ecclesiastica jurisdictione præditus fuerit) in propria persona pronuntiabitur, una cum ejusmodi frequentia et assistentia, quæ ad majorem rei auctoritatem conciliandam conducere videbitur. 20

Denique, quod unusquisque vicarius generalis, officialis, 25 seu commissarius, qui ordines ecclesiasticos non susceperit, eruditum aliquem presbyterum sibi accerset et associabit, qui sufficienti auctoritate, vel ab ipso episcopo in jurisdictione sua, vel ab archidiacono (presbytero existente) in jurisdictione sua munitus, idque ex præscripto 30 ipsius judicis tunc præsentis, excommunicationis sententiam pro contumacia denunciabit.

Volumus etiam, sicut constitutum est, ejusmodi excommunicationem per ministrum ecclesiæ denunciari; ita ipse judex de absoluteione ipsius rei post satisfactionem 35



suam peractam, eundem ministrum certiolem faciet, qui eandem absolutionem populo publice denunciabit: ac interim quod bene licebit dicto ministro, reum a sacris arcere et repellere, tanquam in ecclesiam minime recipiendum, donec ejusmodi certificatorium ab ipso iudice exhibuerit.

*De recusantibus et aliis excommunicatis publice denunciandis.*

Curent ordinarii locorum, ut tam excommunicati ex eo quod divinis precibus intra hoc regnum Angliæ publica<sup>10</sup> auctoritate stabilitis interesse pertinaciter recusaverint, quam ii etiam, qui propter aliam quamcunque causam legitimam excommunicationis sententia innodati fuerint, nisi intra tres continuos menses post latam excommunicationis sententiam se emendaverint, et absolutionis beneficium<sup>15</sup> obtinuerint, singulis sex mensibus sequentibus, in ecclesia cum parochiali, tum etiam cathedrali diocesis, in qua habitant, pro excommunicatis publice denunci-entur. Teneantur etiam ordinarii prædicti de præmissis omnibus et singulis quolibet anno intra festa sancti<sup>20</sup> Michaelis et natalis Domini, archiepiscopum hujus provinciae in scriptis certiolem facere.

*De moderanda solennis pœnitentiæ commutatione.*

Neque fiat posthac solennis pœnitentiæ commutatio, nisi rarioribus gravioribusque de causis, atque adeo cum<sup>25</sup> ipsi episcopo constiterit, eam esse ad reum reconciliandum et reformandum saniolem et tutiolem rationem.

Deinde quod mulcta illa pecuniaria vel in relevamen pauperum ejusdem parochiæ, vel in alios pios usus erogetur, idque ecclesiæ solenniter et fideliter approbetur et<sup>30</sup> innotescat.

Quodsi vero crimen fuerit notorium ac publicum, reus ipse vel in propria sua persona publice in ecclesia pœni-

tentiam suam minime fictam profitendo, læsæ ecclesiæ satisfaciet, vel ecclesiæ minister in præsentia ipsius rei, palam e suggestu ejus submissionem, et pœnitentiæ suæ coram ordinario suo peractionem, atque etiam in veræ suæ resipiscentiæ testimonium, quantam pecuniarum sum-<sup>5</sup> mam in usus supradictos erogandam reddiderit, denun-  
ciabit.

Quicumque vero absque episcopi diœcesani notitia pœnitentiam commutaverit, aut pecuniam ratione commutationis hujusmodi solutam, in alios usus, quam supra est <sup>10</sup> expressum, converterit, vel aliter præsentem hanc constitutionem violaverit; is ab executione officii sui per eundem diœcesanum per tres integros menses suspendetur.

*De feodis, quæ officariis ecclesiasticis et eorum ministris <sup>15</sup> debentur.*

Cautum insuper volumus, quod neque alia, neque majora feoda ab episcopo, ordinario, archidiacono, vel eorum ministris deinceps ulla de causa percipiantur, quam ea, quæ, ineunte hoc regnum regia nunc majestate, per-<sup>20</sup> cipi solebant; quodque tabula quædam, singulorum hujusmodi feodorum summas continens, in quolibet consistorio ante festum sancti Johannis Baptistæ proxime venturum figatur, cujus exemplar manu ipsius ordinarii subsignatum intra tempus prædictum ad archiepiscopum transmittetur. <sup>25</sup>

Jam vero quia dubium esse potest, quænam certa feoda pro singulis negotiis expediendis, in singulis respective foris ecclesiasticis quadraginta abhinc annis percipiebantur, nisi quæ usus frequentior succedentibus ab eo tempore annis monstraverit atque approbaverit; ideo de-<sup>30</sup> cernendum putamus, ut citra ultimum diem mensis Maii proxime sequentem episcopus quilibet, vel, sede aliqua episcopali vacante, custos spiritualitatis ibidem curet, tabulam manu jus dicentis ejusque registrarii subscriptam publice figi, vel in loco quolibet ubi jus ab illo dicitur, <sup>35</sup>

vel alias publice in ejusdem jurisdictionis archivo, ita ut quivis ejusdem tabulæ inspiciendæ facultatem habeat: quæ quidem tabula in se continebit separatas summas singulorum feodorum, quæ tam a iudice, quam a singulis aliis officariis ac ministris ejusdem curiæ frequentius ac 5 usitatius ab initio regni dictæ serenissimæ reginæ usque ad decimum octavum majestatis suæ annum percipi consueverunt. Curabit præterea quilibet episcopus, vel, sede vacante, custos spiritualitatis, ut quilibet iudex hujusmodi citra ultimum diem præfati mensis Maii episcopo 10 suo, vel custodi spiritualitatis, fidele et auctenticum exemplar tabulæ feodorum præmissorum in archivis episcopi custodiendum tradat; qui vero contra fecerit, is ab executione officii sui per ordinarium suum immediate superiorem eousque suspendetur, donec præmissa modo et forma su- 15 perius specificatis perfecerit.

Quorum omnium exemplarium, singuli episcopi provinciæ Cantuariensis, vel custodes spiritualitatis fidele et auctenticum instrumentum in pergameno conscriptum, ad archiepiscopum citra ultimum diem mensis Octobris 20 proxime futurum transmittent.

Pœna vero cujusque officarii, ac ministri majora feoda, quam quæ in hujusmodi tabulis respective exprimentur, percipientis, suspensio erit per sex menses ab executione officii sui per ordinarium suum infligenda, vel ordinario 25 negligente, aut id facere omittente, per archiepiscopum, qui alium delinquentis loco interim deputabit.

Proviso semper, quod si alicubi dubium fuerit, quæ feoda usque ad prædictum decimum octavum regiæ majestatis annum usitatissime percepta fuerint; tum ea 30 feoda pro legitimis habebuntur, quæ per archiepiscopum Cantuariensem sub manus suæ subscriptione approbantur, nisi statuta hujus regni Angliæ jam antea edita, alia in quocunque casu feoda expresse præstituerint.

Proviso insuper, quod neque archiepiscopo neque epi- 35 scopo, vel directe, vel indirecte aliquam pecuniarum

summam pro admittendis ad sacros ordines hominibus accipere licebit, idque sub pœna juris.

*De excessibus apparitorum reformandis.*

Præterea quoniam excessibus et gravaminibus, quæ per apparitores inferri dicuntur, remedium cupimus adhibere 5 opportunum, videtur ut apparitorum multitudo, quantum fieri poterit, restringatur; non igitur licebit episcopis vel archidiaconis, eorumve vicariis seu officialibus, aliisque inferioribus ordinariis deputare et habere plures apparitores, jurisdictionibus suis respective inservientes, quam 10 ante viginti annos præteritos, vel ipsi, vel prædecessores sui habere consueverunt; qui omnes per se suum fideliter exequantur officium, nec per nuncios aut substitutos quocunque quæsito colore, sua vice mandatorum executiones demandent, aut permittant, nisi ex causa ab ordinario 15 illius loci prius cognita et approbata. Tum ut promotorum officii, vel denunciatorum personas omnino non sustineant, feoda ampliora vel majora, quam quæ his constitutionibus superius statuuntur, non exigant.

Quodsi plures quam superius est expressum deputati, 20 vel illorum aliqui præmissa violaverint, deputantes, si episcopi existant, moniti per superiorem supernumerarios dimittant: Inferiores vero episcopis ordinarii, ab executione officii suspendantur, donec hujusmodi deputatos amoverint; deputati autem ipsi ab apparitorum officio 25 moveantur perpetuo, et si amoti non desistant, tanquam contumaces canonicis censuris coerceantur.

Præterea in causis officii et correctionis ne quæ fiant citationes generales (quæ vulgo, "Quorum nomina" dicuntur) nisi partes citandæ veris nominibus expressis per 30 registrarium in ipsa schedula citationi annexa, et sigillo nunita scribantur; eademque schedula jus dicentis manu subscribatur, sub pœna coercionis ecclesiasticæ per diocesanum delinquenti infligenda.

*De registris in ecclesiis salvæ custodiæ committendis.*

Et quia registra in ecclesiis, quorum permagnus usus est, fideliter volumus custodiri: primum statuendum putamus, ut in singulis visitationibus admoneantur ministri, et œconomi ecclesiarum de injunctionibus regiis in ea re diligentius observandis.

Deinde ut libri ad hunc usum destinati, quo tutius reservari et ad posteritatis memoriam propagari possint, ex pergameno sumptibus parochianorum in posterum conficiantur; iisque non modo ex veteribus libris chartaceis transumpta nomina eorum, qui regnante serenissima domina nostra Elizabetha, aut baptismatis aqua abluti, aut matrimonio copulati, aut ecclesiasticæ sepulturæ beneficio affecti sint, suo ordine sumptibus parochianorum inscribantur; sed eorum etiam, qui in posterum baptizati, vel matrimonio conjuncti, aut sepulti fuerint.

Ac ne quid vel dolo commissum, vel omissum negligeret redarguatur, quæ per singulas hebdomadas in hisce libris inscripta nomina fuerint, ea singulis diebus dominicis post preces matutinas aut vespertinas finitas, aperte ac distincte per ministrum legantur, die ac mense, quibus singula gesta sunt, sigillatim adjectis.

Postquam autem paginam aliquam integram multorum nominum inscriptio compleverit, tum ministri, tum gardianorum ipsius parochiæ subscriptionibus volumus eam communiri.

Idemque in transumptis ex veteribus libris chartaceis, paginis singulis fieri, sed diligenti, ac fideli prius habita collatione; neque vero in unius cujusquam custodia librum illum, sed in cista publica, eaque trifariam observata reservandum putamus, ita ut neque sine ministro gardiani, nec sine utrisque gardianis minister quicquam possit innovare.

Postremum est ut exemplar quotannis cujusque anni

auctæ nominum inscriptionis ad episcopi diocesani regis-  
trum per gardianos infra mensem post festum Paschatis  
transmittatur, et sine feodo ullo recipiatur, atque in  
archivis episcopi fideliter custodiatur.

Quicumque vero in præmissis eorumve aliquo deliquerit, 5  
is, ut delicti qualitas jusque postulaverit, puniatur.

Quæ omnia capitula sive constitutiones, omniaque et  
singula in eisdem contenta, regia majestas per suas literas  
patentes, gerentes dat. apud Westmonasterium decimo  
octavo die Januarii, anno regni sui quadragesimo, rati- 10  
ficavit, confirmavit, ac stabilivit, ipsaque ab omnibus regni  
sui subditis utriusque provinciæ, Cantuariensis et Ebor-  
censis, quatenus eorum aliquem concernunt, diligenter  
exequenda, ac observanda auctoritate sua regia proposuit,  
promulgavit, et per easdem literas patentes sic per eos 15  
observari præcepit, injunxit, et mandavit, prout in eisdem  
literis patentibus sigillo magno Angliæ sigillatis plenius  
liquet et apparet.

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*Exemplar licentiæ, seu facultatis matrimonii absque trina  
bannorum promulgatione celebrandi in singulis episco- 20  
patibus observanda.*

*Licentia ubi uterque vel alter contrahentium sub parentum  
vel gubernatorum potestate existit.*

R. permissione divina L. episcopus, dilectis nobis in  
Christo D. C. parochiæ de B. filio naturali et legitimo J. C. 25  
parochiæ de F. generoso, et N. O. puellæ, filiæ naturali et  
legitimæ B. O. parochiæ de M. nostrarum L. diocesens  
et jurisdictionis, salutem. Cum vos (uti asseritur) ad  
solemnizationem matrimonii veri et legitimi de expresso  
consensu, et assensu parentum et gubernatorum vestro- 30  
rum, ac utriusque vestrum, procedere decreveritis; illud-  
que in facie ecclesiæ cum ea, qua fieri poterit, matura

celeritate solemnizari facere et obtinere magnopere desideretis; nos volentes ut honesta hæc vestra desideria debitum celerius consequantur effectum; ut igitur matrimonium hujusmodi in ecclesia de F. [exprimendo ecclesiam alterius contrahentium, vel parentum aut gubernatorum suorum] per rectorem, vicarium, seu curatum ejusdem ecclesiæ, bannis matrimonialibus unica vice tempore solemnizationis ejusdem matrimonii (uti moris est) publice editis, libere et licite solemnizari facere et obtinere possitis et valeatis, post cautionem fidejussoriam sufficientem ex parte vestra interpositam, juxta constitutiones auctoritate regia nuper editas; dummodo vobis ratione consanguinitatis, affinitatis, præcontractus, vel alterius causæ cujuscunque de jure prohibita nullum legitimum in ea parte obstiterit impedimentum, nec ulla<sup>15</sup> lis, controversia, seu querela mota sit vel pendeat coram aliquo judice ecclesiastico vel civili de matrimonio aliquo contracto vel allegato cum alterutro vestrum; et ministro ecclesiæ prædictæ prius constiterit, vos ad hujusmodi matrimonii celebrationem accedere de et cum expresso consensu parentum vel gubernatorum vestrorum; ac modo matrimonii hujusmodi celebratio publice in ecclesia de F. prædicta fiat inter horas octavam et duodecimam antemeridianas, absque tamen præjudicio ministri ecclesiæ de M. ubi dicta N. O. parochiana existit; licentiam et<sup>25</sup> facultatem tam vobis contrahentibus, quam rectori, vicario, aut curato ecclesiæ prædictæ designatæ matrimonium hujusmodi inter vos solemnizandi sub modo et forma superius specificatis, juxta ritus libri publicarum precum auctoritate parliamenti in ea parte editi et stabiliti, nec<sup>30</sup> non omnibus aliis Christi fidelibus eidem solemnizationi interessendi, ex certis causis legitimis et rationabilibus per nos approbatis, quatenus in nobis est, et jura regni patiuntur in hac parte, benigne concedimus et imperimur per præsentem.

35

Proviso semper, quod si alteruter vestrum clarioris aut

illustrioris conditionis sit, quam nobis suggestum est, et quam ex cognomine et additamento in his literis insertis colligi facile potest, aut si aliqua fraus in posterum appareat vel falsitatis nobis suggestæ vel suppressæ veritatis tempore hujus licentiæ obtentæ; tunc hæc licentia nostra 5 irrita sit ad omnem juris effectum ac si omnino concessa non fuisset: et eo casu inhibemus quibusvis ministris (modo præmissorum aliquod eis innotuerit) ne ad solemnizationem dicti matrimonii procedant, nisi nobis, aut vicario nostro in spiritualibus generali prius consultis. 10 In cujus rei testimonium, etc.

[The minister shall not solemnize this marriage without the consent of their parents or governors, who are hereby licensed to marry.]

Si utraque pars contrahens in viduitate existens ad 15 secundas nuptias convolare facultatem petat, tum omnes clausulæ parentum consensum requirentes omitti possunt; sed parochiæ utriusque contrahentis in licentia exprimentæ sunt, ac parochia ubi matrimonium celebrabitur, designanda. 20



V.

Sede Cant.  
vacante

Anno Christi  
1604.

Reg. Angliæ  
JAC. I. 2.

*Constitutiones sive canones ecclesiastici, per episcopum Londinensem, præsidem synodi pro Cantuariensi provincia, ac reliquos episcopos, et clerum ejusdem provinciæ ex regia auctoritate tractati, et conclusi in ipsorum synodo inchoata Londini anno salutis millesimo sexcentesimo tertio, regni que serenissimi principis, clementissimi domini nostri Jacobi, Dei gratia Angliæ, Franciæ, et Hiberniæ regis primo, et Scotiæ tricesimo septimo; ab eadem regia majestate deinceps approbati, ratihabiti, ac confirmati, ejusdemque auctoritate sub magno sigillo Angliæ promulgati, per utramque provinciam, tam Cantuariensem quam Eboracensem diligenter observandi.* 15

*De ecclesia Anglicana.*

I. *Suprema in ecclesiam Anglicanam auctoritas regis majestati asserenda.*

**P**ROUT officii nostri ratione erga serenissimam majestatem regiam obligamur, inprimis statuimus et ordinamus, ut archiepiscopus Cantuariensis pro tempore existens, omnes episcopi hujus provinciæ, decani item, archidiaconi, rectores, vicarii, cæterique ex clero qui-

*Constitutiones sive canones]* “The see of Canterbury being now vacant, the dean and chapter of that church gave a commission to Bancroft, bishop of London, to preside in the synod. In the 11th session the president delivered the prolocutor a book of Canons, which passed both houses, and were afterwards ratified by the king’s letters patents. These Canons, being a hundred and forty one, were collected by bishop Bancroft, out of the Articles, Injunctions, and Synodical

cunque, tum ipsi fideliter custodiant ac observent, tum (quantum in ipsis est) ab aliis curent observari, et custodiri omnia et singula statuta, ac leges sancitas et constitutas, pro antiqua jurisdictione in statum ecclesiasticum hujus regni coronæ restituenda, omnique extranea potestate, quæ eidem repugnet, exterminanda. Porro etiam, ut omnes ecclesiasticæ personæ ad curam animarum constitutæ, omnesque alii concionatores et theologici in quibuscunque ecclesiis prælectores (quantum ingenio, cognitione, ac doctrina valebunt) pure et sincere absque omni fuco aut dolo, singulis annis quater ad minimum publice in concionibus, aliisque homiliis, ac prælectionibus suis doceant, divulgent, enuncient, ac declarent, usurpatam omnem et peregrinam potestatem (utpote nullo jure divino nixam et fundatam) justissimis de causis sublatam esse et abolitam; et propterea nullam obedientiam aut subjectionem infra majestatis suæ regna et dominia

acts passed and published in the reigns of king Edward VI. and queen Elizabeth." Collier, Hist. vol. ii. p. 687.

"This new code was confirmed by letters patent under the great seal; but its authority was fiercely disputed both by the dissenters and by the lay-members of the establishment. It was contended that the clergy had no power to create offences, which should subject the delinquent to the civil punishment consequent on the sentence of excommunication: and in the next session of parliament a bill passed the commons, declaring that no canon or constitution ecclesiastical, made within the last ten years, or to be made thereafter, should be of force to impeach or hurt any person in his life, liberty, lands or goods, unless it were first confirmed by an act of the legislature. The bishops united in opposing this bill, as derogatory to the authority of the convocation, and of the king the head of the church. Several conferences took place between the two houses; but the parliament was dissolved before the third reading, and the decision of the question fell to the judges in Westminster Hall, who have often declared that, though the Canons of 1604 bind the clergy by whom they were framed, they have no power to bind the people, as long as they want the approbation of the legislature." Lingard, Hist. Eng. vol. vi. p. 26.

"The book of Canons made and agreed to by the bishops and clergy

hujusmodi extraneæ potestati cuicumque ullatenus deberi : sed auctoritatem regiam infra regna sua Angliæ, Scotiæ, et Hiberniæ, ac reliqua ipsius dominia et territoria proxime et secundum Deum primam esse et supremam, cui omnes earundem regionum tam incolæ, quam indigenæ fidem omnem, et obedientiam supra aliam quamcunque in terris potestatem lege divina tenentur exhibere.

II. *Regii in ecclesiam Anglicanam primatus impugnatores coerciti.*

Quicumque in posterum affirmabit, majestatem regiam non habere eandem auctoritatem in causis ecclesiasticis, quam pii principes apud Judæos, et christiani imperatores in primitiva ecclesia obtinuerunt, vel regalem ipsius in iisdem causis primatum, hujus regni coronæ jamdiu vindictum, ac legibus ejusdem regni in ea stabilitum, ullate-

of the southern province, the king confirmed by his letters patents, and ordered to be observed, not only within the province of Canterbury, by whose convocation it had been passed, but in that of York too, who had not yet synodically agreed to it. This seemed a little hard to them. Queen Elizabeth had indeed done the like before : but her confirmations extended no further than her own life ; and so were the less considered by them. Here therefore they thought it needful to make a stand, and by passing these same Canons in form by a license from the king under the great seal of England, to vindicate their own liberty and yet submit to the king's command. For this end it was that they desired his letters of license ; and having obtained them, they assembled on the 5th of March 1606, and deliberated upon the matters which were to be treated upon in that convocation by virtue of the king's letters ; and finally, having read and approved the several canons made by the convocation of the province of Canterbury anno 1603, they did by their " unanimous consent and assent ratify the ecclesiastical constitutions aforesaid, and command them to be firmly observed in and through the whole province of York." Wake, State &c. p. 507.

Comp. Dalrymple, Mem. vol. i. pp. 22—25. Neal, Pur. vol. i. p. 411. Burn. Eccles. Law, vol. ii. p. 27. Hallam, Const. Hist. vol. i. p. 327. Heylin, Hist. of Presb. b. xi. p. 371.

nus lædere aut extenuare præsumpserit, excommunicetur ipso facto, non nisi per archiepiscopum restituendus, idque postquam resipuerit, ac impios hosce errores publice revocarit.

### III. *Ecclesia Anglicana orthodoxa.*

5

Quicumque in posterum affirmabit, ecclesiam Anglicanam, sub regia majestate legibus stabilitam, non esse orthodoxam, et apostolicam ecclesiam, apostolorum videlicet doctrinam tradentem, et astruentem, excommunicetur ipso facto, non nisi per archiepiscopum restituendus, idque postquam resipuerit, ac impium hunc errorem publice revocarit.

### IV. *Divina cultus ratio in ecclesia Anglicana stabilita, pia et orthodoxa.*

Quicumque in posterum affirmabit, liturgiæ formam in ecclesia Anglicana legibus stabilitam, et in libro precum publicarum, ac administrationis sacramentorum comprehensam, corruptum, superstitiosum, aut illicitum esse Dei cultum, vel quicumque in se continere, quod Scripturarum canoni sit contrarium, excommunicetur ipso facto, non nisi per episcopum diocesanum, vel archiepiscopum restituendus, idque postquam resipuerit, ac impium hunc errorem publice revocarit.

### V. *Doctrinæ articuli in ecclesia Anglicana stabiliti, pii et orthodoxi.*

25

Quicumque in posterum affirmabit, ullum ex triginta novem articulis, in quos consensum est ab archiepiscopis et episcopis utriusque provinciæ, ac reliquo omni clero in synodo Londini habita anno Domini M.D.LXII. (ad tollendam utique opinionum varietatem, et consensum in causa fidei firmandum, et stabiliendum) ulla ex parte superstitiosos aut erroneos existere, vel omnino ejusmodi,

ut in eorum veritatem salva conscientia subscribi nequeat, excommunicetur ipso facto, non nisi per archiepiscopum restituendus, idque postquam resipuerit, ac impios hos errores publice revocarit.

VI. *Ceremoniarum in ecclesia Anglicana obtinentium 5  
usus, pius et licitus.*

Quicumque inposterum affirmabit, ecclesiæ Anglicanæ ritus ac ceremonias legibus constitutas, impias, antichristianas, aut superstitiosas esse, vel denique ejus generis, ut homines pii ac religiosi, quantumvis legitima auctori-  
tate jussi, non possint integra conscientia eas approbare, aut observare, vel etiam (prout occasio tulerit) eisdem subscribere, excommunicetur ipso facto, nullatenus absol-  
vendus, priusquam resipuerit, ac impios hos errores publice revocarit. 15

VII. *Ecclesiæ Anglicanæ administratio verbo divino  
consona.*

Quicumque inposterum affirmabit, ecclesiæ Anglicanæ sub regia majestate regimen et disciplinam per archiepis-  
copos, episcopos, decanos, archidiaconos, et reliquos ad  
ejusdem gubernaculum constitutos, antichristianum esse, ac verbo divino contrarium, excommunicetur ipso facto, nullatenus absolvendus, priusquam resipuerit, ac impium hunc errorem publice revocarit. 20

VIII. *Cleri ordinandi ratio in ecclesia Anglicana verbo  
divino consona.* 25

Quicumque inposterum affirmabit, aut docebit, formam et ritum episcopos, presbyteros, et diaconos ordinandi, et inaugurandi quicquam in se continere, quod pugnet cum verbo divino, illosque omnes, quotquot ad eum modum  
episcopi, presbyteri, et diaconi ordinantur, non esse rite ordinatos, neque vel a seipsis vel ab aliis pro episcopis, 30

presbyteris, aut diaconis habendos, priusquam ad sacra illa officia aliam ordinationem fuerint adepti, excommunicetur ipso facto, nullatenus absolvendus, priusquam resipuerit, ac impios hos errores publice revocarit.

*IX. Auctores schismatis ac dissidii ab ecclesiæ Anglicanæ 5  
communione coerciti.*

Quicumque in posterum a sanctorum communione, qualiter in ecclesia Anglicana existet ex apostolorum regulis approbata, se ipsos segregabunt, et novo fraternitatis cujusdam fœdere consociati, christianos omnes, quotquot 10 doctrinæ, disciplinæ, ritibus, ac ceremoniis ecclesiæ Anglicanæ se conformes exhibent, prophanos ducent, et indignos quibuscum in christiana professione communicent, excommunicentur ipso facto, non nisi per archiepiscopum restituendi, idque postquam resipuerint, ac impios hos errores 15 publice revocarint.

*X. Schismaticorum in ecclesia Anglicana fautores  
coerciti.*

Quicumque in posterum affirmabunt, tum ministros illos, qui formæ et modo divini cultus in ecclesia Angli- 20 cana constitutis, ac in libro publicæ liturgiæ præscriptis, recusant subscribere, tum eorum etiam sectatores alterius ecclesiæ, quæ non sit lege stabilita, nomen et titulum posse sibi merito assumere; itemque audebunt vulgo asseverare, prætensam hanc ipsorum ecclesiam jamdiu 25 ingemuisse sub onere certorum gravaminum, sibi et membris suis supradictis impositorum per ecclesiam Anglicanam, ac decreta et sanctiones in eadem legibus stabilitas, excommunicentur ipso facto, nullatenus absolventi, priusquam resipuerint, ac impios hos errores publice revo- 30 carint.

XI. *Conventiculorum in ecclesia Anglicana propugnatores coerciti.*

Quicumque in posterum affirmabit, aut tuebitur, ullos conventus, cœtus, aut congregationes subditorum indigenarum infra hoc regnum existere, præter eos, qui ex hujus 5 regni legibus tenentur, et approbantur, qui verarum, et legitimarum ecclesiarum nomen possint sibi jure vindicare, excommunicetur, non nisi per archiepiscopum restituentus, idque postquam resipuerit, et impium hunc errorem publice revocarit. 10

XII. *Ordinationum in conventiculis conditarum propugnatores coerciti.*

Quicumque in posterum asseverabunt, licitum esse cuivis ministrorum aut laicorum ordini, vel eorum alterutris simul congregatis, canones, decreta, aut constitutiones de 15 rebus ecclesiasticis citra regis auctoritatem condere; et eisdem regendos et gubernandos se subjiciunt, excommunicentur ipso facto, nullatenus absolvendi, priusquam resipuerint, et impios hos Anabaptisticos errores publice revocarint. 20

*De cultu divino, et sacramentorum administratione.*

XIII. *Liturgia publica, et reliqua pietatis exercitia diebus sacris celebranda.*

Omnes cujuscunque conditionis aut status personæ infra ecclesiam Anglicanam deinceps celebrabunt diem 25 dominicum (vulgo diem Solis nuncupatum) cæterosque dies festivos, juxta regulam divinæ voluntatis, et ecclesiæ Anglicanæ instituta hac in parte præscripta; nimirum in audiendo verbo Dei tam lecto, quam prædicato, in privatis publicisque precibus faciendis, in peccatis Deo confi-

tendis, et eisdem emendandis, in charitate cum proximis (sicubi læsa fuerit) reconcilianda, in sacra communione corporis et sanguinis dominici frequentanda, in pauperibus juvandis, et ægrotis visitandis, piam omnem ac sobriam conversationem interim adhibentes. 5

XIV. *Liturgiæ publicæ præscriptus canon diebus sacris observandus.*

Liturgia publica distincte, et debita cum reverentia legetur, vel canetur in illis diebus, et eorum vigiliis, qui in libro precum publicarum sacri ac festivi designantur, 10 horisque eorundem congruis, et usitatis, atque in eo potissimum ecclesiæ cujusque loco, qui episcopo diocæsano, vel loci ordinario (ratione vel amplitudinis vel angustię) commodissimus, ac ad populi ædificationem maxime opportunus videbitur. Singuli etiam ministri 15 studiose observabunt instituta, ritus, et ceremonias omnes, quæ in dicto libro præscribuntur, tam in sacris scripturis legendis, ac precibus recitandis, quam in administrandis sacramentis, absque ulla sive materiæ sive formæ additione, aut diminutione, respectu vel concionis, vel alterius 20 causæ cujuscunque.

XV. *Litania diebus Mercurii et Veneris recitanda.*

Litania a rectoribus, vicariis, ministris, sive curatis in cathedralibus, collegiatis, et parochialibus ecclesiis ac capellis omnibus, eorumque loco aliquo conveniente pro 25 arbitrato episcopi diocæsani, vel loci ordinarii recitabitur vel canetur illis temporibus, et sub ea forma, quæ in libro publicæ liturgiæ præstituitur; ac (ut restrictius loquamur) singulis diebus Mercurii et Veneris (etiamsi non fuerint festivi) minister ad horas divinis precibus consuetas in 30 ecclesia aut capella præsto erit, ac populo per sonitum campanæ convocato, litaniam in dicto libro præscriptam recitabit; cui singuli patresfamilias, qui præsertim infra



dimidium milliare ab ecclesia habitant, vel ipsi debebunt interesse, vel unum saltem de familia sua mittere idoneum, qui ministro inter precandum assistat.

*XVI. Liturgiæ publicæ præscriptus canon in academiis observandus.* 5

In omnibus utriusque academiæ collegiis et aulis per integram liturgiam et sacræ cœnæ administrationem debite, et absque omni aut omissione, aut innovatione observari volumus ordinem, formam, ac ceremonias omnes, prout in dicto publicæ liturgiæ libro præscriptæ inveni-<sup>10</sup> untur.

*XVII. Inter liturgiæ publicæ celebrationem superpellicia, et epomides in academiis adhibendæ.*

In omnibus utriusque academiæ collegiis et aulis præfecti ac socii, cæterique scholares et studiosi in ecclesiis<sup>15</sup> et capellis suis per singulos dies dominicos et festivos, eorumque vigiliis tempore divinorum superpelliciiis (juxta ecclesiæ Anglicanæ mores ac instituta) utentur; quotquot vero gradum aliquem susceperint, caputia suo cujusque gradui competentia superpelliciiis suis superinduent. <sup>20</sup>

*XVIII. Inter liturgiæ publicæ celebrationem reverentia solennis adhibenda.*

Cum divina peraguntur, vel eorum pars quælibet, æquum est, ut condigna omnis reverentia adhibeatur: sic enim monet apostoli præceptum illud, "Omnia decenter,<sup>25</sup> et secundum ordinem fiant." Cui decentiæ, atque ordini regulas hasce nostras sequentes consentaneas esse judicamus. Nullus in ecclesia vel capella inter rem divinam caput suum operiet, nisi ex causa infirmitatis, quo casu pileolo, aut rica utendum censemus. Omnes cujuscunque<sup>30</sup> status aut conditionis personæ humiliter in genua se inclinabunt, dum generalis confessio, litania, et reliquæ

precationes recitantur; cum autem fidei symbolum recensetur, stabunt erecto corpore, juxta regulas in libro publicæ liturgiæ in eam partem præfinitas. Similiter etiam nomen Domini Jesu, quoties inter divinum cultum incidit, congrua ac humili reverentia ab universis tum s præsentibus excipietur, prout hactenus fieri consuevit; ut per externas hasce ceremonias et gestus testatam faciant internam ipsorum humilitatem, christianam constantiam, et debitam agnitionem, quod Dominus Jesus Christus, verus et æternus Dei filius, unicus est mundi salvator, in 10 quo solo omnes, misericordiæ, gratiæ, ac promissiones homini a Deo indultæ, tam in præsentem vitam, quam futuram, integræ et in totum comprehenduntur. Nullus porro, cujuscunque tandem sexus, ætatis, aut conditionis fuerit, in ecclesia tempore divini cultus in aliud quicquam 15 intendet, quam ut quiete auscultans audiat, observet, ac intelligat, quod a ministro legitur, prædicatur, aut administratur; eique confessionem, orationem dominicam, et symbolum recitanti, clara voce subserviat, aliaque in publicis precibus responsa subjiciat, quæ in libro com- 20 munis liturgiæ præcipiuntur. Nullus denique preces vel concionem ambulando, aut garriendo, seu alio quovismodo interpellabit, vel ex ecclesia ante easdem peractas, absque justa, aut probabili causa egredietur.

*XIX. Inter liturgiæ publicæ celebrationem otiosi ab ecclesiæ 25 ambitu repellendi.*

Œconomi ecclesiarum, et inquisitores sive assistentes personas otiosas non patientur in cœmeterio, vel ecclesiæ porticu tempore divini cultus aut concionis desiderare, sed eos vel ecclesiam ingredi compellent, vel abscedere. 30

*XX. Panis et vinum in sacræ cœnæ usum paranda.*

Parochiarum omnium œconomi (consulto hac in parte ministro) curabunt idoneam, pro numero communicantium,

panis siliginei, vini que boni ac salubris quantitatem, in tempus sacræ cœnæ præstitutum, sumptibus parochianorum comparari; vinumque illud ad mensam Domini afferri in œnophoro nitido, et mundo, eo que ex stanno, si non ex metallo præstantiore.

5

### XXI. *Cœnæ trina perceptio quotannis indicta.*

In omnibus hujus regni ecclesiis parochialibus, ac capellis, in quibus sacramenta sunt administranda, cœnam dominicam a rectore, vicario, vel ministro toties, iisque temporibus celebrari volumus, ut parochiani singuli quotannis ter ad minimum (nominatim vero in festo Paschatis) sicut in libro publicæ liturgiæ jubentur, possint sacramentum illud percipere. Proviso semper, ut minister quilibet sacram illam cœnam administraturus, ipse semper primus communicet. Insuper siquid panis aut vini inter cœnæ administrationem afferri contigerit, illud ad sacramenti usum vetamus adhiberi, priusquam, eodem in mensa Domini apposito, institutionis verba fuerint recitata. Porro etiam ordinamus, ut administrans panem et vinum singulis communicantibus separatim et per vices distribuat.

### XXII. *Cœnæ administrationem solennis indictio præire jussa.*

Cum laicorum quisque ad sacræ cœnæ communionem ter quotannis obligetur, multique nihilo secius vix semel communicent; ministris omnibus præceptum volumus, ut quotiescunque sacramentum illud celebrare voluerint, parochianis suis solenniter in ecclesia inter preces matutinas, idque præcedente die dominico (quo melius veniant præparati) id denunciare non omittant; quas utique motiones parochiani vicissim suscipere, ac eisdem parere sub periculo et pœna legis tenebuntur.

XXIII. *Cœnæ usus frequentior academicis indictus, et cœna utentibus genuum flexio injuncta.*

In omnibus utriusque academiæ collegiis et aulis præfecti et socii, qui præsertim pupillos habent, sedulo prospicient, ut ipsorum pupilli omnes, et reliqui, qui inter eos agunt, universi recte et pie educantur, ac in articulis religionis penitus instituantur, publicamque liturgiam et conciones diligenter frequentent, quin etiam sacram cœnam jugiter percipiant, quam primo quoque vel secundo cujuslibet mensis die dominico in eisdem collegiis et aulis administrandam decernimus; volumusque ut singuli eorundem præfecti, socii, scholares, reliquique studiosi, ac officarii, et illorum quilibet famuli ac ministri unoquoque anno quater ad minimum ejusdem sint participes, idque in genua reverenter (ut par est) inclinati, juxta ritum in libro publicæ liturgiæ ea in parte præstitutum.

XXIV. *Cœnæ in festis solennibus administratio in ecclesiis cathedralibus indicta, et cœnam administrantibus capparum usus injunctus.*

Per cathedrales omnes et collegiatas ecclesias sacram cœnam in festis solennibus administrari volumus, nonnunquam per episcopum, siquidem præsens extiterit, nonnunquam vero per decanum, quandoque etiam per canonicum vel præbendarium (ministrum ibidem maxime eminentem) eundemque decente cappa amictum, ac adjutum ab evangelii et epistolæ lectoribus, juxta admonitiones in septimo Elizabethæ promulgatas, idque iis horis, et cum illa prorsus limitatione, quæ in libro publicæ liturgiæ præfinitur. Proviso semper, ut nulla ejusmodi limitatio admittatur, cujuscunque tandem interpretationis prætextu, quominus singuli decani, guardiani, magistri, sive præfecti cathedralis cujusque et collegiatæ ecclesiæ, et cuncti etiam earundem præbendarii, canonici, vicarii,

minores canonici, cantores, reliquique de ecclesiæ gremio universi, si non frequentius, saltem quater omni anno sacramentum percipiant.

XXV. *Superpelliciorum et epomidum usus, cœna non administrata, in ecclesiis cathedralibus indictus.* 5

In cathedralibus et collegiatis ecclesiis, cessante cœna dominica, satis erit tempore divinorum superpelliciis duntaxat uti; nisi quod ecclesiarum collegiatarum decani, magistri, et præfecti, itemque canonici, ac præbendarii (dummodo graduati) cum superpelliciis caputia gradibus 10 suis respective congrua inter rem divinam gerere tenebuntur.

XXVI. *Notorii peccati consuetudine infames a sacra cœna repellendi.*

Nullus ministrorum ex grege aut cura sua quemquam 15 ad sacrae cœnæ communionem ullo pacto admittet, qui manifeste notus erit in infami peccato impœnitenter vivere, nec qui cum proximis suis malitiose et aperte contenderit, nisi reconciliatio intercesserit; neque etiam ecclesiarum œconomos aut assistentes ullos, qui cum jura- 20 mentum susceperint pro omnibus iisce delictis notoriis, de quibus particulatim jussi erunt infra suas respective parochias inquirere, bis quolibet anno ad ordinarium suum deferendis, non verentur tamen, sprete juramenti sui religione (cujus alioqui fidelis executio potissima ratio existit, 25 per quam publica peccata, et scandala rescindi possint, et coerceri) etiam volentes et scientes in perjurii crimen perditæ, ac nefarie incurrere, dum vel negligunt, vel recusant ex prædictis criminibus, et delictis notoriis aliqua detegere, quæ sciunt infra parochias suas esse perpetrata, 30 vel congregationem saltem insigniter gravare, ac offendere; licet iidem vel a vicinis, vel a ministro, vel etiam ab ipso ordinario admoniti subinde fuerint, ut conscientias

suas, dicta crimina præsentando, exonerarent, neque se vellent in horrendum illud perjurii scelus ausu tam nefario præcipitare.

XXVII. *Schismatici a cœnæ communionem arcendi.*

Ministri, cum cœnam Domini administrant, neminem scienter ejusdem facient participem, qui in genua non fuerit inclinatus, sub pœna suspensionis. Simili etiam pœna prohibemus, ne alicui eandem distribuunt, qui publicæ liturgiæ (juxta ecclesiæ Anglicanæ instituta) recusat interesse; vel qui librum publicarum precum ac sacramenta administrandi, ritusve et ceremonias quaslibet in eodem præscriptas, aut quicquam sive in articulis, qui in synodo, anno M.D.LXII. conclusi sunt, sive in libro de ordinatione presbyterorum, et episcoporum comprehensum frequenter et notorie calumniatur; vel qui majestatis suæ supremam in causis ecclesiasticis auctoritatem ullo dicto audet convellere, aut lædere; nisi singuli taliter delinquentes coram ministro, præsentibus una œconomis, delicti sui pœnitentiam professi, viva voce prius spondiderint, si nesciant scribere, se deinceps in eo genere nequaquam peccaturos, vel, si norint scribere, sub chirographo suo idem promiserint: quod eorum chirographum minister accipiens, ad episcopum diœcesanum, vel loci ordinarium quamprimum transmittet. Proviso semper, quod ministrorum quilibet, qui a sacra cœna aliquem arcebit (prout in præsentem, vel in superiore canone constitutum habetur) ad partis querelam, vel ordinarii requisitionem, talis facti sui rationem dicto ordinario reddet, atque ejusdem in ea parte beneplacito et mandato acquiescet.

30

XXVIII. *Extranei a cœnæ communionem repellendi.*

Œconomi et inquisitores, sive assistentes (non minus quam ministri) attente observabunt, num omnes et singuli ex parochia sua toties ad sacræ cœnæ communionem

annuatim accedant, quoties hujus regni legibus, ac nostris etiam constitutionibus jubentur: ac ulterius numqui extranei frequentius et usitatus a parochiis alienis ad ecclesiam suam conveniant; eosque (siqui erunt) ministro suo indicabunt, ne forte ad mensam Domini inter cæteros recipiantur; quod ii omnimodo prohibebunt, dictosque extraneos ad proprias parochiæ suæ ecclesias ac ministros demittent, ut illic cum vicinis suis una communicent.

XXIX. *Parentes in liberorum suorum baptismate, et pueri cœnæ Domini incapaces, susceptores esse prohibiti.* 10

Parentes liberorum suorum baptismati interesse non impellentur, neque eisdem etiam permittetur, pro propriis infantibus ad sacrum fontem susceptorum loco respondere. Præterea nulli susceptori, aut susceptrici licitum erit, aliis verbis in respondendo uti, quam quæ in libro publicæ liturgiæ hanc in partem sunt præscripta; nec quisquam ad officium susceptoris vel susceptricis pro parvulis baptizandis, vel confirmandis admittetur, qui cœnæ dominicæ particeps nondum extiterit.

XXX. *Crucis in baptismo ceremonia explicata.* 20

Dolemus, præclarissimum majestatis suæ studium et laborem in colloquio ad aulam Hamptoniensem circa signum crucis in baptismo (inter alia plurima) susceptum, non meliores effectus apud multos consecutum, quin adhuc in eo hæreatur, ejusque in baptismo usus tantopere impugnetur. Itaque quo melius constare possit legitima hujus ceremoniæ ratio, simulque ut omnis scrupulus deinceps amoveatur, qui hominum vere religiosorum conscientias perturbare quoquo modo possit, nos in hac causa inelytissimi regis nostri vestigiis insistentes, ut qui scripturæ auctoritate, et primitivæ ecclesiæ exemplo in eadem ducitur, regulas ac observationes hæc nostris sinceris omnibus ecclesiæ Anglicanæ membris commendamus.

Primo observandum est, quod etiam si Judæi, ac Ethnici apostolos reliquosque christianos irriderent, quod eum prædicarent, in eumque crederent, qui crucis morte esset affectus; tantum tamen aberat, ut vel apostoli, vel reliqui christiani crucis opprobrio seipsos passi sint a professione sua deterreri, ut in eadem exultandi potius, et gloriandi animos inde sumerent.

Imo Spiritus Sanctus per apostolorum ora ipsum crucis nomen (Judæis utique invisum) usque adeo honoravit, ut non modo Christum ipsum crucifixum sub eodem comprehenderet, sed et mortis ac passionis Christi vires, effectus, ac merita, una cum solatiis, fructibus ac promissis universis, quæ nos ex eisdem aut percipimus, aut in futurum expectamus.

Secundo, honor ac dignitas crucis nomini acquisita, etiam et signo crucis, vel ipsa apostolorum ætate (neque enim contrarium ostendi potest) existimationem peperit honorificam; adeo ut christiani haud multo post in cunctis actionibus suis eodem uti cœperint, eo ipso palam et aperte testatum facientes (etiam ad stuporem Judæorum) se minime sibi pudori ducere, quod illum agnoscerent pro Domino et salvatore suo, qui crucis mortem pro ipsis pertulisset. Atque hoc crucis signum non modo ipsi, idque cum ostentatione quadam, solebant adhibere, quoties Judæis passim occurrerent, sed et liberos suos, cum baptismatis aqua abluerentur, eodem signari faciebant, ut eos per crucis symbolum illius servitio dedicarent, cujus in baptismo collata in ipsos beneficia, crucis nomine essent representata; atque adeo hujus signi in baptismo usus in primæva ecclesia receptus est unanimi consensu, maximoque omnium tam Græcorum, quam Latinorum applausu. Quo quidem seculo si quis huic signo se opposuisset, declaratus proculdubio fuisset pro hoste ac inimico nominis crucis, et proinde meritorum Christi, quorum illi tessera et signum adeo displiceret. Denique hujus



signi usum continuum et generalem extitisse, ex multis patrum testimoniis perspicue declaratur.

Tertio fatendum est, crucis signum decursu temporis in ecclesia Romana graves abusus pertulisse, præsertim postquam eam papismi labes ac corruptela semel pervaserat. Cæterum rei abusus legitimum ejusdem usum nequaquam tollit. Imo tantum aberat, ut ecclesia Anglicana ab Italiæ, Galliæ, Hispaniæ, Germaniæ, aliisque similibus ecclesiis voluerit per omnia recedere, quicquid eas sciret tenere, aut observare, ut (quod ecclesiæ Anglicanæ apologia profitetur) ceremonias illas cum reverentia susciperet, quas citra ecclesiæ incommodum, ac hominum sobriorum offensionem retineri posse senserat; et in iis tantum articulis a prædictis ecclesiis dissentiret, in quibus eadem ipsæ tum a pristina sua integritate prius desciverant, tum etiam ab ecclesiis apostolicis, a quibus primum sunt proseminatæ. Quo quidem respectu, inter alias magnæ vetustatis ceremonias, etiam et crucis in baptismo signum in ecclesia Anglicana est retentum, idque ex judicio et praxi venerabilium illorum patrum, magnumque inprimis theologorum, qui regnante Edovardo sexto in eadem claruerunt; quorum alii deinceps ob veræ fidei professionem martyrium constanter pertulerunt, alii reginæ Mariæ temporibus exulantes, ac sub initium regni serenissimæ reginæ nuper defunctæ in Angliam reversi, pro hoc signo semper steterunt, ejusque usum exemplo, ac praxi sua perpetuo commendarunt. Atque hoc ecclesiæ nostræ judicium et praxis comprobata sunt tum per censuram, quæ de libro publicæ liturgiæ tempore Edovardi sexti ferebatur, tum etiam per confessionum harmoniam recentioribus annis publicatam; quoniam nimirum hujus signi in baptismo usus in ecclesia Anglicana congruis omnibus ac idoneis cautelis et exceptionibus contra papisticam superstitionem atque errorem munitus semper fuit, prout in ejusmodi casibus fieri convenit.

Primo enim ecclesia Anglicana jam inde a papismo abolito semper sensit ac docuit, et hodie etiam sentit ac docet, signum crucis in baptismo adhibitum de ipsius sacramenti substantia haudquaquam existere. Nam ut primum minister infantem immergens in aquam, vel ejusdem faciei aquam inspergens, hæc verba recitaverit, Baptizo te in nomine Patris, et Filii, et Spiritus Sancti: infans continuo plenum et perfectum baptismi sacramentum consequitur, adeo ut signum crucis post adhibitum, ad baptismi virtutem aut perfectionem nihil adjiciat, nec idem omisum, de ejus efficacia, aut substantia quicquam detrahat.

Secundo palam est in libro publicæ liturgiæ, infantem, postquam baptismum susceperit (crucis utique signo nondum superveniente) in Christi gregem ac ecclesiam, tanquam perfectum ejus membrum receptum esse, ipsius adeo baptismi virtute, non autem potestate aliqua, quæ signo crucis affingitur. Ita ut propter ipsam crucis memoriam, quæ apud omnes vere in Christum credentes plurimi semper fuit, et reliquas etiam ob causas supra dictas, ecclesia Anglicana ejus signum in baptizando usque retinendum censuerit, secuta nimirum ea in re primitivas et apostolicas ecclesias, atque hunc characterem pro licita externa ceremonia reputans et symbolo honorifico, per quod infans illius obsequio, qui crucis mortem subiit, in perpetuum votus esset et mancipatus; id quod ex verbis in libro publicæ liturgiæ expressis facillime potest perspicere.

Postremo, quum usus signi hujus in baptismo in ecclesia Anglicana purgatus sit ab omni papistica superstitione ac errore, et in primariam institutionem vindicatus; nos freti orthodoxis iis doctrinæ regulis de rebus mediis et adiaphoris, quas divino canoni, ac patrum antiquorum concordæ sententiæ judicamus esse consentaneas, privati cujusque, tum ministri, tum alterius personæ cujuscunque, statuimus esse verum ejusdem usum, publica auctoritate

præscriptum, reverenter amplecti ac recipere; præsertim cum intelligant res, alioqui medias ac indifferentes naturam suam aliquo modo mutare, postquam sub legitimi magistratus edictum, vel interdictum venerint, neque pro cujusque libitu præter legem omittendas esse, cum præcipiuntur, nec cum prohibentur, observandas.

*De ministris, eorumque ordinatione ac functione.*

**XXXI.** *Jejunia quatuor temporum ministrorum ordinationi decreta.*

Cum prisca sanctorum patrum auctoritas, apostolorum 10 exemplo freta, in solenni ministrorum ordinatione preces ac jejunia celebranda præceperit; iisdemque adeo precum et jejuniorum officiis stata quædam tempora ex professo decreverit, in quibus duntaxat sacri ordines essent conferendi; nos sanctum et pium illorum institutum colentes, 15 volumus et statuimus, ut nulli in posterum presbyteri aut diaconi ordinentur, nisi in diebus dominicis immediate sequentibus jejunia quatuor temporum, vulgo Septimanas Cinerum, ad preces et jejunia (idque hunc ipsum in usum) antiquitus institutas, atque in ecclesia Anglicana hodie 20 continuatas. Quod utique fieri volumus in ecclesia cathedrali, vel parochiali, ubi episcopus commoratur ac tempore divinorum, assistente non solum archidiacono, sed et decano, et duobus ad minus præbendariis, aut (illis legitime detentis) quatuor aliis gravioribus personis, quæ 25 magistri artium ad minimum extiterint, et pro publicis concionatoribus legitime approbatæ.

**XXXII.** *Utrumque ordinem eodem die non conferendum.*

Cum ex patrum antiquorum sententia, et primitivæ ecclesiæ praxi diaconi officium ad ministerii dignitatem 30 gradus quidam sit constitutus; statuimus et ordinamus, ut nullus deinceps episcopus aliquam cujusvis conditionis

personam (quibuscunque tandem animi dotibus commendatam) uno et eodem die diaconum et presbyterum constituat; quin ut ritus ea in parte præscriptus in libro de episcopis, presbyteris, et diaconis ordinandis, et inaugurandis, stricte observetur; non quo diaconos omnes presbyterii aditu per annum integrum prohibeamus, cum tamen episcopus justam ejus admittendi causam alioqui invenerit, verum ut cum quatuor tempora diaconorum et presbyterorum ordinationi in singulos annos sint decreta, aliquid saltem spatii detur, ad periculum de singulis faciendum, quales in officio diaconi se exhibuerint, priusquam in ordinem presbyterorum suscipiantur.

### XXXIII. *Neminem sine certo titulo ordinandum.*

Multis jam olim patrum decretis cautum est, ne quem liceret diaconum, vel presbyterum ordinari, nisi quem constaret, certum aliquem et designatum muneris sui exercendi locum per id tempus obtinere; quorum nos auctoritatem secuti, statuimus et ordinamus, ne quis deinceps in sacros ordines admittatur, nisi qui eodem tempore præsentationem sui ipsius ad promotionem aliquam ecclesiasticam infra diocesin illius episcopi, a quo manuum impositionem petit, tunc vacantem exhibuerit; vel verum et indubitatum certificatorium attulerit, sive de ecclesia aliqua infra diocesin seu jurisdictionem dicti episcopi, cujus cura fungi possit, sive de loco diaconi vel presbyteri in cathedrali aut collegiata aliqua ecclesia, infra eandem diocesin vacante, in quo functionem suam exercent; vel nisi fidem fecerit, se esse actu socium, aut jura socii obtinere, vel designatum esse conductitium sive capellanum in aliquo collegio Cantabrigiensi aut Oxoniensi, vel etiam ad magistri gradum ante quinquennium pro-  
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mittendus. Si quis vero episcopus in sacros ordines quemquam asciverit, qui prædictorum aliquo titulo non sit præditus, tunc omnia illi necessaria eatenus subministrabit, donec eidem de aliqua ecclesia prospexerit. Quod si facere recusaverit, per archiepiscopum, uno præ-5 terea episcopo assidente, ab ordinatione diaconorum et presbyterorum per integrum annum suspendetur.

*XXXIV. Certæ conditiones in ordinandis requisitæ.*

Nullus episcopus in sacros ordines quemquam de cætero cooptabit, qui non ex sua ipsius diocesi fuerit, nisi vel 10 ex altera nostratium academiæ prodierit; vel nisi literas, quas vocant, dimissorias attulerit ab episcopo, de cujus jurisdictione existit; et, si diaconus fieri expetit, vicesimum tertium, sin presbyter, vicesimum quartum ætatis suæ annum jam compleverit, ac etiam in altera 15 dictarum academiæ gradum aliquem scholasticum susceperit; vel saltem nisi rationem fidei suæ, juxta articulos religionis in synodo episcoporum et cleri, ann. M.D.LXII. approbatos, Latino sermone reddere possit, et eandem scripturæ testimoniis corroborare; ac ulterius de 20 vita sua laudabili, et morum integritate literas testimoniales exhibuerit sub sigillo alicujus collegii Cantabrigiæ, aut Oxoniensis, ubi antea moram fecerit, vel certe trium aut quatuor gravium ministrorum, una cum subscriptione et testimonio aliorum probabilium et fide dignorum 25 hominum, quibus ejusdem vita et mores per proximum triennium fuerint explorati.

*XXXV. Neminem, nisi prævio solenni examine, ordinandum.*

Episcopus, priusquam cuilibet ordinando manus im-30 ponat, diligenti eum examine excutiet ac explorabit, præsentibus eisdem ministris, quos velit in impositione manuum sibi assistere. Quodsi episcopus legitime im-

peditus prædicto examini vacare nequeat, illud tamen a præfatis ministris solícite fieri procurabit. Proviso semper, ut qui episcopo in dicta examinatione, et manuum impositione adesse debeant, de ipsius cathedrali ecclesia existant (siquidem eorum facultas dabitur) alioqui tres ad minus idonei concionatores ex eadem diœcesi adsciscantur. Quod si quis episcopus vel suffraganeus in sacros ordines quempiam sine prædictis qualitatibus, aut justo (ut supra) examine cooptarit, per provinciæ suæ archiepiscopum ea de re certiores factum, assidente uno alio episcopo, ab omni ordine conferendi potestate in integrum biennium secludetur.

*XXXVI. Neminem, nisi prævia trium articulorum subscriptione, ordinandum.*

Nemo ad sacros ordines, vel ecclesiasticum aliquod beneficium per institutionem aut collationem, vel ad concionatoris, prælectoris, aut catechistæ munus exercendum sive in alterutra academia, sive in cathedrali vel collegiata aliqua ecclesia, sive in urbe aut oppido mercatorio, sive in parochiali ecclesia vel capella, vel alio denique hujus regni loco deinceps admittetur, nisi prius vel ab archiepiscopo, vel episcopo ejus diœceseos, in qua est victurus, vel ab altera academiarum licentiam et facultatem earundem subscriptionibus, et sigillis munitam impetraverit, tribusque sequentibus articulis, modo et forma a nobis præfinitis, subscripserit.

I. Quod majestas regia secundum Deum unicus est et supremus gubernator hujus regni, omniumque aliorum ipsius dominiorum ac territoriorum, tam in omnibus spiritualibus sive ecclesiasticis rebus aut causis, quam in secularibus; et quod nullus extraneus princeps, vel persona, nec ullus prælatus, status, aut dominatus habet aut habere debet ullam jurisdictionem, potestatem, superioritatem, præeminentiam, vel auctoritatem ecclesiasticam

sive spiritualem infra majestatis suæ dicta regna, dominia, et territoria.

II. Quod liber publicæ liturgiæ, et episcopos, presbyteros, et diaconos ordinandi et consecrandi, nihil in se contineat, quod verbo Dei sit contrarium, quodque eodem taliter uti liceat; et quod ipse in publicis precibus, et sacramentis administrandis illam prorsus formam, quæ in dicto libro præscribitur, et non aliam, sit observaturus.

III. Quod libro de religionis articulis, in quos consensus est ab archiepiscopis, et episcopis utriusque provinciæ, ac reliquo omni clero in synodo Londinensi an. M.D.LXII. omnino comprobatur; et quod omnes ac singulos articulos in eodem contentos qui triginta novem, citra ratificationem, numerantur, verbo Dei consentaneos esse agnoscit.

Hisce tribus articulis qui volet subscribere, ad vitandam omnem ambiguitatem, hac verborum formula, nomine et cognomine suo expressis, in subscribendo utetur: "Ego N. N. tribus his præfixis articulis, omnibusque in eisdem contentis, lubens et ex animo subscribo." Quodsi quis episcopus aliquem ordinaverit, admiserit, vel facultate, aut licentia, ut superius dictum est, ulla donaverit, nisi prius sub modo et forma præstitutis subscripserit; is a collatione ordinum, et licentiarum ad concionandum per anni spatium submovebitur. Academias vero, si quid hac in parte deliquerint, juris ultioni, et regiæ censuræ relin- quimus.

XXXVII. *Ordinatis, diæcesin mutantibus, subscriptio coram episcopo diæcesano iteranda.*

Si quis concionandi, legendi, prælegendi, vel catechizandi legitima alioqui potestate præditus (ut supra) in ullam diæcesin ibidem commoraturus devenerit, is ad hujusmodi munera exercenda, vel ad sacramenta celebranda, aut quamlibet ecclesiasticam functionem illic obeundam nullatenus admittetur, a quocunque tandem dictam potestatem

acceperit, nisi prius coram episcopo ejusdem dioceseos, in qua munerum præfatorum aliquo fungi debeat, in supradictos articulos per manus suæ subscriptionem consenserit.

**XXXVIII.** *Ordinati, post subscriptionem prævaricantes, a ministerio removendi.*

Siquis minister, postquam præfatis articulis subscripserit, liturgiæ formula, vel ritibus et ceremoniis quibuscunque in libro precum publicarum in dictis, uti deinceps omiserit, suspensionis pœna coerceatur, ac nisi post<sup>10</sup> mensem se emendarit ac submiserit, excommunicetur; quodsi per alium adhuc mensem in contumacia permanserit, a ministerio sacro amoveatur.

**XXXIX.** *Ordinati sine congruo testimonio ac examine in beneficia non instituendi.* 15

Nullus episcopus ministrum quemvis ab alio episcopo ordinatum, in beneficium aliquod de cætero instituet, nisi qui literas ordinationis suæ eidem ostenderit, et de morum honestate, vitæque probabili congruum testimonium, episcopo id postulante, exhibuerit; ac nisi debite examinatus,<sup>20</sup> ministerio suo dignus inventus fuerit.

**XL.** *Instituendi in beneficia simoniæ suspicionem solenni jurejurando jussi avertere.*

Ad detestabile simoniæ peccatum coercendum (quoniam spiritualium, et ecclesiasticarum functionum, officiorum,<sup>25</sup> promotionum, dignitatum, et beneficiorum nundinatio in Dei conspectu odiosa est, et execranda) statuimus et ordinamus, ut archiepiscopus, omnesque et singuli episcopi, atque alii, quibuscunque jus competit admittendi, instituendi, conferendi, consecrandi, vel electionem con-<sup>30</sup> firmandi cujusvis archiepiscopi, episcopi, vel alterius per-



sonæ ad ecclesiasticam aliquam functionem, dignitatem, promotionem, titulum, officium, jurisdictionem, locum, aut beneficium cum cura, vel sine cura, vel ad ecclesiasticum ullum munus quodcumque; ante omnem ejusmodi institutionem, collationem, consecrationem, vel confirmationem electionis respective faciendam, unumquemque deinceps admittendum, instituendum, conferendum, inaugurandum, aut confirmandum in vel ad archiepiscopatum, episcopatum, vel aliam spiritualem sive ecclesiasticam functionem, dignitatem, promotionem, titulum, officium, jurisdictionem, locum, aut beneficium cum cura, vel sine cura, vel ad ecclesiasticum ullum munus quodcumque, præsentī juramento oneret (quod utique per omnes, quorum intererit, in propriis personis, et non per procuratorem erit præstandum) sub modo et forma sequentibus: “ Ego N. N. juro, me nullam simoniacam solutionem, stipulationem, vel promissum directe aut indirecte per me, vel per alium quemlibet (me conscio, aut consentiente) cuius personæ vel personis quibuscunque fecisse, pro vel de procuracione, vel acquisitione ecclesiasticæ hujus dignitatis, loci, promotionis, officii, vel beneficii (exprimendo respective et nominatim locum illum, in quem admittendus, instituendus, conferendus, installandus, aut confirmandus erit), neque deinceps ullam ejusmodi solutionem, stipulationem, vel promissum absque mea notitia aut consensu factum, quovis tempore præstiturum. Ita me Deus adjuvet per Christum Jesum.”

*XLI. Beneficiorum pluralitas parcius dispensanda, et de personali dispensatorum residentia cautio ineunda.*

Nemini in posterum facultas sive dispensatio concedetur de pluribus beneficiis curatis simul retinendis, nisi taliduntaxat, qui pro eruditione sua dignior, et ad officium suum plenius præstandum habilis et idoneus censebitur; nimirum qui ad gradum magisterii ad minus in altera

nostratum academiæ promotus fuerit, publicusque ac idoneus concionator, idemque legitime approbatus extiterit. Proviso semper, ut sufficienti cautione obstrictus teneatur, de personali sua residentia in singulis beneficiis per bonam anni cuiusquam partem facienda; ac ut ejusmodi beneficia non amplius triginta milliæ spatio abinvicem distent; et denique, ut in eo beneficio, in quo non residebit, concionatorem rite approbatum retineat, qui populum utiliter docere ac informare possit.

**XLII.** *Cathedralium ecclesiarum decani ad congruam residentiam tenentur.* 10

Quilibet decanus, præfectus, guardianus, vel rector primarius cuiusquam ecclesiæ cathedralis, vel collegiatae nonaginta dies ad minus in singulis annis conjunctim vel divisim in dicta cathedrali, vel collegiata ecclesia residebit, verbi divini prædicationi incumbens, et hospitalitatem interim exercens; nisi alias gravibus et urgentibus causis, iisque per episcopum diocesanum approbandis, detentus fuerit, vel legitima aliqua ratione aliter dispensatus. Quamdiu autem illic moram fecerit, ipse cum reliquis pariter canonicis, vel præbendariis residentibus invigilabunt, ut ecclesiæ suæ statuta, et laudabiles consuetudines (modo verbo Dei, et prærogativæ regni non repugnent) necnon universa hujus regni statuta ad ecclesiasticum ordinem spectantia, quæ in suo robore adhuc perdurant, omnesque aliæ constitutiones regia auctoritate hactenus editæ et stabilitæ, et si quæ per episcopum diocesanum, juxta statuta et consuetudines ejusdem ecclesiæ, ac leges ecclesiasticas hujus regni, in visitatione sua legitime præscribentur, inviolate custodiantur; ac ut minores canonici, vicarii chorales, alique ecclesiæ suæ ministri ad sacrarum literarum studium compellantur, et eorum unusquisque Novum Testamentum non solum sermone vernaculo, sed et Latino penes se habeat. 25 30

**XLIII.** *Decani et præbendarii, in ecclesiis cathedralibus residentes, ad sedulam concionandi diligentiam tenentur.*

Cujusque ecclesiæ cathedralis decanus, præfectus, guardianus, vel rector principalis, ac præbendarii, item et canonici non modo in ejusmodi ecclesiis suis, idque in propriis personis, toties concionabuntur, quoties lege, statuto, ordinatione, et consuetudine ad id tenentur; sed in aliis etiam ecclesiis ejusdem diœceseos, in qua resident, ac in iis præcipue locis, unde vel ipsi, vel ipsorum ecclesiæ vectigal aliquod, sive fructus annuos percipiunt. Quodsi ipsi vel ægritudine, vel justa aliqua causa impediti abfuerint, tum concionatores sufficienti auctoritate approbatos sua vice substituent, quales episcopus diœcesanus ad concionandum in ecclesia cathedrali idoneos judicabit. Secus si quis vices suas, prout dictum est, supplere quoquomodo omiserit, per episcopum, vel eos, ad quos ejus ecclesiæ jurisdictio pertinebit, pro delicti merito punietur.

**XLIV.** *Præbendarii beneficiati ad congruam in beneficiis suis residentiam tenentur.*

Nullus ecclesiæ cathedralis aut collegiatæ præbendarius, vel canonicus, qui unum vel plura beneficia curata obtinet, nec in sua ecclesia cathedrali aut collegiata residentiarius existit, a beneficiis suis curatis (prætextu præbendæ suæ) ultra tempus unius mensis aliquo anno aberit, nisi ex urgente causa, et pro certo tempore per episcopum diœcesanum approbandis. Qui autem ex dictis canonicis et præbendariis per ecclesiæ suæ cathedralis aut collegiatæ ordinationes ad necessariam in eisdem residentiam tenentur, ii inter se anni tempora ita partientur, pro residentia in dictis ecclesiis facienda, ut semper eorum aliqui personaliter illic resideant; omnesque, quotquot in præsentem sunt, aut de cætero futuri sunt residentiarii in ulla cathedrali aut collegiata ecclesia, post

exactum residentiæ suæ terminum, per statuta localia, aut consuetudinem ecclesiæ suæ definitum, ad beneficia sua, vel unum ex iis, aut saltem ad aliam aliquam curam, in qua ipsorum præsentia lege requiritur, quamprimum convolabunt, ut debitis illic officiis perfungantur, juxta 5 leges in ea parte constitutas, quas episcopus diocesanus curabit executioni mandari.

**XLV.** *Beneficiati concionatores, in beneficiis suis residentes, jugiter tenentur concionari.*

Singuli beneficiati in beneficiis suis residentes, dum-10 modo sint legitima auctoritate ad concionandum admissi, per singulos dies dominicos, justo impedimento cessante, in ecclesiis aut capellis suis, vel vicinarum aliqua ministro concionatore destituta (ubi maxime facultas datur) concionem ad populum habebunt unam, in qua sobrie, et 15 sincere verbum veritatis dividunt in Dei gloriam, et salutarem populi ædificationem.

**XLVI.** *Beneficiati non concionatores vicariam concionatoris operam jubentur singulis mensibus adhibere.*

Omnis beneficiatus ad concionandum non admissus, 20 concionem singulis mensibus unam ad minus in ecclesia sibi credita, per concionatorem legitime approbatum, haberi procurabit, si tamen beneficii valor ordinarii judicio id ferre posse videbitur; omni autem die dominico, cum in ipsius ecclesia deficiet concio, dictus beneficiatus ali-25 quam ex homiliis, publica auctoritate præscriptis aut præscribendis, per se vel certe per curatum suum recitabit.

**XLVII.** *Beneficiati, a beneficiis suis legitime absentes, curatum concionatorem jubentur adhibere.* 30

Quilibet beneficiatus, cui propter necessitatem officii alias incumbentis dispensatio de non residendo in bene-

ficio suo per hujus regni leges est indulta, per curatum, qui concionator sit idoneus, et sufficienti auctoritate approbatus, curæ suæ prospiciet, modo beneficii valor non repugnet. Cæterum qui duobus simul beneficiis perfruitur, is in illo beneficio, in quo ipse non residet, 5 concionatorem legitimum retinebit, nisi ipsum constiterit in utroque jugiter concionari.

**XLVIII.** *Ministri, nisi ex episcopi vel ordinarii approbatione, pro curatis non admittendi.*

Nulli curato aut ministro permittetur ullibi curæ ani- 10 marum inservire, nisi prius per episcopum diocesanum, vel loci ordinarium episcopali jurisdictione præditum examinatus ac admissus fuerit, ejusque rei testimonium manu episcopi et sigillo consignatum obtinuerit; habito 15 semper respectu tum ad curæ ipsius magnitudinem, tum ad personæ admittendæ habilitatem. Quinetiam dicti curati et ministri, siquando ex una diœcesi in alteram transierint, nequaquam ad curam ullam exercendam admittentur, nisi episcopi ejus diœceseos, unde advenerint, vel loci ordinarii (ut supra) literis testimonialibus de 20 ipsorum honesta conversatione, sufficientia, et conformitate ad ecclesiasticas regni Anglicani leges muniti accesserint. Nec vero eorum cuilibet licitum erit, pluribus quam uni ecclesiæ aut capellæ uno eodemque die ministrare, nisi forsitan capella illa ecclesiæ parochialis mem- 25 brum existat, aut eidem unita, vel nisi ecclesia aut capella, cui taliter inserviet, judicio episcopi vel ordinarii (ut supra) curato alendo non sufficerit.

**XLIX.** *Ministris ad concionandum non admissis glossæ et paraphrases in publica scripturarum lectione interdictæ.* 30

Nullus cujuscunque conditionis minister, non prius per episcopum diocesanum examinatus et approbatus, aut pro sufficiente et idoneo concionatore, ut prædictum

est licentiatus, in sua ipsius cura vel alibi locum aliquem scripturæ, aut doctrinæ sacræ exponere præsumat; sed solum apte et distincte sine glossis aut additamentis legere studebit homilias publica auctoritate hætenus editas, aut de cætero edendas, in veræ fidei confirmationem, et populi instructionem atque ædificationem.

*L. Concionatores adventitii absque legitima missione ad concionandum non admittendi.*

Minister, œconomi, alique ecclesiæ officarii neminem patientur in suis ecclesiis aut capellis concionari, nisi qui licentiis suis ad prædicandum exhibitis, justa auctoritate (ut supra) in eam partem muniti comperientur.

*LI. Advenæ concionatores, nisi auctentico testimonio commendati, ad concionandum in ecclesiis cathedralibus non admittendi.*

15

Decani, præfecti, et residentiarii cathedralis et collegiæ ecclesiæ cujuscunque nemini extraneo in suis ecclesiis concionandi potestatem facient, nisi qui ejusdem provinciæ archiepiscopi, aut episcopi diœcesani, vel alterutrius academiæ approbatione suffultus venerit. Quodsi quem contigerit in concione sua dogma aliquod in populum disseminare vel novum vel minus consonum verbo divino, ullive ex religionis articulis in synodo anno M.D.LXII. approbatis, aut etiam libro precum publicarum; decani aut residentiarii quam poterunt mature per literas suas, eorum manu subscriptas, qui dictam concionem audierint, episcopo diœcesano id intimabunt, quo is, quod ipsi videbitur, de eo statuat.

*LII. Concionatorum advenarum nomina in librum referenda.*

30

Ut episcopo (causa id postulante) constare possit, tum quæ conciones in singulis ecclesiis suæ diœceseos ha-

beantur, tum qui sine legitima auctoritate concionari præsumant; œconomi ecclesiarum, eorumque assistentes librum quendam comparabunt, in quo unusquisque concionator, qui ad ipsorum ecclesiam aliunde accesserit, nomen suum inscribet, adjecto etiam die, in quo concionem ibidem habuerit, ac episcopi nomine, a quo concionandi potestatem acceperit.

LIII. *Concionatorum mutuis oppositionibus pulpita non patebunt.*

Si quis concionator doctrinam ullam, ab alio concionatore in eadem vel vicina aliqua ecclesia traditam, particulariter aut nominatim ex professo impugnare, et pro concione refellere attentabit, priusquam episcopum diœcesanum de ea certiolem fecerit, et ejusdem mandatum acceperit, quam eo in casu rationem sequi debeat, cum alioqui ex publicis ejusmodi oppositionibus multum scandalum et perturbationis populo oriri possit; œconomi vel pars læsa absque omni mora dicto episcopo illud significabunt, neque præfatum concionatorem patientur illum locum, quo semel abusus sit, deinceps occupare, nisi sancte receperit se ab omni ejusmodi contentions materia in ecclesia temperaturum, donec episcopus de ea re ulterius statuerit: qui item quamprimum commode poterit in ea taliter procedet, ut parti læsæ in eadem ecclesia, in qua oblatum est scandalum, publice satisfiat. Proviso semper, ut si altera pars appellationem interposuerit, eidem concionandi officium, pendente lite, sit interdictum.

LIV. *Concionatores schismatici licentiis suis mulctati.*

Si quis per archiepiscopum, aut episcopum ullum, vel alterutram academiam in præteritum ad concionandum admissus, quovis deinceps tempore recusaverit legibus, institutis, et ritibus ecclesiasticis infra regnum Anglicanum stabilitis seipsam conformem reddere, eundem per

episcopum diocesanum, vel loci ordinarium quamprimum admoneri volumus, ut eorundem usui et debitæ observationi se submittat. Quodsi, tali admonitione præmissa, infra mensem se minime reformarit, ejusdem facultatem sive licentiam ad concionandum eo ipso irritam esse et pro nulla habendam decernimus.

*LV. Precationis formula a concionatoribus in concionum suarum ingressu imitanda.*

Omnes concionatores et ministri in aditu cujusque suæ concionis, lecturæ, et homiliæ populum hortabuntur, ut secum in precibus concurrat in hunc aut similem modum, idque (quantum licet) summaria brevitate: Precamini pro Christi sancta ecclesia catholica, id est, pro universo oetu christiani populi per orbem terrarum diffusi ac disseminati, specialiter vero pro ecclesiis Angliæ, Scotiæ, et Hiberniæ; et in his præcipue pro excellentissima regia majestate, clementissimo domino nostro Jacobo, Dei gratia Angliæ, Scotiæ, Franciæ, et Hiberniæ rege, fidei defensore, et super omnes personas in omnibus causis, tam ecclesiasticis, quam civilibus, infra regna et dominia sua summo gubernatore. Precamini etiam pro serenissima regina Anna, nobilissimo principe Henrico, reliquaque regia sobole illustrissima. Precamini etiam pro ministris divini verbi, et sacramentorum, tam archiepiscopis et episcopis, quam cæteris pastoribus et curatis. Precamini etiam pro honoratissimis regiæ majestatis consiliariis, ac proceribus, et magistratibus hujus regni universis; ut hi omnes et singuli in sua quisque vocatione, ad Dei gloriam, populique ædificationem, et rectam administrationem officiiis suis diligenter, et fideliter perfungantur, memores reddendæ olim rationis, cum ad Christi tribunal sistentur judicandi. Precamini etiam pro populo et plebe hujus regni universa, ut in vera fide, et sancto timore Dei, in humili erga regem obedientia, et fraterna erga seinvicem charitate vitam suam instituant. Postremo gratias et



laudes Deo reddamus pro illis omnibus, qui in fide Christi ex hac vita excesserunt; humiliter Deo supplicantes, ut per illius gratiam vitam nostram ad pium eorum exemplar dirigamus, ut ita tandem hac mortali vita defuncti, resurgamus cum illis in die Jesu Christi ad coelestem gloriam, 5 et vitam æternam: semper cum oratione dominica concludentes.

LVI. *Ministris mere concionatoribus precum publicarum lectio, et sacramentorum administratio bina annuatim injuncta.* 10

Omnis minister in beneficio curato constitutus, licet prædicationi potissimum vacet, et curatum sub se retineat, qui reliqua ecclesiæ officia ipsius vice exequatur; similiter etiam quilibet concionator stipendiarius, qui prælegendi, catechizandi, aut concionandi munus in aliqua ecclesia 15 vel capella exercet, liturgiam publice recitabit duobus ad minus cujusque anni diebus dominicis, ad horas tum matutini, tum vespertini temporis consuetas et usitatas, atque ea in ecclesia, in qua beneficiatus est, vel prælectoris, catechistæ, aut concionatoris munere fungitur; toties 20 item sacramenta baptismi (si qui erunt baptizandi) et cœnæ dominicæ quotannis administrabit, modo et forma omnibusque iis ritibus et ceremoniis observatis, quæ in libro publicæ liturgiæ in ea parte præscribuntur. Qui secus fecerit, si beneficio dotatus est (ut supra) pœnam 25 suspensionis incurret; stipendiarius vero, sive is lectoris sive catechistæ, sive demum concionatoris nomine censetur, per episcopum diœcesanum a munere submoveatur, donec se conformem præbuerit, ad omnia præfata officia sub modo et forma supradictis rite perficienda. 30

LVII. *A ministris non concionatoribus sacramenta efficaciter administrari.*

Cum multi a falsis doctoribus in errorem inducti, liberos suos nisi per ministrum concionatorem nolint baptizari,

eodemque respectu ad sacram cœnam, nisi per talem administratam, recusent accedere, ac si illorum sacramentorum virtus et efficacia a ministro in concionando facultate penderet; cum tamen integra tum baptismi, tum sacræ cœnæ doctrina, quæ ad sacramentorum eorundem administrationem desideratur, in libro publicæ liturgiæ tam plene, et integre sit expressa, ut eidem nihil addi possit, quod solidum sit et necessarium; omnibus tali errore deceptis mandamus et præcipimus, ut proterviam hanc ipsorum pertinaciam de cætero deponant, ac ecclesiæ institutis hac in parte obsequantur; cum quoad eorundem sacramentorum efficaciam nihil intersit, utrum a ministro non concionatore, an secus administrantur. Quodsi qui deinceps hac in re deliquerint, parochiæque suæ ecclesiæ eo intuitu declinantes, alienis vel sacram cœnam susceperint, vel liberos suos baptizari fecerint, neque mandato hoc nostro admoniti ab errore suo et illicita hac ratione destiterint; ad loci ordinarium per ministrum, œconomos, et inquisitores, vel assistentes parochiæ suæ deferantur, talibus censuris ecclesiasticis per eum castigandi, quales adeo obstinatæ pervicaciæ merito debentur: id est, si contumaces permanserint, primo suspensionis; si ultra mensem deinceps perseverarint, excommunicationis pœna coerceantur. Pariter si quis rector, vicarius, vel curatus, post præsentium canonum promulgationem, quamlibet personam, quæ non sit de sua ecclesia vel parochia, ad sacræ cœnæ communionem recipere, vel ex talium liberis aliquem baptizare præsumpserit, eosdem hac ratione in errore suo confirmans, is suspensionis pœna eo ipso obstrictum se intelligat, a qua nequaquam absolvetur, priusquam sancte promiserit, se hac in parte de cætero nullatenus offensurum.

*LVIII. Ministris sacra peragentibus superpelliciorum et epomidum usus injunctus.*

35

Ministrorum quilibet, dum vel publicas preces recitat,

vel sacramenta administrat, aliosve ecclesiæ ritus peragit, decente et congruo superpellicio eoque manicato induetur, quod communibus parochianorum impensis comparabitur. Si qua autem controversia super ejusdem materia, vel competente decencia oriatur, ordinarii discretio eandem terminabit. Quotquot vero ex ministris gradum aliquem in academia susceperint, ii inter sacra peragenda superpelliciiis suis adjicient et caputia, singulorum gradibus convenientia, quorum tamen usum ministris minime graduatis sub pœna suspensionis interdiciamus. Nihilominus et huic ministrorum classi loco caputiorum liripipia permittimus ex nigro (modo ne serico) suis superpelliciiis injicienda.

LIX. *Catechizandi diligentia ministris injuncta.*

Quilibet rector, vicarius, et curatus singulis diebus dominicis et festivis ante preces vespertinas, ad semihoræ spatium vel amplius, juventutem, et plebem rudiores suæ parochiæ examinabit, et instituet in decalogo, symbolo apostolico, et oratione dominica; eosque diligenter audiet, instruet, et erudiet in catechismo, qui extat in libro precum publicarum: omnesque patres, et matresfamilias jubebunt liberos, ac famulos suos, qui dictum catechismum nondum tenent, tempore constituto ecclesiam adire, ut ministro diligenter et humiliter auscultent et obtemperent, donec eundem perdidicerint. Quodsi quis minister in hoc officio negligens fuerit et remissus, re ad episcopum vel loci ordinarium delata, et debite intemata, primum acriter corripiatur; si hic se submittere, deinceps tamen in eadem re volens deliquerit, suspensionis sententiam incurrat; si tertio offenderit, quandoquidem exigua spes restat illius hac in parte reformandi, excommunicationis censura, donec se correxerit, obstrictus usque teneatur. Simili modo si qui parentes, patres aut matresfamiliarum, vel eorum liberi, apprenticii, famulive officio suo hac in re defuerint; illi quidem non compellendo suos, ut veniant; hi vero, ne discant, recusando,

per ordinarium suum, modo adulti sint, suspensione pleccantur; et si per mensem sic perstiterint, excommunicentur.

**LX.** *Confirmationis solennitas in triennali episcoporum visitatione celebranda.* 5

Cum solennis, antiqua, et laudabilis in ecclesia Dei consuetudo fuerit, ab ipsis usque apostolorum temporibus observata, ut episcopi quique parvulis baptizatis, et in catechismo christianæ religionis instructis manus imponentes, super illis orarent ac benedicerent, quod vulgo confirmatio nominatur; cumque in triennali episcoporum visitatione mos sanctissimi istius operis peragendi in ecclesia per multas ætates obtinuerit; volumus et ordinamus, ut quilibet episcopus vel ejus suffraganeus in consueta visitatione sua morem et ritum illum in propria persona diligenter observet; quodsi tertio demum anno aliqua infirmitate impeditus visitationem suam personaliter obire nequeat, at saltem illud confirmationis munus illo proximo anno, prout commode poterit, nequaquam omittet. 20

**LXI.** *Catechumeni episcopo visitanti per ministrum ad confirmationem sistendi.*

Unusquisque minister curam habens animarum, quo melius instituta et ritus ad confirmationem spectantes, qui in libro publicæ liturgiæ præscripti habentur, debite possint conservari, diligenter providebit, ne ulli ad manuum impositionem episcopo sistantur, nisi qui fidei suæ rationem norint reddere, juxta catechismum in libro prædicto contentum. Cumque episcopus huic officio celebrando tempus aliquod certum præfixerit, minister sedulam dabit operam, ut quam queat plurimos ad hoc instruat, ac inducat coram episcopo confirmandos comparare. 30

**LXII.** *Ministri sine bannis rite indictis, vel legitime dispensatis matrimonium celebrare prohibiti.*

Nullus minister, sub pœna suspensionis per triennium ipso facto incurrendæ, matrimonium inter ulla personas celebrabit, absque facultate seu licentia ab aliquo eorum, 5 qui in hisce constitutionibus nostris inferius designantur, indulta et concessa; nisi banna matrimonialia per tres dies dominicos separatim fuerint denunciata, idque publice in ecclesiis parochialibus aut capellis, ubi partes prædictæ commorantur, ac tempore divinorum, prout in libro publica liturgiæ habetur. Neque ullus minister, sub pœna simili, inter quaslibet personas, quantumvis ejusmodi facultatem seu indulgentiam habentes, quocunque prætextu matrimonium solennizabit vel tempore aliquo incongruo, sed duntaxat intra horas octavam et duodecimam ante- 15 meridianas; vel in loco privato, sed in ecclesiis tantummodo vel capellis, ubi partium altera commoratur, idque similiter tempore precum publicarum; vel omnino (etiamsi trina bannorum indictio præcesserit, nec ulla proinde dispensatio requiratur) priusquam parentes aut gubernatores 20 contrahentium, si vicesimum primum ætatis suæ annum non compleverint, consensum suum vel personaliter, vel per testimonium luculentum dicto ministro significarint.

**LXIII.** *Ministri in locis exemptis sine bannorum justa indictione, vel dispensatione legitima matrimonium celebrare prohibiti.*

Quilibet minister, qui contra atque in constitutionibus hisce nostris cautum est, inter personas quascunque matrimonium celebrabit, sub prætextu cujuslibet immunitatis, quæ certis ecclesiis ac capellis arrogatur, per loci 30 ordinarium, in quo sic offensum erit, triennali suspensione punietur; si quis autem minister ex loco, ubi sic deliquerit, ante latam contra ipsum suspensionis sententiam,

se transtulerit; tunc per episcopum diocesanum, vel ordinarium loci, in quo residebit (ab altero ordinario, cujus jurisdictioni se subduxit, ea de re sub ipsius manu et sigillo certiore factum) eadem omnino censura ferietur.

LXIV. *Feriae a ministris solenniter indicendae.* 5

Rectores, vicarii, et curati omnes in sua cujusque ecclesia singulis diebus dominicis, ad tempus in libro publicae liturgiae praestitutum, populo denunciabunt, si qui dies festivi, et vigiliae in sequentem septimanam sint institutae. Quodsi quis deinceps hac in re volens offendit, et per ordinarium suum semel admonitus, officium illud secundo omiserit, debita juris animadversione puniatur, donec huic constitutioni adimplendae se submitserit.

LXV. *Recusantes et excommunicati a ministris solenniter denunciandi.* 15

Ordinarii locorum, infra suas respective jurisdictiones, sollicite providebunt, ut tam excommunicati ex eo, quod divinis precibus infra hoc regnum Angliae publica auctoritate stabilitis, interesse pertinaciter recusaverint, quam ii etiam, praecipue qui melioris notae et conditionis extiterint, legitimaeque excommunicationis sententia propter insignem contumaciam, vel graviora aliqua crimina obstricti fuerint, nisi infra tres continuos menses post latam excommunicationis sententiam se emendaverint, et abso- lutionis gratiam fuerint consecuti, singulis ex mensibus sequentibus publice in ecclesia tum parochiali, tum etiam cathedrali dioceseos, in qua habitant, die aliquo dominico, ac tempore divinorum pro excommunicatis per ministrum denuncientur; quo reliqui et ab eorum communione declinent, et procliviores reddantur ad breve de excommunicato capiendum procurandum, quo illos ad officium et debitam obedientiam reducant. Quinetiam registrarii 25 30

cujuslibet curiæ ecclesiasticæ de præmissis omnibus et singulis, quolibet anno infra festa S. Michaelis, et natalis Domini, archiepiscopum hujus provinciæ in scriptis facient certio-rem.

LXVI. *Recusantium conversio a ministris sedulo* 5  
*elaboranda.*

Quilibet minister, cui concionandi facultas est, si quem papisticum recusantem, vel recusantes infra suam parochiam habuerit, dummodo per episcopum idoneus judicetur, sedulam illis subinde operam dabit, ut, si fieri 10 possit, errantes in viam veritatis reducat. Quodsi is vel non concionator, vel non talis existat, tum concionatoris idonei operam subsidiariam, siquidem poterit, in eum finem procurabit. Quodsi non datur, episcopo diocæsano illud significabit, cujus erit non modo vicino alicui 15 concionatori aut concionatoribus id laboris imponere, sed et ipsum (quantum per arduas occupationes licuerit) summo studio contendere, ut docendo, persuadendo, modisque blandis et benignis omnibus tum dictos recusantes, tum omnes infra suam diocæsin sic affectos a suis erro- 20 ribus deducat.

LXVII. *Ægrotantes a ministris sedulo visitandi.*

In omni parochia cum aliquis ex morbo decumbens, in periculo mortis videtur constitutus, minister ea de re certior factus eundem visitabit, nisi exploratum sit, vel 25 probabiliter suspectum, morbum esse contagiosum, ut animam ejus in hoc adverso ipsius statu salutari doctrina, et consolatione erigat, idque sub forma in libro publicæ liturgiæ concepta, si non sit concionator; alias prout ipsi maxime videbitur expedire. Morte vero jam ingruente, 30 aliqua campana pulsabitur, neque minister supremo officio suo hac in parte deerit. Cum autem expiraverit, si utique expirare eum contingat, campana per breve tantummodo.

spatium utrinque pulsabitur, quod idem tam ante, quam post sepulturam observandum decernimus.

LXVIII. *Ministri baptismum, aut sepulturam denegare vetiti.*

Nullus minister aut renuet, aut detrectabit infantem ullum, qui die quovis dominico aut festivo ad ipsum in ecclesiam baptizandus adducetur, juxta ritum in libro precum publicarum editum baptizare; vel defunctum aliquem, qui in ecclesiam vel cœmeterium inhumandi causa deferetur, data prius ejus rei notitia competente, sub modo et forma in dicto libro præfinitis sepelire. Quodsi hunc vel illum baptizare, aut sepulturæ tradere recusaverit (nisi forte defunctus denunciatus fuerit majoris excommunicationis vinculo propter grave aliquod et insigne crimen obstrictus, neque de ejus pœnitentia testari quisquam potuerit) a ministerio suo per episcopum diocesanum trimestri spatio secludetur.

LXIX. *Ministri baptismum in articulo necessitatis differre vetiti.*

Si quis minister de infirmitate, aut mortis periculo infanti cuilibet infra suam parochiam nondum baptizato imminente, debite et citra fraudem commonefactus, et ad locum, ubi dictus infans existet, ejus baptizandi causa rogatus accedere, vel plane recusaverit, vel per contumaciam, aut latam negligentiam tempus ita produxerit, ut cum tempestive posset dictum locum adiisse, et infantem præfatum baptizasse, is tamen ejusdem culpa expers baptismi moriatur; dictus minister trimestri suspensioni subiacebit, neque absolutionis gratiam consequetur, antequam coram loci ordinario culpam præteritam agnoscens, pro cætero polliceatur, se in hoc genere scienter nequaquam peccaturum. Proviso semper, ut in illis parochiis, in quibus curatus, aut substitutus extiterit,



præsens constitutio non ad ipsum rectorem aut vicarium, sed ad dictum curatum vel substitutum illic præsentem extendatur.

LXX. *Ministri baptizatorum, nubentium, et sepultorum  
registrum conservare jussi.* 5

In omni hujus regni ecclesia parochiali et capella liber ex pergamento parochianorum sumptibus comparabitur, in quo conscribi volumus diem et annum cujusque baptis-  
matis, matrimonii, et sepulturæ, quæ infra eandem paro-  
chiam contigerint, ex quo lex in eam partem primum<sup>10</sup>  
lata est, quatenus veterum registorum copia haberi  
potest, præcipue vero ab initio regni serenissimæ reginæ  
nuper defunctæ. Ad quem librum tutius asservandum  
œconomi (communibus parochianorum impensis) cistam  
crassam et firmam curabunt confici, cum tribus seris et<sup>15</sup>  
clavibus, quarum una penes ministrum, reliquæ duæ penes  
œconomos separatim custodientur; ita ut nec ministro  
liceat sine œconomis, neque œconomis, nisi ministro ad-  
hibito, librum prædictum de cista promere. Singulis vero  
inposterum diebus dominicis, statim post finitas matutinas<sup>20</sup>  
vel vespertinas preces, minister et œconomi librum illum  
membranaceum de cista prædicta sument, ac minister in  
præsentia œconomorum in eodem inscribet omnium per-  
sonarum nomina, quotquot præcedente hebdomade infra  
eandem parochiam baptizata (adjectis item parentum no-<sup>25</sup>  
minibus, et cognominibus) vel matrimonio conjunctæ, vel  
sepultæ fuerint, singulorum etiam die et anno specificatis;  
quo facto dictum librum in cistam, ut prius, recondent:  
ac minister et œconomi singulis ejusdem libri paginis,  
postquam inscriptionibus ejusmodi impletæ fuerint, no-<sup>30</sup>  
mina sua subscribent. Porro œconomi semel omni anno,  
idque infra terminum unius mensis post beatæ virginis  
Annunciationem, ad episcopum diœcesanum vel ejus can-  
cellarium transmittent verum registrum sive scripturam  
eorum omnium nomina continentem, qui infra suam paro-<sup>35</sup>

chiam anno proxime elapso, et ad dictum Annunciationis diem terminante, vel baptizati, vel nupti, vel sepulturæ traditi fuerint, die ac mense, quibus singula gesta sunt, sigillatim adscriptis, cum ipsius etiam ministri, ac œconomorum subscriptionibus, ut illud in ejusdem episcopi archivis possit fideliter custodiri; quod registrum sive certificarium absque feodo recipietur. Quod si minister aut œconomi in præmissorum executione remissiores fuerint, tum episcopo vel ejus cancellario licebit eosdem convenire, et contra eos tanquam nostrarum constitutionum contemptores procedere.

**LXXI.** *Ministri concionum et cœnæ dominicæ publicam religionem in privatas ædes invehere prohibiti.*

Nullus minister in cujusquam privatis ædibus vel concionabitur, vel sacramenta administrabit, nisi tempore necessitatis, cum quis vel per imbecillitatem ecclesiam adire non valens, vel morbo gravi et periculoso conflictatus, sacrosancti fieri particeps sacramenti expetiverit; sub pœna suspensionis pro delicto primo, et excommunicationis pro secundo. Proviso, illas ædes hic pro privatis censerit, in quibus nulla existit capella consecrata, ac legibus hujus regni ecclesiasticis approbata. Proviso etiam, sub pœnis supradictis, ne quis capellanus vel concionem habeat, vel sacram communionem alibi administret, quam in capellis ædium prædictarum; idque raro admodum faciat in diebus dominicis et festivis, ut domini et magistri illarum ædium cum suis familiis in ecclesiis suis parochialibus alias convenire possint, ibidemque una vice ad minus singulis annis communicare.

**LXXII.** *Ministri publica jejunia, prophetias appellatas, et exorcismos privato ausu celebrare prohibiti.*

Nullus minister aut ministri nisi mandatum et licentiam episcopi diœcesani prius impetraverint, ipsius manu

et sigillo communitam, solennia ulla jejunia sive publice, sive in privatis ædibus indicent, aut celebrabunt, vel etiam eisdem scienter intererunt (exceptis iis, quæ aut jam legibus instituta sunt, aut publica auctoritate inposterum instituentur) sub pœna suspensionis pro delicto primo, excommunicationis pro secundo, et depositionis pro tertio. Nec quisquam minister præsumet, absque licentia (ut dictum est) impetrata, condicere, aut celebrare ullos conventus pro concionibus, quæ vulgo exercitia, aut prophetiæ nonnullis nuncupantur, in oppidis mercatoriis, aut alio quovis loco, sub pœnis supradictis; nec sine simili licentia tentabit sub quolibet prætextu sive possessionis, sive obsessionis, per jejunium et precatioes dæmonia seu spiritus malos ejicere, atque expellere, sub pœna imposturæ imputandæ et depositionis a ministerio sacro.

LXXIII. *Ministri conventicula privata conciliare prohibiti.*

Quoniam conventicula et clandestina presbyterorum et ministrorum conciliabula ecclesiæ, in qua vixerint, incolumitati pernicioso merito semper sunt existimata; statuimus et ordinamus, ut nulli deinceps presbyteri, sive verbi divini ministri, vel alii quicumque in privatis ullis ædibus, vel alio quovis loco seorsim conveniant, consilium capturi de quavis re, aut ratione per ipsos vel ipsorum suasu ac consilio per alios ineunda, quæ ad doctrinæ in ecclesia Anglicana stabilitæ, vel libri publicæ liturgiæ præjudicium, aut derogationem ullatenus spectare possit, sub pœna excommunicationis ipso facto subeundæ.

LXXIV. *Ministris in vestitu gravitas præcepta.* 30

Veræ, antiquæ, ac florentes Christi ecclesiæ, cum semper in primis studerent, ut ipsorum prælati et clerici tam in externo honore, quam interna reverentiâ propter mini-

sterii sui dignitatem haberentur, consultum putarunt ut iidem, congrui et decentis alicujus habitus certa et præscripta forma utentes, in omnibus locis, et conventibus tam intra, quam extra ecclesiam a populo discerni possent, ac internosci, ut ea ratione honorem, et existimationem specialibus omnipotentis Dei nunciis et ministris debitam consequerentur. Nos ergo venerandum illorum judicium, veteremque ecclesiæ Anglicanæ consuetudinem secuti, omnino nobis pollicentes fore, ut a factiosis quibusdam affectata in vestitu novitas progressu temporis evanescat; statuimus et ordinamus, ut omnes archiepiscopi et episcopi consuetum ordinum suorum habitum non intermittant. Similiterque ut omnes decani, collegiorum præfecti, archidiaconi, et præbendarii cathedralis et collegiatæ cujusque ecclesiæ (modo in sacris ordinibus constituti) doctores in theologia, jure civili, et medicina, bacalarii in theologia, magistri artium, et bacalarii in jure civili, siquidem ecclesiasticum aliquod beneficium obtinent, togis cum collaribus erectis manicisque ad manum contractionibus, vel laxioribus, prout in academiis usitatum est, una cum caputiis, vel liripipiis ex serico, et pileis quadratis de more utantur: et ut alii omnes ministri ad idem munus admissi, vel admittendi, prædicto vestitus genere (exceptis tantum liripipiis) consuetim induantur. Pari ratione ulterius decernimus, ut ecclesiastici omnes superius nominati in itinere usitatius gerant pallia cum manicis indutis, quæ vulgo presbyterorum pallia appellantur, sine fimbriis, limbis, fibulis oblongis, aut scissuris. Nullus item, in quocunque ordine ecclesiastico positus, pileolo ullo lineo acupicto utetur, sed simplice tantum ex nigro serico, tramoserico, aut holoserico. In qua vestitus forma, particulatim a nobis hic descripta, non id agimus, ut ullam vestibus ipsis sanctioniam aut præcipuam dignitatem tribuamus, sed ut gravitas, decorum, atque ordo (uti diximus) per omnia conserventur. Cæterum in privatis ipsorum domiciliis,

ac musæis decentis eujuslibet et scholastici vestitus usum, modo ne scissuris aut puncturis variegati, dictis personis ecclesiasticis permittimus; proviso, uti ne in publicum nisi <sup>a</sup> promissis vestibus induti prodeant, nec tibialia gerant colorata. Tenuioribus vero sive beneficiatis sive <sup>5</sup> curatis, qui talarium togarum sumptibus non sufficiunt, liberum erit togis uti curtioribus, ad formam prædictam comparatis.

LXXV. *Vitæ sobrietas ministris præcepta.*

Ministri œnopolia, aut cauponas, nisi propter congruas <sup>10</sup> ipsorum necessitates, non frequentabunt, nec in iis cibum capient, aut bibent. Nec vero sordidæ alicui aut illiberali operæ assuescent, nec potationibus, et crapulæ se dedent, tempusve interdiu, vel noctu otiose transigent in alea, chartis pictis, tesseris, aliisve ludis illicitis exercitati; sed <sup>15</sup> horis omnibus opportunis vel scripturis legendis, aut audiendis incumbent, vel alii cuiquam studio aut exercitio laudabili vacabunt, ea semper facientes, quæ ad probitatem et virtutem spectant, seduloque operam dantes, ut ecclesiam Dei promoveant, memores nimirum, debere se <sup>20</sup> reliquis omnibus vitæ innocentia prælucere, populoque universo ad vitam recte, et pie instituendam, exemplo esse; sub pœna sanctionum ecclesiasticarum, quas pro delicti qualitate severius illis infligendas præcipimus.

LXXVI. *Ministris a vocatione sua resilire interdictum.* <sup>25</sup>

Nullus in diaconi aut presbyteri ordinem semel admissus quovis deinceps tempore ab eodem volens recedet, nec in vitæ suæ instituto pro laico se geret, sub pœna excommunicationis; eorumque omnium nomina, si qui vocationem suam taliter abjicient, per œconomos paro- <sup>30</sup> chiarum, in quibus habitant, ad episcopum diœcesanum, vel loci ordinarium episcopali jurisdictione præditum deferentur.

<sup>a</sup> Cassocks.

*De pædagogis sive ludimagistris.***LXXVII.** *Publice vel privatim injussu ordinarii docere prohibitum.*

Nemo sive in schola aliqua publica, sive in privatis ædibus pueros docebit aut erudiet, nisi qui ab episcopo diœcesano vel loci ordinario licentiam ejusdem manu et sigillo roboratam obtinuerit; quique tum propter eruditionem, et dexteram in docendo facultatem, tum etiam propter morum gravitatem, et integritatem, ac verum sinceræ religionis intellectum aptus et idoneus reperietur; et denique qui primo et tertio articulis supra memoratis integris, ac secundi duobus prioribus membris subscripserit.

**LXXVIII.** *Curati ad docendum habiles ab ordinario aliis præferendi.*

15

In omni ecclesia parochiali, vel capella, in qua curatus extiterit, qui in magisterii aut bacalareatus gradu constitutus, vel alias habilis ad docendum sit, et ad augenda victus sui subsidia, puerosque in principiis rectæ fidei instituendos, operam munusque illud docendi lubens velit suscipere; statuimus et ordinamus, ut nulla facultas sive licentia ad pueros illius parochiæ, in qua talis curatus existet, erudiendos cuivis nisi dicto curato per loci ordinarium concedatur. Proviso semper, quod præsens constitutio ad parochiam aliquam vel capellam, in oppidis ruralibus sitam, in qua schola publica fundata fuerit, minime pertinebit; quo casu consentaneum ducimus, licentiam ad grammaticam ibidem docendam nemini concedi, præterquam publicæ illius scholæ magistro.

**LXXIX.** *Ludimagistrorum officia.*

30

Ludimagistri omnes pueros suos catechismum vel ampliorem, vel breviorum publicam auctoritate hactenus edi-

tum Latine, aut Anglice pro captu puerorum edocebunt; ac quoties infra parochiam, in qua docent, concionem aliquam sacro quolibet et festivo die haberi contigerit, discipulos suos adducent ad ecclesiam, in qua dicta concio fiet, curabuntque ut ibidem quiete et modeste se contineant, eosque inde reversos tempore aliquo congruo sigillatim ad examen revocabunt, quid ex dicta concione didicerint. Aliis autem diebus, talibus sententiis ex sacra scriptura haustis eosdem instruent ac instituent, quales ad eorum mentes pietate imbuendas maxime utiles, et idoneæ videbuntur. Dicti etiam ludimagistri grammaticam auctoritate Henrici octavi editam, et deinceps Edwardi sexti, et reginæ Elizabethæ felicissimæ memoriæ temporibus continuatam, et non aliam prælegent aut docebunt. Quodsi quis pædagogus post factam (ut supra) subscriptionem, et licentiam sive facultatem obtentam, in quolibet præmissorum deliquerit, et contra aliquid, cui pridem subscripserat, dicere, scribere, aut docere compertus fuerit, si interposita ordinarii admonitione se non correxerit, a docendi munere de cætero submoveatur. 20

*De ecclesiis, et rebus ecclesiasticis.*

LXXX. *Libri sacri in ecclesiis parandi.*

Ecclesiarum et capellarum omnium œconomi et inquisitores librum publicarum precum, nuper in paucis explanatum ex auctoritate regia, juxta leges et majestatis suæ hac in parte prærogativam, sumptibus parochianorum comparabunt, idque quantum commode poterunt mature et celeriter, ita ut terminum duorum mensium ad summum post constitutiones hasce promulgatas nequaquam excedant. Et si quæ ecclesiæ, vel Bibliis amplissimi voluminis, vel homiliarum libris publica auctoritate approbatis adhuc carebunt, præfati œconomi similiter efficient, ut dicti libri parochianorum impensis infra tempus idoneum coemantur. 25

LXXXI. *Baptisteria in ecclesiis paranda.*

Prout cautum est prisca quadam constitutione, hodie in quibusdam partibus neglectius habita, statuimus et ordinamus, ut in omni ecclesia et capella, ubi baptismus administrari consuevit, baptisterium ex lapide in loco antiquitus usitato statuatur; in quo duntaxat ministris licebit infantes publice baptizare.

LXXXII. *Mensæ in sacræ cœnæ usum in ecclesiis parandæ.*

Cum nobis minime dubium existat, quin omnibus hujus 10 regni ecclesiis prospectum sit de mensis congruis et decentibus ad cœnæ dominicæ celebrationem; statuimus et ordinamus, ut eadem mensæ convenienter et decore conserventur, et subinde reficiantur, ac tempore divini cultus operiantur tapete ex serico, sive ex alia materia, quæ per 15 loci ordinarium, sicubi de ea quæstio oriatur, congrua et decora judicabitur; ipso autem administrationis tempore panno lineo mundo, prout tali mensæ convenit, vestiantur, suoque certo loco consistent, nisi cum sacramentum erit administrandum, quo quidem tempore in ecclesia, vel 20 ejusdem cancello ita constituentur, ut tum minister inter precandum et administrandum commodius possit a communicantibus exaudiri, tum communicantes etiam convenientius et majore numero a ministro sacramentum percipere. Insuper statutum et decretum sit, ut decalogus 25 pingatur in orientali cujusque ecclesiæ et capellæ parte, unde a populo commodissime cerni et legi possit, ac aliæ selectæ scripturarum sententiæ in earundem parietibus passim in locis opportunis describantur. Similiter etiam ut sedes congrua ministro construatur, in qua divinas 30 preces recitet; atque hæc omnia parochianorum sumptibus perficientur.



LXXXIII. *Pulpita idonea in ecclesiis paranda.*

Ecclesiarum œconomi, et inquisitores in suis respective ecclesiis pulpitem conveniens et decorum communibus parochianorum impensis fieri providebunt, quod in ecclesiæ loco idoneo pro arbitrato ordinarii, si quid ambigi de eo contigerit, constituetur, in divini verbi prædicationem decenter ibidem asservandum.

LXXXIV. *Cistæ ad eleemosynarum custodiam in ecclesiis comparandæ.*

Ecclesiarum œconomi, ac inquisitores infra tres menses<sup>10</sup> post harum constitutionum promulgationem, sumptibus parochianorum comparabunt, nisi forsam jam comparatam habeant, cistam validam et firmam cum fissura in suprema parte ejusdem, et tribus clavibus, quarum una a rectore, vicario, vel curato, reliquæ duæ ab œconomis pro tempore<sup>15</sup> existentibus separatim custodientur. Quæ cista disponetur in locum maxime opportunum, ad parochianorum eleemosynas pro pauperibus ejusdem ecclesiæ excipiendas. Quinetiam rectores, vicarii, et curati non cessabunt parochianos suos invitare, hortari, et jugiter incitare, tum<sup>20</sup> vero præcipue cum testamenta sua conficiunt, ut huic cistæ pro ipsorum facultatibus largiantur; eisdem insinuando, quod cum hactenus multas opes, præter Dei mandatum, in supersticiosos usus studiose impenderit, multo propensiores esse debeant, hoc præsertim tempore,<sup>25</sup> ad egenos et pauperes sublevandos; cum non ignorent, misericordiam in pauperes sacrificium Deo gratum et acceptum esse, et quicquid in eorum subsidium et levamen datur, Christo dari, Christumque ejusmodi dona in eam partem accipere, ut illa sit benigne remuneraturus. Quas<sup>30</sup> eleemosynas et pias populi largitiones per singulos annos, vel tres menses, aut sæpius (pro causarum vel temporum conditione) custodes clavium, præsentem maximam parochianorum parte, vel sex illorum præcipuis, de cista pro-

ferent, ut inter vicinos suos maxime indigentes vere et fideliter possint distribui.

LXXXV. *Ecclesiæ sartæ tectæ conservandæ.*

Ecclesiarum œconomi, et inquisitores diligenter prospicient, ut ecclesiæ suæ probe et congrue reparantur, et sic perpetuo custodiantur; ut fenestræ bene vitratæ, ac pavimenta plana et æquabilia existant; adeoque omnia honeste et decore in eisdem servantur, absque pulvere, aut ullo cœni aut sordium genere, quod ingratum, aut indecorum esse possit, prout domo Dei inprimis convenit, et in homilia quadam hujus argumenti præcipitur. Pari diligentia providebunt, ut cœmeteria debite reparata, munita, et septa custodiantur sive muris, sive vacerris, sive palis (pro loci consuetudine) eorum impensis, ad quos jure pertinebit. Inprimis vero curabunt, ut in omnibus populi ad rem divinam conventibus pax et quies religiose conserventur, omnesque quotquot excommunicationis vinculo publice et notorie sunt innodati, ab ecclesiæ liminibus arceantur.

LXXXVI. *Ecclesiæ de tertio in tertium annum perlustrandæ, et earum defectus regis commissariis intimandi.*

Omnis decanus, decanus et capitulum, archidiaconus, aut alius quilibet, cui visitationes ecclesiasticas obeundi jus et potestas ex compositione, lege, aut præscriptione competit, unoquoque triennio ecclesias omnes suæ jurisdictioni subjectas semel perlustrabit, vel saltem perlustrari faciet; et singulis annis infra eundem terminum regis commissariis pro causis ecclesiasticis subinde denunciabit, quos defectus reparatione indigentes in dictis ecclesiis, aut earum aliqua compererit, appositis eorum nominibus et cognominibus, qui in singulis sint culpabiles. Qua informatione accepta, prædictos commissarios rogamus, ut ejusmodi personas coram se citatas, talis cujusque

ordinarii, qui informationes præfatas fecerit, justis et legitimis decretis parere compellant.

**LXXXVII.** *Terrarum et peculiorum ad ecclesias spectantium inventaria conficienda, et in episcoporum archivis asservanda.* 5

Archiepiscopus, et episcopi omnes in sua quisque diœcesi (quantum in ipsis erit) efficient, ut justum inventarium, sive terrarium omnium glebarum, quas vocant, fundorum, pratorum, hortorum, pomariorum, ædium, peculiorum, utensilium, tenementorum, et portionum, decimarum, extra suas parochias positarum, quæ ad rectoriam, vicariam, vel ruralem quamlibet præbendam noscuntur spectare, per singulas parochias ex inspectione proborum hominum per episcopum designandorum, quorum minister unus erit, in scriptis redigatur, ac in suis archivis ad perpetuam rei memoriam asservetur. 15

**LXXXVIII.** *Ecclesiarum religio profanis usibus non polluenda.*

Ecclesiarum œconomi, et inquisitores, vel assistentes nequaquam patientur ludos scenicos, convivia, epulas, cœnas solennes, invitationes publicas, symposia, curias seculares, visus franci plegii, juratas laicas, lustrationes militum, vel profanum ullum usum sive ritum in ecclesiis, capellis, aut cœmeteriis suis fieri, aut celebrari; neque etiam campanas superstitione pulsari in illis festivitibus, aut earum vigiliis, quæ in libro publicæ liturgiæ sunt antiquatæ, vel alio quovis tempore, nisi ex causa idonea tam per ipsos, quam per ministrum approbata. 25

*De ecclesiarum œconomis, et inquisitoribus, sive assistentibus.* 30

**LXXXIX.** *Æconomorum electio, et rerum ecclesiasticarum procuratio.*

Omnes ecclesiarum œconomi, sive inquisitores paro-

chianorum et ministri sui unito consensu, siquidem id fieri possit, eligentur. Qui si in tali electione dissenserint, tum ministro licebit unum eligere, parochianis alterum; nec quisquam pro œconomo habendus erit, nisi quem ejusmodi consensus sive conjunctus, sive divisus elegerit; neque iidem etiam in officio suo ultra annum, nisi de integro ad modum prædictum electi, permanebunt. Omnesque œconomi ad dicti anni terminum vel saltem infra ejusdem termini mensem unum pecuniæ tum acceptæ tum expensæ, sive in reparationes, sive in alios quoscunque ecclesiæ usus veram et particularem rationem ministro et parochianis reddent; quin etiam officio suo abeuntes, parochianis cedent quicquid pecuniæ aut alterius rei cujuscunque ad ecclesiam sive parochiam jure pertinentis, in ipsorum manibus residuum supererit, ut per eos in succedentium œconomorum custodiam per billam indentatam transferatur.

XC. *Inquisitorum sive assistentium electio, eorumque cum œconomis officii communitas.*

Ecclesiarum omnium œconomi, sive inquisitores, adhibitis in singulis parochiis duobus, tribus, aut etiam pluribus discretis hominibus, qui per ministrum, et œconomos, siquidem inter eos convenire poterit, alias per loci ordinarium pro assistentibus eligentur, sedulo invigilabunt, ut parochiani omnes ecclesias suas diebus dominicis et festivis debite frequentent, atque in iisdem per integrum tempus rei sacræ perdurent; quo item tempore neminem in ecclesia ejusdemve porticu aut cœmeterio deambulare, vel otiari, aut garrere patientur; si quos autem compererint remissius aut negligentius ecclesiam adire, nulla magna aut ardua absentiae suæ causa constante, eosdem serio admonebunt, et, nisi debite admoniti se emendaverint, ad loci ordinarium deferent. Horum autem œconomorum, et inquisitorum, vel assistentium annuam electionem in paschali hebdomade celebrandam decernimus. 35

*De ostiariis sive clericis parochialibus.***XCI.** *Clericos parochiales eligendi jus ministro cedit.*

Nullus in parochialis clericus, quem vocant, locum vacantem infra civitatem Londinensem, vel alibi infra provinciam Cantuariensem eligetur, nisi per rectorem aut 5 vicarium, vel defectu rectoris aut vicarii, per ejusdem ecclesiæ ministrum pro tempore existentem; quam electionem dictus rector, vicarius, aut minister subsequente die dominico tempore divinorum parochianis suis denunciabit. Omnis autem ejusmodi clericus parochialis annos 10 ad minus viginti natus erit, et de vita probabili, ac idonea legendi, scribendi, et cantandi, quoad ejus fieri potest, scientia dicto eligenti cognitus. Idemque clerici taliter electi stipendia sua antiquitus consueta, absque dolo aut diminutione, vel ab œconomis, ad tempora hactenus usi- 15 tata, vel ex propria collectione percipient, juxta parochiæ cujusque ritum, ac consuetudinem maxime inveteratam.

*De curiis ecclesiasticis ad archiepiscopi jurisdictionem spectantibus.***XCII.** *Testamentorum probatio, justa bonorum notabilium 20 summa constante, prærogativarum curiæ dumtaxat competit.*

Cum multi hactenus per apparitores curiarum tum inferiorum, tum prærogativæ archiepiscopalis graviter distracti et varie vocati et compulsi fuerint super probatione 25 testamentorum, et administrationis bonorum in causa intestati petitione, variisque inde laboribus, molestiis, et expensis superflue gravati fuerint, et fatigati; statuimus et ordinamus, ut omnis cancellarius, commissarius, officialis, aut alius quicumque jurisdictionem ecclesiasticam 30 exercens, singulos ad curiam suam super testamenti probatione vel administrationis bonorum negotio citatos, aut

etiam ultro advenientes primo et ante omnia juramento oneret, num sciant, vel speciali aliqua causa permoti firmiter credant, defunctum, de cujus testamento, vel bonis agitur, bona aliqua, aut debita idonea in alia quavis diocesi, vel diocesisibus, aut in peculiari alia jurisdictione infra eandem provinciam sita, quam in qua obiit, usque ad valorem quinque librarum, tempore vitæ et mortis suæ habuisse. Et si talis citatus, vel sponte accedens super juramento suo affirmaverit, se scire, vel (ut præfertur) firmiter credere, quod ejusmodi defunctus bona, 10 vel idonea debita in alia aliqua diocesi, vel diocesisibus, vel in peculiari aliqua jurisdictione infra eandem provinciam, ad valorem prædictum habuerit, eademque peculiariter expresserit, ac declaraverit; tum statim eum dimittet, nec vel testamentum talis defuncti probare, vel 15 administrationem bonorum sic ab intestato decedentis concedere, neque alias expensas, quam pro citatione debitas, vel etiam pro aliis processibus contra eundem super ipsius ulteriore forsitan contumacia adhibitis, ab eo exigere præsumet, sed hoc negotium ad prærogativam 20 archiepiscopalem ejusdem provinciæ spectare, aperte, diserteque profitebitur; quinetiam partem ipsam monebit et hortabitur, ut apud judicem dictæ prærogativæ testamentum illud probet, vel administrationem talium bonorum petat, et coram ipso ejusmodi probationem sive 25 administrationem, sigillo curiæ prærogativarum munitam, infra quadraginta dies continuos exhibeat. Quodsi quis cancellarius, commissarius, officialis vel alius ecclesiasticam jurisdictionem exercens, vel eorum registrarius aliquis contrafecerit; ab executione officii sui ipso facto suspensum se noverit, nullatenus absolvendum, donec omnes pecuniarum summas, contra tenorem præmissorum per dictam partem expensas, eidem restituerit; talisque sive testamenti probatio, sive administrationis concessio quæcunque ipso jure pro nulla habeatur. Registrarius etiam 35 cujusque judicis inferioris apparitorem curiæ prærogativæ,

semel duntaxat singulis mensibus ad se venientem, sine omni difficultate certiores reddet; quos executores vel administrationem petentes iudex suus infra mensem proxime tum præcedentem, ob incompetentiam suam in hac parte jurisdictionis, ad curiam prærogativæ dimiserit; 5 idque sub pœna menstruæ suspensionis ab exercitio officii pro singulis ejusmodi delictis. Proviso semper, quod præsens constitutio, vel aliquid in eadem contentum, compositioni ulli, quæ inter archiepiscopum, et episcopum quemvis, vel alium ordinarium intercesserit, neutiquam 10 præjudicabit; nec etiam iudici cuivis inferiori, qui ullam testamenti probationem, vel bonorum administrationem alicui tam ex dicta inferiore curia, quam ex curia prærogativæ sponte et consulto eandem petenti concesserit. Proviso itidem, quod si quem in itinere mori contingat, 15 bona illa, quæ tunc temporis penes se habuerit, testamentum ipsius vel bonorum administrationem curiæ prærogativarum nequaquam subjicient.

XCIII. *Testamentorum probatio, justa bonorum notabilem summa non comparente, ordinariis vendicatur.* 20

Statuimus insuper et ordinamus, ne quis iudex prærogativæ archiepiscopalis ad præmissorum aliquod quemlibet ex officio citet, aut citari faciat, nisi eidem prius constiterit, defunctum tempore vitæ et mortis suæ bona vel catalla in aliqua alia diœcesi vel diœcesibus, vel etiam 25 peculiari jurisdictione, infra eandem provinciam sita, quam in qua fato cessit, ad summam quinque librarum ad minus habuisse. Nam qui minorem aliquam summam hoc casu habet, eundem bona notabilia non habere, per præsentem decernimus et declaramus. Proviso, quod hæc clausula, 30 in hac, et in præcedente constitutione expressa, ad illas diœceses nullatenus extendatur, in quibus ex compositione vel consuetudine bona notabilia majore summa definiuntur. Quod si quis iudex prærogativæ, aut ejus deputatus, vel eorundem registrarius, aut apparitor ali-

quem secus, quam ut præmissum est, citaverit, aut citari vel moneri ad curiam suam fecerit, eundem expensas parti sic citatæ vel monitæ refundere volumus, et acta ejusdem ipso jure vacua, et pro nullis habenda pronunciamus. Quas expensas si vel judex, vel registrarius, vel apparitor taliter rependere detrectaverit, ab executione officii sui, donec illud præstiterit, suspendetur.

**XCIV.** *In curias de arcubus, et audientiæ extra proprium territorium (nisi consentiente episcopo diæcesano) nemo citandus.*

10

Neque decanus de arcubus, neque officialis consistorii archiepiscopalis, neque judex audientiæ posthac nomine vel suo, vel archiepiscopi Cantuariensis sive ex officio sive ad instantiam partis originaliter citabit, monebit, aut quomodo compellet, vel citari, moneri, aut compelli faciet aliquem, qui particularem dicti archiepiscopi diæcesin, vel peculiare ejusdem jurisdictiones non inhabitat, ad comparandum coram ipsis vel ipsorum aliquo, super causa vel re quacunque ad cognitionem ecclesiasticam pertinente, absque diæcesani sui licentia prius impetrata, extra casus speciales in statuto, anno xxiii. Henr. VIII. cap. 9. diserte exemptos, et reservatos. Quodsi quis dictorum judicum contrafecerit, is pro singulis ejusmodi delictis ab officii sui exercitio per tres menses suspendetur.

25

**XCV.** *Duplices querelæ, nisi justi gravaminis facta fide, in curiis archiepiscopi non concedendæ.*

Tametsi pristinæ constitutiones ecclesiæ Anglicanæ duorum mensium tempus episcopis indulerint, infra quod de sufficientia et qualitate cujusque ministri, qui ipsi præsentatus esset, in beneficium aliquod instituendus, inquirere et plenius informari posset; nos tamen quibusdam incommodis occurrere volentes, spatium illud



bimestre ad terminum viginti et octo dierum per præ-  
sentes contrahimus, et abbreviamus. Cujus contrac-  
tionis intuitu statuimus et ordinamus, ut nulla duplex  
querela ex curia ulla archiepiscopi ad instantiam ministri  
cujuscunque concedatur, nisi prius jurejurando fidem fe-  
cerit, quod præfatus terminus viginti et octo dierum ad  
minus effluxerit, ex quo dictam sui ipsius præsentationem  
episcopo exhibuerit, et episcopus se taliter præsentatum  
instituire recusaverit, vel nisi cautionem fidejussoriam  
sufficientem interposuerit, se assertionem illam veram  
esse legitime probaturum; sub pœna suspensionis semestris  
ab officii sui exercitio singulis talem actionem sive du-  
plicem querelam concedentibus, per archiepiscopum toties  
quoties denuncianda, ac etiam nullitatis ad omnem juris  
effectum cujusque duplicis querelæ sic indebite procu-  
ratae. Proviso semper, quod infra prædictum tempus  
viginti et octo dierum episcopus alium nullatenus insti-  
tuet, in præjudicium partis ita præsentatæ, idque sub  
pœna nullitatis.

*XCVI. Inhibitiones in causis instantiæ absque advocati  
subscriptione non concedendæ.*

Ut episcoporum jurisdictiones illæsæ (quantum fieri  
potest) conserventur, ac ut hujus regni subditis melius  
consulatur, ne frivolis aut injustis litibus de cætero fati-  
gentur, ordinatum et provisum est, quod nulla deinceps  
inhibitio, ex quacunque curia archiepiscopi Cantuariensis  
ad instantiam partis emanabit, sine subscriptione advo-  
cati ibidem exercentis, id quod gratis et absque feodo  
aut salario ab eodem fiet; nisi forte is, qui causam conse-  
cutus fuerit, pro ipsius in eadem consilio aliquod ei ultro  
erogaverit. Pari ratione decretum sit, ne ad instantiam  
alicujus partis ulla emanet inhibitio ab episcopo, aut ejus  
cancellario contra archidiaconum, vel quemvis alium ec-  
clesiastica jurisdictione utentem, absque advocati (ut præ-  
fertur) subscriptione. Quodsi forsitan in curia alicujus

episcopi nullus extiterit advocatus, tunc subscriptio procuratoris ibidem exercentis sufficiet.

**XCVII.** *Inhibitiones in causis correctionis, nisi gravamine judici prius cognito, non concedendæ.*

Statutum insuper et decretum sit, ut nulli deinceps 5  
inhibitio concedatur, per occasionem alicujus decreti interlocutorii, aut in quacunque causa correctionis, nisi sub forma præcedente; et ulterius, quod ante emanationem istiusmodi inhibitionis ipsa appellatio, aut verum  
ejusdem exemplar, juramento super ejusdem veritate 10  
præstito, judici aut ejus legitimo deputato exhibeatur, unde et de qualitate delicti, et causa gravaminis judici prædicto ante inhibitionem emissam summatim possit constare. Porro quilibet appellans aut ejus legitimus  
procurator, ante inhibitionem in causa correctionis ob- 15  
tentam, judici aut suo deputato ostendet verum transcriptum sive copiam actorum, unde se gravatum queritur, et a quibus appellat; aut juramentum suscipiet, se diligentiam loco et tempore opportunis præstitisse pro eisdem comparandis, nec potuisse tamen a registrario in partibus 20  
aut ejus deputatis, oblato salario, eadem adipisci. Si quis vero iudex, aut registrarius inhibitionem quamlibet (sic ut præfertur) contra formam prædictam sigillari procuraverit, aut permiserit, ab executione officii sui per tres menses suspendatur; sin vero procurator aliquis, aut quivis alius 25  
de ipsius mandato contra tenorem præmissorum in aliquo deliquerit inhibitiones sive conficiendo, sive emittendo, præmissis non observatis, ab exercitio muneris sui prædicti per annum integrum, sine spe veniæ aut restitutionis, amoveatur. 30

**XCVIII.** *Inhibitiones schismaticis, nisi subscribentibus, non concedendæ.*

Quoniam legis auxilium frustra implorat, qui in legem committit; cautum sit, et provisum, ut sicubi iudex

ecclesiasticus adversus refractarios, factiosos, ac ceremoniarum contemptores, ob non servatos ecclesiæ Anglicanæ ritus, vel ob precum publicarum contemptum, judicialiter processerit; nullus iudex “ad quem” eorum appellationes admittat, nisi pars appellans, appellationis protocollo dicto 5 iudici per ipsum exhibito, in propria persona receperit, se omnes ecclesiæ Anglicanæ ritus ac ceremonias, et formam publicæ liturgiæ præscriptam bona fide observaturum, ac etiam nisi tribus articulis superius a nobis specificatis subscripserit. 10

*XCIX. Intra gradus prohibitos matrimonium contractum ipso jure nullum.*

Nemo matrimonium contrahat intra gradus divino jure prohibitos, ac expressos in tabula quadam ex auctoritate publica anno Domini M.D.LXIII. edita; omniaque matrimonia taliter contracta, incesta et illegitima judicabuntur, et proinde, ut ab initio vacua, sive nulla, dissolventur, partesque ita conjunctæ per juris processum separabuntur. Tabulam autem prædictam in singulis ecclesiis parochianorum sumptibus publice proponi, atque affigi vo- 20 lumus.

*C. Minores 21. annis absque parentum consensu matrimonium contrahere prohibiti.*

Nullis liberis, qui vicesimum primum ætatis suæ annum nondum compleverint, absque consensu parentum, aut, 25 defunctis parentibus, tutorum sive gubernatorum suorum, conjugia, sive sponsalia licebit contrahere.

*CI. Facultates pro bannis matrimonialibus omittendis, per quos, et quibus sint concedendæ.*

Nulla in posterum facultas sive indulgentia, pro matri- 30 monio absque trina bannorum denunciatione juxta librum publicæ liturgiæ inter quoslibet celebrando, per quamvis

personam jurisdictionem ecclesiasticam exercentem, vel privilegia ulla ecclesiæ suæ nomine sibi vendicantem, nisi tantum per eos, qui episcopalem auctoritatem obtinent, vel per commissarium ad facultates, vel sede plena, per archiepiscopi, et episcoporum vicarios generales, aut sede vacante, per custodes spiritualitatis, vel ordinarios episcopalem jurisdictionem de jure exercentes, et non per alios concedetur; idque duntaxat illustris, ac claræ conditionis hominibus, suæ respective jurisdictioni subditis, interposita etiam idonea et sufficienti cautione. 10

CII. *In facultatibus pro bannorum omissione concedendis cautio interponenda, et sub quibus conditionibus.*

Dicta cautio condiciones hasce complectetur. Primo, quod tempore ejusdem dispensationis concedendæ nullum existit impedimentum ratione præcontractus, consanguinitatis, affinitatis, vel alterius causæ cujuscunque de jure prohibitæ, quod dicto matrimonio occurrere, aut obstare possit. Secundo, quod nulla controversia, lis, seu querela mota sit vel pendeat in aliqua curia coram ullo iudice ecclesiastico super aliquo contractu vel matrimonio alterutrius dictarum partium cum alia quavis persona. Tertio, quod parentum, modo sint in vivis, vel alias tutorum sive gubernatorum suorum expressum consensum hac in parte obtinuerunt. Postremo, quod dictum matrimonium in ecclesia parochiali, vel capella, ubi contrahentium alter commoratur, et non alias, idque publice in facie ecclesiæ inter horas octavam et duodecimam curabunt solemnizari. 15 20 25

CIII. *Eædem conditiones ob majorem cautelam jurejurando suffultæ.* 30

Ut omnis deinceps fraus et dolus in obtinendis ejusmodi facultatibus evitetur; statuimus insuper et ordinamus, quod ante obtentam facultatem pro matrimonio

absque bannis celebrando, judici constabit de expresso consensu parentum, vel parentis, eorum altero defuncto, aut tutorum vel tutoris, per juramentum duorum fide dignorum testium, quorum unus vel judici ipsi, vel alii cuiuspiam bonæ existimationis tum præsentis, ac eidem etiam judici cognito, pro tali innotescet. Et ulterius, ut alter contrahentium juramentum subeat, se credere, nullum legitimum impedimentum ratione præcontractus, consanguinitatis, affinitatis, vel alterius causæ cujuscunque de jure prohibitiæ obstare, nullamque litem aut controversiam in foro aliquo ecclesiastico, motam esse, quominus dictum matrimonium, juxta tenorem ejusdem facultatis, ad effectum procedat.

CIV. *Parentum consensus viduis contrahentibus remissus.*

15

Quodsi uterque contrahentium in viduitate constitutus pro bannis omittendis dispensationem petierit, tunc clausulam prædictam, per quam parentum consensus requiritur, licebit prætermitti, ita tamen ut parochiæ, in quibus utraque pars commoratur, in dispensatione exprimantur, atque illa parochia nominatim designetur, in qua ejusmodi matrimonium sit postea celebrandum. Siquis vero commissarius ad facultates, vic. generalis, aut dictorum ordinariorum aliquis in præmissis, aut quolibet præmissorum deliquerit, is pro singulis ejusmodi delictis ab executione officii sui per spatium semestre submoveatur, et licentia sive indulgentia hujusmodi viribus vacua, et pro nulla ad omnem juris effectum habebitur, ac si omnino non fuisset concessa; partesque ejusdem virtute in matrimonio conjunctæ pœnis illis subjacebunt, quæ in nuptias clandestinas sunt constitutæ.

CV. *Pro conjugio dirimendo nuda partium confessio non audienda.*

Quoniam matrimoniales causæ inter graviores semper

habitæ fuerint, et propterea majorem cautelam desiderent; siquando in judiciis veniant disceptandæ, præsertim cum matrimonium in ecclesia debite solemnizatum, quovis nomine separari, vel nullum pronuciari postulatur; strictè mandamus et præcipimus, ut in omnibus divortiorum et nullitatis matrimonii processibus circumspecte et deliberate procedatur, ac quantum fieri poterit, rei veritas testium depositionibus aliisque probationibus legitimis eruatur, nec soli extrajudiciali, aut judiciali et juratæ partium confessioni fides habeatur. 10

CVI. *Sententiæ divortii et separationis non nisi pro tribunali ferendæ.*

Nullæ in posterum sententiæ vel separationis a thoro et mensa, vel nullitatis matrimonii prætensi ferantur, nisi publice, ac pro tribunali, et de scientia ac consensu vel archiepiscopi infra provinciam suam, vel episcopi infra propriam diœcesin, decani de arcibus, judicis audientiæ Cantuariensis, aut vicariorum generalium, aliorumve officialium principalium, vel sede vacante, custodum spiritualitatis, aut aliorum ordinariorum, quibus de jure com-20 petit, in suis respective jurisdictionibus, ac curiis, atque inter suæ jurisdictionis subditos tantum.

CVII. *Separatis, eorum altero superstite, nova copula interdicta.*

In sententiis, quando ad separationem thori et mensæ tantum interponuntur, monitio, et prohibitio in ipso contextu sententiæ latæ fiet, ut a partibus abinvicem dissociatis caste vivatur, nec ad alias nuptias, alterutra vivente, convoletur. Denique quo postremum illud firmiter observetur, sententia separationis non ante pronuciabitur, quam qui eam postulabunt, idoneam cautionem interposuerint, se contra dictam monitionem et prohibitionem nihil commissuros. 30

**CVIII.** *Sanctio in iudices contra præmissa delinquentes.*

Quodsi quis iudex sententiam separationis, seu divortii tulerit, et præmissa omnia non præstiterit, per annum integrum ab executione officii sui per archiepiscopum, vel episcopum diocesanum suspendetur. Et sententia separationis, contra formam prædictam lata, pro nulla ad omnem juris effectum habebitur, ac si omnino lata non fuisset.

*De curiis ecclesiasticis ad episcopos, et archidiaconos spectantibus.*

10

**CIX.** *Peccata et scandala notoria in curiis ecclesiasticis denuncianda.*

Si qui per manifestum adulterium, stuprum, incestum, ebrietatem, jurandi consuetudinem, lenocinium, foederationem, vel aliam quamcunque vitæ turpitudinem aut nequitiam fratres suos offenderint; ecclesiarum œconomi, et inquisitores, sive assistentes in proximis præsentationibus suis ad ordinarios omnium et singulorum ejusmodi delinquentium nomina fideliter deferent, ut legum severitate pro meritis possint castigari. Tales autem notorii delinquentes ad sacram cœnam, donec mores in melius commutarint, nequaquam admittentur.

**CX.** *Schismatici in curiis detegendi.*

Si œconomi ecclesiarum, et inquisitores, sive assistentes de aliquo infra suam parochiam vel alibi resciverint, qui vel verbo Dei legendo, aut sincere prædicando, vel constitutionum præsentium executioni obstare conabitur, vel etiam usurpatæ ulli et extraneæ potestati, hujus regni legibus jamdiu merito repudiatæ, atque abolitæ, favebit atque adhærebit, vel dogma aliquod papisticum ac erroneum astruet, aut tuebitur; dicti œconomi, et inquisitores

sive assistentes episcopo diocesano, vel loci ordinario eundem detegent, et indicabunt, ut pœnis et censuris per ecclesiasticas sanctiones irrogatis coerceatur.

**CXI.** *Precum divinarum perturbatores in curiis detegendi.*

In omnibus episcoporum et archidiaconorum visita-<sup>5</sup> tionibus œconomi, et inquisitores sive assistentes eorum omnium nomina vere et personaliter præsentabunt, qui incivilliter aut immodeste in ecclesia se gesserint, vel in-  
tempestiva campanarum pulsatione, obambulatione, gar-  
ritu, aut alio quovis strepitu concionatorem, vel ministrum <sup>10</sup>  
interpellaverint.

**CXII.** *Puberes in festo Paschatis non communicantes in curiis detegendi.*

Ecclesiarum parochialium, et capellarum ministri, œcono-  
mi, inquisitores, sive assistentes quolibet anno infra <sup>15</sup>  
quadraginta dies post festum Paschatis episcopo, vel can-  
cellario suo exhibebunt nomina et cognomina omnium  
utriusque sexus de sua parochia, qui majores sedecim  
annis ad sacrosanctam communionem Paschate tum præ-  
cedente non accesserint. 20

**CXIII.** *Peccata notoria ministris jus est denunciare, privatim confessa retegere, nefas.*

Quoniam sæpenumero contingit, ecclesiæ œconomos, et  
inquisitores sive assistentes aliosque e laicis, quibus id  
officii, munerisque incumbit, ut per admonitiones, repre-<sup>25</sup>  
hensiones, et delationes ad ordinarios peccatum et im-  
pietatem coerceant, partim præ timore potentiorum, par-  
tim præ incuria in hoc officio præstando remissiores esse,  
quam par est, si horum temporum licentiam conside-  
remus; statuimus et ordinamus, ut licitum deinceps sit <sup>30</sup>  
singulis lectoribus ac vicariis, aut (ipsis legitime absen-  
tibus) eorum curatis, et substitutis, cum ecclesiæ œco-



nomis et assistentibus, reliquisque supra nominatis, in criminibus ad tempora inferius præstituta detegendis, operas suas conjungere; siquidem dicti œconomi et assistentes crimina et culpas enormes in suis parochiis notorias deferre voluerint. Quodsi ii facere detrectaverint, 5 tum licebit singulis rectoribus et vicariis, aut (illis ut supra absentibus) eorum curatis ac substitutis, omnia ejusmodi crimina, de quibus dicti officarii habent inquirere, aut alia quæcunque ipsis (utpote quibus præcipua cura peccati infra suas parochias coercendi incumbit) corri- 10 genda videbuntur, temporibus constitutis, vel alias, ubi commodum judicaverint, ad ordinarios suos deferre et præsentare. Proviso semper, quodsi quis peccata sua occultiora alicui ministro privatim confiteatur, conscientiam suam exonerando, quo ab illo spiritualem consolationem 15 et levamen percipiat, eum hac nostra constitutione nulatenus teneri volumus; quin potius stricte illi præcipimus, ne ejusmodi aliquod crimen aut delictum fidei ac taciturnitati suæ taliter commissum cuivis personæ aliquando retegat, nisi sit ex eo genere criminum, quorum 20 occultatio ex legibus hujus regni sit capitalis: qui contrafecerit, eo ipso irregularis esto.

CXIV. *Recusantes per ministros in curiis detegendi.*

Rectores, vicarii, vel curati omnes quolibet anno solite inquirent, quot papistici recusantes viri, mulieres, vel 25 pueri ultra tredecim annos nati, quot etiam papisticæ religioni tectius addicti, qui licet in ecclesia se præsentent, sacramenti tamen participes fieri recusant, infra suas respective parochias commorentur, sive ut hospites, sive ut inquilini, eorumque omnium nomina vera, siquidem 30 ea poterunt exquirere, vel alias, quæ pro tempore usurpant, debita semper inter absolute et ex parte recusantes distinctione servata, in scriptum referent, eademque quatenus norunt, creduntque, sic distincta, et sua manu descripta, ante festum Nativitatis ordinariis suis fideliter 35

exhibebunt, idque sub pœna suspensionis per eosdem ordinarios infligenda; atque sic deinceps singulis annis sequentibus, sub simili pœna ante festum S. Johannis Baptistæ. Insuper tenebuntur omnes ordinarii, cancellarii, commissarii, archidiaconi, officiales, cæterique ecclesiastica jurisdictione fungentes, quibus supradictæ detectiones exhibitæ fuerint, easdem infra mensem unum, postquam illas receperint, episcopo suo respective tradere, sub pœna suspensionis semestris ab omni munere sui executione, per episcopum, quoties hac in parte defecerint, irroganda; qui et ipse easdem infra sex septimanas archiepiscopo curabit offerri, per eundem infra alias sex septimanas, postquam ipse receperit, regiæ majestati præsentandas.

**CXV.** *Ne ministris aut œconomis fraudi sit criminorum detectio.*

Quum ad correctionem criminum et hominum criminorum ecclesiarum œconomi, inquisitores, sive assistentes, alique id genus officarii ecclesiastici jurejurando obstringantur, quemadmodum et ministri nostra monitione tenentur tam ipsa crimina et culpas a dictis criminosis perpetratas, quam etiam publicam famam de iisdem sparsam et disseminatam deferre, et præsentare, unde sæpe odium illis, et invidia, quandoque etiam molestia per dictos sontes eorumve amicos conflatur; monemus et hortamur omnes judices tam ecclesiasticos, quam seculares, quatenus tremendum summi judicis tribunal respiciunt, et reverentur, ne admittant in suis curiis ullam querelam, actionem, litis intemperationem, aut prosecutionem contra ullos ecclesiarum œconomos, aut inquisitores, sive assistentes, aliosve officarios ecclesiasticos, qui ejusmodi detectiones exhibuerint, nec contra ministrum aliquem, quamcunque demum personam vel culpam detulerit; quum omnes ejusmodi delationes ad impietatis audaciam cohibendam spectent, quumque tam ex regulis

charitatis, quam recti regiminis præsumendum sit, eos, quicquid hac in re fecerint, non odii aut malevolentia causa, sed fidei suæ liberandæ conscientia fecisse.

*CXVI. Œconomi ad binas tantum detegendi vices annuatim tenentur.* 5

Nullius parochiæ œconomi, vel inquisitores, sive assistentes, accusationes, aut detectiones suas cogentur judici cuiquam ecclesiastico præsentare sæpius, quam singulis annis semel, in iis utique locis, ubi non consueverunt plures exhiberi, aut bis in diocesi vel loco quocunque, nisi in episcopi visitatione. Pro quibus parochiæ cujusque præsentationibus registrarius cujuslibet curiæ, in qua exhibenda sunt, supra quatuor denarios in uno anno non recipiet, sub pœna menstruæ suspensionis a muneri sui exercitio pro singulis ejusmodi delictis. Proviso semper liberum fore cuique ministro, œconomis, et assistentibus, quoties et quando videbitur pro causarum conditione delinquentes deferre et accusare; similiterque cuivis pie affecto, vel etiam judici cuilibet ecclesiastico, super notitia sibi facta de enormi aliquo crimine infra suam jurisdictionem perpetrato, ministrum, œconomos, aut assistentes licebit admonere, quatenus gloriam Dei respiciunt, et correctionem peccati, ut tale crimen publice detegant, dum tamen justam ejus detegendi causam invenerint, ut ista ratione mature puniri ac corrigi possit. Proviso etiam, ut pro spontaneis hisce præsentationibus nullum feodum aut salarium sub pœna prædicta recipiatur. 15 20 25

*CXVII. Œconomi, binis detegendi vicibus debite perfuncti, non sunt de reliquo in curiam vocandi.*

Nullus ecclesiæ œconomus, aut inquisitor, sive assistens ad comparandum coram ecclesiastico iudice quocunque extra tempus vel tempora præstituta citabitur, quod delictum aliquod in sua parochia commissum, et eccle- 30

siasticis censuris obnoxium aliis temporibus deferre recusaverit; neque eorum quilibet post detectiones suas statis temporibus exhibitas, earum occasione deinceps in jus trahetur, nisi ex certis et manifestis indiciis constiterit, eum volentem et scientem omisisse detectionem notorii alicujus criminis aut criminum, quæ vel commissa fuisse noverit, vel ignorare saltem non potuerit, publica fama eadem laborare; vel nisi forte justa causa emerit, eosdem pro detectionum priorum explanatione in curiam compellendi; quo casu, voluntariæ scilicet omissionis, ordinarii contra eosdem taliter procedent, quemadmodum in causis spontanei perjurii in curiis ecclesiasticis commissi, hactenus lege cautum et provisum est.

**CXVIII.** *Anni superioris œconomi detectiones suas tenentur exhibere, priusquam recens electi munus suum adeant.*

Œconomi, et inquisitores, vel assistentes non prius officio suo soluti deinceps intelligentur, quam ipsorum successores juramentum suum susceperint, id quod prima post festum Paschatis septimana, vel aliqua statim sequente, pro arbitrio ordinarii, fieri volumus. Quod tempus dicto juramento assignatum, alterum semper erit ex duobus illis anni cujusque temporibus, in quibus omnium parochiarum ministri, œconomi, et assistentes suis respective ordinariis exhibebunt illorum criminum detectiones, quæ citra proximas præsentationes in suis parochiis admissa esse compererint. Quod officium prædicti œconomi perficient, antequam recens electi œconomi et assistentes juramentum suum præsent, neque illis ulla-tenus permittetur, dictas præteritorum criminum detectiones in novitios hosce rejicere, qui munus suum vix dum ingressi, eorundem ignari esse præsumuntur; sub poena sanctionum in eos constitutarum, qui conscientias et juramenta sua ad hunc modum audebunt eludere.

**CXIX.** *Detectionum schedulæ fide bona, non perfunctorie et pro forma conficiendæ.*

Quo melius illis incommodis occurratur, quæ ex detectionum schedulis sive billis, quas vocant, propere et festinanter confectis, in ipsis videlicet diebus visitationum, et synodorum, hactenus constat evenisse; statutum est et decretum, ut quilibet cancellarius, archidiaconus, commissarius, officialis, aliique jus dicentes ecclesiasticum, ad tempus œconomorum juramento præstando consuetum, itemque archiepiscopus et episcopi omnes, quoties visitationes suas indicunt, parochiarum omnium œconomis, et inquisitoribus, sive assistentibus, aut eorum aliquibus tradant aut tradi curent libros articulorum, de quibus eosdem velint detectiones suas anno insequente ad stata tempora exhibendas instituere; in quo item libro apponetur forma juramenti, quo statim ante singulas ejusmodi præsentationes sint onerandi; ut spatio sufficienti dato ad examinandam, et perpendendam tum juramenti sui qualitatem, tum etiam articulorum, quibus ipsorum detectiones niti debeant, deliberate et cum fide easdem domi suæ formare possint, ad conscientias suas, jurisjurandi religione jam obstrictas, uti probos et pios decet, liberandas.

**CXX.** *Ne qua citatio, nisi expressis citandorum nominibus, e curiis emittatur.*

Nullus episcopus, cancellarius, archidiaconus, officialis, aut alius quilibet judex ecclesiasticus citationes ulla generales, quæ vulgo "Quorum nomina" dicuntur, ex curia sua emanare patietur; nisi partium citandarum nomina per registrarium, vel ejus deputatum diserte sub eisdem exprimantur; eisdemque citationes, cum nominibus sic inscriptis, judicis vel ejus surrogati subscriptione et sigillo munitæ exeant.

CXXI. *Ne quis in pluribus curiis super eodem crimine cogatur respondere.*

In partibus iis, ubi episcopus et archidiaconus sive ex præscriptione, sive ex compositione ad diversa unius et ejusdem anni tempora visitationes suas obire consueverunt, ne majestatis suæ subditi in pluribus curiis ecclesiasticis super uno et eodem crimine, non sine gravi ipsorum molestia, postulentur, statuimus et ordinamus, ut quilibet archidiaconus, vel ejus officialis infra unum mensem, post peractam eo anno visitationem, et præsentationes acceptas, episcopum vel ejus cancellarium sub sua manu et sigillo instruat ac informet de nominibus et delictis eorum omnium, qui in visitatione sua fuerint detecti et præsentati, quo is super ulla causa, aut crimine ad archidiaconum prius delata, aliquem convenire deinceps abstineat. Pari ratione decernimus, ut cancellarius, infra idem tempus post finitam episcopi visitationem, et detectiones receptas, eorum sontium nomina et delicta, quos in proxima ipsius visitatione præsentari contigerit, sua subscriptione et sigillo verificata, ad archidiaconum, vel ejus officialem, in prædictum finem, transmittat. Quodsi dicti officarii vel seinvicem, sicut præfertur, instituere ac informare omiserint, vel post factam ejusmodi informationem, personas aut culpas in aliena visitatione detectas et præsentatas, attigerint, tunc eorum quilibet sic delinquens ab omni jurisdictionis suæ exercitio per episcopum diæcesanum eatenus suspendetur, donec expensas omnes per hanc molestiam susceptas personæ gravatæ restituerit.

CXXII. *Sententiæ pro ministris a beneficio vel officio removendis, non nisi per episcopum pronunciandæ.*

Quotiescunque in curia aliqua ecclesiastica, ad quemlibet hujus provincie episcopum spectante, contra ministrum accusatio instituetur, cancellarius, commissarius,

officialis, vel quivis alius ecclesiasticam jurisdictionem obtinens, cujus intererit, causam omnem per processus, aliasque vias et modos adversus eum expediet, ejusque in non comparendo contumaciam primo suspensionis, eandem vero continuatam excommunicationis pœna ulcis- 5 cetur. Sin autem debite comparens legitimo juris processui se submiserit, tunc, ubi causæ maturitas sententiam postularit, si forte delicti meritum vel deprivationem vel depositionem a sacris ordinibus ex decreto juris exigat; nullam ejusmodi sententiam per quamlibet personam pro- 10 nunciari volumus, præterquam per episcopum, adhibitis ipsius cancellario, et decano, si commode id fieri potest, et aliquot præbendariis, si prope ecclesiam cathedralem dicta curia teneatur, vel archidiacono, modo ejus facultas detur, aliisque duobus ad minus gravibus ministris, ac 15 eisdem concionatoribus, per episcopum advocandis, quando curiam aliis in locis haberi contigerit.

**CXXIII.** *Actus judiciales non nisi publica, et auctentica manu expediendi.*

Nullus cancellarius, commissarius, archidiaconus, offi- 20 cialis, aut alius quilibet ecclesiasticam jurisdictionem exercens, actum aliquod judiciale expediet, sive contentiosæ, sive voluntariæ jurisdictionis, nisi adhibito ordinario ejusdem curiæ registrario, vel ejus legitimo deputato; aut si is vel ii nolint aut nequeant interesse, tum aliis personis 25 auctenticis, quæ eadem acta conscribant aut expediant, sub pœna suspensionis ipso facto subeundæ.

**CXXIV.** *Curiarum sigilla, unica.*

Nullus cancellarius, commissarius, archidiaconus, officialis, aut alius quilibet jurisdictione utens ecclesiastica, 30 plura, quam unum duntaxat sigillum citra episcopi consensum habebit, pro omnibus, quæcunque in ipsius officium inciderint, sigillandis. Quod quidem sigillum custodietur

semper aut penes ipsum, aut penes illius substitutum legitimum, ejus vice jus dicentem, necnon infra ipsius jurisdictionem, vel saltem in urbe aut oppido ejusdem comitatus principali commemorantem. Hoc sigillum titulum ejus jurisdictionis continebit, quam quisque prædictorum 5 judicum, aut deputatorum exercet.

CXXV. *Curiarum sedes opportuna.*

Omnes cancellarii, commissarii, archidiaconi, officiales, cæterique judices ecclesiastici curias suas de mandato vel consensu episcopi diocesani in talibus locis instituent, qui 10 ad eos, quos in eisdem comparere oportet, excipiendos idonei, et ad laborem itineris minuendum maxime commodi videbuntur. Similiter etiam curias suas intra horas competentes inchoabunt ac dissolvent, ita ut quisque, quantum fieri potest, mature et tempestive domum suam 15 possit repetere.

CXXVI. *Curia inferiores testamenta originalia ad episcoporum archiva jubentur transmittere.*

Cum decani, archidiaconi, præbendarii, rectores, vicarii, alique ecclesiastica jurisdictione fungentes, omnium infra 20 suas respective jurisdictiones defunctorum testamenta probandi immunitatem sibi vendicent, neque tamen cognitos ullos aut certos habeant registrariorum, vel locum publicum registrariorum suorum tutæ custodiæ deputatum; unde sæpius evenerit, testamenta, jura, et legata quam- 25 plurima per dictorum judicum mortem, aut mutationem perire ac intercideri, in maximum subditorum præjudicium ac dispendium; statuimus et ordinamus, ut singuli peculiarem ejusmodi jurisdictionem possidentes ac exercentes, semel quotannis referant in publicum archivum episcopi 30 diocesani, vel decani et capituli, infra cujus ditionem peculiare illæ jurisdictiones extiterint, omnia testamenta originalia per ipsos infra peculiare suas jurisdictiones



respective eo anno probata ; vel verum saltem eorundem exemplar per dictum judicem peculiarem, ejusque notarium examinatum, subscriptum, et consignatum. Quodsi quis judicum prædictorum in eo deliquerit, is per episcopum diœcesanum, vel decanum et capitulum, ad quos illa jurisdictio respective pertinebit, omni peculiaris jurisdictionis exercitio eousque privabitur, quoad hanc nostram constitutionem debite adimpleverit.

*De judicibus ecclesiasticis.*

CXXVII. *Judicum ecclesiasticorum qualitas.* 10

Nullus in posterum ad officium cancellarii, commissarii, aut officialis admittetur ad jurisdictionem quamlibet ecclesiasticam exercendam, nisi qui vicesimum sextum ad minus ætatis suæ annum compleverit, et qui in jure civili et canonico eruditus existat, sitque ad minimum magister artium, aut in jure bacalareus, ac in praxi et causis forensibus laudabiliter exercitatus, necnon recte affectus, et religioni studiose deditus, de cujus vita et moribus nullus sinister sermo audiatur ; ac insuper nisi priusquam talis cujusque officii functionem, aut exercitium adeat, in supremam regis auctoritatem in causis ecclesiasticis coram episcopo, vel publice in curia juraverit ; ac religionis articulos in synodo, anno M.D.LXII, communiter conclusos, subscriptione sua comprobaverit ; et etiam juratus receperit se integre et ex æquo, pro captu suo, jus redditurum, absque omni intuitu vel gratiæ, vel mercedis ; quorum utique juramentorum, ac subscriptionis per registrarium præsentem actum conscribetur. Haud secus omnes cancellarii, commissarii, officiales, registrarii, alique quotquot jurisdictionis, sive ministerii ecclesiastici locum aliquem in præsentem possident, aut exercent, citra festum Nativitatis proxime venturum, coram archiepiscopo, aut episcopo, vel etiam in aperta curia, sub quo, et in qua muneribus suis funguntur, eadem juramenta subire, et,

prout superius dictum est, subscribere tenebuntur. Quod si facere recusaverint, a munerum suorum executione eousque suspendentur, quoad juramenta præmissa, et subscriptionem, ut supra, præstiterint.

### CXXVIII. *Qualitas deputandorum.*

5

Nullus cancellarius, commissarius, archidiaconus, officialis, aut alius quicumque ecclesiastica jurisdictione præditus, aliquem ad curiam sui absentis loco tenendum quovis tempore deputabit, nisi qui gravis minister fuerit, idemque graduatus; vel pro concionatore publico legitime receptus, ac prope ejusmodi consistoria beneficiatus; vel qui in legibus bacalareus, aut in artibus magister ad minimum extiterit, ac in jure civili et canonico scientiam habuerit competentem, et de veræ religionis studio, sobrioque ac honesto vitæ cultu fuerit commendatus; sub 15  
pœna suspensionis ab executione officiorum pro singulis delictis spatio trium mensium toties quoties. Deputatus vero, qui prædictarum qualitatum expers, audebit tamen judicis vices in curiis tenendis, ut supra, usurpare, simili prorsus censuræ, modo et forma præmissis, subiacebit. 20

### *De Procuratoribus.*

#### CXXIX. *Procuratores, nisi de partis mandato auctentico, causas attingere prohibiti.*

Nullus deinceps in aliqua causa procurabit, nisi ab ipso litigante apud acta curiæ fuerit constitutus, vel in 25 ipso litis ingressu illius vero et sufficienti procuratorio fulciatur. Sufficiens vocamus, quod auctentico aliquo sigillo munitur, approbatione item, aut saltem ratihabitione constituentis eodem accedente. Ejusmodi vero procuratoria omnia quamprimum confici volumus, et a 30 procuratoribus exhiberi, ac in publicis ejusdem curiæ scriniis per registrarium salva custodiri. Qui ex registraribus vel procuratoribus secus in istorum aliquo fecerit,

bimestri suspensione ab exercitio officii sui, absque omni spe relaxationis, aut restitutionis, ferietur.

**CXXX.** *Procuratores, sine advocati alicujus consilio, causas retinere prohibiti.*

Ad minuendas et consopiendas lites, ac litigantium querelas tollendas, qui procuratorum incuria ac negligentia, vel etiam inscitia multoties causa cadunt, necnon ad incrementum bonarum literarum, jurisque civilis et canonici propagationem; juxta laudabiles consuetudines in curiis archiepiscopi Cantuariensis hactenus observatas, statuimus et ordinamus, ut nullus procurator ibidem exercens absque advocati alicujus consilio quamlibet causam suscipiat, ac per duos dies juridicos retineat, sub pœna suspensionis annuæ ab officii sui executione; nec judici potestas erit, absque expresso archiepiscopi mandato et auctoritate, hujus pœnæ gratiam ullatenus faciendi.

**CXXXI.** *Procuratores, inconsulto avvocato, in causa concludere prohibiti.*

Non admittet aliquis judex in curiis archiepiscopi prædictis libellum, aut aliam quamlibet materiam, sine consilio et subscriptione alicujus advocati ad exercendum ibidem admissi; neque vero procuratoribus licebit in causa concludere, nisi de notitia advocati in eadem causa adhibiti et salariati. Si quis vero procurator contrafecerit, aut fieri procuraverit, vel etiam advocatum quocunque prætextu suo fraudaverit stipendio aut salario, vel in avvocato consulendo, quid in causa fieri expediat, negligentior fuerit; eidem suspensionem semestrem a muneris sui executione, sine spe veniæ interim consequendæ decernimus.

39

**CXXXII.** *Procuratorium in causis testamentariis juramentum prohibitum.*

Cum in testamentorum probationibus, administratio-

numque bonorum ab intestato decedentium petitionibus, juramentum per procuratores curiarum in animam constituentis præstitum, multis patere incommodis sit perspectum; cautum deinceps esse volumus, ut quilibet executor, vel bonorum defuncti administrationem petens, 5  
 judicem in hac parte ordinarium, vel ejus surrogatum personaliter adeat, et juramentum usitatum per se, et non per procuratorem aliquem præstet. Si tamen vel valetudinis, vel ætatis incommodo, vel alia causa legitima impeditus in propria persona judicem adire nequeat; per-10  
 mittimus, ut, fide super impedimenti veritate per excusatorem fide dignum prius facta, judex gravi alicui viro ecclesiastico partis habitationi vicino commissionem concedat, per quem juramentum usitatum dicto executori vel administrationem petenti, vice sua ministrandi eidem 15  
 viro ecclesiastico potestatem tradat, eumque roget, ut quid in præmissis fecerit, per nuncium fidelem se postea certiore reddat. Proviso semper, quod nullus judex, vel registrarius, pro ejusmodi commissione scribenda, concipienda, aut sigillanda, ultra summam sex solidorum et 20  
 octo denariorum quoquomodo accipiet; cujus dimidium judici, et dimidium ejusdem curiæ registrario cedit.

CXXXIII. *Procuratorum vox importunior in curiis cohibita.*

Quoniam experientia compertum est, procuratorum vo-25  
 ciferationes, et clamores in curiis archiepiscopi non modo iudicibus et advocatis molestiam et offensionem parere, sed et astantibus causam contemptus et calumniæ adversus curiam ipsam præbere; quo melius dignitati iudicis consulatur, causæque facilius et commodius tractentur, 30  
 et expediantur, mandamus et præcipimus, ut procuratores in curiis prædictis præcipue in id intendant, ut juxta consilium advocatorum acta per registrarium bona fide conscribantur, ut ab omni strepitu, et verborum contentione abstineant, et modeste se gerant, ac loquentibus iudicibus 35

aut advocatis, vel eorum aliquo, protinus conticescant, sub pœna silentii imponendi per duos terminos inde sequentes. Et si eorum aliquis pluries deliquerit, neque debita interposita admonitione se emendaverit, a prædicti muneris exercitio in perpetuum arceatur. 5

*De registraribus.*

CXXXIV. *Registrariorum excessus coerciti.*

Si quis registrarius, vel ipsius assignatus aut deputatus qualiscunque certicatoria receperit sine consensu iudicis, quem pro tribunali sedere contigerit; vel sponte omiserit<sup>10</sup> præconizari facere quemlibet citatum aut assignatum ad comparandum die aliquo juridico; aut testes in diem a iudice præstitutum examinandos indebite distulerit; aut judiciali et legitimæ monitioni iudicis non paruerit; aut si neglexerit citationes et decreta ante proximum diem<sup>15</sup> iudicium exequenda, et per nuncios speciales emittenda transcribere; aut non curaverit testamenta omnia infra tempus idoneum in registrum conscribi; vel si quid falsum et ex se commentum, ac non per iudicem pronunciatum, tanquam iudicis decretum in acta retulerit; aut in trans-<sup>20</sup>missione processuum ad iudicem, “ad quem” aliquid falsi inseruerit, aut quicquam sive dolo malo, sive lata negligentia omiserit; aut munera in favorem alterutrius partis in causis instantiæ, vel promotis ex officio acceperit; aut alterutri partium litigantium a consiliis directe vel indi-<sup>25</sup>recte fuerit; aut in executione officii sui aliud malitiose aut subdole fecerit, unde iudex ecclesiasticus, aut ejus jurisdictio possit infamari; volumus et ordinamus, eundem registrarium, aut ejus assignatum et deputatum in præmissis, aut eorum aliquo delinquentem a suo munere ac<sup>30</sup> officio, per unum, duos, tres, aut plures menses, pro delicti ratione, per episcopum diocesanum suspendi; publicumque aliquem notarium per episcopum deputari, qui,

durante ejusmodi pœna, omnia dicti registrarii officium contingentia exequatur.

**CXXXV.** *Feodorum, quæ juris ecclesiastici administris debentur, census debet esse statarius.*

Nullus episcopus, suffraganeus, cancellarius, commis-  
sarius, archidiaconus, officialis, aut alius ecclesiasticam  
jurisdictionem quamcunque exercens, nec ullus cujuslibet  
curiæ ecclesiasticæ registrarius, vel administer quicumque  
dictis officariis vel curiis subserviens, pro qualibet causa  
in illorum curiis promotæ, alia aut majora feoda sive  
salaria deinceps recipiet, quam ea, quæ anno M.D.XCVII.  
reverendissimo patri D. Johanni, nuper Cantuariensi archie-  
piscopo, certificata, et ab eodem rata sunt, et approbata.  
Quodsi quis judex aut registrarius, vel eorum minister  
aliquis contrafecerit, pro singulis ejusmodi delictis per sex  
menses officii sui exercitio privabitur. Proviso semper,  
quodsi dubium aliquod de talium feodorum, aut eorum  
cujuslibet certa summa oriri contigerit, tum ea feoda pro  
legitimis judicabuntur, quæ per archiepiscopum Cantua-  
riensem pro tempore existentem sub manus suæ subscrip-  
tione erunt approbata, nisi statuta hujus regni hactenus  
edita in particulari aliquo casu alia expresse præstiterint.  
Proviso etiam, quod nihil salarii aut pecuniæ recipietur,  
vel per archiepiscopum, vel per episcopum, aut suffra-  
ganeum ullum directe aut indirecte pro quolibet in sacros  
ordines suscipiendo; nec quod aliqua persona vel personæ  
eisdem archiepiscopo, episcopo, vel suffraganeo subser-  
vientes, pro membrana, scriptione, cera, sigillatione, vel  
alia quavis causa hoc negotium contingente, supra decem  
solidos percipient, sub pœnis hac in parte lege consti-  
tutis.

**CXXXVI.** *Statarius feodorum census in tabulas relatus, publice in consistoriis et archivis proponendus.*

Statuimus porro et ordinamus, ut cujusque judicis ec-

clesiastici registrarius tabulas binas, in quibus certæ singulorum feodorum summæ separatim exprimentur, publice figi curet et proponi; unam in consistorio, vel loco consueto, ubi dicta curia teneri solet; alteram in suo archivo; utramque in loco ita congruo, ut quilibet, cujus intererit, 5 ejusdem inspiciendæ, et legendæ, vel etiam transcribendæ liberam habeat facultatem: quod ante festum Nativitatis proxime futurum perfici volumus. Quodsi quis registrarius dictas tabulas juxta tenorem præmissorum publice figendas non curaverit, ab executione officii sui eousque 10 suspendetur, quoad præmissa, modo et forma specificatis, perfecerit; easque tabulas semel fixas si quando vel auferet, vel in fraudem hujus constitutionis ex loco, in quo primum positæ erant, removeri, vel quovis pacto occultari patietur, tunc pro singulis ejusmodi delictis ab 15 exercitio muneris sui per semestre spatium suspendetur.

**CXXXVII.** *Feoda pro ordinum literis, aliisque licentiis episcopo exhibendis, tantum dimidia, præterquam in prima episcopi visitatione, persolvenda.*

Cum non minima sit visitationis causa et effectus, ut 20 episcopus, archidiaconus, aut alius visitans de statu, sufficientia, et facultatibus cleri, et aliorum visitandorum perfectiorem aliquam notitiam consequantur, æquum duximus, ut quilibet rector, vicarius, curatus, ludimagister, et alius quicumque licentiatas literas ordinum, in- 25 stitutionis, et inductionis, itemque dispensationes, licentias, et facultates suas quascunque in visitatione prima illius episcopi, vel in proxima post ejus admissionem exhibeat, per dictum visitantem approbandas, aut, si justa fuerit causa, rejiciendas; et si approbatæ fuerint, per registrarium, uti moris est, consignandas; quodque feoda in visitationibus intuitu præmissorum consueta solvi, semel duntaxat tempore alicujus episcopi integra persolvantur; in reliquis vero ejusdem visitationibus, quamdiu in ea sede

permanserit, dictorum feodorum dimidium tantum exigatur.

*Apparitores.*

**CXXXVIII.** *Apparitorum excessus coerciti.*

Quoniam excessibus et gravaminibus, quæ per apparitores inferri dicuntur, remedium cupimus adhibere opportunum; censemus apparitorum multitudinem, quantum fieri poterit, restringendam. Statuimus ergo et ordinamus, nullatenus licitum fore episcopis vel archidiaconis, eorumve vicariis seu officialibus, aliisque inferioribus ordinariis deputare et habere plures apparitores, jurisdictionibus suis respective inservientes, quam ante triginta annos præteritos vel ipsi, vel ipsorum prædecessores habere consueverunt; qui omnes per se suum fideliter exequantur officium, nec per nuntios aut substitutos, quocumque quæsito colore, sua vice mandatorum executiones demandent, aut permittant, nisi ex causa a loci ordinario prius cognita et approbata; neque vero promotorum officii, vel denunciatorum personas omnino sustinebunt, feodave ampliora vel majora, quam quæ his constitutionibus superius statuuntur, ullatenus exigent. Quodsi vel plures, quam superius est expressum, deputati extiterint, vel illorum aliqui præmissa violaverint; deputantes, si episcopi sint, per superiorem moniti supernumerarios dimittant; si ordinarii episcopis inferiores, ab executione officii suspendantur, donec hujusmodi deputatos amoverint: deputati autem ipsi ab apparitorum officio amoveantur perpetuo, et si amoti non desistant, tanquam contumaces, canonicis censuris coerceantur; proviso semper, quodsi archiepiscopus Cantuariensis experientia compertum habuerit, apparitorum numerum in aliqua diecesi redundare, tum omnem ejusmodi redundantiam dicto archiepiscopo relinquimus, pro ipsius beneplacito minuendam.



*Auctoritas synodorum.*CXXXIX. *Synodus nationalis, ecclesia repræsentativa.*

Quisquis de cætero affirmabit, sacrosanctam hujus nationis synodum in Christi nomine, ac de regis mandato congregatam, non esse repræsentative veram ecclesiam, Anglicanam, excommunicetur; nequaquam absolvendus, priusquam resipuerit, et impium hunc errorem publice revocarit.

CXL. *Synodi acta tam absentes, quam præsentis obligant.*

Quisquis de cætero affirmabit, nullos sive clericos sive laicos, qui in eadem sacra synodo personaliter non convenierint, ejusdem decretis, ecclesiasticas causas concernentibus, quantumvis ex suprema regis majestatis auctoritate conditis, et per eandem rati habitis, ullatenus obligari, ut quibus ipsi votum et consensum suum non præbuerint, excommunicetur; nequaquam absolvendus, priusquam resipuerit, ac impium hunc errorem publice revocarit.

CXLI. *Synodi auctoritati derogantes, coerciti.*

Quisquis de cætero affirmabit, dictam sacram synodum, congregatam ut supra, fuisse cœtum ex talibus conflatum, qui in pios et religiosos evangelii professores conspirabant, ac proinde tum ipsos, tum ipsorum acta in canonibus sive constitutionibus circa causas ecclesiasticas ex regis auctoritate, ut prædictum est, condendis ac sancendis rejici, ac contemni debere, quantumvis eadem per dictam potestatem regiam, ac supremam ejusdem auctoritatem rati habitæ, confirmatæ, ac injunctæ sint, excommunicetur; haudquaquam absolvendus, priusquam resipuerit, ac impium hunc errorem publice revocarit.

## VI.

Sede Cant.  
vacante.

Anno Christi  
1604.

Reg. Anglie  
JAC. I. 2.

*CONSTITUTIONS and CANONS Ecclesiastical, treated upon by the Bishop of London, President of the Convocation for the Province of Canterbury, and the rest of the Bishops and Clergy of the said Province; and agreed upon with the King's Majesty's License, in their Synod begun at London, Anno Domini 1603, and in the Year of the Reign of our Sovereign Lord JAMES, by the Grace of God, King of England, France, and Ireland, the First, and of Scotland the Thirty-seventh: and now published for the due observation of them, by his Majesty's authority under the Great Seal of England.*

**J**AMES, by the grace of God, king of England, Scotland, France, and Ireland, defender of the faith, &c. to all to whom these presents shall come, greeting: Whereas our bishops, deans of our cathedral churches, archdeacons, chapters, and colleges, and the other clergy of every diocese within the province of Canterbury, being summoned and called by virtue of our writ directed to the most reverend father in God, John, late archbishop of Canterbury, and bearing date the one and thirtieth day

*Constitutions and Canons]* These canons are taken from an edition "imprinted at London by Robert Barker, printer to the king's most excellent majestie, anno 1604." a copy of which is in the Selden collection, and appears to have belonged to archbishop Bancroft. The translation from the original Latin was doubtless made under the direction of the archbishop. For other particulars see the note on the preceding number.

of January, in the first year of our reign of England, France, and Ireland, and of Scotland the thirty-seventh, to have appeared before him in our cathedral church of St. Paul in London, the twentieth day of March then next ensuing, or elsewhere, as he should have thought it most convenient, to treat, consent, and conclude upon certain difficult and urgent affairs mentioned in the said writ; did thereupon, at the time appointed, and within the cathedral church of St. Paul aforesaid, assemble themselves, and appear in convocation for that purpose, according to our said writ, before the right reverend father in God, Richard bishop of London, duly (upon a second writ of ours, dated the ninth day of March aforesaid) authorized, appointed, and constituted, by reason of the said archbishop of Canterbury his death, president of the said convocation, to execute those things, which, by virtue of our first writ, did appertain to him the said archbishop to have executed, if he had lived: We, for divers urgent and weighty causes and considerations us thereunto especially moving, of our especial grace, certain knowledge, and mere motion, did, by virtue of our prerogative royal, and supreme authority in causes ecclesiastical, give and grant by our several letters patents under our great seal of England, the one dated the twelfth day of April last past, and the other the twenty-fifth day of June then next following, full, free, and lawful liberty, license, power, and authority unto the said bishop of London, president of the said convocation, and to the other bishops, deans, archdeacons, chapters, and colleges, and the rest of the clergy before mentioned, of the said province, that they, from time to time, during our first parliament now prorogued, might confer, treat, debate, consider, consult, and agree of and upon such canons, orders, ordinances, and constitutions, as they should think necessary, fit, and convenient, for the honour and service of Almighty God, the good and quiet of the church, and

the better government thereof, to be from time to time observed, performed, fulfilled, and kept, as well by the archbishops of Canterbury, the bishops, and their successors, and the rest of the whole clergy of the said province of Canterbury, in their several callings, offices, 5 functions, ministries, degrees, and administrations; as also by all and every dean of the arches, and other judge of the said archbishop's courts, guardians of spiritualities, chancellors, deans and chapters, archdeacons, commissaries, officials, registrars, and all and every other eccle- 10 siastical officers, and their inferior ministers, whatsoever, of the same province of Canterbury, in their and every of their distinct courts, and in the order and manner of their and every of their proceedings; and by all other persons within this realm, as far as lawfully, being members of 15 the church, it may concern them, as in our said letters patents amongst other clauses more at large doth appear. Forasmuch as the said bishop of London, president of the the said convocation, and others, the said bishops, deans, archdeacons, chapters, and colleges, with the rest of the 20 clergy, having met together, at the time and place before mentioned, and then and there, by virtue of our said authority granted unto them, treated of, concluded, and agreed upon certain Canons, Orders, Ordinances, and Constitutions, to the end and purpose by us limited and 25 prescribed unto them; and have thereupon offered and presented the same unto us, most humbly desiring us to give our royal assent unto their said Canons, Orders, Ordinances, and Constitutions; according to the form of a certain statute or act of parliament, made in that 30 behalf in the twenty-fifth year of the reign of king Henry the eighth, and by our said prerogative royal and supreme authority in causes ecclesiastical, to ratify by our letters patents under our great seal of England, and to confirm the same, the title and tenor of them being 35 word for word as ensueth :

*Constitutions and Canons Ecclesiastical, treated upon by the Bishop of London, President of the Convocation for the Province of Canterbury, and the rest of the Bishops and Clergy of the said Province; and agreed upon with the King's Majesty's License, in their Synod begun at London, Anno Domini 1603, and in the Year of the Reign of our Sovereign Lord James, by the Grace of God, King of England, France, and Ireland, the First, and of Scotland the Thirty-seventh.*

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OF THE CHURCH OF ENGLAND.

10

I. *The King's Supremacy over the Church of England, in Causes Ecclesiastical, to be maintained.*

AS our duty to the king's most excellent majesty requireth, we first decree and ordain, That the archbishop of Canterbury (from time to time), all bishops of this province, all deans, archdeacons, parsons, vicars, and all other ecclesiastical persons, shall faithfully keep and observe, and (as much as in them lieth) shall cause to be observed and kept of others, all and singular laws and statutes, made for restoring to the crown of this kingdom the ancient jurisdiction over the state ecclesiastical, and abolishing of all foreign power repugnant to the same. Furthermore, all ecclesiastical persons having cure of souls, and all other preachers, and readers of divinity lectures, shall, to the uttermost of their wit, knowledge, and learning, purely and sincerely, (without any colour or dissimulation,) teach, manifest, open, and declare, four times every year (at the least), in their sermons and other collations and lectures, that all usurped and foreign power (forasmuch as the same hath no establishment nor ground by the law of God) is for most just causes taken away and abolished: and that therefore no manner of obe-

dience, or subjection, within his majesty's realms and dominions, is due unto any such foreign power, but that the king's power, within his realms of England, Scotland, and Ireland, and all other his dominions and countries, is the highest power under God; to whom all men, as well inhabitants, as born within the same, do by God's laws owe most loyalty and obedience, afore and above all other powers and potentates in earth.

## II. *Impugners of the King's Supremacy censured.*

Whosoever shall hereafter affirm, That the king's majesty hath not the same authority in causes ecclesiastical, that the godly kings had amongst the Jews and Christian emperors in the primitive church; or impeach in any part his regal supremacy in the said causes restored to the crown, and by the laws of this realm therein established; let him be excommunicated *ipso facto*, and not restored, but only by the archbishop, after his repentance, and public revocation of those his wicked errors.

## III. *The Church of England, a true and Apostolical Church.*

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Whosoever shall hereafter affirm, That the Church of England, by law established under the king's majesty, is not a true and an apostolical church, teaching and maintaining the doctrine of the apostles; let him be excommunicated *ipso facto*, and not restored, but only by the archbishop, after his repentance, and public revocation of this his wicked error.

## IV. *Impugners of the public Worship of God, established in the Church of England, censured.*

Whosoever shall hereafter affirm, That the form of God's worship in the Church of England, established by

law, and contained in the Book of Common Prayer and Administration of Sacraments, is a corrupt, superstitious, or unlawful worship of God, or containeth any thing in it that is repugnant to the scriptures; let him be excommunicated *ipso facto*, and not restored, but by the bishop of the place, or archbishop, after his repentance, and public revocation of such his wicked errors.

V. *Impugners of the Articles of Religion, established in the Church of England, censured.*

Whosoever shall hereafter affirm, That any of the nine and thirty Articles agreed upon by the archbishops and bishops of both provinces, and the whole clergy, in the convocation holden at London, in the year of our Lord God one thousand five hundred sixty-two, for avoiding diversities of opinions, and for the establishing of consent touching true religion, are in any part superstitious or erroneous, or such as he may not with a good conscience subscribe unto; let him be excommunicated *ipso facto*, and not restored, but only by the archbishop, after his repentance, and public revocation of such his wicked errors.

VI. *Impugners of the Rites and Ceremonies, established in the Church of England, censured.*

Whosoever shall hereafter affirm, That the rites and ceremonies of the Church of England by law established are wicked, anti-christian, or superstitious, or such as, being commanded by lawful authority, men, who are zealously and godly affected, may not with any good conscience approve them, use them, or, as occasion requireth, subscribe unto them; let him be excommunicated *ipso facto*, and not restored until he repent, and publicly revoke such his wicked errors.

VII. *Impugners of the Government of the Church of England by Archbishops, Bishops, &c., censured.*

Whosoever shall hereafter affirm, That the government of the Church of England under his majesty by archbishops, bishops, deans, archdeacons, and the rest that bear office in the same, is anti-christian, or repugnant to the word of God; let him be excommunicated *ipso facto*, and so continue until he repent, and publicly revoke such his wicked errors.

VIII. *Impugners of the form of Consecrating and Ordering Archbishops, Bishops, &c., in the Church of England, censured.*

Whosoever shall hereafter affirm or teach, That the form and manner of making and consecrating bishops, priests, or deacons, containeth any thing in it that is repugnant to the word of God, or that they who are made bishops, priests, or deacons, in that form, are not lawfully made, nor ought to be accounted, either by themselves or by others, to be truly either bishops, priests, or deacons, until they have some other calling to those divine offices; let him be excommunicated *ipso facto*, not to be restored until he repent, and publicly revoke such his wicked errors.

IX. *Authors of Schism in the Church of England censured.*

Whosoever shall hereafter separate themselves from the communion of saints, as it is approved by the apostles' rules, in the Church of England, and combine themselves together in a new brotherhood, accounting the Christians, who are conformable to the doctrine, government, rites and ceremonies of the Church of England, to be profane, and unmeet for them to join with in Christian profession; let them be excommunicated *ipso facto*, and not restored,



but by the archbishop, after their repentance, and public revocation of such their wicked errors.

*X. Maintainers of Schismatics in the Church of England censured.*

Whosoever shall hereafter affirm, That such ministers<sup>5</sup> as refuse to subscribe to the form and manner of God's worship in the Church of England, prescribed in the Communion Book, and their adherents, may truly take unto them the name of another church not established by law, and dare presume to publish it, That this their<sup>10</sup> pretended church hath of long time groaned under the burden of certain grievances imposed upon it, and upon the members thereof before mentioned, by the Church of England, and the orders and constitutions therein by law established; let them be excommunicated, and not re-<sup>15</sup> stored until they repent, and publicly revoke such their wicked errors.

*XI. Maintainers of Conventicles censured.*

Whosoever shall hereafter affirm or maintain, That there are within this realm other meetings, assemblies, or<sup>20</sup> congregations of the king's born subjects, than such as by the laws of this land are held and allowed, which may rightly challenge to themselves the name of true and lawful churches; let him be excommunicated, and not restored, but by the archbishop, after his repentance, and<sup>25</sup> public revocation of such his wicked errors.

*XII. Maintainers of Constitutions made in Conventicles censured.*

Whosoever shall hereafter affirm, That it is lawful for any sort of ministers and lay-persons, or either of them,<sup>30</sup> to join together, and make rules, orders, or constitutions in causes ecclesiastical, without the king's authority, and

shall submit themselves to be ruled and governed by them; let them be excommunicated *ipso facto*, and not be restored until they repent, and publicly revoke those their wicked and anabaptistical errors.

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OF DIVINE SERVICE AND ADMINISTRATION OF  
THE SACRAMENTS.

XIII. *Due Celebration of Sundays and Holy-days.*

All manner of persons within the Church of England shall from henceforth celebrate and keep the Lord's day, commonly called Sunday, and other holy-days, according to God's holy will and pleasure, and the orders of the Church of England prescribed in that behalf; that is, in hearing the word of God read and taught; in private and public prayers; in acknowledging their offences to God, and amendment of the same; in reconciling themselves charitably to their neighbours, where displeasure hath been; in oftentimes receiving the communion of the body and blood of Christ; in visiting of the poor and sick; using all godly and sober conversation.

XIV. *The prescript form of Divine Service to be used on  
Sundays and Holy-days.*

The common prayer shall be said or sung distinctly and reverently upon such days as are appointed to be kept holy by the Book of Common Prayer, and their eves, and at convenient and usual times of those days, and in such place of every church as the bishop of the diocese, or ecclesiastical ordinary of the place, shall think meet for the largeness or straitness of the same, so as the people may be most edified. All ministers likewise shall observe the orders, rites, and ceremonies prescribed in the Book of Common Prayer, as well in reading the holy

Scriptures, and saying of prayers, as in administration of the sacraments, without either diminishing in regard of preaching, or in any other respect, or adding any thing in the matter or form thereof.

*XV. The Litany to be read on Wednesdays and Fridays.* 5

The litany shall be said or sung when, and as it is set down in the Book of Common Prayer, by the parsons, vicars, ministers, or curates, in all cathedral, collegiate, parish churches, and chapels, in some convenient place, according to the discretion of the bishop of the diocese, 10 or ecclesiastical ordinary of the place. And that we may speak more particularly, upon Wednesdays and Fridays weekly, though they be not holy-days, the minister, at the accustomed hours of service, shall resort to the church and chapel, and, warning being given to the 15 people by tolling of a bell, shall say the litany prescribed in the Book of Common Prayer: whereunto we wish every householder dwelling within half a mile of the church to come, or send one at the least of his household, fit to join with the minister in prayers. 20

*XVI. Colleges to use the prescript form of Divine Service.*

In the whole divine service, and administration of the holy communion, in all colleges and halls in both universities, the order, form, and ceremonies shall be duly ob- 25 served, as they are set down and prescribed in the Book of Common Prayer, without any omission or alteration.

*XVII. Students in Colleges to wear Surplices in time of Divine Service.*

All masters and fellows of colleges or halls, and all the 30 scholars and students in either of the universities, shall, in their churches and chapels, upon all Sundays, holy-

days, and their eves, at the time of divine service, wear surplices, according to the order of the Church of England: and such as are graduates shall agreeably wear with their surplices such hoods as do severally appertain to their degrees. 5

XVIII. *A reverence and attention to be used within the Church in time of Divine Service.*

In the time of divine service, and of every part thereof, all due reverence is to be used; for it is according to the apostle's rule, *Let all things be done decently and according 10 to order*; answerable to which decency and order, we judge these our directions following: No man shall cover his head in the church or chapel in the time of divine service, except he have some infirmity; in which case let him wear a nightcap or coif. All manner of persons 15 then present shall reverently kneel upon their knees, when the general Confession, Litany, and other prayers are read; and shall stand up at the saying of the Belief, according to the rules in that behalf prescribed in the Book of Common Prayer: and likewise when in time of 20 divine service the Lord Jesus shall be mentioned, due and lowly reverence shall be done by all persons present, as it hath been accustomed; testifying by these outward ceremonies and gestures, their inward humility, Christian resolution, and due acknowledgment that the Lord Jesus 25 Christ, the true and eternal Son of God, is the only Saviour of the world, in whom alone all the mercies, graces, and promises of God to mankind, for this life, and the life to come, are fully and wholly comprised. None, either man, woman, or child, of what calling soever, shall be other- 30 wise at such times busied in the church, than in quiet attendance to hear, mark, and understand that which is read, preached, or ministered; saying in their due places audibly with the minister, the Confession, the Lord's Prayer, and the Creed; and making such other answers 35

to the public prayers, as are appointed in the Book of Common Prayer: neither shall they disturb the service or sermon, by walking or talking, or any other way; nor depart out of the church during the time of service and sermon, without some urgent or reasonable cause. 5

*XIX. Loiterers not to be suffered near the Church in time of Divine Service.*

The church-wardens or quest-men, and their assistants, shall not suffer any idle persons to abide either in the church-yard, or church-porch, during the time of divine 10 service, or preaching; but shall cause them either to come in, or to depart.

*XX. Bread and Wine to be provided against every Communion.*

The church-wardens of every parish, against the time 15 of every communion, shall at the charge of the parish, with the advice and direction of the minister, provide a sufficient quantity of fine white bread, and of good and wholesome wine, for the number of communicants that shall from time to time receive there: which wine we 20 require to be brought to the communion-table in a clean and sweet standing pot or stoop of pewter, if not of purer metal.

*XXI. The Communion to be thrice a Year received.*

In every parish-church and chapel, where sacraments 25 are to be administered within this realm, the holy communion shall be ministered by the parson, vicar, or minister, so often, and at such times, as every parishioner may communicate at the least thrice in the year, (whereof the feast of Easter to be one,) according as they are appointed 30 by the Book of Common Prayer. Provided, That every minister, as oft as he administereth the communion, shall first receive the sacrament himself. Furthermore, no

bread or wine newly brought shall be used ; but first the words of institution shall be rehearsed, when the said bread and wine be present upon the communion-table. Likewise the minister shall deliver both the bread and the wine to every communicant severally. 5

XXII. *Warning to be given beforehand for the Communion.*

Whereas every lay person is bound to receive the holy communion thrice every year, and many notwithstanding do not receive that sacrament once in a year, we do 10 require every minister to give warning to his parishioners publicly in the church at morning prayer, the Sunday before every time of his administering that holy sacrament, for their better preparation of themselves ; which said warning we enjoin the said parishioners to accept 15 and obey, under the penalty and danger of the law.

XXIII. *Students in Colleges to receive the Communion four times a Year.*

In all colleges and halls within both the universities, the masters and fellows, such especially as have any 20 pupils, shall be careful that all their said pupils, and the rest that remain amongst them, be well brought up, and thoroughly instructed in points of religion, and that they do diligently frequent public service and sermons, and receive the holy communion ; which we ordain to be ad- 25 ministered in all such colleges and halls the first or second Sunday of every month, requiring all the said masters, fellows, and scholars, and all the rest of the students, officers, and all other the servants there, so to be ordered, that every one of them shall communicate four 30 times in the year at the least, kneeling reverently and decently upon their knees, according to the order of the Communion-book prescribed in that behalf.

XXIV. *Copes to be worn in Cathedral Churches by those that administer the Communion.*

In all cathedral and collegiate churches, the holy communion shall be administered upon principal feast-days, sometimes by the bishop, if he be present, and sometimes 5 by the dean, and at some times by a canon or prebendary, the principal minister using a decent cope, and being assisted with the gospeller and epistler agreeably, according to the advertisements published anno 7 Eliz. The said communion to be administered at such times, 10 and with such limitation, as is specified in the Book of Common Prayer. Provided, That no such limitation by any construction shall be allowed of, but that all deans, wardens, masters, or heads of cathedral and collegiate churches, prebendaries, canons, vicars, petty canons, sing- 15 ing men, and all others of the foundation, shall receive the communion four times yearly at the least.

XXV. *Surplices and Hoods to be worn in Cathedral Churches, when there is no Communion.*

In the time of divine service and prayers, in all cathe- 20 dral and collegiate churches, when there is no communion, it shall be sufficient to wear surplices; saving that all deans, masters, and heads of collegiate churches, canons, and prebendaries, being graduates, shall daily, at the times both of prayer and preaching, wear with their surplices 25 such hoods as are agreeable to their degrees.

XXVI. *Notorious Offenders not to be admitted to the Communion.*

No minister shall in any wise admit to the receiving of the holy communion, any of his cure or flock, which be 30 openly known to live in sin notorious, without repentance; nor any who have maliciously and openly con-

tended with their neighbours, until they shall be reconciled; nor any church-wardens or side-men, who having taken their oaths to present to their ordinaries all such public offences as they are particularly charged to inquire of in their several parishes, shall (notwithstanding their said oaths, and that their faithful discharging of them is the chief means whereby public sins and offences may be reformed and punished) wittingly and willingly, desperately and irreligiously, incur the horrible crime of perjury, either in neglecting or in refusing to present such of the said enormities and public offences, as they know themselves to be committed in their said parishes, or are notoriously offensive to the congregation there; although they be urged by some of their neighbours, or by their minister, or by their ordinary himself, to discharge their consciences by presenting of them, and not to incur so desperately the said horrible sin of perjury.

**XXVII.** *Schismatics not to be admitted to the Communion.*

No minister, when he celebrateth the communion, shall wittingly administer the same to any but to such as kneel, under pain of suspension, nor under the like pain to any that refuse to be present at public prayers, according to the orders of the Church of England; nor to any that are common and notorious depravers of the Book of Common Prayer and Administration of the Sacraments, and of the orders, rites, and ceremonies therein prescribed, or of any thing that is contained in any of the articles agreed upon in the convocation, one thousand five hundred sixty and two, or of any thing contained in the book of ordering priests and bishops; or to any that have spoken against and depraved his majesty's sovereign authority in causes ecclesiastical; except every such person shall first acknowledge to the minister, before the church-wardens, his repentance for the same, and promise by word (if he cannot write) that he will do so no more;



and except (if he can write) he shall first do the same under his hand-writing, to be delivered to the minister, and by him sent to the bishop of the diocese, or ordinary of the place. Provided, That every minister so repelling any, (as is specified either in this or in the next precedent 5 Constitution,) shall, upon complaint, or being required by the ordinary, signify the cause thereof unto him, and therein obey his order and direction.

**XXVIII.** *Strangers not to be admitted to the Communion.*

The church-wardens or questmen, and their assistants, 10 shall mark, as well as the minister, whether all and every of the parishioners come so often every year to the holy communion, as the laws and our Constitutions do require; and whether any strangers come often and commonly 15 from other parishes to their church; and shall shew their minister of them, lest perhaps they be admitted to the Lord's table amongst others, which they shall forbid; and remit such home to their own parish-churches and ministers, there to receive the communion with the rest of their own neighbours. 20

**XXIX.** *Fathers not to be Godfathers in Baptism, nor Children not Communicants.*

No parent shall be urged to be present, nor be admitted to answer as godfather for his own child; nor any godfather or godmother shall be suffered to make any 25 other answer or speech, than by the Book of Common Prayer is prescribed in that behalf: neither shall any person be admitted godfather or godmother to any child at christening or confirmation, before the said person so undertaking hath received the holy communion. 30

**XXX.** *The lawful use of the Cross in Baptism explained.*

We are sorry that his majesty's most princely care and

pains taken in the conference at Hampton-Court, amongst many other points, touching this one of the cross in baptism, hath taken no better effect with many, but that still the use of it in baptism is so greatly stuck at and impugned. For the further declaration therefore of the true use of this ceremony, and for the removing of all such scruple, as might any ways trouble the consciences of them who are indeed rightly religious, following the royal steps of our most worthy king, because he therein followeth the rules of the scriptures, and the practice of the primitive Church; we do commend to all the true members of the Church of England these our directions and observations ensuing.

First, it is to be observed, that although the Jews and Ethnicks derided both the apostles and the rest of the Christians, for preaching and believing in him who was crucified upon the cross; yet all, both apostles and Christians, were so far from being discouraged from their profession by the ignominy of the cross, as they rather rejoiced and triumphed in it. Yea, the Holy Ghost by the mouths of the apostles did honour the name of the cross (being hateful among the Jews) so far, that under it he comprehended not only Christ crucified, but the force, effects, and merits of his death and passion, with all the comforts, fruits, and promises, which we receive or expect thereby.

Secondly, the honour and dignity of the name of the cross beget a reverend estimation even in the apostles' times (for ought that is known to the contrary) of the sign of the cross, which the Christians shortly after used in all their actions; thereby making an outward show and profession, even to the astonishment of the Jews, that they were not ashamed to acknowledge him for their Lord and Saviour, who died for them upon the cross. And this sign they did not only use themselves with a kind of glory, when they met with any Jews, but signed there-

with their children when they were christened, to dedicate them by that badge to his service, whose benefits bestowed upon them in baptism the name of the cross did represent. And this use of the sign of the cross in baptism was held in the primitive Church, as well by the 5 Greeks as the Latins, with one consent and great applause. At what time, if any had opposed themselves against it, they would certainly have been censured as enemies of the name of the cross, and consequently of Christ's merits, the sign whereof they could no better 10 endure. This continual and general use of the sign of the cross is evident by many testimonies of the ancient fathers.

Thirdly, it must be confessed, that in process of time the sign of the cross was greatly abused in the church of 15 Rome, especially after that corruption of popery had once possessed it. But the abuse of a thing doth not take away the lawful use of it. Nay, so far was it from the purpose of the Church of England to forsake and reject the Churches of Italy, France, Spain, Germany, or any 20 such like Churches, in all things which they held and practised, that, as the Apology of the Church of England confesseth, it doth with reverence retain those ceremonies, which do neither endamage the Church of God, nor offend the minds of sober men; and only departed from 25 them in those particular points, wherein they were fallen both from themselves in their ancient integrity, and from the apostolical Churches, which were their first founders. In which respect, amongst some other very ancient ceremonies, the sign of the cross in baptism hath been re- 30 tained in this Church, both by the judgment and practice of those reverend fathers and great divines in the days of king Edward the Sixth, of whom some constantly suffered for the profession of the truth; and others being exiled in the time of queen Mary, did after their return, in the 35 beginning of the reign of our late dread sovereign, conti-

nually defend and use the same. This resolution and practice of our church hath been allowed and approved by the censure upon the Communion-book in king Edward the Sixth his days, and by the Harmony of Confessions of later years: because in deed the use of this sign in baptism was ever accompanied here with such sufficient cautions and exceptions against all popish superstition and error, as in the like cases are either fit or convenient.

First, the Church of England, since the abolishing of popery, hath ever held and taught, and so doth hold and teach still, that the sign of the cross used in baptism is no part of the substance of that sacrament: for when the minister, dipping the infant in water, or laying water upon the face of it, (as the manner also is,) hath pronounced these words, "I baptize thee in the name of the Father, and of the Son, and of the Holy Ghost," the infant is fully and perfectly baptized. So as the sign of the cross being afterwards used, doth neither add any thing to the virtue and perfection of baptism, nor being omitted doth detract any thing from the effect and substance of it.

Secondly, it is apparent in the Communion-book, that the infant baptized is, by virtue of baptism, before it be signed with the sign of the cross, received into the congregation of Christ's flock, as a perfect member thereof, and not by any power ascribed unto the sign of the cross. So that for the very remembrance of the cross, which is very precious to all them that rightly believe in Jesus Christ, and in the other respects mentioned, the Church of England hath retained still the sign of it in baptism: following therein the primitive and apostolical Churches, and accounting it a lawful outward ceremony and honourable badge, whereby the infant is dedicated to the service of him that died upon the cross, as by the words used in the Book of Common Prayer it may appear.

Lastly, the use of the sign of the cross in baptism, being thus purged from all popish superstition and error, and reduced in the Church of England to the primary institution of it, upon those true rules of doctrine concerning things indifferent, which are consonant to the word of God, and the judgments of all the ancient fathers, we hold it the part of every private man, both minister and other, reverently to retain the true use of it prescribed by public authority; considering that things of themselves indifferent do in some sort alter their natures,<sup>10</sup> when they are either commanded or forbidden by a lawful magistrate; and may not be omitted at every man's pleasure, contrary to the law, when they be commanded, nor used when they are prohibited.

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MINISTERS, THEIR ORDINATION, FUNCTION, <sup>15</sup>  
AND CHARGE.

XXXI. *Four solemn Times appointed for the making of Ministers.*

Forasmuch as the ancient fathers of the Church, led by example of the apostles, appointed prayers and fasts<sup>20</sup> to be used at the solemn ordering of ministers, and to that purpose allotted certain times, in which only sacred orders might be given or conferred; we, following their holy and religious example, do constitute and decree, that no deacons or ministers be made and ordained, but only<sup>25</sup> upon the Sundays immediately following *Jejunia quatuor temporum*, commonly called "Ember weeks," appointed in ancient time for prayer and fasting, (purposely for this cause at their first institution,) and so continued at this day in the Church of England; and that this be done in<sup>30</sup> the cathedral or parish-church where the bishop resideth, and in the time of divine service, in the presence not only of the archdeacon, but of the dean and two prebendaries

at the least, or (if they shall happen by any lawful cause to be let or hindered) in the presence of four other grave persons, being masters of arts at the least, and allowed for public preachers.

**XXXII.** *None to be made Deacon and Minister both in one day.*

The office of deacon being a step or degree to the ministry, according to the judgment of the ancient fathers, and the practice of the primitive church; we do ordain and appoint, that hereafter no bishop shall make any<sup>10</sup> person, of what qualities or gifts soever, a deacon and a minister both together upon one day; but that the order in that behalf prescribed in the book of making and consecrating bishops, priests, and deacons, be strictly observed. Not that always every deacon should be kept<sup>15</sup> from the ministry for a whole year, when the bishop shall find good cause to the contrary; but that there being now four times appointed in every year for the ordination of deacons and ministers, there may ever be some time of trial of their behaviour in the office of deacon, before they<sup>20</sup> be admitted to the order of priesthood.

**XXXIII.** *The Titles of such as are to be made Ministers.*

It hath been long since provided by many decrees of the ancient fathers, that none should be admitted either deacon or priest, who had not first some certain place<sup>25</sup> where he might use his function. According to which examples we do ordain, that henceforth no person shall be admitted into sacred orders, except he shall at that time exhibit to the bishop, of whom he desireth imposition of hands, a presentation of himself to some eccle-<sup>30</sup>siastical preferment then void in that diocese; or shall bring to the said bishop a true and undoubted certificate, that either he is provided of some church within the said

diocese, where he may attend the cure of souls, or of some minister's place vacant, either in the cathedral church of that diocese, or in some other collegiate church therein also situate, where he may execute his ministry; or that he is a fellow, or in right as a fellow, or to be a conduct or chaplain in some college in Cambridge or Oxford; or except he be a master of arts of five years' standing, that liveth of his own charge in either of the universities; or except by the bishop himself, that doth ordain him minister, he be shortly after to be admitted either to some benefice or curateship then void. And if any bishop shall admit any person into the ministry, that hath none of these titles as is aforesaid, then he shall keep and maintain him with all things necessary, till he do prefer him to some ecclesiastical living. And if the said bishop shall refuse so to do, he shall be suspended by the archbishop, being assisted with another bishop, from giving of orders by the space of a year.

XXXIV. *The Quality of such as are to be made Ministers.*

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No bishop shall henceforth admit any person into sacred orders, which is not of his own diocese, except he be either of one of the universities of this realm, or except he shall bring letters dimissory (so termed) from the bishop of whose diocese he is; and desiring to be a deacon, is three and twenty years old; and to be a priest, four and twenty years complete; and hath taken some degree of school in either of the said universities; or at the least, except he be able to yield an account of his faith in Latin, according to the articles of religion approved in the synod of the bishops and clergy of this realm, one thousand five hundred sixty and two, and to confirm the same by sufficient testimonies out of the holy scriptures; and except moreover he shall then exhibit letters testimonial of his good life and conversation, under

the seal of some college in Cambridge or Oxford, where before he remained, or of three or four grave ministers, together with the subscription and testimony of other credible persons, who have known his life and behaviour by the space of three years next before. 5

**XXXV.** *The Examination of such as are to be made Ministers.*

The bishop, before he admit any person to holy orders, shall diligently examine him in the presence of those ministers that shall assist him at the imposition of hands: 10 and if the said bishop have any lawful impediment, he shall cause the said ministers carefully to examine every such person so to be ordered. Provided, that they who shall assist the bishop in examining and laying on of hands, shall be of his cathedral church, if they may con- 15 veniently be had, or other sufficient preachers of the same diocese, to the number of three at the least: and if any bishop or suffragan shall admit any to sacred orders who is not so qualified and examined, as before we have ordained, the archbishop of this province, having notice 20 thereof, and being assisted therein by one bishop, shall suspend the said bishop or suffragan so offending, from making either deacons or priests for the space of two years.

**XXXVI.** *Subscription required of such as are to be made 25 Ministers.*

No person shall hereafter be received into the ministry, nor either by institution or collation admitted to any ecclesiastical living, nor suffered to preach, to catechize, or to be a lecturer or reader of divinity in either uni- 30 versity, or in any cathedral or collegiate church, city, or market-town, parish-church, chapel, or in any other place within this realm, except he be licensed either by the archbishop, or by the bishop of the diocese, where he is



to be placed, under their hands and seals, or by one of the two universities under their seal likewise; and except he shall first subscribe to these three articles following, in such manner and sort as we have here appointed.

I. That the king's majesty, under God, is the only supreme governor of this realm, and of all other his highness's dominions and countries, as well in all spiritual or ecclesiastical things or causes, as temporal; and that no foreign prince, person, prelate, state, or potentate hath, or ought to have, any jurisdiction, power, superiority,<sup>10</sup> pre-eminence, or authority, ecclesiastical or spiritual, within his majesty's said realms, dominions, and countries.

II. That the Book of Common Prayer, and of ordering of bishops, priests, and deacons, containeth in it nothing contrary to the word of God, and that it may lawfully so<sup>15</sup> be used; and that he himself will use the form in the said book prescribed, in public prayer, and administration of the sacraments, and none other.

III. That he alloweth the Book of Articles of Religion agreed upon by the archbishops and bishops of both provinces, and the whole clergy in the convocation holden at London in the year of our Lord God one thousand five hundred sixty and two; and that he acknowledgeth all and every the articles therein contained, being in number nine and thirty, besides the ratification, to be agreeable<sup>25</sup> to the word of God.

To these three articles whosoever will subscribe, he shall, for the avoiding of all ambiguities, subscribe in this order and form of words, setting down both his Christian and surname, viz., "I *N. N.* do willingly and *ex animo*<sup>30</sup> subscribe to these three articles above mentioned, and to all things that are contained in them." And if any bishop shall ordain, admit, or license any, as is aforesaid, except he first have subscribed in manner and form as here we have appointed, he shall be suspended from<sup>35</sup> giving of orders and licenses to preach, for the space of

twelve months. But if either of the universities shall offend therein, we leave them to the danger of the law, and his majesty's censure.

XXXVII. *Subscription before the Diocesan.*

None licensed, as is aforesaid, to preach, read, lecture, 5  
or catechize, coming to reside in any diocese, shall be  
permitted there to preach, read, lecture, catechize, or  
minister the sacraments, or to execute any other eccle-  
siastical function, (by what authority soever he be there-  
unto admitted,) unless he first consent and subscribe to 10  
the three articles before mentioned, in the presence of  
the bishop of the diocese, wherein he is to preach, read,  
lecture, catechize, or administer the sacraments, as afore-  
said.

XXXVIII. *Revolters after subscription censured.* 15

If any minister, after he hath once subscribed to the  
said three articles, shall omit to use the form of prayer,  
or any of the orders or ceremonies prescribed in the Com-  
munion-book, let him be suspended; and if after a month  
he do not reform and submit himself, let him be excom- 20  
municated; and then if he shall not submit himself within  
the space of another month, let him be deposed from the  
ministry.

XXXIX. *Cautions for Institution of Ministers into  
Benefices.* 25

No bishop shall institute any to a benefice, who hath  
been ordained by any other bishop, except he first shew  
unto him his letters of orders, and bring him a sufficient  
testimony of his former good life and behaviour, if the  
bishop shall require it; and lastly, shall appear, upon due 30  
examination, to be worthy of his ministry.

XL. *An Oath against Simony at Institution into Benefices.*

To avoid the detestable sin of simony, because buying and selling of spiritual and ecclesiastical functions, offices, promotions, dignities, and livings, is execrable before God; therefore the archbishop, and all and every bishop or bishops, or any other person or persons having authority to admit, institute, collate, install, or to confirm the election of any archbishop, bishop, or other person or persons, to any spiritual or ecclesiastical function, dignity, promotion, title, office, jurisdiction, place, or benefice with cure or without cure, or to any ecclesiastical living whatsoever, shall, before every such admission, institution, collation, installation, or confirmation of election, respectively minister to every person hereafter to be admitted, instituted, collated, installed, or confirmed in or to any archbishopric, bishopric, or other spiritual or ecclesiastical function, dignity, promotion, title, office, jurisdiction, place, or benefice with cure or without cure, or in or to any ecclesiastical living whatsoever, this oath, in manner and form following, the same to be taken by every one whom it concerneth in his own person, and not by a proctor: *I N. N. do swear, That I have made no simoniacal payment, contract, or promise, directly or indirectly, by myself, or by any other, to my knowledge, or with my consent, to any person or persons whatsoever, for or concerning the procuring and obtaining of this ecclesiastical dignity, place, preferment, office, or living, (respectively and particularly naming the same whereunto he is to be admitted, instituted, collated, installed, or confirmed,) nor will at any time hereafter perform or satisfy any such kind of payment, contract, or promise made by any other without my knowledge or consent: So help me God through Jesus Christ.*

XLI. *Licenses for Plurality of Benefices limited, and Residence enjoined.*

No license or dispensation for the keeping of more benefices with cure than one, shall be granted to any but such only as shall be thought very well worthy for his learning, and very well able and sufficient to discharge his duty; that is, who shall have taken the degree of a master of arts at the least in one of the universities of this realm, and be a public and sufficient preacher licensed. Provided always, that he be by a good and sufficient caution bound to make his personal residence in each his said benefices for some reasonable time in every year; and that the said benefices be not more than thirty miles distant asunder; and lastly, that he have under him in the benefice, where he doth not reside, a preacher lawfully allowed, that is able sufficiently to teach and instruct the people.

XLII. *Residence of Deans in their Churches.*

Every dean, master, or warden, or chief governor of any cathedral or collegiate church, shall be resident in his said cathedral or collegiate church fourscore and ten days *conjunctim* or *divisim* in every year at the least, and then shall continue there in preaching the word of God, and keeping good hospitality, except he shall be otherwise let with weighty and urgent causes, to be approved by the bishop of the diocese, or in any other lawful sort dispensed with. And when he is present, he, with the rest of the canons or prebendaries resident, shall take special care that the statutes and laudable customs of their church, (not being contrary to the word of God, or prerogative royal,) the statutes of this realm being in force concerning ecclesiastical order, and all other constitutions now set forth and confirmed by his majesty's authority, and such as shall be lawfully enjoined by the

bishop of the diocese in his visitation, according to the statutes and customs of the same church, or the ecclesiastical laws of this realm, be diligently observed; and that the petty canons, vicars choral, and other ministers of their church, be urged to the study of the holy scriptures; and every one of them to have the New Testament, not only in English, but also in Latin.

*XLIII. Deans and Prebendaries to preach during their Residence.*

The dean, master, warden, or chief governor, prebendaries, and canons in every cathedral and collegiate church, shall not only preach there in their own persons so often as they are bound by law, statute, ordinance, or custom, but shall likewise preach in other churches of the same diocese where they are resident, and especially<sup>15</sup> in those places whence they or their church receive any yearly rents or profits. And in case they themselves be sick, or lawfully absent, they shall substitute such licensed preachers to supply their turns, as by the bishop of the diocese shall be thought meet to preach in cathedral<sup>20</sup> churches. And if any otherwise neglect or omit to supply his course, as is aforesaid, the offender shall be punished by the bishop, or by him or them to whom the jurisdiction of that church appertaineth, according to the quality of the offence. 25

*XLIV. Prebendaries to be resident upon their Benefices.*

No prebendaries nor canons in cathedral or collegiate churches having one or more benefices with cure, (and not being residentiaries in the same cathedral or collegiate churches,) shall under colour of the said prebends, absent<sup>30</sup> themselves from their benefices with cure above the space of one month in the year, unless it be for some urgent cause, and certain time to be allowed by the bishop of the diocese. And such of the said canons and preben-

daries, as by the ordinances of the said cathedral or collegiate churches do stand bound to be resident in the same, shall so among themselves sort and proportion the times of the year, concerning residency to be kept in the said churches, as that some of them always shall be personally resident there; and that all those who be, or shall be residentiaries in any cathedral or collegiate church, shall, after the days of their residency appointed by their local statutes or customs expired, presently repair to their benefices, or some one of them, or to some other charge where the law requireth their presence, there to discharge their duties according to the laws in that case provided. And the bishop of the diocese shall see the same to be duly performed and put in execution.

*XLV. Beneficed Preachers, being resident upon their Livings, to preach every Sunday.*

Every beneficed man allowed to be a preacher, and residing on his benefice, having no lawful impediment, shall in his own cure, or in some other church or chapel, where he may conveniently, near adjoining, (where no preacher is,) preach one sermon every Sunday of the year; wherein he shall soberly and sincerely divide the word of truth, to the glory of God, and to the best edification of the people.

*XLVI. Beneficed Men, not Preachers, to procure monthly Sermons.*

Every beneficed man, not allowed to be a preacher, shall procure sermons to be preached in his cure once in every month at the least, by preachers lawfully licensed, if his living, in the judgment of the ordinary, will be able to bear it. And upon every Sunday, when there shall not be a sermon preached in his cure, he or his curate shall read some one of the homilies prescribed or to be prescribed by authority, to the intents aforesaid.

XLVII. *Absence of beneficed Men to be supplied by Curates that are allowed Preachers.*

Every beneficed man, licensed by the laws of this realm, upon urgent occasions of other service, not to reside upon his benefice, shall cause his cure to be supplied by a curate that is a sufficient and licensed preacher, if the worth of the benefice will bear it. But whosoever hath two benefices, shall maintain a preacher licensed in the benefice where he doth not reside, except he preach himself at both of them usually. 10

XLVIII. *None to be Curates but allowed by the Bishop.*

No curate or minister shall be permitted to serve in any place, without examination and admission of the bishop of the diocese, or ordinary of the place, having episcopal jurisdiction, in writing under his hand and seal, 15 having respect to the greatness of the cure, and meetness of the party. And the said curates and ministers, if they remove from one diocese to another, shall not be by any means admitted to serve without testimony of the bishop of the diocese, or ordinary of the place, as aforesaid, 20 whence they came, in writing, of their honesty, ability, and conformity to the ecclesiastical laws of the Church of England. Nor any shall serve more than one church or chapel upon one day, except that chapel be a member of the parish-church, or united thereunto; and unless the 25 said church or chapel, where such a minister shall serve in two places, be not able in the judgment of the bishop or ordinary, as aforesaid, to maintain a curate.

XLIX. *Ministers, not allowed Preachers, may not expound.* 30

No person whatsoever not examined and approved by the bishop of the diocese, or not licensed, as is aforesaid,

for a sufficient or convenient preacher, shall take upon him to expound in his own cure, or elsewhere, any scripture or matter of doctrine; but shall only study to read plainly and aptly (without glossing or adding) the homilies already set forth, or hereafter to be published by lawful authority, for the confirmation of the true faith, and for the good instruction and edification of the people.

*L. Strangers not admitted to preach without shewing their License.*

Neither the minister, church-wardens, nor any other officers of the church, shall suffer any man to preach within their churches or chapels, but such as, by shewing their license to preach, shall appear unto them to be sufficiently authorized thereunto, as is aforesaid.

*LI. Strangers not admitted to preach in Cathedral Churches without sufficient Authority.*

The deans, presidents, and residentiaries of any cathedral or collegiate church, shall suffer no stranger to preach unto the people in their churches, except they be allowed by the archbishop of the province, or by the bishop of the same diocese, or by either of the universities. And if any in his sermon shall publish any doctrine, either strange, or disagreeing from the word of God, or from any of the Articles of Religion agreed upon in the convocation-house, anno 1562, or from the Book of Common Prayers; the dean or the residents shall, by their letters subscribed with some of their hands that heard him, so soon as may be, give notice of the same to the bishop of the diocese, that he may determine the matter, and take such order therein, as he shall think convenient.

*LII. The Names of strange Preachers to be noted in a Book.*

That the bishop may understand (if occasion so require)



what sermons are made in every church of his diocese, and who presume to preach without license, the church-wardens and side-men shall see that the names of all preachers, which come to their church from any other place, be noted in a book, which they shall have ready for that purpose; wherein every preacher shall subscribe his name, the day when he preached, and the name of the bishop of whom he had license to preach.

LIII. *No public Opposition between Preachers.*

If any preacher shall in the pulpit particularly, or 10 namely of purpose, impugn or confute any doctrine delivered by any other preacher in the same church, or in any church near adjoining, before he hath acquainted the bishop of the diocese therewith, and received order from him what to do in that case, because upon such public 15 dissenting and contradicting there may grow much offence and disquietness unto the people; the church-wardens, or party grieved, shall forthwith signify the same to the said bishop, and not suffer the said preacher any more to occupy that place which he hath once abused, except he 20 faithfully promise to forbear all such matter of contention in the church, until the bishop hath taken further order therein; who shall with all convenient speed so proceed therein, that public satisfaction may be made in the congregation where the offence was given. Provided, 25 that if either of the parties offending do appeal, he shall not be suffered to preach *pendente lite*.

LIV. *The Licenses of Preachers refusing Conformity to be void.*

If any man licensed heretofore to preach, by any arch-30 bishop, bishop, or by either of the universities, shall at any time from henceforth refuse to conform himself to the laws, ordinances, and rites ecclesiastical, established

in the Church of England, he shall be admonished by the bishop of the diocese, or ordinary of the place, to submit himself to the use and due exercise of the same. And if, after such admonition, he do not conform himself within the space of one month, we determine and decree, That the license of every such preacher shall thereupon be utterly void, and of none effect.

*LV. The Form of a Prayer to be used by all Preachers before their Sermons.*

Before all sermons, lectures, and homilies, the preachers<sup>10</sup> and ministers shall move the people to join with them in prayer in this form, or to this effect, as briefly as conveniently they may: Ye shall pray for Christ's holy catholic church, that is, for the whole congregation of Christian people dispersed throughout the whole world, and especially for the Churches of England, Scotland, and Ireland: and herein I require you most especially to pray for the king's most excellent majesty, our sovereign lord JAMES, king of England, Scotland, France, and Ireland, defender of the faith, and supreme governor in these his realms,<sup>20</sup> and all other his dominions and countries, over all persons, in all causes, as well ecclesiastical as temporal: ye shall also pray for our gracious queen ANNE, the noble prince HENRY, and the rest of the king and queen's royal issue: ye shall also pray for the ministers of God's holy word<sup>25</sup> and sacraments, as well archbishops and bishops, as other pastors and curates: ye shall also pray for the king's most honourable council, and for all the nobility and magistrates of this realm; that all and every of these, in their several callings, may serve truly and painfully to the<sup>30</sup> glory of God, and the edifying and well governing of his people, remembering the account that they must make: also ye shall pray for the whole commons of this realm, that they may live in true faith and fear of God, in hum-

ble obedience to the king, and brotherly charity one to another. Finally, let us praise God for all those which are departed out of this life in the faith of Christ, and pray unto God, that we may have grace to direct our lives after their good example; that, this life ended, we may be made partakers with them of the glorious resurrection in the life everlasting; always concluding with the Lord's Prayer.

LVI. *Preachers and Lecturers to read Divine Service, and administer the Sacraments twice a Year at the least.* 10

Every minister, being possessed of a benefice that hath cure and charge of souls, although he chiefly attend to preaching, and hath a curate under him to execute the other duties which are to be performed for him in the church, and likewise every other stipendiary preacher 15 that readeth any lecture, or catechizeth, or preacheth in any church or chapel, shall twice at the least every year read himself the divine service upon two several Sundays publicly, and at the usual times, both in the forenoon and afternoon, in the church which he so possesseth, or where 20 he readeth, catechizeth, or preacheth, as is aforesaid; and shall likewise as often in every year administer the sacraments of baptism, (if there be any to be baptized,) and of the Lord's supper, in such manner and form, and with the observation of all such rites and ceremonies as 25 are prescribed by the Book of Common Prayer in that behalf; which if he do not accordingly perform, then shall he that is possessed of a benefice (as before) be suspended; and he that is but a reader, preacher, or catechizer, be removed from his place by the bishop of the 30 diocese, until he or they shall submit themselves to perform all the said duties, in such manner and sort as before is prescribed.

LVII. *The Sacraments not to be refused at the Hands of unpreaching Ministers.*

Whereas divers persons, seduced by false teachers, do refuse to have their children baptized by a minister that is no preacher, and to receive the holy communion at his hands in the same respect, as though the virtue of those sacraments did depend upon his ability to preach; forasmuch as the doctrine both of baptism and of the Lord's supper is sufficiently set down in the Book of Common Prayer to be used at the administration of the said sacraments, as nothing can be added unto it that is material and necessary: we do require and charge every such person, seduced as aforesaid, to reform that their wilfulness, and to submit himself to the order of the church in that behalf; both the said sacraments being equally effectual, whether they be ministered by a minister that is no preacher, or by one that is a preacher. And if any hereafter shall offend herein, or leave their own parish-churches in that respect, and communicate, or cause their children to be baptized, in other parishes abroad, and will not be moved thereby to reform that their error and unlawful course; let them be presented to the ordinary of the place by the minister, church-wardens, and side-men, or quest-men of the parishes where they dwell, and there receive such punishment by ecclesiastical censures, as such obstinacy doth worthily deserve; that is, let them (persisting in their wilfulness) be suspended, and then, after a month's further obstinacy, excommunicated. And likewise if any parson, vicar, or curate, shall, after the publishing hereof, either receive to the communion any such persons which are not of his own church and parish, or shall baptize any of their children, thereby strengthening them in their said errors; let him be suspended, and not released thereof, until he do faithfully promise that he will not afterwards offend therein.

LVIII. *Ministers reading Divine Service, and administering the Sacraments, to wear Surplices, and Graduates therewithal Hoods.*

Every minister saying the public prayers, or ministering the sacraments, or other rites of the church, shall wear a decent and comely surplice with sleeves, to be provided at the charge of the parish. And if any question arise touching the matter, decency, or comeliness thereof, the same shall be decided by the discretion of the ordinary. Furthermore, such ministers as are graduates shall wear upon their surplices, at such times, such hoods as by the orders of the universities are agreeable to their degrees, which no minister shall wear (being no graduate) under pain of suspension. Notwithstanding it shall be lawful for such ministers as are not graduates to wear upon their surplices, instead of hoods, some decent tippet of black, so it be not silk.

LIX. *Ministers to catechize every Sunday.*

Every parson, vicar, or curate, upon every Sunday and holy-day, before evening prayer, shall, for half an hour or more, examine and instruct the youth and ignorant persons of his parish, in the Ten Commandments, the Articles of the Belief, and in the Lord's Prayer; and shall diligently hear, instruct, and teach them the Catechism set forth in the Book of Common Prayer. And all fathers, mothers, masters, and mistresses, shall cause their children, servants, and apprentices, which have not learned the Catechism, to come to the church at the time appointed, obediently to hear, and to be ordered by the minister, until they have learned the same. And if any minister neglect his duty herein, let him be sharply reprov'd upon the first complaint, and true notice thereof given to the bishop or ordinary of the place. If, after submitting himself, he shall willingly offend therein again,

let him be suspended; if so the third time, there being little hope that he will be therein reformed, then excommunicated, and so remain until he will be reformed. And likewise if any of the said fathers, mothers, masters, or mistresses, children, servants, or apprentices, shall neglect their duties, as the one sort in not causing them to come, and the other in refusing to learn, as aforesaid; let them be suspended by their ordinaries, (if they be not children,) and if they so persist by the space of a month, then let them be excommunicated.

10

*LX. Confirmation to be performed once in three Years.*

Forasmuch as it hath been a solemn, ancient, and laudable custom in the Church of God, continued from the apostles' times, that all bishops should lay their hands upon children baptized and instructed in the Catechism<sup>15</sup> of Christian Religion, praying over them, and blessing them, which we commonly call *Confirmation*; and that this holy action hath been accustomed in the Church in former ages, to be performed in the bishop's visitation every third year; we will and appoint, That every bishop<sup>20</sup> or his suffragan, in his accustomed visitation, do in his own person carefully observe the said custom. And if in that year, by reason of some infirmity, he be not able personally to visit, then he shall not omit the execution of that duty of confirmation the next year after, as he<sup>25</sup> may conveniently.

*LXI. Ministers to prepare Children for Confirmation.*

Every minister, that hath cure and charge of souls, for the better accomplishing of the orders prescribed in the Book of Common Prayer concerning confirmation, shall<sup>30</sup> take such especial care as that none may be presented to the bishop for him to lay his hands upon, but such as can render an account of their faith according to the Catechism in the said book contained. And when the bishop

shall assign any time for the performance of that part of his duty, every such minister shall use his best endeavour to prepare and make able, and likewise to procure as many as he can to be then brought, and by the bishop to be confirmed. 5

LXII. *Ministers not to marry any Persons without Banns, or License.*

No minister, upon pain of suspension *per triennium ipso facto*, shall celebrate matrimony between any persons, without a faculty or license granted by some of the persons in these our Constitutions expressed, except the banns of matrimony have been first published three several Sundays, or holy-days, in the time of divine service, in the parish-churches and chapels where the said parties dwell, according to the Book of Common Prayer. Neither shall any minister, upon the like pain, under any pretence whatsoever, join any persons so licensed in marriage at any unseasonable times, but only between the hours of eight and twelve in the forenoon, nor in any private place, but either in the said churches or chapels where one of them dwelleth, and likewise in time of divine service; nor when banns are thrice asked, (and no license in that respect necessary,) before the parents or governors of the parties to be married, being under the age of twenty and one years, shall either personally, or by sufficient testimony, signify to him their consents given to the said marriage. 15 20 25

LXIII. *Ministers of exempt Churches not to marry without Banns, or License.*

Every minister, who shall hereafter celebrate marriage between any persons contrary to our said Constitutions, or any part of them, under colour of any peculiar liberty or privilege claimed to appertain to certain churches and chapels, shall be suspended *per triennium* by the ordinary 30

of the place where the offence shall be committed. And if any such minister shall afterwards remove from the place where he hath committed that fault, before he be suspended, as is aforesaid, then shall the bishop of the diocese, or ordinary of the place where he remaineth,<sup>5</sup> upon certificate under the hand and seal of the other ordinary, from whose jurisdiction he removed, execute that censure upon him.

LXIV. *Ministers solemnly to bid Holy-days.*

Every parson, vicar, or curate, shall in his several<sup>10</sup> charge declare to the people, every Sunday at the time appointed in the Communion-book, whether there be any holy-days or fasting-days the week following. And if any do hereafter wittingly offend herein, and being once admonished thereof by his ordinary, shall again omit that<sup>15</sup> duty, let him be censured according to law, until he submit himself to the due performance of it.

LXV. *Ministers solemnly to denounce Recusants and Excommunicates.*

All ordinaries shall, in their several jurisdictions, care-<sup>20</sup> fully see and give order, that as well those who for obstinate refusing to frequent divine service established by public authority within this realm of England, as those also (especially of the better sort and condition) who for notorious contumacy, or other notable crimes,<sup>25</sup> stand lawfully excommunicate, (unless within three months immediately after the said sentence of excommunication pronounced against them, they reform themselves, and obtain the benefit of absolution,) be every six months ensuing, as well in the parish-church, as in the cathedral<sup>30</sup> church of the diocese in which they remain, by the minister openly in time of divine service, upon some Sunday, denounced and declared excommunicate, that others may be thereby both admonished to refrain their



company and society, and excited the rather to procure out a writ *De excommunicato capiendo*, thereby to bring and reduce them into due order and obedience. Likewise the registrar of every ecclesiastical court shall yearly between Michaelmas and Christmas duly certify the<sup>5</sup> archbishop of the province of all and singular the premises aforesaid.

LXVI. *Ministers to confer with Recusants.*

Every minister being a preacher, and having any popish recusant or recusants in his parish, and thought fit by the<sup>10</sup> bishop of the diocese, shall labour diligently with them from time to time, thereby to reclaim them from their errors. And if he be no preacher, or not such a preacher, then he shall procure, if he can possibly, some that are preachers so qualified, to take pains with them for that<sup>15</sup> purpose. If he can procure none, then he shall inform the bishop of the diocese thereof, who shall not only appoint some neighbour preacher or preachers adjoining to take that labour upon them, but himself also, as his important affairs will permit him, shall use his best endea-<sup>20</sup> vour, by instruction, persuasion, and all good means he can devise, to reclaim both them and all other within his diocese so affected.

LXVII. *Ministers to visit the Sick.*

When any person is dangerously sick in any parish,<sup>25</sup> the minister, or curate, having knowledge thereof, shall resort unto him or her, (if the disease be not known, or probably suspected, to be infectious,) to instruct and comfort them in their distress, according to the order of the Communion-book, if he be no preacher; or if he<sup>30</sup> be a preacher, then as he shall think most needful and convenient. And when any is passing out of this life, a bell shall be tolled, and the minister shall not then slack to do his last duty. And after the party's death,

(if it so fall out,) there shall be rung no more but one short peal, and one other before the burial, and one other after the burial.

LXVIII. *Ministers not to refuse to christen or bury.*

No minister shall refuse or delay to christen any child<sup>5</sup> according to the form of the Book of Common Prayer, that is brought to the church to him upon Sundays or holy-days to be christened, or to bury any corpse that is brought to the church or church-yard, (convenient warning being given him thereof before,) in such manner<sup>10</sup> and form as is prescribed in the said Book of Common Prayer. And if he shall refuse to christen the one, or bury the other, except the party deceased were denounced excommunicated *majori excommunicatione*, for some grievous and notorious crime, (and no man able to<sup>15</sup> testify of his repentance,) he shall be suspended by the bishop of the diocese from his ministry by the space of three months.

LXIX. *Ministers not to defer christening, if the Child be in danger.*

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If any minister, being duly, without any manner of collusion, informed of the weakness and danger of death of any infant unbaptized in his parish, and thereupon desired to go or come to the place where the said infant remaineth, to baptize the same, shall either wilfully refuse<sup>25</sup> so to do, or of purpose, or of gross negligence shall so defer the time, as, when he might conveniently have resorted to the place, and have baptized the said infant, it dieth, through such his default, unbaptized; the said minister shall be suspended for three months; and before<sup>30</sup> his restitution shall acknowledge his fault, and promise before his ordinary, that he will not wittingly incur the like again. Provided, that where there is a curate, or a substitute, this constitution shall not extend to the

parson or vicar himself, but to the curate or substitute present.

LXX. *Ministers to keep a Register of Christenings, Weddings, and Burials.*

In every parish-church and chapel within this realm, shall be provided one parchment book at the charge of the parish, wherein shall be written the day and year of every christening, wedding, and burial, which have been in that parish since the time that the law was first made in that behalf, so far as the ancient books thereof can be procured, but especially since the beginning of the reign of the late queen. And for the safe keeping of the said book, the church-wardens, at the charge of the parish, shall provide one sure coffer, with three locks and keys; whereof the one to remain with the minister, and the other two with the church-wardens, severally; so that neither the minister without the two church-wardens, nor the church-wardens without the minister, shall at any time take that book out of the said coffer. And henceforth upon every Sabbath day, immediately after morning or evening prayer, the minister and church-wardens shall take the said parchment book out of the said coffer, and the minister, in the presence of the church-wardens, shall write and record in the said book the names of all persons christened, together with the names and surnames of their parents, and also the names of all persons married and buried in that parish in the week before, and the day and year of every such christening, marriage, and burial; and, that done, they shall lay up that book in the coffer, as before, and the minister and church-wardens unto every page of that book, when it shall be filled with such inscriptions, shall subscribe their names. And the church-wardens shall once every year, within one month after the five and twentieth day of March, transmit unto the bishop of the diocese, or his chancellor, a true

copy of the names of all persons christened, married, or buried in their parish in the year before, (ended the said five and twentieth day of March,) and the certain days and months in which every such christening, marriage, and burial was had, to be subscribed with the hands of the said minister and church-wardens, to the end the same may faithfully be preserved in the registry of the said bishop; which certificate shall be received without fee. And if the minister or church-wardens shall be negligent in performance of any thing herein contained,<sup>10</sup> it shall be lawful for the bishop, or his chancellor, to convent them, and proceed against every of them as contemners of this our constitution.

LXXI. *Ministers not to preach, or administer the Communion, in private Houses.* 15

No minister shall preach, or administer the holy communion, in any private house, except it be in times of necessity, when any being either so impotent as he cannot go to the church, or very dangerously sick, are desirous to be partakers of that holy sacrament, under pain of suspen-<sup>20</sup> sion for the first offence, and excommunication for the second. Provided, that houses are here reputed for private houses, wherein are no chapels dedicated and allowed by the ecclesiastical laws of this realm. And provided also, under the pain before expressed, that no chaplains<sup>25</sup> do preach or administer the communion in any other places, but in the chapels of the said houses; and that also they do the same very seldom upon Sundays and holy-days; so that both the lords and masters of the said houses, and their families, shall at other times resort to<sup>30</sup> their own parish-churches, and there receive the holy communion at the least once every year.

LXXII. *Ministers not to appoint public or private Fasts or Prophecies, or to exorcise, but by authority.*

No minister or ministers shall, without the license<sup>35</sup>

and direction of the bishop of the diocese first obtained and had under his hand and seal, appoint or keep any solemn fasts, either publicly or in any private houses, other than such as by law are, or by public authority shall be appointed, nor shall be wittingly present at any<sup>5</sup> of them, under pain of suspension for the first fault, of excommunication for the second, and of deposition from the ministry for the third. Neither shall any minister not licensed, as is aforesaid, presume to appoint or hold any meetings for sermons, commonly termed by some<sup>10</sup> prophecies or exercises, in market-towns, or other places, under the said pains: nor, without such license, to attempt upon any pretence whatsoever, either of possession or obsession, by fasting and prayer, to cast out any devil or devils, under pain of the imputation of imposture or<sup>15</sup> cosenage, and deposition from the ministry.

LXXIII. *Ministers not to hold private Conventicles.*

Forasmuch as all conventicles, and secret meetings of priests and ministers, have been ever justly accounted very hurtful to the state of the church wherein they live; <sup>20</sup> we do now ordain and constitute, That no priests, or ministers of the word of God, or any other persons, shall meet together in any private house, or elsewhere, to consult upon any matter or course to be taken by them, or upon their motion or direction by any other, which <sup>25</sup> may any way tend to the impeaching or depraving of the doctrine of the Church of England, or of the Book of Common Prayer, or of any part of the government and discipline now established in the Church of England, under pain of excommunication *ipso facto*. <sup>30</sup>

LXXIV. *Decency in Apparel enjoined to Ministers.*

The true, ancient, and flourishing Churches of Christ, being ever desirous that their prelacy and clergy might be had as well in outward reverence, as otherwise regarded

for the worthiness of their ministry, did think it fit, by a prescript form of decent and comely apparel, to have them known to the people, and thereby to receive the honour and estimation due to the special messengers and ministers of Almighty God : we therefore following their<sup>5</sup> grave judgment, and the ancient custom of the Church of England, and hoping that in time newfangleness of apparel in some factious persons will die of itself, do constitute and appoint, That the archbishops and bishops shall not intermit to use the accustomed apparel of their<sup>10</sup> degrees. Likewise all deans, masters of colleges, archdeacons, and prebendaries, in cathedral and collegiate churches, (being priests or deacons,) doctors in divinity, law, and physic, bachelors in divinity, masters of arts, and bachelors of law, having any ecclesiastical living,<sup>15</sup> shall usually wear gowns with standing collars, and sleeves strait at the hands, or wide sleeves, as is used in the universities, with hoods or tippets of silk or sarcenet, and square caps. And that all other ministers admitted or to be admitted into that function shall also usually<sup>20</sup> wear the like apparel as is aforesaid, except tippets only. We do further in like manner ordain, That all the said ecclesiastical persons above mentioned shall usually wear in their journeys cloaks with sleeves, commonly called priests' cloaks, without guards, welts, long buttons, or<sup>25</sup> cuts. And no ecclesiastical person shall wear any coif or wrought nightcap, but only plain nightcaps of black silk, satin, or velvet. In all which particulars concerning the apparel here prescribed, our meaning is not to attribute any holiness or special worthiness to the said gar-<sup>30</sup>ments, but for decency, gravity, and order, as is before specified. In private houses, and in their studies, the said persons ecclesiastical may use any comely and scholar-like apparel, provided that it be not cut or pinkt; and that in public they go not in their doublet and hose,<sup>35</sup>

without coats or cassocks; and also that they wear not any light-coloured stockings. Likewise poor beneficed men and curates (not being able to provide themselves long gowns) may go in short gowns of the fashion aforesaid.

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**LXXV.** *Sober Conversation required in Ministers.*

No ecclesiastical person shall at any time, other than for their honest necessities, resort to any taverns or ale-houses, neither shall they board or lodge in any such places. Furthermore, they shall not give themselves to any base or servile labour, or to drinking or riot, spending their time idly by day or by night, playing at dice, cards, or tables, or any other unlawful game: but at all times convenient they shall hear or read somewhat of the holy scriptures, or shall occupy themselves with some other honest study or exercise, always doing the things which shall appertain to honesty, and endeavouring to profit the Church of God; having always in mind, that they ought to excel all others in purity of life, and should be examples to the people to live well and christianly, under pain of ecclesiastical censures, to be inflicted with severity, according to the qualities of their offences.

**LXXVI.** *Ministers at no time to forsake their Calling.*

No man being admitted a deacon or minister shall from thenceforth voluntarily relinquish the same, nor afterward use himself in the course of his life as a layman, upon pain of excommunication. And the names of all such men, so forsaking their calling, the church-wardens of the parish where they dwell shall present to the bishop of the diocese, or to the ordinary of the place, having episcopal jurisdiction.

## SCHOOLMASTERS.

LXXVII. *None to teach School without License.*

No man shall teach either in public school, or private house, but such as shall be allowed by the bishop of the diocese, or ordinary of the place, under his hand and seal, <sup>5</sup> being found meet as well for his learning and dexterity in teaching, as for sober and honest conversation, and also for right understanding of God's true religion; and also except he shall first subscribe to the first and third articles aforementioned simply, and to the two first clauses <sup>10</sup> of the second article.

LXXVIII. *Curates desirous to teach to be licensed before others.*

In what parish-church or chapel soever there is a curate, which is a master of arts, or bachelor of arts, or is <sup>15</sup> otherwise well able to teach youth, and will willingly so do, for the better increase of his living, and training up of children in principles of true religion; we will and ordain, That a license to teach youth of the parish where he serveth be granted to none by the ordinary of that place, <sup>20</sup> but only to the said curate. Provided always, that this Constitution shall not extend to any parish or chapel in country towns, where there is a public school founded already; in which case we think it not meet to allow any to teach grammar, but only him that is allowed for the <sup>25</sup> said public school.

LXXIX. *The Duty of Schoolmasters.*

All schoolmasters shall teach in English or Latin, as the children are able to bear, the larger or shorter Catechism heretofore by public authority set forth. And as <sup>30</sup> often as any sermon shall be upon holy and festival days within the parish where they teach, they shall bring their



scholars to the church where such sermon shall be made, and there see them quietly and soberly behave themselves; and shall examine them at times convenient, after their return, what they have borne away of such sermons. Upon other days, and at other times, they shall train 5 them up with such sentences of holy scripture, as shall be most expedient to induce them to all godliness; and they shall teach the grammar set forth by king Henry the Eighth, and continued in the times of king Edward the Sixth, and queen Elizabeth of noble memory, and 10 none other. And if any schoolmaster, being licensed, and having subscribed as aforesaid, shall offend in any of the premises, or either speak, write, or teach against any thing whereunto he hath formerly subscribed, (if 15 upon admonition by the ordinary he do not amend and reform himself,) let him be suspended from teaching school any longer.

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THINGS APPERTAINING TO CHURCHES.

LXXX. *The great Bible, and Book of Common Prayer, to be had in every Church.* 20

THE church-wardens or quest-men of every church and chapel shall, at the charge of the parish, provide the Book of Common Prayer, lately explained in some few points by his majesty's authority, according to the laws and his highness's prerogative in that behalf, and that 25 with all convenient speed, but at the furthest within two months after the publishing of these our Constitutions. And if any parishes be yet unfurnished of the Bible of the largest volume, or of the books of Homilies allowed by authority, the said church-wardens shall within conve- 30 nient time provide the same at the like charge of the parish.

**LXXXI.** *A Font of Stone for Baptism in every Church.*

According to a former Constitution, too much neglected in many places, we appoint, that there shall be a font of stone in every church and chapel where baptism is to be ministered; the same to be set in the ancient usual<sup>5</sup> places: in which only font the minister shall baptize publicly.

**LXXXII.** *A decent Communion-table in every Church.*

Whereas we have no doubt, but that in all churches within the realm of England, convenient and decent tables<sup>10</sup> are provided and placed for the celebration of the holy communion, we appoint, that the same tables shall from time to time be kept and repaired in sufficient and seemly manner, and covered, in time of divine service, with a carpet of silk or other decent stuff, thought meet by the<sup>15</sup> ordinary of the place, if any question be made of it, and with a fair linen cloth at the time of the ministration, as becometh that table, and so stand, saving when the said holy communion is to be administered: at which time the same shall be placed in so good sort within the church<sup>20</sup> or chancel, as thereby the minister may be more conveniently heard of the communicants in his prayer and ministration, and the communicants also more conveniently, and in more number, may communicate with the said minister; and that the Ten Commandments be set<sup>25</sup> upon the east end of every church and chapel where the people may best see and read the same, and other chosen sentences written upon the walls of the said churches and chapels, in places convenient; and likewise that a convenient seat be made for the minister to read service in.<sup>30</sup> All these to be done at the charge of the parish.

**LXXXIII.** *A Pulpit to be provided in every Church.*

The church-wardens or quest-men, at the common

charge of the parishioners in every church, shall provide a comely and decent pulpit to be set in a convenient place within the same, by the discretion of the ordinary of the place, if any question do arise, and to be there seemly kept for the preaching of God's word. 5

#### LXXXIV. *A Chest for Alms in every Church.*

The church-wardens shall provide and have, within three months after the publishing of these Constitutions, a strong chest, with a hole in the upper part thereof, to be provided at the charge of the parish, (if there be none 10 such already provided,) having three keys; of which one shall remain in the custody of the parson, vicar, or curate, and the other two in the custody of the church-wardens for the time being: which chest they shall set and fasten in the most convenient place, to the intent the parishioners 15 may put into it their alms for their poor neighbours. And the parson, vicar, or curate shall diligently, from time to time, and especially when men make their testaments, call upon, exhort, and move their neighbours to confer and give, as they may well spare, to the said chest; 20 declaring unto them, that whereas heretofore they have been diligent to bestow much substance otherwise than God commanded, upon superstitious uses, now they ought at this time to be much more ready to help the poor and needy, knowing that to relieve the poor is a sacrifice 25 which pleaseth God; and that also whatsoever is given for their comfort is given to Christ himself, and is so accepted of him, that he will mercifully reward the same. The which alms and devotion of the people, the keepers of the keys shall yearly, quarterly, or oftener, (as need 30 requireth,) take out of the chest, and distribute the same in the presence of most of the parish, or six of the chief of them, to be truly and faithfully delivered to their most poor and needy neighbours.

**LXXXV.** *Churches to be kept in sufficient Reparations.*

The church-wardens or quest-men shall take care and provide that the churches be well and sufficiently repaired, and so from time to time kept and maintained, that the windows be well glazed, and that the floors be kept paved, plain, and even, and all things there in such an orderly and decent sort, without dust or any thing that may be either noisome or unseemly, as best becometh the house of God, and is prescribed in an homily to that effect. The like care they shall take, that the church-yards be well and sufficiently repaired, fenced, and maintained with walls, rails, or pales, as have been in each place accustomed, at their charges unto whom by law the same appertaineth: but especially they shall see that in every meeting of the congregation peace be well kept; and that all persons excommunicated, and so denounced, be kept out of the church.

**LXXXVI.** *Churches to be surveyed, and the Decays certified to the high Commissioners.*

Every dean, dean and chapter, archdeacon, and others which have authority to hold ecclesiastical visitations by composition, law, or prescription, shall survey the churches of his or their jurisdiction once in every three years in his own person, or cause the same to be done; and shall from time to time within the said three years certify the high commissioners for causes ecclesiastical, every year, of such defects in any the said churches, as he or they do find to remain unrepaired, and the names and surnames of the parties faulty therein. Upon which certificate, we desire that the said high commissioners will *ex officio* send for such parties, and compel them to obey the just and lawful decrees of such ecclesiastical ordinaries, making such certificates.

**LXXXVII.** *A Terrier of Glebe-lands, and other Possessions belonging to Churches.*

We ordain, that the archbishop, and all bishops within their several dioceses, shall procure (as much as in them lieth) that a true note and terrier of all the glebes, lands, 5 meadows, gardens, orchards, houses, stocks, implements, tenements, and portions of tithes lying out of their parishes (which belong to any parsonage, or vicarage, or rural prebend) be taken by the view of honest men in every parish, by the appointment of the bishop, whereof 10 the minister to be one, and be laid up in the bishop's registry, there to be for a perpetual memory thereof.

**LXXXVIII.** *Churches not to be profaned.*

The church-wardens or quest-men, and their assistants, shall suffer no plays, feasts, banquets, suppers, church-15 ales, drinkings, temporal courts, or leets, lay-juries, musters, or any other profane usage, to be kept in the church, chapel, or church-yard, neither the bells to be rung superstitiously upon holy-days or eves abrogated by the Book of Common Prayer, nor at any other times, without good 20 cause to be allowed by the minister of the place, and by themselves.

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**CHURCH-WARDENS OR QUEST-MEN, AND SIDE-MEN OR ASSISTANTS.**

**LXXXIX.** *The Choice of Church-wardens, and their 25 Account.*

ALL church-wardens or quest-men in every parish shall be chosen by the joint consent of the minister and the parishioners, if it may be; but if they cannot agree upon such a choice, then the minister shall choose one, and the 30 parishioners another: and without such a joint or several

choice none shall take upon them to be church-wardens : neither shall they continue any longer than one year in that office, except perhaps they be chosen again in like manner. And all church-wardens at the end of their year, or within a month after at the most, shall before the minister and the parishioners give up a just account of such money as they have received, and also what particularly they have bestowed in reparations, and otherwise, for the use of the church. And last of all, going out of their office, they shall truly deliver up to the parishioners whatsoever money or other things of right belonging to the church or parish, which remaineth in their hands, that it may be delivered over by them to the next church-wardens by bill indented.

*XC. The Choice of Side-men, and their joint Office with Church-wardens.*

The church-wardens or quest-men of every parish, and two or three or more discreet persons in every parish, to be chosen for side-men or assistants by the minister and parishioners, if they can agree, (otherwise to be appointed by the ordinary of the diocese,) shall diligently see that all the parishioners duly resort to their church upon all Sundays and holy-days, and there continue the whole time of divine service ; and none to walk or to stand idle or talking in the church, or in the church-yard, or church-porch, during that time. And all such as shall be found slack or negligent in resorting to the church (having no great or urgent cause of absence) they shall earnestly call upon them ; and after due monition (if they amend not) they shall present them to the ordinary of the place. The choice of which persons, viz. church-wardens or quest-men, side-men or assistants, shall be yearly made in Easter-week.

## PARISH-CLERKS.

XCI. *Parish-Clerks to be chosen by the Minister.*

No parish-clerk upon any vacation shall be chosen, within the city of London, or elsewhere within the province of Canterbury, but by the parson or vicar; or, where there is no parson or vicar, by the minister of that place for the time being: which choice shall be signified by the said minister, vicar, or parson, to the parishioners the next Sunday following, in the time of divine service. And the said clerk shall be of twenty years of age at the least, and known to the said parson, vicar, or minister, to be of honest conversation, and sufficient for his reading, writing, and also for his competent skill in singing, if it may be. And the said clerks so chosen shall have and receive their ancient wages, without fraud or diminution, either at the hands of the church-wardens, at such times as hath been accustomed, or by their own collection, according to the most ancient custom of every parish.

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ECCLESIASTICAL COURTS BELONGING TO THE ARCHBISHOP'S JURISDICTION. 20

XCII. *None to be cited into divers Courts for Probate of the same Will.*

FORASMUCH as many heretofore have been by apparitors both of inferior courts, and of the courts of the archbishop's prerogatives, much distracted, and diversely called and summoned for probate of wills, or to take administrations of the goods of persons dying intestate, and are thereby vexed and grieved with many causeless and unnecessary troubles, molestations, and expenses; we constitute and appoint, That all chancellors, commissaries, or officials, or any other exercising ecclesiastical juris-

diction whatsoever, shall at the first charge with an oath all persons called or voluntarily appearing before them for the probate of any will, or the administration of any goods, whether they know, or (moved by any special inducement) do firmly believe, that the party deceased,<sup>5</sup> (whose testament or goods depend now in question,) had at the time of his or her death any goods or good debts in any other diocese or dioceses, or peculiar jurisdiction within that province, than in that wherein the said party died, amounting to the value of five pounds. And if the<sup>10</sup> said person cited, or voluntarily appearing before him, shall upon his oath affirm, that he knoweth, or (as aforesaid) firmly believeth, that the said party deceased had goods or good debts in any other diocese or dioceses, or peculiar jurisdiction within the said province, to the value<sup>15</sup> aforesaid, and particularly specify and declare the same; then shall he presently dismiss him, not presuming to intermeddle with the probate of the said will, or to grant administration of the goods of the party so dying intestate; neither shall he require or exact any other charges<sup>20</sup> of the said parties, more than such only as are due for the citation, and other process had and used against the said parties upon their further contumacy; but shall openly and plainly declare and profess, that the said cause belongeth to the prerogative of the archbishop of that<sup>25</sup> province; willing and admonishing the party to prove the said will, or require administration of the said goods in the court of the said prerogative, and to exhibit before him the said judge the probate or administration under the seal of the prerogative, within forty days next follow-<sup>30</sup>ing. And if any chancellor, commissary, official, or other exercising ecclesiastical jurisdiction whatsoever, or any their registrar, shall offend herein, let him be *ipso facto* suspended from the execution of his office, not to be absolved or released, until he have restored to the party<sup>35</sup> all expenses by him laid out contrary to the tenor of the



premises; and every such probate of any testament, or administration of goods so granted, shall be held void and frustrate to all effects of the law whatsoever.

Furthermore, we charge and enjoin, That the registrar of every inferior judge do, without all difficulty or delay, 5 certify and inform the apparitor of the prerogative court, repairing unto him once a month, and no oftener, what executors or administrators have been by his said judge, for the incompetency of his own jurisdiction, dismissed to the said prerogative court within the month next before, 10 under pain of a month's suspension from the exercise of his office for every default therein. Provided, that this canon, or any thing therein contained, be not prejudicial to any composition between the archbishop and any bishop or other ordinary, nor to any inferior judge that 15 shall grant any probate of testament, or administration of goods, to any party that shall voluntarily desire it, both out of the said inferior court, and also out of the prerogative. Provided likewise, that if any man die *in itinere*, the goods that he hath about him at that present shall 20 not cause his testament or administration to be liable unto the prerogative court.

#### XCIII. *The Rate of Bona notabilia liable to the Prerogative Court.*

Furthermore, we decree and ordain, That no judge of 25 the archbishop's prerogative shall henceforward cite, or cause to be cited, *ex officio*, any person whatsoever to any of the aforesaid intents, unless he have knowledge that the party deceased was at the time of his death possessed of goods and chattels in some other diocese or 30 dioceses, or peculiar jurisdiction within that province, than in that wherein he died, amounting to the value of five pounds at the least; decreeing and declaring, that whoso hath not goods in divers dioceses to the said sum or value shall not be accounted to have *Bona notabilia*. 35

Always provided, That this clause, here and in the former Constitution mentioned, shall not prejudice those dioceses, where by composition or custom *Bona notabilia* are rated at a greater sum. And if any judge of the prerogative court, or any his surrogate, or his registrar or apparitor, shall cite, or cause any person to be cited into his court, contrary to the tenor of the premises, he shall restore to the party so cited all his costs and charges, and the acts and proceedings in that behalf shall be held void and frustrate. Which expenses, if the said judge, or registrar, or apparitor, shall refuse accordingly to pay, he shall be suspended from the exercise of his office, until he yield to the performance thereof.

*XCIV. None to be cited into the Arches or Audience, but Dwellers within the Archbishop's Diocese, or Peculiars.* 15

No dean of the arches, nor official of the archbishop's consistory, nor any judge of the audience, shall henceforward in his own name, or in the name of the archbishop, either *ex officio*, or at the instance of any party, originally cite, summon, or any way compel, or procure to be cited, summoned, or compelled, any person which dwelleth not within the particular diocese or peculiar of the said archbishop, to appear before him or any of them, for any cause or matter whatsoever belonging to ecclesiastical cognizance, without the license of the diocesan first had and obtained in that behalf, other than in such particular cases only as are expressly excepted and reserved in and by a statute *anno 23 H. VIII. cap. 9*. And if any of the said judges shall offend herein, he shall for every such offence be suspended from the exercise of his office for the space of three whole months. 25 30

*XCV. The Restraint of Double Quarrels.*

Albeit by former constitutions of the Church of England, every bishop hath had two months space to inquire

and inform himself of the sufficiency and qualities of every minister, after he hath been presented unto him to be instituted into any benefice ; yet, for the avoiding of some inconveniences, we do now abridge and reduce the said two months unto eight and twenty days only. In respect of which abridgment we do ordain and appoint, that no double quarrel shall hereafter be granted out of any of the archbishop's courts at the suit of any minister whosoever, except he shall first take his personal oath, that the said eight and twenty days at the least are expired, after he first tendered his presentation to the bishop, and that he refused to grant him institution thereupon ; or shall enter bonds with sufficient sureties to prove the same to be true ; under pain of suspension of the granter thereof from the execution of his office for half a year *toties quoties*, to be denounced by the said archbishop, and nullity of the double quarrel aforesaid, so unduly procured, to all intents and purposes whatsoever. Always provided, that within the said eight and twenty days the bishop shall not institute any other to the prejudice of the said party before presented, *sub pœna nullitatis*.

**XCVI.** *Inhibitions not to be granted without the Subscription of an Advocate.*

That the jurisdictions of bishops may be preserved (as near as may be) entire and free from prejudice, and that for the behoof of the subjects of this land better provision be made, that henceforward they be not grieved with frivolous and wrongful suits and molestations ; it is ordained and provided, That no inhibition shall be granted out of any court belonging to the archbishop of Canterbury, at the instance of any party, unless it be subscribed by an advocate practising in the said court : which the said advocate shall do freely, not taking any fee for the same, except the party prosecuting the suit do volun-

tarily bestow some gratuity upon him for his counsel and advice in the said cause. The like course shall be used in granting forth any inhibition, at the instance of any party, by the bishop or his chancellor, against the archdeacon, or any other person exercising ecclesiastical jurisdiction: and if in the court or consistory of any bishop there be no advocate at all, then shall the subscription of a proctor practising in the same court be held sufficient.

XCVII. *Inhibitions not to be granted until the Appeal be exhibited to the Judge.*

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It is further ordered and decreed, that henceforward no inhibition be granted by occasion of any interlocutory decree, or in any cause of correction whatsoever, except under the form aforesaid: and moreover, That before the going out of any such inhibition, the appeal itself, or a copy thereof, (avouched by oath to be just and true,) be exhibited to the judge, or his lawful surrogate, whereby he may be fully informed both of the quality of the crime, and of the cause of the grievance, before the granting forth of the said inhibition. And every appellant, or his lawful proctor, shall, before the obtaining of any such inhibition, shew and exhibit to the judge, or his surrogate, in writing, a true copy of those acts wherewith he complaineth himself to be aggrieved, and from which he appealeth; or shall take a corporal oath, that he hath performed his diligence and true endeavour for the obtaining of the same, and could not obtain it at the hands of the registrar in the country, or his deputy, tendering him his fee. And if any judge or registrar shall either procure or permit any inhibition to be sealed, so as is said, contrary to the form and limitation above specified, let him be suspended from the execution of his office for the space of three months: if any proctor, or other person whatsoever by his appointment, shall offend in any of the premises, either by making or sending out any

inhibition, contrary to the tenor of the said premises, let him be removed from the exercise of his office for the space of a whole year, without hope of release or restoring.

**XCVIII.** *Inhibitions not to be granted to factious Appellants, unless they first subscribe.*

Forasmuch as they who break the laws cannot in reason claim any benefit or protection by the same; we decree and appoint, That after any judge ecclesiastical hath proceeded judicially against obstinate and factious persons,<sup>10</sup> and contemners of ceremonies, for not observing the rites and orders of the Church of England, or for contempt of public prayer, no judge, *ad quem*, shall admit or allow any his or their appeals, unless, he having first seen the original appeal, the party appellant do first personally<sup>15</sup> promise and avow, that he will faithfully keep and observe all the rites and ceremonies of the Church of England, as also the prescript form of common prayer; and do likewise subscribe to the three articles formerly by us specified and declared. 20

**XCIX.** *None to marry within the degrees prohibited.*

No person shall marry within the degrees prohibited by the laws of God, and expressed in a table set forth by authority in the year of our Lord God 1563. And all marriages so made and contracted shall be adjudged in-<sup>25</sup>cestuous and unlawful, and consequently shall be dissolved as void from the beginning, and the parties so married shall by course of law be separated. And the aforesaid table shall be in every church publicly set up and fixed at the charge of the parish. 30

**C.** *None to marry under Twenty-one Years, without their Parents' consent.*

No children under the age of one and twenty years

complete shall contract themselves, or marry, without the consent of their parents, or of their guardians and governors, if their parents be deceased.

CI. *By whom Licences to marry without Banns shall be granted, and to what sort of Persons.* 5

No faculty or licence shall be henceforth granted for solemnization of matrimony betwixt any parties, without thrice open publication of the banns, according to the Book of Common Prayer, by any person exercising any ecclesiastical jurisdiction, or claiming any privileges in the 10 right of their churches; but the same shall be granted only by such as have episcopal authority, or the commissary for faculties, vicars general of the archbishops and bishops, *sede plena*; or, *sede vacante*, the guardian of the spiritualities, or ordinaries exercising of right episcopal 15 jurisdiction in their several jurisdictions respectively, and unto such persons only, as be of good state and quality, and that upon good caution and security taken.

CII. *Security to be taken at the granting of such Licences, and under what Conditions.* 20

The security mentioned shall contain these conditions: First, That, at the time of the granting every such licence, there is not any impediment of precontract, consanguinity, affinity, or other lawful cause to hinder the said marriage. Secondly, That there is not any controversy or suit de- 25 pending in any court before any ecclesiastical judge, touching any contract or marriage of either of the said parties with any other. Thirdly, That they have obtained thereunto the express consent of their parents, (if they be living,) or otherwise of their guardians or governors. 30 Lastly, That they shall celebrate the said matrimony publicly in the parish-church or chapel where one of them dwelleth, and in no other place, and that between the hours of eight and twelve in the forenoon.

*CIII. Oaths to be taken for the Conditions.*

For the avoiding of all fraud and collusion in the obtaining of such licences and dispensations, we further constitute and appoint, That before any licence for the celebration of matrimony without publication of banns be had or granted, it shall appear to the judge by the oaths of two sufficient witnesses, one of them to be known either to the judge himself, or to some other person of good reputation then present, and known likewise to the said judge, that the express consent of the parents, or parent, if one be dead, or guardians or guardian of the parties, is thereunto had and obtained. And furthermore, That one of the parties personally swear, that he believeth there is no let or impediment of precontract, kindred, or alliance, or of any other lawful cause whatsoever, nor any suit commenced in any ecclesiastical court, to bar or hinder the proceeding of the said matrimony, according to the tenor of the foresaid licence.

*CIV. An Exception for those that are in Widowhood.*

If both the parties which are to marry being in widowhood do seek a faculty for the forbearing of banns, then the clauses before mentioned, requiring the parents' consents, may be omitted: but the parishes where they dwell, both shall be expressed in the licence, as also the parish named where the marriage shall be celebrated. And if any commissary for faculties, vicars general, or other the said ordinaries, shall offend in the premises, or any part thereof, he shall, for every time so offending, be suspended from the execution of his office for the space of six months; and every such licence or dispensation shall be held void to all effects and purposes, as if there had never been any such granted; and the parties marrying by virtue thereof shall be subject to the punishments which are appointed for clandestine marriages.

CV. *No Sentence for Divorce to be given upon the sole Confession of the Parties.*

Forasmuch as matrimonial causes have been always reckoned and reputed among the weightiest, and therefore require the greater caution, when they come to be handled and debated in judgment, especially in causes wherein matrimony, having been in the church duly solemnized, is required, upon any suggestion or pretext whatsoever, to be dissolved or annulled: we do straitly charge and enjoin, That in all proceedings to divorce, and nullities of matrimony, good circumspection and advice be used, and that the truth may (as far as is possible) be sifted out by the deposition of witnesses, and other lawful proofs and evictions; and that credit be not given to the sole confession of the parties themselves, howsoever taken upon oath, either within or without the court.

CVI. *No Sentence for Divorce to be given but in open Court.*

No sentence shall be given either for separation *a thoro et mensa*, or for annulling of pretended matrimony, but in open court, and in the seat of justice; and that with the knowledge and consent either of the archbishop within his province, or of the bishop within his diocese, or of the dean of the arches, the judge of the audience of Canterbury, or of the vicars general, or other principal officials, or, *sede vacante*, of the guardians of the spiritualities, or other ordinaries to whom of right it appertaineth, in their several jurisdictions and courts, and concerning them only that are then dwelling under their jurisdictions.

CVII. *In all Sentences for Divorce, Bond to be taken for not marrying during each other's Life.*

In all sentences pronounced only for divorce and separation *a thoro et mensa*, there shall be a caution and re-



straint inserted in the act of the said sentence, That the parties so separated shall live chastely and continently; neither shall they, during each other's life, contract matrimony with any other person. And, for the better observation of this last clause, the said sentence of divorce shall not be pronounced, until the party or parties requiring the same have given good and sufficient caution and security into the court, that they will not any way break or transgress the said restraint or prohibition.

**CVIII.** *The Penalty for Judges offending in the premises.* 10

And if any judge, giving sentence of divorce or separation, shall not fully keep and observe the premises, he shall be, by the archbishop of the province, or by the bishop of the diocese, suspended from the exercise of his office for the space of a whole year; and the sentence of 15 separation, so given contrary to the form aforesaid, shall be held void to all intents and purposes of the law, as if it had not at all been given or pronounced.

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**ECCLESIASTICAL COURTS BELONGING TO THE  
JURISDICTION OF BISHOPS AND ARCHDEA- 20  
CONS, AND THE PROCEEDINGS IN THEM.**

**CIX.** *Notorious Crimes and Scandals to be certified into  
Ecclesiastical Courts by Presentment.*

If any offend their brethren, either by adultery, whoredom, incest, or drunkenness, or by swearing, ribaldry, 25 usury, and any other uncleanness, and wickedness of life, the church-wardens, or quest-men, and side-men, in their next presentments to their ordinaries, shall faithfully present all and every of the said offenders, to the intent that they, and every of them, may be punished by the 30 severity of the laws, according to their deserts; and such

notorious offenders shall not be admitted to the holy communion, till they be reformed.

*CX. Schismatics to be presented.*

If the church-wardens, or quest-men, or assistants, do or shall know any man within their parish, or elsewhere, 5 that is a hinderer of the word of God to be read or sincerely preached, or of the execution of these our Constitutions, or a fautor of any usurped or foreign power, by the laws of this realm justly rejected and taken away, or a defender of Popish and erroneous doctrine; they shall 10 detect and present the same to the bishop of the diocese, or ordinary of the place, to be censured and punished according to such ecclesiastical laws as are prescribed in that behalf.

*CXI. Disturbers of Divine Service to be presented.* 15

In all visitations of bishops and archdeacons, the church-wardens, or quest-men, and side-men, shall truly and personally present the names of all those which behave themselves rudely or disorderly in the church, or which by untimely ringing of bells, by walking, talking, 20 or other noise, shall hinder the minister or preacher.

*CXII. Not-Communicants at Easter to be presented.*

The minister, church-wardens, quest-men, and assistants of every parish-church and chapel, shall yearly, within forty days after Easter, exhibit to the bishop or his chan- 25 cellor the names and surnames of all the parishioners, as well men as women, which being of the age of sixteen years received not the communion at Easter before.

*CXIII. Ministers may present.*

Because it often cometh to pass, that the church- 30 wardens, side-men, quest-men, and such other persons of

the laity, as are to take care for the suppressing of sin and wickedness in their several parishes, as much as in them lieth, by admonition, reprehension, and denunciation to their ordinaries, do forbear to discharge their duties therein, either through fear of their superiors, or through negligence, more than were fit, the licentiousness of these times considered; we ordain, That hereafter every parson and vicar, or, in the lawful absence of any parson or vicar, then their curates and substitutes may join in every presentment with the said church-wardens, side-men, and the rest above mentioned, at the times hereafter limited, if they, the said church-wardens and the rest, will present such enormities as are apparent in the parish; or if they will not, then every such parson and vicar, or, in their absence, as aforesaid, their curates, may themselves present to their ordinaries at such times, and when else they think it meet, all such crimes as they have in charge, or otherwise, as by them (being the persons that should have the chief care for the suppressing of sin and impiety in their parishes) shall be thought to require due reformation. Provided always, That if any man confess his secret and hidden sins to the minister, for the unburdening of his conscience, and to receive spiritual consolation and ease of mind from him; we do not any way bind the said minister by this our Constitution, but do straitly charge and admonish him, that he do not at any time reveal and make known to any person whatsoever any crime or offence so committed to his trust and secrecy, (except they be such crimes as by the laws of this realm his own life may be called into question for concealing the same,) under pain of irregularity.

*CXIV. Ministers shall present Recusants.*

Every parson, vicar, or curate, shall carefully inform themselves, every year hereafter, how many popish recusants, men, women, and children above the age of thirteen

years, and how many being popishly given (who, though they come to the church, yet do refuse to receive the communion) are inhabitants, or make their abode, either as sojourners or common guests, in any of their several parishes; and shall set down their true names in writing, 5 (if they can learn them,) or otherwise such names as for the time they carry, distinguishing the absolute recusants from half recusants; and the same, so far as they know or believe, so distinguished and set down under their hands, shall truly present to their ordinaries before the 10 feast of the Nativity next ensuing, under pain of suspension to be inflicted upon them by their said ordinaries; and so every year hereafter, upon the like pain, before the feast of St. John Baptist. Also we ordain, That all such ordinaries, chancellors, commissaries, archdeacons, 15 officials, and all other ecclesiastical officers, to whom the said presentments shall be exhibited, shall likewise within one month after the receipt of the same, under pain of suspension by the bishop from the execution of their offices for the space of half a year, (as often as they shall 20 offend therein,) deliver them, or cause them to be delivered, to the bishop respectively; who shall also exhibit them to the archbishop within six weeks, and the archbishop to his majesty within other six weeks after he hath received the said presentments. 25

*CXV. Ministers and Church-wardens not to be sued for presenting.*

Whereas for the reformation of criminous persons and disorders in every parish, the church-wardens, quest-men, side-men, and such other church officers are sworn, and 30 the minister charged to present as well the crimes and disorders committed by the said criminous persons, as also the common fame which is spread abroad of them, whereby they are often maligned, and sometimes troubled by the said delinquents, or their friends; we do admonish 35

and exhort all judges, both ecclesiastical and temporal, as they regard and reverence the fearful judgment-seat of the highest Judge, that they admit not in any of their courts any complaint, plea, suit, or suits, against any such church-wardens, quest-men, side-men, or other church<sup>5</sup> officers, for making any such presentments, nor against any minister for any presentment that he shall make; all the said presentments tending to the restraint of shameless impiety, and considering that the rules both of charity and government do presume, that they did nothing therein<sup>10</sup> of malice, but for the discharge of their consciences.

**CXVI.** *Church-wardens not bound to present oftener than twice a Year.*

No church-wardens, quest-men, or side-men of any parish shall be enforced to exhibit their presentments to<sup>15</sup> any having ecclesiastical jurisdiction, above once in every year, where it hath been no oftener used, nor above twice in any diocese whatsoever, except it be at the bishop's visitation. For the which presentments of every parish-church or chapel, the registrar of any court, where they<sup>20</sup> are to be exhibited, shall not receive in one year above fourpence, under pain, for every offence therein, of suspension from the execution of his office for the space of a month, *toties quoties*. Provided always, That, as good occasion shall require, it shall be lawful for every minister,<sup>25</sup> church-wardens, and side-men to present offenders as oft as they shall think meet; and likewise for any godly disposed person, or for any ecclesiastical judge, upon knowledge, or notice given unto him or them of any enormous crime within his jurisdiction, to move the min-<sup>30</sup>ister, church-wardens, or side-men, as they tender the glory of God and reformation of sin, to present the same, if they shall find sufficient cause to induce them there-<sup>35</sup>unto, that it may be in due time punished and reformed. Provided, That for these voluntary presentments there<sup>35</sup>

be no fee required or taken of them, under the pain aforesaid.

*CXVII. Church-wardens not to be troubled for not presenting oftener than twice a Year.*

No church-wardens, quest-men, or side-men, shall be called or cited, but only at the said time or times before limited, to appear before any ecclesiastical judge whosoever, for refusing at other times to present any faults committed in their parishes, and punishable by ecclesiastical laws. Neither shall they, nor any of them, after their presentments exhibited at any of those times, be any further troubled for the same, except upon manifest and evident proof it may appear, that they did then willingly and wittingly omit to present some such public crime or crimes as they knew to be committed, or could not be ignorant that there was then a public fame of them; or unless there be very just cause to call them for the explanation of their former presentments. In which case of wilful omission, their ordinaries shall proceed against them in such sort, as in causes of wilful perjury in a court ecclesiastical it is already by law provided.

*CXVIII. The old Church-wardens to make their Presentments before the new be sworn.*

The office of all church-wardens and side-men shall be reputed ever hereafter to continue until the new church-wardens that shall succeed them be sworn, which shall be the first week after Easter, or some week following, according to the direction of the Ordinary. Which time so appointed shall always be one of the two times in every year, when the minister, and church-wardens, and side-men of every parish shall exhibit to their several ordinaries the presentments of such enormities as have

happened in their parishes since their last presentments. And this duty they shall perform, before the newly chosen church-wardens and side-men be sworn, and shall not be suffered to pass over the said presentments to those that are newly come into office, and are by intend-<sup>5</sup>ment ignorant of such crimes ; under pain of those censures which are appointed for the reformation of such dalliers and dispensers with their own consciences and oaths.

CXIX. *Convenient time to be assigned for framing* 10  
*Presentments.*

For the avoiding of such inconveniences as heretofore have happened by the hasty making of bills of presentments upon the days of the visitations and synods, it is ordered, That always hereafter every chancellor, arch-<sup>15</sup>deacon, commissary, and official, and every other person having ecclesiastical jurisdiction, at the ordinary time when the church-wardens are sworn ; and the archbishop and bishops, when he or they do summon their visitation, shall deliver, or cause to be delivered to the church-<sup>20</sup>wardens, quest-men, and side-men of every parish, or to some of them, such books of articles as they, or any of them, shall require, for the year following, the said church-wardens, quest-men, and side-men to ground their presentments upon, at such times as they are to exhibit <sup>25</sup>them. In which book shall be contained the form of the oath, which must be taken immediately before every such presentment ; to the intent that, having beforehand time sufficient, not only to peruse and consider what their said oath shall be, but the articles also whereupon they are to <sup>30</sup>ground their presentments, they may frame them at home both advisedly and truly, to the discharge of their own consciences, after they are sworn, as becometh honest and godly men.

**CXX.** *None to be cited into Ecclesiastical Courts by Process of Quorum Nomina.*

No bishop, chancellor, archdeacon, official, or other ecclesiastical judge, shall suffer any general processes of *quorum nomina* to be sent out of his court; except the 5 names of all such as thereby are to be cited shall be first expressly entered by the hand of the registrar, or his deputy, under the said processes, and the said processes and names be first subscribed by the judge, or his deputy, and his seal thereto affixed. 10

**CXXI.** *None to be cited into several Courts for one Crime.*

In places where the bishop and archdeacon do by prescription or composition visit at several times in one and the same year, lest for one and the selfsame fault any of his majesty's subjects should be challenged and molested 15 in divers ecclesiastical courts; we order and appoint, That every archdeacon, or his official, within one month after the visitation ended that year, and the presentments received, shall certify under his hand and seal to the bishop, or his chancellor, the names and crimes of all 20 such as are detected and presented in his said visitation, to the end the chancellor shall thenceforth forbear to convent any person for any crime or cause so detected or presented to the archdeacon. And the chancellor within the like time after the bishop's visitation ended, and pre- 25 sentments received, shall under his hand and seal signify to the archdeacon, or his official, the names and crimes of all such persons which shall be detected or presented unto him in that visitation, to the same intent as is aforesaid. And if these officers shall not certify each other, 30 as is here prescribed, or after such certificate shall intermeddle with the crimes or persons detected and presented in each other's visitation; then every of them so offending shall be suspended from all exercise of his jurisdiction



by the bishop of the diocese, until he shall repay the costs and expences which the parties grieved have been at by that vexation.

**CXXII.** *No Sentence of Deprivation or Deposition to be pronounced against a Minister, but by the Bishop.* 5

When any minister is complained of in any ecclesiastical court belonging to any bishop of this province, for any crime, the chancellor, commissary, official, or any other having ecclesiastical jurisdiction, to whom it shall appertain, shall expedite the cause by processes and other proceedings against him : and upon contumacy, for not appearing, shall first suspend him ; and afterward, his contumacy continuing, excommunicate him. But if he appear, and submit himself to the course of law, then the matter being ready for sentence, and the merits of his offence exacting by law either deprivation from his living, or deposition from the ministry, no such sentence shall be pronounced by any person whosoever, but only by the bishop, with the assistance of his chancellor, the dean, (if they may conveniently be had,) and some of the prebendaries, if the court be kept near the cathedral church, or of the archdeacon, if he may be had conveniently, and two other at the least grave ministers and preachers, to be called by the bishop, when the court is kept in other places. 25

**CXXIII.** *No Act to be sped but in open Court.*

No chancellor, commissary, archdeacon, official, or any other person using ecclesiastical jurisdiction whosoever, shall speed any judicial act, either of contentious or voluntary jurisdiction, except he have the ordinary registrar of that court, or his lawful deputy : or if he or they will not, or cannot, be present, then such persons as by law are allowed in that behalf to write or speed the same, under pain of suspension *ipso facto*.

**CXXIV.** *No Court to have more than one Seal.*

No chancellor, commissary, archdeacon, official, or any other exercising ecclesiastical jurisdiction, shall without the bishop's consent have any more seals than one, for the sealing of all matters incident to his office; which seal shall always be kept either by himself, or by his lawful substitute exercising jurisdiction for him, and remaining within the jurisdiction of the said judge, or in the city or principal town of the county. This seal shall contain the title of that jurisdiction, which every of the said judges or their deputies do execute.

**CXXV.** *Convenient Places to be chosen for the keeping of Courts.*

All chancellors, commissaries, archdeacons, officials, and all other exercising ecclesiastical jurisdiction, shall appoint such meet places for the keeping of their courts, by the assignment or approbation of the bishop of the diocese, as shall be convenient for entertainment of those that are to make their appearance there, and most indifferent for their travel. And likewise they shall keep and end their courts in such convenient time, as every man may return homewards in as due season as may be.

**CXXVI.** *Peculiar and inferior Courts to exhibit the original Copies of Wills into the Bishop's Registry.*

Whereas deans, archdeacons, prebendaries, parsons, vicars, and others, exercising ecclesiastical jurisdiction, claim liberty to prove the last wills and testaments of persons deceased within their several jurisdictions, having no known or certain registrars, nor public place to keep their records in; by reason whereof many wills, rights,

and legacies, upon the death or change of such persons, and their private notaries, miscarry and cannot be found, to the great prejudice of his majesty's subjects; we therefore order and enjoin, That all such possessors and exercisers of peculiar jurisdiction shall once in every year exhibit into the public registry of the bishop of the diocese, or of the dean and chapter, under whose jurisdiction the said peculiars are, every original testament of every person in that time deceased, and by them proved in their several peculiar jurisdictions, or a true copy of every such testament, examined, subscribed, and sealed by the peculiar judge and his notary. Otherwise, if any of them fail so to do, the bishop of the diocese, or dean and chapter, unto whom the said jurisdictions do respectively belong, shall suspend the said parties, and every of them, from the exercise of all such peculiar jurisdiction, until they have performed this our Constitution.

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#### JUDGES ECCLESIASTICAL, AND THEIR SURROGATES.

##### CXXVII. *The Quality and Oath of Judges.*

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No man shall hereafter be admitted a chancellor, commissary, or official, to exercise any ecclesiastical jurisdiction, except he be of the full age of six and twenty years at the least, and one that is learned in the civil and ecclesiastical laws, and is at the least a master of arts, or bachelor of law, and is reasonably well practised in the course thereof, as likewise well affected, and zealously bent to religion, touching whose life and manners no evil example is had; and except, before he enter into or execute any such office, he shall take the oath of the king's supremacy in the presence of the bishop, or in the open

court, and shall subscribe to the Articles of Religion agreed upon in the convocation in the year one thousand five hundred sixty and two, and shall also swear that he will, to the uttermost of his understanding, deal uprightly and justly in his office, without respect or favour of re-<sup>5</sup>ward; the said oaths and subscription to be recorded by a registrar then present. And likewise all chancellors, commissaries, officials, registrars, and all other that do now possess or execute any places of ecclesiastical jurisdiction, or service, shall before Christmas next, in the <sup>10</sup>presence of the archbishop, or bishop, or in open court, under whom or where they exercise their offices, take the same oaths, and subscribe, as before is said; or, upon refusal so to do, shall be suspended from the execution of their offices, until they shall take the said oaths, and <sup>15</sup>subscribe as aforesaid.

#### CXXVIII. *The Quality of Surrogates.*

No chancellor, commissary, archdeacon, official, or any other person using ecclesiastical jurisdiction, shall at any time substitute in their absence any to keep any court <sup>20</sup>for them, except he be either a grave minister and a graduate, or a licensed public preacher, and a beneficed man near the place where the courts are kept, or a bachelor of law, or a master of arts at least, who hath some skill in the civil and ecclesiastical law, and is a favourer of true <sup>25</sup>religion, and a man of modest and honest conversation; under pain of suspension, for every time that they offend therein, from the execution of their offices, for the space of three months, *toties quoties*: and he likewise that is deputed, being not qualified as is before expressed, and <sup>30</sup>yet shall presume to be a substitute to any judge, and shall keep any court, as is aforesaid, shall undergo the same censure in manner and form as is before expressed.

## PROCTORS.

CXXIX. *Proctors not to retain Causes without the lawful Assignment of the Parties.*

None shall procure in any cause whatsoever, unless he be thereunto constituted and appointed by the party himself, either before the judge, and by act in court, or unless, in the beginning of the suit, he be by a true and sufficient proxy thereunto warranted and enabled. We call that proxy sufficient, which is strengthened and confirmed by some authentical seal, the party's approbation, 10 or at least his ratification therewithal concurring. All which proxies shall be forthwith by the said proctors exhibited into the court, and be safely kept and preserved by the registrar in the public registry of the said court. And if any registrar or proctor shall offend 15 herein, he shall be secluded from the exercise of his office for the space of two months, without hope of release or restoring.

CXXX. *Proctors not to retain Causes without the Counsel of an Advocate.*

20

For lessening and abridging the multitude of suits and contentions, as also for preventing the complaints of suitors in courts ecclesiastical, who many times are overthrown by the oversight and negligence, or by the ignorance and insufficiency of proctors; and likewise for the 25 furtherance and increase of learning, and the advancement of civil and canon law, following the laudable customs heretofore observed in the courts pertaining to the archbishop of Canterbury; we will and ordain, that no proctor exercising in any of them shall entertain any 30 cause whatsoever, and keep and retain the same for two court-days without the counsel and advice of an advocate, under pain of a year's suspension from his practice;

neither shall the judge have power to release or mitigate the said penalty, without express mandate and authority from the archbishop aforesaid.

CXXXI. *Proctors not to conclude in any Case without the knowledge of an Advocate.* 5

No judge in any of the said courts of the archbishop shall admit any libel, or any other matter, without the advice of an advocate admitted to practise in the same court, or without his subscription; neither shall any proctor conclude any cause depending without the know-<sup>10</sup> ledge of the advocate retained and feed in the cause: which if any proctor shall do, or procure to be done, or shall by any colour whatsoever defraud the advocate of his duty or fee, or shall be negligent in repairing to the advocate, and requiring his advice what course is to be<sup>15</sup> taken in the cause, he shall be suspended from all practice for the space of six months, without hope of being thereunto restored before the said term be fully complete.

CXXXII. *Proctors prohibited the Oath, In animam* 20  
domini sui.

Forasmuch as in the probate of testaments and suits for administration of the goods of persons dying intestate, the oath usually taken by proctors of courts, *In animam constituentis*, is found to be inconvenient; we do there-<sup>25</sup> fore decree and ordain, That every executor, or suitor for administration, shall personally repair to the judge in that behalf, or his surrogate, and in his own person (and not by proctor) take the oath accustomed in these cases. But if by reason of sickness, or age, or any other just let<sup>30</sup> or impediment, he be not able to make his personal appearance before the judge, it shall be lawful for the judge (there being faith first made by a credible person of the truth of his said hinderance or impediment) to

grant a commission to some grave ecclesiastical person, abiding near the party aforesaid, whereby he shall give power and authority to the said ecclesiastical person, in his stead, to minister the accustomed oath above mentioned to the executor, or suitor for such administration,<sup>5</sup> requiring his said substitute, that by a faithful and trusty messenger he certify the said judge truly and faithfully what he hath done therein. Lastly, we ordain and appoint, That no judge or registrar shall in any wise receive for the writing, drawing, or sealing of any such commis-<sup>10</sup> sion, above the sum of six shillings and eight pence; whereof one moiety to be for the judge, and the other for the registrar of the said court.

CXXXIII. *Proctors not to be clamorous in Court.*

Forasmuch as it is found by experience, that the loud<sup>15</sup> and confused cries and clamours of proctors in the courts of the archbishop are not only troublesome and offensive to the judges and advocates, but also give occasion to the standers by, of contempt and calumny toward the court itself; that more respect may be had to the dignity of<sup>20</sup> the judge than heretofore, and that causes may more easily and commodiously be handled and despatched, we charge and enjoin, That all proctors in the said courts do especially intend, that the acts be faithfully entered and set down by the registrar, according to the advice and<sup>25</sup> direction of the advocate; that the said proctors refrain loud speech and brabbling, and behave themselves quietly and modestly: and that, when either the judges or advocates, or any of them, shall happen to speak, they presently be silent, upon pain of silencing for two whole<sup>30</sup> terms then immediately following every such offence of theirs. And if any of them shall the second time offend herein, and after due monition shall not reform himself, let him be for ever removed from his practice.

## REGISTRARS.

CXXXIV. *Abuses to be reformed in Registrars.*

If any registrar, or his deputy or substitute whatsoever, shall receive any certificate without the knowledge and consent of the judge of the court, or willingly omit to cause any person cited to appear upon any court-day, to be called; or unduly put off and defer the examination of witnesses to be examined by a day set and assigned by the judge; or do not obey and observe the judicial and lawful monition of the said judge; or omit to write,<sup>10</sup> or cause to be written, such citations and decrees as are to be put in execution, and set forth before the next court-day; or shall not cause all testaments exhibited into his office to be registered within a convenient time; or shall set down or enact, as decreed by the judge, any<sup>15</sup> thing false, or conceited by himself, and not so ordered or decreed by the judge; or, in the transmission of processes to the judge *ad quem*, shall add or insert any falsehood or untruth, or omit any thing therein, either by cunning, or by gross negligence; or in causes of instance,<sup>20</sup> or promoted of office, shall receive any reward in favour of either party; or be of counsel directly or indirectly with either of the parties in suit; or in the execution of their office shall do aught else maliciously or fraudulently, whereby the said ecclesiastical judge or his proceedings,<sup>25</sup> may be slandered or defamed; we will and ordain, That the said registrar, or his deputy or substitute, offending in all or any of the premises, shall by the bishop of the diocese be suspended from the exercise of his office for the space of one, two, or three months, or more, accord-<sup>30</sup>ing to the quality of his offence; and that the said bishop shall assign some other public notary to execute and discharge all things pertaining to his office, during the time of his said suspension.



**CXXXV.** *A Certain Rate of Fees due to all Ecclesiastical Officers.*

No bishop, suffragan, chancellor, commissary, archdeacon, official, nor any other exercising ecclesiastical jurisdiction whatsoever, nor any registrar of any ecclesiastical courts, nor any minister belonging to any of the said officers or courts, shall hereafter, for any cause incident to their several offices, take or receive any other or greater fees than such as were certified to the most reverend father in God, John late archbishop of Canterbury, in the year of our Lord God one thousand five hundred ninety and seven, and were by him ratified and approved; under pain, that every such judge, officer, or minister offending herein, shall be suspended from the exercise of their several offices for the space of six months, for every such offence. Always provided, That if any question shall arise concerning the certainty of the said fees, or any of them, then those fees shall be held for lawful, which the archbishop of Canterbury for the time being shall under his hand approve, except the statutes of this realm before made do in any particular case express some other fees to be due. Provided furthermore, That no fee or money shall be received either by the archbishop, or any bishop, or suffragan, either directly or indirectly, for admitting of any into sacred orders; nor that any other person or persons under the said archbishop, bishop, or suffragan, shall for parchment, writing, wax, sealing, or any other respect thereunto appertaining, take above ten shillings, under such pains as are already by law prescribed.

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**CXXXVI.** *A Table of the Rates of Fees to be set up in Courts and Registries.*

We do likewise constitute and appoint, That the registrars belonging to every such ecclesiastical judge shall

place two tables, containing the several rates and sums of all the said fees: one in the usual place or consistory where the court is kept, and the other in his registry; and both of them in such sort, as every man, whom it concerneth, may without difficulty come to the view and 5 perusal thereof, and take a copy of them: the same tables to be so set up before the feast of the Nativity next ensuing. And if any registrar shall fail to place the said tables according to the tenor hereof, he shall be suspended from the execution of his office, until he cause 10 the same to be accordingly done: and the said tables being once set up, if he shall at any time remove, or suffer the same to be removed, hidden, or any way hindered from sight, contrary to the true meaning of this Constitution, he shall for every such offence be suspended 15 from the exercise of his office for the space of six months.

**CXXXVII.** *The whole Fees for shewing Letters of Orders, and other Licenses, due but once in every Bishop's time.*

Forasmuch as a chief and principal cause and use of 20 visitation is, that the bishop, archdeacon, or other assigned to visit, may get some good knowledge of the state, sufficiency, and ability of the clergy, and other persons whom they are to visit; we think it convenient, that every parson, vicar, curate, schoolmaster, or other person li- 25 censed whosoever, do at the bishop's first visitation, or at the next visitation after his admission, shew and exhibit unto him his letters of orders, institution, and induction, and all other his dispensations, licenses, or faculties whatsoever, to be by the said bishop either allowed, or (if 30 there be just cause) disallowed and rejected: and being by him approved, to be, as the custom is, signed by the registrar; and that the whole fees accustomed to be paid in the visitations in respect of the premises, be paid only once in the whole time of every bishop, and afterwards 35

but half of the said accustomed fees in every other visitation, during the said bishop's continuance.

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APPARITORS.

**CXXXVIII.** *The Number of Apparitors restrained.*

FORASMUCH as we are desirous to redress such abuses and aggrievances as are said to grow by sumners or apparitors, we think it meet that the multitude of apparitors be (as much as is possible) abridged or restrained: wherefore we decree and ordain, That no bishop or archdeacon, or their vicars, or officials, or other inferior ordinaries,<sup>10</sup> shall depute or have more apparitors to serve in their jurisdictions respectively, than either they or their predecessors were accustomed to have thirty years before the publishing of these our present Constitutions. All which apparitors shall by themselves faithfully execute their<sup>15</sup> offices; neither shall they, by any colour or pretence whatsoever, cause or suffer their mandates to be executed by any messengers or substitutes, unless it be upon some good cause to be first known and approved by the ordinary of the place. Moreover, they shall not take upon<sup>20</sup> them the office of promoters or informers for the court, neither shall they exact more or greater fees than are in these our Constitutions formerly prescribed. And if either the number of the apparitors deputed shall exceed the aforesaid limitation, or any of the said apparitors<sup>25</sup> shall offend in any of the premises; the persons deputing them, if they be bishops, shall, upon admonition of their superior, discharge the persons exceeding the number so limited; if inferior ordinaries, they shall be suspended from the execution of their office, until they have dis-<sup>30</sup>missed the apparitors by them so deputed; and the parties themselves so deputed shall for ever be removed from the office of apparitors; and if, being so removed, they desist

not from the exercise of their said offices, let them be punished by ecclesiastical censures, as persons contumacious. Provided, That if upon experience the number of the said apparitors be too great in any diocese in the judgment of the archbishop of Canterbury for the time being, they shall by him be so abridged, as he shall think meet and convenient.

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AUTHORITY OF SYNODS.

CXXXIX. *A National Synod the Church Representative.*

WHOSOEVER shall hereafter affirm, That the sacred<sup>10</sup> synod of this nation, in the name of Christ and by the king's authority assembled, is not the true Church of England by representation, let him be excommunicated; and not restored until he repent, and publicly revoke that his wicked error.

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CXL. *Synods conclude as well the absent as the present.*

Whosoever shall affirm, That no manner of person, either of the clergy or laity, not being themselves particularly assembled in the said sacred synod, are to be subject to the decrees thereof in causes ecclesiastical,<sup>20</sup> (made and ratified by the king's majesty's supreme authority,) as not having given their voices unto them, let him be excommunicated, and not restored until he repent, and publicly revoke that his wicked error.

CXLI. *Depravers of the Synod censured.*

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Whosoever shall hereafter affirm, That the sacred synod, assembled as aforesaid, was a company of such persons as did conspire together against godly and religious professors of the gospel; and that therefore both they and their proceedings in making of canons and con-<sup>30</sup>

stitutions in causes ecclesiastical by the king's authority, as aforesaid, ought to be despised and contemned, the same being ratified, confirmed, and enjoined by the said regal power, supremacy, and authority; let them be excommunicated, and not restored until they repent, and publicly revoke that their wicked error.

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WE of our princely inclination and royal care for the maintenance of the present estate and government of the Church of England, by the laws of this our realm now settled and established, having diligently, with great contentment and comfort, read and considered of all these their said Canons, Orders, Ordinances, and Constitutions, agreed upon, as is before expressed; and finding the same such as we are persuaded will be very profitable, not only to our clergy, but to the whole church of this our kingdom, and to all the true members of it, (if they be well observed;) have therefore for us, our heirs, and lawful successors, of our especial grace, certain knowledge, and mere motion, given, and by these presents do give our royal assent, according to the form of the said statute or act of parliament aforesaid, to all and every of the said Canons, Orders, Ordinances, and Constitutions, and to all and every thing in them contained, as they are before written.

And furthermore, we do not only by our said prerogative royal, and supreme authority in causes ecclesiastical, ratify, confirm, and establish, by these our letters patents, the said Canons, Orders, Ordinances, and Constitutions, and all and every thing in them contained, as is aforesaid; but do likewise propound, publish, and straightway enjoin and command by our said authority, and by these our letters patents, the same to be diligently observed, executed, and equally kept by all our loving subjects of this our kingdom, both within the province of Canterbury

and York, in all points wherein they do or may concern every or any of them, according to this our will and pleasure hereby signified and expressed; and that likewise, for the better observation of them, every minister, by what name or title soever he be called, shall in the parish-5 church or chapel where he hath charge, read all the said Canons, Orders, Ordinances, and Constitutions, once every year, upon some Sundays or holy-days, in the afternoon, before divine service, dividing the same in such sort, as that the one half may be read one day, and the other 10 another day: the book of the said Canons to be provided at the charge of the parish, betwixt this and the feast of the Nativity of our Lord God next ensuing: straitly charging and commanding all archbishops, bishops, and all other that exercise any ecclesiastical jurisdiction within 15 this realm, every man in his place, to see, and procure (so much as in them lieth) all and every of the same Canons, Orders, Ordinances, and Constitutions, to be in all points duly observed; not sparing to execute the penalties in them severally mentioned, upon any that 20 shall wittingly or wilfully break or neglect to observe the same, as they tender the honour of God, the peace of the Church, the tranquillity of the kingdom, and their duties and service to us their king and sovereign.

In witness, &c.

25

## VII.

Archiep. Cant.  
RIC. BANCROFT 2.

Anno Christi  
1606.

Reg. Angliæ  
JAC. I. 4.

*Canons (commonly known as those of Bishop Overall's Convocation Book) passed in the year 1606 in the convocation, which was first called in 1603, 1<sup>mo</sup> Jac. I. and was continued by adjournments and prorogations to 1610.*

I. **I**F any man shall affirm with any pagan, heretic, atheist, or any other profane persons, which know not, or believe not the scriptures, either that heaven and earth had no beginning; or that the world was made by

*If any man shall]* These Canons are reprinted from the Convocation Book of bishop Overall, as published in the year 1689 with the imprimatur of archbishop Sancroft. They were passed by both houses of convocation in the year 1606, but having never received the royal assent (which indeed was expressly refused) they have no synodical authority. The original book from which they are reprinted consists of three parts, two of them containing the Canons and preparatory statements of facts and reasons, the third giving similar statements in connection with the history of the papacy, thirteen in number, but not followed by any corresponding Canons, and the whole concluding in these words, "Hæc omnia suprascripta ter lecta sunt in domo inferiori convocationis in frequenti synodo cleri et unanimi consensu comprobata. Ita testor Joannes Overall, Prolocutor. Apr. 16, 1606." It is not thought necessary to reprint the preliminary chapters; but the Canons themselves may be considered as important, not indeed as having authority, but as being connected with two eventful periods in the history of the church, having been framed in the primacy of archbishop Bancroft, when the court of high commission, the great organ of church-jurisdiction, was brought into subordination to the courts of law, and having been first published in the primacy of archbishop

angels, or the devil; that the world was not otherwise made by Christ, than as he was an instrument of God the the Father for the making of it; or that he did not as God, create our said parents, Adam and Eve; he doth greatly err.

5

II. If any man shall affirm, that men at the first, without all good education or civility, ran up and down in woods and fields, as wild creatures, resting themselves in caves and dens, and acknowledging no superiority one over another, until they were taught by experience the necessity of government; and that thereupon they chose some among themselves to order and rule the rest, giving them power and authority so to do; and that consequently all civil power, jurisdiction and authority, was first derived from the people, and disordered multitude; or either is originally still in them, or else is deduced by their consents naturally from them; and is not God's

Sancroft, when the same court of high commission was finally abolished by act of parliament.

"There was a book," says bishop Burnet in his *History of his own Times* (vol. iv. p. 388, an. 1698), "drawn up by bishop Overall, four-score years ago, concerning government; in which its being of a divine institution was very positively asserted. It was read in convocation and passed by that body in order to the publishing it, in opposition to the principles laid down in that famous book of Parsons the Jesuit, published under the name of Doleman. ["A Conference about the next Succession to the Crown of England." See Winwood, *Memor.* vol. i. p. 51, &c., and *Gen. Diction.* art. Hayward.] King James the First did not like a convocation entering into such a theory of politics; so he wrote a long letter to Abbot, who was afterwards archbishop of Canterbury, but was then in the lower house: I had the original writ all in his own hand in my possession: by it he desired that no further progress should be made in that matter, and that this book might not be offered to him for his assent. Thus that matter slept; but Sancroft had got Overall's own book into his hands; so in the beginning of this reign [William and Mary] he resolved to publish it, as an authentic declaration that the Church of England had made in this matter; and it was published, as well as licensed by him, a very few days before he



ordinance originally descending from him, and depending upon him; he doth greatly err.

III. If any man shall affirm, either that our first parents after their fall, or consequently any of their posterity, could serve or please God truly by any natural powers or faculties that were left in them after the said fall; or that the mystery of salvation through Jesus Christ was not a secret whereunto our corrupt nature could not attain; or that our Saviour Christ is not the promised seed that should break the serpent's head; or that any can possibly be partakers of everlasting life without faith in him; he doth greatly err.

IV. If any man shall affirm, that the Son of God having from the beginning a Church upon earth, did leave them till the flood without priests, and priestly authority to govern and instruct them in those ways of their salvation,

came under suspension for not taking the oaths. But there was a paragraph or two in it that they had not considered, which was plainly calculated to justify the owning the United Provinces to be a lawful government: for it was there laid down [see Book I. Canon 28.] that when a change of government was brought to a thorough settlement, it was then to be owned and submitted to as a work of the providence of God; and a part of king James' letter to Abbot related to this."

The king's letter, as given in Welwood's Memoirs (p. 38. See also Wilk. Conc. vol. iv. p. 405) is as follows. " Good doctor Abbot, I cannot abstain to give you my judgment of your proceedings in your convocation, as you call it; and both as 'rex in solio' and 'unus gregis in ecclesia,' I am doubly concerned. My title to the crown nobody calls in question, but they that neither love you nor me; and you guess whom I mean. All that you and your brethren have said of a king in possession (for that word, I tell you, is no worse than that you make use of in your Canon) concerns not me at all. I am the next heir, and the crown is mine by all rights you can name, but that of conquest; and Mr. Solicitor has sufficiently expressed my own thoughts concerning the nature of kingship in general and concerning the nature of it, 'ut in mea persona:' and I believe you were all of his opinion; at

and in the right manner of the worship and service of God; or that they might teach them any other doctrine in that behalf, than that which they had received from God himself; he doth greatly err.

V. And if any man shall affirm, with any pagan, or 5 profane atheist, either that there was not any such general deluge; or that there is any nation, or people in the world, that doth not descend from one of the said three sons of Noah; he doth greatly err.

VI. If any man shall affirm, either that the civil power 10 and authority, which Noah had before the flood, was by the deluge determined; or that it was given unto him again by his sons and nephews; or that he received from them the sword of his sovereignty; or that the said distribution did depend upon their consents, or received from them 15 any such authority, as without the same it could not law-

least none of you said ought contrary to it, at the time he spake to you from me. But you know all of you, as I think, that my reason of calling you together, was to give your judgments how far a Christian and a protestant king may concur to assist his neighbours, to shake off 20 their obedience to their once sovereign, upon the account of oppression, tyranny, or what else you like to name it. In the late queen's time this kingdom was very free in assisting the Hollanders, both with arms and advice. And none of your coat ever told me that any scrupled about it in her reign. Upon my coming to England you may know 25 that it came from some of yourselves to raise scruples about this matter. And albeit I have often told my mind concerning 'jus regium in subditos,' as in May last in the Star-chamber, upon the occasion of Hales his pamphlet, yet I never took any notice of these scruples, till the affairs of Spain and Holland forced me to it. All my neighbours 30 call on me to concur in the treaty between Holland and Spain; and the honour of the nation will not suffer the Hollanders to be abandoned, especially after so much money and men spent in their quarrel. Therefore I was of the mind to call my clergy together, to satisfy not so much me, as the world about us, of the justness of my owning the 35 Hollanders at this time. This I needed not have done, and you have

fully have been made; or that this power, superiority, and authority, and all the parts thereof, which Noah's three sons and their children had (as is before declared), did not proceed originally from God, or were not properly his ordinances, but that they had the same from the people, their offspring; he doth greatly err.

VII. If any man shall affirm, either that the priestly office, and authority ecclesiastical, which Noah had before the flood, was by that deluge determined; or that it was by the election of his offspring conferred again upon him; or that Shem, Abraham, Isaac and Jacob, were neither priests, nor had any ecclesiastical authority, until they were chosen thereunto by their children and nephews; or that the priesthood and ecclesiastical authority were not the ordinances of God, for the governing and instructing of the church, according to the will and direction of God himself delivered and revealed unto them, as is aforesaid; he doth greatly err.

VIII. If any man shall affirm, that the said posterity of Noah's children did well in altering either the manner

forced me to say, I wish I had not. You have dipped too deep in what all kings reserve among the 'arcana imperii.' And whatever aversion you may profess against God's being the author of sin, you have stumbled upon the threshold of that opinion, in saying upon the matter, that even tyranny is God's authority, and should be revered as such. If the king of Spain should return to claim his old pontifical right to my kingdom, you leave me to seek for others to fight for it; for you tell us upon the matter beforehand, his authority is God's authority, if he prevail." Thus far the secretary's hand, as I take it; follows the rest in the king's own hand, thus: "Mr. Doctor, I have no time to express my mind further in this thorny business, I shall give you my orders about it by Mr. Solicitor, and until then meddle no more in it; for they are edge-tools, or rather like that weapon, that's said to cut with the one edge, and cure with the other. I commit you to God's protection, good doctor Abbot, and rest, your good friend James R." 35

Comp. Hallam, *Const. Hist.* vol. i. p. 347.

or form of civil government, which God had appointed, by bringing in of tyranny or factious popularity; or of the ecclesiastical, by framing unto themselves a new kind of priesthood and worship after their own humours; or that it was lawful for such as then served God, upon any pretence to have imitated their examples in either of those courses; he doth greatly err.

IX. If any man shall affirm, either that the uniting of the children of Jacob into one nation, or the severing of the civil and ecclesiastical functions (the prerogatives of birthright) from Reuben the firstborn, and dividing of them from one person was made by themselves;

X. Or that their servitude in Egypt was unjustly suffered to lie upon them so long by Almighty God; or that they being his Church, he left them destitute of such comforts of direction and instruction, as were necessary, those times considered, for their civil or ecclesiastical estate; or that the people took upon them the appointing of the heads of their tribes and families, or the choice of their civil superiors, or of the priests; or that the example of those wicked kings may be any lawful warrant for any other king so to oppress the people and Church of God; he doth greatly err.

XI. If any man shall affirm, either that the children of Israel were delivered out of Egypt by their own strength, and not by God's special direction and mighty power; or that it had been lawful for them (not warranted by God) to have departed thence, as they did, (without license first obtained of king Pharaoh;) or that Moses and Joshua were not called to that high authority by God himself, but received the same from the people, as depending upon their choice; or that Dathan and Abiram (descended from Reuben) can be justified, in challenging of

Moses, that he took too much upon him, in executing only that authority which God had given him; he doth greatly err.

XII. If any man shall affirm, either that the tribe of Levi was assigned by the people, to undertake the said<sup>5</sup> ecclesiastical offices; or that Aaron and his posterity were chosen by the people, to be their priests; or that they were not chosen directly by God himself; or that the people had any lawful interest, at any time afterward, either to choose their priests, or (they being appointed of<sup>10</sup> God, as is aforesaid) to deprive them of their places; or that Corah, of the tribe of Levi, can be justified in saying, that Aaron took too much upon him, thereby repining, either that Aaron was rather made high priest, than he himself, or that the priesthood was annexed to Aaron's<sup>15</sup> posterity, whereas the rest of the Levites were to serve in inferior places; he doth greatly err.

XIII. If any man shall affirm, either that the Israelites fell not into many evils and disorders, by being left destitute of a certain chief governor after Joshua's death; or that<sup>20</sup> when God raised up judges to rule and govern them, the people's consent was necessary thereunto; or that the said judges, being once appointed by God to those places, received their authority in that behalf from the people; or that the fact of the Sichemites may lawfully be imi-<sup>25</sup>tated by any Christian people, in so choosing to themselves a king or judge, according to their own humours; or that the want of kings, princes and rulers, in any country, is not the mother of disorder and confusion; he doth greatly err.

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XIV. If any man shall affirm, either that the people of Israel did not grievously sin in being weary of God's immediate election and appointment of their chief govern-

nors; or that the people's preposterous haste did any way prejudice the dignity and authority of Saul's regal power, or afterward of the sceptre of Judah; or that the people then had in themselves any authority to set up a king over them (for then they would not have been so earnest with Samuel to make them a king); or that after David's advancement to that kingdom, he was not as truly called thereunto by God himself, as Aaron was to the priesthood; or that David's posterity had not by God's ordinance as rightful an interest to succeed him in his said kingdom, as either Aaron's sons had to succeed him in the priesthood, or Moses, Joshua, and the rest of the judges, notwithstanding that God himself did choose, and named them particularly, had in their governments; or that the people then had any more authority to have withstood either David or any of his posterity from being their king, than they had to have repelled either Moses or Joshua, or any of the rest of the judges, whom God by name did appoint to govern them; he doth greatly err.

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XV. If any man shall affirm, either that the kings in the Old Testament were not bound as strictly to observe the laws of God in their governments, as were Moses, Joshua, and the rest of the judges; or that they had any greater liberty to do what they list, than the others had; or that they had no authority by the example of Moses, and of all the rest of their predecessors in their princely government, to delegate and appoint such judges and governors under them, as the other princes formerly under them had appointed; or that because the said kings did imitate the said princes, in appointing such judges to assist them in the government of their kingdoms, therefore their governments were to be judged rather aristocratical than truly monarchical; he doth greatly err.

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XVI. If any man shall affirm, that it was lawful, in the Old Testament, either for children or nephews, to have been disobedient to their fathers, being their chief governors, from the creation till Moses' time, or afterward for the children of Israel, either under Moses, Joshua,<sup>5</sup> the judges, or their kings, to have been disobedient to them in their lawful commandments, or to have murmured, or rebelled against them; or that it was in those times more lawful unto subjects, for any cause whatsoever, either to curse their princes, kings or civil gover-<sup>10</sup> nors, or to bear arms against them, or to depose them from their kingdoms or principalities, or to lay violent hands upon their persons, than it was in the said times lawful upon any occasion, for children either to have cursed their parents, or to have rebelled against them<sup>15</sup> when they did reprove or correct them, or to have withdrawn themselves from their subjection, saying unto them, (they being private men,) We will be no more your children, or, You shall be no more our fathers, or (bearing civil authority over them), We will depose you from your<sup>20</sup> government over us, and will be no longer ruled by you; or to have offered any violence unto them, or to have beaten them, and much less to have murdered them; he doth greatly err.

XVII. If any man shall affirm, either that the callings<sup>25</sup> of Moses, of Aaron, of Joshua, of the judges, of Saul, of David, of Solomon, or of any other of the kings of Judah, elected and named by God himself, or coming to their kingdoms by succession (according as Jacob by the spirit of prophecy had foretold), did receive any such virtue or<sup>30</sup> strength from the people, their said notice, presence and applause, as that without the same the said callings of God, either by name or by succession, had been insufficient; or that, if the people had withstood any of them, so called by God, as is aforesaid, they had not thereby<sup>35</sup>

sinned, and unjustly opposed themselves against God ; or, that the kingdom of Judah, by God's ordinance going by succession, when one king was dead, his heir was not in right their king, (however by some Athaliah he might be hindered from enjoying it ;) or, that the people were not bound without any further circumstance upon sufficient notice of their former king's death, to have obeyed his heir apparent as their lawful king ; he doth greatly err.

XVIII. If any man shall affirm, either that the priests 10 in the Old Testament were not as rightly and properly subjects to the civil governors, as the rest of the people ; or that when they any ways offended, they might not be punished as lawfully by them as any others ; he doth greatly err. 15

XIX. If any man shall affirm, either that Adoniah was ever lawfully king of the Israelites, because Abiathar the high priest had anointed him ; or that king Solomon received from Zadok, or from the holy oil, which he poured upon his head, any interest to his father's kingly seat, 20 which he had not before by the ordinance of God, and his father's appointment ; or that Abiathar might not justly have been condemned for a traitor, in that he anointed Adoniah, as is aforesaid ; the right of the kingdom being then in king David, and in him by God's ap- 25 pointment, to be disposed of, and bestowed upon his younger son Solomon ; or that it had not been a traitorous offence in Zadok, if being commanded thereupon by king David to anoint king Solomon, he should have refused so to have done ; or that either Zadok, or any 30 other priest, who afterward according to their duties, anointed the kings of Judah, were thereby more exempted from their subjection and obedience unto them, than were the rest of the people by their joy and applause,



when their kings were newly advanced to their kingdoms; he doth greatly err.

XX. If any man shall affirm, either that natural or political fathers (kings and princes) in the Old Testament, had not a charge laid upon them by God to bring up<sup>5</sup> their children and subjects in his fear; or that the institution of the priesthood did more prejudice the authority of natural fathers, or of kings and princes in that behalf, than grace did abrogate the commandment and the obedience of the law; or that natural parents, kings and<sup>10</sup> princes in those days, were not more strictly bound by the doctrine of grace, than they were before (in respect of God's great mercy unto them) to provide, that their children and subjects were not suffered, either to have any false gods among them, or to bow unto, or worship the<sup>15</sup> likeness of any thing, which they had made to themselves, to blaspheme and take in vain the blessed name of God; or to profane his Sabbaths, or to neglect the observation of the rest of God's commandments, by committing of murder, adultery, theft, and such like offences, to the dis-<sup>20</sup>pleasure of God, and disturbance of their families, principalities and kingdoms; or, that the kings, princes, or governors of the Israelites, being instructed in the mysteries of their salvation, were not as much bound, by the law of grace, to bring up their subjects in the true doc-<sup>25</sup>trine, that was grounded upon the blessed seed, as they were by the law of nature, that they should carefully observe the moral precepts and commandments of God; or that being so far bound, they had not equal authority to compel (as need should require) all their subjects, of<sup>30</sup> every calling and condition whatsoever, to keep and observe both the said laws, as well of grace as of nature; he doth greatly err.

XXI. If any man shall affirm, either that the godly

princes and kings, in the Old Testament, did not practise their authority in causes ecclesiastical; or that, in such their practice of it, they did not that which they were bound to do; or that amongst the Jews the true worship of God was not very much furthered, and continued by 5 the godly care and endeavours of their princes and kings; or that the want of such godly kings and princes was not then an occasion, and an opportunity taken, both by the priests, and by the people, to follow their own fancies, and to run into many disorders, false worships, idolatry, 10 and sundry such abominations; he doth greatly err.

XXII. If any man shall affirm, either that Uriah, the high priest, was bound to have built the said altar, because king Ahaz did command him; or that Azariah and the other priests did amiss, in reproving king Uzziah so 15 plainly; or that they lawfully might have used any violence or force against the king's person, either in hindering him from burning of incense, or in thrusting him out of the temple, or in compelling him to dwell apart in a house, as he did (though he was a leper), if he had not of 20 himself yielded to the observation of the law in that behalf; or that he was deprived of his kingdom, either by the said stroke of God, or by his dwelling in a house apart; or that any thing, which the priests then did, might have been a lawful warrant to any priest after- 25 ward in the Old Testament, either to have deposed, by sentence, any of their kings from their kingdoms, for the like offences, or to have used arms, or repressed such their unlawful attempts by forcible ways, though they had imagined the same might have tended to the preser- 30 vation of religion; or that either before that time or afterward, any priest did resist by force of arms, or depose any of the kings, either of Israel or of Judah, from their kingdoms, though the kings of Israel, all of them, and

fourteen of the kings of Judah, were open and plain idolaters; he doth greatly err.

XXIII. If any man shall affirm, either that Athaliah did well in murdering her son's children; or that Jehoiada and his wife did amiss, in preserving the life of<sup>5</sup> their king Joash; or that Athaliah was not a tyrannical usurper, (the right heir of that kingdom being alive;) or that it was neither lawful for Jehoiada, and the rest of the princes, Levites, and people, to have yielded their subjection unto their lawful king; nor, having so done,<sup>10</sup> and their king being in possession of his crown, to have joined together for the overthrowing of Athaliah the usurper; or that Jehoiada the high-priest, was not bound, as he was a priest, both to inform the princes and people of the Lord's promise, that Joash should reign over them,<sup>15</sup> and likewise to anoint him; or that this fact, either of the princes, priests, or people, was to be held for a lawful warrant for any afterward, either princes, priests or people, to have deposed any of the kings of Judah, who by right of succession came to their crowns, or to have<sup>20</sup> killed them for any respect whatsoever, and to have set another in their places, according to their own choice; or that either this example of Jehoiada, or any thing else in the Old Testament did give then unto the high-priest any authority to dispute, determine, or judge, whe-<sup>25</sup>ther the children of the kings of Judah should either be kept from the crown, because their fathers were idolaters, or being in possession of it, should be deposed from it in that respect, or in any other respect whatsoever; he doth greatly err.

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XXIV. If any man shall affirm, either that the priests in the Old Testament, from the highest to the lowest, were not bound to have obeyed the directions which God

himself delivered unto them by his prophets; notwithstanding that now and then some of them were of the tribe of Levi, and consequently in other causes were subject unto them; or, that the examples of the true prophets were any lawful warrant, either for any false prophets, or for any other person or persons whatsoever, to have railed, libelled, threatened, or denounced the judgments of God against any of the said priests, according to their own malicious humours (God himself having never given them any such warrant or foreknowledge to pronounce of such particular judgments to come): or, that because the high-priest, and the rest of the priests did amiss in the malicious prosecution of God's true prophets, they might not therefore lawfully take order for the punishment of false prophets; he doth greatly err. 15

XXV. If any man shall affirm, either that the prophets were to blame for dealing so sharply with kings and princes, being their sovereigns, as though God's express commandments had not been sufficient to have authorized them so to have dealt; or, that the example of God's prophets in this behalf were a sufficient warrant for any false prophets, or other lewd persons, to have railed and libelled against their kings, or to have denounced such judgments against them, as they in malice either desired or vainly imagined; or, that any prophets, priests, or other persons, having no direct and express command from God, might lawfully imitate the said facts, either of Samuel or of Elizeus, in anointing and designing successors to kings, which otherwise had no just interest, title and claim to their kingdoms; or that it is lawful for any captain or subject, high or low whosoever, to bear arms against their sovereign, or to lay violent hands upon his sacred person, by the example of Jehu, (notwithstanding that any prophet or priest should incite them thereunto, by unction or any other means whatsoever; 35

except first, that it might plainly appear, that there are now any such prophets sent extraordinarily from God himself, with sufficient and special authority in that behalf; and that every such captain and subject, so incited, might be assured, that God himself had, in express words, 5 and by name, required and commanded him so to do;) he doth greatly err.

XXVI. If any man shall affirm, that the prophet Jeremy<sup>a</sup> had any authority to depose kings from their kingdoms, for any cause whatsoever, and to bestow them 10 upon others as he thought fit; or that, albeit the said words were spoken by the Lord to Jeremy, and that he, being otherwise an inferior priest, had no authority, literally, so to cast down and set up kings, yet the high priests, men of greater power and dignity, might then 15 have used kings in that manner and sort, according to their deserts (the benefit and preservation of the church so requiring); or that any of the high-priests (as deriving their authority, either from the said words spoken to Jeremy, or from any thing else that is written in the 20 scriptures) either might, or ever did take upon them, to give this neighbour kingdom to one man, and that remoter kingdom to another man; or to depose any of their own kings, either of Judah or of Israel, from their kingdoms, though many of them, as elsewhere we have said, 25 were exceeding great idolaters, and sundry ways stained with lamentable blots; he doth greatly err.

XXVII. If any man shall affirm, either that any godly or dutiful subject in the Old Testament, did ever (by the direction of God's Spirit) account this fact of Ahud to be 30 a lawful warrant for him to have murdered the kings under whose subjection he lived, for any cause whatsoever, though he should have had never so many motions in his heart thereunto; or, that the high-priest himself,

<sup>a</sup> Jer. i. 10.

or all the rest of the priests, who then lived, joined together with him, could have given authority to any person, born a subject, to have so dealt with his sovereign, though he had been never so wicked, and that such his death might have availed the Church (in their opinions) never so greatly; or, that either the said high-priest, and all his consistory of priests, might lawfully have encouraged any, who being born subjects, should have pretended in their zeal toward religion, never so many illuminations, directions, or commandments from God, to have laid violent hands upon their king the Lord's anointed, for their proceeding in that course; or, that any person, born a subject, and affirming by all the arguments which wit or learning could devise, that God had called him to murder the king, *de facto*, under whom he lived; yea, though he should have first procured himself to be proclaimed and anointed king, as Adonijah did, and should afterward have laid violent hands upon his master; ought therefore to have been believed of any that feared God, except (which is impossible) he should first prove his credit, in so affirming, to be equal with the scriptures, and that men were bound as strictly to believe him, in saying, that God called and stirred him up to the perpetrating of that fact, as we are bound to believe the Holy Ghost, (by whose instinct the scriptures were written) when he telleth us, that God raised up Ahud for a saviour to his people; he doth greatly err.

XXVIII. If any man shall affirm, either that the subjects, when they shake off the yoke of their obedience to their sovereigns, and set up a form of government among themselves, after their own humours, do not therein very wickedly; or that it is lawful for any bordering kings, through ambition and malice, to invade their neighbours; or that the providence and goodness of God, in using of rebellions and oppressions to execute his justice against

any king or country, doth mitigate or qualify the offences of any such rebels or oppressing kings; or that, when any such new forms of government, begun by rebellion, are after thoroughly settled, the authority in them is not of God; or that any, who live within the territories of such 5 new governments, are not bound to be subject to God's authority, which is there executed, but may rebel against the same; or that the Jews, either in Egypt or Babylon, might lawfully, for any cause, have taken arms against any of those kings, or have offered any violence to their 10 persons; he doth greatly err.

XXIX. If any man shall affirm, either that Almighty God kept not his promise to the Jews made in his name by the prophet Jeremy, as touching their deliverance by Cyrus out of their captivity; because they were not re- 15 stored to any such perfect liberty and government, as they had before; or, that the said kings of Persia, continuing still by God's appointment a supreme authority over the Jews so restored, might by them for any cause, or under any colour, have been defrauded of their tributes, 20 or resisted by force of arms, or otherwise impeached, either in their states or persons; or, that Zorobabel and Nehemiah were not lawful princes over the Jews, because they were placed in that government without the people's election; or, that they the said princes, by dealing in 25 cases ecclesiastical (as is aforesaid) did take more upon them, than by God's appointment appertained to their charge; or, that the priests, both high and low, had not grievously sinned, if they had not submitted themselves in the said ecclesiastical causes, to the direction of those 30 their civil governors; he doth greatly err.

XXX. If any man shall affirm, contrary to the grounds and truths of the said holy scriptures, either that, albeit kings of Persia had authorized some succeeding princes, as

they did Zorobabel and Nehemiah (and whether they did so or no, is not certain;) yet the high-priests might afterward have lawfully borne the sway that they did, and not been subject unto them, as their predecessors had been to Zorobabel and Nehemiah; or, that if Nehemiah continued alive in that government till Jaddus's time (as it is probable he did), he might not lawfully, being authorized as before, though he were old, have reformed any abuse in the priests, both high and low; or, that they were not bound in conscience to have obeyed him therein; 10 or, that the Jews might lawfully have rebelled for any cause against the Persians, during their government over them; or, that Jaddus the high-priest did amiss in binding his allegiance to king Darius by an oath; or, that he had not sinned, if he had refused (being thereunto required) so to have sworn; or, that having so sworn, he might lawfully have borne arms himself against Darius, or have solicited others, whether aliens or Jews, thereunto; he doth greatly err.

XXXI. If any man shall affirm, either that the Jews generally, both priests and people, were not the subjects of Alexander, after his authority was settled amongst them, as they had been before the subjects of the kings of Babylon and Persia; or that they might lawfully have borne arms against him; or that they were not all bound 25 to pray for the long life and prosperity, both of Alexander and his empire, as they had been bound before to pray for the life and prosperity of the other said kings and their kingdoms, whilst they lived under their subjection; or consequently that they might lawfully, upon any occasion whatsoever, have offered violence and destruction, 30 either to their persons or to their kingdoms, for the long continuance and prosperity whereof, they were bound to pray; or that, after the Jews were delivered from their servitude under the kings of Syria, and the government 35



over them was settled in Mattathias' posterity, it was lawful for the people, upon any occasion, to have rebelled against them, or to have offered violence to their persons; he doth greatly err.

XXXII. If any man (because in the law of God there was great obedience to the high-priest, prescribed and required; or, that it is said by the prophet, *That the priest's lips should preserve knowledge, and that the people should seek the law of his mouth*: whereas the meaning of the Holy Ghost in those and such like places only is, that the high-priests were to be obeyed, when they commanded that which was not repugnant to the law of God; and that the lips of the priests ought to preserve knowledge) shall affirm, either that it was not wickedly done by their priests, to thrust the people into many imminent dangers, for the maintenance of their lewd quarrels and factions; or, that they did not grievously offend God, when they forsook his true worship, and brought heathenish and profane sacrifices into his temple; or that the people were bound to obey, when they required them to conform themselves to the idolatrous worship of the heathen; or, that it was lawful for any of the said high-priests, by injury, bribery, or cruelty, to seek the high-priesthood; or that the priests and people, that joined with them, did not wickedly, who assisted Pompey to invade Jerusalem, and to bring their own country in bondage to the Romans: or that any such Pharisaical sects (never ordained by God) were lawfully then permitted to seduce the simpler sort of the people, leading them into factions and dislike of their superiors; he doth greatly err.

XXXIII. If any man shall affirm, either that Aristobulus the father, or either of his two sons (Alexander or Antigonus), having all of them submitted themselves to

the government of the Romans, did not sin, when afterward they rebelled against them; or that Maticus did not very wickedly in poisoning of Antipater, because he thought thereby the better to strengthen Hircanus in his high-priesthood; or that the people ought not to detest<sup>5</sup> all such seditious persons, as under pretence of liberty and religion, shall solicit them to rebellion; or that the Jews were not bound, both to have paid their tribute, and to have prayed for Cæsar without dissimulation, sincerely and truly, notwithstanding any pretence of tyranny,<sup>10</sup> which they had wilfully drawn upon their own heads, or of any cause whatsoever; or that such as cursed Cæsar (their chief governor) did not thereby deserve any corporal punishment, which is due to be inflicted upon such traitors; or, that the rebellion against any king, absolute<sup>15</sup> prince, or civil magistrate, for any cause whatsoever, is not a sin very detestable in the sight of God, and therefore by all that fear the Lord to be eschewed, because it ever tendeth to mischief, and sometimes to the overthrow of the kingdom, principality, and country, where it is<sup>20</sup> raised; he doth greatly err.

XXXIV. If any man shall affirm, either that because the civil magistrate had made some innovation which they liked not, or for any other respect, the said Judas and Mattathias, might lawfully move the people to rebel-<sup>25</sup> lion, though otherwise they taught men's children never so diligently; or, that the Pharisees in refusing to bind their allegiance and faith to Cæsar by an oath, did not thereby shew themselves to be traitorously affected toward him; or that it was not a seditious doctrine to be<sup>30</sup> detested of all good subjects, which Judas Gaulonites and his fellows delivered to the people, in teaching them to refuse all taxations imposed by the Romans, their lawful magistrates; and rather to rebel than to pay any tribute unto them; or that they did not very grievously<sup>35</sup>

sin (both the high-priest's son and the rest) who either refused to offer sacrifice, or to pray for Cæsar; or that the high-priests then were not a wicked brood, degenerated far from their first institution; or that they did not greatly offend God, in permitting the people to be infected by their inferior priests, and other religious persons, with any of the said false positions and traitorous conceits; or that they (the said high-priests) did not most grossly err in all those points and particulars, wherein they opposed themselves against the person and doctrine of our Saviour Christ; he doth greatly err.

XXXV. If any man shall affirm, either that the Son of God (according to the doctrine of the Old Testament) was not the governor of all the world; or that he did not appoint under him divers kings, princes, and civil magistrates, to rule and govern in the kingdoms and places assigned unto them; or that having so appointed them, he did not himself direct, uphold, and rule them by his omnipotence, according to his divine wisdom; and might not, in that respect, be truly called the *Lord of lords* and the *God of gods*; or that all the world, and the particular kingdoms and civil kinds of government in the world, were not in respect of the Son of God, as he is the governor of the world, and the *Lord of lords* and *God of gods*, one kingdom, principality, or government (thereby to impeach the mild and temperate government which he had established amongst the Jews;) or that he ever committed the government of all the world, after Adam and Noah's times, to any one man, to be the sole and visible monarch of it; or that the said kingdom of Christ, as he was the *Lord of lords* and *God of gods*, and so governed the whole world, was otherwise visible upon the earth, than *per partes*, viz. by the particular kingdoms, and kinds of civil government, or perhaps by some representation; he doth greatly err.

XXXVI. If any man shall affirm, either that during the continuance of the Old Testament, the merits of Christ's death actually to come, were not sufficient to save all true believers; or that there was then no catholic church; or that at any time there was any other rock but 5 Jesus Christ, the blessed seed upon whom the catholic church was then built; or that many of the Gentiles were not always (for aught that is known to the contrary) true members of the catholic church; or that Christ himself was not the sole head or monarch all that while of 10 the whole catholic church; or, that the said catholic church, after the members of it were dispersed into all the places of the world, was otherwise visible than *per partes*; or that Noah did appoint any man to be the visible head of the said catholic church; or that the 15 high-priest among the Jews, had any more authority over the catholic church of God, than king David had over the universal kingdom of God; or that the said high-priest had not greatly sinned, if he had taken upon him, or usurped any such infinite authority; he doth greatly 20 err.

The said XXXVI. Chapters, with the Constitutions made upon them, have passed with one consent, both the convocation-houses, and so are approved.

R. Cant. <sup>a</sup>

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The said XXXVI. Chapters, with the Constitutions made upon them, have been diligently read and deliberately examined; and thereupon have likewise passed, with one consent, in the convocation-house of the province of York.

Jo. Bristol *præses* Convocat. Eborac. <sup>b</sup>

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<sup>a</sup> Sc. Dr. Richard Bancroft, archbishop of Canterbury.

<sup>b</sup> Sc. Dr. Thornborough bishop of Bristol and dean of York; which archbishopric was then vacant. He was afterwards bishop of Worcester.

## BOOK II.

I. If any man shall affirm, under colour of any thing that is in the scriptures, either that the doctrine of grace in the New Testament doth more abolish the rules of nature, or moral law of God, than it did in the Old; or that through faith the said law was not rather established than in any sort impeached; or that because as many as believe are redeemed, and made free from the curse of the law, they are therefore exempted, and free from the obedience of the law; or that by the incarnation of our Saviour Christ, obedience to the fifth commandment, touching honour due to parents and princes, was in any sort impeached, the rest of the law being established; or that our Saviour Christ having undertaken the fulfilling of the whole law (as far forth, at the least, as ever mankind was bound to have fulfilled it) came short in this one law, by exempting himself from any obedience due to the civil magistrate; or that he, having tied himself according to the said commandment, as well to the obedience of the civil magistrate, as the obedience which was due to his parents, did not, whilst he lived in the world, fulfil the law wholly concerning them both; or that he did any way, or at any time, encourage the Jews, or any other, directly or indirectly, to rebel, for any cause whatsoever, against the Roman emperor, or any of his subordinate magistrates; or that he did not very willingly, both himself pay tribute to Cæsar, and also advise the Jews so to do; or that when he willed the Jews to pay tribute to Cæsar, including therein their duty of obedience unto him, he did not therein deal plainly and sincerely, but meant secretly that they should be bound no longer to be obedient unto him, but until by force

they should be able to resist him; or that he did not utterly and truly condemn all devices, conferences and resolutions whatsoever, either in his own apostles, or in any other persons, for the using of force against civil authority; or that it is, or can be more lawful for any private persons, either of St. Peter's calling, or of any other profession, to draw their swords against authority, though in their rash zeal they should hold it lawful so to do, for the preservation of religion, than it was for St. Peter for the preservation of his Master's life; or that by Christ's words above mentioned, all subjects of what sort soever, without exception, ought not by the law of God, to perish with the sword, that take and use the sword for any cause against kings and sovereign princes, under whom they were born, or under whose jurisdiction they do inhabit; or that seeing our Saviour Christ would not have the Samaritans to be destroyed with fire from heaven, although they were at that time divided in religion from the Jews, and refused to receive him in person, it is not to be ascribed to the spirit of Satan for any private men to attempt by gunpowder, and fire from hell, to blow up and destroy their sovereigns, and the whole state of the country where they were born and bred, because in their conceits they refused some part of Christ's doctrine and government; or that Christ did not well, and as the said fifth commandment did require, in submitting himself as he did to authority, although he was first sent for with swords and staves, as if he had been a thief, and then afterward carried to Pilate, and by him (albeit he found no evil in him) condemned to death; or that by any doctrine or example which Christ ever taught, or hath left upon good record, it can be proved lawful to any subjects, for any cause of what nature soever, to decline either the authority and jurisdiction of their sovereign princes, or of any their lawful deputies and inferior magistrates ruling under them; he doth greatly err.

II. If any man shall affirm, under colour of any thing that is in the scriptures, either that the Jews did not err, in conceiving that their Messiah, when he came into the world, should as a temporal monarch reign amongst them; or that the apostles themselves were not somewhat tainted with such like imaginations; or that Christ's answers to his said apostles, did not sufficiently shew unto them, that he came not into the world, to erect for himself a temporal kingdom, and that therefore they were not to expect from him such worldly preferments as they had dreamed of; or that the Son of God, in that he was made man, did by his blessed nativity deprive all the civil magistrates in the world, of that power and authority, which he had formerly given unto them, as he was God; or that Christ, as he was man, was, by his birth, made a temporal king over all the world; or that all temporal princes and sovereign kings were thenceforth bound to hold their several countries and kingdoms no more under Christ, as he was God; but as being man, he was become a temporal monarch over all nations; or that the emperor 20 Tiberius, who then reigned, did govern the empire for the space of above fifteen years, without any lawful authority, until our Saviour Christ willed the Jews *to give unto Cæsar those things that are Cæsar's*; or that Christ having willingly undertaken for our sakes the fulfilling of all the 25 law, (and consequently of the fifth commandment,) did not hold it to be a part of his office to obey the emperor, upon whom he had, as he was God, bestowed such lawful authority, as did appertain unto his government; or that either Christ's fact, in paying of tribute, or his words, in 30 willing the Jews *to give unto Cæsar those things that were Cæsar's*, did then import, that neither obedience, tribute, custom, nor any other duty of subjection, did, until that time, belong to the emperor, as being thitherto, by Christ's birth, deprived of all his regal authority; or that it is not 35 a great impiety, in any political respect whatsoever, for

any man to maintain, when Christ saith, his *kingdom is not of this world*, that it was a worldly and temporal kingdom; or when Christ saith, his *kingdom was not from hence*, that it was, notwithstanding, as a worldly kingdom, from hence, as having all other kings and princes here in the world, as vassals in that respect, and subject unto it; he doth greatly err.

III. If any man shall affirm, under colour of any thing that is in the scriptures, either that our Saviour Christ whilst he lived upon the earth, was not obedient to the state ecclesiastical, as he was to the temporal; or that all Christians by his example, are not bound to be as well obedient to their church governors, as they are to their civil magistrates; or that Christian kings have not now as full authority to appoint some festival days of public thanksgiving to God, in remembrance of some great and extraordinary mercies of his, shewed unto them upon those days, as Judas Maccabæus had to ordain the feast of the dedication of the temple to be yearly celebrated; or that, where any such festival days are appointed, the subjects of every such king, ought not by Christ's example, in celebrating the said feast, to observe and keep them; or that all the true members of the church are not taught by Christ's example, in his observing of the ceremonial law, being then in force, that they likewise are bound to observe all such constitutions and ceremonies, as for order and decency, are with all due cautions established in any particular church by the chief governors of it, until it shall please them the said governors to abrogate them; or that all Christians are not bound by Christ's example, to refrain all bitterness of calumniation and detraction, and to deal temperately and mildly with their ecclesiastical governor, in respect of their authority, that it be not brought into contempt, though they find some imperfections, either in their persons or in their proceedings; as he our said blessed



Saviour, in the same respect, dealt with the priests of the Jews, though they had many ways transgressed, and were his mortal enemies; or that Christ, by whipping buyers and sellers out of the temple, did either impeach the authority of the priests, or practise therein any pontifical<sup>5</sup> or temporal power, as if he had been a temporal king, or did the same by any other authority than as he was a prophet; or that Christians are not now as strongly bound in doubts of religion, to repair unto the chief ministers and ecclesiastical governors, although they are<sup>10</sup> not always tied to do as they do; as were the Jews in such like cases bound to repair to them that sat in Moses' seat; or that every true Christian, when for the said cause he repaireth to the chief ministers and governors of the church, to be resolved by them, is any further now<sup>15</sup> bound to depend upon such their resolutions, than they are able to shew them unto him out of the word of God, or than the Jews were bound to believe the Scribes and Pharisees, though they sat in Moses' chair, when they taught them any thing which was not agreeable to that<sup>20</sup> which Moses had commanded; or that Christ's example in condemning the false interpretations and glosses of the Scribes and Pharisees, and in restoring to the law the true sense and original meaning of it, hath not ever since warranted learned and godly men, when they found the<sup>25</sup> scriptures perverted by those that govern the church, of purpose to make their own gain thereof, and to maintain their great usurpations, to free the same by searching the said scriptures from all such false interpretations and glosses, and to make plain (as much as in them did lie)<sup>30</sup> the true sense and meaning of them; or that our Saviour Christ, when he purged divers parts of the law from the gross and erroneous expositions of the Scribes and Pharisees, did give any other sense and meaning of them, or infer upon it any new rules of greater perfection, either<sup>35</sup> as he was man, or as he was a prophet, than they had and contained originally, when he first gave them to the

Israelites, as he was God; or that it is not an erroneous and fond conceit, like unto that of the sectaries among the Jews (especially of the Pharisees), for any sort of persons (no way able to perform their duties to God, in such manner and sort as they ought) once so much as to imagine, that by the observation of their own rules, they are able to attain to greater perfection, than by the observation of God's rules; or that it is not as vain and fond an imagination as the former, for any Christian man to think, that the enjoying of such possessions and riches as God hath blessed him with, is repugnant to that perfection which God hath required at his hands; or that the same are otherwise incompatible with the said perfection, than in such cases only, when either they must leave their worldly estates, or Christ their Saviour; or that our Saviour Christ, by laying of some grounds for the future estate of the church after his passion, did thereby erect any new churches apart from that church which was to continue until his death; or that the example of Christ and his apostles, in holding society and communion with the Jews, in the outward worship and service of God, doth not condemn all such sectaries as do separate themselves from the churches of Christ, whereof they were once members, the same being true churches by lawful authority established, under pretence of they know not what new Christianity; or that there ought not to be now amongst Christians, ecclesiastical courts for ecclesiastical causes, as well as there were such courts amongst the Jews for such kind of causes; or that all Christians are not now bound to repair, as well to ecclesiastical courts and governors, for reformation of such offences as are of ecclesiastical cognizance, as the Jews were bound to repair to their sanhedrims, to have those evils redressed that were to be reformed by those courts; or that as many as do profess themselves to be true imitators of Christ in their lives and conversation,

are not bound to such obedience unto their princes and rulers (how evil-disposed soever they be, yea though they seek their lives) as Christ shewed and performed, both to the ecclesiastical and temporal state of the Jews, at what time he knew they were plotting his death; he doth greatly err.

IV. If any man shall affirm, under colour of any thing that is in the scriptures, either that the Deity of our Saviour Christ, doth not since his resurrection and ascension, otherwise execute the majesty and glory thereof in his humanity, than it did before his passion; or that Christ now in glory, is not actually the heir of all things, as he is man so highly exalted, and both King of kings, and Lord of lords; or that he now sitting at the right hand of God, in glory and majesty, as he is man, hath made an alteration in the manner of temporal government, ordained by himself long before, as he is God; or that now all the kingdoms in the world, being but one kingdom in respect of himself, he doth not allow the distributing of that his one universal kingdom, into divers principalities and kingdoms, to be ruled by so many kings and absolute princes under him; or that such kings and sovereign governors as were ethnics, were deprived by Christ's ascension into heaven, and most glorious estate there, from the true interest and lawful possession of the kingdoms which before they enjoyed; or that the ancient fathers were deceived, in holding and maintaining, that all Christians in the primitive church were bound to obey such kings and princes as were then pagans; or that the subjects of all the temporal princes in the world, were not as much bound in St. Paul's time to be subject unto them, as the Romans were to be subject to the empire, *not only for fear, but even for conscience sake*; or that St. Paul's commandment (by virtue of his apostleship, and assistance of the Holy Ghost) of obe-

dience to princes, then ethnics, is not of as great force to bind the conscience of all true Christians, as if he had been then *summus pontifex*; or that any pope now hath power to dispense with the said doctrine of St. Paul, as the said canonist <sup>a</sup>, by us quoted, doth seem to affirm; <sup>5</sup> where after he hath said, "That the apostle St. Paul, commanding all men to be obedient to superior powers, was not the highest bishop," he addeth these words, *Papa major est administratione Paulo; et papa dispensat contra apostolum in his, quæ non concernunt articulos fidei*: <sup>10</sup> "The pope is greater in authority than Paul; the pope doth dispense against the apostle in those things that do not concern the articles of faith:" or that the primitive church was not as well restrained *de jure* by the doctrine of Christ's apostles, as *de facto*, from bearing arms against <sup>15</sup> such princes as were then ethnics, and transferring of their kingdoms from them unto any others; or that St. Peter himself (who our adversaries would make the world believe, was then the highest bishop) concurring with the apostle St. Paul, when he commanded the Chris- <sup>20</sup> tians in those days *to submit themselves unto the king, as unto the superior*, (they both of them, we are assured, commanding therein as they were inspired by the Holy Ghost,) did leave this doctrine, so jointly taught, to be dispensed with afterward by any pope, his vicar, led by <sup>25</sup> what spirit is easy to be discerned, being so far different from the Holy Ghost, which spake (as is aforesaid) by the said apostles; or that it is not a most wicked and detestable assertion for any man to affirm, That the apostles in commanding such obedience to the ethnic princes then, <sup>30</sup> did not truly mean as their plain words do import, but had some mental reservations, whereby the same might be altered, as occasion should serve; or that the apostles at that time, if they had found the Christians of sufficient force, for number, provision, and furniture of warlike <sup>35</sup>

<sup>a</sup> Dr. Mart. Tract. de Jurisd. par. i. c. 24. n. 38.

engines, to have deposed those pagan princes, that were then both enemies and persecutors of all that believed in Christ, would, no doubt, have moved and authorized them to have made war against such their princes, and absolved them from performing any longer that obedience, 5 which they (as men temporizing) had in their writings prescribed unto them; or that when afterward Christians were grown able for number and strength, to have opposed themselves by force against their emperors, being wicked and persecutors, they might lawfully so have done, for 10 any thing that is in the New Testament to the contrary; or that these, and such like expositions of the meaning of the holy apostles, when they writ so plainly and directly, are not very impious and blasphemous; as tending, not only to the utter discredit of them and their writings, 15 but likewise to the indelible stain and dishonour of the whole scriptures, in that they were written by no other persons of any greater authority than were the apostles, nor by the inspiration and direction of any other spirit; he doth greatly err. 20

V. If any man shall affirm, under colour of any thing that is in the scriptures, either that our Saviour Christ was not the head of the church from the beginning of it; or that all the particular churches in the world are other- 25 wise to be termed one church, than as he himself is the head of it; and as all the particular kingdoms in the world are called but one kingdom, as he is the only King and Monarch of it; or that our Saviour Christ hath not appointed under him several ecclesiastical governors, to rule and direct the said particular churches, as he hath 30 appointed several kings and sovereign princes, to rule and govern their several kingdoms; or that by his death he did not abolish the ceremonial law, and the Levitical priesthood, so far forth as it was typical, and had the execution of the said ceremonial law annexed unto it; or 35

that he did any more abrogate by his death, passion, resurrection and ascension, the power and authority of church-government, than either he did the other two essential parts of the said priesthood or ministry, or the power and authority of kings and sovereign princes; or that he did more appoint any one chief bishop to rule all the particular churches, which should be planted throughout all kingdoms, than he did appoint any one king to rule and govern all the particular kingdoms in the world; or that it was more reasonable or necessary (as hereafter 10 it shall be further shewed) to have one bishop to govern all the churches in the world, than it was to have one king to govern all the kingdoms in the world; or that it was more necessary or convenient, to have every parish with their presbyteries, absolute churches, independent 15 upon any but Christ himself, than that every such parish should be an absolute temporal kingdom, independent of any earthly king, or sovereign magistrate; or that the government of every national church under Christian kings and sovereign princes, by archbishops and bishops, 20 is not more suitable and correspondent to the government of the national church of the Jews, under their sovereign princes and kings, than is either the government of one over all the churches of the world, or the settling of the form of that national church-government in every parti- 25 cular church; he doth greatly err.

VI. If any man shall affirm, under colour of any thing that is in the scriptures, either that the platform of church-government in the New Testament, may not lawfully be deduced from that form of church-government 30 which was in the Old; or that because the apostles did not once for all, and at one time, but by degrees, erect such a like form of ecclesiastical government, as was amongst the Jews, therefore it is not to be supposed, that they meant at all to erect it; or that their expectation of fit 35

opportunity to establish that kind of government in the churches of the Gentiles, being converted to Christ, hath any more force to discredit it, than had the want of it for many years amongst the Jews to blemish the dignity of it, when it was there established; or that the apostles had no further authority of church-government committed unto them, after the resurrection and ascension of Christ, than they had before his passion; or that there was not as great necessity of sundry degrees in the ministry, whilst the apostles lived, one to rule, another to be ruled, for the establishing and government of the church, as there was whilst the priesthood of Aaron endured; or that Christ himself did not, after a sort, approve of divers degrees of ministers, some to have preeminence over others, in that having chosen to himself twelve apostles, he did also elect seventy disciples, who were neither superior nor equal to the apostles, and were therefore their inferiors; or that he did not very expressly, after his ascension appoint divers orders and degrees of ministers, who had power and preeminence one over another, apostles over the prophets and evangelists, and the evangelists over pastors and doctors: or that the authority of preaching, of administration of the sacraments, and of ecclesiastical government, given to the apostles, was not to be communicated by the apostles unto others, as there should be good opportunity in that behalf; or that because there were some personal prerogatives belonging to the apostles, which they could not communicate unto others, therefore they had not power to communicate to some ministers, as well their authority of government over other ministers, as their authority to preach and administer the sacraments; or that in the authority of government so to be communicated unto others by the apostles, there are not included certain degrees to be in the ministry, some to rule, and some to be ruled; or that it was not lawful for the apostles to choose unto them-

selves coadjutors, and to make them ministers of the word and sacraments, though they tied them for a space to no certain place, more than they themselves and the evangelists were limited or tied; but kept them in their own company, as if they had been (in a manner) their fellows, and employed them in apostolical embassages, as there were occasions; or that the apostles might not lawfully ordain a second order of ministers, by imposition of their hands, to preach and administer the sacraments, and to tie them to particular churches and congregations, there to execute those their duties; or that the ministers of that second degree and order, so tied unto their particular charges, had any power committed unto them, either at all to make ministers, or to pronounce the sentence of excommunication against any of their congregation, but by the direction of the apostles, when they had given the sentence, during all the time that the apostles kept in their own hands the said two points of ecclesiastical authority; or that it was not expedient for the apostles to retain in their own hands, the power and authority of ecclesiastical government for a time, and whilst they were able to execute the same in their own persons, or by their coadjutors, as they should direct them; and not to communicate the same, either to any their said coadjutors, or other persons of the ministry, until they themselves had good experience and trial of them; and that the particular churches also in every city, found the want of such men, so authorized, to reside amongst them; or that when the said ministers, placed in divers particular churches in sundry cities, fell at variance amongst themselves, which of them should be most prevalent amongst the people, and drew their followers into divers sects and schisms, it was not high time for the apostles (seeing by reason of their great affairs and business otherwise, they could not attend those particular brawls and inconveniences) to appoint some worthy per-



sons in every city, to have the rule, government, and direction of them; or that when such men were to be placed in such cities, the apostles did not make especial choice of them, out of the number of their said coadjutors, and likewise out of the rest of the ministry, to execute those episcopal duties, which did appertain to their callings; or that when they had so designed and chosen them to be bishops, they did not communicate unto them, as well their apostolical authority of ordaining of ministers, and power of the keys, as of preaching and administering the sacraments; or that it was not the meaning of the apostle St. Paul, that such persons as Timothy and Titus were, ought to be made bishops in such cities and countries as were that province of Ephesus, and kingdom of Crete, to have the like authority and power given them in their several cities, with their suburbs, diocese, or province, that was committed to Timothy and Titus, for the ruling of those ministers and churches under them; or that the authority given by the apostle St. Paul, or by any other of the apostles, to Timothy and Titus, and such like other bishops or archbishops, did any more diminish the power and authority which the apostles had in their own hands, before they appointed any such bishops and archbishops, to rule and govern them all, than their giving power and authority of preaching and administering the sacraments, did impeach their own authority so to do; he doth greatly err.

VII. If any man shall affirm, under colour of any thing that is in the scriptures, either that the subscriptions or directions of the second Epistle of St. Paul to Timothy, or of his Epistle to Titus, though they are found in the ancient copies of the Greek Testament, are of no credit or authority; or that such an impeachment and discredit laid upon them, is not very prejudicial to the books and writings of the Holy Ghost; or that it is not

great presumption for men in these days, to take upon them to know better, whether Timothy and Titus were bishops, than the churches and godly fathers did, which were planted and lived either in the apostles' times, or presently after them; except they have some especial revelations from God: or that whilst men do labour to bring into discredit the ancient fathers and primitive churches, they do not derogate from themselves such credit as they hunt after, and as much as in them lieth, bring many parts of religion into a wonderful uncertainty; or that it is probable, or was possible for Timothy to have observed those rules that St. Paul gave him unto the coming of Christ; except (as the fathers expound some of them) he meant to have them first observed by himself and other bishops in that age, and that afterward they should so likewise be observed by all bishops for ever; or that the ancient fathers, and ecclesiastical histories, when they record it to all posterity, that these men, and those men, were made by the apostles, bishops of such and such places, are not to be held to be of more credit than any other historiographers or writers; or that when the ancient fathers did collect out of the scriptures and practice of the apostles, the continuance for ever of that form of church-government which was then in use, they were not so thoroughly illuminated with the Holy Ghost, as divers men of late have been; or that it was an idle course held by the primitive churches and ancient fathers, to keep the catalogues of their bishops, or to ground arguments in some cases upon their succession, in that they were able to deduce their beginnings, either from the apostles, or from some apostolical persons; or that the form of government, used in the apostles' times, for the planting and ordering of churches, was not, in many respects, as necessary to be continued in the church afterward; especially considering, that many churches were not left fully ordered, nor in some places were at

all planted, when the apostles died; or that true and perfect order, grounded upon the very laws of nature and reason, and established by the Holy Ghost in the apostles' times, was not fit for the churches of God afterward to embrace and observe; or that any church, since the 5 apostles' time, till of late years, when it received the gospel, had not likewise archbishops and bishops for the government of it; or that divers of the ancient fathers did not hold, and that very truly (for aught that appeareth to the contrary), that our Saviour Christ and his 10 apostles, in establishing the form of church-government amongst the Gentiles, had an especial respect to that form which God had settled amongst the Jews, and did no way purpose to abrogate or abolish it; or that any since the apostles' times, till of late days, was ever held to be a 15 lawful minister of the word and sacraments, who was not ordained priest or minister, by the imposition of the hands of some bishop; or that it is with any probability to be imagined, that all the churches of Christ, and ancient fathers from the beginning, would ever have held 20 it for an apostolical rule, that none but bishops had any authority to make priests, had they not thought and judged, that the same authority had been derived unto them the said bishops from the same apostolical ordination, that was committed unto Timothy and Titus, 25 their predecessors; or that the apostles and all the ancient fathers were deceived, when they judged the authority of bishops necessary at all times for the suppressing of schisms; and that without bishops, there would be in the churches as many sects as ministers; or that when 30 men find themselves, in regard of their disobedience to their bishops, so fully and notably described and censured by all the ancient fathers for schismatics and contentious persons, they have not just cause to fear their own estates, if they continue in such their wilfulness and ob- 35 stinacy; or that the church-government, by us above

treated of, is truly to be said to savour of Judaism, more than the observation by godly kings and princes, of the equity of the judicial law, given to the Jews, may truly be said to savour thereof; or that it doth proceed from any other than the wicked spirit, for any sort of men,<sup>5</sup> what godly show soever they can pretend, to seek to discredit (as much as in them lieth) that form of church-government, which was established by the apostles, and left by them to continue in the church to the end of the world, under archbishops and bishops, such as were<sup>10</sup> Timothy and Titus and some others, then called to those offices by the said apostles, and ever since held by the primitive churches and all the ancient fathers to be apostolical functions; or to term the same, or any part of it to be Antichristian; he doth greatly err. <sup>15</sup>

VIII. If any man shall affirm, under colour of any thing that is in the scriptures, either that our Saviour Christ hath otherwise committed the world to be governed under him by kings and sovereign princes, but so, as he himself with his regal sceptre, doth rule and govern<sup>20</sup> them all, according to his divine pleasure; or that it is not a sound argument, that the bishops of Rome, in taking upon them to be temporal kings, have wholly perverted the institution of Christ in that behalf; in that they are driven to justify their facts therein, by the examples of<sup>25</sup> the Maccabees, and those times of so great confusion: or that our Saviour Christ, whilst he was here upon the earth, did not fully content himself to be only a spiritual King, to rule in men's hearts; or that to the end he might erect such a spiritual kingdom, he did not conquer<sup>30</sup> the devil, sin, death, and hell, and thereby took possession in the hearts of all true believers; or that before our Saviour Christ doth begin to reign in man's heart, he doth not first, by the ministry of his word, beget a lively faith in it; or that whilst he lived here in the<sup>35</sup>

world, he did not satisfy himself, for our sakes, with a very mean and poor estate, being in himself most rich, because he was God, and in his humanity, the heir of all things; or that he did not institute and ordain a priesthood, or ministry, to continue to the end of the world,<sup>5</sup> for the continuance and augmenting of his spiritual kingdom; or that the children of God, notwithstanding that they are redeemed through faith by Christ, and delivered out of the jaws of hell and Satan, are not still to take heed, and beware of him, and to arm themselves accord-<sup>10</sup> ingly against his forces; or that our Saviour Christ, when he told his apostles and disciples, *that the servant is not above his lord, but that whosoever would be a perfect disciple, should be as his master*, did not mean, that his apostles, and after them their successors, archbishops,<sup>15</sup> bishops, and the rest of the ministry, should hold their services and offices under him, to do as he did, when he was a mortal man of poor estate, and subject to many bad usages and injuries; or that because our Saviour Christ, after his resurrection and ascension, when he was<sup>20</sup> become a man immortal and glorious, did then enlarge the commission of his apostles, and ordained by them a succession of the ministry for the government of the church, he did thereby make them any more partakers of his regal authority, whereof his human nature was then<sup>25</sup> actually possessed, for the state and exercise thereof, by reason of the free and unrestrained operation of his Deity, than he made their natural and corruptible bodies, incorrupt and spiritual bodies, or endowed them in this life with any of that glory, power, and heavenly estate,<sup>30</sup> which they were to enjoy after their deaths and blessed resurrection; or that the apostles after Christ's death (not exempting St. Peter) did not find their estates in this world very suitable to their Master's, whilst he lived with them, all things happening unto them, as he had<sup>35</sup> foretold them; or that either St. Peter, or any of the

apostles, or of their successors, either then or since that time, could challenge so much as this, or that one temporal farm, by virtue of their ecclesiastical functions, more than their Master had, or that either they were themselves possessed with as their own, before they were called 5 to that ministration, or than was afterward given unto them by godly emperors, kings and princes, and other devout and religious persons; or that if St. Peter had known himself to have been under Christ the sole temporal monarch of the world, it had not been his duty to 10 have made the same known, at least, to the apostles, and such as were converted to Christ, to the end they might have honoured him accordingly, as his dutiful and loyal subjects; or that it had not in all probability, if St. Peter meant to shew himself to be a temporal king, 15 by the deaths of Ananias and Sapphira, been much more expedient for the success of the gospel in those days, if he had used such his regal authority against those civil magistrates, which were enemies to Christ, and to all that preached in his name; or that it may be rightly imagined, 20 with our dutiful regard of St. Peter's sincerity, that ever he would have been so earnest with the dispersed Jews, to have *submitted themselves for the Lord's sake unto kings*, and other governors, to have obeyed them and honoured them, if he had known them to have had tem- 25 poral authority, because they did not acknowledge themselves to be his vassals: or that it did not proceed from the great wisdom of God, to abridge in the apostles of Christ (even in St. Peter himself) that great power and authority which Christ had; as appeareth by his words, 30 when he said, that *if he had thought it fit, he could have twelve legions of angels at his commandment*, to have defended him from all his enemies (the Scribes and Pharisees, with all their partakers); in that perhaps the apostles, even St. Peter himself, might have abused it; or that it 35 is not more than probable, that howsoever St. Peter would

have used the said power and authority, if he had had it, if the bishops of Rome had received it from him, they would certainly have made great havoc and confusion in the world with it; or that if all the kings and sovereign princes in the world had been subject to St. Peter, and<sup>5</sup> were thereupon in the like subjection to the bishops of Rome, they (both St. Peter and his successors) might not have had ready at their commandment (if kings and princes had done their duties) more than twelve legions, to have confounded all men, that should have disobeyed<sup>10</sup> them; or that therefore it is not as absurd an imagination and conceit for any man to think, that Christ did give so great temporal authority, either to St. Peter or any of his successors, over temporal kings and princes, that they might have so great armies when they list, at<sup>15</sup> their directions, as if any man should hold, that because they are Christ's vicars, they may have twelve legions from heaven to do them service, if perhaps temporal kings and princes should be negligent, or refuse to be at such charges at their commandment; or that it is not a<sup>20</sup> kind of madness (the true nature of Christ's spiritual kingdom and church here upon earth considered) for any man to conceive, and thereupon maintain, that any such omnipotency of temporal power in St. Peter, ever was, or ever shall be, available to vanquish the devil, or remove<sup>25</sup> him out of his palace, or to spoil him of all his principalities, or to beget faith in the children of God, or to erect in their hearts a tabernacle for Christ, and the Holy Ghost; which are only the peculiar and proper actions of our Saviour Christ, as he is our spiritual King, and of<sup>30</sup> St. Peter and the rest of the apostles, with all their successors in their degrees, and as they are his spiritual ministers; he doth greatly err.

IX. If any man shall affirm, under colour of any thing that is in the scriptures, either that the external callings<sup>35</sup>

in this world of those men (as ministers and schoolmasters) that have to deal with the information of men's minds and souls, are superior, and to be preferred in honour and worldly dignities, before the callings of kings and sovereign princes; or that because health is better, and more 5 to be desired in this life, than any worldly preferments, therefore the calling of physicians, who are ordained for the health of men's bodies, ought to be superior to all other worldly callings; or that the regal and political power of the king, when it is part of a Christian common- 10 wealth, is thereby brought into greater servitude and thralldom, than is the regal and political state of ethnic princes, when the same are no parts of a Christian kingdom; or that to prefer the ecclesiastical state for worldly authority, before the state of kings and sovereign princes, 15 is not, in effect, to prefer the humbled estate of Christ, as he was man, living here upon the earth, before his glorious estate, after his ascension, and before the glory and majesty of his divine nature; or that any ecclesiastical authority which the apostles ordained, did either free 20 them or any of their successors, from subjection to kings and princes, and to their temporal authority; or that St. Peter, being an apostle, and so subject to the civil sword of temporal authority, could lawfully, by any indirect device, challenge any temporal power and dominion 25 over kings and princes; for that had been to have extorted the temporal sword out of their hands to whom it appertained, and to have incurred again the commination of his Master, when he told him, how all that take the sword shall perish with the sword; or that it is not a 30 most profane impiety, tending altogether to the discredit of the scriptures, for any man to hold, that St. Peter and St. Paul had so instructed the Christians in their times, as that they knew, if they had been able, they might without offence to God, have deposed Nero from his 35



empire ; or that the Christians in Tertullian's time, when they professed, that notwithstanding their numbers and forces were so great, as they had been able to have distressed very greatly the estate of the emperors (being then persecutors), they might not so do, because Christ 5 their Master had taught them otherwise ; ought not to be a sufficient warrant for all true Christians to detest those men in these days, and for ever hereafter, who contrary to the example of the said Christians in the primitive church, and the doctrine of Christ, which was then 10 taught them, do endeavour to persuade them, when they shall have sufficient forces, to rebel against such kings and emperors at the pope's commandment, and to thrust them from their kingdoms and empires ; or that this devilish doctrine of animating subjects to rebellion (when 15 they are able) against their sovereigns, either for their cruelty, heresy, or apostasy, was ever taught in the church of Christ by any of the ancient fathers above mentioned, during the reigns of Dioclesian, or Julian the apostate, or Valens the Arrian, or of any other the wicked emperors 20 before them ; or that it is not a wicked perverting of the apostle's words to the Corinthians (touching their choice of arbitrators, to end dissensions amongst themselves, rather than draw their brethren before judges that were infidels) to infer thereof, either that St. Paul intended 25 thereby to impeach, in any sort, the authority of the civil magistrates, as if he had meant they should have chosen such judges, as by civil authority might otherwise have bound them, than by their own consents to have stood to their award, or to authorize Christian subjects, when 30 they are able, to thrust their lawful sovereigns from their regal seats, and to choose unto themselves new kings into their places ; or that any of the said ancient fathers, or godly learned men, for many hundred years after Christ, did ever so grossly and irreligiously expound the 35

said place of the apostle, as our cardinalized Jesuit hath done<sup>c</sup>; or that it can be collected out of the scriptures, that either Christ, or any of his apostles, did at any time teach or preach, that they who meant to be baptized, must receive that sacrament upon condition, that if at 5 any time afterward, they should not be obedient to St. Peter, for his time, and to his successors, they were to lose and be deprived of all their temporal estates and possessions; or that it can be proved, either out of the 10 scriptures, or by any of the said ancient fathers, or shewed in any ancient form of administration of baptism, that ever there was any such covenant made, by any such faithful persons, when they were baptized, or required of them to be made by any that baptized them; or that if 15 such a covenant were by Christ's ordinance to be made in baptism, it ought not as well to be made by farmers, by gentlemen possessed of manors, and by lords of greater revenues and possessions, as by kings and sovereign 20 princes; or that it were not an absurd imagination to think, that Christ and his apostles did only mean, that emperors, kings and sovereign princes should be received to baptism upon the said condition; or that all Christian men ought not to judge, that the eleven apostles, if they had known of any such bargain, or condition in baptism, would have dealt as faithfully with the church, and in the 25 behalf of St. Peter, in preaching and teaching the same, as now our cardinal and other such like persons of the Roman strain, do by their writing, publishing, and maintaining of it in the behalf of the bishops of Rome; or that either Christ or his apostles, knowing that baptism 30 ought to be received with such a condition, did think it convenient, that the same should be concealed, not only whilst they lived, but for many hundred years afterward, until the bishops of Rome should be grown to such a

<sup>c</sup> Bellarm. de Rom. Pont. v. 7.

head and strength, as that they might, without fear of any inconveniences, make the whole Christian world acquainted with it; or that it is not an idle conceit for any man to maintain that the renunciation of the effects of baptism doth deprive men of their temporal lands and possessions, which they did not hold by any force of baptism, or make them subject in that behalf to the deprivation of the bishops of Rome; or that apostasy from Christ, put on in baptism, doth any further extend itself than to the souls of such apostates in this life, in that the devil hath got again the possession of them, and so depriveth them in this world of all the comfort and hope they had in Christ, leading them on to the bane both of their bodies and souls in the life to come; or that any ecclesiastical person hath any other lawful means to reclaim wicked, heretical, or apostated kings from their impiety, heresy, and apostasy, than Christ and his apostles did ordain to be used, for winning men at the first to embrace the gospel; or that Christ himself, while he lived, did attempt, either directly or indirectly, to depose the emperor, by whose authority he was himself put to death, as holding that the church could not attain to her spiritual end except he had so done; or that by the death of Christ the church did not attain to her spiritual end, without the deposition of any emperors or kings from their regal estates; or that ever the apostles, in their days, either preached or writ that the ecclesiastical commonwealth could not be perfect except St. Peter for his time, and after him the bishops of Rome, should have temporal power and authority to depose emperors and kings, that the church might attain her spiritual end; or that the church in their days did not attain to her spiritual end, although no such authority was then either challenged or put in practice; or that the Church could have attained to that her spiritual end in the apostles' times, if the said temporal power and authority had been

then necessary for the attaining of it ; or that our Saviour Christ and his apostles did propound a spiritual end unto his Church, and left no other necessary means for the obtaining of it than such as could not be put in practice, either in their days or for many hundred years after ; or 5 that the churches of Christ, after the apostles' times, for the space of three hundred years, being wonderfully oppressed with sundry persecutions, did not attain to their spiritual end without this dreamed of temporal authority of deposing kings and emperors, then their mortal ene- 10 mies, not in respect of themselves, but of the doctrine of salvation, which they taught to their subjects ; or that this new doctrine of the necessity that the bishops of Rome should have temporal authority, either directly or indirectly, to depose emperors and kings, for any cause 15 whatsoever, (or that else the church of Christ should not be able to attain to her spiritual end,) was ever heard of, for aught that appeareth, for many hundreds of years after the apostles' times, either in any ecclesiastical history, or in any of the ancient fathers, by us above-mentioned ; or 20 that the bishops of Rome, with all their adherents, whilst they would make the world believe that the church of Christ cannot attain her spiritual end, except they have temporal authority indirectly to depose, for some causes, emperors, kings, and sovereign princes, are more learned 25 now than either the ancient fathers or the apostles themselves were ; and that they know the sense of the scriptures better than either they the said ancient fathers did, or the apostles that writ them, who (for aught that was known for many hundred years) never preached, taught, 30 or intended to have any such doctrine collected out of their writings and works ; or that it may, without great impiety, be once imagined that if such a necessary point of doctrine concerning the said great temporal power in the pope over princes, as without the which the Church 35 of Christ could not attain her spiritual end, had been

known to the apostles and ancient fathers, they would not have been as careful and zealous to have preached and divulged the same unto all posterity, as now the bishops of Rome and their adherents are; or that we ought not rather to believe that the bishops of Rome and<sup>5</sup> their adherents, through their forsaking the love of the truth, are given over by God unto those strong illusions, that they should believe lies, and maintain them as stiffly as though they were true, than once to conceive that the holy apostles and ancient fathers were either ignorant of<sup>10</sup> this supposed temporal authority to depose kings and princes, for the end so often mentioned, or thought it fit to dissemble it, or to write of it so darkly, as for many hundred years it could not be understood; or that God hath not wonderfully blinded the hearts and understand-<sup>15</sup> ings, both of the popes and all their adherents in this particular matter, (amongst many others,) in that the nature of the church, and spiritual kingdom of Christ considered, they dare presume to maintain it so confidently, that the said spiritual kingdom of Christ cannot<sup>20</sup> attain to her spiritual end without the bishop of Rome his temporal authority, indirectly in some cases, to depose kings and sovereign princes; or that the true spiritual end of the church consisting in this, that the devil being banished out of the hearts of all her true members, Christ<sup>25</sup> may retain his possession of them, through their faith and diligence, to repel Satan, who daily laboureth to regain to himself his own possession; it is not more than a kind of phrenzy to hold and maintain that any temporal authority, managed by the pope or by his commandment,<sup>30</sup> against kings and princes, hath any force or power to work or procure this spiritual end, either by expelling or repelling of Satan, or to nourish faith, or to continue the reigning of Christ in any men's hearts; or that it is not an impious and a profane assertion for any man to defend,<sup>35</sup> that the weapons and armour of this spiritual warfare,

undertaken by Christ and his apostles, and by all godly bishops and true priests and ministers of the gospel, are not sufficient of themselves to procure to the church her spiritual end, without the pope's carnal weapons, or temporal authority to depose kings, when to him, with the assistance of his cardinals, it shall seem expedient; he doth greatly err.

X. If any man shall affirm, under colour of any thing that is in the scriptures, or that can be truly grounded upon natural reason or philosophy, that our Saviour Christ should have shewed himself to have had no discretion, except he had left one chief bishop to have governed all the churches in the world; or that, except he appointed one to the said end, he should, as a person void of providence, have left his faithful people in a miserable confusion, and without any government at all; or that any of all the arguments that may be deduced from philosophy and natural reason to prove that one man ought to have the government of the whole catholic church in spiritual causes, are not as forcible to prove that one king or emperor ought to have the rule and government over the whole world in causes temporal; or that any of the philosophers ever meant to have their reasons (alleged by them to prove that in every particular country the monarchical form of temporal government was the best) to be extended to prove that there ought to be either one bishop over all the catholic church, (whereof they had no knowledge,) or one emperor over all the world; or that, because all men have their beginning from Adam, it doth not as well follow that there ought to be one emperor to govern all the world, as one bishop over the whole catholic church; or that Aaron was any more a figure of St. Peter and his successors, that they severally, in their times, should govern the whole church, than king David was of Augustus the emperor and his suc-  
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cessors, that they severally, in their times, should have committed unto them the government of the whole world; or that the resemblances in the scriptures of the church unto an host well ordered, to a human body, to a kingdom, to a fold, to an house, to a ship, may not fitly<sup>5</sup> be applied as well to the universal kingdom of Christ over all the world, as unto the church, and so consequently as well to our Saviour Christ, as he is the governor of the whole world, that he is the general of that host, the head of that body, the king of that kingdom, the<sup>10</sup> shepherd of that flock, the householder of that family, and the pilot of that ship; as may these titles be ascribed unto him, as he is the only archbishop of the whole church, viz. that he is the only general of this host, the only head of this body, the only king of this kingdom,<sup>15</sup> the only shepherd of this flock, the only householder of this family, and the only pilot of this ship; or that the said unities, concerning the universal kingdom of Christ, are not of as great validity to prove that there ought to be one temporal king under him, to govern his universal<sup>20</sup> kingdom over all the world, as are the other unities, touching the church, to prove that there must be one bishop under him, to govern all the particular churches in the world; or that because kings, when they have occasion to be absent from their kingdoms, do commonly<sup>25</sup> appoint some viceroy to rule their people until their return, it thereupon followeth, that Christ, supplying his corporal absence from his spiritual kingdom the church, by the comfortable presence of the Holy Ghost, was of necessity to leave one carnal man to be his vicar-general<sup>30</sup> over his said spiritual kingdom; or that, seeing our Saviour Christ held it expedient for his catholic church that he should deprive her of his corporal presence, that she might be ruled by the Holy Ghost, it is not to be thought great presumption for any man to tell us that<sup>35</sup> his corporal presence is necessary for the government of

the said catholic church, as if he meant to put the Holy Ghost out of possession; or that either the said one universal kingdom of Christ (the King and Creator of it) is otherwise visible upon the earth than by the particular kingdoms and several kinds of governments in it (and perhaps in a sort, and by representation, when some neighbour kings, either in person or by their ambassadors, may be met together for the good of their several kingdoms); or that the said one catholic church of Christ (as he is the chief bishop over all) is otherwise visible on the earth than by the several and particular churches in it, and sometimes by general and free councils lawfully assembled; or that it is a better consequent, that if the catholic church have no visible head, all other bishops, doctors, pastors, and ministers are needless; than if one should say, because there is no one king to govern all the world, therefore there is no use of emperors, kings, and sovereign princes, or civil magistrates; or that it doth more follow, that Christ should have left his faithful people in a confused anarchy, except he had left St. Peter and his successors to govern the whole church, than it doth, that the whole world hath been left by him in a confusion, without any government in it, in that he hath not left one universal emperor; or that the intolerable pride of the bishop of Rome, for the time still being, through the advancement of himself, by many sleights, stratagems, and false miracles, over the catholic church, (the temple of God,) as if he were God himself, doth not argue him plainly to be the *man of sin* mentioned by the apostle; or that every national church, planted according to the apostles' platform, may not, by the means which Christ hath ordained, as well subsist of itself, without one universal bishop, as every kingdom may do under the government of their several kings, without one general monarch; he doth greatly err.



## VIII.

Archiep. Cant.  
GUIL. LAUD 8.

Anno Christi  
1640.

Reg. Angliæ  
CAROL. I. 16.

*Constitutions and canons ecclesiastical, treated upon by the archbishops of Canterbury and York, presidents of the 5 convocations for the respective provinces of Canterbury and York, and the rest of the bishops and clergy of those provinces, and agreed upon with the king's majesty's license in their several synods begun at London and York M.DC.XL. in the year of the reign of our sovereign 10 lord Charles, by the grace of God king of England, Scotland, France, and Ireland, the sixteenth; and now published for the due observation of them by his majesty's authority under the great seal of England.*

**C**HARLES, by the grace of God king of England, 15  
Scotland, France, and Ireland, defender of the faith,  
etc. to all, to whom these presents shall come, greeting.

*Constitutions and canons*] These memorable canons, connected with the most critical times and interests of the falling monarchy, intended to contribute to its support, but really calculated, when combined with 20 the other motives of the period, to aid in its destruction, involve so many cardinal questions both of law and of policy, that even in the present day they cannot be discussed without danger of forming partial and extravagant conclusions. And if on examination it should be found, 25 after contending with many objections and in defiance of great authorities, that as synodical acts they were perfect in form, became binding on the church, and have never since been repealed as a whole by any competent authority; it may still be maintained, that considering the circumstances of their origin, the nature of their leading subjects, the doubts and dissensions that must at all periods attach to them, and 30 above all the adverse direction of subsequent legislation, it was unwise

Whereas our bishops, deans of our cathedral churches, archdeacons, chapters, and colleges, and the other clergy of every diocese within the several provinces of Canterbury and York, being respectively summoned and called by virtue of our several writs to the most reverend father<sup>5</sup> in God, our right trusty and right well beloved counsellor, William, by divine providence lord archbishop of Canterbury, primate of all England, and metropolitan, and to the most reverend father in God, our right trusty and well beloved counsellor, Richard, by divine provi-<sup>10</sup>dence lord archbishop of York, primate and metropolitan of England, respectively directed, bearing date the twentieth day of February, in the fifteenth year of our reign, to appear before the said lord archbishop of Canterbury in our cathedral church of St. Paul in London, and before<sup>15</sup> the said lord archbishop of York in the metropolitan church of St. Peter in York, the fourteenth day of April then next ensuing, or elsewhere, as they respectively

in the first instance to enact them, and it would be still more unwise in the present day to enforce the obligation of them. Designed as an<sup>20</sup> antidote to grievous distempers, and at a time of extreme danger, they were disastrous in their immediate and natural effect; and we may hope that they will still continue dormant, as being little suited for tranquil times, and as having already shewn that they do not contain virtues within them for healing in times of discord. <sup>25</sup>

The short parliament which met on the 13th of April, 1640, and was dissolved on the fifth of the following month, was accompanied by a convocation, empowered by the king's warrant to make canons and constitutions. The rest may be told in the words of lord Clarendon, whose narrative in this instance may be received not only as the most<sup>30</sup> authentic, but as remarkably free from personal or party misapprehension.

“ The convocation-house, (the regular and legal assembling of the clergy,) customarily beginning and ending with parliaments, was, after the determination of the last, by a new writ continued, and sat for the<sup>35</sup> space of above a month, under the proper title of a synod; made canons, which was thought it might do; and gave subsidies out of parliament, and enjoined oaths, which certainly it might not do; in a

should think it most convenient, to treat, consent and conclude upon certain difficult and urgent affairs contained in the said writs, did thereupon at the time appointed, and within the cathedral church of St. Paul, and the metropolitan church of St. Peter aforesaid, 5 assemble themselves respectively together, and appear in several convocations for that purpose, according to the said several writs, before the said lord archbishop of Canterbury, and the said lord archbishop of York respectively; and forasmuch as we are given to understand, 10 that many of our subjects being misled against the rites and ceremonies now used in the church of England, have lately taken offence at the same, upon an unjust supposal, that they are not only contrary to our laws, but also introductive unto popish superstitions; whereas it 15 well appeareth unto us, upon mature consideration, that the said rites and ceremonies, which are now so much quarrelled at, were not only approved of, and used by

word, did many things, which in the best of times might have been questioned, and therefore were sure to be condemned in the worst; 20 (what fuel it was to the fire that ensued, shall be mentioned in its place;) and drew the same prejudice upon the whole body of the clergy, to which before only some few clergymen were exposed." (Hist. Reb. vol. i. p. 208.)

"The convocation was continued by special warrant from the king; 25 and by his majesty in a solemn message sent to them by sir Harry Vane, then principal secretary, required to proceed in the making of canons for the better peace and quiet of the church. Notwithstanding this command, the chief of the clergy, well knowing the spirit of bitterness that was contracted against them; and many obsolete pam- 30 phlets against their jurisdiction and power being, since the commotions in Scotland, revived and published with more freedom; desired his majesty, 'that the opinions of the judges might be known and declared, whether they might then lawfully sit, the parliament being dissolved, and proceed in the making of canons; as likewise upon other particulars 35 in their jurisdiction, which had been most inveighed against.'

"All the judges of England, upon a mature debate, in the presence of the king's council, under their hands asserted 'the power of the

those learned and godly divines, to whom at the time of reformation under king Edward the Sixth, the compiling of the book of Common Prayer was committed, divers of which suffered martyrdom in queen Mary's days, but also again taken up by this whole church under queen Elizabeth, and so duly and ordinarily practised for a great part of her reign, within the memory of divers yet living, as that it could not then be imagined that there would need any rule or law for the observation of the same, or that they could be thought to savour of popery. 10

And albeit since those times, for want of an express rule therein, and by subtle practices, the said rites and ceremonies began to fall into disuse, and in place thereof other foreign and unfitting usages by little and little to creep in; yet forasmuch as in our own royal chapels, and 15 in many other churches, most of them have been ever constantly used and observed, we cannot now but be very sensible of this matter, and have cause to conceive

convocation in making canons and those other parts of jurisdiction, which had been so enviously questioned.' Hereupon they proceeded, 20 and having composed a body of canons, presented the same to his majesty, for his royal approbation. They were then again debated at the council-board, not without notable opposition; for upon some lessening the power and authority of their chancellors, and their commissaries, the professors of that law took themselves to be disobliged; 25 and sir Henry Martin (who was not likely to oversee any advantages) upon several days of hearing at the council-table with his utmost skill objected against them: but in the end, by the entire and unanimous advice of the privy council, the canons were confirmed by the king under the great seal of England, and thereby enjoined to be observed. 30 So that, whatsoever they were, the judges were at least as guilty of the first presumption in framing them, and the lords of the council in publishing and executing them, as the bishops, or the rest of the clergy, in either.

" Yet the storm fell wholly on the church: and the matter of those 35 canons and the manner of making them was insisted on, as a pregnant testimony of a malignant spirit in the very function of the bishops. The truth is, the season in which that synod continued to sit, was in so

that the authors and fomenters of these jealousies, though they colour the same with a pretence of zeal, and would seem to strike only at some supposed iniquity in the said ceremonies; yet, as we have cause to fear, aim at our own royal person, and would fain have our good subjects imagine that we ourself are perverted, and do worship God in a superstitious way, and that we intend to bring in some alteration of the religion here established. Now how far we are from that, and how utterly we detest every thought thereof, we have by many public declarations, and otherwise upon sundry occasions given such assurance to the world, as that from thence we also assure ourself, that no man of wisdom and discretion could ever be so beguiled, as to give any serious entertainment to such brainsick jealousies; and for the weaker sort, who are prone to be misled by crafty seducers, we rest no less confident, that even of them, as many as are of loyal, or

ill a conjuncture of time (upon the dissolution of a parliament and almost in an invasion from Scotland) that nothing could have been transacted there, of a popular and prevailing influence. And then, some sharp canons against sectaries, and some additional in point of ceremonies, countenancing, though not enjoining, what had not been long practised, infinitely inflamed some, and troubled others; who jointly took advantage of what strictly was amiss; as the making an oath, the matter of which was conceived incongruous, and enjoining it to many of the laity, as well as the clergy; and likewise the granting of subsidies.

“ So that the house of commons (that is, the major part) made no scruple in that heat to declare ‘ that the convocation-house had no power at all of making canons,’ notwithstanding that it was apparent by the law and the uncontradicted practice of the church, that canons had never been otherwise made, ‘ and that those canons contained in them matter of sedition and reproach to the regal power, prejudicial to the liberty and property of the subject, and to the privileges of parliament:’ by the extent of which notable vote and declaration, they involved almost the whole clergy under the guilt of arbitrary proceedings.” (Hist. Reb. vol. i. p. 277.) Comp. Wake, State of the Ch. p. 515. Neal’s Purit. vol. ii. p. 7. Walker, Suffer. of the Ch. p. 7.

The resolutions of the house of commons, adopted afterwards by the

indeed but of charitable hearts, will from henceforth utterly banish all such causeless fears and surmises, upon these our sacred professions so often made by us, a Christian defender of the faith, their king and sovereign. And therefore if yet any person under whatsoever mask 5 of zeal, or counterfeit holiness, shall henceforth by speech or writing, or any other way (notwithstanding these our right hearty, faithful, and solemn protestations made before him, whose deputy we are, against all and every intention of any popish innovation), be so ungracious and 10 presumptuous, as to vent any poisoned conceits, tending to such a purpose, and to cast these devilish aspersions and jealousies upon our royal and godly proceedings, we require all our loyal subjects, that they forthwith make the same known to some magistrate, ecclesiastical or 15 civil: and we straitly charge all ordinaries, and every other person in any authority under us, as they will answer the contrary at their utmost peril, that they use no palliation, connivance, or delay herein; but that taking particular information of all the passages, they do 20

lords, were as follows, the Journals stating in each case that the vote was unanimous. "That the clergy of England convented in any convocation or synod or otherwise, have no power to make any constitutions, canons or acts whatsoever, in matter of doctrine, discipline, or otherwise, to bind the clergy or laity of the land, without common 25 consent of parliament." "That the several constitutions and canons ecclesiastical, treated upon by the archbishops of Canterbury and York, presidents of the convocations for the respective provinces of Canterbury and York, and the rest of the bishops and clergy of those provinces, and agreed upon with the king's majesty's license, in their 30 several synods begun at London and York 1640, do not bind the clergy or laity of this land or either of them." "That these canons and constitutions ecclesiastical, treated upon by the archbishops of Canterbury and York, presidents of the convocations for the respective provinces of Canterbury and York, and agreed upon with the king's 35 majesty's license in their several synods begun at London and York in the year 1640, do contain in them many matters contrary to the king's prerogative, to the fundamental laws and statutes of the realm, to the

forthwith certify the same unto our court of commission for causes ecclesiastical, to be there examined, and proceeded in with all fidelity and tenderness of our royal majesty, as is due to us their sovereign lord and governor. But forasmuch as we well perceive, that the misleaders 5 of our well-minded people do make the more advantage for the nourishing of this distemper among them from hence, that the foresaid rites and ceremonies or some of them, are now insisted upon but only in some dioceses, and are not generally revived in all places, nor constantly 10 and uniformly practised throughout all the churches of our realm, and thereupon have been liable to be quarrelled and opposed by them who use them not; we therefore out of our princely inclination to uniformity and peace, in matters especially that concern the holy worship 15 of God, proposing to ourself herein the pious examples of king Edward VI. and of queen Elizabeth, who sent forth injunctions and orders about the divine service and other ecclesiastical matters, and of our dear father of blessed memory king James, who published a book of 20

right of parliament, to the property and liberty of the subjects, and matters tending to sedition and of dangerous consequence." Bold and unquestioned as these resolutions were, it appears that the commons were not without their doubts respecting them. A bill was brought in on the 3d of June 1641, for making the canons void, and 25 punishing the authors of them; and though the bill was not proceeded with, it seems to have been abandoned from the persuasion that the most direct and effectual method, the method which they immediately adopted, was to impeach the thirteen bishops by whom the canons had been compiled. 30

After the restoration, these canons again became the subject of discussion in parliament, and it is stated by some writers that they were formally abrogated by the statute 13 Car. II. c. 12. But it is clear, on a perusal of that statute, that it leaves them to their own proper synodical authority, and merely provides that nothing contained in that 35 statute shall give them the force of an act of parliament.

Comp. Neal, Purit. vol. i. p. 628, &c. Collier, vol. ii. p. 796. Kennett, Compl. Hist. vol. iii. p. 113.

constitutions and canons ecclesiastical; and (according to the act of parliament in this behalf) having fully advised herein with our metropolitan, and with our commissioners authorized under our great seal for causes ecclesiastical, have thought good to give them free leave to treat in 5 convocation, and agree upon certain other canons necessary for the advancement of God's glory, the edifying of his holy church, and the due reverence of his blessed mysteries and sacraments: that as we ever have been, and by God's assistance (by whom alone we reign) shall 10 ever so continue, careful and ready to cut off superstition with one hand, so we may no less expel irreverence and profaneness with the other; whereby it may please Almighty God so to bless us, and this church committed to our government, that it may at once return unto the true 15 former splendour of uniformity, devotion, and holy order, the lustre whereof for some years bypast hath been overmuch obscured, through the devices of some ill affected to that sacred order, wherein it had long stood from the very beginning of the reformation, and through inadver- 20 tency of some in authority in the church under us. We therefore by virtue of our prerogative royal, and supreme authority in causes ecclesiastical, by our several and respective letters patents under our great seal of England, dated the fifteenth day of April now last past, and the 25 twelfth day of May then next following, for the province of Canterbury; and by our like letters patents dated the seven and twentieth day of the same month of April, and the twentieth day of the month of May aforesaid, for the province of York, did give and grant full, free, and lawful 30 liberty, license, power, and authority unto the said lord archbishop of Canterbury, president of the said convocation for the province of Canterbury, and unto the said lord archbishop of York, president of the said convocation for the province of York, and to the rest of the bishops 35 of the said provinces, and unto all deans of cathedral



churches, archdeacons, chapters, and colleges, and the whole clergy of every several diocese within the said several provinces, and either of them, that they should and might from time to time, during the present parliament, and further during our will and pleasure, confer, treat, debate, consider, consult, and agree of, and upon canons, orders, ordinances, and constitutions, as they should think necessary, fit and convenient for the honour and service of Almighty God, the good and quiet of the church, and the better government thereof, to be from time to time observed, performed, fulfilled, and kept as well by the said archbishop of Canterbury, and the said archbishop of York, the bishops, and their successors, and the rest of the whole clergy of the said several provinces of Canterbury and York, in their several callings, offices, functions, ministries, degrees, and administrations; as by all and every dean of the Arches, and other judges of the said several archbishops' courts, guardians of spiritualities, chancellors, deans and chapters, archdeacons, commissaries, officials, registers, and all and every other ecclesiastical officers, and their inferior ministers whatsoever, of the same respective provinces of Canterbury and York, in their, and every of their distinct courts, and in the order and manner of their, and every of their proceedings, and by all other persons within this realm, as far as lawfully being members of the church it may concern them, as in our said letters patents amongst other clauses more at large doth appear.

Now forasmuch as the said lord archbishop of Canterbury, president of the said convocation for the province of Canterbury, and the said archbishop of York, president of the said convocation for the province of York, and others the said bishops, deans, archdeacons, chapters, and colleges, with the rest of the clergy, having met together respectively, at the time and places before mentioned respectively, and then and there, by virtue of our said

authority granted unto them, treated of, concluded, and agreed upon certain canons, orders, ordinances, and constitutions, to the end and purpose by us limited and prescribed unto them, and have thereupon offered and presented the same unto us, most humbly desiring us to 5 give our royal assent unto the same, according to the form of a certain statute or act of parliament made in that behalf in the five and twentieth year of the reign of king Henry VIII. and by our said prerogative royal and supreme authority in causes ecclesiastical, to ratify by our 10 letters patents under our great seal of England, and to confirm the same, the title and tenor of them being word for word as ensueth :

*I. Concerning the regal power.*

Whereas sundry laws, ordinances, and constitutions 15 have been formerly made for the acknowledgment and profession of the most lawful and independent authority of our dread sovereign lord, the king's most excellent majesty, over the state ecclesiastical and civil; we (as our duty in the first place binds us, and so far as to us 20 appertaineth) enjoin them all to be carefully observed by all persons whom they concern, upon the penalties of the said laws and constitutions expressed.

And for the fuller and clearer instruction and information of all Christian people within this realm in their 25 duties in this particular,

We do further ordain and decree, that every parson, vicar, curate, or preacher, upon some one Sunday in every quarter of the year, at morning prayer, shall, in the place where he serves, treatably and audibly read these 30 explanations of the regal power here inserted :

The most high and sacred order of kings is of divine right, being the ordinance of God himself, founded in the prime laws of nature, and clearly established by express texts both of the Old and New Testaments. A supreme 35

power is given to this most excellent order by God himself in the scriptures, which is, that kings should rule and command in their several dominions all persons of what rank or estate soever, whether ecclesiastical or civil, and that they should restrain and punish with the temporal sword all stubborn and wicked doers.

The care of God's church is so committed to kings in the scripture, that they are commended when the church keeps the right way, and taxed when it runs amiss, and therefore her government belongs in chief unto kings; for otherwise one man would be commended for another's care, and taxed but for another's negligence, which is not God's way.

The power to call and dissolve councils, both national and provincial, is the true right of all Christian kings within their own realms and territories: and when in the first times of Christ's church prelates used this power, it was therefore only because in those days they had no Christian kings; and it was then so only used as in times of persecution, that is, with supposition (in case it were required) of submitting their very lives unto the very laws and commands even of those pagan princes, that they might not so much as seem to disturb their civil government, which Christ came to confirm, but by no means to undermine.

25

For any person or persons to set up, maintain, or avow in any their said realms or territories respectively, under any pretence whatsoever, any independent coactive power, either papal or popular, (whether directly or indirectly,) is to undermine their great royal office, and cunningly to overthrow that most sacred ordinance which God himself hath established; and so is treasonable against God as well as against the king.

For subjects to bear arms against their kings, offensive or defensive, upon any pretence whatsoever, is at least to resist the powers which are ordained of God; and though

they do not invade, but only resist, St. Paul tells them plainly they shall receive to themselves damnation.

And although tribute, and custom, and aid, and subsidy, and all manner of necessary support and supply be respectively due to kings from their subjects by the law 5 of God, nature, and nations, for the public defence, care, and protection of them ; yet nevertheless subjects have not only possession of, but a true and just right, title, and property to, and in all their goods and estates ; and ought to have : and these two are so far from crossing one an- 10 other, that they mutually go together for the honourable and comfortable support of both. For as it is the duty of the subjects to supply their king, so is it part of the kingly office to support his subjects in the property and freedom of their estates. 15

And if any parson, vicar, curate, or preacher shall voluntarily or carelessly neglect his duty in publishing the said explications and conclusions, according to the order above described, he shall be suspended by his ordinary, till such time as upon his penitence he shall give suffi- 20 cient assurance or evidence of his amendment ; and in case he be of any exempt jurisdiction, he shall be censurable to his majesty's commissioners for causes ecclesiastical.

And we do also hereby require all archbishops, bishops, 25 and all other inferior priests and ministers, that they preach, teach, and exhort their people to obey, honour, and serve their king ; and that they presume not to speak of his majesty's power in any other way, than in this canon is expressed. 30

And if any parson, vicar, curate, preacher, or any other ecclesiastical person whatsoever, any dean, canon, or prebendary of any collegiate or cathedral church, any member or student of college or hall, or any reader of divinity or humanity in either of the universities, or elsewhere, 35 shall in any sermon, lecture, common place, determina-

tion, or disputation, either by word or writing publicly maintain or abet any position or conclusion in opposition or impeachment of the aforesaid explications, or any part or article of them, he shall forthwith, by the power of his majesty's commissioners for causes ecclesiastical, be excommunicated till he repent, and suspended two years from all the profits of his benefice, or other ecclesiastical, academical, or scholastical preferments; and if he so offend a second time, he shall be deprived from all his spiritual promotions, of what nature or degree soever they be.

Provided always, that if the offence aforesaid be given in either of the universities by men not having any benefice or ecclesiastical preferment, that then the delinquent shall be censured by the ordinary authority in such cases of that university respectively, where the said fault shall be committed.

II. *For the better keeping of the day of his majesty's most happy inauguration.*

The synod taking into consideration the most inestimable benefits which this church enjoyeth under the peaceable and blessed government of our dread sovereign lord king Charles; and finding that as well the godly Christian emperors in the former times, as our own most religious princes since the reformation, have caused the days of their inaugurations to be publicly celebrated by all their subjects with prayers and thanksgiving to Almighty God; and that there is a particular form of prayer appointed by authority for that day and purpose; and yet withal considering how negligent some people are in observance of this day in many places of this kingdom; doth therefore decree and ordain, that all manner of persons within the church of England shall from henceforth celebrate and keep the morning of the said day in coming diligently and reverently unto their parish church

or chapel, at the time of prayer, and there continuing all the while that the prayers, preaching, or other service of the day endureth; in testimony of their humble gratitude to God for so great a blessing, and dutiful affections to so benign and merciful a sovereign. And for the better execution of this our ordinance, the holy synod doth straitly require and charge, and by authority hereof enableth all archbishops, bishops, deans, deans and chapters, archdeacons, and other ecclesiastical persons, having exempt or peculiar jurisdiction; as also all chancellors, commissaries, and officials in the church of England, that they inquire into the keeping of the same in their visitations, and punish such as they shall find to be delinquent, according as by law they are to censure and punish those who wilfully absent themselves from church on holydays. And that the said day may be the better observed, we do enjoin, that all churchwardens shall provide, at the parish charge, two of those books at least appointed for that day; and if there be any want of the said book in any parish, they shall present the same at all visitations respectively.

### III. *For the suppressing the growth of Popery.*

All and every ecclesiastical persons, of what rank or condition soever, archbishops and bishops, deans, archdeacons, all having exempt or peculiar jurisdiction, with their several chancellors, commissaries, and officials, all persons intrusted with cure of souls, shall use respectively all possible care and diligence by conferring privately with the parties, and by censures of the church in inferior and higher courts, as also by complaints unto the secular power, to reduce all such to the church of England who are misled into popish superstition.

And first, these private conferences shall be performed in each several diocese either by the bishop in person, if his occasion will permit it, or by some one or more learned ministers at his special appointment; and the said bishop

shall also design the time and place of the said several conferences, and all such persons as shall be present thereat; which if recusants refuse to observe, they shall be taken for obstinate, and so certified to the bishop. And if the said time and place be not observed by the minister or ministers so appointed, they shall be suspended by their ordinary for the space of six months, without a very reasonable cause alleged to the contrary. Provided that they be not sent above ten miles from their dwelling. 10

If the said conferences prevail not, the church must and shall come to her censures; and to make way for them, the said ecclesiastical persons shall carefully inform themselves, in the places belonging to their several charges, of all recusants above the age of twelve years, both of such as come not at all to church, as also of those who, coming sometimes thither, do yet refuse to receive the holy eucharist with us, as likewise of all those who shall either say or hear mass: and they shall in a more especial manner inquire out all those who are either dangerously active to seduce any persons from the communion of the church of England, or seditiously busy to dissuade his majesty's subjects from taking the oath of allegiance, together with all them who, abused by their sophistry, refuse to take the said oath. 25

And we straitly command all parsons, vicars, and curates, that they carefully and severally present at all visitations the names and surnames of the delinquents of these several kinds in their own parishes, under pain of suspension for six months. 30

And likewise we straitly enjoin all churchwardens, and the like sworn officers whatsoever, that by virtue of their oaths they shall present at the said visitations the names of such persons, whom they know or hear of, or justly suspect to be delinquent in all or any of these particulars, and that under the pains of the highest censures of the 35

church, that so these delinquents may be legally cited ; and being found obstinate, they shall be excommunicated, and such excommunication shall be pronounced both in the cathedral church of the diocese, and in the several parishes where such recusants live ; and every third<sup>5</sup> month they shall be again publicly repeated in the places aforesaid, that all may take notice of those sentences.

And because there are places, which either have or pretend to have exemptions, in which such delinquents do usually affect to make their abode, therefore we enjoin,<sup>10</sup> that all bishops shall within their several dioceses send unto such places one or more of their chaplains, or some of their officers, whom they may rely on, to make strict inquiry after offenders in those kinds ; who diligently returning their information accordingly, the said bishop<sup>15</sup> shall certify such informations to his metropolitan, that the aforesaid proceedings may forthwith issue from some higher courts in these cases, whereof by reason of the said exemptions the inferior courts can take no cognizance.<sup>20</sup>

But if neither conferring nor censures will prevail with such persons, the church hath no way left but complaints to the secular power ; and for them we straitly enjoin, that all deans, and archdeacons, and all having inferior or exempt jurisdiction, shall every year, within six months<sup>25</sup> after any visitations by them holden, make certificate unto their several bishops, or archbishop, (if it be within his diocese,) under their seal of office, of all such persons who have been presented unto them as aforesaid, under pain of suspension from their said jurisdictions by the<sup>30</sup> space of one whole year.

And we in like manner enjoin all archbishops and bishops, that once every year at the least they certify, under their episcopal seal in parchment, unto the justices of assize of every county in the circuits, and within their<sup>35</sup> dioceses respectively, the names and surnames not only of



those who have been presented unto them from the said deans, archdeacons, &c., but of those also who, upon the oaths of churchwardens and other sworn men at their visitations, or upon the information of ministers employed in the said conferences, have been presented unto them,<sup>5</sup> that so the said intended proceedings may have the more speedy and the more general success.

In particular, it shall be carefully inquired into at all visitations under the oaths of the churchwardens and other sworn men, what recusants or popish persons have<sup>10</sup> been either married or buried, or have had their children baptized otherwise than according to the rules and forms established in the church of England; and the names of such delinquents (if they can learn them, or otherwise such names as for the time they carry) shall be as afore-<sup>15</sup> said given up to the bishop, who shall present them to the justices of assize, to be punished according to the statutes.

And for the education of recusants' children, since by canon already established no man can teach school (no,<sup>20</sup> not in any private house) except he be allowed by the ordinary of the place, and withal have subscribed to the articles of religion established in the church of England; we therefore straitly enjoin, that forthwith at all visita-<sup>25</sup> tions there be diligent inquiry made by the churchwardens or other sworn ecclesiastical officers of each parish, under their oaths, who are employed as schoolmasters to the children of recusants; and that their several names be presented to the bishop of the diocese, who citing the said schoolmasters shall make diligent search whether<sup>30</sup> they have subscribed or no; and if they or any of them be found to refuse subscription, they shall be forbidden to teach hereafter, and censured for their former presumption; and withal the names of him or them that entertain such a schoolmaster shall be certified to the<sup>35</sup> bishop of the diocese, who shall at the next assize present

them to the judges, to be proceeded against according to the statutes. And if they subscribe, inquiry shall be made what care they take for the instruction of the said children in the catechism established in the Book of Common Prayer. And all ordinaries shall censure those 5 whom they find negligent in the said instruction; and if it shall appear that the parents of the said children do forbid such schoolmasters to bring them up in the doctrine of the Church of England, they shall notwithstanding do their duty; and if thereupon the said parents 10 shall take away their children, the said schoolmasters shall forthwith give up their names unto the bishop of the diocese, who shall take care to return them to the justices of assize in manner and form aforesaid. And because some may cunningly elude this decree, by sending 15 their children to be bred beyond the seas, therefore we ordain, that the churchwardens and other sworn ecclesiastical officers shall likewise make careful inquiry, and give in upon their oaths at all visitations, the names of such recusants' children who are so sent beyond the seas 20 to be bred there, or whom they probably suspect to be so sent; which names as aforesaid shall be given up to the bishop, and from him returned to the judges as aforesaid, that their parents who so send them may be punished according to law: provided always that this canon shall 25 not take away or derogate from any power or authority already given or established by any other canon now in force.

And all the said complaints or certificates shall be presented up to the judges in their several circuits by 30 the bishop's register, or some other of his deputies, immediately after the publishing of his majesty's commission, or at the end of the charge which shall be then given by the judge. And this upon pain of suspension for three months.

35

This sacred synod doth earnestly entreat the reverend

justices of assize to be careful in the execution of the said laws committed to their trust, as they will answer to God for the daily increase of this gross kind of superstition. And further, we do also exhort all judges, whether ecclesiastical or temporal, upon the like account, that<sup>5</sup> they would not admit in any of their courts any vexatious complaint, suit, or suits, or presentments against any minister, churchwardens, quest-men, side-men, or other church officers for the making of any such presentments.

And lastly, we enjoin that every bishop shall once in<sup>10</sup> every year send into his majesty's high court of chancery a *significavit* of the names and surnames of all such recusants who have stood excommunicated beyond the time limited by the law, and shall desire that the writ *de excommunicato capiendo* might be at once sent out<sup>15</sup> against them all *ex officio*. And for the better execution of this decree, this present synod doth most humbly beseech his most sacred majesty, that the officers of the said high court of chancery, whom it shall concern, may be commanded to send out the aforesaid writ from time<sup>20</sup> to time as is desired, for that it would much exhaust the particular estates of the ordinaries to sue out several writs at their own charge. And that the like command also may be laid upon the sheriffs and their deputies, for the due and faithful execution of the said writs, as often<sup>25</sup> as they shall be brought unto them.

And to the end that this canon may take the better and speedier effect, and not be deluded or delayed, we further decree and ordain, that no popish recusant who shall persist in the said sentence of excommunication<sup>30</sup> beyond the time prescribed by law shall be absolved by virtue of any appeal in any ecclesiastical court, unless the said party shall first in his or her own person, and not by a proctor, take the usual oath *de parendo juri, et stando mandatis ecclesie*.

IV. *Against Socinianism.*

Whereas much mischief is already done in the Church of God by the spreading of the damnable and cursed heresy of Socinianism, as a complication of many ancient heresies condemned by the four first general councils, and 5 contrariant to the articles of religion now established in the church of England; and whereas it is too apparent that the said wicked and blasphemous errors are unhappily dilated by the frequent divulgation and dispersion of dangerous books, written in favour and furtherance of 10 the same, whereby many, especially of the younger or unsettled sort of people, may be poisoned and infected; it is therefore decreed by this present synod, that no stationer, printer, or importer of the said books, or any other person whatsoever, shall print, buy, sell, or disperse 15 any book broaching or maintaining of the said abominable doctrine or positions, upon pain of excommunication *ipso facto* to be thereupon incurred: and we require all ordinaries, upon pain of the censures of the church, that beside the excommunication aforesaid, they do certify 20 their names and offences under their episcopal seal to the metropolitan, by him to be delivered to his majesty's attorney general for the time being, to be proceeded withal according to the late decree in the honourable court of star-chamber against the spreaders of prohibited 25 books. And that no preacher shall presume to vent any such doctrine in any sermon, under pain of excommunication for the first offence, and deprivation for the second. And that no student in either of the universities of this land, nor any person in holy orders, (excepting graduates 30 in divinity, or such as have episcopal or archidiaconal jurisdiction, or doctors of law in holy orders,) shall be suffered to have or read any such Socinian book or discourse, under pain (if the offender live in the university) that he shall be punished according to the strictest statutes provided 35

there against the publishing, reading, or maintaining of false doctrine; or if he live in the city or country abroad, of a suspension for the first offence, and excommunication for the second, and deprivation for the third, unless he will absolutely and *in terminis* abjure the same. And if<sup>5</sup> any layman shall be seduced into this opinion, and be convicted of it, he shall be excommunicated, and not absolved, but upon due repentance and abjuration, and that before the metropolitan, or his own bishop at the least. And we likewise enjoin that such books, if they<sup>10</sup> be found in any prohibited hand, shall be immediately burned; and that there be a diligent search made by the appointment of the ordinary after all such books, in what hands soever, except they be now in the hands of any graduate in divinity, and such as have episcopal or archi-<sup>15</sup> diaconal jurisdiction, or any doctor of laws in holy orders as aforesaid; and that all who now have them, except before excepted, be strictly commanded to bring in the said books in the universities to the vice-chancellors, and out of the universities to the bishops, who shall return<sup>20</sup> them to such whom they dare trust with the reading of the said books, and shall cause the rest to be burned. And we further enjoin, that diligent inquiry be made after all such as shall maintain and defend the aforesaid Socinianism; and when any such shall be detected, that<sup>25</sup> they be complained of to the several bishops respectively, who are required by this synod to repress them from any such propagation of the aforesaid wicked and detestable opinions.

#### V. *Against Sectaries.*

30

Whereas there is a provision now made by a canon for the suppressing of popery, and the growth thereof, by subjecting all popish recusants to the greatest severity of ecclesiastical censures in that behalf; this present synod well knowing that there are other sects which endeavour<sup>35</sup>

the subversion both of the doctrine and discipline of the church of England no less than papists do, although by another way; for the preventing thereof, doth hereby decree and ordain, that all those proceedings and penalties which are mentioned in the aforesaid canon against 5 popish recusants, as far as they shall be applicable, shall stand in full force against all Anabaptists, Brownists, Separatists, Familists, or other sect or sects, person or persons whatsoever, who do or shall either obstinately refuse, or ordinarily, not having a lawful impediment, 10 (that is, for the space of a month,) neglect to repair to their parish churches or chapels where they inhabit for the hearing of divine service established, and receiving of the holy communion according to law.

And we do also further decree and ordain, that the 15 clause contained in the canon now made by this synod against the books of Socinianism, shall also extend to the makers, importers, printers, and publishers, or dispersers of any book, writing, or scandalous pamphlet devised against the discipline and government of the 20 church of England, and unto the maintainers and abettors of any opinion or doctrine against the same.

And further, because there are sprung up among us a sort of factious people, despisers and depravers of the Book of Common Prayer, who do not according to the 25 law resort to their parish church or chapel to join in public prayers, service, and worship of God with the congregation, contenting themselves with the hearing of sermons only, thinking thereby to avoid the penalties due to such as wholly absent themselves from the church; 30 We therefore, for the restraint of all such wilful contemners or neglecters of the service of God, do ordain that the church or chapel wardens, and quest-men or side-men of every parish, shall be careful to inquire out all such disaffected persons, and shall present the names 35 of all such delinquents at all visitations of bishops and

other ordinaries; and that the same proceedings and penalties mentioned in the canon aforesaid respectively shall be used against them as against other recusants, unless within one whole month after they are first denounced they shall make acknowledgment and reformation of that their fault. Provided always, that this canon shall not derogate from any other canon, law, or statute in that behalf provided against those sectaries.

VI. *An oath enjoined for the preventing of all innovations in doctrine and government.*

10

This present synod (being desirous to declare their sincerity and constancy in the profession of the doctrine and discipline already established in the church of England, and to secure all men against any suspicion of revolt to popery, or any other superstition) decrees, that all arch-<sup>15</sup> bishops, and bishops, and all other priests, and deacons, in places exempt or not exempt, shall before the second day of November next ensuing, take this oath following against all innovation of doctrine or discipline, and this oath shall be tendered them and every of them, and all<sup>20</sup> others named after in this canon, by the bishop in person, or his chancellor, or some grave divines named and appointed by the bishop under the seal; and the said oath shall be taken in the presence of a public notary, who is hereby required to make an act of it, leaving the univer-<sup>25</sup>sities to the provision which follows:

*The oath is,*

I A. B. do swear that I do approve the doctrine, and discipline, or government established in the church of England, as containing all things necessary to salvation:<sup>30</sup> and that I will not endeavour by myself or any other, directly or indirectly to bring in any popish doctrine, contrary to that which is so established: nor will I ever give my consent to alter the government of this church by

archbishops, bishops, deans, and archdeacons, etc. as it stands now established, and as by right it ought to stand, nor yet ever to subject it to the usurpations and superstitions of the see of Rome. And all these things I do plainly and sincerely acknowledge and swear, according to 5 the plain and common sense and understanding of the same words, without any equivocation, or mental evasion, or secret reservation whatsoever. And this I do heartily, willingly, and truly, upon the faith of a Christian. So help me God in Jesus Christ. 10

And if any man beneficed or dignified in the church of England, or any other ecclesiastical person shall refuse to take this oath, the bishop shall give him a month's time to inform himself; and at the month's end if he refuse to take it, he shall be suspended *ab officio*, and have a second 15 month granted: and if then he refuse to take it, he shall be suspended *ab officio et beneficio*, and have a third month granted him for his better information; but if at the end of that month he refuse to take the oath above-named, he shall by the bishop be deprived of all his ec- 20 clesiastical promotions whatsoever, and execution of his function which he holds in the church of England.

We likewise constitute and ordain, that all masters of arts, (the sons of noblemen only excepted,) all bachelors and doctors in divinity, law or physic, all that are licensed 25 to practise physic, all registers, actuaries and proctors, all schoolmasters, all such as being natives or naturalized, do come to be incorporated into the universities here, having taken a degree in any foreign university, shall be bound to take the said oath. And we command all 30 governors of colleges and halls in either of the universities, that they administer the said oath to all persons resident in their several houses that have taken the degrees beforementioned in this canon, within six months after the publication hereof. 35

And we likewise constitute, that all bishops shall be



bound to give the said oath unto all those to whom they give holy orders at the time of their ordination, or to whomsoever they give collation, institution, or license to preach or serve any cure.

VII. *A declaration concerning some rites and ceremonies.* 5

Because it is generally to be wished, that unity of faith were accompanied with uniformity of practice in the outward worship and service of God ; chiefly for the avoiding of groundless suspicions of those who are weak, and the malicious aspersions of the professed enemies of our religion ; the one fearing the innovations, the other flattering themselves with the vain hope of our backslidings unto their popish superstition, by reason of the situation of the communion table, and the approaches thereunto, the synod declareth as followeth : 15

That the standing of the communion table sideway under the east window of every chancel or chapel, is in its own nature indifferent, neither commanded nor condemned by the word of God, either expressly or by immediate deduction, and therefore that no religion is to be placed therein, or scruple to be made thereon. And albeit at the time of reforming this church from that gross superstition of popery, it was carefully provided that all means should be used to root out of the minds of the people, both the inclination thereunto, and memory thereof ; especially of the idolatry committed in the mass, for which cause all popish altars were demolished : yet notwithstanding it was then ordered by the injunctions and advertisements of queen Elizabeth of blessed memory, that the holy tables should stand in the place where the altars stood, and accordingly have been continued in the royal chapels of three famous and pious princes, and in most cathedral and some parochial churches, which doth sufficiently acquit the manner of placing the said tables from any illegality, or just suspicion of popish super-35

stitution or innovation. And therefore we judge it fit and convenient that all churches and chapels do conform themselves in this particular to the example of the cathedral or mother churches, saving always the general liberty left to the bishop by law, during the time of administration of the holy communion. And we declare that this situation of the holy table, doth not imply that it is, or ought to be esteemed a true and proper altar, whereon Christ is again really sacrificed: but it is and may be called an altar by us, in that sense in which the primitive church called it an altar, and in no other.

And because experience hath shewed us how irreverent the behaviour of many people is in many places, some leaning, others casting their hats, and some sitting upon, some standing, and others sitting under the communion table in time of divine service: for the avoiding of these and the like abuses, it is thought meet and convenient by this present synod, that the said communion tables in all chancels or chapels be decently severed with rails, to preserve them from such or worse profanations. 20

And because the administration of holy things is to be performed with all possible decency and reverence, therefore we judge it fit and convenient, according to the word of the service book established by act of parliament "Draw near," etc. that all communicants with all humble reverence shall draw near and approach to the holy table, there to receive the divine mysteries, which have heretofore in some places been unfitly carried up and down by the minister, unless it shall be otherwise appointed in respect of the incapacity of the place, or other inconvenience, by the bishop himself in his jurisdiction, and other ordinaries respectively in theirs. 30

And lastly, whereas the church is the house of God, dedicated to his holy worship, and therefore ought to mind us both of the greatness and goodness of his divine majesty; certain it is that the acknowledgment thereof, 35

not only inwardly in our hearts, but also outwardly with our bodies, must needs be pious in itself, profitable unto us, and edifying unto others; We therefore think it very meet and behoveful, and heartily commend it to all good and well affected people, members of this church, that 5 they be ready to tender unto the Lord the said acknowledgment, by doing reverence and obeisance, both at their coming in and going out of the said churches, chancels, or chapels, according to the most ancient custom of the primitive church in the purest times, and of this church 10 also for many years of the reign of queen Elizabeth. The reviving therefore of this ancient and laudable custom we heartily commend to the serious consideration of all good people, not with any intention to exhibit any religious worship to the communion table, the east, or church, 15 or any thing therein contained in so doing, or to perform the said gesture in the celebration of the holy eucharist, upon any opinion of a corporal presence of the body of Jesus Christ on the holy table, or in mystical elements, but only for the advancement of God's majesty, and to 20 give him alone that honour and glory that is due unto him, and no otherwise; and in the practice or omission of this rite, we desire that the rule of charity prescribed by the apostle may be observed, which is, that they which use this rite, despise not them who use it not; and that 25 they who use it not, condemn not those that use it.

#### VIII. *Of preaching for conformity.*

Whereas the preaching of order and decency according to St. Paul's rule, doth conduce to edification; it is required that all preachers (as well benefited men as others) 30 shall positively and plainly preach and instruct the people in their public sermons twice in the year at least, that the rites and ceremonies now established in the church of England, are lawful and commendable; and that they the said people and others ought to conform themselves 35

in their practice to all the said rites and ceremonies; and that the people and others ought willingly to submit themselves unto the authority and government of the church, as it is now established under the king's majesty. And if any preacher shall refuse or neglect to do according to this canon, let him be suspended by his ordinary during the time of his refusal, or wilful forbearance to do thereafter.

IX. *One book of articles of inquiry to be used at all parochial visitations.*

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For the better settling of an uniformity in the outward government and administration of the church, and for the more preventing of just grievances which may be laid upon churchwardens and other sworn men by any impertinent, inconvenient, or illegal inquiries in the articles<sup>15</sup> for ecclesiastical visitations, this synod hath now caused a summary or collection of visitatory articles (out of the rubrics of the service book, and the canons and warrantable rules of the church) to be made, and for future direction to be deposited in the records of the archbishop<sup>20</sup> of Canterbury: and we do decree and ordain, that from henceforth no bishop or other person whatsoever having right to hold, use, or exercise any parochial visitation, shall under the pain of a month's suspension upon a bishop, and two months upon any other ordinary that is<sup>25</sup> delinquent, and this to be incurred *ipso facto*, cause to be printed or published, or otherwise to be given in charge to the churchwardens, or to any other persons which shall be sworn to make presentments, any other articles or forms of inquiry upon oath, than such only as shall be<sup>30</sup> approved and *in terminis* allowed unto him (upon due request made) by his metropolitan under his seal of office.

Provided always, that after the end of three years next

following the date of these presents, the metropolitan shall not either at the instance of those which have right to hold parochial visitations, or upon any other occasion, make any addition or diminution from that allowance to any bishop of visitatory articles, which he did last before (in any diocese within this province) approve of, but calling for the same, shall hold and give that only for a perpetual rule, and then every parish shall be bound only to take the said book from the archdeacons and other having a peculiar or exempt jurisdiction, but once from 10 that time in three years, in case they do make it appear, they have the said book remaining in their public chest for the use of the parish: and from every bishop they shall receive the said articles at the episcopal visitation only, and in manner and form as formerly they have been 15 accustomed to do, and at no greater price than what hath been usually paid in the said diocese respectively.

*X. Concerning the conversation of the clergy.*

The sober, grave, and exemplary conversation of all those that are employed in administration of holy things, 20 being of great avail for the furtherance of piety; it hath been the religious care of the church of England, strictly to enjoin to all and every one of her clergy, a pious, regular, and inoffensive demeanour, and to prohibit all loose and scandalous carriage by severe censures to be 25 inflicted upon such delinquents, as appears by the LXXIV. and LXXV. canons, anno M.DC.III. provided to this purpose.

For the more effectual success of which pious and necessary care this present synod straitly charges all clergy-30 men in this church, that setting before their eyes the glory of God, the holiness of their calling, and the edification of the people committed to them, they carefully avoid all excess and disorder, and that by their Christian

and religious conversation they shine forth as lights unto others in all godliness and honesty.

And we also require all those, to whom the government of the clergy of this church is committed, that they set themselves to countenance and encourage godliness,<sup>5</sup> gravity, sobriety and all unblamable conversation in the ministers of this church, and that according to the power with which they are entrusted, they diligently labour by the due execution of the abovenamed canons, and all other ecclesiastical provisions made for this end, to reform<sup>10</sup> all offensive and scandalous persons, if any be in the ministry, as they tender the welfare and prospering of piety and religion, and as they will answer to God for those scandals, which through their remissness and neglect shall arise and grow in this church of Christ. 15

#### XI. *Chancellors' patents.*

For the better remedying and redress of such abuses as are complained of in the ecclesiastical courts, the synod doth decree and ordain, that hereafter no bishop shall grant any patent to any chancellor, commissary, or official,<sup>20</sup> for any longer term than the life of the grantee only, nor otherwise than with express reservation to himself and his successors, of the power to execute the said place, either alone, or with the chancellor, if the bishop shall please to do the same, saving always to the said chan-<sup>25</sup>cellors, etc. the fees accustomably taken for executing the said jurisdiction. And that in all such patents, the bishop shall keep in his own hands the power of institution unto benefices, as also of giving licenses to preach or keep school. And further, that no dean and chapter<sup>30</sup> confirm any patent of any chancellor, commissaries', or officials' place, wherein the said conditions are not expressed *sub poena suspensionis*, to the dean (or his *locum tenens* if he pass the act in his absence) and to

every canon or prebendary, voting to the confirmation of the said act, to be inflicted by the archbishop of the province. And further, the holy synod doth decree and ordain, that no reward shall be taken for any chancellors', commissaries' or officials' place under the heaviest censures 5 of the church.

**XII.** *Chancellors alone, not to censure any of the clergy in sundry cases.*

That no chancellor, commissary, or official, unless he be in holy orders, shall proceed to suspension, or any 10 higher censure against any of the clergy in any criminal cause, other than neglect of appearance, upon legal citing; but that all such causes shall be heard by the bishop in person, or with the assistance of his chancellor, or commissary; or if the bishop's occasions will not permit, then 15 by his chancellor or commissary, and two grave dignified or beneficed ministers of the diocese to be assigned by the bishop, under his episcopal seal, who shall hear and censure the said cause in the consistory.

**XIII.** *Excommunication and absolution not to be 20 pronounced but by a priest.*

That no excommunications or absolutions shall be good or valid in law, except they be pronounced either by the bishop in person, or by some other in holy orders, having ecclesiastical jurisdiction, or by some grave minister bene- 25 ficed in the diocese, being a master of arts at least, and appointed by the bishop, and the priest's name pronouncing such sentence of excommunication or absolution to be expressed in the instrument issuing under seal out of the court. And that no such minister shall pronounce 30 any sentence of absolution but in open consistory, or at the least in a church or chapel, the penitent humbly craving and taking absolution upon his knees, and having

first taken the oath, *de parendo juri et stando mandatis ecclesie*. And that no parson, vicar, or curate, *sub poena suspensionis*, shall declare any of his or their parishioners to be excommunicate, or shall admit any of them so excommunicate into the church, and there to declare them to be absolved, except they first receive such excommunications and absolutions under the seal of the ecclesiastical judge, from whom it cometh.

XIV. *Concerning commutations, and the disposing of them.*

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That no chancellor, commissary or official, shall have power to commute any penance in whole, or in part; but either together with the bishop in person, or with his privity in writing; or if by himself, there he shall give up a full and just account of all such commutations once every year at Michaelmas, to the bishop, who shall, with his chancellor, see that all such monies be disposed of to charitable and public uses, according to law. And if any chancellor or other having jurisdiction as aforesaid, shall not make such a just account to the bishop, and be found guilty of it, he shall be suspended from all exercise of his jurisdiction for the space of one whole year.

Always provided, that if the crime be publicly complained of, and do appear notorious, that then the officer shall signify to the place, from whence the complaint came, that the delinquent hath satisfied the church for his offence. And the minister shall signify it as he shall be directed; saving always to all chancellors, and other ecclesiastical officers, their due and accustomed fees, if he or they be not so suspended as aforesaid.

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XV. *Touching concurrent jurisdiction.*

That in such places wherein there is concurrent jurisdiction, no executor be cited into any court or office, for



the space of ten days after the death of the testator. And that as well every apparitor herein, as every register or clerk that giveth or carrieth out any citation or process to such intent, before that the said ten days be expired, shall for the first offence herein, be suspended from the execution of his office for the space of three months; and for the second offence in this kind, be and stand excommunicated, *ipso facto*, not to be restored but by the metropolitan of the province, or his lawful surrogate; and that yet nevertheless, it be lawful for any executor to prove such wills when they think good, within the said ten days, before any ecclesiastical judge respectively, to whose jurisdiction the same may or doth appertain.

#### XVI. Concerning licenses to marry.

Whereas divers licenses to marry are granted by ordinaries, in whose jurisdiction neither of the parties desiring such license is resident, to the prejudice of the archiepiscopal prerogative, to whom only the power of granting such licenses to parties of any jurisdiction, *per totam provinciam*, by law belongeth; and for other great inconveniences thereupon ensuing: it is therefore decreed, that no license of marriage shall be granted by any ordinary to any parties, unless one of the said parties have been commorant in the jurisdiction of the said ordinary, for the space of one whole month immediately before the said license be desired. And if any ordinary shall offend herein, and be sufficiently evinced thereof, in any of the lord archbishop's courts, he shall be liable to such censure as the lord archbishop shall think fit to inflict. And we further decree, that one of the conditions in the bond of security given by the parties taking such license shall be, that the said parties, or one of them, have, or hath been a month commorant in the said jurisdiction, immediately before the said license granted.

And the synod decrees, that whatsoever is ordered in

these six last canons, concerning the jurisdiction of bishops, their chancellors and commissaries, shall (so far as by law is applicable) be in force concerning all deans, deans and chapters, collegiate churches, archdeacons, and all in holy orders, having exempt or peculiar jurisdiction, and their several officers respectively.

XVII. *Against vexatious citations.*

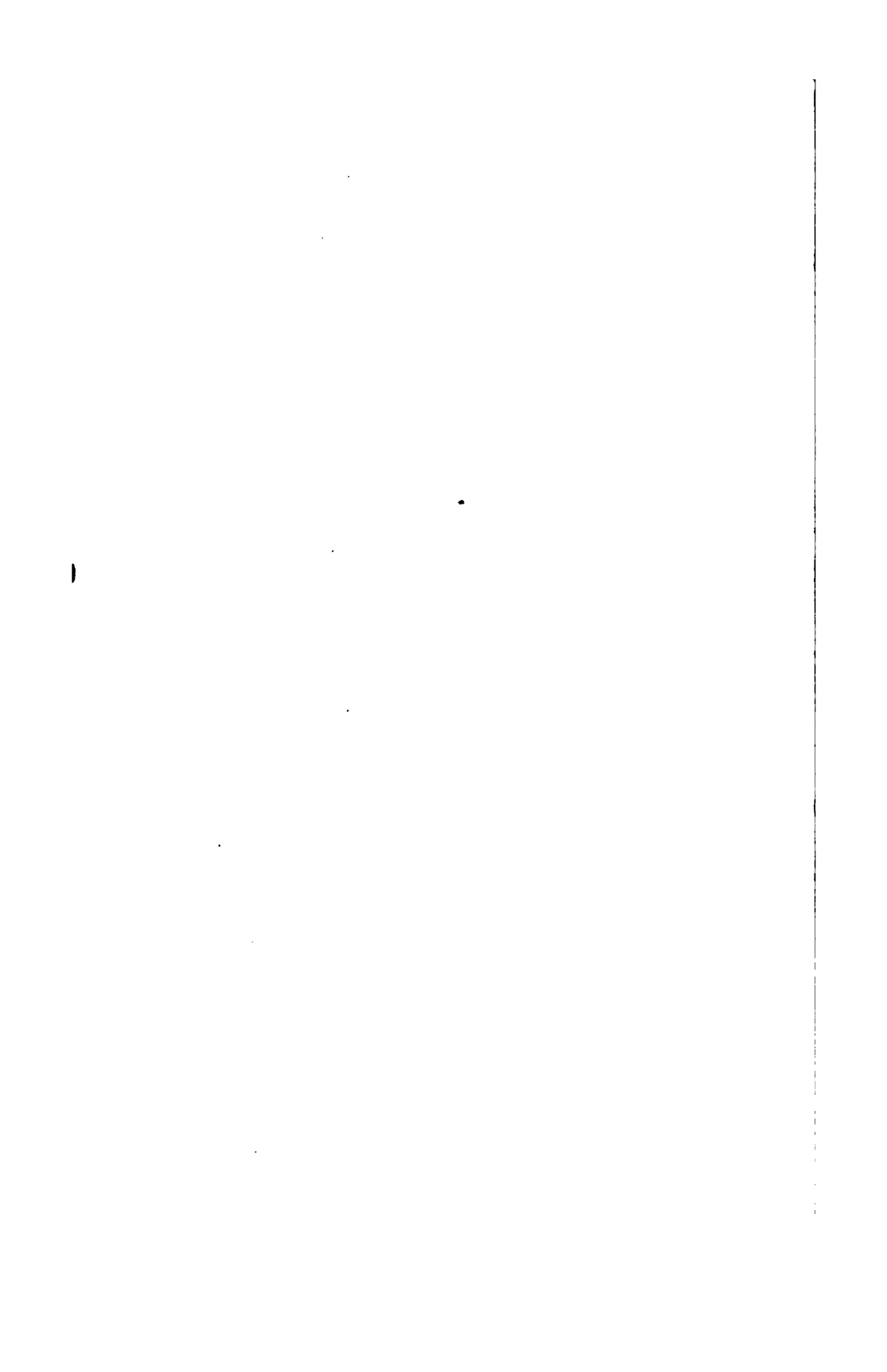
And that this synod may prevent all grievances, which may fall upon the people by citations into ecclesiastical courts upon pretence only of the breach of law, without <sup>10</sup> either presentment, or any other just ground : this present synod decrees, that for all times to come no such citation, grounded only as aforesaid, shall issue out of any ecclesiastical court, except the said citation be sent forth under the hand and seal of the chancellor, commissary, <sup>15</sup> archdeacon, or other competent judge of the said court, within thirty days after the fault committed ; and return thereof to be made the next or second court day after the citation served, at the furthest : and that the party so cited, unless he be convinced by two witnesses, shall <sup>20</sup> upon the denial of the fact upon oath be forthwith freely dismissed without any payment of fees : provided that this decree extend not to any grievous crime, as schism, incontinency, misbehaviour in the church in time of divine service, obstinate inconvincibility, or the like. <sup>25</sup>

We, of our princely inclination and royal care for the maintenance of the present estate and government of the church of England, by the laws of this our realm now settled and established, having diligently, with great contentment and comfort read and considered of all these <sup>30</sup> their said canons, orders, ordinances and constitutions agreed upon, as is before expressed : and finding the same such as we are persuaded will be very profitable, not only

to our clergy, but to the whole church of this our kingdom, and to all the true members of it, if they will be observed, have therefore for us, our heirs and lawful successors, of our special grace, certain knowledge, and mere motion given, and by these presents do give, our 5 royal assent, according to the form of the said statute or act of parliament aforesaid, to all and every the said canons, orders, ordinances and constitutions, and to all and every thing in them contained, as they are before written. And furthermore, we do not only by our said 10 prerogative royal, and supreme authority in causes ecclesiastical, ratify, confirm and establish by these our letters patents the said canons, orders, ordinances, and constitutions, and all and every thing in them contained, as is aforesaid, but do likewise propound, publish, and straitly 15 enjoin and command by our said authority, and by these our letters patents, the same to be diligently observed, executed, and equally kept by all our loving subjects of this our kingdom, both within the provinces of Canterbury and York, in all points wherein they do or may 20 concern every or any of them, according to this our will and pleasure hereby signified and expressed. And that likewise for the better observation of them, every minister, by what name or title soever he be called, shall in the parish church or chapel where he hath charge, read all 25 the said canons, orders, ordinances, and constitutions at all such times, and in such manner as is prescribed in the said canons, or any of them; the book of the said canons to be provided at the charge of the parish, betwixt this and the feast of St. Michael the archangel next ensuing; 30 straitly charging and commanding all archbishops, bishops, and all other that exercise any ecclesiastical jurisdiction within this realm, every man in his place to see and procure (as much as in them lieth) all and every of the same canons, orders, ordinances, and constitutions to 35

be in all points duly observed, not sparing to execute the penalties in them severally mentioned, upon any that shall wittingly or wilfully break or neglect to observe the same; as they tender the honour of God, the peace of the church, the tranquillity of the kingdom, and their duties<sup>5</sup> and service to us their king and sovereign. In witness whereof, we have caused these our letters to be made patents. Witness our self at Westminster the thirtieth day of June, in the sixteenth year of our reign.







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