

C A P. XXVIII.

* *All monaſteries given to the King, which have not lands above two hundred pounds by the year.*

FOrasmuch as manifest synne, vicious, carnal and abominable living is dayly used and committed commonly in such little and small abbeyes, priories and other religious houses of monks, canons and nuns, where the congregation of such religious persons is under the number of twelve persons, whereby the governors of such religious houses, and their covent, spoyle, destroye, consume and utterly waste, as well their churches, monasteries, priories, principal houses, farms, granges, lands, tenements and hereditaments, as the ornaments of their churches, and their goods and chatells, to the high displeasure of Almighty God, slander of good religion, and to the great infamy of the King's highness and the realm, if redress should not be had thereof. And albeit that many continual visitations hath been heretofore had, by the space of two hundred years and more, for an honest and charitable reformation of such unthrifty, carnal and abominable living, yet nevertheless little or none amendment is hitherto had, but their vicious living shamelessly encreaseth and augmenteth, and by a cursed custom so rooted and infected, that a great multitude of the religious persons in such small houses do rather choose to rove abroad in apostacy, than to conform themselves to the observation of good religion; so that without such small houses be utterly suppressed, and the religious persons therein committed to great and honourable monasteries of religion in this realm, where they may be compelled to live religiously, for reformation of their lives, the same else be no redress nor reformation in that behalf. In consideration whereof, the King's most royal Majesty, being supreme head on earth, under God, of the church of England, dayly studying and devyſing the increase, advancement and exaltation of true doctrine and virtue in the said church, to the only glory and honour of God, and the totalextirping and destruction of vice and sin, having knowledge that the premisses be true, as well by the accompts of his late visitations, as by sundry credible informations, considering also that divers and great solemn monasteries of this realm, wherein (thanks be to God) religion is right well kept and observed, be destitute of such full number of religious persons, as they ought and may keep, hath thought good that a plain declaration should be made of the premisses, as well to the lords spiritual and temporal, as to other his loving subjects the commons, in this present parliament assembled: whereupon the said lords and commons, by a great deliberation, finally be resolved, that it is and shall be much more to the pleasure of Almighty God, and for the honour of this his realm, that the possessions of such small religious houses now being spent, spoiled and wasted for increase and maintenance of sin, should be used and committed to better uses, and the unthrifty religious persons, so spending the same, to be compelled to reform their lives: And thereupon most humbly desire the King's highness that it may be enacted by authority of this present parliament, That his Majesty shall have and enjoy to him and

* An act that all religious houses under the yearly revenue of two hundred pounds shall be dissolved and given to the King and his heirs. —Rot. Parl'. —Prima Pars.—

This statute is omitted by Rastal.

All monaſte-
ries given to
the King
which have
not above two
hundred
pounds lands.
Watſon's
Compl.
Incumb.
c. 48.

31 H. 8. c. 13.

35 H. 8. c. 14.

37 H. 8. c. 20.

1 Ed. 6. c. 14.

The King ſhall
have all mona-
ſteries before
aſſured to him,
or that have
been ſuppreſ-
ſed.
Hob. 242, 307.

They ſhall en-
joy thoſe ab-
bey lands to
whom the
King hath
given them.

his heirs for ever, all and ſingular ſuch monaſteries, priories and other religious houſes of monks, canons and nuns, of what kinds of diverſities of habits, rules or order ſoever they be called or named, which have not in lands, tenements, rents, tythes, portions and other hereditaments, above the clear yearly value of two hundred pound. (2) And in like manner ſhall have and enjoy all the ſites and circuits of every ſuch religious houſes, and all and ſingular the manors, granges, meaſes, lands, tenements, rents, reverſions, ſervices, tithes, penſions, portions, churches, chapels, advowſons, patronages, annuities, rights, entries, conditions, and other hereditaments appertaining or belonging to every ſuch monaſtery, priory or other religious houſe, not having, as is aforeſaid, above the ſaid clear yearly value of two hundred pound, in as large and ample manner as the abbots, priors, abbeſſes, prioceſſes and other governors of ſuch monaſteries, priories and other religious houſes now have, or ought to have the ſame in the right of their houſes. (3) And that alſo his Highneſs ſhall have to him and to his heirs all and ſingular ſuch monaſteries, abbies and priories, which at any time within one year next before the making of this act hath been given and granted to his Maſteſty by any abbot, prior, abbeſs or prioceſs, under their covent ſeals, or that otherwiſe hath been ſuppreſſed or diſſolved, and all and ſingular the manors, lands, tenements, rents, ſervices, reverſions, tithes, penſions, portions, churches, chapels, advowſons, patronages, rights, entries, conditions, and all other intereſts and hereditaments to the ſame monaſteries, abbies and priories, or to any of them appertaining or belonging; (4) to have and to hold all and ſingular the premiſſes, with all their rights, profits, jurisdictions and commodities, unto the King's maſteſty, and his heirs and aſſigns for ever, to do and uſe therewith his and their own wills, to the pleaſure of Almighty God, and to the honour and profit of this realm.

II. And it is ordained and enacted by the authority aforeſaid, That all and every perſon and perſons, and bodies poliſtick, which now have, or hereafter ſhall have, any letters patents of the King's highneſs, of any of the ſites, circuits, manors, lands, tenements, rents, reverſions, ſervices, tithes, penſions, portions, churches, chapels, advowſons, patronages, tithes, entries, conditions, intereſts or other hereditaments, which appertained to any monaſteries, abbies or priories, heretofore given or granted to the King's highneſs, or otherwiſe ſuppreſſed or diſſolved, or which appertaineth to any of the monaſteries, abbies, priories or other religious houſes, that ſhall be ſuppreſſed or diſſolved by the authority of this act, ſhall have and enjoy the ſaid ſites, circuits, manors, lands, tenements, rents, reverſions, ſervices, tithes, penſions, portions, churches, chapels, advowſons, patronages, tithes, entries, conditions, intereſts and all other hereditaments, contained and ſpecified in their letters patents now being thereof made, and to be contained and expreſſed in any letters patents hereafter to be made, according to the tenor, purport and effect of any ſuch letters patents;

patents; and shall also have all such actions, suits, entries and remedies to all intents and purposes, for any thing and things contained in every such letters patents now made, or to be contained in any such letters hereafter to be made, in like manner, form and conditions, as the abbots, priors, abbesses, prioresses, and other chief governors of any religious houses which had the same, might or ought to have had, if they had not been suppressed or dissolved.

III. Saving to every person and persons, and bodies politick, their heirs and successors, (other than the abbots, priors, abbesses, prioresses, and other chief governors of the said religious houses specified in this act, and the covents of the same, and their successors, and such as pretend to be founders, patrons or donors of such religious houses, or of any lands, tenements or hereditaments belonging to the same, and their heirs and successors) all such right, title, interest, possessions, leases for years, rents, services, annuities, commodities, fees, offices, liberties and livings, pensions, portions, corrodiess, synodies, proxies, and all other profits, as they or any of them hath, ought or might have had, in or to any of the said monasteries, abbies, priories or other religious houses, or in or to any manors, lands, tenements, rents, reversions, tithes, pensions, portions, or other hereditaments appertaining or belonging, or that appertained to any of the said monasteries, priories or other religious houses, as if the same monasteries, priories or other religious houses had not been suppressed by this act, but had continued in their essential bodies and states that they now be, or were in.

A saving of the right of others.

IV. Provided always, and be it enacted, That forasmuch as divers of the chief governors of such religious houses, determining the utter spoil and destruction of their houses, and dreading the suppressing thereof, for the maintenance of their detestable lives, have lately fraudently and craftily made feoffments, estates, gifts, grants and leases, under the covent seals, or suffered recoveries of their manors, lands, tenements and hereditaments in fee-simple, or fee-tail, for term of life or lives, or for years, or charged the same with rents or corrodiess, to the great decay and diminution of the houses; that all such crafty and fraudulent recoveries, feoffments, estates, gifts, grants and leases, and every of them, made by any of the said chief governors of such religious houses, under their covent seals, within one year next before the making of this act, shall be utterly void and of none effect: (2) provided always, That such person and persons as have leases for term of life or years, whereupon is reserved the old rents and farms accustomed, and such as have any offices, fees or corrodiess, that have been accustomed or used in such religious houses, and have bought any livery or living in any such houses, shall have and enjoy their said leases, offices, fees, corrodiess, liberties, liveries and livings, as if this act had never been made.

Fraudulent assurances made by governors of houses before their dissolution shall be void.

V. And it is further enacted, by authority aforesaid, That the King's highness shall have and enjoy to his own proper use, all jewels, goods,

chattels, debts
of monaste-
ries, given to
the King.

such ornaments, jewels, goods, chattels and debts, which appertained or belonged to any of the chief governors of the said monasteries or religious houses, in the right of their said monasteries or houses, at the first day of *March* in the year of our Lord God 1535. or any time sithen whensoever, and to whose possession soever they shall come or be found, except only such beasts, grain and woods, and such other like chattels and revenues, as have been sold before the said first day of *March* or sithen, for the necessary or reasonable expences or charges of any of the said monasteries or houses.

Provided always, That such of the said chief governors which have been elect or made abbot, prior, abbess or prioress of any of the said religious houses sithen the first day of *January*, which was in the year of our Lord God 1534. and by reason thereof be bounden to pay the first-fruits to the King's highness, at days to come, limited by their bonds made for the same, that in every such case such chief governors and their sureties, or any of them, shall be clearly discharged by authority of this act, against the King's highness, and all other persons, for the payment of such sums of money as they stand bounden to pay for the said first-fruits, or for any part thereof. And forasmuch as the clear yearly value of all the said monasteries, priories and other religious houses in this realm, is certified into the King's exchequer, amongst the books of the yearly valuation of all the spiritual possessions of this realm, amongst which shall and may appear the certainty and number of such small and little religious houses, as have not in lands, tenements, rents, tythes, portions and other hereditaments, above the said clear yearly value of two hundred pounds:

The King
shall have the
actual posses-
sion of the ab-
bey lands.

VI. Be it therefore enacted by authority aforesaid, That the King's highness shall have and enjoy, according to this act, the actual and real possession of all and singular such monasteries, priories and other religious houses, as shall appear by the said certificate remaining in the King's exchequer, not to have in lands, tenements, rents, tithes, portions and other hereditaments, above the said clear yearly value of two hundred pounds, so that his Highness may lawfully give, grant and dispose them, or any of them, at his will and pleasure, to the honour of God, and the wealth of this realm, without farther inquisitions or offices to be had or found for the same.

* All that follows
to sect. 7. is
omitted in Pul-
ton's and Ke-
ble's statutes;
but is in the
parliament re-
cords. Vid.
Watson's
compl. In-
cumb. 536.

* In consideration of which premisses to be had to his Highness, and to his heirs, as is aforesaid, his Majesty is pleased and contented, of his most excellent charity, to provide to every chief head and governor of every such religious house, during their lives, such yearly pensions and benefices as for their degrees and qualities shall be reasonable and convenient, wherein his Highness will have most tender respect to such of the said chief governors, as well and truly preserve and keep the goods and ornaments of their houses, to the use of his Grace, without spoil, waste, or embezzling the same; and also his Majesty will ordain and provide, that the covents of every such religious house shall have

have their capacities, if they will, to live honestly and virtuously abroad, and some convenient charity disposed to them towards their living, or else shall be committed to such honourable great monasteries of this realm wherein good religion is observed, as shall be limited by his Highness, there to live religiously during their lives; and it is ordained by the authority aforesaid, That the chief governors and covents of such honourable great monasteries shall take and accept into their houses, from time to time, such number of the persons of the said covents as shall be assigned and appointed by the King's highness, and keep them religiously, during their lives, within their said monasteries, in like manner and form as the covents of such great monasteries be ordered and kept.

Provided always, that all archbishops, bishops and other persons which be or shall be chargeable to and for the collection of the tenths, granted and going out of the spiritual possessions of this realm, shall be discharged and acquitted of and for such parts and portions of the said tenths wherewith the said houses of religion, suppressed and dissolved by this act, were charged or chargeable to the King's highness, except of such sums of money thereof, as they or any of them have or shall have received for the said tenths, of the chief governors of such religious houses.

Provided also, That where the clergy of the province of *Canterbury* stand and be indebted to the King's highness in great sums of money, remaining yet unpaid, of the rest of a hundred thousand pounds granted and given to his Grace in their convocation, towards the payment whereof the said religious houses should have been contributory if they had not been suppressed by this act; and also some of the governors of the said religious houses have been collectors for levying of the said debt, and have received thereof great sums of money yet remaining in their hands; the King's most royal majesty is pleased and contented to deduct, abate, release and defalk, to the said clergy, of the said rest yet unpaid, as well such sums of money as any the chief governors of such religious houses hath received, and not paid, as so much money as every of the said religious houses, suppressed by this act, were rated and taxed to pay in any one year, to and for the payment of the said hundred thousand pounds: and also the King's majesty is pleased and contented, that it be enacted by authority aforesaid, that his Highness shall satisfy, content and pay all and singular such just and true debts which been owing to any person or persons by the chief governors of any the said religious houses, in as large and ample manner as the said chief governors should or ought to have done if this act had never been made:

Provided alway, That the King's highness, at any time after the making of this act, may at his pleasure ordain and declare, by his letters patents under his great seal, that such of the said religious houses which his Highness shall not be disposed to have suppressed nor dissolved by authority of this act, shall still

continue, remain and be in the same body corporate, and in the said essential estate, quality and condition, as well in possessions as otherwise, as they were afore the making of this act, without any suppression or dissolution thereof, or of any part of the same, by authority of this act, and that any such ordinance and declaration, so to be made by the King's highness, shall be good and effectual to the chief governors of such religious houses which his Majesty will not have suppressed, and to their successors, according to the tenors and purports of the letters patents thereof to be made; any thing or things contained in this act to the contrary hereof notwithstanding.

Provided also, That where the clergy of the province of *York* stand and be indebted to the King's highness in great sums of money yet unpaid, of the rest of such sums of money which was granted by them to his Majesty in their convocation, towards the payment whereof the religious houses that shall be suppressed and dissolved by this act, being within the same province, should have been contributory if they had not been dissolved, and also some of the governors of the said religious houses within the said province, that shall be suppressed by this act, have been collectors for levying of part of the said sums of money granted to the King's highness as is aforesaid, and have certain sums thereof in their hands yet unpaid, the King's majesty is pleased and contented to deduct, abate, release and defalk, to the said clergy of the said province of *York*, of the rest of their said debt yet unpaid, as well such of the said sums of money, as any chief governors of any religious houses within the same province, that shall be suppressed by this act, hath collected and not paid, as so much money as every of the said religious houses, suppressed by this act, were rated and taxed to pay in any one year, towards the payment of the said sums of money granted to the King's highness.

A proviso for the cells of other monasteries being under obedience.

VII, Provided always, That this act, or any thing or things therein contained, shall not extend, nor be prejudicial to any abbots or priors of any monasteries or priories being certified into the King's exchequer to have in possessions and profits spiritual and temporal above the clear yearly value of two hundred pounds, for or concerning such cells of religious houses, appertaining or belonging to their monasteries or priories, in which cells the priors or other chief governors thereof be under the obedience of the abbots or priors to whom such cells belong, as the monks or canons of the covents of their monasteries or priories, and cannot sue nor be sued, by the laws of this realm, in or by their own proper names, for the possessions or other things appertaining to such cells whereof they be priors or governors, but must sue and be sued in and by the names of the abbots or priors to whom they be obedient, and to whom such cells belong; (2) and also be priors or governors dative, and removable from time to time, and accountants of the profits of such cells, at the only pleasure and will of the abbots or priors to whom such cells belong; but that every such cell shall be and

and remain undissolved in the same estate, quality and condition, as if this act had never been made; any thing in this act to the contrary hereof notwithstanding.

VIII. Saving always, and reserving unto every person and persons, being founders, patrons or donors of any abbies, priories or other religious houses, that shall be suppressed by this act, their heirs and successors, all such right, title, interest, possession, rents, annuities, fees, offices, leases, commons, and all other profits whatsoever, which any of them have, or should have had, without fraud or covin, by any manner of means, otherwise than by reason or occasion of the dissolution of the said abbies, priories or other religious houses, in, to or upon any the said abbies, priories or other religious houses, whereof they be founders, patrons or donors, or in, to or upon any the lands, tenements or other hereditaments appertaining or belonging to the same, in like manner, form and condition, as other persons and bodies politick be saved by this act, as is afore rehearsed, and as if the said abbies, priories or other religious houses had not been suppressed and dissolved by this act, but had continued still in their essential bodies and estates as they be now in; any thing in this act to the contrary hereof notwithstanding.

The right of
founders and
patrons saved.

IX. And be it further enacted, ordained and established by authority afore said, That all and singular persons, bodies politick and corporate, to whom the King's majesty, his heirs and successors, hereafter shall give, grant, let or demise any site or precinct, with the houses thereupon builded, together with the demesns of any monasteries, priories or other religious houses, that shall be dissolved or given to the King's highness by this act, and the heirs, successors, executors and assigns of every such person, body politick and corporate, shall be bound by authority of this act, under the penalties hereafter ensuing, to keep, or cause to be kept, an honest continual house and household in the same site or precinct, and to occupy yearly as much of the same demesns in ploughing and tillage of husbandry, that is to say, as much of the said demesns which hath been commonly used to be kept in tillage by the governors, abbots or priors of the same houses, monasteries or priories, or by their farmer or farmers occupying the same within the time of twenty years next before this act.

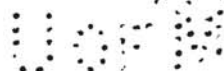
Hospitality
and husband-
ry shall be
kept upon the
site of the
houses sup-
pressed.
Rep. 21 Jac. 1.
c. 28.

X. And if any person or persons, bodies politick or corporate, that shall be bounden by this act, do not keep an honest household of husbandry and tillage, in manner and form as is afore said, that then he or they so offending shall forfeit to the King's highness for every month so offending, six pounds thirteen shillings and four-pence, to be recovered to his use in any of his courts of record.

XI. And over that it is enacted by authority afore said, That all justices of peace, in every shire where any such offence shall be committed or done, contrary to the true meaning and intent of this present act, shall, in every quarter and general sessions,

Justices of
peace shall en-
quire of and
punish offen-
ders.

within



within the limits of their commiſſion, enquire of the premiſſes, and ſhall have full power and authority to hear and determine the ſame, (2) and to tax and aſſeſs no leſs fine for every the ſaid offences, than is afore limited for the ſame offences, (3) and the eſtreats thereof to be made and certified into the King's exchequer, according and at ſuch time and form, as other eſtreats of fines, iſſues and amerciaments been made by the ſame juſtices.

Cui quidem bille perleſt' &c. talit' eſt reſpons' le Roy le vult.

Statutes made at *Westminster*, Anno 28 HEN. VIII.
and *Anno Dom.* 1536.

ACTS made in the parliament begun and holden at Westminster the eighth day of June in the eight and twentieth year of the reign of our moſt dread ſovereign lord King Henry the Eighth, and there continued and kept till the diſſolution of the ſame parliament the eighteenth day of July, to the honour of God, and for the common weal and profit of this his realm.

CAP. I.

An act that abjurers in caſes of petty treason ſhall not have clergy.

A rehearſal of
the ſtatute of
21 H. 8. c. 14.
touching the
uſing of ſanctuary-perſons.

WHERE in the laſt parliament begun and holden at London the third day of November in the one and twentieth year of the King's moſt gracious reign, and from thence adjourned to Westminster, and there holden and continued by divers and ſundry prorogations, it was enacted, amongſt other things, That ſuch perſon and perſons which did flee or reſort to any pariſh church, cemetery or other like hallowed place, for tuition of his life, by occaſion of any murder, robbery or other felony by the ſame perſon committed, and thereupon confeſſed any murder, felony or other offence before a coroner, for the which the ſame perſon, by the law of this realm afore that time uſed, ſhould abjure and paſs out of this realm, ſhall be directed by the coroner to take his abjuration to any one ſanctuary being within this realm, which the ſame perſon would elect and chooſe, there to remain as a ſanctuary-man abjured during his natural life; (2) and if after ſuch abjuration any perſon ſo abjured came out of the ſame ſanctuary to the which he was aſſigned, and be taken without the ſame ſanctuary, not having the King's ſpecial pardon or licence ſo to do; that then every ſuch perſon abjured, and after abjuration taken without ſanctuary whereunto he was aſſigned, ſhould ſuffer like pain of death, and after ſuch like manner ſhould be ordered, as he ſhould have done and biden in caſe he had abjured this realm for murder or felony, and after ſuch abjuration had returned again into this realm, contrary