

CONDITIONS FOR THE SPANISH MARRIAGE

Summer 1623

1. That the marriage be made by dispensation of the Pope, but that to be procured by the endeavour of the King of Spain.
2. That the marriage be once only celebrated in Spain, and ratified in England, in form following. In the morning after the Most Gracious Infanta has ended her devotions in the chapel, she and the Most Excellent Prince Charles shall meet in the King's Chapel, or in some other room of the palace where it shall seem most expedient, and there shall be read all the procurations by virtue whereof the marriage was celebrated in Spain. And as well the Most Excellent Prince as the Most Excellent Infanta shall ratify the said marriage celebrated in Spain with all solemnity necessary for such an Act; so as no ceremony or other thing intervene which shall be contrary to the Roman Catholic Apostolic Religion.
3. That the Most Gracious Infanta shall take with her such servants and family as are convenient for her service; which family, and all persons to her belonging, shall be chosen and nominated by the Catholic King. So as he nominate no servant which is vassal to the King of Great Britain without his will and consent.
4. That as well the Most Gracious Infanta as all her servants and family shall have free use and public exercise of the Roman Catholic religion, in manner and form as is beneath capitulated.
5. That she shall have an oratory and decent chapel in her palace, where at the pleasure of the Most Gracious Infanta, masses may be celebrated. And in like manner she shall have in London, or wheresoever she shall make her abode, a public and capacious church near her palace, wherein all duties may be solemnly celebrated and all other things necessary for the public preaching of God's Word, the celebration and administration of all the sacraments of the Roman Catholic Church, and for burial of the dead and baptizing of children. That the said oratory, chapel, and church shall be adorned with such decency as shall seem convenient to the Most Gracious Infanta.
6. That the men servants and maid servants of the Most Gracious Infanta, and their servants, children, and descendants, and all their families of what sort soever serving Her Highness may be freely and publicly Catholics.
7. That the Most Gracious Infanta, her servants, and family may live as Catholics in form following. That the Most Gracious Infanta shall have in her palace, her oratory, and chapel so spacious that her said servants and family may enter and stay therein; in which there shall be an ordinary and public door for them and another inward door, by which the Infanta may have a passage into the said Chapel where she and other, as abovesaid, may be present at divine offices.
8. That the chapel, church, and oratory may be beautified with decent ornaments of altars and other things necessary for divine service, which is to be celebrated in them according to the custom of the Holy Roman Church, and that it shall be lawful for the said servants and others to go to the said chapel and church at all hours, as to them shall seem expedient.
9. That the care and custody of the said chapel and church shall be committed to such as the Lady Infanta shall appoint, to whom it shall be lawful to appoint keepers, that nobody may enter into them to do any indecent thing.
10. That to the administration of the sacraments and to serve in chapel and church aforesaid, there shall be four and twenty priests and assistants, who shall serve weekly and monthly, as to the Infanta shall seem fit, and the election of them shall belong to the Lady Infanta and the Catholic King. Provided that they be none of the vassals of the King of Great Britain, and if they be, his will and consent is to be first obtained.

11. That there be one superior minister or bishop, with necessary authority upon all occasions which shall happen belonging to religion. And for want of a bishop, that his vicar may have his authority and jurisdiction.
12. That this bishop or superior minister may correct and chastise all Roman Catholics who shall offend, and shall exercise upon them all jurisdiction ecclesiastical. And moreover also, the Lady Infanta shall have power to put them out of her service, whensoever it shall seem expedient to her.
13. That it may be lawful for the Lady Infanta and her servants, to procure from Rome dispensations, indulgences, jubilees, and all graces, as shall seem fit to their religion and consciences, and to get and make use of any manner of Catholic books whatsoever.
14. That the servants and family of the Lady Infanta who shall come into England shall take the oath of allegiance to the King of Great Britain. Provided that there be no clause therein which shall be contrary to their consciences and the Roman Catholic religion. And if they happen to be vassals to the King of Great Britain, they shall take the same oath that the Spaniards do.
15. That the laws which are or shall be in England against religion shall not take hold of the said servants, and only the foresaid superior ecclesiastical Catholic may proceed against ecclesiastical persons, as has been accustomed by Catholics. And if any secular judge shall apprehend any ecclesiastical person for any offence, he shall forthwith cause him to be delivered to the aforesaid superior ecclesiastic, who shall proceed against him according to the Canon Law.
16. That the laws made against Catholics in England, or in any other kingdom of the King of Great Britain, shall not extend to the children of this marriage. And though they be Catholics, they shall not lose the right of succession to the Kingdom and Dominions of Great Britain.
17. That the nurses which shall give suck to the children of the Lady Infanta (whether they be of the Kingdom of Great Britain or of any other nation whatsoever) shall be chosen by the Lady Infanta as she pleases, and shall be accounted of her family, and enjoy the privileges thereof.
18. That the bishop, ecclesiastical, and religious persons of the family of the Lady Infanta shall wear the vestment and habit of their dignity, profession, and religion, after the custom of Rome.
19. For security that the said matrimony be not dissolved for any cause whatsoever, the King and Prince are equally to pass the word and honour of a king. And moreover, that they will perform whatsoever shall be propounded by the Catholic King for further confirmation, if it may be done decently and fitly.
20. That the sons and daughters which shall be born of this marriage shall be brought up in the company of the Most Excellent Infanta at the least until the age of ten years, and shall freely enjoy the right of successions to the Kingdoms, as aforesaid.
21. That whensoever any place of either man servant or maid servant which the Lady Infanta shall bring with her (nominated by the Catholic King, her brother) shall happen to be void, whether by death or by other cause or accident, all the said servants of her family are to be supplied by the Catholic King as aforesaid.
22. For security that whatsoever is capitulated may be fulfilled, the King of Great Britain and Prince Charles are to be bound by oath. And all the King's Council shall confirm the said treaty under their hands. Moreover the said King and Prince are to give their faiths in the word of a king to endeavour, if possible, that whatsoever is capitulated may be established by Parliament.
23. That conformable to this treaty, all these things proposed are to be allowed and approved of by the Pope, that he may give an apostolic benediction and a dispensation necessary to effect the marriage.