

The ways near Oxford decayed, and the inhabitants not able to repair them. They that have land, meadow or pasture in occupation next to Oxford, shall be charged towards the repair of the ways there. Inhabitants within five miles of Oxford having one yard-land, &c. shall pay four-pence, only &c. 35 El. c. 7. s. 26. The cottager and labourer's charge. The forfeitures of them who make default. Digging of gravel, sand, rubbish or stone in other men's grounds. 2 & 3 Ph. & M. c. 8. Distress for default of payment of the forfeiture. Continued by 3 Car. 1. c. 4. 16 Car. 1. c. 4.

CAP. XXI.

It shall be lawful for every person to buy and sell within the borough of *New Woodstock*, in the county of *Oxford*, all manner of wools and yarns brought into the said borough, upon the usual market and fair days, and the same to use and employ to their best profit.

CAP. XXII.

The confirmation of a subsidy of six shillings in the pound, granted to the Queen by the clergy, to be paid in three years. E X P.

CAP. XXIII.

Three fifteenths and tenths, and one subsidy granted to the Queen by the temporality. E X P.

CAP. XXIV.

A confirmation by parliament of the Queen's free and general pardon. E X P.

Anno vicesimo tertio Reginae Elizabethæ.

AT this present session of parliament by prorogation holden at Westminster the sixteenth day of January in the three and twentieth year of the reign of our most gracious sovereign lady Elizabeth, by the grace of God, of England, France and Ireland, Queen, defender of the faith, &c. and there continued until the eighteenth of March following: To the high pleasure of Almighty God, and weal publick of this realm, were enacted as followeth.

CAP. I.

An act to retain the Queen's majesty's subjects in their due obedience.

13 Eliz. c. 2.
5 Inst. 198.

WHERE sithence the statute made in the thirteenth year of the reign of the Queen our sovereign lady, intituled, An act against the bringing in, and putting in execution of bulls, writings and instruments, and other superstitious things from the see of Rome, divers evil-affected persons have practised, contrary to the meaning of the said statute, by other means than by bulls or instruments written or printed, to withdraw divers the Queen's majesty's subjects from their natural obedience to her Majesty, to obey the said usurped authority of Rome, and in respect of the same to per-

perswade great numbers to withdraw their due obedience from her Majesty's laws, established for the due service of Almighty God.

II. For reformation whereof, and to declare the true meaning of the said law, be it declared and enacted by the authority of this present parliament, That all persons whatsoever, which have or shall have, or shall pretend to have power, or shall by any ways or means put in practice to absolve, perswade or withdraw any of the Queen's majesty's subjects, or any within her Highness realms and dominions, from their natural obedience to her Majesty: (2) or to withdraw them for that intent from the religion now by her Highness authority established within her Highness dominions, to the *Romish* religion, (3) or to move them or any of them to promise any obedience to any pretended authority of the see of *Rome*, or of any other prince, state or potentate, to be had or used within her dominions, (4) or shall do any overt act to that intent or purpose; and every of them shall be to all intents adjudged to be traitors, and being thereof lawfully convicted shall have judgment, suffer and forfeit, as in case of high treason. (5) And if any person shall after the end of this session of parliament, by any means be willingly absolved or withdrawn as aforesaid, or willingly be reconciled, or shall promise any obedience to any such pretended authority, prince, state or potentate, as is aforesaid, that then every such person, their procurers and counsellors thereunto, being thereof lawfully convicted, shall be taken, tried and judged, and shall suffer and forfeit, as in cases of high treason.

Treason to withdraw any from the religion established to the Romish religion.
1 Leon, 239.

It shall be treason to be reconciled or withdrawn to the Romish religion.

III. And be it likewise enacted and declared, That all and every person and persons that shall wittingly be aiders or maintainers of such persons so offending as is above expressed, or any of them, knowing the same, or which shall conceal any offence as aforesaid, and shall not within twenty days at the furthest, after such persons knowledge of such offence, disclose the same to some justice of peace or other higher officer, shall be taken, tried and judged, and shall suffer and forfeit, as offenders in misprision of treason.

The penalty of aiders, maintainers and concealers.

IV. And be it likewise enacted, That every person which shall say or sing *mass*, being thereof lawfully convicted, shall forfeit the sum of two hundred marks, and be committed to prison in the next gaol, there to remain by the space of one year, and from thenceforth till he have paid the said sum of two hundred marks: (2) and that every person which shall willingly hear *mass*, shall forfeit the sum of one hundred marks, and suffer imprisonment for a year.

The forfeiture for saying or hearing of *mass*.

V. Be it also further enacted by the authority aforesaid, That every person above the age of sixteen years, which shall not repair to some church, chapel or usual place of common prayer but forbear the same, contrary to the tenor of a statute made in the first year of her Majesty's reign, for uniformity of common prayer, and being thereof lawfully convicted, shall forfeit to the Queen's majesty for every month, after the end of this session of parliament, which he or she shall so forbear, twenty

The penalty of not coming to the church by the space of a month, according to the stat.

1 Eliz. c. 2.
The King may seize two

parts of the
offenders lands,
&c. in lieu of
the twenty
pounds.

3 Jac. 1. c. 4.
f. 11.

Hob. 127.

1 Leon. 241.

2 Leon. 5.

1 Anderl. 138.

Hob. 205.

11 Co. 56.

Cro. Jac. 480.

1 Roll. 89, 92.

Lane 60, 91.

Bridg. 120.

2 Bulltr. 324.

3 Bulltr. 87.

The forfeiture
for keeping
of a school-
master not
repairing to
the church, or
not allowed by
the ordinary.

What justices
may enquire of
offences done
against the
statute of
1 Eliz. c. 1.
5 Eliz. c. 1.
13 Eliz. c. 2.
Cro. Car. 10.

29 Eliz. c. 6.

A remedy for
a guilty person
conforming
himself.
Co. Entr. 569.
2 Roll. 108.
Raym. 465.

twenty pounds of lawful *English* money; (2) and that over and besides the said forfeitures, every person so forbearing by the space of twelve months as aforesaid, shall for his or her obstinacy, after certificate thereof in writing made into the court commonly called the King's bench, by the ordinary of the diocese, a justice of assise and gaol-delivery, or a justice of peace of the county where such offender shall dwell or be, be bound with two sufficient sureties in the sum of two hundred pounds at least, to the good behaviour, (3) and so to continue bound, until such time as the persons so bound do conform themselves and come to the church, according to the true meaning of the said statute made in the said first year of the Queen's majesty's reign.

VI. And be it further enacted, That if any person or persons, body politick or corporate, after the feast of *Pentecost* next coming, shall keep or maintain any school-master which shall not repair to church as is aforesaid, or be allowed by the bishop or ordinary of the diocese where such school-master shall be so kept, shall forfeit and lose for every month so keeping him, ten pounds.

VII. (Provided that no such ordinary or their ministers shall take any thing for the said allowance.) (2) And such school-master or teacher, presuming to teach contrary to this act, and being thereof lawfully convicted, shall be disabled to be a teacher of youth, and shall suffer imprisonment without bail or mainprize for one year.

VIII. And be it likewise enacted, That all and every offences against this act, or against the acts of the first, fifth or thirteenth years of her Majesty's reign, touching acknowledging of her Majesty's supream government in causes ecclesiastical, or other matters touching the service of God or coming to church, or establishment of true religion in this realm, shall and may be inquirable, as well before justices of peace, as other justices named in the same statutes, within one year and a day after every such offence committed; any thing in this act, or in any other act to the contrary notwithstanding.

IX. Be it likewise enacted, That the justices of *oyer* and *terminer*, and justices of assise and of gaol-delivery, in their several limits, shall have power to enquire, hear and determine of all offences against this statute: (2) and justices of peace in their open quarter-sessions of peace shall have power by virtue of this act to enquire, hear and determine of all offences against this act, except treason and misprision of treason.

X. Provided alway, That every person guilty of any offence against this statute, other than treason and misprision of treason, which shall before he be thereof indicted, or at his arraignment or trial before judgment, submit and conform himself before the bishop of the diocese where he shall be resident, or before the justices where he shall be indicted, arraigned or tried, (having not before made like submission at any his trial, being indicted for his first like offence) shall upon his recognition of such sub-

mission in open assises or sessions of the county where such person shall be resident, be discharged of all and every the said offences against this act (except treason and misprision of treason) and of all pains and forfeitures for the same.

XI. And be it likewise enacted, That all forfeitures of any sums of money limited by this act, shall be divided in three equal parts, whereof one third part shall be to the Queen's majesty to her own use, one other third part to the Queen's majesty for relief of the poor in the parish where the offence shall be committed, to be delivered by warrant of the principal officers in the receipt of the exchequer without further warrant from her Majesty, and the other third part to such person as will sue for the same in any court of record, by action of debt, bill, plaint or information; in which suit no essoin, protection or wager of law shall be allowed: (2) and that every person which shall forfeit any sums of money by virtue of this act, and shall not be able, or shall fail, to pay the same within three months after judgment thereof given, shall be committed to prison there to remain until he have paid the said sums, or conform himself, or go to church, and there do as is aforesaid.

Who shall have the money forfeited by this statute.

He shall be imprisoned that is not able or doth not pay the forfeiture.

XII. Provided also, That every person which usually on the Sunday shall have in his or her house the divine service which is established by the law of this realm, and be thereat himself or herself usually or most commonly present, and shall not obstinately refuse to come to church, and there to do as is aforesaid, and shall also four times in the year at the least be present at the divine service in the church of the parish where he or she shall be resident, or in some other open common church or such chapel of ease, shall not incur any pain or penalty limited by this act for not repairing to church.

Service in a man's private house.

XIII. And be it likewise enacted and declared, That every grant, conveyance, bond, judgment and execution, had or made since the beginning of this session of parliament, or hereafter to be had or made, of covinous purpose to defraud any interest, right or title, that may or ought to grow to the Queen, or to any other person, by means of any conviction or judgment by virtue of this statute, or of the said statute of the said thirteenth year, shall be, and be adjudged to be, utterly void against the Queen, and against such as shall sue for any part of the said penalties in form aforesaid.

Fraudulent assurances to defeat forfeitures. 2 Leon. 132. Moor 523. pl. 691.

XIV. Provided always, That if any peer of this realm shall happen to be indicted of any offence made treason or misprision of treason by this act, he shall have his trial by his peers as in other like cases is accustomed.

29 El. c. 6. Trial of a peer by his peers.

XV. Provided also, That neither this act, nor any thing therein contained, shall extend to take away or abridge the authority or jurisdiction of the ecclesiastical censures for any cause or matter, but that the archbishops and bishops and other ecclesiastical judges may do and proceed, as before the making of this act they lawfully did or might have done; any thing in this act to the contrary notwithstanding. 1 W. & M. stat. 1. c. 18.

Ecclesiastical censures.

CAP.

CAP. II.

1 & 2 Ph. &
M. c. 9.
1 Eliz. c. 6.

If any person shall advisedly and with a malicious intent, of his own imagination, speak any false and slanderous news or tales against the Queen that now is, then he shall have both his ears cut off, except he pay two hundred pounds to the Queen's use in the exchequer within two months after judgment: And if he speak such slanderous news of the report of any other, he shall have one of his ears cut off, except he pay two hundred marks, &c. And if any person once convict shall offend again, it shall be adjudged felony. And if any person shall devise, write, print or set forth any book, rhyme, ballad, letter or writing, containing any false, seditious and slanderous matter to the defamation of the Queen, or to the stirring or moving of any rebellion; or shall cause any such book, rhyme, writing, &c. to be written, printed or published; or shall by setting of any figure, casting of nativity, or by calculation, prophesying, witchcraft, conjuration, &c. seek to know, and shall set forth by express words, deeds or writings, how long the Queen shall live, or who shall reign as King or Queen after her decease; or shall utter any prophecies to any such intent; or shall wish or desire the death or deprivation of the Queen, or any thing to the same effect: Then every such offence shall be adjudged felony. *To continue only during the Queen's life.*

CAP. III.

An act for the reformation of errors in fines and recoveries.

Inrolment of
fines and recoveries.

FOR the appeasing of suits, the avoiding of false practises, deceits, devices and misdemeanours, and for helping of negligences and misprisions of clerks and officers, dangerous to assurances of men's lands and hereditaments; (2) Be it enacted by the Queen's most excellent majesty our sovereign lady, the lords, spiritual and temporal, and the commons, in this present parliament assembled, and by the authority of the same, That every writ of covenant and other writ, whereupon any fine heretofore hath been levied or hereafter shall be levied, the return thereof, the writ of *dedimus potestatem* made for the knowledging of any of the same fines, the return thereof, the concord, note and foot of every such fine, the proclamations made thereupon, and the King's silver, (3) and also every original writ of entry in the *post* or other writ, whereupon any common recovery hath been suffered or hereafter shall be suffered or passed, the writs of *Summon. ad Warrantizandum*, the returns of the said originals and writs of *Summon. ad Warrantizandum*, and every warrant of attorney had or to be had, as well of every demandant and tenant as vouchee, extant and remaining or that shall be extant and in being, (4) may upon the request or election of any person, be inrolled in rolls of parchment by such persons, and for such considerations, as hereafter in this act shall be mentioned; and that the inrolments of the same, or of any part thereof, shall be of as good force and validity in law, to all intents, respects and purposes, for so much of any of them so inrolled, as the same being extant and remaining were or ought by law to be.

The validity
of the inrol-
ment.

For what er-
rors fines and
recoveries are
not reversable.

II. And be it further enacted by the authority aforesaid, That no fine, proclamations upon fines, or common recovery heretofore had, levied, suffered or passed, or hereafter to be had, levied,