

§ 3.  
Defection  
by the  
Popes  
means.

‘ Now although the Common Prayers and Service of the Church were in *English* all *Edward* the Sixth his time, yet the Kings Subjects came to Church and received the Sacrament all his time, and no open defection was on that account all his time. And although the Common Prayer Book and Service, received some alteration more different from that of *Rome* in 1 *Eliz.* Yer until the Eleventh year of Her Reign, did all Her Subjects repair to Church promiscuously, without any discrimination. So that the Bishop of *Rome* perceiving his Authority at last gasp, by his Bulls interdicted the Kingdom, absolved her Subjects from their obedience to their Prince, and thereby wrought that Schism which those that profess obedience to that Sec, have ever since maintained; and had not the Pope then interposed, it is probable a perfect union had been in the *English* Church, which will be more reasonable to believe, if we consider how few persons quitted their Livings and Dignities, for refusing Communion with the *English* Church, and refusing the Oath prescribed by 1 *El.* 1. namely, not much above an 100 of 9000 and more, as *Camden* witnesseth.

‘ After which practices, this State thought it necessary to provide for it self; and thereupon the Statute of 5 *El.* 1. was made, That any that maintained the Bishop of *Romes* Authority, should incur a Premunire. And the Statute of 13 *El.* 1. against such as levied War, or intended bodily harm to the Queen. And another 13 *El.* c. 2. against such Bulls, and the bringing over and publishing them; and the Statute of 23 *Eliz.* 1. against reconciling to *Rome*; and the Statute of 27 *Eliz.* 2. for departing of Priests and Jesuits; and the Statute of 29 *Eliz.* 6. against Frauds in Conveyances were made.

§ 4.  
Sectaries.

‘ Near which time there rose another sort of people, called (by 35 *El.* 2.) Sectaries and Disloyal persons, who did oppose the Queens Authority in Causes Ecclesiastical, but not upon Popish designs, and on that account forbore to come to Church, against whom that Statute is made.

§ 5.  
First mention of Recusants.

‘ The first Statute I meet with, wherein the word *Recusants* is mentioned, is that of 35 *Eliz.* 1. which mentioned the Statute of 23 *Eliz.* 1. to be made against Recusants, which was against the Papists only. And then comes 35 *Eliz.* 2. that mentions a *Popish Recusant*. Which word is plainly taken from refusing to take the Oath of 1 *Eliz.* 1. And refusing to read or hear Common Prayers, prescribed by 1 *Eliz.* 2. And to express the words of those Statutes, is a refusal with obstinacy.

§ 6.  
Recusants of two sorts.

‘ So that now there being a twofold Recusancy, Popish and Sectarian, it will be necessary to observe and distinguish the Laws made against them.

§ 7.  
Statutes.

‘ The Statutes now in force against Recusants of all sorts, seem to be 1 *Eliz.* 1. 1 *Eliz.* 2. 8 *Eliz.* 1. 23 *Eliz.* 1. 5 *Eliz.* 1. 13 *Eliz.* 2. 35 *Eliz.* 1. And 35 *Eliz.* 2. 1 *Jac.* 4. 3 *Jac.* 4. 3 *Jac.* 5. 7 *Jac.* 2. 7 *Jac.* 6. 29 *Eliz.* 6. 3 *Car.* 2. 27 *Eliz.* 2. All which are yet in force, and particularly 35 *El.* 1. is by 16 *Car.* 2. c. 4. declared to be in force. And all the rest, except 35 *Eliz.* 1. against Sectaries, were perpetual. All which by 1 *Jac.* 4. are ordered to be put in due and exact Execution. I call that of 35 *El.* 1. a Law against Sectaries, for so the Preamble mentions it to be; and by an exception therein contained, Popish Recusants are excepted. And I observe some material differences between them.

‘ First, The Statute of 35 *Eliz.* 1. requires Conformity from all persons, or else inflicts Abjuration. The Statute of 35 *Eliz.* 2. for Nonconformity from persons of mean Estates only, and that the residue repair to their dwellings, confinement there, and Forfeiture of Goods and Land.

‘ Secondly,