

Communion, or to be present at Conventicles; or if he shall be present at Conventicles, being thereof convicted, shall be committed to prison without Bail, until he conform and make the Submission required by that Act, if within three months after such Conviction, he shall not conform and submit, being required by the Bishop of the Diocess, or a Justice of Peace, or the Minister or Curate, he shall in open Sessions, or Assizes, or Gaol-delivery abjure the Realm, and depart at such Haven, Port and time the Justices shall assign him, which Abjuration the Justices shall Record and certifie to the Assizes. 35 El. 1.

The Oath of Abjuration may be taken by the Justices of Peace of such Recusants, in this Form, or to this effect. §. 13. Abjuration.

35 El. 1. **Y**ou shall swear, That you shall depart out of this Realm of England, and out of all other the Kings Majesties Dominions; and that you shall not return hither or come again into any of His Majesties Dominions, but by the Licence of Our said Sovereign Lord the King, or of His Heirs. So help you God. See *Stamf.* 119. *vide Wilk.* 40. Oath of Abjuration.

35 El. 1. And such Recusants thereupon shall depart out of this Realm, at such Haven and Port, and within such time as shall in that behalf be assigned and appointed by the said Justices of Peace, unless he be letted and stayed by such lawful means or cause as the Common Law doth allow in cases of Abjuration for Felony, &c. 35 El. 1. Departure.

35 El. 1. If any such Recusant shall refuse to make such Abjuration, or after such Abjuration made, shall not go to such Haven, and within such time as is so appointed him; and from thence depart out of this Realm, according to this Statute, or after such departure shall return or come again into any His Majesties Realms or Dominions, without His Majesties special Licence in that behalf first obtained, in every such case the person so offending shall be adjudged a Felon. *Ibid.* Not going.

35 El. 1. The Justices of Peace before whom any such Abjuration shall be made, shall cause the same to be presently entred upon Record before them, and shall certifie the same at the next General Gaol delivery to be holden in the same County. 35 El. 1. Certificate.

35 El. 1. If after Conviction, and before required to abjure, the party repair to some Church or Chappel on some Sunday or Holiday, and hear Divine Service; and before the Sermon or reading of the Gospel, make publick declaration of his Conformity in the Form therein exprest, *viz. I. A. B. & C.* the party offending shall be discharged of all Penalties, &c. Submission.

35 El. 1. The Minister or Curate shall forthwith enter it into a Book, and within ten days certifie the same to the Bishop of the Diocess. Certificate.

35 El. 1. If the party shall afterwards relapse, and refuse to go to Church, or shall go to Conventicles, he shall stand in the same plight, as if no submission had been made. 35 El. Relapse.

35 El. 1. The Penalties by 23 El. 1. and 35 El. 1. shall be recovered to the Queens use, by Action of Debt, Bill, Plaint, or Information, in the Kings Bench, Common Pleas and Exchequer; and a third part shall go to charitable uses. 35 El. 1. Penalties Courts.

35 El. 2. Every person born in England, or made Denizen, above sixteen years of Age, having a place of abode, and being a Popish Recusant, that shall be convicted of absence from the Church, and being in England at the time of such Conviction, shall within forty days after such Conviction, if at liberty; or if restrained, within twenty days after, shall repair to his place of abode, and shall not remove five miles from thence, §. 14. Popish Recusants confined.