

of Rome, and shall make Certificates within forty days after the Indictment into the Kings Bench, or every one, in default, forfeits 10*l.* 5*s.* El. 1.

3 Jac. 4. Any two Justices of Peace, the one being of the *Quorum*, may out of Sessions, require any person of the age of eighteen years or above, which is convicted or indicted for any Recusancy, either than Noble men or Noble women, for not repairing to Divine Service; or which have not received the Communion twice the year past; or which travellesth the Country, and is unknown (and being examined upon Oath) shall confess, or not deny themselves to be Recusants; or that shall confess, or not deny, that he or she had not received the Sacrament twice the year past, to take the Oath of Allegiance appointed by the Statute 3 Jac. 4. And if such person shall refuse to answer upon Oath, such Justices of Peace examining him as aforesaid; or to take the Oath of Allegiance, then the said two Justices shall commit the same person to the Common Gaol, there to remain without Bail until the next Assizes, or Quarter Sessions; but Noble men and Noble women are excepted, as not to be dealt withal herein by the Justice of Peace.

Which Justices shall certifie under their hands to the next Sessions, the names, &c. In which Sessions, the Oath shall be again tendered to them; and if they, or any other shall refuse, he or they so refusing, shall incur a Premunire, except *Femes Covert*, who shall be committed till they take it. The Oath *vide hic cap. 4.*

1 Jac. 7. Also any two Justices of Peace may take the said Oath of Allegiance of such persons as have charge of Castles, Fortresses, Block-houses, or Garrisons; and of all Captains, having charge of Souldiers within this Realm, and upon refusal, may commit the offender, being of the age of eighteen years, to the Common Gaol, there to remain without Bail till the next Assizes, or Quarter Sessions. 7 Jac. 6.

7 Jac. 6. Also by the same Statute 7 Jac. 6. any two Justices of Peace, the one being of the *Quorum*, may require any other person or persons, Man or Woman, be they Recusants, or not, of the age of eighteen years or above (under the degree of a Baron or Baronness) to take the said Oath, and may commit them as aforesaid, upon their refusal.

7 Jac. 6. And by the said Statute, if any person whatsoever of the age of eighteen years; under the degree of a Baron, shall stand and be presented, indicted, or convicted, for not coming to Church or receiving the Communion, before the Ordinary or any other, having lawful power to take such Presentment or Indictment; or if the Minister, Petty-Constable and Churchwardens, or any two of them, shall complain to any one Justice of Peace near adjoyning, and the said Justice of Peace shall find cause of suspicion; then that Justice, or any one other Justice of Peace, within whose Commission or Power such person shall be, upon notice thereof, shall require such person to take the said Oath: And if any person shall refuse to take the Oath tendered to him or her as aforesaid, then such Justice or Justices shall commit such offender to the Common Gaol, there to remain without Bail, till the next Assizes or Quarter Sessions.

3 Jac. 4. The said two Justices of Peace shall certifie in writing, subscribed with their hands, at the next Quarter Sessions, the names and place of abode of such persons, as have so taken the said Oath before them, by force of the Statute of 3 Jac. 4.

And it seemeth requisite, That the Justice or Justices of Peace do make like Certificate at the next Assizes or Quarter Sessions, of such persons as have taken the said Oath before them, by force of the Statute 7 Jac. 6.

Such

§. 32.
Oath of
Obedience.

Certificate.

Premunire.
Women.§. 33.
Oath.

Certificate.