

- of Popery ; and they may presently deface and burn such Books and Relicks as they shall find and judge not convenient for them : Yet if it be a Relick of any price, the same is to be defaced at the General Sessions of the Peace, and to be restored to the owner.
- §. 45. *London.* Any Popish Recusant that shall dwell in *London*, or within ten miles of it, which be indicted or convicted of Recusancy, or shall forbear to come to Church three months, shall within ten days after such Indictment or Conviction depart thence: And if he live in *London*, or ten miles, &c. shall give up his Name to the Lord Major; and if he live above ten miles, then to the next Justice of Peace, upon pain to forfeit 100 *l.* &c. 3 Jac. 5.
- §. 46. *Bear no Office.* No Recusant Convict shall practise the Common or Civil Law, as Counsellor (not as Chancellor, as the Print is) Clerk, &c. Nor practise Physick, nor as an Apothecary, nor be a Judge, Minister, Clerk, or Steward of any Court, or keep any Court, nor bear any Office in any Camp, Troop, or Company of Souldiers, nor bear any Office in any Ship, Castle, or Fortrefs, but be utterly disabled, and shall forfeit 100 *l.* &c. 3 Jac. 5.
- A Recusant Convict, or having a Wife that is a Popish Recusant Convict, shall not after his or her Conviction, exercise any publick Office or charge in the Commonwealth, except such Husband and his Children nine years old, and his Servants or Houshold, shall once every month, having no excuse, at Church hear Divine Service, and his Children and Servants, at times appointed, receive the Sacrament, and bring up his Children in the true Religion, 3 Jac. 5.
- §. 47. *Disability.* A Popish Recusant convicted shall be reputed an excommunicated person until Conformity, and take the Oath of 3 Jac. 4. And it may be pleaded in Disability in all Actions, except for such of his Lands, &c. as are not to be seized, &c. 3 Jac. 5. And the Sheriff and Officer may upon an *Excommunicato capiendo*, break the House to apprehend him, 3 Jac. 4.
- §. 48. *Marriage.* Any Man being a Popish Recusant Convict, that shall be married otherwise than according to the Orders of the Church of *England*, shall be disabled to be Tenant by the Curtesie; and a Woman otherwise married, shall lose her Dower, Joynture, Widows Estate, and Free Bench, or any Portion of Goods, by the Custom of any City, &c. And if such Man marry a Woman that hath no Land whereof he may be intituled, *As Tenant by the Curtesie*, he shall forfeit 100 *l.* 3 Jac. 5.
- §. 49. If a Popish Recusant Baptize not his Child at Church, or place appointed for Baptism by a lawful Minister, within a month, if it may be carried thither, otherwise by the Minister of the Parish, &c. He, if he live a month after the birth (or if he die within a month) the Mother shall forfeit 100 *l.* A third part to the King, a third part to the Prosecutor, and a third part to the Poor. 3 Jac. 5.
- §. 50. *Burial.* If a Popish Recusant not Excommunicated, shall not be buried in a Church or Church yard, or not according to the Law Ecclesiastical; the Executor or Administrator knowing the same, or the party causing the same, shall forfeit 20 *l.* A third part to the King, a third part to the Prosecutor, and a third part to the Poor &c. where he died. 3 Jac. 5.
- §. 51. *Prebendaries.* No Popish Recusant Convict, shall present to any Ecclesiastical Living, Free-School, Hospital, or Donative, but be disabled; but the Chancellor and Scholars of *Oxford* to those in *Suffex*, &c. and the Chancellor and Scholars of *Cambridge* to those in *Essex*, &c. But they shall not present any to any Ecclesiastical Living, that hath another Living with Cure.
- §. 52. *Executors, &c.* A Popish Recusant Convicted at the death of the Testator, or at granting Administration, is disabled to be Executor or Administrator, or to 3 Jac. 5.