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THE

STATUTES

AT LARGE,

PASSED IN THE

PARLIAMENTS

HELD IN

IRELAND:

FROM

The Third Year of EDWARD the Second, A. D. 1310,

TO THE

Twenty ſixth Year of GEORGE the Third, A. D. 1786 inclusive.

WITH

MARGINAL NOTES, and a Complete INDEX to the Whole.

PUBLISHED BY AUTHORITY.

IN THIRTEEN VOLUMES.

DUBLIN:

Printed by GEORGE GRIERSON, Printer to the King's Moſt Excellent Majeſty. M DCC LXXXVI.

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THE

STATUTES

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PASSED IN THE

PARLIAMENTS

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VOL. I.

Containing from the Third Year of EDWARD the Second, A. D. 1310, to the Eleventh, Twelfth and Thirteenth Years of JAMES the First, A. D. 1612 inclusive.

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☞ The two Statutes of 28 *Henry* 8. omitted in this Volume, in the former Edition, and placed at the End of the Eighth Volume, are now inserted in their proper Places.

Houses of the Oireachtas

TO THE RIGHT HONOURABLE

JAMES, Lord Viſcount *Lifford* of *Lifford*,

LORD HIGH CHANCELLOR of *Ireland*,

AND OF

HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL.

My LORD,

I SHOULD be wanting in Gratitude, were I not to ſeize the earlieſt and moſt Publick Opportunity of offering my grateful Acknowledgments to Your Lordſhip for your Kindneſs in conſidering me as Capable of executing the Work now preſented

DEDICATION.

to Your Lordſhip. Accept then, my Lord, my moſt Heartfelt Thanks; and be aſſured that every Attention and Aſſiduity in my Power has been exerted in the Execution of it; conſidering that Conduct as the beſt Mode of convincing Your Lordſhip of the Sincerity of my Profeſſions. With ardent Wiſhes for an uninterrupted Series of Happineſs to Your Lordſhip,

I remain,

Your Lordſhip's

Moſt Obedient and Devoted

Very Humble Servant,

James Goddard Butler.

Houses of the Oireachtas

[DEDICATION to the former EDITION.]

TO HIS EXCELLENCY

JOHN, Lord Baron *Bowes* of *Clonlyon*,

Lord CHANCELLOR,

One of the LORDS JUSTICES,

AND OF

His Majeſty's Moſt Honourable Privy Council in *Ireland.*

My LORD,

THIS Edition of the Acts, paſſed in the ſeveral Parliaments of *Ireland*, being undertaken at the Deſire of that auguſt Aſſembly in which Your Lordſhip preſides, and carried on under Your Patronage, has a natural Claim to Your Protection: but other Conſiderations alſo induce

the Editor to requeſt Permiſſion to inſcribe this Collection to Your Lordſhip. Many of theſe Statutes have been prepared and framed with Your Aſſiſtance, and under Your Inſpection; and theſe Laws have been explained, inforced, and carried into Execution by Your Lordſhip, for above twenty-five Years, in both Courts of Equity; where Your Deciſions have given Authority to Law, and Your Behaviour to it's Profeſſors juſtifies them in looking up to Your Lordſhip with a Degree of filial Duty and Affection, as a political Parent to them and a Support of their Profeſſion.

Rare and various are thoſe Talents, my Lord, which conſtitute a great judicial Character! a ready and clear Apprehenſion! a ſound, diſtinguiſhing, and exact Judgment! a comprehenſive Underſtanding! Freedom and Liberality of Thought and Reaſoning! Sagacity to inveſtigate the great Principles of Juſtice, and Diſcernment to ſee where thoſe Principles lead! yet theſe Qualities, however improved by Experience and Learning, though ſuſtained by ſpotleſs Integrity and ſtrict Impartiality in the moſt unremitted Application, would not have been ſufficient, were not Your Lordſhip alſo bleſſed with a Zeal and Warmth, and with (if I may be allowed the Expreſſion) a Paſſion for Juſtice. It is this great Spring, which animates the judicial Character, and gives to the Dictates of an honeſt Heart the natural Glow of a graceful and manly Eloquence!

Abilities, ſuch as theſe, have enabled Your Lordſhip to lay open and clear the Sources of Equity; to

to eſtabliſh the Conſtruction of our Laws upon plain and ſolid Foundations; and to make the High Court of Chancery a Terror to Fraud, and a Protection and Comfort to every honeſt Man.

Your Lordſhip hath ſucceſſively ſupported ſeveral great Offices in the Law with the general Approbation of all Parties; while it hath been Your peculiar Felicity never to have been connected with any. Your Mind raiſed You above the Prejudices, Your Abilities needed not the Aſſiſtance, of Party. The Conſtitutional Connection of *Great Britain* and *Ireland*, and the mutual Intereſts reſulting from thence, have been the unvaried Principles of Your Conduct: what Satisfaction then muſt all, who have the Well-being of both at Heart, have felt on ſeeing the Great Seal of this Kingdom committed to Your Lordſhip? In Addition to the Dignity of the Peerage, our Gracious Sovereign had but one further Mark of Favour and Confidence to beſtow; by imparting His Mercy to thoſe Hands, in which His Juſtice had been ſo long intruſted, for the Happineſs of a loyal, grateful, People; by whom Your true and real Regards for their Welfare are univerſally acknowledged.

Permit me, my Lord, to lay hold of this publick Opportunity to expreſs the deepeſt Senſe of my particular Obligations to Your Lordſhip. This is a Subject, upon which I wiſh to enlarge; but dare not offend the Delicacy of Your Sentiments: though what may be deemed Adulation in one, may be but a cold Expreſſion of Gratitude in another.

DEDICATION.

Publick Characters are the proper Objects of publick Diſquiſition; and thoſe Virtues, which contribute to the Happineſs of Mankind, ſhould be pointed out to Imitation, that the Example may remain, when the Poſſeſſors of thoſe Virtues ſhall be no more. May that Period in the preſent Inſtance be far diſtant! And may it be very long, before the unanimous Voice of the Sovereign and his People ſhall inſcribe the Stone with this Honourable Teſtimony,

"*Well done, thou good and faithful Servant.*"

I have the Honour to be

Your Lordſhip's moſt dutiful,

Moſt devoted, and

Obedient Servant,

Francis Veſey.

[DEDICATION of the former EDITION.]

TO THE

READER.

AS this Edition of the Acts, paſſed in the ſeveral Parliaments held in this Kingdom, may be conſidered as a Publick Work, in Part obtained at their Expence, and which could not have been executed without ſuch Aſſiſtance; it may be proper to ſhew the Neceſſity of this Undertaking from the preſent State of the printed Statutes in *Ireland*, and alſo the Advantages propoſed by what is now done, in attempting to ſupply former Defects, and to render this Impreſſion uſeful and commodious to the Reader.

THE *Iriſh* Statutes now in Print, conſiſt of thoſe collected by Sir RICHARD BOLTON, in one Volume in Folio, printed in 1621, by the Society of Stationers, then Printers to his Majeſty: reprinted by *Benjamin Tooke*, in 1678, with the Addition of the ſubſequent Acts to the Seſſion of the 17th and 18th of King *Charles* the Second incluſive: from which Time to the Revolution, no Parliament was held in *Ireland*. To this Impreſſion was annexed a thin and incompleat Index. And it has been ſince reprinted, in 1723, without any Additions.

THE ſeveral Acts which paſſed in the Reigns of King *William* and Queen *Mary*, and thoſe of Queen *Anne* and the ſucceeding Kings, were printed by the King's Printers, at the Cloſe of each reſpective Seſſion; in different Volumes, of different Sizes, and in different Types, without Indexes, or any Aid to find the Contents or even the Titles, but by inſpecting the Volumes of the Seſſions in which they paſſed: which Volumes were become too numerous for Uſe; and even thoſe ſo diſperſed, that at preſent compleat Sets are with Difficulty to be procured, to anſwer the Purpoſes of Juſtice, eſpecially at the Aſſiſes held in the ſeveral Counties.

TO THE READER.

THESE Conſiderations, it is preſumed, induced the Houſe of Lords to addreſs His Excellency the Earl of *Hallifax*, then Lord Lieutenant of *Ireland*, by their Reſolution of the 20th of *April* 1762, to give Directions, "That "the STATUTES *at large* of this Kingdom be forthwith printed and pub- "liſhed, under the Inſpection of the Lord Chancellor and Judges; and that "as an Encouragement to the Printer, a copy thereof be given to each "Member of both Houſes of Parliament." In conſequence whereof, His Excellency, by His Order dated the 27th of *April* 1762, directed *Hugh Boulter Primroſe Grierſon* His Majeſty's Printer General in this Kingdom, to Print and Publiſh the ſaid STATUTES *at large*, under the Inſpection of the Lord Chancellor and Judges; and to cauſe a Copy thereof to be given to each Member of both Houſes of Parliament.

WHICH Order being ſignified to the Lord Chancellor and Judges, they were pleaſed to approve of a Specimen of the Paper, Size, and Type, to be made Uſe of on the Occaſion; and their Lordſhips were farther pleaſed to honour the Editor with their Appointment to carry their Directions into Execution.

THE Acts as before printed by the King's Printers, having received the Sanction of the Courts of Juſtice as the Statute Law of *Ireland*; the Editor conſidered them as authentic, and made them the Copy from which He printed, without variation, ſave that where He, on reading, apprehended Errors of the Preſs, He had recourſe occaſionally to the Records now in the Office of the Rolls, and from thence rectified thoſe Errors; the collating them at large being thought needleſs, and rather a Matter of Curioſity, which would have been attended with very great Expence.

THE Statutes in this Collection are ranged in Order of Time, including all whoſe Titles are mentioned in any of the former printed Statutes, though not there printed at large; diſtinguiſhing, however, the Acts or Parts of Acts expired or repealed, by a ſmaller ſized Type; except in ſome few Inſtances where Acts have been repealed in Part, of which due Notice is given in the Margin.

THE Acts, whereof the Titles only were mentioned in the Statutes of former Impreſſions, have been copied at large, for this Work, from the original Records. Some Inſtances there may be of Rolls, before the Reign of Queen *Elizabeth* (but not ſince) with the Titles of Acts of Parliament not before printed, which the Editor did not think himſelf authorized to inſert as Part of the Statutes of *Ireland*; they never having received the Sanction of being printed by Authority or even mentioned in any Statute ſo printed, nor authenticated by judicial Determinations.

TO THE READER.

THE Editor was aware, that the inſerting expired or repealed Acts at large, would increaſe the Bulk of this Collection: But it is hoped, the Publick will diſpence with that Inconvenience, as they may afford Light and be uſeful for the Conſtruction of ſubſiſting Laws; and will remain curious and authentic Documents in the Publick Hiſtory of this Kingdom.

IT has been uſual, eſpecially of late Years, to inſert in the ſame Act different Matters not expreſſed in the Title of ſuch Act. This has been the Caſe particularly in thoſe intitled *Acts for Amendment of the Law*; which has rendered it difficult to find the ſeveral Clauſes when wanted. To remedy ſuch Inconvenience, the Editor has, beſides the General Index, added, but in a different Character, to the Table of the Titles of thoſe Acts, the different Matters therein contained.

INDEXES are abſolutely neceſſary to Works of this Kind: the Editor has therefore endeavoured to make His General Index to this collection uſeful and compleat.

THE *Acts of Settlement and Explanation*, though relating to a great Part of the landed Property in *Ireland*, may be conſidered as a ſeparate *Code* of Laws, and as ſuch rather to be conſulted on particular Occaſions, than as Part of the General Statute Law. The Editor has therefore added a ſeparate Index for the readier turning to the ſeveral Matters contained in thoſe Acts.

THE ſhort Abſtracts and References in the Margin, will, it is hoped, be found accurate: and, upon the whole, the Editor is not conſcious of having omitted any Care or Pains in Diſcharge of the Truſt he has been honoured with; and hopes this will, upon Peruſal, be found a correct and uſeful Edition of *The* STATUTES *at large*, agreeble to the Intention of that reſpectable Authority, at whoſe Deſire this Work was ordered and undertaken.

☞ *The Corrector of the preſent Edition, has, at the beginning of the Eighth Volume, (which contains an Index to the whole Work,) given an Account of ſuch Alterations or Additions, as have been found neceſſary in the Proſecution of ſo variable a Work; and an Explanation of the Method he has purſued in forming the Index; which he hopes will meet the Approbation of the Publick in general, and of the Bar in particular, for whoſe Convenience it is principally adapted.*

Houses of the Oireachtas

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Houses of the Oireachtas

A COLLECTION

Houses of the Oireachtas

A

COLLECTION

OF

STATUTES.

Acts and Ordinances in the Parliament of *Kilkenny*, in *Octabis Purificationis* of the Virgin *Mary*, in the third Year of the Reign of King EDWARD the Second, *Anno Domini* 1310. A. D. 1310.

CHAP. I.

An Act to reſtrain great Lords from taking of Priſes, lodging, or ſojourning againſt the Will of the Owner.

If great lords take prizes from the people without ready payment and agreement, or harbour or ſojourn at their houſes againſt their wills, it ſhall be deemed robbery.

FORASMUCH as merchants and the common people of this land are much impoveriſhed and oppreſſed by the priſes of great lords of this land, which take what they will throughout the countrey without paying any thing, or agreeing with the owners for the ſame; and alſo foraſmuch as they will ſojourn and lodge at their pleaſure with the good people of the countrey againſt their wills, to deſtroy and impoveriſh them: It is agreed and aſſented, That no ſuch priſes be henceforth made without ready payment and agreement, and that none ſhall harbour nor ſojourn at the houſe of any other by ſuch malice againſt the conſent of him, which is owner of the houſe, to deſtroy his goods; and if any ſhall do the ſame, ſuch priſes and ſuch manner of deſtructions ſhall be holden for open robbery, and the King ſhall have the ſuit thereof, if others will not nor dare not ſue. *Ir. Stat.* 18 *H.* 6. 3.

A. D. 1310.

CHAP. II.

An Act againſt the keeping of idle Men and Kearns in Time of Peace.

10 & 11 *C.* 1. 16. *Ir.* Kearns and idle perſons not to be kept in time of peace, at the charge of the tenants or farmers. And if they take any thing againſt any perſon's will, ſhall be proceeded againſt as robbers.

IT is agreed alſo, that none ſhall keep idle people nor kearn in time of peace to live upon the poor of the countrey, but that thoſe, which will have them, ſhall keep them at their own charges, ſo that their free tenants, nor farmers, nor other tenants be not charged with them. And if any idle man or kearn take any thing of any perſon againſt his will in the form aforeſaid, the wardens of the peace, and the ſheriff of the county, where ſuch act ſhall be done, ſhall do with him as with an open robber, as often as they ſhall have notice thereof, by indictment, or by the ſuit of the King or the party. *Ir. Stat.* 11 *Car.* 1. 16. *againſt coſherors*, &c.

CHAP. III.

An Act againſt giving of Protections.

None ſhall give protections but the King. Both receiver and giver ſhall be at the King's will, except lords within their franchiſes.

IT is agreed alſo and aſſented, That no great lord nor any other by dureſs, maneſſes, nor otherwiſe, to have great ranſom by ſuch way of extortion, ſhall not give protections; and that they, that give or receive ſuch manner of protections, other than the King, as well the receiver as the giver ſhall be at the King's will. Except only the lords, which by reaſon of their royal franchiſes may give protections within their franchiſes. *Ir. Stat.* 18 *H.* 6. 2. *againſt comrick.*

CHAP. IV.

An Act againſt fraudulent Conveyances.

10 *C.* 1. 3. *Ir.* Feoffments with intent to rebel, or commit felony, void. 28 *Eliz.* 5. *Ir.*

IT is agreed and aſſented, That if any man enfeoffe another of his land with intent to enter into rebellion, or to commit any other felony, and after the felony committed to have again his ſaid land; that ſuch manner of feoffements ſhall be held for none, but that preſently after the felony committed the King ſhall have the year and the waſte of the ſame tenements; and after the chief lord ſhall have the ſame as his eſcheat, ſo that the truth of the matter and the manner of the feoffement be firſt enquired by writ out of the Chancery.

CHAP. V.

An Act that Juſtices of Aſſize ſhall deliver Eſtreates into the Exchequer.

Certain juſtices of aſſize and gaol-delivery ſhall be aſſigned, who ſhall make eſtreats of

IT is ordained and provided, That there ſhall be certain juſtices aſſigned to take the aſſiſes of *mortdaunceſtor*, and of *novel diſſeiſin*, in all the counties of Ireland, and to deliver the gaols in the ſame counties, and that they ſhall make eſtreates of the fines and amerciaments, chattels of felons, and other manner of profits which appertain

pertain to the King, throughout their offices, and ſuch eſtreates ſhall deliver into the Exchequer twice every year, that is to ſay, at Eaſter term and Michaelmas term. *Eng. Stat.* 42 *E.* 3. 9. 7 *H.* 4. 3.

A. D. 1310. fines, &c. and deliver them into the Exchequer.

Statutes and Ordinances enacted in a Parliament holden at *Dublin* the *Friday* next after the Feaſt of *All Saints* before the right noble and right gracious Lord, Sir *John Sutton*, Knight, Lieutenant of our Sovereign Lord King Henry the Sixth in *Ireland*, in the ſeventh Year of his Reign, *Anno Dom.* 1429.

An Act for the Additions of Jurors.

IT is agreed and aſſented, That in inqueſts to be taken between the King and the party, and lords of franchiſes and the party, or between party and party, in the courts of the King, or of any lord of franchiſe, that additions of their eſtate, or of their myſtery, or of their places, be put in the pannels of the ſaid inqueſts: And if the ſheriffs or other miniſters, which have return of writs or warrants, do the contrary, they ſhall be amerced, and their amerciaments ſhall be aſſeſſed and afferred by the deſcretion of the judges, before whom the ſaid writs and warrants are returned. *Eng. Stat.* 27 *Eliz.* 7.

A. D. 1429. Additions to jurors to be put in the pannels on all inqueſts. Penalty on ſheriffs, &c. omitting the ſame.

Statutes and Ordinances made and eſtabliſhed in a Parliament holden at *Dublin* the *Friday* in the Feaſt of St. *Dunſtone* in the eighteenth Year of the Reign of King Henry the Sixth before the moſt reverend Father in God, *Richard*, Archbiſhop of *Dublin*, Lord Juſtice of *Ireland*, *Anno Dom.* 1440.

CHAP. I.

An Act againſt the Extortion of Purveyors and Harbengers. Rotul. Parliament. cap. 5.

FOR that the ſaid land of Ireland is greatly weakened and impoveriſhed by miſgovernance, extortions, and oppreſſions by the purveyors and harbengers and aveners: That from henceforth no purveyor, harbenger, nor avener be within the ſaid land, but that the juſtice of the ſaid land of Ireland that now is, and the lieutenants, juſtices, or governors that for the time ſhall be, ſhall pay or agree with them, from whom any goods ſhall be taken by their achators. And if the ſaid lieutenants, juſtices, or governors by their achators

A. D. 1440. No purveyors, &c. ſhall be allowed in Ireland, but the governors ſhall pay or agree for goods taken by their achators.

A. D. 1440.

achators do not in the order aforeſaid, it ſhall be lawful to him, whoſe the goods are, to make reſiſtance to ſuch achators or officers without offence or impeachment of our ſoveraign lord the King.

Otherwiſe reſiſtance lawful.

II. It is agreed and eſtabliſhed, that all the eſtatutes in this behalf made within the realm of England be holden and kept in all points, and put in the execution in this land. *Eng. Stat.* 28 *Edw.* 1. 2. 4 *Edw.* 3. 4. 5 *Edw.* 3. 2. 10 *Edw.* 3. *Stat.* 2. *cap.* 1. 2 *H.* 4. 14. 20 *H.* 6. 8.

All Engliſh Statutes in this behalf to be in force here.

CHAP. II.

An Act that ſuch as put themſelves into Comrick, or that do take any to Comrick, ſhall be Traytors, and the Comrick Treaſon. Rot. Parl. cap. 9.

Comrick and ſafeguard of thieves, &c.

FOR that divers of the Engliſh do maintain and ſuccour ſundry thieves, robbers, and rebels, becauſe that the ſame thieves, robbers, and rebels do put them into their ſafeguard and comrick, ſo that the King's faithful ſubjects dare not purſue their right againſt ſuch thieves, robbers, and rebels, for fear of them which have taken them into their ſafeguard and comrick: it is ordained and eſtabliſhed, that from henceforward ſuch as do put themſelves, and ſuch as do grant ſuch ſafeguard and comrick, be adjudged traitors, and ſuch ſafeguard and comrick ſhall from henceforward be adjudged treaſon, unleſs it be granted by him or by them that ſhall have authority by virtue of their office, or by ſpecial authority from the King, upon pain of life and member. *Ir. Stat.* 3 *Edw.* 2.

Treaſon in thoſe who grant or put themſelves under it.

CHAP. III.

An Act that no Lord nor other ſhall charge the King's Subjects with Horſes, Horſemen or Footmen, without their good Wills; the Offender a Traitor. Rot. Parl. cap. 10.

Charging the King's ſubjects, without their conſent, with horſe or foot, treaſon.

IT is agreed and eſtabliſhed, that no lord, nor any other, of what condition ſoever he be, ſhall bring or lead from henceforth hoblors, kearns, or hooded men, neither Engliſh rebels, nor Iriſh enemies, nor any other people, nor horſes, to ly on horſeback or on foot upon the King's ſubjects, without their good wills and conſents, but upon their own coſts, and without hurt doing to the commons of the county. And if any ſo do, he ſhall be adjudged as traitor. *Ir. Stat.* 3 *Edw.* 2. 1.

CHAP. IV.

An Act that no Protection (quia profecturus) *ſhall be granted, before that the Party make Oath the Cauſe containeth Truth*, &c. Rot. Parl. cap. 11.

FOR that, that divers protections with the clauſe (*volumus*) *quia profecturus eſt ad partes* Angliæ, or elſewhere, be granted to divers perſons, where they are not retained with the King, to go

into England nor elſewhere, but to delay the king's liege-people from their actions, and do abide at their houſes: It is agreed and aſſented, That from henceforward no ſuch protection ſhall be ſealed under the great ſeal of Ireland, before that the party make oath in the Chancery, that the cauſe within the protection compriſed containeth truth: And farther, That if any ſuch protection be put forth againſt any perſon, before whatſoever judge it be, that the plaintiff may have ſuch averment to ſay, that the defendant after the date of the ſaid protection by the ſpace of ſix weeks had time to go in the King's ſervice, and was not letted by wind nor other reaſonable matter; and if that be found, that then ſuch protection be holden for none. And if any ſuch protection be allowed within the ſix weeks, and the party, for whom the protection is allowed, goeth not, and hath wind and ſhip reaſonable, and is in no manner reaſonably letted, that the party after the ſix weeks, againſt whom ſuch protection is allowed, ſhall have forthwith after the ſix weeks paſſed a writ or bill of deceipt againſt him, for whom the protection is allowed, in any of the King's courts, and a bill or plaint of deceipt in any court of franchiſe; and that the party ſhall recover in ſuch writ, bill, or plaint, double damages for the delay; and that no protection ſhall be allowed in ſuch writ, bill, or plaint.

A. D. 1440.

If he go not in ſix weeks time, unleſs a reaſonable cauſe, the protection held for none.

Bill of deceit lies for the party delayed thereby, and double damages.

Statutes and Ordinances made and eſtabliſhed in a Parliament holden at *Trymme* the *Friday* next after the Feaſt of *Epiphany* in the five and twentieth Year of the Reign of King Henry the Sixth before *John* Earl of *Shrewſbury*, the King's Lieutenant of *Ireland*, *Anno Dom.* 1447.

CHAP. I.

An Act that the King's Officers may travel by Sea from one Place to another within the Land of Ireland. Rot. Parl. cap. 7.

WHERE it was in doubt, and in diverſity of opinions, that if any miniſters or officers of the King did paſs by the coaſts of the ſea from the parts of Dyvelin, Drogheda, Molagh-hide, or Dalkey, or elſewhere in thoſe parts, to Weyford, Waterford, Cork, and to other places by the whole ſea-coaſt within the ſaid land of Ireland, that their offices were void, as if they had paſſed into England, or into other lands, out of the ſaid land of Ireland: Wherefore it is ordained and agreed by authority of this preſent Parliament, That every the King's officer and miniſter may at their pleaſure paſs out of every county and place within the ſaid land of

A. D. 1447.

The King's officers may go by ſea from one part of Ireland to another without forfeiture of their offices, which if taken ſhall be reſtored at

A. D. 1447. Ireland by ſea in ſhips or boats to whatſoever parts or places within the ſaid land of Ireland, and there abide about their buſineſs, and from thence to return by ſea to other counties and places within the ſaid land of Ireland, ſo oft as ſhall pleaſe them, without loſs, diſturbance, or ſeiſing of their offices in any manner, and without that that their offices ſhall be void for the ſaid cauſes. And if it fortune, that any of the ſaid officers or miniſters be taken by ſea, that at their return they may have, occupy, and enjoy their offices without any ſuit to be made therefore. *Ir. Stat.* 7 *E.* 4. 1.

their return, without ſuit.

CHAP. II.

An Act that the King's Subjects or Officers in Ireland may be abſent by the Commandment of the King, or of the Governor, or of the Council, without ſeizure of their Lands, Rents, Benefices, or Offices, &c. Rot. Parl. cap. 16.

ALSO it is ordained and agreed, that if any of the King's liege-man or officer of his land of Ireland be out of the ſaid land of Ireland by the commandment of the King or his heirs, lieutenants, their deputies, juſtices, or the King's council in Ireland, that all their lands, tenements, rents, benefices, or offices, or other poſſeſſions whatſoever, by their ſaid abſency ſhall not be ſeiſed nor taken into the King's hands, or his heirs, nor their offices void. And if it ſo fortune, that any of the ſaid officers be taken by pyrates, or any other ill doers or enemies, that they at their return may occupy their ſaid offices, notwithſtanding any grant or gift of the ſaid offices made to any other perſon in their abſence. And if any ſeiſin or gift be made to the contrary, the ſame ſhall be void and holden for none.

25 *H.* 6 9. *Ir.* Abſentees by command do not forfeit, and if taken, ſhall at their return occupy their offices, notwithſtanding any grant thereof in their abſence.

CHAP. III.

An Act that none ſhall take Cuſtom but within Cities, Burroughs, or merchant Towns, where there is Authority to take Cuſtoms. Rot. Parl. cap. 17.

ALSO at the requeſt of the commons, for that, that many people of this land of Ireland do take and levy ſundry cuſtoms of merchants, paſſing and going with their merchandiſe through the King's high-way, againſt right and reaſon: It is ordained and agreed by the authority of this preſent Parliament, That no man be ſo hardy henceforward to take or levy, or cauſe to be taken or levied, any ſuch cuſtom of merchants or of other people in the King's high-way or elſewhere, but within cities, boroughs, or other merchant towns, where the ſaid merchandiſes be bought or ſold, or brought to be ſold there, as they have power and ſufficient authority to take and levy ſuch cuſtoms. And if any do the contrary, and thereof be attainted, he ſhall be conſtrained and compelled by authority

No cuſtom to be levied but within cities, boroughs, or merchant towns, under penalty of twenty ſhillings for every penny.

rity of this ſame parliament, to pay for every peny ſo taken or levied twenty ſhillings, whereof the King ſhall have the two parts, and he, from whom the ſaid cuſtom ſhall be ſo taken, ſhall have the third part. A. D. 1447.

CHAP. IV.

An Act that he, that will be taken for an Engliſhman, ſhall not uſe a Beard upon his upper Lip alone, the Offender ſhall be taken as an Iriſh Enemy. Rot. Parl. cap. 20.

FOR that, that now there is no diverſity in array betwixt the Engliſh marchours and the Iriſh enemies, and ſo by colour of the Engliſh marchours the Iriſh enemies do come from day to day to other into the Engliſh counties as Engliſh marchours, and do rob and pill by the highways, and deſtroy the common people by lodging upon them in the nights, and alſo do kill the huſbands in the nights, and do take their goods to the Iriſh men: wherefore it is ordained and agreed, that no maner man, that will be taken for an Engliſhman, ſhall have no beard above his mouth, that is to ſay, that he have no hairs upon his upper lip, ſo that the ſaid lip be once at leaſt ſhaven every forthnight, or of equal growth with the neather lip. And if any man be found amongſt the Engliſh contrary hereunto, that then it ſhall be lawful to every man to take them and their goods as Iriſh enemies, and to ranſom them as Iriſh enemies. *Rep.* 11 *Car.* 1. *cap.* 6.

The Engliſh not to wear their beards after the Iriſh manner. Rep. 10 & 11 C. 1. 6.

CHAP. V.

An Act that if any Iriſh Enemy received to the King's Allegiance ſhall be found after to rob, ſpoil and deſtroy, the leige-people, it ſhall be lawful to every liege-man to do with him and his Goods, as to a Man that never was become liege. Rot. Parl. cap. 21.

ALSO for that, that diverſe Iriſh enemies be many times received by lieutenants and juſtices of this land to become liege-men, and thereto are ſworn to be loyal lieges during their lives, and after many times they do not perimpliſh the ſame, but do rob, burn and deſtroy the King's liege-people, and the ſame liege-people for fear to be impeached dare not kill nor impriſon the ſaid enemies, nor take their goods nor chattels, whereby the ſaid liege-people do take great hurt and hinderance: it is ordained and eſtabliſhed, that if any ſuch Iriſh enemies ſo received to the legeance of our ſovereign lord be found with any ſuch offence aforeſaid, that it ſhall be lawful to every liege-man, that may meet with them after the ſaid offence ſo made, to do with the ſaid Iriſhmen ſo received to the legeance aforeſaid, and to their goods and chattles, as to a man that never was become liege without any impeachment of the law, notwithſtanding any ſtatute, and to ranſom them at their free-will without any impeachment. *Rep.* 11 *Car.* 1. *cap.* 6.

If the Iriſh received to the King's allegiance afterwards rob or ſpoil, it ſhall be lawful to do with him and his goods as with an enemy. Rep. 10 & 11 C. 1. 6.

CHAP. VI.

An Act againſt clipped Money, Money called O Reyle's Money, and other unlawful Money, and againſt gilt Bridles, Peytrels, and other gilt Harneſs. Rot. Parl. cap. 22.

FOR that, that the clipping of the King our ſovereign lord's coyn hath cauſed divers men in this land of Ireland to counterfeit the ſame coin, to the great hurt and deſtruction of the ſaid land, and the making of gilt bridles and peytrells hath alſo waſted and conſumed the gold of the ſaid land for the more part, and is like to do more hereafter, if it be not ſpeedily remedied: Wherefore it is ordained and agreed by authority of this preſent parliament, that no money ſo clipped be received in any place of the ſaid land from the firſt day of May next to come, nor the money

Clipped or other unlawful money not to be received, nor gilt bridles or harneſs uſed, except by knights and prelates. 3 *E.* 4. 3. *Ir.* Rep. 10 & 11 C. 1. 6.

A. D. 1447.

called O Reyleys money, or any other unlawful money, ſo that one coyner be ready at the ſaid day to make the coyn. And alſo that no man be ſo hardy henceforward to uſe any gilt bridles, peytrells, nor any other gilt Harneys in no place of the ſaid land; excepted knights and prelates of holy churches. And if any man be found with any ſuch bridle, peytrell, or other harneys gilted from the ſame day, that it be lawful to every man, that will, to take the ſaid man, his horſe and harneys, and to poſſeſs the ſame as his own goods. *Rep.* 11. *Car.* 1.

CHAP. VII.

An Act that the Sons of Labourers and Travailers of the Ground, as Ploughmen and ſuch other, ſhall uſe the ſame Labours and Travails that their Fathers and Parents have done. Rot. Parl. cap. 25.

The ſons of huſbandmen and labourers ſhall continue ſo, as formerly, under penalty of fine and impriſonment.

ALSO for that, that the commons are much grieved with this, that the ſons of huſbandmen and labourers, which in old time were wont to be labourers and travaylers upon the ground as to hold ploughs, to ere the ground, and travayl with all other inſtruments belonging to huſbandry to manure the ground, and do all other works lawful and honeſt, according to their ſtate: and now they will be kearnes, evil-doers, waſters, idle men, and deſtructioners of the King our ſovereign lord's liege-people, to the great decay of the ſaid commons, and impoveriſhment of their ſtate: Wherefore it is ordained and agreed by authority of this preſent Parliament, to withſtand ſuch ill governance of the ſaid perſons, and to put them in better rule, and for the common profit of all the liege-people of the ſaid land of Ireland, That the ſaid perſons from henceforward to comfort the ſaid liege-people in their huſbandry, and in all other works lawful and profitable, ſhall be labourers and travailers upon the ground, as they were in old time, and in all other works and labours lawful and honeſt, according to their ſtate. And if it fortune, that any ſuch ſon of huſbandman or of labourer in time to come do the contrary of this, that is ordained and eſtabliſhed by this preſent Parliament, and thereof be lawfully convicted before any judge of the King, or judge of franchiſe, that he ſhall have the impriſonment of one year, and over that, he ſhall make fine to the King, or to the lord of the franchiſe, according to the diſcretion of the judge, before whom he is convicted.

CHAP. VIII.

An Act that no Lord of Parliament ſhall be amerced in Plees real or perſonal, otherwiſe than another Perſon. Rot. Parl. cap. 29.

Amercements on lords of parliament in all pleas to be the ſame as on other perſons.

FOR that, that a law is eſtabliſhed, That every lord, that is called lord of Parliament, in all plees, as well perſonal as real, in the which amerciaments do lye, that he, that is called lord, ſhall be amercied in one hundred ſhillings, to the great impoveriſhment of the ſaid lords, foraſmuch as their livings are diminiſhed

and waſted by war: It is ordained and eſtabliſhed by authority of this preſent parliament, That no lord of Parliament ſhall be amercied from henceforward in the ſaid plees, otherwiſe than another perſon, notwithſtanding any law thereof made before to the contrary. A. D. 1447. *Eng. Stat.* 9 *H.* 3. 14. 3 *E.* 1. 6.

CHAP. IX.

An Act concerning Abſentees. Rot. Parl. cap. 16.

IT is ordained and accorded, That if any liege-man or officer of our lord the King of his land of Ireland be out of his ſaid land of Ireland by the commandment of our ſaid lord the King, or his heirs, or of the lieutenants, their deputies, juſtices, or the council of the King in Ireland, That their lands, tenements, rents, benefices, or offices, or other poſſeſſions whatſoever by their ſaid abſence ſhall not be ſeized nor taken into the hands of our lord the King, or his heirs, nor their offices ſhall not be void. And if it ſo happen, that any of the ſaid officers be taken by pyrates, or any other malefactors, that they at their return may occupy their ſaid offices, notwithſtanding any grant or gift made to any other perſon in their abſence. And if any ſeizure or gift be made to the contrary, the ſame ſhall be void and of none effect.

Abſentees by command forfeit nothing. *Ir.* 25 *H.* 6. 2.

CHAP. X.

An Act reſtraining the tranſportation of Bullion. Rot. Parl. cap. 12.

WHEREAS this land of Ireland is greatly impoveriſhed from day to day by the great deduction and carriage out of the ſaid land into England of the ſilver plate, broken ſilver, bullion, and wedges of ſilver, made of the great tonſure of the money of our ſovereign lord the King by his Iriſh enemies and Engliſh rebels, within his ſaid land; whereby his ſaid coin is diminiſhed and greatly impaired; and Iriſh money, called Reyles, do encreaſe from day to day, unto the great hurt and impoveriſhment of his ſaid people of this his ſaid land, and diminution of his coin: The premiſes therefore conſidered, it is ordained, eſtabliſhed, and provided by authority of the ſaid Parliament, That of every ounce of broken ſilver, bullion, and wedges of ſilver, taken by any perſon or perſons out of the ſaid land, the ſaid perſon or perſons ſhall pay, ſatisfie, and content to the King twelve pence for cuſtom of every ounce, to be received by the hands of his cuſtomers for the time being, except lords and meſſengers going into England about the buſineſs of the land, that they may take plate with them according to their beings and eſtates.

Bullion not to be tranſported without paying twelve pence per ounce cuſtom, unleſs by lords or meſſengers to England, according to their being and eſtates. *Ir.* 35 *H.* 6. 1.

A. D. 1450. Statutes and Ordinances made and eſtabliſhed in a certain Great Council holden at *Dublin* the *Friday* next before the Feaſt of Saint *Luke* the Evangeliſt, in the twenty eighth Year of the Reign of King HENRY the Sixth, before *Richard* Duke of *York* the Kings lieutenant of *Ireland*, *Anno Dom.* 1450.

CHAP. I.

An Act that no Marchour, nor other Man, ſhall keep more Horſemen or Footmen, than they ſhall anſwer for, and maintain upon their own Charges and their Tenants; and for preſenting the Names of their Men; and that none ſhall take Coynee, Cuddies, or Night-ſuppers, nor ſhall take no Pledges of them; the Offenders ſhall be Felons, &c. Rot. Parl. cap. 4.

Rep. 10. & 11. *C.* 1. 6. None ſhall keep more horſemen or footmen than they ſhall anſwer for and maintain on their own charges and their tenants.

AT the requeſt of the commons, that where the marchours of the county of Dyvelyn, and other marchours of ſundry countries, and other men within the land of Ireland, do keep horſemen and footmen, as well Iriſh as Engliſh, more than they can maintain upon their own coſts, or upon their own tenants, and from day to other do coynee them upon the poor huſbands and tenants of the ſaid land of Ireland, and oppreſs and deſtroy them; and namely, in time of harveſt upon their cornes and meadows with their horſes both day and night, and do pay nothing therefore, but many times do rob, ſpoyl, and kill the ſaid tenants and huſbands as well by night as by day; and the captains of the ſame marchours, their wives and their pages, certain times of the year do gather and bring with them the Kings Iriſh enemies, both men and women, and Engliſh rebels, with their horſemen and footmen, as well in time of war as of peace, to night ſuppers called cuddies, upon the ſaid tenants and huſbands; and they, that are the chief captains of the ſaid marchours, do lead and lodge them upon one huſband one hundred men, horſemen and footmen, ſome night, and upon one other tenant or huſband ſo many one other night, and ſo every captain and their wives, pages, and their ſons, as well as themſelves, and every of them, do lead and bring with them ſo many of the ſaid Iriſh enemies and Engliſh rebels, with their horſemen and footmen, upon the ſaid huſbands and tenants, and ſo they eſpy the ſecrecie of the ſaid land: and after that every of the ſaid marchours and their wives, pages and ſons, have overgone the ſaid huſbands and tenants of the ſaid marches in the form aforeſaid; then they go to the captains aforeſaid, and there the thieves of the ſaid marcheours do knit and conſeder together. And that that the ſaid marcheours thieves do ſteal in the Engliſh countrey they do put out to them in the march, and in time of war the men of the ſaid marcheours, as well horſemen as footmen, do guide the ſaid Iriſh enemies and their thieves into the Engliſh countrey; and what tenant or huſband will not be at their truce, they do burn, they do rob, ſpoil, and kill, and for the more part the ſaid land is waſted and deſtroyed. And if ſuch rule be holden not puniſhed, it is like to be the utter deſtruction and undoing of the ſaid land. Wherefore the premiſſes conſidered, it is ordained and agreed by the authority of the ſaid council, that no marcheour nor other man of the ſaid counties ſhall keep more men, horſemen, or footmen, but that they ſhall anſwer for them, and ſhall maintain them upon their own coſts, or their own tenants. And what men they do keep, horſemen or footmen, the marcheours of the county of Dyvelyn ſhall preſent their names to the ſheriff, or to the juſtices of peace of the ſaid county, and they to preſent them to the mayor and bailiffs of the city of Dyvelyn, and in like caſe, all marcheours and other men of every county within Ireland, to the ſheriffs or juſtices of peace of the counties, and they to preſent them to the mayor and bailiffs of the ſaid cities within the ſaid counties, ſoveraigns or provoſts of the beſt borough-towns within the ſaid counties.

The names of their men ſhall be preſented.

None ſhall take coynees, cuddies, ſuppers or pledges for them.

Ir. 10 *H.* 7. 6. & 19.

And

A. D. 1450.

And that the ſaid marcheours, nor no other man, ſhall any more uſe any ſuch coynees, ſuppers, cuddies, nor ſhall take no pledges for them, nor none of their thieves or men ſhall guide none of the King's Iriſh enemies in the form aforeſaid. And what marcheours or other men do contrary to the ordinances aforeſaid, that they ſhall be judged as felons. And that the mayors, baylyffs, ſoveraigns, and provoſts of the counties aforeſaid for the time being, or any other of the Kings liege-men, ſhall have the Kings letters patents under his great ſeal out of his chancery of Ireland, made to them in due form, without fine or fee paying for the ſaid letters patent, or great ſeal, that where they may find any ſuch theeves, burning, robing, ſtealing, killing, coyning, or taking pledges, as it is aforeſaid, to take them, and their goods to be forfeited as goods of felons, and the half of the ſaid goods to go to the King, and the other half to them that do take them. And that no eſcape ſhall be levyed of the commons of the ſaid counties if any of the ſaid felons be killed for the cauſes aforeſaid, nor they nor any of them ſhall be vexed nor grieved by our ſoveraign lord the King, nor his juſtices, officers, nor miniſters, notwithſtanding any ſtatutes or ordinances thereof made to the contrary before this time. *Rep.* 11. *Car.* 1. 6.

Ir. 10 *H.* 7. 18.

The offenders, felons.

CHAP. II.

An Act that upon Accuſations made, the Accuſer ſhall find ſufficient Surety for the Damages of the Party accuſed, if it ſhall be adjudged againſt the Accuſer, and for remittal of the Accuſation to the ordinary Judge, as the Nature of the Cauſe ſhall require. Rot. Parl. cap. 6.

FOR that, that before this time divers of our ſovereign lord the Kings liege-people, by falſe ſuggeſtions and accuſations made to the governour of this land for the time being, and to other officers, as well within franchiſe as without, and they be many times arreſted to the intent, that they muſt make fines after the deſire of the ſaid governour, or the ſaid officers for the time being, to the great hurt of the ſaid liege-people: wherefore it is ordained by authority of the ſaid council, That if any ſuch accuſations be made, that he, that maketh the accuſation, ſhall find ſufficient ſurety for the damages of him, that is accuſed, if it ſhall be adjudged, that the ſuggeſtion or the accuſation be not true, and alſo that he, that is ſo arreſted, may go by ſurety or by bail as law will, till the matter ſhall be determined. And if it be a matter touching treaſon, felony, or treſpaſs, to be remitted to our ſovereign lord the Kings bench: And if it be a matter of conſcience, to be remitted to the chancery: And if it be a matter within franchiſe, to be remitted to the ſeneſchal of the liberty: And if it be for debt, to the Kings common-place. And that the party that is grieved may have ſuit by writ or bill of falſe impriſonment againſt him, that maketh ſuggeſtion or accuſation, if the ſuggeſtion or accuſation be not true. Saving the Kings prerogative.

Accuſers ſhall find ſureties to anſwer damages to the accuſed, who ſhall be admitted to bail, as the law will, and the cauſe ſent to the proper court. *Ir.* 32 *H.* 6. 3.

The accuſer may be ſued for falſe impriſonment, if the ſuggeſtion not true.

CHAP. III.

A. D. 1450.

An Act that it ſhall be lawful to every Liege-man to kill or take notorious Thieves, and Thieves found robbing, ſpoiling or breaking Houſes, or taken with the Manner. Rot. Parl. cap. 8.

Notorious thieves, or thieves found robbing, &c. by night or day, or found with the manner, may be killed by any liege man, who ſhall receive a reward, to be levied by the ſheriff on every plough or cottage, or paid by him if he neglect the ſame. *Ir.* 5 *E.* 4. 2.

WHEREAS the thieves and evil-doers increaſe in great ſtore, and from day to other do increaſe in malice more than they have done heretofore, and do deſtroy the commons with their thefts, ſtealings, and man-ſlaughters, and alſo do cauſe the land to fall into decay and poverty, and waſte every day more and more, and ſo it is like to be confounded, if there ſhould not be remedy: It is ordained by authority of the ſaid council, That it ſhall be lawful to every liege-man of our ſovereign lord the King, all manner notorious and known thieves, and thieves found robbing, and ſpoiling, or breaking houſes by night or by day, and thieves found with the manner, to kill them, and to take them without impeachment, arraignment, or grievance to him to be done by our ſoveraign lord the King, his juſtices, officers, or any of his miniſters for any ſuch man-ſlaughter or taking. And that every man, that kills or takes any ſuch thieves, ſhall have one peny of every plough, and one farthing of every cottage within the barony, where the man-ſlaughter is done, for every thief. And that the town where the ſaid man-ſlaughter is done, and other four towns next to the ſaid town, which were before charged with the eſcapes for ſuch man-ſlaughter, ſhall be quit and diſcharged of the ſaid eſcapes, and every of them, without any impeachment in any court, or payment to any officer. And that the ſheriff of the county ſhall have ſufficient power to make levy of the money aforeſaid in the ſaid form within one month after the ſaid man-ſlaughter, and ſhall deliver it to him, that made the ſaid homicide. And if the ſheriff be negligent in levying the ſaid money in the form aforeſaid, that he ſhall pay the ſum of money to the party, that hath cauſe to have it.

CHAP. IV.

An Act that the Chancellor, Juſtices, or Barons, or their Miniſters, ſhall make forth no Writs of Privilege, but only for the Miniſters or Servants continually attendant upon them. Rot. Parl. cap. 9.

Ir. 38 *H.* 6 1. Writs of privilege ſhall not be made out by the chancellor, &c. ſave only for the miniſters ſervants or yeomen continually abiding with them.

ALSO where divers in divers courts are impleaded, as well within liberties as elſewhere, many times the chancellor of our ſovereign lord the King, or his deputy or keeper of the Kings great ſeal of his land of Ireland, the Kings juſtices of his chief-place, the juſtices of his common-place, and the barons of the Kings exchequer of his ſaid land, and their miniſters, do make writs of priviledge out of their places, directed to officers of liberties, or elſewhere, where the ſaid people are impleaded, and do command them

to

to furceaſe from their ſaid pleas, where the ſaid people are not miniſter, yeoman, nor ſervant continually dwelling with the ſaid chancellor, juſtices, nor barons, nor with any of them, to the great damage of the lords of the ſaid courts, and the parties plaintiffs, which purſue in them: It is ordained by authority of the ſaid council, That from henceforth the ſaid chancellor, juſtices, and barons, and their miniſters that now are, or for the time ſhall be, ſhall not put forth from their ſaid places any ſuch writs of priviledge in the form aforeſaid, but only for the miniſters, ſervants, or yeomen continually abiding with them. And that he, that purſueth ſuch writ of priviledge, ſhall pay to the King one hundred ſhillings, and to the party grieved one hundred ſhillings, by bill, or by writ grounded upon the ordinances aforeſaid, ſo that he be not miniſter, ſervant, or yeoman continually abiding, as afore is ſaid. And further, that the ſaid chancellor and juſtices that now are, or for the time ſhall be, ſhall ſuffer no man to purſue writs or bill out of their ſaid places, calling them their miniſters, ſervants, or yeomen, or any of them, if he be not miniſter, ſervant or yeoman, continually abiding with the ſaid chancellor or juſtices, or any of them. And if it be otherwiſe done, the King ſhall have one hundred ſhillings, and the party grieved one other hundred ſhillings, againſt him that ſueth ſuch bill, or writ by bill, or writ grounded upon the ordinances aforeſaid.

A. D. 1450.

Penalty on others purſuing ſuch writs.

Statutes and Ordinances made and eſtabliſhed in a Parliament holden at *Drogheda*, the *Friday* next before the Feaſt of St. *Mark* the Evangeliſt, in the twenty eighth Year of the Reign of King Henry the Sixth, before *Richard* Duke of *York*, the King's Lieutenant of *Ireland*.

CHAP. I.

An Act that no Remembrancer, nor his Deputy, ſhall cauſe any proceſs to be made againſt any that hath Diſcharge of Record in the Exchequer. Rot. Parl. cap. 7.

A. D. 1450.

FOR that, that before this time the remembrancers of the King's exchequer in Ireland have uſed to write writs to impeach people in the ſaid exchequer, where they have ſufficient diſcharge of record in the remembrancy, or in other place in the ſaid exchequer, and ſo put them to make a ſearch in the ſaid exchequer, to the great damage of the King's liege-people: It is ordained and agreed by authority of the ſaid Parliament, That no remembrancer, nor his deputy, ſhall cauſe to be written any writ againſt any man, that hath ſufficient diſcharge of record

Remembrancer or his deputy iſſuing any writ againſt one who has ſufficient diſcharge of record in the exchequer, a forfeiture of his office and treble damages.

A. D. 1450. in the remembrancy, or in other place in the said exchequer, of that whereof he shall be impeached. And if the remembrancer or his deputy do the contrary thereof, that they shall lose their office. And that the party so impeached shall have his damage against them to treble. *Eng. Stat.* 1 *R.* 2. 5. 37 *E.* 3. 4.

CHAP. II.

An Act that no Commission shall be made out of the Chancery to enquire, hear and determine; or to enquire, hear and certifie in the Counties of Dublin, Kildare, Meith, *and* Uriell, *of Treasons, Felonies, or Goods of Felons, and Men outlawed, and other Offences, but that the Chancellor or Treasurer, or Justices of the one Bench or other, or Barons of the Exchequer, the King's Serjeant or Attorney, or one of them, shall be in the Commission and of the* Quorum, *and present at Time of such Inquisition taken.* Rot. Parl. cap. 8.

Who must be included in the commission and of the *quorum* to inquire of treasons, &c. in certain counties named in this act.

IT is ordained and agreed, That no commission shall be made henceforth out of our sovereign lord the King's chancery of Ireland to any to enquire, hear, and determine, or to enquire, hear and certifie, in the counties of Dublin, Kildare, Meith, and Uriell, of treasons, felonies, or goods of felons, and men outlawed, trespasses, contempts, and all other excesses and offences, but that the chancellor, or treasurer, or justices of the one bench, or of the other, or barons of the exchequer, the King's serjeant or attorney, or one of them, shall be with such commissioners put into the commission and in the *quorum*, and present at time of such inquisitions taken. Saving the commissions made or to be made to justices or keepers of the peace after the old custom. And if any such commission be made to the contrary, that it shall be void and holden for none, and all the things contained within the inquisitions so taken by authority of the said Parliament.

Saving the commissions to justices of peace.

CHAP. III.

An Act that none shall sell Wine, Ale, nor any other Liquor within any City or Town franchised, but with the King's Measure sealed, that is to say, the Gallon, the Pottle, the Quart, the Pint, or the Half-pint. Rot. Parl. cap. 11.

Liquors shall be sold by the King's measures sealed.

FOR that, that where our sovereign lord the King, and his noble progenitors, have ordained and established certain measures sealed for wine, ale, and other liquors, within this his land of Ireland, that is to say, the gallon, the pottle, the quart, the pint, and the half-pint, and now divers people do sell wine and other liquors by new measures not sealed nor agreeing to the measures

meaſures of the King, to the great hurt, diſceipt, and damage of the common people: Wherefore the premiſes conſidered, it is ordained by authority of the ſaid Parliament, That from henceforward no man ſhall ſell wine, ale, nor any other liquor, within any city or town franchiſed, unleſs it be with the King's meaſures ſealed, that is to ſay, the gallon, the pottle, the quart, the pint, or the half-pint; and whoſoever doth the contrary, that he ſhall forfeit the meaſures, and ſhall make fine of forty ſhillings: Saving the grace of the officers of the ſaid franchiſe; the half to the King, and the other half to the city, borough, or town where the offence is made, that they do ſell with ſuch meaſures not ſealed, and that all ſuch new meaſures be dampned.

A. D. 1450.

Eng. 9 *H.* 3. 25. 14 *E.* 3. 12. 8 *H.* 6. 5. *Ir* 10 & 11 *C.* 1. 5.

Statutes and Ordinances made and eſtabliſhed in a Parliament holden before *Edward Fitz Ewſtace*, Knight, Deputy to *Richard* Duke of *York*, the King's Lieutenant of his Land in *Ireland*, in the two and thirtieth Year of the Reign of King Henry the Sixth. *Anno Dom.* 1454.

CHAP. I.

An Act that all Statutes made againſt Proviſours, as well in England, *as in* Ireland, *ſhall be had and kept in force.* Rot. Parl. cap. 9.

A. D. 1454.

AT the requeſt of the commons, that where diverſe ſtatutes and ordinances, as well within the realm of England, as within this realm of Ireland, have been made againſt all them, that ſue proviſions to the court of Rome, as by the ſtatutes and ordinances thereof made, as well in England as in Ireland, more plainly appeareth. This notwithſtanding, proviſions are ſued from day to other, more now than before this time: Wherefore the premiſſes conſidered, it is ordained and eſtabliſhed by authority of the ſaid Parliament, That from henceforward all the acts, ordinances, and ſtatutes, made againſt the proviſours, as well in England as in Ireland, be had and kept in force within this land of Ireland. And alſo, if any proviſour or proviſours do henceforward ſue any proviſion upon any man beneficed within this land of Ireland, and by cauſe of the proviſion do enter into any benefice or benefices of the church, and do take any goods or chattles from any beneficer of the church, againſt whom any ſuch proviſions are ſued: that then the party grieved may recover treble damages, and he that taketh ſuch goods, and thereof is convicted, ſhall pay twenty pounds, the half to the King, and half to him that will ſue.

All ſtatutes againſt proviſors in England and Ireland, to be in force in Ireland.

Ir. 7 *E* 4. 23. 10 *H.* 7. 5. *Eng.* 25 *E.* 3. 22. 13 *R.* 2. 2. 16 *R.* 2. 5. 2 *H* 4. 3. 7 *H.* 4. 8. 3 *H.* 5. 4.

Treble damages and 20l. on conviction.

A. D. 1454.

CHAP. II.

An Act for Diſcharge of the Jurors in Inquiſitions upon Sight of the Bodies before Coroners, being at two ſeveral Days ſworn, that they do not know the Felon. Rot. Parl. cap. 10.

The coroners ſhall diſcharge the jurors if on oath at two ſeveral days they ſay they know not the felon.

ALSO at the requeſt of the commons, that where inquiſitions are taken before the coroners, upon the ſight of the bodies of the dead men felonioufly killed in the night, and many times in ſolitary places in the day, that the people have no knowledge of the felons, the people being ſworn in the ſaid inquiſition, they ſay upon their oaths, that they do not know the felon. Notwithſtanding the coroners will take no ſuch verdict of them, but do vex them from day to other, and from place to place, many times a whole quarter of a year, to the intent to charge the people with the eſcapes, and ſo compel them to ſay a falſe verdict, to the great hurt of the people ſo ſworn: Wherefore it is ordained by authority of the ſaid Parliament, that if by their oath they ſay, that they do not know the felon, that the coroners ſhall give them another reaſonable day; and if they ſay at the ſecond day the ſame verdict, that then the ſaid coroners ſhall diſcharge the ſaid people. And if they will not, that it ſhall be lawful for them to depart, and to go to their houſes without any impeachment of the King, or any of his officers or miniſters. And that done, that the juſtices nor none of them ſhall put any *habeas corpora* for the ſame jurours, nor any ſpecial *venire* for the ſame matter.

CHAP. III.

An Act that the Matter of every Appeal ſhall be declared before the Governour and Council; and if the Matter do not touch the King's Perſon, then the Appeal ſhall be ſent to the King's Bench to be determined as Law will. Rot. Parl. cap. 11.

The matter of an appeal ſhall be declared before the governor and council; and if it touch not the King's perſon, it ſhall be ſent to the King's Bench; and if not found true, appealor pay appellee damages and 20l. and 100s. fine to the King. *Eng.* 1 *H.* 4. 14. *Ir.* 28 *H.* 6. 2.

AT the requeſt of the commons, that where before this time many appeals have been ſued againſt many men of good fame and good name, as well of matters touching the King's perſon, as of other treaſons by them, that have been open evil doers, more for ill will, than for truth of the matters, whereby great villainy hath grown to this land undeſerved: Wherefore the premiſes conſidered, it is ordained by authority of the ſaid Parliament, That from henceforward if any man do appeal in hope to be ſent into England, that the matter of the appeal ſhall be declared before the governour of this land, and the King's council. And if the matter of the appeal doth not touch the King's perſon, that then the ſaid governour ſhall ſend the ſaid appeal to the King's Bench, there to be determined as law will, as if it were appeal of robbery. And if the ſaid appeal be not

found true, that then the appealor ſhall pay to the appeallee his damages taxed by the enqueſt and twenty pound, and over that one hundred ſhillings to the King for his fine, ſaving the Kings prerogative. A. D. 1454.

Ordinationes & Actiones in quodam magno conſilio domini regis apud *Dublin*, anno regni Regis HENRICI Sexti, triceſſimo tertio tent: coram *Thoma Fitz Morice* comite *Kildare* deputato *Richardi* ducis *Eborum* locum tenentis dicti domini regis terræ ſuæ *Hiberniæ*, *Anno Dom.* 1455.

CHAP. I.

An Act whereby Commiſſioners are prohibited to award Exigents. Rot. Parl. cap. 8. A. D. 1455.

AT the requeſt of the commons, where before this time divers commiſſioners of our ſovereign lord the King within this land of Ireland to hear, enquire, and determine of felonies, treſpaſſes, and treaſons, have put out proceſs of outlawry againſt divers men before them endyted, as well againſt men dwelling in other ſhires, as within the ſame ſhire, where the ſaid commiſſioners ſit. And for that, that before commiſſioners there is no common dayes limitted, as there is in the bench of the King, they will ſend one *capias* returnable at this day, and one *alias* returnable within two days then enſuing, and one *pluries*, returnable within other two dayes then following; and that ſo done, then they will award one exigent, by the which exigent ſo awarded the party ſhall loſe his goods and chattels that not knowing, and ſo by ſuch mean every man dwelling in far ſhires may loſe his goods and chattels they not knowing: Whereupon the premiſes conſidered, it is ordained and eſtabliſhed by authority of the ſaid council, That every exigent for the King of felonies or treaſons to be awarded be void, if not, that it be in the bench of the King. And if it be within liberties for lords of the ſaid liberties, that then it be before their judges of their places, and not before commiſſioners.

Exigents for the King of felonies or treaſons void, if not in the Kings Bench; if for lords of liberties, it muſt be before their judges, and not commiſſioners.

CHAP. II.

An Act that the Recorders or Clerks of Dublin *and* Drogheda *ſhall have but Two Pence for the Copy of a Plaint.* Rot. Parl. cap. 21.

ITEM, at the requeſt of the commons, whereas many and diverſe great extortions are done and uſed in the city of Dublin, and in the town of Drogheda, that the plaints affirmed in the ſaid city and town, the recorders and clerks of the ſaid city and town,

Recorders or clerks of Dublin and Drogheda, ſhall take but two pence for copy of a plaint.

A. D. 1455. town, would give no copy of the plaints ſo affirmed to no man, unleſs he pay for the ſame two ſhillings for the copy of every plaint, to the great extortion and oppreſſion of all the liege-people of the King: Whereupon the premiſes conſidered, it is ordained, eſtabliſhed, and enacted by authority of the ſaid council, That the ſaid recorders or clerks ſhall take for the copy of a plaint but two pence in no manner; and if any perſon that feels himſelf grieved in the premiſes, to complain unto the mayors, bailiffs, or ſheriffs of the city and town, for the time being, and then they ſhall make and compel the ſaid recorders and clerks to take but onely two pence aforeſaid. And if the ſaid mayors, bailiffs, or ſheriffs give no remedy in the matter aforeſaid, that then the ſaid recorders and clerks, that more take than the ſaid two pence, to ſtand as outlawed of treſpaſs, and out of the protection of the King, and never to occupy the ſaid office of recorders and clerks in the ſaid city or town.

CHAP. III.

An Act that every Man ſhall anſwer for his Son and waged Men. Rot. Parl. cap. 22.

Every man ſhall anſwer for his ſons and waged men. *Ir.* 11 *El.* 4. *Seſſ.* 1. 10 & 11 *C.* 1. 6. *Rep. Ir.* 35 *H.* 6. 2.

Item, at the requeſt of the commons, whereby one ſtatute made at Kilkenny it was ordained, that if any of the linage or adherence or of the retinue of any chiefteyn of Engliſh linage within this land, the which the ſaid chiefteyn may chaſtice, do any treſpaſs or felony, that the ſaid chiefteyn after that he had notice thereof, that he ſhould take the ſaid malefactor and put them to the next gaole, there to remain until he were delivered by law: And if the ſaid chiefteyn will not ſo do, that his body ſhall be taken for the ſaid malefactor, and in priſon detained until the body of the ſaid malefactor be rendered unto the court of the King, and there to be juſtified as is aforeſaid, and nevertheles, the ſaid chiefteyn to be for one contempt ranſomed at the will of the King, and to make amends to the party grieved: And for that, that every chiefteyn will ſay, that they may not chaſtice their linage and their waged men, the ſaid eſtatute is defrauded and not put in execution, wherefore it is ordained and accorded by authority of the ſaid great council, that every man anſwer for his ſons and his waged men.

CHAP. IV.

An Act concerning Commiſſioners and Eſcheators. Rot. Parl. cap. 14.

Statutes made againſt eſcheators to be of equal force againſt commiſſioners.

IT is ordained, eſtabliſhed, and determined by the authority of the ſaid great council, That all the ſtatutes, made before this time againſt the eſcheators, ſhall be put in ure, and be of force, and as penal againſt commiſſioners, as againſt eſcheators, for all manner of things done by any manner of commiſſioner ſithence the making of the laſt ſtatute at Dublin before Edward Fitz Euſtace the deputy lieutenant of Ireland againſt eſcheators, or hereafter to be done by any manner of commiſſioner. Provided, that the ſaid penalty ſhall not extend to the juſtices of the one bench and thother, the barons of the exchequer, and the ſerjeant and attorney of the King.

But not to extend to judges, &c.

Statutes

Statutes and Ordinances made and eſtabliſhed in a Parliament holden at the *Naas*, the *Friday* next after the Feaſt of *All Saints*, in the thirty fifth Year of the Reign of King HENRY the Sixth, before *Thomas Fitz Maurice* Earl of *Kildare*, Deputy to *Richard* Duke of *York*, the King's Lieutenant of his Land of *Ireland*, *Anno Dom.* 1457. A. D. 1457.

CHAP. I.

An Act that Frenchmen, Spaniards, Britons, Portingales, and other Nations, coming out of other Lands with Merchandiſes, ſhall pay for every Pound of Silver, that they carry out of this Land, forty Pence of Cuſtom to the King's Cuſtomer. Rot. Parl. cap. 6.

AT the requeſt of the commons, that whereas no mean can be found to keep the King's coin within the land of Ireland, it is ordained and eſtabliſhed by authority of the ſaid Parliament, That all manner of men coming out of other lands with their merchandiſes, that is to ſay, French-men, Spaniards, Britons, Portingalls, and other ſundry nations, ſhall pay for every pound of ſilver, that they carry out of the land of Ireland, forty pence of cuſtome to the King's cuſtomer, to the uſe of the King, and if any man do the contrary in concealing of the ſaid cuſtome, he ſhall pay for every peny twenty ſhillings to the ſaid cuſtomers to the King's uſe.

Merchants ſtrangers ſhall pay 40d. *per* pound cuſtom for ſilver exported. 25 *H.* 6. 10. *Ir.* Penalty 20s. for every penny concealed.

CHAP. II.

An Act that every Man ſhall anſwer for the Offence of his Sons, as the Offender ought to do, ſaving Puniſhment of Death. Rot. Parl. cap. 7.

ALSO at the requeſt of the commons, that foraſmuch as the ſons of many men from day to other do rob, ſpoil, and coygnye the King's poor liege-people, and maſterfully take their goods without any pity taking of them: Wherefore the premiſes conſidered, it is ordained and eſtabliſhed by authority of the ſaid Parliament, That every man ſhall anſwer for the offence and ill doing of his ſon, as he himſelf, that did the treſpaſs and offence, ought to do: ſaving the puniſhment of death, which ſhall incur to the treſpaſſer himſelf.

Father to anſwer for offence of ſon, as the offender ought, except death. 33 *H.* 6. 3. *Ir.*

A. D. 1457.

CHAP. III.

An Act that Perſons not ameſnable to the Law ſhall not enter, diſtrain, rob, threaten or kill any Tenants for any Lands or Tenements, contrary to the common Law, but ſhall firſt ſhew their Title to the Governor and Council, and thereupon have Licence to diſtrain or enter in peaceable Manner. Rot. Parl. cap. 9.

Perſons not ameſnable to law entering into lands, diſtraining, &c. without licence of the governor or council, ſhall loſe their title.

AT the requeſt of the commons, that where ſundry perſons not ameſnable by the common law do feign titles to lands and tenements of diverſe men, the which are under the juriſdiction of the law, and by ſuch feigned titles they threaten the tenants and inhabitants in the ſaid lands and tenements to rob them, to prey them, to kill them, ſo that for fear the ſaid tenants dare not dwell in the ſaid lands and tenements, but muſt fly and avoid the ſaid lands and tenements, and leave them waſte, which is a great imminent miſchief, like to make much of this land waſte; conſidering that ſuch perſons out of the law at this day have more great rule for default of puniſhment of miſgovernance, than perſons that obey the law: wherefore the premiſes conſidered, it is ordained and eſtabliſhed by authority of the ſaid parliament, That if any perſon, which is not ameſnable to the common law do enter, diſtrain, rob, or threaten, or kill any ſuch tenants of any lands or tenements by ſtrong hand, contrary to the common law, unleſs that they do ſue firſt to the lieutenant, juſtice, or deputy, and the King's council in this ſaid land, and ſhew their title, and thereupon to have a ſpecial licence to diſtrain or enter in peaceful manner, as may be thought lawful to the ſaid lieutenant, juſtice, or deputy, and the council; and if any perſon contrary to this ſtatute do enter, diſtrain, rob, kill, or threaten any tenants or tenements, ſo that the ſaid lands or tenements ſhall lye waſte, that then they ſhall loſe their title and claim of the ſaid lands and tenements for ever from them and their heirs. And that this ſtatute ſhall not extend to ſuch perſons, as are ameſnable by the common law.

Statutes

Statutes and Ordinances made and eſtabliſhed in a Parliament holden at *Dublin* the *Friday* next after the Feaſt of the Purification of our Lady, in the thirty ſixth Year of the Reign of King HENRY the Sixth, before *Thomas* Earl of *Kildare*, Deputy to *Richard* Duke of *York*, the King's Lieutenant of his Land of *Ireland*, *Anno Dom.* 1458. A. D. 1458.

CHAP. I.

An Act that beneficed Perſons ſhall keep Reſidence. Rot. Parl. cap. 8.

AT the requeſt of the commons, That whereas diverſe perſons advanced to benefices within the land of Ireland do abſent them out of the ſaid land in other lands, whereby the iſſues and profits of their ſaid benefices be yearly taken forth of the ſaid land of Ireland, to the great impoveriſhment and weakening of the ſame, diminiſhing of Gods ſervice, and withdrawing of hoſpitality: It is ordained and eſtabliſhed by authority of the ſaid Parliament, That all manner benefices within the ſaid land, of whatſoever condition that they be, ſhall keep reſidence continually in their proper perſons in the ſaid land within twelve moneths after the ſaid Parliament finiſhed, and otherwiſe the iſſues and profits of the ſaid benefices (divine ſervice and ordinary charges kept) ſhall be divided, the half to the commodity and profit of their benefices and churches, the other half to be expended in our ſovereign lord the King's wars in defence of this poor land of Ireland, and any grants of abſency made by our ſovereign lord the King to them or any of them, or to be made and granted in time coming to the contrary hereof, to be void and of no force in law, unleſs that it be by authority of Parliament. Excepted ſtudents, pilgrims, and ſuch as will of neceſſity, muſt ſue by way of appeal, or any other lawful way for reformation of their benefices.

Beneficed perſons muſt keep reſidence, in default, one half of the profits to go to the uſe of their churches, the other to be expended in the wars in defence of the kingdom.

Grants by the King to the contrary, unleſs by Parliament, void. Students, &c. excepted.

CHAP. II.

An Act concerning the Incloſing of Townes and Villages. Rot. Parl. cap. 6.

WHEREAS now of late there are divers towns and villages made waſte in this land by the robbery of thieves in the night, by default of incloſure, ſtopping, and ditching; and becauſe that many of the ſaid towns be in high-wayes between market and market, the tenants and inhabitants thereof dare not ſtop, ditch, nor incloſe ſuch towns and villages for fear of indictments, ſo that many towns and villages are made waſte, to the great hurt of this land.

Towns and villages in high ways may be incloſed by the inhabitants, leaving a ſufficient high-way for carriages, not above 40 perches about.

A. D. 1458.

Highways to be made on the perſon's own land who will make it.

land. The premiſes therefore conſidered, it is ordained and eſtabliſhed by the authority of the ſaid Parliament, That it ſhall be lawful to every tenant and inhabitant of ſuch towns and villages being in high-wayes for to ſtop, ditch, and incloſe the ſaid towns and villages in the ſtrongeſt manner that they can, ſo as there ſhall be a competent and a ſufficient high-way left and made for carts and carriages through or near the ſaid towns or villages, ſo that people be not interrupted in their paſſage from market to market, nor that the high-wayes be not made very far about, not above forty perches. Provided always, that any man, that will make an high-way, ſhall make the ſame upon his own land. And that the tenants and inhabitants of ſuch towns and villages may lawfully ſtop, ditch in, and incloſe ſuch towns and villages in form aforeſaid without any impeachment of our ſovereign lord the King, his heirs, or miniſters, in time to come: And if any office, ſeiſure, or indictment be hereafter found contrary to this ſtatute againſt any perſon or perſons, it ſhall be adjudged void, and of no value nor effect. And this ſtatute ſhall be obſerved and take place as well within franchiſes and liberties as without, and as well againſt lords of franchiſes, their miniſters and officers, as againſt the King.

All indictments, &c. to the contrary of this ſtatute, void.

This ſtatute to be obſerved within franchiſes.

Statutes and Ordinances made and eſtabliſhed in a Parliament holden at *Dublin*, the *Friday* next after the Feaſt of St. *Blaſe* the Martyr, in the thirty ſeventh Year of the Reign of King HENRY the Sixth, before *Thomas* Earl of *Kildare*, Deputy to *Richard* Duke of *York*, the King's Lieutenant of his Land of *Ireland*. *Anno Dom.* 1459.

An Act that Warrants made to the great Seal ſhall have the Day of their Delivery to the Chancellor, &c. *entred, and that the Patents ſhall bear the Date of that Day.* Rot. Parl. cap. 13.

A. D. 1459.

The day of delivery of warrants to the chancellor ſhall be entered of record in chancery, and letters patent made thereupon, bear date that day, and not before; otherwiſe void. *Eng.* 18 *H.* 6. 4.

AT the requeſt of the commons, for that, that the lieutenant of our ſovereign lord the King of Ireland, or their deputies, juſtices, and other governours of the ſaid land, at the ſpecial requeſt of diverſe gentlemen have made their warrants to be directed into the chancery of Ireland of lands, tenements, rents, offices, and ſervices, to bear date long time before divers other warrants, directed into the ſaid chancery, of the ſaid lands, tenements, rents, offices, and ſervices, whereby divers the King's liege-people, having ſuch lands, tenements, rents, offices, and ſervices, of the gift or grant of the King by the ſaid warrants, have been put out of their ſaid lands, tenements, rents, offices, and ſervices, granted by our ſovereign lord the King, by force of the ſaid antedates, againſt reaſon,

reaſon, right, and conſcience: Wherefore to do away ſuch ſubtile imaginations of ſuch antedates it is ordained and eſtabliſhed by authority of the ſaid Parliament, that upon every warrant hereafter by the King's juſtices of Ireland, the King's lieutenant of Ireland, or their deputy there for the time being, to be addreſſed to the chancellor of Ireland, or his deputy there, or keeper of the great ſeal of Ireland, for the time being, the day of the delivery to the ſaid chancellor, deputy, or keeper, ſhall be entred of record in the ſaid chancery, and that the King's letters patents be made upon the ſame warrants, bearing date the day of the ſame delivery into the ſaid chancery, and not before in any manner. And if any letters patents of our ſovereign lord the King be made to the contrary, they ſhall be void, and holden for none, to begin the firſt day of March next coming, and from thenceforward. A. D. 1459.

Statutes and Ordinances made and eſtabliſhed in a Parliament holden at *Drogheda*, the *Friday* next after the Feaſt of St. *Blaſe* the Biſhop, in the thirty eighth Year of the Reign of Henry the Sixth, before *Richard* Duke of *York*, the King's Lieutenant of his Land of *Ireland*. *Anno Dom.* 1460.

An Act that none ſhall ſue Actions in the Exchequer, unleſs the Plaintiff be Miniſter to the Exchequer, or Servant to any Miniſter of Record of the Exchequer, upon pain of Ten Pounds. Rot. Parl. cap. 12.

A. D. 1460.

None ſhall ſue any action in the exchequer, unleſs a miniſter, or ſervant to a miniſter of record there, on pain of 10*l.*

AT the requeſt of the commons, That whereas before this time a writ of King Edward the third, late King of England, was directed to his treaſurer and barons of his exchequer of Dyvelin, the tenour whereof doth enſue in this form: ſſ. *Edwardus Dei gratia, Rex Angliæ & Franciæ, & dominus Hiberniæ theſ. & baronibus ſuis de ſcaccario ſuo Dublin ſalutem. Cum ſecundum legem & conſuetudinem terræ noſtræ Hiberniæ communia placita coram vobis ad ſcaccarium placitari non debeant, niſi placita illa nos vel aliquem miniſtrorum noſtrorum ejuſdem ſcaccarii ſpecialiter tangent: Ac jam ex parte hominum libertatis Midiæ in terra prædicta nobis eſt graviter conquerendo, monſtratum quod voſipſos homines ad ſectam quorundam aſſerentium ſe valectos miniſtrorum dicti ſcaccarii exiſtere, qui miniſtri noſtri in ſcaccario prædicto deſervientes non exiſtunt, ad reſpondendum coram vobis in ſcaccario prædicto, in placitis de tranſgreſſionibus contractibus, debitis & compotis diſtringi facitis, contra leges & conſuetudines ſupradictas: Nos nolentes ipſos homines indebite prægravari vobis mandamus, quod homines libertatis prædictæ, ſeu alios homines terræ noſtræ prædictæ, ad reſpondendum coram vobis in ſcaccario prædicto de hujuſmodi tranſgreſſionibus, convencionibus, contractibus, debitis, ſeu compotis, niſi tangant nos vel*

A. D. 1460. *aliquos miniſtrorum noſtrorum ſcaccarii præd. qui in eodem ſcaccario deſerviens fuerit nullatenus compellatis, ſeu compelli faciatis contra legem & conſuetudinem ſupradictam. Teſte meipſo apud Weſtm. viceſimo die Octobris anno regni noſtri Angliæ* 30. *Regni vero noſtri Franciæ deciмo ſeptimo.* The which writ and the commandment of the King therein openly expreſſed notwithſtanding, yet the men of the liberty of Methe ſpecified in the ſaid writ are continually diſtrained by writs of *capias*, and diſtreſs coming out of the ſame exchequer of this land, at the ſuits of ſuch perſon and perſons which are named in the ſame writs yeomen or miniſters of the ſaid exchequer, where they are not yeomen or miniſters, to anſwer there in pleas of treſpaſs, contracts, debts, and accompts, againſt the tenor of the ſaid writ, and the due execution thereof in time before, and to the over great and importable hurt of the ſaid men: Wherefore the premiſes conſidered, it is ordained by authority of the ſaid Parliament, That whoſoever do ſue any action in the King's exchequer in Ireland, unleſs the plaintiff be miniſter to the ſaid exchequer, or ſervant to any miniſter of record of the ſaid exchequer, that he ſhall loſe ten pounds, the one half to the King, and the other half to the party that will ſue, ſo oft as he doth ſue any ſuch action.

Ir. 28 *H.* 6. 4.

Statuta, Ordinationes, & Actiones, in quodam Parliamento domini Regis apud *Dublin*, die veneris proximo ante feſtum ſancti *Lucæ* Evangeliſtæ, anno Regni Regis EDWARDI quarti ſecundo, coram *Rolando Fitz Euſtace*, milite, domino de *Portleſtir* deputato *Georgij* ducis *Clarenciæ* locumtenentis, ipſius domini Regis terræ ſuæ *Hiberniæ*, tento ac ibidem finito & determinat. ædit. in forma quæ ſequitur. *Anno Dom.* 1462.

An Act that certain Money ſhall be received of the Iſſues and Profits of the Courts for the Repairing of the Hall of the Caſtle. Rot. Parl. cap. 4.

A. D. 1462. Certain money to be received yearly out of the profits of the courts, by the clerk of the works of the caſtle of Dublin, for repair thereof.

AT the requeſt of the commons, whereas the caſtle of the King our ſovereign lord of his city of Dublin, in which the courts of our ſaid ſovereign are kept, is ruinous and like to fall, to the great diſhonour of our ſaid ſovereign lord: Whereupon the premiſes conſidered, it is ordained by authority of the ſaid Parliament, That fourty ſhillings yearly be taken and received of the iſſues and profits of the hamper of our ſaid ſovereign lord of his chancery of Ireland; and fourty ſhillings yearly to be received of the iſſues and profits of his chief place; and fourty ſhillings yearly to be

be received of the iſſues and profits of his common place; and three pounds yearly to be received of the iſſues and profits of his exchequer in his ſaid land, and twenty ſhilling yearly to be received of the iſſues and profits of the maſters of the mint for the time being, and the ſame to be delivered yearly to the clerk of the works of the ſaid caſtle for the time being, and that he ſhall accompt yearly before the barons of the exchequer of the King in Ireland according to the ancient form, and that all the leads of the iſles of the hall of the ſaid caſtle be ſold by the treaſurer of Ireland to make and repair the ſaid hall. A. D. 1460.

Stat' Ordination' & Action' in quodam Parliament' dom' Regis apud *Weys*, die *Veneris* prox' ante feſtum S. *Martini* epiſc'. Anno regni Regis Edwardi quarti tertio, coram *Thoma Deſmond*, comit. *Deſmond*, deput' *Georgii* ducis *Clarenciæ* locumten' ipſius dom' Regis terræ ſuæ *Hiberniæ* tent', ac abinde die *Jovis*, tunc prox' ſequent' ad civitat' dicti domini Regis *Waterford* certis legit' cauſis adjornato & contin', ibid' die *Lunæ* ad tunc prox' ſequent' tenend', ac exinde die *Sabbati* in feſtum ſancti *Edwardi* Regis, tunc prox' ſequente ad villam de *Naas*, aliis legitimis de cauſis ſimili modo adjornat' & contin', ibid' tenendo die *Lunæ* prox' ante feſtum S. *Matthiæ* Apoſt' tunc prox' ſequente, nec non deinde die *Veneris* ad tunc prox' ſequ. ad civit' præd' dom' Regis *Dublin*, certis aliis legit' de cauſis ſimili modo adjor. & contin' ibid' etiam tenend' die *Lunæ* prox' ante feſtum S. *David* epiſc. tunc prox' ſequent', & die *Sabbati* ad tunc prox' ſequen' finit' & terminat', ædit' in forma quæ ſequitur' *Anno Dom.* 1463.

CHAP. I.

An Act whereby the Lords and Commons of the Parliament hath Priviledge for certain Days before and after the ſaid Parliament. Rot. Parl. cap. 45.

AT the requeſt of the commons, where the priviledge of every Parliament, and great council of this land of Ireland, is, That no miniſter of the ſaid Parliament, coming or going to the ſaid Parliament, during fourty days before, and fourty days after A. D. 1463. Lords, proctors and

A. D. 1463. the ſaid Parliament finiſhed, ſhould not be empleaded, vexed, nor troubled by no mean. This notwithſtanding, one Lawrence Tathe, eſq; hath arraigned aſſiſe of *novel diſſeſin* againſt John Barnewall, being knight for the county of Dublin in this preſent Parliament, as it is informed, for two water-mills in Athirde, in the county of Lowthe, the writ being returnable before our ſovereign lord the King, in his chief place in Ireland, to the intent that he may recover the ſaid two mills againſt the ſaid John Barnewall by default, contrary to reaſon, and conſcience, and the priviledge aforeſaid: Whereupon the premiſes conſidered, it is ordained, enacted, and eſtabliſhed by authority of the ſaid Parliament, That the ſaid writ of aſſiſe ſo taken againſt the ſaid John in any other court of the King, or before his commiſſioners, in whatſoever manner it be, againſt him ſolely, or againſt him jointly with any other perſon or perſons whatſoever, and all the records thereunto pertaining, be deemed, adjudged, and holden void, and of none effect, in all points, as it had never been ſued nor taken againſt him ſole or him jointly with any other perſon or perſons whatſoever.

commons of Parliament to be priviledged againſt actions, forty days before and after the Parliament.

II. And further, it be alſo enacted and eſtabliſhed, That every miniſter, as well lords, proctors, as commons, be diſcharged and quitted of all manner actions had or moved againſt them, or any of them, during the time aforeſaid, and this to endure for ever.

CHAP. II.

An Act what Fees Attornies in the King's Court ſhall take, and what Fees ſhall be paid for Writs and other Records. Rot. Parl. cap. 77.

ITEM. At the requeſt of the commons, where the land of Ireland in effect is waſte and deſtroyed by the Iriſh enemies and Engliſh rebels of the King, and the laws of the King within the ſaid land ſo diminiſhed. That notwithſtanding preignotaries and attornies of the King, except the chancery, had ſo largely taken their fees and wages for copies of writs and records, as they did, when this land of Ireland was in a far better point, and at their pleaſure, the which is a great hurt and loſs for the faithful liege-people of the King, inhabiting within this ſaid land, and withdrawing of the laws of the King: Whereupon, the premiſes conſidered, it is enacted, ordained, and eſtabliſhed by authority of the ſaid Parliament, That every clerk or attorney, in every court that the King hath, ſhall take for his attorneyſhip in every plea by writ or bill twelve pence only, or under; and for the copy of every writ original only four pence, or under; and for the copy of other bills and records, by the diſcretion of the judges where the matter lyeth, and not at the will and judgment of the clerk that hath the ſaid writs, bills, and other records in keeping. And if any clerk, attorney, keeper of writs or records aforeſaid, do or take contrary to the

Attornies and clerks of the King's courts, ſhall not take more than 12*d.* fee; nor more than 4*d.* for the copy of every writ original: and for the copy of other bills and records, by the diſcretion of the judges where, *&c.*

the premiſes, or refuſe to be attorney (in caſe he be not detained with the contrary part) or refuſe the copy of any original writ, bill, or other record, as is aforeſaid, that then the clerk, attorney, keeper of the writs, bills, or other records aforeſaid, to loſe to the party grieved an hundred ſhillings, ſo often as they or any of them offend contrary to theſe ordinances. And that they be forejudged out of the court in which they are, except the clerks of the chancery aforeſaid, for that they ought to labour in the ſervice of the King. A. D. 1463. Pain of 100*s.* to the party, and to be fore-judged the court.

CHAP. III.

An Act againſt clipped Money. Rot. Parl. cap. 24.

ALSO at the requeſt of the commons, that inaſmuch as the groat, the half-groat, and the peny, and other coins are loſt and deſtroyed by divers and many clippings; It is ordained, eſtabliſhed, and enacted by the authority of the ſaid Parliament, That money clipped ſhall not be taken in and by no manner of payment after the feaſt of the Purification of our Lady next enſuing, but that it be after the ſaid feaſt utterly void, dampned, and determined no coyn of the King; and that it ſhall be lawful to every man to refuſe the ſame, and that thereupon a proclamation ſhall be made in the ſaid Parliament, and upon the ſame proclamation, writs ſhall be directed to the ſheriffs, mayors, bayliffs, ſoveraigns, portriffes, and all other officers and miniſters within the ſaid land of Ireland, to make proclamation upon this preſent act. And thereupon proclamation was made in the ſaid Parliament according to the ſaid act or ordinance. *Ir. Stat. 25 H. 6. 6.* Clipped money not to be taken in payment, or accounted the King's coin. Proclamation made thereof.

Statutes eſtabliſhed in a Parliament holden at *Trym* the *Wedneſday* next after the Feaſt of St. *Laurence* the Martyr, anno quinto EDWARDI quarti, before *Thomas* Earl of *Deſmond*, Deputy to *George* Duke of *Clarence*, the King's Lieutenant of *Ireland*, *Anno Dom.* 1465.

CHAP. I.

An Act that like Challenges ſhall be made touching the Feoffee to uſe, as ſhould be touching him, to whoſe Uſe he ſtandeth infeoffed. Rot. Parl. cap. 10.

AT the requeſt of the commons, that where diverſe perſons enfeoffed chapleins and others to their uſe and profit of divers lands, the which they claim, becauſe whereof they bring writs and other ſuits againſt other men, the which be very tenants of the ſame A. D. 1465. Perſons ſued by feof-

A. D. 1465.

and others, to this intent, that the ſaid tenants ought not to have any challenge in law againſt the officers, that is to ſay, ſheriefs, coroners, or jurors: whereupon the premiſſes conſidered, it is ordained by authority of the ſaid Parliament, That the perſon or perſons, the which be ſued or grieved by ſuch ſuits and feoffments, may have the ſame challenge againſt any ſheriff in making of their ray, baylif, or any other, with that, that he that is ſued or grieved may aver, that the ſaid jurors, ſheriff, coroner, or any other officer, is goſſop kinne or allied, or any other lawfull challenge, the which was good in law againſt him to whoſe uſe the ſaid parties ſued, if he had ſued the ſame action in his owne proper name.

fees to uſe, may take the like challenges as if ſued by the feoffors.

CHAP. II.

An Act that it ſhall be lawful to kill any that is found robbing by Day or Night, or going or coming to rob or ſteal, having no faithful Man of good Name or Fame in their Company in Engliſh Apparel, &c. Rot. Parl. cap. 12.

Rep. 10. & 11. *C.* 1. 6. Lawful to kill perſons robbing or going to rob, and to have head money. 28 *H.* 6. 3.

ITEM, at the requeſt of the commons, that for that that diverſe great robberies, thefts and murders, be done from night to night by theeves upon the faithful liege-people of the King within this land of Ireland, ſpecially and moſt commonly in the county of Meath, the which hath cauſed and made great deſolation and waſts in the ſaid county, it is ordained and eſtabliſhed by authority of the ſaid Parliament, That it ſhall be lawful to all manner of men, that find any theeves robbing by day or by night, or going or coming to rob, or ſteal, in, or out, going, or coming, having no faithful man of good name and fame in their company in Engliſh apparel, upon any of the liege-people of the King, that it ſhall be lawful to take and kill thoſe, and to cut off their heads, without any impeachment of our ſovereign lord the King, his heirs, officers, or miniſters, or of any others, and of any head ſo cut in the county of Meath, that the cutter of the ſaid head and his ayders there to him, cauſe the ſaid head ſo cut to be brought to the portreffe of the town of Trim, and the ſaid portreffe to put it upon a ſtake or ſpear upon the caſtle of Trim, and that the ſaid portreffe ſhall give his writing under the common ſeal of the ſaid town, teſtifying the bringing of the ſaid head to him. And that it ſhall be lawful by authority of the ſaid Parliament, to the ſaid bringer of the ſaid head, and his ayders to the ſame, for to diſtrain and levy by their own hands, of every man having one plough-land in the barony where the ſaid thief was ſo taken, two pence, and of every man having half a plough-land in the ſaid barony, one penny, and every other man having one houſe and goods to the value of fourty ſhillings, one penny, and of every other cottier having houſe and ſmoak, one halfpenny. And if the ſame portreffe refuſe for to give the ſaid certificate by writing, freely under his ſaid common ſeal, then the ſaid portreffe to forfeit to the ſaid bringer of the ſaid head ten pounds, and that he may have his action by bill or by writ, in whatſoever court ſhall pleaſe the bringer of the ſaid head, for the ſaid ten pounds, againſt the ſaid portreffe. *Rep.* 11 *Car.* 6.

CHAP. III.

A. D. 1465.

An Act that the Iriſhmen dwelling in the Counties of Dublin, Myeth, Vriel, and Kildare, ſhall go apparelled like Engliſhmen, and wear their Beards after the Engliſh Maner, ſwear Allegiance, and take Engliſh Surname. Rot. Parl. cap. 16.

The Iriſh ſhall uſe Engliſh apparel and names, and ſwear allegiance.

AT the requeſt of the commons it is ordeyned and eſtabliſhed by authority of the ſaid Parliament, That every Iriſhman, that dwells betwixt or amongſt Engliſhmen in the county of Dublin, Myeth, Vreill and Kildare, ſhall go like to one Engliſhman in apparel and ſhaving of his beard above the mouth, and ſhall be within one year ſworn the liege man of the King in the hands of the lieutenant or deputie, or ſuch as he will aſſign to receive this oath, for the multitude that is to be ſworn, and ſhall take to him an Engliſh ſurname of one town, as Sutton, Cheſter, Trim, Skryne, Corke, Kinſale: or colour, as white, blacke, browne: or arte or ſcience, as ſmith or carpenter: or office, as cooke, butler, and that he and his iſſue ſhall uſe this name, under pain of forfeyting of his good yeareley, till the premiſſes be done to be levied two times by the year to the King's warrs, according to the diſcretion of the lieutenant of the King or his deputy.

CHAP. IV.

An Act that every Engliſhman and Iriſhman that dwelleth with Engliſhmen, and ſpeaketh Engliſh, betwixt ſixty and ſixteen years, ſhall have an Engliſh Bow and Arrows. Rot. Parl. cap. 17.

Engliſhmen, and Iriſh dwelling with them, betwixt ſixty and ſixteen, ſhall have Engliſh bows and arrows.

ITEM, at the requeſt of the commons, that conſideration had to the great number of Iriſhmen, that exceed greatly the Engliſh people, that in force and augmentation of the King's lieges, it is ordeyned by authority of the ſaid Parliament, That every Engliſhman and Iriſhman, that dwell with Engliſhmen and ſpeak Engliſh, that be betwixt ſixty and ſixteen in age, ſhall have an Engliſh bow of his own length, and one ſiſtmele at the leaſt betwixt the necks, with twelve ſhafts of the length of three quarters of the ſtandard, the bowes of ewe, wych-haſſell, aſhe, awburne, or any other reaſonable tree acording their power, and the ſhafts in the ſame maner, within two moneths next after the publication of this eſtatute, on pain of two pence a man from moneth to other, till that he ſhall have and continue the bow and ſhafts, and in lue of the bow and ſhafts broken and loſt to have new, under pain of two pence every moneth till it be done. And yet not prohibiting gentlemen on horſeback to ride according their beſt diſpoſition to ride with ſpear, ſo that they have bowes with their men for time of neceſſitie.

10 *H.* 7. 9.

A. D. 1465.

CHAP. V.

An Act for having a Conſtable in every Town, and a Pair of Butts for ſhooting, and that every Man between ſixty and ſixteen ſhall ſhoot every Holyday at the ſame Butts. Rot. Parl. cap. 18.

One conſtable to be choſen in every Engliſh town, and butts to ſhoot at.

AT the requeſt of the commons, it is ordeyned and eſtabliſhed by the authority of the ſaid Parliament, That in every Engliſh town of this land, that paſs three houſes holden by tenants, where no other preſident is, be choſen by his neighbours, or by the lord of the ſame town, one conſtable to be preſident and governour of the ſame town, in all things that pertaineth to the common rule of the ſame town, as is in ordinance of night watch, from Michaelmas to Eaſter yeareley, under pain of three pence every night, and alſo to ordeyn one paier of butts for ſhooting, within the town or well neere, upon the coſts and labour of the ſaid town, under pain of two ſhillings from one moneth to other, after the publication hereof, till the conſtable be made and the butts alſo, and that every man of the ſame town, in ſuch hour as the conſtable or his deputy of his neighbours will aſſign that is betwixt lx. and xvi. muſter before the conſtable or his deputie at the ſaid butts, and ſhoot up and down three times every feaſt day, betwixt the firſt day of March and the laſt day of July, under pain of one halfpeny for every day, and that all theſe paines be levied of their goods or wages, from moneth to moneth, by the conſtable, to be ſpent in ſtrengthening of the ſame town, or otherwiſe in his default, to be levied by the wardein of the peace, and that the paines loſt be ſpent upon the towns where the ſaid paines riſeth.

CHAP. VI.

An Act that no Ship or other Veſſel of any foreign Country ſhall go to fiſhing in the Iriſh Countries, and for Cuſtom to be paid of the Veſſel that cometh from forreign Lands to fiſhing. Rot. Parl. cap. 38.

No foreign veſſel ſhall fiſh in Iriſh countries without licence.

ITEM, at the requeſt of the commons, that where diverſe veſſels of other lands fro one day to other, going to fiſh amongſt the King's Iriſh enemies in diverſe parts of this ſaid land, by which the King's ſaid enemies be greatly advanced and ſtrengthened, as well in victuals, harneys, armour, as diverſe other neceſſaries, alſo great tributes of money given by every of the ſaid veſſels to the ſaid enemies from day to day, to the great augmentation of their power and force againſt the King's honour and wealth, and utter deſtruction of this ſaid land, whereupon the premiſes conſidered, it is enacted and ordeyned by authoritie of the ſaid Parliament, That no maner veſſel of other lands ſhall be no time nor ſeaſon of the yeare from henceforth, from the feaſt of the nativity of our lord Jeſus Chriſt next coming, go in no part of the ſaid land betwixt the ſaid Iriſh enemies,

A. D. 1465.

to no maner fiſhing without one ſpeciall licence of the lieutenant, his deputy, or juſtice of the land for the time being, or licence of another perſon having the King's power to graunt ſuch licence, upon pain of forfeiture of the ſhip and goods to the King. And that whatſoever perſons or perſon, that finde or impeach any of the ſaid veſſels rumpants or forfeits againſt this act, by the authority of the ſame it be lawful to them ſo making any claim in the behalf of the King, and approving the ſaid forfeitures by any of the ſaid veſſels ſo to be made, that the King ſhall have the one moitie of the ſaid forfeiture, and the ſaid perſons or perſon ſhall have the other without any impeachment, and that all maner veſſels of other lands coming in the ſaid land of Ireland a fiſhing, being of the burden of twelve tunns or leſs, having one drover or boate, every of them to paye for the maintenance of the King's wars there thirteene ſhillings foure pence by the year. And all other ſmall veſſels, as ſcarfes or boats, not having drover nor lighter being within the ſaid burden of twelve tunns, every of them ſhall pay two ſhillings going a fiſhing in like manner.

Foreign veſſels coming to fiſh (except in the north part of Wicklow) ſhall pay duty, which ſhall be accounted for before the lieutenant, &c. not before the barons.

II. Provided alwayes, that no veſſel fiſhing in the north part of Wicklo be charged by reaſon of this act, and that the lieutenant, his deputie or juſtice of this land for the time being, ſhall have the foreſaid ſummes and duties of money ſo paied, to be imployed in the King's wars for the defence of the ſaid land, and that the cuſtomers and collectors of the ſame ſummes ſhall accompt before the ſaid juſtice, lieutenant, or deputie for the time being, or ſuch auditors that ſhall be for the ſame appointed by the King or them, and not before the barons of the exchequer in the ſaid land, and that none of the ſaid veſſels ſo comming from other parts in the ſaid land ſhall not depart out of the ſaid land, till every of them pay their ſaid duties, upon pain of forfeiture of the veſſels and goods to the King.

A. D. 1467. Stat' Ordination' Action' in quod' Parliamento apud *Dublin*, coram *Johanne* com' *Wigorn'*, deput' *Georgij* ducis *Clarenciæ* locumten' dom' Regis terræ ſuæ *Hiberniæ*, Anno regni Regis EDWARDI quarti ſeptimo, & ibidem diverſis vicibus prorogato & continuat' prout ſequitur. *Ann. Dom.* 1467.

CHAP. I.

An Act that the Governour for the Time being may paſs into Iſlands. Rot. Parl. cap. 21.

The lieutenant or his deputy may paſs into any iſland near Ireland, their office and authority ſtill in force.

AT the requeſt of the commons, whereas divers perſons hold opinion, that if the lieutenant or his deputie of this land of Ireland for the time being paſs out of this land into any iſland near unto the ſame, that the office of the ſaid lieutenant or his deputie ſhould be void: whereupon the premiſſes conſidered, it is ordeyned by authority of the ſaid Parliament, That if the lieutenant of this ſaid land, or his deputie for the time being, paſs out of the ſaid land into any iland near unto the ſaid land of Ireland, and return again into the ſaid land, and by the ſaid paſſage into the ſaid iland, the ſaid office ſhall not be voyd, but the authority of the ſaid lieutenant, or his deputy in his ſaid office, ſhall ſtand in force and effect. *Ir. St.* 25 *H.* 6. 1.

CHAP. II.

An Act that none ſhall purchaſe Benefices from Rome. Rot. Parl. cap. 22.

None ſhall purchaſe benefices *in commendam* from Rome.

AT the requeſt of the commons, whereas of auncient time all maner of parſons and vicars, having competent benefices, did keep hoſpitality to the honour of God, and to the profit of poor people, and now of late diverſe men of the holy church, ſuing to the court of Rome, hath purchaſed bulls from the holy father the Pope to have as well abbeys, priories, and other dignities, as parſonages and vicarages *in commendam*, to the finall extinguiſhment of divine ſervice and hoſpitalitie: whereupon the premiſſes conſidered, in eſchewing of thoſe miſchiefes it is ordeyned, enacted, and eſtabliſhed by authority of the ſaid Parliament, That whatſoever maner man of holy church purchaſe any maner of dignity, parſonage, or vicarage, by bulls of the Pope to hold *in commendam*, and the ſaid bulls, dignities, parſonages, or vicarages, accept that they ſhall be out of the protection of the King, and forfeit the value of the ſaid benefices during his life naturall, notwithſtanding whatſoever his benefice be, dignity or parſonage, or vicarage, and ſhall incurre in all penalties of the eſtatutes or ordinances made againſt proviſors or benefices; and

that

that no pardon of licence of the King made or to be made be available, but void, if it be not by act of Parliament. And if any maner man of the church occupy now or hereafter do occupy any parſonage or vicarage by way of *commendam* by the bulls apoſtolique, if it be of his owne collation, that he ſhall make collation thereof within ſix moneths; and if he do not, that then the dean and chapiter of the dioceſſe, in which dioceſſe the ſaid benefice is, ſhall make collation of the ſaid benefice within ſix moneths then next enſuing. And if the ſaid dean and chapiter be negligent, and make no collation of the ſaid benefice within ſix moneths, as before is ſaid, that then it ſhall be lawful to the King to preſent to the ſaid benefice for that time, and as often as the caſe require, as is aforeſaid.

A. D. 1467.

not to be pardoned but by act of Parliament.

CHAP. III.

An Act, whereby Letters Patents of Pardon from the King to thoſe, that ſue to Rome for certain Benefices, is void. Rot. Parl. cap. 23.

ITEM, at the requeſt of the commons it is ordeyned and eſtabliſhed by authority of the ſaid Parliament, That all maner letters patents of the King of pardons or pardon granted by the King, or hereafter to be granted to any proviſor, that claim any title by the bulls of the Pope to any maner benefices, where at the time of the impetrating of the ſaid bulls of proviſion the benefice is full of an incumbent, that then the ſaid letters patents of pardon or pardons be void in law and of none effect.

Letters patent of pardon to all who claim from Rome benefices at the time full of an incumbent, void.

CHAP. IV.

An Act for the Removing of the Exchequer and Common Pleas.

AT the requeſt of the commons it is ordeyned by authority of the ſaid Parliament, That the lieutenant of this land, or his deputy for the time being, ſhall have power to remove the eſchequer and common place of the King to ſuch places, as ſhall ſeem to him moſt neceſſary and expedient, by the garniſhment of twentie and eight dayes, all maner of records and proces continued and ſaved, how or whereſoever the writs of the King of any of the ſaid places bear date or be retornable; any ſtatute, act, or ordinance made to the contrary notwithſtanding.

The lieutenant, *&c.* may by 28 days garniſhment, remove the exchequer or common pleas; all records and proceſs continued and ſaved.

A. D. 1468. Statut' Ordination' & Actus edit' in Parliamento tent: apud *Drogheda* die Lunæ proximo poſt feſtum Sancti *Michaelis* Arch-angeli, an' regni Regis EDWARDI quarti octavo. *Anno Dom.* 1468.

CHAP. I.

An Act concerning Rape. Rot. Parl. cap. 70.

The ſtatute made in England, 6 *Ric* 2. 6. concerning rape, confirmed and made of force in Ireland.

WHEREAS it is ſo, that by a ſtatute made in England in the time of Richard the ſecond, late King of England, in the ſixt year of his reign at Weſtminſter it was ordained amongſt other things in theſe words following: viz. *Quod ubicunque & quandocunque dominæ filiæ nobilium & aliæ mulieres de cetero rapiantur, & poſt hujuſmodi raptum hujuſmodi raptoribus conſenſerint, quod tam raptores ſive rapientes quam raptæ, & eorum quilibet, de cetero inhabiliten**tur**; & inhabiles ſint ipſo facto ad omnem hereditatem ſeu conjunct' feoffamen**tum** poſt mortem virorum & anteceſſorum ſuorum habend' vel vindicand.' Et quod ſtatim in hoc caſu proximus de ſanguine eorundem rapientem & raptorum cui hereditas dos & conjunct' feoffament' diſcendere, revertere, aut remanere deberet, poſt mortem rapientis vel raptæ habeat titulum imediate ſtatim ſcilicit poſt raptum intrandi ſuper rapientem vel raptam ac eorum aſſignatos, & tenentes in eadem hereditate dote ſeu conjunct' feoffamento illa hereditarie tenend': & qd' viri hujuſmodi mulierum, ſi viros habuerint ſuperſtites, & ſi non habuerint viros quod tunc patres vel alij de ſanguine eorundem propinquiores de cetero habeant ſectam proſequendi, & ſequi poterunt verſus eoſdem malefactores & raptores in hac parte, ad ipſos convincend' de vita & membris, quamvis eædem mulieres poſt hujuſmodi raptum dictis raptoribus conſenſerint, prout in dicto ſtatuto plane liquet:* Having conſideration that the people learned in this kingdom have conceived ſome doubt, whether the ſaid ſtatute made in England ought to be of force in this land without a confirmation thereof in this land: in avoiding of all inconvenience and miſchief, which might happen becauſe of the ambiguity of the ſaid ſtatute, it is enacted, confirmed, and ratified by authority of the ſaid Parliament, That the ſaid ſtatute be adjudged and approved in force and ſtrength, and that the ſaid ſtatute may be of force in this land from the ſixt day of March laſt paſt: and that from henceforth the ſaid act, and all other ſtatutes and acts made by authority of Parliament within the realm of England, be ratified, and confirmed, and adjudged by the authority of this Parliament in their force and ſtrength, from the ſaid ſixt day of March.

10 *H.* 7. 22. All ſtatutes made in England confirmed and adjudged in force in Ireland.

CHAP. II.

A. D. 1468.

An Act againſt Ingroſſers and Regrators of Corn. Rot. Parl. cap. 76.

None ſhall buy corn in the maket, having ſufficient ſtore of his own; nor ſhall any perſon buy corn in market to ſell again in the ſame or other market, on pain of being adjudged common regrators.

WHEREAS diverſe perſons having themſelves great abundance of all maner of corn have uſed to buy in the common market great ſtore of corn to granell up the ſame to ſell upon a dearth, and alſo diverſe other perſons called badgers, have uſed to goe to one market and have bought great ſtore of wheat and corne at one price, and ſhortly after have taken the ſame corne unto another market, and have there ſold at a more deer price by two pence or four pence in the buſhell, which hath been the greateſt means of dearth within this land, to the great intollerable hurt of the poor inhabitants of this land of Ireland: Therefore it is ordained and eſtabliſhed by authority of the ſaid Parliament, That no man, having ſufficient ſtore of corn of his own, ſhall buy any maner of corne in the common market, nor that no other perſon nor perſons called badgers ſhall buy any maner of corne in the form aforeſaid, upon ſuch payn as is made againſt the regrators of the King's market, and they and every one of them to be judged in the law as common regrators of the market. Alſo that it ſhall not be lawfull to no man, of what condition ſoever he be, which will buy any maner of corne in the common market to ſell the ſame againe in the ſame market, nor in no other market, upon pain to be adjudged in law as a common regrator of the market.

The twelfth Year of Edward *the Fourth.*

Stat' Ordination' & Action' in quod' Parliamento don' Regis apud le *Naas*, die Veneris prox' poſt feſtum ſancti *Andreæ* apoſt' Anno regni Regis EDWARRI quarti duodecimo, coram *Thoma Fitz Morice* comite *Kildare.* deput' *Georgij* ducis *Clarenciæ* locumten' ipſus domini Regis terræ ſuæ *Hiberniæ* tent' prorogat' & abinde ad civitat' ejuſd' domini Regis *Dublin* uſque diem jovis prox' ante feſtum Sancti *Gregorii* Papæ tunc prox' ſequent' adjorn', ac ibid' diverſis vicibus prorog' & continuat' ut patet inferius nec non finit' & terminat' in hæc verba. *Anno Dom.* 1472.

CHAP. I.

An Act for prohibiting Staple Wares to be carried into Scotland without paying Cuſtome. Rot. Parl. cap. 24.

A. D. 1472.

Staple merchandiſe not

AT the requeſt of the commones, whereas diverſe perſons within the countie and libertie of Ulſter from day to day doth lade hydes and other ſtaple merchandiſes, and them carryeth to Scotland, not paying the cuſtom of the King our ſoveraign lord the King, called

A. D. 1472.

the cocket, as it is done in Dublin, and Drogheda, and in all other places, by the which the King is defrauded of his cuſtome from day to day, to the diſheriſon and great prejudice of our ſaid ſoveraign lord: whereupon the premiſſes conſidered, it is ordained, enacted, and eſtabliſhed by authoritie of the ſaid Parliament, That if any perſon or perſons, carry any hides or any other ſtaple merchandiſe out of Ulſter into Scotland, not paying the cuſtome of the King to the cuſtomers of the King, or his deputie aſſigned to receive the cuſtom of the King there, that he or they ſo lading and carrying hydes or any other ſtaple merchandiſes into Scotland aforeſaid, not cuſtomed, ſhall forfeit unto our ſaid ſoveraigne lord the ſaid hydes, or any other ſtaple merchandiſe ſo laden and carried, or the value of them.

to be carried into Scotland out of Ulſter without paying cuſtom, on pain of forfeiture of the merchandiſe or the value.

II. And for that the writs of the King, ne the law of the King, nor court is not uſed betwixt the people of the King there: It is ordeyned by the ſaid authority, That the juſtice of the King's bench for the time being ſhall have full power to enquire by twelve men of the next county adjoyning to Ulſter of all perſons and of every perſon, which lade and carry hydes or other ſtaple merchandiſes to Scotland not cuſtomed, as well in times paſt as in time to come, and all proceſs upon the ſaid preſentment or preſentments, and every of them, to make unto the ſaid ſherife of the ſaid county adjoyning to Ulſter, as if the ſaid preſentment or preſentments have been taken within the ſaid county or liberty of Ulſter, and proceſs upon them made to the ſaid ſherife or ſeneſchall of the ſaid county and liberty of Ulſter: and alſo to determine all the ſaid preſentments and every of them according the form agreeing to this act, and according the courſe of the common law, and that the cuſtomer of the King in Ulſter have his action to the value of the ſaid cuſtome againſt all ſuch perſons, which have taken any ſtaple merchandiſes before this time into Scotland contrary to the ſtatutes therein made.

The juſtices of B. R to inquire by 12 men of the county next adjoining to Ulſter.

CHAP. II.

An Act for bringing Bowes into this Realm from the Realm of England by Merchants and others. Rot. Parl. cap. 45.

Merchants ſhall bring bows into Ire and. Rep. 10 C. 1.22.

AT the requeſt of the commons, whereas the land of Ireland is deſolated of bowes, to the ſuportation of the ſaid land, and defence of the ſaid commons againſt the Iriſh enemies of the King, and Engliſh rebels of the ſame: whereupon the premiſſes conſidered, it is ordained and enacted by authority of the ſaid Parliament, and proclaimed in the ſame, That every merchant and paſſenger, that bring merchandiſes into this land of Ireland out of England to the ſum of an hundred pound, that he ſhall buy and bring with him into the ſaid land in bows to the value of an hundred ſhillings, and ſo following after the rate under or over to the ſum of twenty pounds. And if any merchant or paſſenger bring any merchandiſe in the ſaid land, and bring with him no bows as is afore rehearſed, that the ſaid merchant ſhall loſe and pay the value of the ſaid bowes, the one moyety thereof to the King, and a moyety to the ſearchers of the ſame for the time being. And that the ſaid ſearchers may have an action of debt againſt the ſaid perſons therefore, in any court that the King have, as well for the King as for the ſaid ſearcher: and that by the ſaid authority it is ordainded, That the bayliffs of the city of Dublin for the time being be ſearchers of the ſame within the franchiſe of the ſaid city, and that the ſheriffs of the

town

town of Drogheda in like manner upon the ſame, within the franchiſe of the ſaid town, and ſo in like manner the officers of the ſame in every city and town within this land of Ireland. And if the ſaid ſearchers in any city and town within this ſaid land be negligent in exerciſing of the ſaid ſearch, that they ſhall looſe to the King for every default fourty ſhillings. And the penalty of this act ſhall not be againſt any perſon until the firſt day of June next coming, and that the clerk of the Parliament make writs of proclamation to Dublin, Drogheda, and every other town, neceſſary upon the premiſſes, and that the ſearchers for the time being preſent in the King's bench, or in the exchequer of the King in Ireland, upon the pain of fourty ſhillings, the names of all the merchants or paſſengers, which bring no bows, as before is rehearſed, and thereupon proclamation was made in plain parliament accordingly. *Rep.* 10 *Car.* 1. 22.

A. D. 1472.

CHAP. III.

An Act that no Grain be laden out of the Realm, unleſs the ſame be at a certain Price.. Rot. Parl. cap. 47.

ITEM, at the requeſt of the commons, for that there is ſo great lacke of money in this land, and alſo the grain are enhanſed to a great price, becauſe of great lading from day to day uſed and continued within this realme; by the which great dearth is like to be of graines, without ſome remedy be ordeyned in the ſaid Parliament: whereupon the premiſes conſidered, it is ordeyned, enacted and eſtabliſhed by authority of the ſaid Parliament, That no perſon or perſons lade no grain out of the ſaid land to no other parts without if one peck of the ſaid grains exceed the price of ten pence, upon pain of forfeiture of the ſaid grain or the value thereof. And alſo the owner of the ſhip, within the which the ſaid grains are laden, ſhall forfeit the ſaid ſhip (that is to ſay) the one moyety of the ſaid ſhip and grains to the King, and the other moyety to the party that ſeiſe, or take the ſaid grains or ſhip.

Grain not to be tranſported out of the kingdom when the price above 10*d. per* peck, on pain of forfeiture thereof, or of the value, and alſo of the ſhip.

The fifteenth Year of Edward *the Fourth.*

Statut' Ordination' & Actus in quodam Parliamento dom' Regis apud *Dublin*, die Veneris proxim' poſt feſtum Sanctæ *Margaritæ* virginis, ann' regni Regis EDWARDI quarti quint' decimo coram reverendo in Chriſto patre *Wilhelmo* epiſc. *Meith*, deput' excellentis principis & domini *Georgij* ducis *Clarenciæ* locumtenent' domini Regis terræ ſuæ *Hiberniæ* tent. ædit. in hæc verba. *Anno Dom.* 1475.

An Act prohibiting Diſtreſſes to be taken contrary to the common Law. Rot. Parl. cap. 8.

AT the requeſt of the commons, where in this land diverſe perſons taketh pledges, and the ſaid pledges do convey, take, and convert to their uſe, contrary to right, law, and conſcience: whereupon the premiſes conſidered, it is enacted and adjudged by authority of

A. D. 1475.

A. D. 1475.

the ſaid Parliament, That whatſoever perſon or perſons, of what degree he or they be, take any ſuch pledges contrary to the common law, that by authority of the ſaid Parliament he or they, that ſo take or cauſe the ſaid pledges to be taken, be adjudged felon or felons of our ſaid ſovereign lord the King attainted, and their goods and chattels, lands and tenements, forthwith upon the ſaid act done to be forfeited to our ſovereign lord the King, unleſs he, from whom the ſaid pledges ſhall be taken, be not ameſnable to the common law.

Taking pledges contrary to common law felony,

unleſs from one not ameſnable.

The eighteenth Year of Edward *the Fourth.*

Parliamentum tent' apud le *Naas* die Veneris proxim' ante feſtum Sanctæ *Petronillæ* virginis, anno regni Regis EDWARDI quarti decimo octavo, coram *Geraldo* com' *Kildare* juſtic. domini Regis terræ ſuæ *Hiberniæ* ac ibidem diverſis vicibus continuat. & prorogat. videlicet. *Anno Dom.* 1478.

CHAP. I.

An Act whereby Diſtreſſes taken for Rent may be ſold. Rot. Parl. cap. 12.

A. D. 1478.

ITEM, at the requeſt of the commons, that whereas diverſe lords ſpiritual and temporal, and free tenants, are oftentimes hurt and put to delays and loſſes of their rents by diſtreſſes and taking of diſtreſſes, that is to ſay, when the diſtreſſes are taken, often times they dye, and often times break the pound, and often times taken with theeves and others, and often times the tenant, from whom the diſtreſſes are taken, have no more diſtreſſes nor other goods, by which he may be diſtrained, ſo as often times are both the lord and tenant hurt, for which it is ordained and accorded by authority of this preſent Parliament, That when any lord henceforth take any diſtreſs, if the diſtreſs be not quit within eight days after the taking, that then it ſhall be lawful to the lord to call before him or his officer four men of the ſame lordſhip, and to make them ſwear before him or his ſeneſchal, or his receiver, upon a book, to praiſe the diſtreſs or diſtreſſes ſo taken; and if he, from whom the diſtreſs is taken, do not come within other eight days after the preſentment, and pay his duty, or make no agreement with his lord, or his officer, then the lord to take it as it is praiſed, for his rent with his damages. And if the diſtreſs be better than the rent with the arrerages, the lord to reſtore the ſurpluſage unto the tenant, and if it be of leſſer price than the value of the rent with tharrerages, the tenant to pay the ſurpluſage, or be again diſtrained.

Diſtreſs, not releaſed in eight days, may be appraiſed by four men of the lordſhip, and if in eight days next after the arrears of rent not paid to, or agreement made with, the lord, he may take it as appraiſed, for his rent and damages. *Ir.* 10 *C.* 1. 25. 10 & 11 *C.* 1. 7.

If the diſtreſs above the rent, the ſurplus to be reſtored: if deficient, the tenant to be diſtrained again.

A. D. 1478.

CHAP. II.

An Act concerning the chooſing of Knights and Burgeſſes of Parliament. Rot. Parl. cap. 5.

WHEREAS in a Parliament lately holden at Dublin as it is ſaid, and in diverſe other Parliaments before that at Dublin and other places as it is ſaid, it is ordained and eſtabliſhed, That no manner of man ſhould be admitted proctor into any Parliament for any clergy, if he were not beneficed within the dioceſs there, nor knight for a county, if he were not dwelling within the ſaid county, and might diſpend forty ſhillings within the ſaid county yearly; citizen for city, if he were not a citizen dwelling within the ſame city, nor burgeſs for borough town, if he were not dwelling within the ſaid town: and if the contrary were done, that the Parliament, in which any ſuch perſon were admitted, and were not inhabitant according to the acts and ordinances made in the ſaid Parliaments, ſhall be void and of no force nor effect in the law, as in the ſaid acts and ordinances more fully appeareth. The premiſſes conſidered, and how great a diſtance, and how great peril it is of the King's Iriſh enemies and Engliſh rebels, as well by ſea as by land, and openly known how great miſchiefs ſo oftentimes have been done in the ways, as well in the ſouth part and the north as in the eaſt and in the weſt part of the ſaid land, by reaſon whereof they may not ſend proctors, knights, citizens nor burgeſſes, according to the ſaid acts or ordinances: wherefore if any ſuch acts be, it is ordained and eſtabliſhed by the authority of this preſent Parliament, That the ſaid acts or ordinances ſo made be void and of no effect in law. And that by the ſame authority all manner of lords ſpiritual and temporal, deans, chapiters, clergies, and ſheriffs, feneſhals and ſheriffs of croſſes, mayors, bayliffs and portreeves, which have not retorned their writs before time, that they ſhall retorn their ſaid writs upon their peril at the next prorogation or adjournment of this Parliament, and that all proctors, knights, citizens, and burgeſſes, ſo to be retorned, to be admitted able, lawful, and effectual, the ſaid acts or ordinances notwithſtanding.

Acts formerly paſſed, that not one beneficed in the dioceſe ſhould not be admitted proctor; nor knight, citizen, or burgeſs not reſident, and ſuch knight to be able to ſpend 40s. yearly, declared void, from the difficulty of obſerving them. And all knights, &c. returned at the next prorogation or adjournment of this Parliament, to be admitted lawful and effectual.

Ir. 33 *H.* 8. 1. Seſſ. 2.

A. D. 1480. Statut' Ordination' & actus edit' in Parliamento tento apud *Dublin* die Lunæ proximo poſt feſtum tranſlationis ſancti *Thomæ* martyris, anno regni Regis EDWARDI quarti viceſimo, coram *Geraldo* comite *Kildare* deputato dilect' & chariſſimi filii dicti domini Regis *Richardi* ſelopie ducis eborum locumtenent' ipſius domini Regis terræ ſuæ *Hiberniæ*. *Anno Dom.* 1480.

An Act to reſtrain the carrying of Hawkes out of this Kingdom.
Seſſio ſecunda.

Merchants exporting hawks ſhall pay for a goſhawk 13s. 4d. a tiercel 6s. 8d for a falcon 10s. and poundage accordingly, on pain of 40s.

WHEREAS hawkes of diverſe natures as goſhawks, tiercels, and of other natures, were lately of great plenty within the land of Ireland, to the great pleaſure of our ſovereign lord the King, and other lords and gentlemen of his realm of England, and of his land of Ireland: Now ſo it is, that merchants as well of the ſaid realm of England, as of the ſaid land of Ireland, have taken ſo many hawkes out of the ſaid land, rather for merchandiſes to be ſold than for any other cauſe, inſomuch that no hawks may be had to pleaſuee our ſovereign lord the King and his lords. Wherefore the premiſes tenderly conſidered, it is ordained, adjudged, and enacted by authority of the ſaid Parliament, That whatſoever merchant ſhall take or carry any hawk out of the ſaid land of Ireland, ſhall pay for every goſhawke thirteen ſhillings and fourpence, for a tiercel ſix ſhillings eight pence, for a falcon ten ſhillings, and the poundage accordingly. And that every merchant that ſhall do contrary to this act, ſo often as he ſo doeth, ſhall incur the penalty of forty ſhillings, the one half to the King, and the other half to the finder or informer.

The eighth Year of Henry *the Seventh.*

Parliamentum tentum apud *Dublin* die Veneris proximo poſt feſtum nativitatis ſanctis *Johannis Baptiſtæ*, Ann' regni Regis HENRICI ſeptimi octavo coram *Waltero* archiepiſcopo *Dublin*, Deputato, *Jaſparis* ducis *Bedfordiæ* & com' *Pembrochiæ* locumten' dom' Regis terræ ſuæ *Hiberniæ*. *Anno Dom.* 1493.

A. D. 1493. *An Act for the Cleanſing of the Water-Courſe in St. Patrick's Street.*
Rot. Parl. cap. 6.

Every inhabitant on the Poddel ſhall cleanſe the precinct of his tenement on pain

AT the ſupplication of the dean and chapiter of the cathedral church of ſaint Patrick's of Dublin, inaſmuch as the ſaid church and college is of the foundation of our ſovereign lord the King,

and the ſaid church and cloſe is ſcituated and ſtandeth in a low valley, notwithſtanding by the grave conſideration and diligent proviſion of the ſaid dean and chapiter, fearing the violence of the waters and floods, to their great charge and coſt for the ſafegard of the ſaid church and cloſe, have made divers iſſues and gowts for the free avoidance of all ſuch ſuddain floods; alſo there was of old time and now there are two rivers or paſſages of waters, one upon every ſide of Saint Patrick's ſtreet called the Podell, through which all ſuch waters had a lawful courſe and large paſſage without any impediment, until now of late that the ſaid rivers and podells be filled and ſtopped, as well by the inhabitants of houſes inhabiting upon the ſaid podells in eſtopping or caſting of ſtoppance out of their houſes, as doung of beaſts, as by tanners making ditches or damms to water their ſkinnes, inſomuch as they have eſtopped both parts of the podell, that the water may not have his lawful free courſe and paſſage, ſo that within a few years and late dayes the ſaid church and colledge have been ſurrounded with great ſuperfluities and abundance of waters to the great hurt and damage of the ſaid dean and chapiter and colledge: the premiſſes conſidered, it is enacted, eſtabliſhed, and adjudged by authority of this preſent Parliament, That every man, which doth dwell, or inhabit, or hath a houſe or ſhop upon the ſaid podell, upon every part thereof, ſhall cleance and ſcour the ſaid precinct of his tenement or inheritance to the ſaid channell, as it was of old time, within two moneths after this preſent act paſt, upon pain of twenty ſhillings, to be levied by the proctor of the church of Saint Patrick aforeſaid for the time being, without any other authority or impediment, and henceforth upon the ſaid pain in like manner to be levied, that no man nor woman by no meanes eſtoppe nor diſturbe the courſe nor free paſſage of the ſaid water.

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of 20s. to be levied by the proctor of the church of St. Patrick.

* *The tenth Year of* Henry *the Seventh.*

Stat' Ordination' & Actus in quod' Parliamento apud *Drogheda*, die Lunæ prox' poſt feſtum ſancti *Andreæ* apoſt. Anno regni Regis Henrici ſeptimi decimo, coram *Edwardo Ponyngs* milite deputato ipſius domini Regis terræ ſuæ *Hiberniæ* edita in hæc verba, *Anno Dom.* 1495.

CHAP. I.

An Act authoriſing the Treaſorer to make all Officers as the Treaſorer of England doth. Rot. Parl. cap. 5.

A. D. 1495.

ITEM, be it ordained, enacted, and eſtabliſhed in this preſent Parliament by the aſſent of the lords ſpiritual and temporal, and the commons of this land in this Parliament aſſembled, That the treaſorer

The treaſurer of Ireland ſhall have as ample power as the treaſurer of England; as

* The firſt acts in the Engliſh language were paſſed in this Parliament.

A. D. 1495.

forer of the ſaid land of Ireland, from henceforth have as ample and large power in all things concerning or belonging to his ſaid office, as the treaſorer of England hath in his office, as for to make all cuſtomers, controllers, farmors, and other officers accomptants for the moſt approvement and encreaſement of the King's revenue of this land; and over that it be ordained and eſtabliſhed by the ſaid authority, That all manner act or acts, made afore this time by the authority of any Parliament, holden within the ſaid land, concerning the election or making of the ſheriffs and eſcheators of the ſhires of the ſaid land, and all other officers accomptants, and farmours accomptants, contrary to this preſent act, be revoked, adnulled, and deemed void and of none effect in the law. And that it be ordained and eſtabliſhed by the authority aforeſaid, that the treaſorer of Ireland from this time forward every year ſhall make a declaration of his accompt of the revenues of the ſame land before the barons of the King's eſchequer in Ireland, and before ſuch of the Kings counſail there, as ſhall be appointed or named by the King's lieutenant or deputy for the time being, and the ſame declaration to be certified into the King's Exchequer in England, and there before the barons of the King's Exchequer in England the ſaid account to be finiſhed and determined. And that this preſent act extend not ne be prejudicial to the mayor, bayliffs, and commons of the city of Develyn, ne to their ſucceſſours, ne to no city nor town priviledged within this land.

to make all officers accountants, &c. for increaſe of the King's revenue.

All acts of Parliament, concerning the making ſheriffs, eſcheators, and other officers accountants contrary to this act, made void.

The treaſurer ſhall yearly make his account of the revenues before the barons of the Exchequer, and the King's counſel appointed by the lieutenant, and certify the ſame into the Exchequer in England, to be finiſhed there.

This act not to extend or be prejudicial to the mayor, &c. of Dublin, or to any city or town priviledged.

CHAP. II.

An Act that the Chancellour and Treaſorer, Judges of the King's Bench and Common Place, the chief and ſecond Baron of the Exchequer, the Clerk or Maſter of the Rolls, and all Officers Accomptants, to have their Offices but onely at the King's Will and Pleaſure. Rot. Parl. cap. 6.

The chancellor, treaſurer, judges, barons, maſter of the rolls, all who ſhall have the miniſtration of juſtice, and all officers accountants ſhall have their offices only during the King's pleaſure.

ITEM, prayen the commons, that in conſideration of the great and manifold inconveniences that late were attempted there contrary to all natural allegiance, to the King's grievous diſpleaſure, by the procurement, counſail, and exhortation of ſuch officers, as late had adminiſtration of juſtice under the King in that land, and ſuch as were officers accomptants, and had their offices granted unto them by patent for term of life, by reaſon whereof they were the more bolder to miſuſe their ſuch authority, Therefore be it ordained, enacted, and eſtabliſhed by the authority of this preſent Parliament, That from this time forward no maner perſon or perſons, that ſhall have miniſtration of juſtice, that is for to ſay, the chancellour, the treaſurer, judges of the Kings bench and Common place, the chief and ſecondary baron of the Exchequer, the clerk or the maſter of the rolls, and all maner officers accomptants, have any authority by patent in their ſuch offices, but onely at the King's will and pleaſure:

ſure: And if any grant afore this time or hereafter be made of any of the ſaid offices, unto any perſon or perſons there, contrary to the premiſes, the ſame to be deemed void and of none effect in the law, and by the ſame authority all and every maner act or acts before this time made to the contrary hereof to be revoked and deemed void and of none effect in the law. A. D. 1495. All grants and acts to the contrary, void.

CHAP. III.

An Act adnulling a Preſcription which Traytors and Rebels claimed within this Land. Rot. Parl. cap. 7.

PRAYEN the commons, that in conſideration of the great and haynous abuſions and errours late had within the land of Ireland, by reaſon of an uſurpation or pretenſed preſcription, declaring that it hath been uſed time out of mind, that all manner of perſons, as well rebels, traytors, as other evil diſpoſed perſons, for any cauſe comming and ariving into the ſaid land, have uſed to have ſuccour, tuition, ſupportation and free liberty within the ſaid land during their abiding there, without any grieveance, hurt or moleſtation of any perſon, notwithſtanding any writ, privy ſeal, the great ſeal, letters miſſives, under ſignet, or other commandment from the King, directed unto any officer or other perſon within the ſaid land, to be executed againſt any ſuch perſon or perſons being rebels or traytors, whereas there was never ſuch preſcription ne uſage had ne ſeen, experience whereof evidently appeareth in the time of that holy and bleſſed King of perpetual memory King Henry the ſixt, the ſaid pretenſed and unlawful preſcription was approved, ratified, and confirmed by authority of Parliament late holden within the ſaid land, afore Richard duke of York, there being then in rebellion, and pretending himſelf lieutenant of the ſaid land, unto the late King Henry the ſixt, and by the authority of that Parliament it was ordained and made high treaſon anempſt any perſon or perſons that would bring any writs, privy ſeals or other commandments to attach, diſturb, or grieve any ſuch perſon having ſuccour, tuition, or ſupportation, whereupon one William Overy, eſquire, then being ſervant unto James late earl of Wiltſhire and Ormond, for the cauſe was judged by the ſaid late duke, to be drawn, hanged and quartered, and ſo was put to execution. And now of late it is not unknown what abuſion and inconveniences have been within the ſaid land, by reaſon and colour of the ſaid feigned unlawful preſcription, and the ſaid act of confirmation thereupon made, as in the maintaining, ſupporting, and aſſiſting theſe two laddes there, contrary to all faithful and natural allegiance, the which abuſion and enormity is declared and ſpoken of through all chriſtian realms, to the great ſhame and deriſion of ſuch ſupporters, recepters, and maintainers.

Perſons maintaining, ſupporting, or receiving rebels, adjudged traitors as well as the rebels: and the King's writs ſent out of England to be executed againſt rebels and traitors, ſhall be obeyed notwithſtanding any pretended preſcription or uſurpation for the ſupporting ſuch rebels, which ſhall be void, as likewiſe the ſtatute in confirmation of ſuch cuſtom.

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II. In reformation whereof, and to the intent that no rebel from henceforth have cauſe or courage to be as is aforeſaid maintained, recepted, or ſupported within the ſaid land, that it be enacted, ordained, and eſtabliſhed by the authority of this high court of Parliament, That the ſaid falſe uſurpation, or pretenſed preſcription, and the aforeſaid act of ratification, and confirmation, and every thing in it contained, thereupon made, be utterly revoked, adnulled, repelled, and deemed void, and to be of none effect in the law.

III. And moreover by the ſaid authority it been ordained and enacted, That if any perſon or perſons within the ſame land of Ireland, of what eſtate, degree, or condition he be of, do maintain, ſupport, or receive any ſuch rebel, or at any time hereafter, that as well the receptor and maintainor, as that rebel or perſon ſo recepted, or maintained, be taken, reputed and adjudged as open traytors unto our ſovereign lord the King.

IV. And over that, it be enacted, ordained, and eſtabliſhed by the ſame authority, that the King's great ſeal, privy ſeal, and letters miſſives, under his ſignet, ſent out of his realm of England, be duely obeyed, any ſuch pretenſed preſcription, uſurpation, act, confirmation, or other ordinance made to the contrary notwithſtanding.

CHAP. IV.

An Act that no Parliament be holden in this Land until the Acts be certified into England. Rot. Parl. cap. 9.

No Parliament ſhall be held in Ireland, 'till the lieutenant and council firſt certify the King under the great ſeal, the cauſes, conſiderations and acts, and the King's licence in affirmation thereof, and to ſummon the ſaid Parliament, firſt had under the great ſeal of England. *Ir.* 3 & 4 *Ph.* & *M.* 4.

ITEM, at the requeſt of the commons of the land of Ireland, be it ordained, enacted and eſtabliſhed, That at the next Parliament that there ſhall be holden by the King's commandment and licence, wherein amongſt other, the King's grace entendeth to have a general reſumption of his whole revenues ſith the laſt day of the reign of King Edward the ſecond, no Parliament be holden hereafter in the ſaid land, but at ſuch ſeaſon as the King's lieutenant and counſaile there firſt do certifie the King, under the great ſeal of that land, the cauſes and conſiderations, and all ſuch acts as them ſeemeth ſhould paſs in the ſame Parliament, and ſuch cauſes, conſiderations, and acts affirmed by the King and his counſail to be good and expedient for that land, and his licence thereupon, as well in affirmation of the ſaid cauſes and acts, as to ſummon the ſaid Parliament under his great ſeal of England had and obtained; that done, a Parliament to be had and holden after the form and effect afore rehearſed: and if any Parliament be holden in that land hereafter, contrary to the form and proviſion aforeſaid, it be deemed void and of none effect in law. *Ir. Stat.* 28 *H.* 8. 4 & 20. 11 *Eliz.* 1 & 8.

Any Parliament held contrary, void.

CHAP.

CHAP. V.

A. D. 1495.

An Act againſt Proviſors to Rome. Rot. Parl. cap. 10.

PRayen the commons aſſembled in this preſent Parliament, that where afore this time there hath been, and yet be within the ſaid land of Ireland, many debates and ſtrifes betwixt the prelates and other of the church of Ireland, by reaſon of diverſe proviſors ſuing by falſe and untrue ſuggeſtions made unto the court of Rome, for to deprive and put out of poſſeſſion the ſaid prelates and other beneficers from their livelyhood and benefices, and by colour and cauſe whereof many of the King's true ſubjects, prelates and beneficers, in that land, wrongfully by ſtrength and might be put out of their livelyhood, and ſuch perſons proviſors be put in their places, contrary to the ſtatutes of proviſion in that behalf ordained, and contrary to reaſon, right, and good conſcience: Wherefore be it ordeyned, enacted, and eſtabliſhed by the authority of this preſent Parliament, That all maner of eſtatutes, as well made within the realm of England, as within the ſaid land of Ireland, againſt proviſors, by the authority of this preſent Parliament, be authoriſed, approved, and confirmed, and be deemed good and effectual in the law; and alſo by authority aforeſaid, That all and every of the ſtatutes, made againſt proviſors, be from henceforth duely and ſtraightly executed in all points within the ſaid land, according to the effect of the ſame. And the King's juſtices, and commiſſioners of the ſaid land diligently enquire at their ſeſſions, and all other times requiſite and behoveful, of all and every maner of perſon or perſons that hereafter offend the ſaid ſtatutes, or any of them, and every of the ſaid perſons ſo founden defective or treſpaſſing in any of the ſaid ſtatutes, from henceforth be duely corrected and puniſhed, in example of all other in time to come, according to the tenure and purport of the ſaid eſtatute.

All ſtatutes, as well in England as Ireland, againſt proviſors to Rome, confirmed and to be executed here.

Ir. 32 *H.* 6. 1. 7 *E.* 4. 2 & 3. *Eng.* 25 *E.* 3. 22. 13 *R.* 2. 2. 16 *R.* 2. 5. 2 *H.* 4. 3. 7 *H.* 4. 8. 3 *H.* 5. 4.

CHAP. VI.

An Act that no Citizen receive Livery or Wages of any Lord or Gentleman. Rot. Parl. cap 12.

PRayen the commons, foraſmuch as the cities and great towns of the land of Ireland, and in eſpecial the city of Dublin, have of late been abuſed, and inordinately have demeaned them for the moſt part, contrary to their natural faith and allegeance; not doing their duty to the King our ſoveraign lord, and ſuch as his grace did commit his authority unto, but for the amitie and favour the which diverſe of the ſaid cities and townes did beare to diverſe lords and gentlemen of the ſaid land, and alſo were retained with the ſaid lords, contrary to their owne laws and cuſtomes, whereas they ſhould

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take part with no man, but onely the part of their ſoveraign lord and his lieutenant for the time being, and to ſee their ſaid cities and townes ſurely kept under due order and obeyſance, the which retainders, parttaking and diviſion, have been a great cauſe of all the trouble within the ſaid land:

No citizen, burgeſs, or freeman, ſhall receive livery or wages, from or make promiſe or ſurety with, any lord or gentleman, on pain of deprivation of freedom and liberty, and expulſion out of the city. Mayors, &c. forfeit 20*l.* for neglect.

II. Wherefore the premiſſes conſidered, that it be ordeyned and enacted by authority of this preſent Parliament, from this time forward, That whatſoever citizen, burgeſſe, or freeman enhabite within any of the ſaid cities or townes, doe receive livery or wages, or make other promiſe or ſurety by indenture, or otherwiſe, with any lord or gentleman within the ſaid land, that then he or they that ſhall ſo offend the premiſſes, and as often, to be deprived of his or their freedome and libertie; and over that to be expulſed out of the ſaid citie for ever.

No lord, &c. ſhall retain by livery, &c. any perſons, except his officers, as baiſſs, ſtewards, council learned, and menial ſervants, on pain of 20*l.* by both the retainer and retained, on proof and examination by the King's council.

III. And by the ſame authority it be ordeyned, That if the mayor, or head officers of the ſaid cities or towns, for the time being, doe not execute this preſent ordinance, as often as it ſhall require, that then he forfeit to the King twenty pound.

IV. And by the ſame authority that it be ordeyned, That no lord ne gentleman of the ſaid land retein by livery, wages, or promiſe, ſign or token, by indenture, or otherwiſe, any perſon or perſons, but only to ſuch as be, or ſhall be his officers, as baylifes, ſteward, learned counſaile, receivors, and meniall ſervants daily in houſhold at the ſaid lords coſtes. And if any lord or gentleman of the ſaid land, retein any perſon contrary to the form of this preſent act, that then, (that duly proved and examined by the King's counſail, or two of them) both the retainer, and he that is retained, to leeſe and forfeit to the King twenty pounds of lawful mony, as often as they or any of them ſhall doe contrary to this preſent act; and that this act extend not to the marches of the ſaid land, ſo that the marches of the ſame doe preſent the names by indenture, of all ſuch perſons as they ſhall have in their retinue, ſuch as they ſhall anſwer for at their peril to the King's lieutenant, or his deputy for the time being.

This act not to extend to the marches, ſo as they preſent the names of thoſe retained. *Ir.* 28 *H.* 6. 1. *poſt cap.* 10.

CHAP. VII.

An Act that none be admitted Alderman, Juror, or Freeman in no Town, but if he have been Prentice or Inhabitant in the ſame. Rot. Parl. cap. 13.

No city or great town ſhall admit any to be alderman, juror, or freeman, ſave apprentices and continual inhabitants, or call lords, &c.

PRayen the commons, that no citie ne great town within the land of Ireland, from this time forwards, receive or admit any perſon to be alderman, juror, or freeman, within any of the ſaid cities or townes, but ſuch perſons as have been prentice, or been continually inhabite in the ſaid cities or townes, ne alſo call no lord ne other perſon to their congregations or counſailes, but onely their recorder and learned counſail retayned with them, ne ſhall alſo elect any per-

ſon to be mayor or head officer of any town or citie, but ſuch as ſhall be well known to be the King's true men, bearing a ſadde true mind to the common weale; and if any city or town offend the premiſſes, or any part thereof, and that offence duly and lawfully proved and examined by the ſame authority, it be ordeyned, that the maior and commons of any ſuch city or town, by whatſoever name they be incorporate by, to forfeit an hundred mark of money to the King, as often as they or any of them ſhall offend the premiſſes, or any part of them. A. D. 1495.

to their counſil, or elect any but good ſubjects to be their head officers, on pain of 100 marks.

II. And by the ſame authority it be ordeyned and enacted, That all maner acts and lawes made within any of the ſaid cities or townes, or hereafter to be made, contrary to the King's prerogative and juriſdiction royall, be repealed, revoked, and deemed voyd and of none effect in law; and that theſe preſent acts be ſtabliſhed for a law by authority of their own counſailes, and there to reſt of record for the common weale of the ſaid cities and townes.

All acts or laws within cities and towns contrary to the King's prerogative, ſhall be void.

CHAP. VIII.

An Act for the Confirmation of the Statutes of Kilkenny. Rot. Parl. cap. 19.

ITEM prayen the commons, that foraſmuch as the ſtatutes of Kilkenny were made and ordeyned for the publicke weal of the King's ſubjects of Ireland to keep them under due order and obeyſance, and all the ſeaſon that the ſaid ſtatutes were ſet in ure, and duely executed, the ſaid land continued in proſperitie and honour, and ſith the time that they were not executed, the foreſaid ſubjects rebelled, and digreſſed from their allegeance, and the land did fall to ruine and deſolation: the premiſſes conſidered, That it be ordeyned, enacted, and eſtabliſhed by authority of this preſent parliament, That all and every of the foreſaid ſtatutes (thoſe that will, that every ſubject ſhall ride in a ſaddle, and thoſe that ſpeaketh of the language of Iriſh, alonly excepted) be authoriſed, approved, confirmed, and deemed good and effectuall in law, duly to be enquired of, and to be executed according to the tenors and purport of them, and every of them; any act or ordinance made to the contrary of them notwithſtanding.

All the ſtatutes of Kilkenny (except ſuch as appoint riding in ſaddles, or ſpeak of the Iriſh language) are confirmed.

II. And by the ſame authority it be ordeyned, That all other acts, made in that land for the common weal, be likewiſe enquired of and executed; and that all the foreſaid ſtatutes be incorporate and written in two books, one of them to be in the King's chiefe place, and another to be in the common place, and that the treaſorer of the ſaid land have in commaundement by the King's grace to ſee this performed.

All other acts, for the commonweal, to be inquired of and executed; incorporated and written in two books, one to be in B. R. the other in C. B. the treaſurer to ſee it performed.

A. D. 1495.

CHAP. IX.

An Act that the Subjects of this Realm ſhall have Bows and other Armour. Rot. Parl. cap. 20.

The ſubjects of Ireland ſhall have bows and other armour.

ITEM prayen the commons, that in conſideration that the ſubjects of Ireland have none Engliſh bowes and arrowes for the reſiſtence of the malice of their enemies and rebels, like as they have had in times paſſed; by reaſon whereof they be not ſo able to defend them from deſtruction, as they were at other ſeaſons heretofore: therefore it be ordeyned, enacted, and eſtabliſhed by authority of this preſent Parliament, That every ſubject having goods and cattels to the value of x. li. have an Engliſh bow and a ſheaf of arrowes according; every ſubject having goods to the value of xx. li. have a jack ſalett, an Engliſh bow and a ſheafe of arrows; every freeholder, having land to the value yearely of foure pounds, have his horſe, jack ſalett, bow and ſheaf of arrowes; every lord, knight, and eſquire, within the ſaid land have for every yeoman daily in their houſhold, jack ſalett, bow, and arrowes, to the intent that all the commons of the ſaid land may be able to doe the King or his lieutenant ſervice for their owne defence and ſurety.

II. And by the ſame authority it be ordeyned, That if the foreſaid perſons, or any of them, doe not obſerve and perform the premiſſes as it is before ſpecified, that then they and every of them doe forfeit to the King vis. viiid. as often times as they and every of them ſhall offend the foreſaid ordinance.

Every barony to have two wardens of the peace. Every pariſh to have conſtables of able inhabitants, and butts to ſhoot at; the conſtables may amerce defaulters 4d. and preſent to the barons of the Exchequer, to be levied as the King's revenues.

III. And by the ſame authority it be ordeyned, That there be henceforward in every barony within every ſhire of the ſaid land two wardens of peace, having authority as it hath bin uſed of old time, and in every pariſh conſtables of able perſons inhabitants within the ſaid pariſhes, and a payre of butts to be had within every of the foreſaid pariſhes, at the coſt of the ſaid pariſhioners, that the commons of the ſaid land may the ſooner attain the practiſe and experience of archers; and that the foreſaid conſtables in every pariſh, upon pain of forfeiture of xiid. at every default, doe call before them or one of them every haly day all and every of the foreſaid perſons, having bowes and arrowes, as afore is rehearſed, to ſhoot, and cauſe them to ſhoot, at the leaſt, two or three games at the ſaid butts.

IV. And by the ſame authority it be ordeyned, that if any of the ſaid perſons make default at any haly day, without a reaſonable cauſe ſhewed, that then the ſaid conſtables have full power and authority to record their defaults, and amerce them and every of them at every ſuch default in iiiid. and the ſaide conſtables to preſent the ſaid amerciaments in writing to the barons of the King's Exchequer in the ſaid land, to be levied and perceived in like maner and forme as the King's revenues been levied there.

CHAP.

CHAP. X.

A. D. 1495.

An Act that the Captains of the Marches do certifie the Names of ſuch, as they have in their Retinue. Rot. Parl. cap. 22.

Marchers to preſent the names of their retinue, anſwer for their defaults, ſuccour no rebels, and to be ready to defend the marches. *Ir.* 28 *H.* 6. 1. 10 *H.* 7. 6.

ITEM prayen the commons of the ſaid land of Ireland, foraſmuch as the moſt part of all ſuch perſons, as been inhabitants within the marches of the ſaid land, ſuffereth the King's enemies and rebels to paſs and repaſs through their marches to robb and ſpoil, bren, and murder the King's true ſubjects, being part privy to the ſame, therefore it be ordained and eſtabliſhed by authority of this preſent Parliament, That every marcher and Engliſh captain, inhabitants within the ſaid marches and land, from this time forward do preſent the names of all ſuch perſons, as they ſhall have in their retinue for the defence of the ſaid marches and land, to the King our ſovereign lords lieutenant, or his deputy for the time being, by indenture, that they ſhall anſwer for every of their ſaid retinue defaults, to every perſon that will complain of them for any maner cauſe:

II. And by the ſame authority it be ordeyned, that if any of the ſaid perſons inhabitants within the ſaid marches voluntarie do ſuccour, receive, or ſuffer any enemies or rebels to paſs or repaſs, as before it is rehearſed, that he or they that ſo ſhall offend, and thereof duly convicted, be felon attainted, and the warden of every ſuch march ſhall endeavour him by all his power to take every ſuch perſon ſo attainted, and bring him to the King's jayle.

III. And by the ſame authority it be ordeyned, that all and every perſon or perſons having land or poſſeſſions within the ſaid marches, do reſort by themſelf or their ſufficient deputies, ſuch as ſhall be thought ſufficient by the King's lieutenant or his deputy, and the King's counſail there, to their ſaid lands, and there continually do dwell in the ſame for the defence of the King's ſubjects there, after a certain proclamation thereon made; and if they or any of them, that have any ſuch lands or poſſeſſions, do not reſort and dwell in their ſaid lands, as it is afore ſpecified, after the ſaid proclamation thereon made, that then it be lawful to our ſaid ſovereign lord to enter and ſeiſe the ſaid lands, and to take and perceive yearly the iſſues and profits of the ſame lands, to the maintenance of his wars of his ſaid land during the ſame abſency of the ſaid lords or their deputies:

IV. And by the ſame authority it be enacted, ordeyned, and eſtabliſhed, that every man, being of the age betwixt ſixteen and ſixty, inhabitant within every county, city, borough or town to ſuch marches adjoyning, upon reaſonable and lawful warning to be had to them, be ready in their beſt defenſible array for war to aid and defend the foreſaid marches, when need thereto ſhall require, according to the ſtatute thereof made, and the pains contained in the ſame.

A. D. 1495.

CHAP. XI.

An Act that no Perſon take any Money or Amends for the Death or Murder of his Friend or Kinſman, other than the King's Laws will. Rot. Parl. cap. 21.

Whoever takes any amends, other than the laws will, for the death of his friend or kinſman, and thereof convicted, ſhall have judgment *de vie & de membre.*

ITEM prayen the commons of this land of Ireland, that where it is uſed by diverſe of the ſaid land for the death of any of their friends or kinſmen to bren, ſlay, or robbe, as many as beareth the name of him that is ſlain, whereas his next heir ſhould ſue appeal of death in the King's court for that murder, and by reaſon of ſuch dampnable wayes will compell all ſuch perſons as been of the ſame name that he is of, that was cauſer of that murder, howbeit that hee was never of his blood, to pay aſſaut, that is to ſay, to depart with the moſt part of their goods by way of amends: wherefore it be ordeyned, enacted, and eſtabliſhed by authority of this preſent Parliament, That if any perſon or perſons from this time forward doe challenge or cauſe any of the King's ſubjects to pay any aſſaut, or have amends, otherwiſe than the King's lawes will in that behalfe, that he or they that ſo ſhall offend, and thereof to be convicted, have judgment *de vie & de membre.*

When murder or robbery committed, hue and cry ſhall be levied according to the ſtatute of Wincheſter.

II. And by the ſame authority, That whenſoever any ſuch murder ſhall fortune, or any robbery to be done upon any of the foreſaid ſubjects next adjoyning to that place there as the murder or robbery ſhall fortune to be done, doe levy hue and cry, according to the ſtatute of Wincheſter, on the pain contained in the ſaid ſtatute.

III. And by the ſame authority, That the ſaid ſtat. of Wincheſter, and every article in it contained, be due executed and put in ure, as it hath been in old time paſt within the ſaid land.

CHAP. XII.

An Act that no great Ordinances be in no Fortreſs, but by the Licence of the Deputy. Rot. Parl. cap. 23.

None, without licence to keep in his houſe, garriſon or place, any ordnance on pain of 20l.

ITEM our ſoveraigne lord the King by the advice and aſſent of his lords ſpiritual and temporall, proctors, and commons in this preſent Parliament aſſembled, and by the authority of the ſame, for the ſurety and weal of his lieutenant, deputy, and ſubjects of his land of Ireland, have ordeyned, enacted, and eſtabliſhed, That no maner perſon ne perſons for this time forward doe retain or keep in his houſe, garriſon, or place, any maner ordinance or artillery, that is to ſay, great gunne or handgunne, except only long bow, arrowes, and bills, upon pain of forfeiture of the ſaid ordnance; and if any perſon or perſons have any gunnes or ordnances, except above except, and doe not deliver them to the King's lieutenant or deputie within a moneth after proclamation hereupon made, or at any time hereafter keep any ſuch

ſuch ordnances, without the lieutenant or his deputies licence thereof had, that then he or they that ſhall offend in the premiſſes, and as often, doe forfeit to our ſaid ſoveraign lord xx. li. to be levied on their land, goods, and cattles, like maner and form. A. D. 1495.

CHAP. XIII.

An Act that no Perſon ſtir any Iriſhry to make War. Rot. Parl. cap. 25.

ITEM foraſmuch as diverſe perſons have aſſembled with banners diſplayed againſt the lieutenant and deputy of the ſaid land, ſuppoſing that it was not treaſon ſo to do, and many times the deputy hath bin put to reproch, and the common weal ſet in adventure: Therefore it be ordayned and enacted by this preſent Parliament, That whatſoever perſon or perſons fro this day forward cauſe, aſſemble, or inſurrection, conſpiracies, or in any wiſe procure or ſtirre Iriſhery or Engliſhry to make warre againſt our ſovereign lord the King's authority, that is to ſay, his lieutenant, or deputy, or juſtice, or elſe if any manner perſon procure or ſtir the Iriſhry to make warre upon the Engliſhry, be deemed traytor atteynt of high treaſon, in likewiſe as ſuch aſſemble an inſurrection had been levied againſt the King's own perſon.

Treaſon to ſtir the people to war againſt the King's authority, or the Iriſhry againſt the Engliſhry.

CHAP. XIV.

An Act that one born in the Realm of England to be Conſtable of Dublin, Trym, Leiſelipe, Alone, Wycklow, Greencaſtle, Carlingford and Grafergous. Rot. Parl. cap. 28.

ITEM, prayen the commons, foraſmuch as the caſtle of Dublin, Trym, Leiſelipe, Alone, Wicklowe, Greencaſtle, Carlingford, and Grafergous bin the chief caſtles of the ſaid land, and of right appertaineth to our ſoveraign lord, the which caſtles have been negligently kept, and ſuch as have been committed to the conſtables or keepers of them, for treaſon, felony, and other offences, have ſuffered to eſcape wilfully, to the great hurt and prejudice of our ſaid ſovereign lord, and of all the ſaid land. Therefore it be ordained and enacted by authority of this preſent Parliament, That fro this time forward there be in every of the foreſaid caſtle an able and ſufficient perſon of the realm of England, conſtable of every of the foreſaid caſtles, for the more ſurety of our ſaid ſovereign lord, and of all his true ſubjects, and the better order to be kept in the ſaid caſtles. *Rep.* 11. *Car.* 1. 6.

Rep. 10 & 11 *C.* 1. 6.

Able and ſufficient perſons of the realm of England, to be conſtables of the caſtles of Dublin, &c.

CHAP. XV.

An Act touching the keeping of Records of the Earldomes of Marche, Connaght, Trym, and Ulſter. Rot. Parl. cap. 29.

ITEM prayen the commons, foraſmuch as the earldomes of Marche, Ulſter, the lordſhips of Trym and Connaght, been annexed to our ſoveraigne lord the King's moſt noble crown, and that all ſuch records, rolls, and inquiſitions, as ſometime was remayning of record in the treaſory of Trym, and as ſhould entitle our ſaid ſove-

Any perſons having any of the rolls, records and inquiſitions kept in the

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raign lord to all ſuch lordſhips, manors, lands, tenements, rents, ſervices, wards, mariages, and all other revenues appertaining to the ſaid earledome and lordſhips, of late was taken and embeſilled by diverſe perſons of malice prepenſed, to the great dammages and diſheriſon of our ſaid ſoveraign lord and his noble heyres, and to the great hurt and prejudice of his ſubjects and tenants of the ſaid lordſhips: That it be ordeined and enacted by authority of this preſent Parliament, That there be open proclamation made in the ſaid Parliament, that whatſoever perſon have any of the ſaid rolls, records, or inquiſitions, or knoweth where they be, and doe not deliver them, or ſhew where they been, to our ſaid ſoveraigne lords counſail within the ſaid land, within two moneths next after the ſaid proclamation, that then they and every of them, that ſo ſhall offend this preſent act, be deemed felons attainted.

treaſury of Trim, and lately taken and imbezzled, or knowing where they are and not delivering them to the council, to be deemed felons.

II. And by the ſame authority it be lefull to our ſaid ſoveraigne lord and to his heyres to enter and ſeiſe in all ſuch manors, honours, lordſhips, caſtles, and tenements, rents, ſervices, mores, medowes, paſtures, waters, and milles, with all and every of their appurtenances.

III. And by the ſame authority, that our ſaid ſoveraign lord may preſent to all and every maner advouſons of church or free chappell appending to any of the ſaid honors, manors, or lordſhips, or to advouſons ingroſe, any preſentation, confirmation, or ratification to the patron notwithſtanding, and doe ſeiſe all and every maner ward or wards, eſcheate, weifes, felons goods, and all other things appertaining or belonging to the ſaid earledomes and lordſhips, whereof any maner lefull title or diſcharge of our ſaid ſoveraign lords intereſt cannot be ſhewed.

IV. And that this act extend not, ne be prejudicial to ſuch graunts as were made by Richard late duke of Yorke, and lord of Trym, to the abbot and covent of the bleſſed virgin, of our lady of Trym.

CHAP. XVI.

A Statute for the Lords of the Parliament to wear Robes Rot. Parl. cap. 30.

All lords to appear in Parliament in their robes, as the lords of England do, on pain of 5l.

ITEM prayen the commons, that for as much as it was alway uſed in time paſſed, that the ſpiritual and temporal lords of the land of Ireland did appear to our ſovereign lord the King's high court of Parliament in their Parliament robes, in like maner and for as much as the lords of England do appear at this day, and for penory and the ſaid lords will do no coſts thereupon by the ſpace of xx. or xxiv. yeares at the fartheſt, and have done away the ſaid robes, to their own great diſhonour, and the rebuke of all the whole land: Therefore it be ordained and enacted by authority of this preſent Parliament, That fro this Parliament forward, that every lord, as well ſpiritual as temporal, to appear to every Parliament that ſhall be holden within the ſaid land, in their Parliament robes, in like maner and form as the lords of the foreſaid realm of England doth appear to the

the Parliament holden within the ſaid realm. And if any of the aforeſaid lords appear to any ſuch Parliament hereafter to be holden, not having his robe of Parliament, as before it is ſpecified, that then he or they that ſo ſhall offend this preſent act, and as often to forfeit to our ſaid ſovereign lord C. s. to be levied of his lands and goods in like manner and form as other forfeitures been levied. A. D. 1495.

CHAP. XVII.

An Act that no Peace ne War be made with any Man without Licence of the Governour. Rot. Parl. cap. 32.

ITEM, prayen the commons in this preſent Parliament aſſembled, foraſmuch as diverſe lords and great gentlemen of Ireland, uſeth daily to make ſeveral peace with the King our ſovereign lord's Iriſh enemies, and where the peace hath bin taken and concluded by the lieutenants and their deputies for the time being, with the foreſaid enemies, and for the univerſal weal of our ſaid ſovereign lord's true ſubjects, the ſaid lords and gentlemen for the ſingular lucor and for malice, have diverſe and many ſeaſons, and without any authority of the lieutenant or deputy for the time being, entered into the countries of ſuch Iriſh enemies as have ſtanden under the protection of our ſaid ſovereign lord, and the ſame countries have robbed, ſpoiled, hurt, and deſtroyed, by reaſon whereof, the ſaid enemies have likewiſe entered into the Engliſh countrey, and the true Engliſh ſubjects have robbed, ſpoiled, and brent in ſemblable wiſe: Wherefore it be ordained, enacted, and eſtabliſhed by authority of this preſent Parliament, That from this time forward, there be no peace ne war taken or had within the ſaid land, without the lieutenant or deputy's licence, but ſuch war and peace as ſhall be only taken or made by the lieutenant or deputy for the time being. And whatſoever perſon or perſons break the ſaid peace, or take ſingular truce, or robb, ſpoil, contrary to this preſent act, and ſuch goods and cattels as they ſhall hereafter fortune to robb, and fortune to take of Iriſh enemies, do not deliver unto the lieutenant or deputy within eight days after the taking, that then by the ſame authority, he or they that ſo ſhall offend this preſent act, and as often to forfeit Cl. of lawful money to our ſaid ſovereign lord, and his or their body or bodies to be taken and committed to ward, there to abide without bail or mainpriſe, unto ſuch time as the ſaid hundred pounds be payed, and to find ſufficient ſurety in the chancery, that he ſhall no more offend this preſent ordinance.

No peace or war to be made without licence of the governor.

Perſons breaking the peace, or robbing or ſpoiling Iriſh enemies, and not delivering the goods, &c. taken to the lieutenant in eight days, forfeit 100*l.* and to find ſureties.

A. D. 1495.

CHAP. XVIII.

An Act for Extirpation of a new Maner of Coyn and Livery, upon Pains comprised in the Statute of Kilkenny. Rot. Parl. cap. 35.

No one shall, under the penalty in the statute of Kilkenny, take money or horse-meat by colour of gift or by menace.

PRAYEN the commons of this present Parliament assembled, that whereas notwithstanding the act late made in the said Parliament, of the avoiding and dampning of this evil custom of coyn and livery, there be many evil disposed persons which by subtile and crafty means and wayes, studying and imagining daily to cloke and colour the said dampnable custom, not foreseeing or pondering such acts and ordinances thereupon late made for the commonweal of this land, nor also the great danger and pain therein contained, accepteth, and take daily by colour of gift and reward of some husbandmen for his meat and his servants viii d. and of some less, and of some more, besides sheaves of otes and other grains for their horses, and so daily rideth about the country from one husband to another, menacing to be revenged upon such husbands in time to come, if that they thereof should be denied, the which is equivalent and in like mischief to coyn and livere: Wherefore it be ordeyned, enacted and established, by authority of this present Parliament, That no maner of person from henceforth, upon pain contained in the statute of Kilkenny, for taking of coyn and livere, take any money or horsemeat by colour of gift, reward, or otherwise by reason of any such menace, of any husband or inhabitant in the countrey, and also that no such husbandmen or inhabitant from henceforth do give unto such person or persons of gift or reward, for his or their meat, any money or horsemeat by reason or occasion of any such menace, and if any such husbandman or inhabitant do hereunto the contrary at any time to come, and shew not or disclose the same in the name of such as offendeth the premisses, unto such commissioners as shall enquire in the countrey of coyn and livery, that such husbands or inhabitants forfeit c s. as oftentimes as he endeavoureth him not to do according to the premisses, that is to say, the halfyndele thereof to the King our sovereign lord, and thother half thereof to such as shall give information and knowledge thereof to the said commissioners, and he or they to sue for the said forfeit by bill or otherwise.

Ir. 28 *H.* 6. 1.

Husbandmen or inhabitants giving and not disclosing the same forfeit 100 s.

CHAP. XIX.

An Act declaring a Rate what Souldiers shall pay for their Meat and Drink, in Time of Hostility. Rot. Parl. cap. 36.

Soldiers to be quartered on the subjects in time of hostility:

ITEM, prayen the commons, that forasmuch as our soveraigne lord the King hath sent into this his land, his army for to repress and subdue his rebells and enemies, and that this his land may be sooner reduced to his obeysance to his great cost and charge, and to the entent that the same army may the better be continued and kept

for the ſame purpoſe, that it be ordeyned and enacted by authority of this preſent Parliament, that the ſaid army, whenſoever they ſhall hereafter at any time ride to any jorney or oſting in this land to ſubdue the ſaid enemies and rebels, or that the ſaid enemies and rebels ſhall invade the ſaid land, that at all ſuch ſeaſons the ſubjects of the ſaid land, and every of them, ſhall receive and lodge in his or their houſe every of the ſaid army, ſo that the forſaid ſouldiers ſo lodged doe take and receive ſuch meat and drink reaſonable, as the governour of the houſe then ſhall fortune to have at that time, and that they ne any of them ſhall take of any of the ſaid army for their meat and drink above i d. ob. for one meale, and for his ſervant i d. and for every horſe that ſhall appertaine to the ſaid armie, ſhall not pay above i d. for ſixe field ſheaves with a double band with litter according, that for lacke thereof, they ne none of them have cauſe to complain; and by the ſame authority if any perſon or perſons there as any of the ſaid army ſhall fortune to lodge at any time hereafter, doe refuſe to receive or lodge any of the ſaid army, as before it is rehearſed, lords and gentlemen, of xx. mark of land and more, cities and borough townes onely excepted, that then hee or they that ſhall offend this preſent ordinance, to forfeit to our ſaid Sovereign Lord, as often as he or they that ſo ſhall offend, xii d. to be levied and paid in like manner as other forfeitures been.

A. D. 1495.

The price for their victuals rated.

Penalty 12 d. for refuſing them.

CHAP. XX.

An Act aboliſhing theſe Words Cromabo *and* Butlerabo. Rot. Parl. cap. 38.

ITEM, prayen the commons in this preſent Parliament aſſembled, that foraſmuch as there hath been great variances, malices, debates, and compariſons between divers lords and gentlemen of this land, which hath daily increaſed by ſeditious means of diverſe idle and ill diſpoſed perſons, utterly taking upon them to be ſervants to ſuch lords and gentlemen, for that they would be borne in their ſaid idleneſs, and their other unlawfull demeaning, and nothing for any favour or entirely good love or will that they bear unto ſuch lords and gentlemen: Therefore it be enacted and eſtabliſhed by the ſame authority, That no perſon ne perſons of whatſoever eſtate, condition, or degree, he or they be of, take part with any lord or gentleman, or uphold any ſuch variances or compariſons in word or deed, as in uſeing theſe words, *Cromabo*, *Butlerabo*, or other words like, or otherwiſe contrary to the King's lawes, his crown, and dignity, and peace, but to call only on St. George, or the name of his Sovereign Lord the King of England for the time being. And if any perſon or perſons of whatſoever eſtate, condition, or degree, he or they be of, do contrary ſo offending in the premiſſes, or any of them, be taken and committed to ward, there to remain without bayl or mainpriſe, 'till he or they have made fine after the diſcretion of the King's deputy of Ireland, and the King's counſail of the ſame for the time being.

None ſhall uphold any variance in word or deed, as by uſing the words Cromabo, Butlerabo, and ſuch like, on pain of fine and impriſonment.

A. D. 1495.

CHAP. XXI.

An Act whereby Murder of Malice prepenſed is made Treaſon. Rot. Parl. cap. 37.

Murder of malice prepenſed, or the ſtirring others thereto, made treaſon.

ITEM, prayen the commons, that foraſmuch as there hath been univerſal murder by malice prepenſed uſed and had in this land by divers perſons contrary to the laws of Almighty God and the King without any fear or due puniſhment had in that behalf, that it be ordeyned, enacted, and eſtabliſhed by authority of this preſent Parliament, and of the lords ſpiritual and temporal, and commons in the ſame aſſembled, That if any perſon or perſons, whatſoever eſtate, degree, or condition he or they be of, from the feaſt of the purification of our lady, the tenth year of the reign of our ſovereign Lord King Henry the ſeventh forward, of malice prepenſed do ſlee or murder, or of the ſaid malice provoke, ſtir, or procure any other perſon or perſons to ſlee or murder any of the King's ſubjects within this land of Ireland, be deemed traytor attainted of haute treaſon, likewiſe as it ſhould extend to our ſaid ſovereign Lord's perſon, and to his royal Majeſty, and that the chief lords have their eſcheats and forfeitures of all maner lands, tenements, rents, ſervices, with their appurtenances; any act or ordinances to the contrary hereof notwithſtanding.

Right of appeal not barred. 9 Anne 4.

CHAP. XXII.

An Act confirming all the Statutes made in England. Rot. Parl. cap. 39.

All Engliſh ſtatutes concerning the publick weal confirmed, and to be uſed and exerciſed in Ireland; all ſtatutes to the contrary, void. *Ir.* 8 *E.* 4. 1.

ITEM, prayen the commons, that foraſmuch as there been many and diverſe good and profitable ſtatutes late made within the realm of England by great labour, ſtudie, and policie, as well in the time of our ſovereign lord the King, as in the time of his full noble and royal progenitors, late Kings of England, by the adviſe of his and their diſcreet counſail, whereby the ſaid realm is ordered and brought to great wealth and proſperity, and by all likelyhood ſo would this land, if the ſaid eſtatutes were uſed and executed in the ſame: Wherefore it be ordeyned and eſtabliſhed by authority of this preſent Parliament by the aſſent of the lords ſpirituall and temporall, and commons aſſembled in the ſame, That all eſtatutes, late made within the ſaid realm of England, concerning or belonging to the common and publique weal of the ſame, from henceforth be deemed good and effectuall in the law, and over that be acceptyd, uſed, and executed within this land of Ireland in all points at all times requiſite according to the tenor and effect of the ſame; and over that by authority aforeſaid, that they and every of them be authorized, proved, and confirmed in this

ſaid

ſaid land of Ireland. And if any eſtatute or eſtatutes have been made within this ſaid land, hereafter to the contrary, they and every of them by authority aforeſaid be adnulled, revoked, voyd, and of none effect in the law. A. D. 1495.

CHAP. XXIII.

An Act repealing a Parliament holden at Drogheda, before Robert Preſtone, Lord of Gormanſtowne. Rot. Parl. cap. 40.

PRAYEN the commons, that foraſmuch as there was a Parliament late holden at Drogheda before Sir Robert Preſtone knight, viſcount of Gormanſtown, deputy to the right excellent Prince Jaſper duke of Bedford, lieutenant of this land of Ireland, the which Parliament was decreed and deemed voyde to all intents, by the King our ſovereign lord's counſaile in Ireland, for diverſe cauſes; one was becauſe the ſaid duke ſurrendered his letters patents of lieutenancie before the ſaid Parliament ſummoned; the ſecond cauſe, that there was no general ſummons of the ſaid Parliament to all the ſhires; but onely to foure ſhires; the third cauſe, that the ſaid deputie had no maner power by his commiſſion to keep Parliament. For the which cauſes, that it may be ordeyned and enacted by authority of this preſent Parliament, That the ſaid Parliament ſo holden, for the cauſes aforeſaid, may be deemed voyd and of none effect.

Parliament held at Drogheda, deemed void; becauſe the lieutenant ſurrendered his letters patent before it was ſummoned: becauſe ſummons iſſued only to four ſhires: and the deputy had no power by his commiſſion to keep a Parliament.

The fourteenth Year of Henry *the Seventh.*

Extract' quodam actor' & factor' apud *Triſtledermont*, die Lunæ xxvi, die Auguſti, anno regni Regis Henrici ſeptimi decimo quarto, coram *Geraldo* com, *Kildare* deputat' locumtenent' terræ *Hiberniæ* tent' edit & ibidem finito & terminato. *Anno Dom.* 1499.

An Act for puniſhing of Cuſtomers, &c. for their Miſdemeanours.

ITEM, at the prayer of the commons within this preſent Parliament aſſembled, to the intent that the King our ſovereign lord ſhall not be deceived of his cuſtome, cocket, tonage and poundage, nor of any other duty belonging unto him, of or for merchandize conveyed into the land of Ireland, or out of the ſame land. It is authorized, enacted, and eſtabliſhed by authority of this preſent Parliament, That all and every act of Parliament made in England for puniſhment of cuſtomers, controlers and ſearchers, A. D. 1499.

All acts made in England for puniſhing cuſtomers, merchants, &c. to be in force in Ireland, being firſt proclaimed in market towns.

A. D. 1499. ſearchers, for their miſdemeanor or negligence in their office, or for the puniſhment of any merchant, or of their proctors or factors, or for the good ordering of them, or for the good ordering of any of the ſaid officers, be put in execution by the officers of this land, according to the tenor and effect of them, and in like maner as they be put in execution by the King's officers in England. And that all and every of the ſaid acts be authoriſed and affirmed by this preſent Parliament.

II. Provided alwayes, that this act ſhall not be put in execution, 'till the ſaid acts of England be proclaymed at Dublin and Drogheda, and other market townes, to the intent that marchants may know what thoſe acts be, and the paines of the ſame.

The fifteenth Year of Henry *the Seventh.*

Anno decimo quinto HENRICI ſeptimi. *Anno Dom.* 1500.

Twelve Pence levied by the King out of every twenty Shillings Worth of Wares brought into Ireland, Wine and Oyl only excepted. Rot. Parl. cap. 4.

A. D. 1500.

The King to have 12 d. *per* pound for all merchandize imported or exported, wine and oil excepted.

ITEM, at the prayer of the commons: That for diverſe conſiderations it is ordeyned, granted, and eſtabliſhed by authority of this preſent Parliament, That our ſoveraign lord the King and his heyres have, perceive, and levy of all and every twenty ſhillings worth of all maner merchandize and wares brought into this land of Ireland, by any perſon or perſons, to be ſold within the ſame land, twelve pence: and likewiſe to have, levie, and perceive, of every twenty ſhillings worth of all maner merchandizes and wares, after the price that they be bought within this land, and to be carried out of the ſame, to be ſold by any maner perſon or perſons beyond the ſea, twelve pence, wine and oyle onely excepted.

None to bring in any merchandize, or break bulk, or bring the ſame out of any ſhip, or ſhip any to be exported, till entered in the cuſtomer's book, on pain of forfeiture.

II. And by the ſame authoritie it is ordeyned and eſtabliſhed, That no maner perſon or perſons bring any maner merchandizes or wares aforeſaid into this land, break any bulk, or bring any wares out of any ſhip or ſhips, 'till the ſame wares be entered in the cuſtomer's book by the merchant owner of the ſaid wares, or his atturney, or purſer of the ſaid ſhip wherein the ſaid wares be brought into this land, and that upon pain of forfeiture of the ſaid wares ſo not entred in the cuſtomer's book in maner aforeſaid, half to the King, and the other half to the ſpier and finder of the ſame. And alſo in likewiſe, that no maner perſon or perſons which will carry over the ſeas any wares or merchandizes out of this land, ſhip, or put into any boat or ſhip, the ſame wares or merchandizes,

'till they be entred in the cuſtomer's booke of the ſame port, and that upon pain of forfeyture of the ſame, in maner aforeſaid. A. D. 1500.

III. Provided alway, That this act extend, nor in any maner wiſe be prejudicial or hurtfull to any free man of the citie of Dublin, Waterford, ne of the town of Drogheda, being free by birth or prentiſhood, or marriage, and dwelling within the ſaid cities and towne. This act not to prejudice freemen of Dublin, Waterford, or Drogheda, dwelling there.

The ſeventh Year of Henry *the Eighth.*

Statuta Ordin' Proviſiones & Actiones in quodam Parliamento domini Regis, virtute commiſſionis & mandati dicti domini Regis ſub magno ſigillo ſuo Angliæ apud Dublin, die *Lunæ* viceſimo quinto die *Febr.* anno regni Regis HENRICI Octavi ſeptimo, coram chariſſimo conſanguine ſuo *Geraldo* comite *Kildare*, deputato ipſius domini Regis dominii atque terræ ſuæ *Hiberniæ* tento, edit. & ibidem diverſis vicibus continuato ac ſimiliter ibidem die *Veneris*, ſeptimo die *Martii*, tunc proximo ſequente uſque die *Martis* proximum poſt feſtum apoſtol. *Petri* & *Pauli*, ad tunc prox' ſequent' prorog. & ibid' die *Jovis* prox' ante Feſt' ſancti *Michaelis* Archang. ſimiliter prorog' ac etiam die *Jovis* proximo poſt feſtum ſancti *Michaelis* prædicti ibidem finito & terminato in hæc verba. *Anno Dom.* 1517.

An Act for and againſt ſuch as ſue Letters under the Privy Seal out of England. Rot. Parl. cap. 5.

PRayen the commons, That whereas diverſe perſons of malice, by prepenſed and ſurmiſed cauſes, purſue the King's private ſeales to compel the King's ſubjects of this his land of Ireland, to repair into England, purpoſely to put them to coſt and charge, for particular cauſes determinable in this land, ſo as for the great labour and expences, and default of Engliſh money, the King's ſaid ſubjects would give rather unto their adverſaries their wills and pleaſure, be their demands never ſo untrue, then to take the coſts paſſing over the ſea and returning. Therefore, and in conſideration that judges and learned officers here be ordeyned to miniſter juſtice betwixt party and party, according the order of our ſaid ſoveraign lord his laws: be it enacted and eſtabliſhed by authority of this preſent Parliament, A. D. 1517. Perſons bringing the King's letters of privy ſeal for particular cauſes, againſt any ſubject in Ireland, ſhall find ſureties to anſwer coſts, if the defendant acquitted before the council in England.

A. D. 1517. That every perſon ſo bringing the King's letters of private ſeale for particular cauſes againſt any of the King's ſubjects here, ſhall, at his hither coming, find ſufficient ſureties in the King's chancery here, to be bound by recogniſance, that if the defendant at his apparance before the King and his counſail in England, may there purge and acquit himſelf of the matter to him alleaged, that then the party plaintif ſhall ſatisfie and recompence the ſaid defendant for his coſts, damages, and expenſes, ſuſtained by ſuch wrongfull vexation.

The thirteenth Year of Henry *the Eighth.*

Stat' Ordination' & Action' in quodam Parliamento apud *Dublin*, die *Martis* prox' poſt feſt' ſanct' *Petronillæ* virginis, viz. quarto die *Junii*, anno regni Regis HENRICI Octavi, tertiodecim', coram chariſſimo conſang. noſtro *Thomæ* com. *Surr.* uno milit' ord' garterii, magno admirallo *Angl. Hib. Walliæ, Normand. Gaſc. Acquitaniæ*, ac locum tenent' dicti dom. Regis in terra ſua *Hiberniæ* tent. edit. & ibid' quartodecimo die ejuſd. menſis Junii uſque quint' diem Auguſt tunc prox' ſequent. prorog. & contin', & eod' quinto die Aug. ibid' prorog. & cont' uſque viceſimum quintum diem Januarii tunc prox. ſequen' & ſic ibidem contin' uſque viceſimum nonum diem ejuſdem menſis Januarii. Et a dicto viceſ. nono die uſque tertium decim' diem menſis Febr. tunc prox. ſequent. prorog. & contin' Et ſic uſque decimum ſeptimum diem ejuſd. menſis Feb. prorog. & cont': Et a præd' xvij. die Feb uſque xxi. diem menſis Martii tunc prox. ſeq. ſimil' ib' prorog. & cont. ac ib' eod' die finit' & cont' in hæc verba. *Anno Dom.* 1522.

CHAP. I.

An Act for burning of Corn as well in Recks in the Fields, as in Villages and Towns.

A. D. 1522. FIRST prayen the commons, That whereas many ill diſpoſed perſons, for malice, evill will and diſpleaſure, doe daily burne corn, aſwell in recks in the fields, as in villages and townes, thinking that it is no felony, ſo that they ſhould ſuffer death for no ſuch

burning: Therefore be it enacted by the authority of this preſent Parliament, That all wilful burning of recks of corn in fields and in townes, and burning of houſes, of and upon any of the King's true ſubjects, be high treaſon, and that like proceſſe, judgment, and execution be awarded againſt the ſaid evil doers, or any of them, as againſt any that doe commit treaſon in any other maner; ſaving to the chiefe lords of the ſoyles their eſchetes.

A. D. 1522.

Wilfull burning recks of corn in fields and towns, and burning houſes, treaſon.

CHAP. II.

An Act againſt lading Wools and Flocks.

ITEM, prayen the commons, That whereas taking and lading of wool and flockes out of this land hath been the cauſe of dearth of cloth, and idleneſſe of many folkes, ſo that in default of labour and occupation of the ſame divers perſons, both men and women, have faln to theft and other miſgovernance to the deſolation and ruine of this poor land, as it doth daily appear by experience: Therefore be it enacted by the authority of this preſent Parliament, That no perſon ne perſons from henceforth lade ne take out of this land any wooll or flockes upon pain of forfeiture of the double value of the ſame, the one half unto the King, and the other half to him that will ſue therefore; and that it be lawfull to every man to ſue for the ſame as well by action of debt, as by information, in any of the King's courts, in which action of debt the partie or parties defendants ſhall have none eſſoine, protection, ne law wager: and that it be lawful unto all the King's juſtices of peace, that hereafter ſhall be made, to enquire of the premiſſes.

Wool or flocks not exported, on pain of forfeiture of double value. *Ir.* 28 *H.* 8. 17. 11 *El.* 10. ſeſſ. 3.

All juſtices of peace may inquire thereof.

CHAP. III.

An Act touching Jurors, to paſs in Attaint.

PRayen the commons, foraſmuch as perjurie is often unpuniſhed in this land of Ireland by reaſon of falſe verdicts aſwell in reall actions, as in perſonal actions; by reaſon whereof diverſe perſons, againſt whom the ſaid falſe verdicts have paſſed, be without remedy, becauſe that right few perſons within the foure ſhires, where the King's laws is occupied in this land, have not ſufficient lands and tenements to paſs in attaint according unto the ſtatutes in that behalf purveyed: Therefore be it enacted by the authority of this preſent Parliament, That any perſon or perſons being ſeized of lands, rents or tenements, in poſſeſſion or in uſe, unto the yearly value of ten marks above the charges, in fee ſimple, fee taile, or for terme of life, copyhold, and auncient demeane, ſhall from henceforth paſs in every attaint; any act, ſtatute, or ordinance to the contrary before this time notwithſtanding. And the judge or judges, before whom

Jurors in attaint, muſt be ſeized of lands, rents, or tenements in poſſeſſion or uſe, of the yearly value of ten marks above charges.

On default of jurors in

A. D. 1522.

any attaint hereafter ſhall be ſued, have full power, in caſe that the jury of the ſaid attaint ſhould remain at any day for default of jurors, to examine the jurors appearing before them, empanelled in any ſuch attaint, after the diſcretion of the judge or the judges, whether there be more ſufficient perſons within the county or franchiſe, where any ſuch attaint ſhall be ſued, to make up the whole pannell of twenty four jurors. And if it appear unto the ſaid judge or judges, by tryall or examination of the ſaid jurors, that then doe appear, that there be not enough of ſufficient perſons according to the effect of this act within the ſaid county or fraunchiſe unreturned, that then the ſaid judge or judges may incontinent award proceſs to the ſheriffe or other officer or officers of any county, libertie, or fraunchiſe next adjoyning, as many jurors as ſhall need to be impannelled in the ſaid attaint, in like order and form as if the ſheriffe or other officer of the ſhire, libertie or fraunchiſe, where the ſaid attaint ſhall be commenced, had returned ſpecially, that there were no mo freeholders ſufficient within his ſhire unreturned to paſs in the ſaid attaint. Provided, that this act extend not but onely for falſe verdicts, to be given in time to come, wherein attaints do lye.

the county or franchiſe where the attaint is ſued, the court may immediately award proceſs to the ſheriff, &c. of the next county, &c to return as many as ſhall need to be impanelled. 28 *H* 8. 24. *Ir.*

The twenty fifth Year of Henry *the Eighth.*

Stat' Ordination' & Actus in quod' Parliament' Dom' Regis virtute commiſ. & mandati Dom' Regis ſub magno ſigill' ſuo *Angl'*, apud *Dublin* xix. die Maii, ann regni Regis HENRICI octavi viceſ. quinto, coram *Geraldo* com' *Kildare*, deputato præchariſſimi ac dilectiſ. conſang. dicti dom. Reg. *Henr.* ducis *Richmond* & *Somerſ.* locumten' ipſius Dom Regis terr' ſuæ *Hibern.* tent' & ibid' uſq' diem Jovis prox. ante feſt' fanct' Trinitat' tunc prox' ſequent. tenend', prorog' nec non ibid' uſq' diem Jovis prox. poſt feſtum ſancti *Michaelis* archan' ſimil. tunc prox. ſequen. tenend. prorog', ac ibid' finito & terminato, edit. in hæc verba. [*Anno Dom.* 1534.]

CHAP. I.

An Act for Lezers of Corn. Rot. Parl. cap. 2.

A. D. 1534.

PRayen the commons, That whereas many inconveniencies within this land enſueth, by reaſon that many and divers perſons, labourers ſtrong of bodie, aſwell men as women, falleth to idleneſs,

and will not labour for their living, but have their ſole reſpect to gathering and lezing of corn in harveſt time, and refuſe to take money for their wages, to rippe or binde corn, to the intent that the poor earth tillers ſhould give them ſheaves of corn for their labour, by colour whereof they ſteal mens cornes, as well by night as by day, to the great hinderance and impoveriſhing of the poor earth tillers, and alſo by giving of ſuch ſheafes, the church is defrauded of the tythe of the ſame. Wherefore be it ordeyned and eſtabliſhed by authority of this preſent Parliament, That from henceforth no perſon ne perſons, being ſtrong of body to labour for their living, ſhall gather or leze in any place in harveſt time, except it be in their owne fields; and no impotent perſons gather or leze in any other place, ſaving in the ſame paroche where their dwelling is; and that no man from henceforth give ne take any corn in harveſt, for ripping ne binding of corn. And if any perſon or perſons gather, leze, or take any corn for their labour, contrary to this act, that then it be lawfull to all and every perſon and perſons, to take fro all and every ſuch gatherer, lezer or lezers, and other ſuch perſons as ſhall take corn for their labour, in manner aforeſaid, all ſuch corn as they or any of them take or get by lezing, as is aforeſaid, with all ſuch other ſtole corn as ſhall be gotten with them, or any of them, as well within their houſes as without, the one half thereof to the lord of the ſoyle where the ſame ſhall be found, and the other half to taker of the ſame.

A. D. 1534.

No ſtrong or able perſons ſhall leze corn except in their own fields, nor impotent perſons out of their pariſh, corn not to be taken in harveſt, for reaping or binding corn.

Penalty, any one may take ſuch corn, as well within as without their houſes: half to the lord of the ſoil where found, half to the taker.

CHAP. II.

An Act for the uniting and Appropriation of the Parſonage of Galtrime to the Priory of St. Peter's by Trymme. Rot. Parl. cap. 2. ſeſſion 3.

AT the humble ſupplication of the priour and covent of the monaſtery or houſe of the apoſtles Peter and Paul of the Newton beſides Trymme: That where the advouſon of the paroche church of the bleſſed Virgin Mary of Galtrime, within the county and dioceſe of Methe, in the time of the famous Prince Edward the fourth, late King of England, unto the monaſtery or houſe of the apoſtles Peter and Paul, of the Newton beſides Trymme aforeſaid, and to the prior and covent of the ſame, to hold, retain, and keep to them and their ſucceſſors, in proper uſe was appropriated, and ſo appropried did continue unto the four and twentieth year of the raign of our ſoverign lord that now is, Henry the eight, King of England and of France, defendour of the faith, and lord of this land of Ireland, that one Nicholas Huſſe, baron of Galtrime aforeſaid, in a *quare impedit* recovered the foreſaid advowſon againſt the priour that now is, of the ſaid monaſtery or houſe, before the juſtices of the King's common place in this land of Ireland. The ſaid Nicholas, in his ſaid action of *quare impedit*, alleadging, that

The parſonage of Galtrim united to the monaſtery of St. Peter's by Trim.

A. D. 1534. the ſaid advowſon, long before the ſaid appropriation thereof, was appendant to the manour of Galtrime aforeſaid, which manour the ſaid advowſon thereto then being appendant, was given by force of a remainder of a tail, to one Peter Huſſey anceſtour to the ſaid Nicholas, whoſe heire the ſaid Nicholas is, and to the heyres males of the ſaid Peter's bodie begotten, as by the ſaid recovery more plainly doth appear. And for as much as the tythes of the parſonage of Galtrime aforeſaid, was that thing that the ſaid houſe or monaſtery was moſt ſupported and kept up, and divine ſervice and hoſpitality maintained, and that the ſame houſe or monaſtery, if it could not have the ſaid parſonage thereto again appropried, was and is very like to be cleerly diſſolved, for as much as a great deal of the poſſeſſions that was given thereto at the foundation thereof, lyeth in the marches, and by reaſon of war and oppreſſion there is much waſted, ſore decayed, and diminiſhed, and the premiſſes of pity moving Sir William Skeffington, then lord deputie of this land, and the counſail of the ſame, at their deſire, the ſaid Nicholas Huſſey upon the ſaid advowſon, did ſubmit himſelf to ſuch end, award, and order, as the ſaid lord deputie, the moſt reverend father in God, John archbiſhop of Dublin, primate of Ireland, and then chauncellor of Ireland, Sir John Barnwall, knight, lord of Trimletteſtown, and Thomas Luttrell, then the King's ſergeant at his lawes in Ireland, ſhould take order and award therein; and the ſaid arbitrers, by the aſſent of the ſaid priour and Nicholas thereupon did award, order and deem, that their ſhould be a vicar perpetual, and for ever in the ſame church made, eſtabliſhed, and ordained, having perpetual ſucceſſion, that ſhall have yeerly to him and his ſucceſſors, vicaries of the ſame church for the time being, the whole mance or gleab of the parſonage or church of Galtrime aforeſaid, with four acres of arable land, being within the ſame town of Galtrime thereto pertaining, with all other lands and tenements pertaining to the ſame, being within the precinct, bounds and meares of the lands of the town of Galtrime aforeſaid, the whole alterages, oblations, and offerings yearly, of the church and paroche of Galtrime aforeſaid, the third part of all the tythe torves of the ſaid paroche, the whole tythes of corn and hay of all the lands, meſuages, and tenements of Clonemethe, and ſuch tythes yearly of corn, half wheat and beare, and the other half oates, as ſhall be to the yearly value of eight markes of lawful money of Ireland, of ſuch corn as ſhall grow or be in the fartheſt part of the land of the town of Galtrime aforeſaid, fro the houſe or monaſtery of ſaint Peter and Paul aforeſaid, after the rate of fifteene ſhillings the couple of corn of the ſame tithe yearly: to have and to hold the ſame mance, glebe lands, alterages, oblations, offerings, tythes, and all other the premiſſes, with their appurtenances, to the ſaid vicar, and to his ſucceſſors, for ever, that ſo ſhall be there made, eſtabliſhed and ordeyned. And that the advowſon of the parſonage of Galtrime aforeſaid, with all other

maner tythes, oblations, and alterages, chappels, and freechappels, that pertayneth to the ſame, except the premiſſes for the ſaid vicar limitted, at the coſts of the ſaid prior, or his ſucceſſors, after he or his ſucceſſors had obtained or gotten of our ſovereign lord the King, his heires, or ſucceſſors, a ſufficient licenſe to take, accept, and approper the ſame advowſon to them and their ſucceſſors, then ſhall be appropried, united, and annexed to the ſaid houſe or monaſtery of ſaid Peter and Paul aforeſaid, and to the priour and covent, of the ſame, and their ſucceſſors for ever. To have and to hold, keep, and retain the ſame to the ſaid priour and covent, and to their ſucceſſors for ever, in proper uſe, in pure and perpetuall almes, to pray for the ſoules of his anteceſſors of the ſaid Nicholas, and for the proſperitie of the ſaid Nicholas and his heyres and ſequele, for their ſoules after they paſſe this tranſitory life. And the ſaid prior and covent, and their ſucceſſors for ever ſhall bear, doe, keep, and pay, all ordinarie and extraordinary charges of and for the ſame church and parſonage of Galtryme, and all chappells and freechappels perteyning or belonging to the ſame, and ſhall diſcharge the ſaid vicar and his ſucceſſors thereof, the ſaid vicar and his ſucceſſors for ever, finding and keeping the cure of ſoules of the ſaid church of Galtryme, and to appeare and anſwere by himſelfe, or by his curate, to ſundayes chapters and conſiſtorie days, as a vicar ought to doe, and that upon his own proper coſtes. A. D. 1534.

II. And forafmuch as the ſaid Nicholas Huſſey hath no intereſt ne eſtate in the ſaid advowſon of the parſonage aforeſaid, but to him and to his heyres males of his body begotten, ſo that it is defuſe and doubtful how to make a ſure and perfit appropriation thereof, by the common law, without act of Parliament: In conſideration whereof, be it ordeyned, eſtabliſhed, and enacted by this preſent parliament, and by authority of the ſame, That the foreſaid parſonage of Galtryme aforeſaid, with all tythes, chappells, and freechappels pertaining or belonging to the ſame, except ſuch parcels thereof as be ordered, deemed, and awarded by the ſaid arbytrours, to be to the ſaid vicar and his ſucceſſors, as appeareth in the ſaid award, be appropried, united, and annexed to the ſaid houſe or monaſterie aforeſaid, and to the prior and covent of the ſame, to have and to hold, and poſſede, and retain in proper uſe, the ſame parſonage, with all that thereto belongeth, except the fore excepted, to the ſame prior and covent, and their ſucceſſors for ever; the ſaid prior and his ſucceſſors bearing all ordinarie and extraordinarie charges of and for the ſame, except ſuch charges thereof, as is limited to the ſaid vicar by the ſaid award to beare and doe; the act or ſtatute whereby it is ordeyned that no lands ne tenements ſhould not come or be given to mortmain, or any other act or acts, ſtatute or ſtatutes, ordinance or reſtriction before this time made, ordeyned, purveyed, or enacted to the contrary of the premiſſes, or any part thereof notwithſtanding.

A. D. 1537. Statuta, Ordinationes & Proviſiones in Quodam Parliamento illuſtriſſimi principis & domini noſtri domini HENRICI octavi Dei gratia *Angliæ* & *Franciæ* Regis, fide defenſ. & domini *Hiberniæ*, virtute commiſſionis & mandati dicti domini Regis ſub magno ſigillo ſuo *Angliæ* apud *Dublin* die lunæ primo die menſis Maij, anno regni ejuſdem domini Regis viceſimo octavo, coram dilecto & fideli ſuo domino *Leonardo Gray* milite domino *Gray*, deputato ipſius domini Regis acprærchariſſimi & dilectiſſimi conſanguinei ſui *Henrici* ducis *Richmond* & *Somerſet* de proſapia ſua orti, locumtenentis ſuæ terræ & dominij ſui *Hiberniæ* tento edit'. Et abinde die Mercurij, videlicet ultimo die ejuſdem menſis Maij tunc proxim' ſequent' uſque diem Martis, videlicet viceſimum quintum diem Julii tunc prox. ſequent' ad villam de *Kilkenni* adjornat' & ibidem tent' & continuato ibidem die Mercurii, *viz.* viceſimo ſexto Julii uſque diem Veneris tunc proxim' ſequent. videl. viceſimum octavum diem ejuſdem menſis Julij tunc proxim. ſequent. ad villam de *Caſhel* adjornato & ibidem tent. & continuato. Et ibidem dicto die Veneris, videl. viceſimo octavo die dicti menſis Julii uſque diem Mercurij tunc prox. ſequent. *viz.* ſecundum diem Auguſti tunc proxim. ſequent. ad civitatem *Limiric* adjornato, & ibidem tent. & continuato. Et ibidem die Sabati, *viz.* decimo nono die ejuſdem menſis Auguſti uſque diem Veneris, *viz.* decimum quintum diem menſis Septembris tunc prox. ſequent. ad civitatem *Dublin* præd. adjornato, ibidem tent. & continuato. Et ibidem die Jovis, *viz.* viceſimo octavo die ejuſdem menſis Septembris uſque diem Sabati, *viz.* viceſimum diem Januarij tunc prox. ſequent. ad dict. civitat. *Dublin* prorogat. & ibidem tent. & continuato. Et ibidem die Martis, *viz.* quinto die Februarii tunc prox. ſequent. uſque diem Martis, *viz.* primum diem Maii tunc prox. ſequ. ad dict. civitatem *Dublin* prorogat. & ibidem tent. & continuato. Et ibidem die Martis, *viz.* octavo die Maij tunc prox. ſequent. uſque diem Veneris, *viz.* viceſimum diem Julij tunc prox. ſequent. ad dictam civitatem prorogat. & ibidem tent. & continuato. Et ibidem die Sabati, *viz.* viceſimo primo die Julii tunc prox. ſequent. uſque diem Sabati, *videl.* tertiodecim diem Octobris tunc prox. ſequent. ad dict. civitatem *Dublin* prorogato, & ibidem viceſimo die Decembris tunc prox. ſequent. finit. & terminato. *Anno Dom.* 1537.

CHAP. I.

An Act for the Attainder of the Earl of Kildare and others.

A. D. 1537. *Ir.* 11 *El.* 12. Seſſ. 3. PRayeth the commons in this preſent Parliament aſſembled, that foraſmuch as Gerald fitz Gerald, late earle of Kyldare, amongſt manifold and diverſe enormities, abuſes, and offences, contrary to his naturall duty of allegeance, attempted and committed againſt the

crown, right, majeſty and dignity of our natural and moſt dread ſoveraign lord Henry the eight, by the grace of God, King of England and of France, defender of the faith, and lord of Ireland, and in earth, ſupreme head of the church of England, the xvi. yeare of his moſt noble reign, confedred and aſſented to, and with one James late earle of Deſmond, being openly proclaimed and publiſhed rebell and traytor againſt our ſaid ſoveraigne lord, for that he the ſaid James ſhould ſend to the French King then enemy unto his grace and at open war with him and his dominions, to excite, provoke, and ſtur the ſame French King to ſend into this land of Ireland an army, for the taking of the ſame land out of our ſaid ſoveraign lord's poſſeſſion; and notwithſtanding that his traiterous entent would not take effect, by reaſon of a peace that then immediately was concluded betwixt our ſaid ſoveraigne lord and the French King, he ſent unto the Emperour, provoking and intiſing him to ſend an army into this ſaid land for the purpoſe aforeſaid. Our ſoveraigne lord the King having privie intelligence thereof, willed ſecretly the ſaid earle of Kyldare, then being his grace's deputy of his land of Ireland, to apprehend and take the ſaid James earle of Deſmond, the ſame earle of Kyldare, falſely and trayterouſly admoniſhed the ſaid James thereof, willing him to come to no place where he the ſame earle of Kyldare ſhould be or have any power upon him. And being of this and diverſe other offences, remitted and pardoned by our ſaid ſoveraign lord the King, afterward, ſojourning at Newington in the county of Middleſex, within the realm of England, the eight day of July, in the twentieth yeare of the raign of our ſaid ſoveraigne lord, willed and commanded his daughter Elice fitz Gerald, wife to the baron of Slane, to repair into this the King's land of Ireland, and in his name to will all his brethren O Neyel, O Conner, and all other his friends, ſervants and alies, to levy, erect, ſtir and rear war againſt our ſaid ſoveraign lord's deputy and ſubjects, falſely and trayterouſly againſt his duty of allegeance, which ſhee accompliſhed accordingly; by occaſion whereof, the perſons aforenamed falſely and trayterouſly made inſurrection againſt our ſaid ſoveraign lord and his deputy, by invaſion, and burning, killing, murdering and robbing his true obedient ſubjects, not deſiſting from the ſame their trayterous acts untill they were by force repreſſed by the puiſance and power of our ſaid ſoveraign lord. And notwithſtanding his grace of mercy and pity remitted and pardoned, the ſaid earl of Kyldare that his trayterous conſpiracies and offences, the ſame earl the xxiii year of our ſaid ſoveraign lord, falſly and trayterouſly, contrary to the lawes and ſtatutes of this land of Ireland and his allegeance, not onely permitted and ſuffered O Neyle the King's Iriſh enemie, to invade and deſtroy the county of Uriell within the ſaid land, without any reſiſtance made therein by himſelfe being the King's deputie, having the governance, cuſtodie and charge of the ſame, or any other for him, but having his brother Sir John in company with the ſaid O

A. D. 1537. Attainder of the earl of Kildare and others.

A. D. 1537. Neyle, by his commandement, to ſuccour and guide, ayde and conduct the ſaid O Neyle in that his trayterous enterpriſe, but alſo in his owne proper perſon invaded the county of Kilkenny, there burning and deſtroying the ſame, ryfling and robbing the King's ſubjectes aſwell there as at the fair of Triſtledermot, crying havocke upon the King's ſubjects which thither were reſorted, cauſed them in his own preſence to be ſpoiled and robbed of their goods, and divers of them murdered moſt cruelly and trayterouſly. Our ſaid ſoveraign lord having notice of this and other his treaſons, haynous offences, murders and extortions by him committed, and willing the reformation of the ſaid land, and the relief and comfort of his ſubjects there, addreſſed his moſt gracious letters to the ſaid earle of Kyldare, then being deputie lieutenant of his ſaid land, commanding him by the ſame, to repayr to his highneſſe preſence into his realm of England, leavyeing ſuch a perſon for the furniture of his realm, and governance of the ſaid land in his abſence, for whoſe doings he would anſwer. That notwithſtanding at his ſaid departure into England, he admitted and inſtituted in his place for the governance of the King's ſaid land and ſubjects, as vicedeputy, not onely his ſon and heyre, named Thomas fitz Gerald, but alſo contrary to the King's expreſs commandment, declared unto the ſaid earle by John Alen maſter of the rolls, and one of the King's moſt honourable counſail, in the preſence of the biſhop of Mieth, and the prior of Saint John's Jeruſalem in Ireland, he conveyed out of the King's caſtell of Dublin all his graces gunnes, powder, ſhot, bows, arrows, caltrops, bills, and all other the King's artillerie and munitions of war, garniſhing and furniſhing his own caſtles and fortreſſes with the ſame, and delivering part thereof to wilde Iriſh men, being the King's mortall enemies. After whoſe departure into England, he at his thither coming perceiving upon the manifeſtation of his offences, that the King's majeſtie entended to remove him from the governance of the ſaid land, ſuch perſons as were known to be chief of counſail with the ſaid earle and under him had not onely the governance of his ſaid ſon, ſervants and people, with the cuſtodie of his ſubſtance and goods, but alſo of all his lands, manors, caſtles and garriſons, aſwell counſailed the ſaid Thomas fitz Gerald to rebell againſt our ſaid ſoveraign lord, as for the maintenance of him therein, delivered unto him the ſaid earls goods, ſubſtance, manors, lands, caſtles and garriſons, together with the King's ſaid ordnance and artillerie. Whereupon the ſaid Thomas fitz Gerald immediately, being aſſiſted and ayded by his father's brethren, kinſmen, ſervants, and followers, falſly and trayterouſly rebelled againſt our ſaid ſoveraign lord, refuſing and diſobeying all commandments of his grace and his counſail, concluded and determined moſt cruelly to murder, put to death, and exile all thoſe that were reſiant within the land, being born within the realm of England, and to conquer and take the ſame from the poſſeſſion of our ſaid ſoveraign lord and his heyres, reviling his grace with

with moſt ſhamefull and deteſtable infamies, and for the accompliſhment of his trayterous purpoſe, did ſend his letters addreſſed aſwell to the biſhop of Rome, as the emperour, by one Cale mac Grauyll, otherwiſe called Charles Raynolde, archdeacon of Kelles, for to have their ayd againſt our ſaid ſoveraign lord and his heyres, for the winning of the ſaid land of Ireland out of their poſſeſſion, and he to hold the ſame of them for ever. And among other his moſt deteſtable abominations, he procured and commaunded John Teling, and Nicholas Waffer of Dublin yeomen, ſervants to the ſaid earl of Kyldare, to apprehend and take the moſt reverend father in God John Alen, archbiſhop of Dublin and primate of Ireland, and one of the King's moſt honourable counſail, and him to keep in priſon at Tartayne within the county of Dublin, and the ſaid Thomas fitz Gerald, the xxviii. day of July in the xxvi. year of the raigne of our ſaid ſovereign lord King Henry the eight, accompanied with the moſt falſe diſloyall traytour James Delahyde, Sir John fitz Gerald, Oliver fitz Gerald, brethren to the ſaid earl, and divers others of the ſame earl's ſervants, cauſed the ſame archbiſhop to be drawn out of his bed and brought before him. And the ſaid archbiſhop kneeling in his ſhirt bare footed and bare headed before him, aſking of him mercy, immediately without any reſpite, moſt ſhamefully and trayterouſly murdered and killed out of hand, and alſo cauſed the ſaid archbiſhop's ſervants, and as many other Engliſhmen as he could find within the land, to be murdred. And after this, accompanied with the ſaid Jame Delahyde, being principall counſailor to him in all his doings, John Delahyde, Edward fitz Gerald, Sir Richard Walſh, parſon of Loughſewdie, John Burnel of Balgriffen, Edward Rowks, James Field, ſervants, alies and diverſe others his fautours and adherents, too long here to be expreſſed, with weapons invaſive after the maner of war arrayed, and with banners diſplayed, falſly and trayterouſly invaded the King's dominion, encamping themſelves within the ſame, there robbing, rifling, murdring, and deſtroying diverſe the King's ſubjects, conſtrayning all men to give an oath of obedience unto him, and to take his part againſt the King and his heyres, in his ſaid falſe, trayterous, and diſloyall purpoſes and intents, and not herewith contented, but accompanied with O Neiyle, diverſe Scots, the perſons aforeſaid, and many others, invaded, brent, and deſtroyed the lands of the earle of Oſſorie, and the lord Butteler his ſonne, and of others the King's ſubjects within the county of Kilkenny, murdred divers of the King's ſubjects there, for that the ſaid earle and his ſon tooke the King's part againſt him, who offered unto them to divide and give to them half the land of Ireland, to refuſe the King, truſting by ſuch his cruell perſecutions, to conſtrain them to incline to his purpoſe. And further, amongſt other his moſt falſe trayterous acts, accompanied with O Conor, William Bathe of Dullardeſton, Chriſtopher Euſtace of Ballycutlane, and divers others beſieged the King's citie and caſtle of Dublin, intending to take the ſame, out of

A. D. 1537.

A. D. 1537. the King's poſſeſſion, and to murder the King's ſubjects within the ſame, and thereof to diſenherite our ſaid ſoveraign lord and his heyres for ever. And ſemblably not only fortified and manned divers ſhips at ſea, for keeping and letting, deſtroying and taking the King's deputie, army and ſubjects, that they ſhould not land within the ſaid land, but alſo at the arrivall of the ſaid army, the ſame Thomas, accompanied with the ſaid earle's brethren, his uncles, ſervants, and adherents, followers, James Delahyde, John Delahyde, John Burnell of Balgriffen, with divers others, too long here to be expreſſed, falſly and trayterouſly aſſembled themſelves together upon the ſea coaſt for the keeping and reſiſting of the King's deputie and army, and deſtroying of them, and the ſame time, they ſhamefully murdred divers of the ſaid army coming to land. And Edward Rowkes, pyrate at the ſea, captain to the ſaid Thomas and James Field, deſtroyed and took many of them.

II. In conſideration whereof, and other abominable treaſons, and offences committed againſt our ſaid ſoveraign lord, his right, crown, and majeſtie, and dignitie, by the ſaid Gerald earle of Kyldare, Thomas fitz Gerald, James Delahyde, and other their aydors, comforters, counſailers and maintainers, and in deteſtation of their abomination, tyrannie, falſhood and crueltie: Be it enacted, ordained and eſtabliſhed, by the King our ſoveraign lord, the lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That the ſame Gerald fitz Gerald, earl of Kyldare, late deceaſed, from the eight day July, in the twentieth year of our ſoveraign lord the King that now is, be deemed, reputed, convicted, adjudged, and attainted traytour of high treaſon, and that he and his heyres ſhall loſe and forfeit the title, ſtile, and name of earl of Kildare, and ſhall alſo forfeit to our ſaid ſoveraign lord and his heyres for ever, all honours, caſtles, mannors, lordſhips, leetes, franchiſes, hundreds, liberties, priviledges, advowſons, nominations, foundations, preſentations, patronages, knights fees, lands, tenements, rents, ſervices, reverſions, remainders, portions, annuities, penſions, offices, and all other hereditaments and profites whatſoever they be, whereof he the ſaid Gerald earle by himſelf, or joyntly with any other, or any other or others to his uſe and behoof were ſeiſed the ſaid eight day of July, or any time after, within the land of Ireland, in fee ſimple or in fee tayle, or in which the ſaid Gerald late earle of Kyldare, or any other to his uſe, had the ſaid eight day of July, or any time after, lawful cauſe of entre within the land of Ireland. And over that the ſaid earle loſe and forfeit to the King our ſoveraign lord, aſwell all maner of ſuch eſtates of freehold in uſe or in poſſeſſion to his uſe and intereſt, for yeares, of all manors, caſtles, honors, lands, tenements, tythes, oblations, and all other profites, as all other his goods, cattels, debts, dueties, wards, marriages, reliefes, and all other profites whatſoever they be, whereof the ſaid earle or any other or others to his uſe or behoof,

were ſeiſed or poſſeſſed the xxvi. day of June, in the xxvi. year of the reign of our ſovereign lord, or any time ſithence, of which goods, cattels, debts and duties, any ſale, gift or payment without any fraud, deceipt or colluſion have not been made to or by the ſaid earl. A. D. 1537.

III. Provided alway, and alſo be it enacted by the authority aforeſaid, that all ſuch perſon or perſons which have been farmers, occupiers, tenants, receivors, bayliffs, ſtewards, ſervants, and all other officers of the ſaid earl, of the ſaid honors, caſtles, manors, lordſhips, lands, tenements, and all other the premiſſes, and every parcel thereof at any time ſithence the eighth day of July in the twentieth year of our ſaid ſovereign lord, unto the firſt day of February in the xxv. year of his grace's reign, ſhall be diſcharged and acquitted againſt the King our ſaid ſovereign lord, his heyrs and ſucceſſors, of and for all ſuch rents, iſſues, revenues, and all other profits of the ſaid manors, honors, caſtles, and all other the premiſſes, or any part or parcel thereof, which they or any of them have payed or delivered, or cauſe to be payed or delivered unto the ſaid earl of Kyldare, or any other or others by his aſſignment or commandment at any time before the ſaid firſt day of February.

IV. And ſemblably, be it eſtabliſhed, ordeyned and enacted by authority aforeſaid, that the ſaid Thomas Fitz Gerald, ſon and heyr of the ſaid earl, ſir John Fitz Gerald, Oliver Fitz Gerald, uncles to the ſaid Thomas, James Delahyde ſon and heyr of ſir Walter Delahyde of Moyclare knight, John Delahyde, Edward Delahyde parſon of Kilbery, ſons to the ſaid ſir Walter, John Burnel of Balgriffen eſq; ſir Richard Walſh parſon of Loughſewdie, Chale mac Grauyll, otherwiſe called Charles Reynold, clerk, late archdeacon of Kells, James Gernon ſon and heyr of Patrick Gernon of Gernouſton, Chriſtopher Pareſe ſon and heyr to William Pareſe of Agher, Piers Walſh ſon to Walter Walſh, Robert Walſh and Maurice Walſh, ſons to William Walſh late of Tiecroghan, Edward Rowks yeoman, and every of them, be deemed, reputed, convicted, adjudged, and attainted traytors of high treaſon, and that the ſaid Thomas, James Delahyde, John Delahyde, Edward Delahyde, John Burnell, Richard Charles, James Gernon, Piers, Robert Maurice, and Edward Rowkes, ſhall ſuffer ſuch execution and pains of death, as in caſes of high treaſon hath been accuſtomed. And that they, and alſo the ſaid Chriſtopher Pareſe, John in Gilſenan late of Ballymon, which are dead, and every of them, forfeit to our ſovereign lord the King, his heyrs and ſucceſſors for ever, all honors, caſtles, manors, lordſhips, hundreds, leetes, franchiſes, liberties, priviledges, advowſons, foundations, nominations, patronages, preſentations, knights fees, lands, tenements, rents, ſervices, reverſions, remainders, portions, annuities, penſions, offices, and all other hereditaments and pro-

A. D. 1537. fits whatſoever they be, whereof they or any of them, or any other or others, to their uſe and behalf, or to the uſe and behoof of any of them were ſeiſed the xxv. day of July, in the xxvi year of the reign of our ſaid ſovereign lord King Henry the eighth, or any time after within the land of Ireland in fee ſimple or fee tail, or into which any of them had then or any time after lawful cauſe of entre within the land of Ireland. And over that, they and every of them do forfeit and loſe to our ſaid ſovereign lord the King, aſwell all maner ſuch eſtates of freehold and intereſt for years of lands, tenements, tythes, oblations, and all other profits, as all goods, cattels, debts, duties, wards, marriages, and reliefs, and all other profits whatſoever they be, whereof they or any of them, or any other or others to their uſe and behoof, or to the uſe and behoof of any of them, were ſeiſed or poſſeſſed the ſaid xxv. day of July, the ſaid xxvi. year or any time ſithence, whereof any ſale, gift or payment without any fraud, deceipt or colluſion, have not be made to or by them or any of them.

V. And over that, be it enacted, authoriſed and eſtabliſhed by authority aforeſaid, that after the death of the aunceſtours of any of the ſaid perſons, or any other by whom immediately they or any of them mought have had, any uſes, lands, tenements, and other hereditaments in uſe by diſcent, remainder or reverter or otherwiſe, the firſt day of April in the xxv. year of our ſaid ſovereign lord's reign, all honours, caſtles, manors, lordſhips, uſes, hundreds, fraunchiſes, liberties, priveleges, advowſons nominations, preſentations, knights fees, lands, tenements, rents, ſervices, reverſions, remainders, portions, annuities, penſions, offices, poſſeſſions, hereditaments, and all other profits whatſoever they be, that they or any of them mought have had immediately in uſe, by diſcent, remainder, reverter, entre, lawful or otherwiſe, in fee ſimple, or in fee tail, the ſaid firſt day of April, in the ſaid xxv. year, if their aunceſtours or the aunceſtours of any of them, or any other, by whom they or any of them might have had in uſe by diſcent, remainder, reverter, entre, lawful, or otherwiſe the premiſſes, or any part thereof, then had departed this preſent tranſitory life, be forfeit to our ſaid ſovereign lord, his heirs and ſucceſſors for ever. And that our ſovereign lord the King, his heyrs and ſucceſſors, immediately after the death of the ſaid aunceſtours or any of them, or any other by whom immediately they mought have any uſes, lands, tenements, and other hereditaments, in maner and form as is aforeſaid, ſhall enter and enjoy all the ſaid honors, caſtles, manors, lordſhips, lands, tenements, and all other the premiſſes, to have and to hold to our ſaid ſovereign lord, his heyres and ſucceſſors for ever.

VI. And

VI. And be it further enacted by authority aforeſaid, that aſ- A. D.
well all ſuch perſons, which ſithence the feaſt of All Saints in 1537.
the year of our lord God a thouſand five hundred thirty four by the courſe of the King's laws within this land have been within this land convicted attainted of treaſon, as all others which at any time hereafter ſhall chaunce within the ſame to be convicted or attainted of high treaſon within the ſpace of three years next following the firſt day of this preſent Parliament, forfeit and loſe to our ſaid ſovereign lord the King and his heyres all honours, caſtles, manors, lordſhips, leetes, hundreds, franchiſes, liberties, priviledges, advowſons, nominations, foundations, patronages, preſentations, knights fees, lands, tenements, rents, ſervices, reverſions, remainders, portions, annuities, penſions, offices, and all other hereditaments, profits, whatſoever they be, that they or any of them, or any other or others to their uſe and behoof, or to the uſe and behoof of any of them, were ſeiſed the ſeveral dayes of their ſeveral treaſons, offences, and treſpaſſes by them committed and done, or any time after to be committed and done, within the land of Ireland, in fee ſimple or in fee tayl, or into which any of them had then or any time after lawful cauſe of entre within this land of Ireland, and alſo loſe and forfeit to our ſaid ſovereign lord as well all ſuch eſtates of freehold and intereſt for years, of lands, tenements, tythes, oblations, and other profits, as all goods, cattels, debts, wards, and all other profits whatſoever they be, whereof they or any of them, or any other or others to their uſe, or to the uſe of any of them, were ſeiſed or poſſeſſed at the time of conviction or attainder of any ſuch offences, whereof any ſale, gift, or payment without any fraud, deceipt, or colluſion had not been made to or by them or any of them. Saving always to every perſon or perſons and bodies politique, their heyrs, aſſignes, and ſucceſſors, and every of them, other than ſuch perſons, their heyrs, ſucceſſors, feoffees, recoverers, conuſees, and aſſignes, and the heirs, ſucceſſors, feoffees, recoverers, conuſees, and aſſignes of every of them, which by this preſent act be attainted, or ſithence the feaſt of All Saints the year of our Lord God 1534 have bin attainted, or hereafter within the ſaid three years ſhall be attainted, and their heyrs and ſucceſſors, and all other claiming to their uſes, or to the uſe of any of them, all ſuch conditions, rents, commons, which they or any of them ſhall happen to have in or upon any ſuch manors, lands, tenements, and any other hereditaments, that hath been or ſo ſhall happen to be loſt or forfeit by reaſon of this act, or by reaſon of attaindor of any of the perſons by the ſame attainted, ſithence the feaſt of All Saints, the year of our Lord God 1534, have been attainted for any treaſon or other offence, at any time before the ſaid treaſons and offences committed. And alſo ſaving alwayes to every

A. D. 1537. perſon and perſons, their heyres, aſſigns, and ſucceſſors, and every of them, other then ſuch perſons, their heyres, ſucceſſors, and aſſigns, and the heyrs, ſucceſſors, and aſſigns of every of them which by this preſent act be attainted, or ſithence the feaſt of All Saints the year of our Lord God 1534 have been attainted, or hereafter within the ſaid three years ſhall be attainted, and their heyrs and ſucceſſors, and all other claiming to their uſes, or to the uſe of any of them, all ſuch right, title, uſe, intereſt, poſſeſſion, condition, rents, charges, fees, offices, annuities, commons, which they or any of them ſhall happen to have, in, to, and upon any ſuch manors, lands, tenements, and any other hereditaments, that ſo ſhall happen to be loſt, and forfeited, by reaſon of the attainder of any perſon or perſons, at any time after the twentieth day of June the xxvii. year of the reign of our ſaid ſovereign lord the King, within the ſaid three years, other then ſuch perſons, their heyrs, ſucceſſors, and aſſignes, and the heyrs, ſucceſſors, and aſſignes of every of them, which by this preſent act be or ſhall be attainted, ſhall chaunce or fortune to be attainted for any treaſon or other offence at any time before the ſaid treaſons and offences committed.

VII. Provided alſo, and be it enacted by authority aforeſaid, That if the ſaid perſons or any of them, which by this preſent act be attainted, or ſithence the ſaid feaſt of All Saints before ſpecified have been attainted, or that hereafter within the ſaid three years ſhall chance to be attainted of high treaſon, or within the ſaid three years chaunce to be ſole ſeyſed or poſſeſſed, or joyntly ſeiſed or poſſeſſed with any other or others, to the uſe of any other perſon or perſons, body or bodies politike, other then any ſuch perſon or perſons that by this preſent act be attainted, or ſithence the feaſt of All Saints before ſpecified have been attainted, or that hereafter within the ſaid three years chance to be attainted of any manors, meſſuages, lands, tenements, and all other hereditaments, that the ſaid manors, meſſuages, landes, tenements, and other hereditaments, be not forfeit to our ſaid ſovereign lord, ne his heirs, ne ſeiſible, ne ſeiſed into the hands of our ſaid ſovereign lord, ne his heirs, ſo that the ſaid uſe being in the ſaid other perſon or perſons, and bodies politique, be not conveyed from any of the ſaid perſons attainted or to be attainted in form aforeſaid, ſithence or after the day of the offences. And that it ſhall be lawfull to every ſuch perſon and perſons, body and bodies politique, their heires, ſucceſſors, and aſſignes, that be not ne hereafter within the ſaid three yeares ſhall be attainted of high treaſon as is aforeſaid, to enter and ſeiſe as well upon the poſſeſſion of the King, as any other perſon in the ſaid manors, meſſuages, lands, tenements, and all other hereditaments, and them to have, hold, occupy, and enjoy the poſſeſſion according to ſuch eſtate and intereſt as they had in the ſaid uſe of the ſame, in ſuch form as if no ſuch attaindor had not been had, nor within the ſaid three yeares ſhould fortune to be.

VIII. And moreover be it enacted and ordeyned by the ſaid authority, that every of the wives of any of the ſaid perſons now living, by this act attainted and unhabled, and every ſuch woman, ſuch as was the wife of any of the ſaid perſons now dead, and were convicted and attainted of treaſon, or at any time hereafter ſhall be attainted or convicted of treaſon, be put to execution for the ſame, by this act unhabled, freely enjoy, have, and poſſeſs after the death of her huſband all her own inheritance to her and to her heyres other than be attainted, or convicted, or hereafter at any time during the ſaid three yeares ſhall be convicted or attainted, and unhabled by this act, and all caſtells, manors, lands, tenements, and all other the premiſſes, whereof they the ſeveral dayes of their huſbands treaſons and offences committed and done, or to be committed and done, in any wife, were or ſhall be ſeyſed or poſſeſſed in her own right, eſtate, or poſſeſſion, or of which any perſon or perſons were or ſhall be ſeiſed or poſſeſſed to the uſe of every of the ſaid women and her huſband, and after the form and maner, and in like eſtate, as they or any of them were or ſhall be entitled to the ſame at the ſeveral dayes of their treaſons and offences committed and done, or at any time hereafter to be committed and done. So that the ſaid right, eſtate, poſſeſſion, uſe, or inheritance of the ſaid wife or wives laſt before rehearſed be not growne to them or any of them by the act or conſent of any of their ſaid huſbands ſithence or after the day of their ſeveral treaſons done or to be done, and that during the ſaid eſtate, be not ſeiſible ne ſeiſed by this act into the King's handes, nor the King to be anſwered of any iſſues or profites of any part thereof, after the deaths of their ſaid ſeveral huſbands, the ſaid eſtate during. And that it be lawfull to every of the ſaid wives and women, and every of their heyres not convicted, ne attainted, nor at any time hereafter ſhall be convicted or attainted and unhabled by this act, and to everie other perſon or perſons ſeiſed to the uſe of the ſaid women, and their huſbands, and their heirs, to enter into the ſaid caſtles, manors, lordſhips, and other the premiſſes, and everie of them, into whoſe poſſeſſion ſoever they be ſeiſed or come, as well upon the poſſeſſion of the King, or upon the poſſeſſion of every other perſon or perſons, by this act not attainted nor unhabled, and them and every of them, hold and enjoy to her and her heirs not attainted nor convicted, nor at any time hereafter ſhall be convicted or attainted, ne unhabled by this act, according to her or their title, right, and intereſt in the ſame, in ſuch form and condition as if this ſaid attainder had never been had. A. D. 1537.

IX. And be it further enacted by authority aforeſaid, that no manors, meaſes, lands, tenements, rents, reverſions, ſervices, ne any other hereditaments, whereof any perſon or perſons, bodie or Earl of Kildare, his brother and ſiſters reſtored to their blood. *Ir.* 11 *El.* c. 12.

A. D. 1537. or bodies politique or incorporate was diſſeiſed or expulſed of at any time by any of the aforeſaid traytours, or any other perſon or perſons whatſoever he or they be, ſithence the firſt day of February, the year of our Lord God 1534, ſhall be forfeited unto our ſaid ſovereign lord the King, his heyres or ſucceſſors, ne ſeiſed or ſeiſible in his or their hands, ne that this act, nor any thing therein contained, in any wiſe be prejudicial or hurtful to any ſuch perſon or perſons, body or bodies politique or incorporate, ſo diſſeiſed or expulſed, ne this ſame act, or any thing therein contayned, extend to any ſuch manors, meſſuages, lands, tenements, rents, reverſions, ſervices, or other hereditaments ſo had by diſſeiſſen or expulſement ſithence the ſaid firſt day of February.

CHAP. II.

An Act of Succeſſion of the King and Queen Anne. Rot. Parl. cap. 2.

The ſucceſſion of the King and Queen Anne.

IN their moſt humble wiſe ſhewen unto your Majeſtie your moſt humble and obedient ſubjects, the lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled in your land of Ireland, That ſithence it is the natural inclination of every man gladly and willingly to provide for the ſuertie of both his title and ſucceſſion, although it toucheth his onely private cauſe: We therefore, moſt rightful and dreadful ſoveraign lord, recken our ſelves much more bounden to beſeech and inſtant your highneſs, although we doubt not of your princely heart and wiſdom, mixed with natural affection to the ſame, to foreſee and provide for the perfect ſuertie of both you and your moſt lawful ſucceſſion and heyres, upon which dependeth all our joy and wealth, in whom alſo is united and knit the only mere true inheritance and title of this realm without any contradiction: Wherefore, we your ſaid moſt humble and obedient ſubjects in this preſent Parliament aſſembled, calling to our remembrance the great diviſions which in time paſt have been by reaſon of ſeverall titles pretended to the imperial crown of the realm of England, whereunto this your land of Ireland is appending and belonging, which ſome times, and for the moſt part, enſued the occaſion of ambiguitie and doubts, then not ſo perfitly declared, but that men might upon froward intents expound them to any man's ſiniſter appetite and affection after their ſence, contrary to the right legalitie of the ſucceſſion and poſteritie of the lawful Kings and Emperours of the ſaid realm of England and of this land of Ireland, whereof hath enſued great effuſion and deſtruction of man's blood, aſwell of a great number of the nobles, as of other the ſubjects, and ſpecially inheritours of the ſame: And the greateſt occaſion thereof hath been, becauſe no perfect and ſubſtantial proviſion hath been made, when doubts and queſtions have been moved and proponed of the certainty and legalitie of the ſucceſſion

and

and posterity of the crown: by reason whereof, the Bishop of Rome, and the see apostolique, contrary to the great and inviolable graunts of jurisdictions given by God immediately to Emperours, Kings and Princes, in succession to their heyres, hath presumed, in times past, to invest who should please them, to inherit in other mens' kingdomes and dominions, which thing, we your most humble subjects, both spiritual and temporal, doe most abhor and detest. And sometime other forrein princes and potestates, of sundry degrees, minding rather dissention and discord, to continue as well in the said realm of England, as in your said land of Ireland, to the utter desolation thereof, then charitie, equitie, or unitie, have many times supported wrong tales, whereby they mought the more easie and facilie aspire to the superioritie of the same; the continuance and sufferance whereof deeply considered and pondered, were too dangerous and perilous to be suffered any longer, and too much contrary to the unity, peace, and tranquilitie of the said realm of England, and of this your said land of Ireland, being greatly reproachable and dishonourable to the said whole realm and land. In consideration whereof, your said most humble and obedient subjects, the nobles and commons in this your said land of Ireland, considering that there is a good act made within the realm of England, for the suretie of your highnes, and your succession in the imperial crown of the same: and calling further to their remembrance, that the good unitie, peace, and wealth of the said realm of England and of this land, and the succession of the same, most specially and principally above all worldly things, consisteth and resteth in the certainty and surety of the procreation of posterity of your highnes, in whose most royall person, at this present time, is no maner of doubt nor question; do therefore most humbly beseech your higness, that it may please your Majesty, That it may be enacted by your highnes, with the assent of the lords spiritual and temporal, and the commons in this present Parliament assembled, and by authority of the same, that the marriage heretofore solempnised between your highnes, and the lady Katherine, being before lawful wife to prince Arthur your elder brother, which by him carnally known, as doth daily appear by sufficient proofe in a lawful processe had and made before Thomas, by the sufferance of God, now archbishop of Canterbury and Metropolitan and Primat of all the same realm of England, shall be by the authority of this present Parliament, difinitively, cleerly and absolutely declared, deemed and adjudged to be against the laws of Almighty God, and also accepted, reputed and taken of no value ne effect but utterly void and adnihilated. And the separation thereof made by the said archbishop, shall be good and effectual to all intents and purposes, any licence, dispensation or any other act or acts, going afore or ensuing the same, or to the contrary thereof in any wise notwithstanding, and that every such licence, dispensation, act or acts, thing or things heretofore had, made, done,

A. D. 1537.

The marriage of King Hen. 8 with Katherine his brother Arthur's widow, against the laws of God, and held void.

A. D. 1537. done, or to be done to the contrary thereof ſhall be void and of none effect. And that the ſaid lady Katherine, from henceforth ſhall be called and reputed, onely dowage to prince Arthur, and not Queen of the ſaid realm of England, nor lady of this land of Ireland. And that the lawful matrimony had and ſolempniſed between your highneſs and your moſt dear and entirely beloved wife Queen Anne, ſhall be eſtabliſhed and taken for undoubtful, true, ſincere, and perfect ever hereafter, according to the juſt judgment of the ſaid Thomas archbiſhop of Canterbury, metropolitane and primate of all the ſaid realm of England, whoſe grounds or judgments have been confirmed aſwell by the whole clergie of the ſame realm in both the convocations, and by both the univerſities thereof, as by the univerſities of Bonony, Padua, Paris, Orleance, Tholouſe, Angeow, and diverſe others, and alſo by the private writing of many right excellent well learned men. Which grounds ſo confirmed, and judgement of the ſaid archbiſhop enſuing the ſame, with your marriage ſolempniſed between your higneſſe, and your ſaid lawful wife Queen Anne: we your ſaid ſubjects both ſpiritual and temporal of this your land of Ireland, do purely, plainly, conſtantly, and firmly accept, approve, and ratifie for good and conſonant to the laws of Almighty God, without error or default, moſt humbly beſeeching your majeſtie, that it may be eſtabliſhed for ever by your moſt gracious royal aſſent.

Marriages not to be within the degrees prohibited by the laws of God.

II. And furthermore, ſithence many inconveniences have fallen, aſwell within this your ſaid land of Ireland, as in others, by reaſon of marrying within the degrees of marriage prohibited by God's law, that is to ſay, the ſon to marry the mother or the ſtepmother, the brother the ſiſter, the father his ſonne's daughter, or his daughter's daughter, or the ſon to marry the daughter of his father, procreate and born by his ſtepmother, or the ſon to marry his aunt, being his father's or mother's ſiſter, or to marry his uncle's wife, or the father to marry his ſonne's wife, or the brother to marry the brother's wife, or any man to marry his wife's daughter, or his wife's ſonne's daughter, or his wive's daughter's daughter, or his wive's ſiſter; which marriages, albeit they be plainly prohibited and deteſted by the lawes of God, yet, nevertheleſs, at ſom times they have proceeded under colours of diſpenſations by man's power, which is but uſurped, and of right ought not to be graunted, admitted or allowed: for no man, of what eſtate, degree, or condition ſoever he be, hath power to diſpence with God's lawes, as all the clergie of the ſaid realm of England in the ſaid convocations, and the moſt part of all the famous univerſities of Chriſtendome, and we alſo, doe affirm and think. Be it therefore enacted by authority aforeſaid, That no perſon or perſons, ſubjects or reſiants of this your ſaid land of Ireland, of what eſtate, degree, or dignity ſoever they be, ſhall from henceforth marry within any of the ſaid degrees afore rehearſed,

Power of diſpenſation uſurped.

hearſed, what pretence ſoever ſhall be made to the contrary thereof; and in caſe any perſon or perſons of what eſtate, dignity, degree or condition ſoever they be, hath been heretofore married within this your ſaid land of Ireland, within any the degrees above expreſſed, and by any the archbiſhops, biſhops, or miniſters of the church of this your ſaid land of Ireland, be ſeparate from the bands of ſuch unlawfull marriage, that then every ſuch ſeparation ſhall be good, lawful, firm, and permanent for ever, and not by any power, authority, or means, to be revoked and undone hereafter. And that the children proceeding or procreate under ſuch unlawful marriage, ſhall not be lawful ne legitimate, any forrein lawes, licences, diſpenſation or other thing or things, to the contrary thereof notwithſtanding; and in caſe there be any perſon or perſons, within this your ſaid land of Ireland, alreadie married within any the ſaid degrees above ſpecified, and not yet ſeparate from the bands of ſuch unlawful marriage, that then every ſuch perſon ſo unlawfully married, ſhall be ſeparated by the diffinitive ſentence, and judgment of the archbiſhops, biſhops, or other miniſters of the church of this your ſaid land of Ireland, within the limits of their juriſdictions and authorities, and by none other power or authority. And that all other ſentences and judgements, given and to be given by any archbiſhop, biſhop or other miniſter of the church of this your ſaid land, within the limits of their juriſdictions and authority, ſhall be definitive, firm, good and effectual, to all intents and purpoſes, and be obſerved and obeyed, without ſuing any provocation, appeals, or prohibitions, or other proceſs from the court of Rome to the derogation thereof.

A. D. 1537.

The iſſue of ſuch unlawful marriages illegitimate.

Separation to be made within the limits and juriſdiction of the church of Ireland.

III. And alſo be it enacted by authority aforeſaid, That all the iſſue had and procreate, or hereafter to be had or procreate between your highneſs and your moſt deer and entirely beloved wife Queen Anne, ſhall be your lawful children, and be inheritable, and inherit according to the courſe of inheritance and law of the ſaid realm of England, aſwell the imperial crown of the ſaid realm of England, as this your ſaid land of Ireland, with all dignities, honours, preheminences, prerogatives, authorities, and juriſdictions, to the ſame annexed, or belonging, in as large maner as your Higneſs at this preſent time hath the ſame, as King of the ſaid realm, and Lord of this your ſaid land of Ireland, the inheritance thereof to be and remain to your ſaid children and right heirs, in maner and form as hereafter ſhall be declared, that is to ſay, Firſt, the ſaid imperial crown and other the premiſes, ſhall be to your Majeſtie and to your heyres of your body lawfully begotten, that is to ſay, the firſt ſonne of your body between your Highneſs and your ſaid lawful wife Queen Anne begotten, and to the heyres of the body of the ſaid firſt ſon lawfull begotten, and for default of ſuch heyres, then to the ſecond ſon of your body and of the body of the ſaid Queen Anne begotten, and to the heyres

The inheritance of the crown to go to the firſt ſon of the body of K. Hen. 8. and of Queen Anne, and to the heirs of the body of ſuch firſt ſon, and ſo to every other ſon, &c.

A. D. 1537. of the body of the ſaid ſecond ſon, lawfully begotten, and ſo to every ſon of your body, and of the body of the ſaid Queen Anne begotten, and to the heyres of the body of every ſuch ſon begotten, according to the courſe of inheritance in that behalf. And if it ſhall happen your ſaid deer and entirely beloved wife Queen Anne to deceaſe without iſſue male, of the body of your highneſs to be begotten (which God defend) then the ſame imperiall crown, and all other the premiſſes to be to your Majeſtie, as is aforeſaid, and to the ſon and heyre male of your body lawfully begotten, and to the heyres of the body of the ſame ſon and heyre male lawfully begotten, and for default of ſuch iſſue, then to your ſecond ſon lawfully begotten, and ſo from ſon and heyre male to ſon and heyre male, and to the heyres of the ſeverall bodies of every ſuch ſon and heyre male to be begotten according to the courſe of inheritance, in like maner and form as it is aforeſaid; and for default of ſuch ſonnes of your body begotten, and of the heyres of the ſeverall bodies of every ſuch ſonnes lawfully begotten, that then the ſaid imperial crown and other the premiſſes ſhall be to the iſſue female between your Majeſtie and your ſaid moſt deer and entirely beloved wife Queen Anne begotten, that is to ſay, firſt, the eldeſt iſſue female, which is the lady Elizabeth, now princeſs, and to the heyres of her body lawfully begotten, and for default of ſuch iſſue, then to the ſecond iſſue female, and to the heyres of her body lawfully begotten, and ſo from iſſue female to iſſue female, and to the heyres of their bodies, one after another, by courſe of inheritance, according to their ages, as the crown of England hath been accuſtomed, and ought to goe, in caſes when there be heyres females to the ſame; and for default of ſuch iſſue, then the ſaid imperial crown, and other the premiſſes, ſhall be to the right heyres of your Highneſs for ever.

Proclamation to be made of this act in every ſhire

IV. And be it further enacted by authority aforeſaid, That on this ſide the firſt day of May next coming, proclamations ſhall be made in all ſhires within your land of Ireland, of the tenor and contents of this act: and if any perſon or perſons, of what eſtate, dignity, or condition ſoever they be, ſubject or reſiant within this your ſaid land of Ireland, after the ſaid firſt day of May, by writing, or imprinting, or by any exterior act or deed, maliciouſly procure, or doe, or cauſe to be procured or done, any thing or things, to the peril of your moſt royal perſon, or maliciouſly give occaſion, by writing, print, deed, or act, whereby your Highneſs might be diſturbed or interrupted of the crown of the ſaid realm of England, or of this your ſaid land of Ireland, or by writing, print, deed, or act, procure or doe, or cauſe to be procured or done, any thing, or things, to the prejudice, ſlander, diſturbance or derogation of the ſaid lawful matrimony, ſolempniſed between your Majeſty and the ſaid Queen Anne, or to the perril, ſlaunder or diſheriſon of any the iſſues and the heyres of your Highneſs, being limited by this

act to inherite and to be inheritable to the crown of the ſaid realm, in ſuch form as is aforeſaid, whereby any ſuch iſſues or heyres of your Highneſs might be deſtroyed, diſturbed, or interrupted in body or in title of inheritance to the crown of the ſaid realm, or of the poſſeſſion of this your ſaid land of Ireland, as to them is limited in this act, in form above rehearſed: that then every ſuch perſon or perſons, of what eſtate, degree, or condition they be of, ſubjects or reſiants within this your ſaid land of Ireland, and their aydors, counſailors, maintainers, and abbettors, and every of them, for every ſuch offence ſhall be adjudged high traditors, and every ſuch offence ſhall be adjudged high treaſon, and the offendors, and their ayders, counſellers, maintainers, and abettors, and every of them, being lawfully convict of ſuch offence by preſentment, verdict, confeſſion, or proceſſe, according to the cuſtomes and lawes of this your ſaid land ſhall ſuffer pains of death as in caſes of high treaſon; and alſo that every ſuch offendor being convict, as is aforeſaid, ſhall loſe and forfeit to your Highneſs and to your heires, Kings of the ſaid realm of England, and lords of this your ſaid land of Ireland, all ſuch manors, lands, tenements, rents, annuities, and hereditaments, which they had in poſſeſſion as owners, and were ſole ſeiſed of, by, or in any right, title, or meanes, or any other perſon or perſons had to their uſe, of any eſtate of inheritance at the day of ſuch treaſons and offences by them committed and done and that alſo every ſuch offendor ſhall loſe and forfeit to your Highneſs, and to your ſaid heires, aſwell all maner ſuch eſtates of freehold and intereſt for yeares, of lands and rents, as all other goods, cattels, and debtes, which they had at the time of conviction or attainder of any ſuch offence. Saving alwayes to every perſon and perſons, and bodies politique, to their heyres, aſſignes, and ſucceſſors, and to every of them, other than ſuch perſons as ſhall be ſo convict, and their heires and ſucceſſors, and all other claiming to their uſes, all ſuch uſes, right, title, intereſt, poſſeſſion, condition, rents, fees, offices, annuities, and commons, which they or any of them ſhall happen to have to or upon any ſuch mannors, landes, tenements, rents, annuities, or hereditaments, that ſo ſhall happen to be loſt and forfeit by reaſon of attainder for any the treaſons and offences above rehearſed, at any time before the ſaid treaſons and offences committed.

A. D. 1537.

High treaſon to do any act that may diſturb or interrupt the inheritance limited as aforeſaid.

V. Be it further enacted by authority aforeſaid, That if any perſon or perſons after the ſaid firſt day of May by any wordes without writing, or any exterior deed or act, maliciouſly and obſtinately publiſh, devulge, or utter any thing or things to the peril of your Highneſs, or to the ſlander or prejudice of the ſaid matrimonie ſolempniſed between your Highneſs and the ſaid Queen Anne, or to the ſlander and diſheriſon of the iſſue and heires of your body begotten of the ſaid Queen Anne, or any other your lawful heires, which ſhall be inheritable to the crown of the ſaid realm of England, and of this your ſaid land of Ireland, as is afore limited by this act; that then every

Miſpriſion of treaſon to utter any thing to the ſlander or prejudice of the ſaid marriage, or of the iſſue ſo inheritable.

A. D. 1537. ſuch offence ſhall be taken and adjudged for miſpriſion of treaſon; and that every perſon and perſons, of what eſtate, degree, or condition ſoever they be, ſubject or reſiant within this your ſaid land of Ireland, ſo doing and offending, and being thereof lawfully convict by preſentment, verdict, proceſs, or confeſſion, ſhall ſuffer impriſonment of their bodies at the King's will, and ſhall loſe aſwell all their goods, chattles, and debts, as all ſuch intereſts and eſtates of freehold or for yeares, which any ſuch offendor ſhall have of or in any lands, rents, or hereditaments whatſoever, at the time of the conviction and attaindor of ſuch offence.

Sanctuary taken away.

VI. And be it alſo enacted by authority aforeſaid, That no perſon or perſons, offending in any the treaſons or miſpriſions conteined and limited by this act, ſhall in any wiſe have and enjoy the priviledge of immunitie of any maner ſactuaries within your ſaid land of Ireland, or elſewhere within the King's dominions, but ſhall utterly loſe and be excluded of the ſame; any uſe, cuſtome, graunte, preſcription, confirmation, or any other thing or things to the contrary thereof in any wiſe notwithſtanding.

The iſſue male under 18, and female under 16, and unmarried at the time of the King's death, ſhall remain until ſuch time under governance of their mother and ſuch other counſellors of the realm of England, as the King ſhall appoint.

VII. And be it alſo enacted by authority aforeſaid, That if your Majeſtie ſhould happen to deceaſe before any ſuch your iſſue and heire male, which ſhould inherit the crown of the ſaid realm of England, ſhall be of his age of xviii. yeares, or before ſuch your iſſue and heire female, which ſhould inherit the crown of the ſaid realm ſhall be maried, or be of the age of xvi. yeares, which Almighty God defend, that then your iſſue and heire male to the crown ſo being withing the age of xviii. yeares, or your ſaid iſſue and heire female to the crown, being unmarried and within the ſaid age of xvi. yeares, ſhall be and remain unto ſuch time, as ſuch iſſues and heires ſhall come to their ſaid ſeveral ages afore limited, at and in the governance of their natural mother, ſhe living, with ſuch other counſailors of your realm of England, as your Majeſtie in your life time ſhall depute and aſſign by your will or otherwiſe for the ſame, without contradiction of any perſon or perſon to the contrary thereof: and if any perſon or perſons by writing, or exterior deed or act, procure or doe, or cauſe to be procured or done, any thing or things to the let or diſturbance of the ſame, that then any ſuch offence ſhall be high treaſon; and the offenders, being thereof convict, ſhall ſuffer ſuch paines of death and loſſes of inheritance, freeholds, intereſts for yeares, goods, cattells, and debts, in ſuch maner and form, as is above ſpecified in caſes of treaſon afore mentioned.

High treaſon to let or diſturb the ſame.

Oath of allegiance for more ſure eſtabliſhment of this ſucceſſion.

VIII. And for the more ſure eſtabliſhment of the ſucceſſion of your moſt royal Majeſtie according to the tenor and form of this act be it further enacted by authority aforeſaid, That as well the nobles of this your ſaid land of Ireland, ſpiritual and temporal, as other your ſubjects now living, and being or that hereafter ſhall be at their full ages, by the commandment of your Majeſtie, or of your heires, or deputie of this your land, at all times hereafter from time to time,

when it ſhall pleaſe your Highneſs or your heires to appoint, ſhall make corporal oath in preſence of your Highneſs, or your heires, or your deputie, or before ſuch other as your Majeſtie, or your heires, or your deputie will depute for the ſame, according to the tenor of the oath hereafter following. *Ye ſhall ſwear to beare faith, trouth, and obedience to the King's Majeſtie, and to his heires of his bodie of his moſt deer and entirely beloved lawful wife Queen Anne begotten, and to be gotten: and further, to the heires of our ſaid Soverain Lord, according to limitation in the ſtatute made for ſuretie of his ſucceſſion in the crown of the realm of England, and of this his land of Ireland, mentioned and contained, and not to any other within the ſaid realm of England, or within this land of Ireland, nor forain authoritie or potentate; and in caſe any oath be made or hath been made by you to any perſon or perſons, that then ye repute the ſame as vain and adnihilate; and that to your cunning, wit, and uttermoſt of your power, without guile, fraud, or other undue mean, ye ſhall obſerve, keep, maintain, and defend the ſaid act of ſucceſſion, and all the whole effects and contents thereof, and all other acts and ſtatutes made in confirmation or for execution of the ſame, or of any thing therein contained: and this ye ſhall do againſt all maner perſons of what eſtate, dignitie, degree, or condition ſoever they be, and and in no wiſe do or attempt, or to your power ſuffer to be done or attempted, directly or indirectly any thing or things privily or apertly to the let, hinderance, damage, or derogation thereof, or of any part of the ſame, by any maner of means, or for any maner of pretence. So help you God, all ſaints and the holy evangeliſts.* And that all maner your ſubjects, as well ſpiritual as temporal, ſuing liverie, reſtitutions, or utter le maine out of the hands of your Highneſs, or of your heirs, or doing of any fealtie to your Highneſs or to your heirs by reaſon of tenour of their lands, ſhall ſwear a like corporal oath, as is afore rehearſed, and that they, nor any of them, ſhall hereafter have any liveries, utter le mayne, or reſtitution out of your hands, nor out of the hands of your heirs, 'till they have made their ſaid corporal oath in form above rehearſed; and if any perſon or perſons, being commanded by authoritie of this act to make the ſaid oath afore limited, obſtinately refuſe that to do in contempt of this act, that then everie ſuch perſon ſo doing to be taken and accepted for offendor in miſpriſion of high treaſon, and that everie ſuch refuſal ſhall be deemed and adjudged miſpriſion of high treaſon, and the offenders therein to ſuffer ſuch pains and impriſonments, loſſes and forfeitures, and alſo priviledges of ſanctuaries, in like maner and form as is above mentioned for the miſpriſions of treaſons, afore limited by this act.

A. D. 1537.

Miſpriſion of treaſon to refuſe the ſaid oath.

25 *H.* 8. 22. *Eng.*

IX. Provided always, That the article in this act contained, concerning prohibitions of marriages within the degrees afore mentioned in this act, ſhall alwaies be taken, interpreted, and expounded of ſuch marriages, where marriages were ſolempniſed and natural knowledge had.

The article of prohibition intended where marriages ſolemniſed and natural knowledge had.

A. D. 1537.

CHAP. III.

The Act of Abſentees. Rot. Parl. cap. 3.

The miſchiefs occaſioned by the abſence of perſons having lands in Ireland.

FOraſmuch as it is notorious and manifeſt, that this the King's land of Ireland, heretofore being inhabited and in due obedience and ſubjection unto the King's moſt noble progenitors, Kings of England, who in thoſe daies in the right of the crown of England had great poſſeſſions, rents, and profits within the ſame land, hath principally growen into ruine, deſolation, rebellion, and decaie, by occaſion that great dominions, lands, and poſſeſſions within the ſame land as well by the King's graunts as by courſe of inheritance and otherwiſe deſcended to noblemen of the realm of England, and eſpecially the lands and dominions of the earldoms in Ulſter and Leinſter, who having the ſame, both they and their heirs by proceſs of time, demouring within the ſaid realm of England, and not providing for the good order and ſuretie of the ſame their poſſeſſions there, in their abſence and by their negligences ſuffered thoſe of the wild Iriſhrie, being mortal and natural enemies to the Kings of England and Engliſh dominion, to enter and hold the ſame without reſiſtence, the conqueſt and winning thereof in the beginning not onely coſt the King's ſaid noble progenitors charges ineſtimable, but alſo thoſe to whom the ſaid land was given, then and many years after abiding within the ſaid land, nobly and valiantly defended the ſame againſt all the King's ſaid enemies, and alſo kept the ſame in ſuch tranquillitie and good order, as the Kings of England had due ſubjection of the inhabitants there, the laws obeyed, and of their revenues and regalitie were duly anſwered, as in any other where within the realm of England, and after the gift or diſcent of the ſaid lands, poſſeſſions, and dominions, to the perſons aforeſaid, they and their heirs abſented themſelves out of the ſaid land of Ireland, demouring within the realm of England, not pondring ne regarding the preſervation thereof, the towns, caſtles, and gariſons, appertaining unto them, fell in ruin and decaie, and the Engliſh inhabitants there in default of defence and juſtice and by compulſion of thoſe of the Iriſhry were exiled, whereby the King's ſaid progenitors loſt aſwell their dominion and ſubjection there, as alſo all their revenues and profites, and their ſaid enemies by readepting or attaining the ſaid lands, dominions, and poſſeſſions, were elevated into great dominion, power, ſtrength, and puiſance, for the ſuppreſſing of the reſidue of the King's ſubjects of this land, which they daily ever ſith have attempted, whereby they from time to time uſurped and encroached upon the King's dominion, which hath been the principal cauſe of the miſerable eſtate, wherein it is at this preſent time, and thoſe lands and dominions, by negligence and in default of the very inheritours after this maner loſt, may be good enſample to the King's Majeſtie now being, intending the reformation of the ſaid land, to foreſee

forſee and prevent, that the like ſhall not enſue hereafter; for where the noble prince Thomas Haward duke of Norffolke, and the lord Berkely his comparcioner, claim and hold as their auncient enheritance the ſeignories and lordſhips of Catherlagh, Old Roſſe, and divers other manors and lands within the ſaid land, and George Talbot, earle of Waterford and Salop, the ſeignorie of Wexford, and the heires general of the earle of Ormond divers other poſſeſſions and lands, the abbot of Furnes, the abbot of Saint Auguſtins of Briſtow, the prior of Chriſtchurch of Canterbury, the prior of Lanthonie, the prior of Cartmell, the abbot of Kenteſham, the abbot or prior of Oſney, the abbot or prior of Bathe, and the maſter of Saint Thomas of Acres, everie of them ſeveral lands and poſſeſſions within the ſaid land, which both they and their anteceſſours and predeceſſors in ſemblable wiſe, not regarding the defence ne good order of the ſame, diverſe times not onely have ſuffered the King's enemies to encroach and enter into their dominions and poſſeſſions, ſo as for the recoverie thereof the King's highneſs, that now is, his father and graundfather, at diverſe and ſeveral ſeaſons have been put to ineſtimable charges, and the ſame ſo by them attayned, the ſaid inheritors and poſſeſſioners have entred again into their ſaid lands and poſſeſſions, taking the profites thereof for a ſeaſon, without proviſion making for any defence or keeping thereof in good order, but making leaſes of divers their holds and manours to the late earle of Kildare, which by occaſion of the ſame came to the poſſeſſion of Thomas fitz Gerald, his ſonne and heire, who now of late like a moſt falſe diſloyal traditour with his complices rebelled againſt our ſoveraign lord the King, entending moſt falſely and traditorouſly to take the ſaid land of Ireland out of his poſſeſſion, and him and his heires thereof to diſherite for ever; among other was aided aſſiſted and maintained, againſt our ſoveraign lord in that his moſt falſe and traditorous purpoſe by the inhabitants and occupiers of the ſaid lands and poſſeſſions, ſo as for repreſſing as well of the ſaid Thomas fitz Gerald and other his complices, as winning of the caſtells of Catherlagh, Old Roſſe, Arcloo, Tullagh in Offelime, Kilruſh, and other fortreſſes of the inheritance and poſſeſſions of divers the perſons aforeſaid, and other lands out of his and their poſſeſſions, the King's ſaid Majeſtie was enforced to his great charges to ſend thither and keep there an armie royal; and alſo conſidering that the perſons aforeſaid, having heretofore the ſame lands and poſſeſſions at their own diſpoſition and order, perceived little profit thereby, and yet by their negligence and miſorder thereof, and eſpecially within the counties of Catherlagh and Wexford, being places priviledged by the King's ſaid moſt noble progenitors that the lords thereof may keep and hold all maner plees within the ſame, by occaſion and under pretence and colour whereof the King's laws, writs, or other proceſs be not obeyed, neither any other law or juſtice there uſed or adminiſtered for the quieting and good order of the King's ſubjects, inhabitants within the ſame, ſo as in de-

A. D. 1537.

The ſeveral perſons of England that hold lands in Ireland.

Rebellion of earl of Kildare.

A. D. 1537.

fault as well thereof as of a governour to rule, order, and guide them, the King's enemies have them in ſervage, all murders, robberies, thefts treaſons, and other offences remain there unpuniſhed, the King's wards, reliefs, eſchates, and all other his profites and revenues being withdrawn, and the ſervice, ſtrength, and aſſiſtance of the ſaid ſubjects is greatly miniſhed, and for thoſe and diverſe other hurts and enormities which been like to enſue to the common weale of the ſaid land, to the prejudice of our ſovereign lord the King and his heires, by the miſorder of the lands and poſſeſſions belonging to any of the perſons aforeſaid, and in reſpect of the ineſtimable charges which the King our ſovereign lord hath ſuſtained, and apparently hath occaſion to ſuſtain, for and about the conqueſt and recontinuance of the ſame out of his enemies poſſeſſion, by authoritie and reaſon whereof, albeit that his grace hath lawful and ſufficient right to all the ſaid ſeignories, lands, and poſſeſſions, and that if his grace would take of the inheritors and poſſeſſioners of the ſame the arrearages of the two parts of the yearly profits thereof, by reaſon of their abſentie out of the ſaid land, contrary to the ſtatutes thereof provided, the ſame would countervaile the purchaſe thereof; yet for corroboration of the right and title of our ſaid ſovereign lord the King and his heires, which he hath to all the ſame lands, dominions, and poſſeſſions, be it enacted, eſtabliſhed, and ordained by the King our ſoveraign lord, the lords ſpiritual and temporal, and commons in this preſent parliament aſſembled, and by authority of the ſame, That

The King in right of his crown of England to enjoy all the honours, manors, &c. of the duke of Norfolk and other abſentees named.

the King, his heires and aſſignes, ſhall have, hold, and enjoy as in the right of the crown of England all honors, manors, caſtles, ſeigniories, hundreds, franchiſes, liberties, countie palentines, juriſdictions, auctorities, knights fees, advowſons, patronages, lands, tenements, woods, meadowes, paſtures, reverſions, remainders, rents, ſervices, parſonages, vicarages, diſmes, tythes, oblations, obventions, penſions, and all and ſingular other poſſeſſions, hereditaments, and all other profites aſwell ſpiritual as temporal, whatſoever they be, which the ſaid duke and his comparcioner, or the ſaid earle of Waterford and Salop, or the ſaid heires general of the earle of Ormond, or any the abbots, priors, and maſter aforenamed, or any of them, or any perſon or perſons to their uſes, or to the uſe of any of them within this land of Ireland, or whereunto they or any of them, or any to their uſes, or to the uſe of any of them, have lawfull right, title, poſſeſſion or clauſe of entre. Saving to all and every perſon and perſons the King's natural ſubjects dwelling in this land, other than the duke and his ſaid comparcioner, the ſaid earl, and the ſaid heires general to the earle of Ormond, and the ſaid abbots, priors, and maſter, and their heires, and ſucceſſors, and the heires and ſucceſſors of any of them, and ſuch as claim to their uſes, or to the uſe of any of them, all ſuch right, title, intereſt, uſe, poſſeſſion, leaſes, rents, annuities, offices, and fees, as they have in or

Saving the Right, &c. of ſubjects dwelling in Ireland.

A. D. 1537.

to the premiſſes or any parcel thereof, as if this act had never been made.

Proviſo not to prejudice particular perſons named.

II. Provided always, and be it enacted by the authority of this preſent Parliament, that this foreſaid act, ne any thing therein conteined, be in any wiſe prejudicial or hurtful to Thomas Howth of Tertayne now ſecundary juſtice of our ſovereign lord the King's high bench of Ireland, and Patricke Barnewal of Fieldeſton, their executors or aſſignes, or any of them, in, of, or for any manors, meaſes, lands, tenements, rents, reverſions, ſervices, patronages, advowſons, chappels, priories, ſelles, parſonages, vicarages, diſmes, oblations, obventions, penſions, as well ſpiritual as temporal, or any other hereditaments or profites, ſpiritual or temporal, which the ſaid Thomas and Patricke have of the graunt or leaſe of Richard Prior of the monaſterie of the bleſſed ladie of Cartmell and convent of the ſame, in ferme, with the aſſent and conſent of the ſaid convent. But that the ſaid Thomas and Patricke, their executors and aſſignes, and the executor and aſſigne of either of them, ſhall occupy, have, poſſeſs, and enjoy all and ſingular the ſaid mannors, meaſes, lands, tenements, tithes, oblations, hereditaments, and everie other the premiſſes, graunted and lett, during and for the terme of eight and thirtie years next enſuing, during the ſaid term, paying therefore yearly unto our ſaid ſovereign lord, and to his heires, the rent reſerved in the ſaid indenture.

III. Provided alſo, and be it enacted by authoritie aforeſaid, That the foreſaid act, or any thing therein conteined, be in any wiſe prejudicial or hurtful to Sir John Barnewal knight, Lord of Trimleteſton, and Patrick Barnewal of Fieldeſton, their executors or aſſignes, or any of them, in, of or for, the office of the ſteward, ſeneſchal, ſurveyor, and receivor, of the manors, and lordſhips of Ruſhe, Balſcadon, the moytie or halfendell of the manour of Portrarne, or of the manours and lordſhippes of Woughterade, Caſtelwarning, Clyntonſcourt, or the lordſhip and manour of Blackaſtell, or any fee, penſions, annuitie, commodity, or profit, that they or any of them have or ſhould have by reaſon or for the exerciſing of the ſaid offices, but that the ſaid Sir John and Patrick, jointly and ſeverally during the lives of the ſaid Sir John and Patrick, and the longer liver of them, ſhall have, hold, exerciſe, occupie, poſſeſs, and enjoy the ſaid offices and every of them, by themſelves or any of them, or by their ſufficient deputie or deputies, or by the ſufficient deputie or deputies of any of them, during the lives of the ſaid Sir John and Patrick, and the longer liver of them, having, taking, and perceiving ſuch like fees, wages, profites, commodities, caſualties, and advantages, as Sir Barthelm Dillon knight deceaſed, late had and perceived, by reaſon and for the exerciſing of the ſaid offices, or any of them, yearly to be perceived, levied, and received at the feaſts of Saint Michael the Archangel, and Eaſter, by

A. D. 1537. even portions of the rents, ſervices, revenues, and profits of the ſaid manors, lordſhips, and other the premiſſes. Provided alſo that this foreſaid act, ne nothing therein contained, be in any wiſe prejudicial or hurtful to any archbiſhop, biſhop, abbot, prior, dean, archdeacon, of this land of Ireland, being reſident and dwelling within the ſaid land, which hath any juriſdiction within the ſame, or to the ſucceſſors of any of them, other than the ſaid abbots of Furnes, Saint Auguſtines of Briſtow, and of Kenteſham, the abbot or prior of Oſney, the abbot or prior of Bathe, and the maſter of Saint Thomas Acres, the prior of Chriſtchurch of Canterbury, the prior of Lanthonie, and the prior of Cartmell, and the ſucceſſors of any of them, in or for their ſinodalls, viſitations, proxies, penſions, portions, and annuities of them or any of them, which they or any of them be rightfully entitled to have by compoſition, cuſtome, or otherwiſe. Provided alwayes, that this act or any thing within the ſame conteined be not prejudicial or hurtful to the right reverend father in God Edward biſhop of Meyth, nor to his ſucceſſors, in, of or for ſynodals, proxies, penſions, annuities, or of any other iſſues, or profites due unto the ſaid biſhop or his ſucceſſors by any manner of right, title, or compoſition, which the ſaid biſhop hath had or received heretofore, in, or of the houſes and granges of Duleke and Colpe churches and benefices in Ireland, belonging to the ſaid houſes and granges, and to the houſes of Lanthonie in England. Provided alſo that this foreſaid act, nor any thing therein conteined, in any wiſe be not prejudicial or hurtful to the ſuffraine, portrifes, and commons of the town of Roſſe, or to the ſuffraine, bayliffes, and commons of the town of Wexford, or to the ſuffraine, portrifes, and commons of the town of Kilkenny, or to the ſuffraine, burgeſſes and commons of the towne of Clonmel, or to any of them, or to the ſucceſſors of them or any of them, in, of, for or concerning any graunts, liberties, priviledges, franchiſes, corporations, profits or commodities, or any other thing or things to them or any of them or to their predeceſſors, or to the predeceſſors of any of them extending by the ſame graunts to their ſucceſſors and to the ſucceſſors of any of them by any maner of mean, given, graunted, or confirmed before the firſt day of this preſent Parliament, this preſent act in any wiſe notwithſtanding.

IV. Provided alſo, and be it enacted by authority of this preſent Parliament, that this foreſaid and preſent act, ne any thing therein conteyned, be in any wiſe prejudicial or hurtful to any perſon or perſons, in, of, or for any, and every of their cornes (tythes only except) which they or any of them hath growing or coming out and upon the ſaid lands, tenements, and other the premiſſes, and every parcel thereof, unto the feaſt of Saint Michael the Archangel next coming. But that it ſhall be lawful to every ſuch perſon and perſons as hath any ſuch cornes to rippe, carry and convey the ſame at his

his and their will and pleaſure, this foreſaid and preſent act or any thing therein conteyned in any wiſe notwithſtanding. A. D. 1537.

V. Provided alſo, and be it enacted by authority of this preſent Parliament, that all obligations, bondes of the ſtaple, recognizances, indentures, and all other writings and ſpecialties, wherein any perſon or perſons ſtandeth bounden for the payment of any rents, iſſues, revenues, and profites, for, or by reaſon, or going out of the ſaid lordſhips, manors, lands, tenements, and other the premiſſes, or any parcel thereof, by authority of this preſent act be deemed, ordered, reputed and adjudged, fruſtrate, and void, and of none effect in law.

Obligations, &c. for payment of rent out of the premiſſes to be void.

VI. Provided alſo, that this act, ne anie thing therein conteyned, be in no wiſe prejudicial or hurtful to the portrifes, burgeſſes, and commons of the town of Fithirde, or to the portrifes, burgeſſes, and commons of the town of Caſhell, or to any of them, or to the ſucceſſors of them or any of them, in, of, for, or concerning any graunts, liberties, priviledges, franchiſes, corporations, profits, or commodities, or any other thing or things to them or any of them, or to their predeceſſors, or to the predeceſſors of any of them, extending by the ſame graunts to their ſucceſſors, and to the ſucceſſors of any of them, by any manner of mean, given, granted, or confirmed before the firſt day of this preſent Parliament, this preſent act in any wiſe notwithſtanding.

CHAP. IV.

The Repeal of Poynings Act.

FOR the great truſt and confidence that the King's highneſſe hath in his deputie and counſaile of this his land of Ireland, and in the nobles ſpiritual and temporal, and the commons his loving ſubjects of the ſame, his Majeſtie is pleaſed and contented, that it be enacted by authority of this preſent parliament, That this preſent parliament ſummoned, begun and holden, and every act, ordinance, proviſion, thing or things, of what nature, name, condition, or quality it be of, had, done, made or eſtabliſhed, or hereafter to be had, done, made, or eſtabliſhed, by authority thereof, ſhall be good and effectual to all intents and purpoſes according to the tenour and effect of the ſaid acts, ordinances, and proviſions; the act made at Drogheda in the Parliament there holden the Monday next after the feaſt of Saint Andrew, in the tenth year of the moſt noble King of famous memory, King Henry the ſeventh, before Sir Edward Poynings knight, then being deputy of this land, or any other act or acts, uſe or cuſtom, heretofore had, done, or made within this land to the contrary of this preſent Parliament, or any thing made or eſtabliſhed by authority of the ſame in any wiſe notwithſtanding.

10 *H.* 7. 4. 11 *El.* 1. 28 *H.* 8 20. This Parliament and all acts and ordinances thereof valid, notwithſtanding 10 *H.* 7. 4. or any other thing to the contrary. Provided ſuch acts, &c. thought expedient for the King's honour, increaſe of his revenue, and for the commonweale; and no act be paſſed relating to the property of private perſons, or incorporate bodies, or in derogation of grants from the crown to cities or borough towns.

II. Provided alway, and be it enacted, that by force and virtue of this preſent act, ne any thing therein contained, no act, ordinance, proviſion, thing or things, of what nature, name, condition,

A. D. 1537. or qualitie ſover it be, for any manors, lordſhips, lands, tenements, advowſons, abbeyes, priories, ſelles, or any other hereditaments, whatſoever they be, for or between any perſon or perſons, bodie or bodies politique or incorporate, or any other particular act, ordinance, or proviſion, or any other act, ordinance, or proviſion, that ſhall be prejudiciall, hurtfull, or in derogation of any graunts, liberties, franchiſes, uſages, cuſtomes, or any other commodities or priviledges, given or graunted by our ſovereign lord the King or his noble progenitors to any citie or borough towns within this land of Ireland, be enacted or eſtabliſhed by virtue or authority of this preſent Parliament, but only ſuch acts, ordinances, and proviſions, thing or things, as ſhall be thought expedient for our ſoveraigne lord the King's honour, the encreaſe of his grace's revenues and profites, and the common weale of this his land and dominion of Ireland.

CHAP. V.

An Act authoriſing the King, His Heirs and Succeſſors, to be ſupreme Head of the Church of Ireland.

26 *H.* 8. 1. *Eng.* The King his heirs and ſucceſſors to be ſupreme head of the church of Ireland, and ſhall have the title thereof, and juriſdiction, &c. thereto belonging annexed to the crown of England, and viſit and amend all errors, &c. which by any ſpiritual juriſdiction may be reformed. 2 *Eliz.* 1.

LIKE as the King's Majeſty juſtly and rightfully is and ought to be ſupreme head of the church of England, and ſo is recogniſed by the clergie, and authoriſed by an act of Parliament made and eſtabliſhed in the ſaid realme: So in like maner of wiſe, foraſmuch as this land of Ireland is depending and belonging juſtly and rightfully to the imperial crown of England, for increaſe of vertue in Chriſt's religion within the ſaid land of Ireland, and to repreſs and extirp all errours, hereſies, and other enormities and abuſes, heretofore uſed in the ſame: be it enacted by authority of this preſent Parliament, That the King our ſovereign lord, his heyres and ſucceſſors, Kings of the ſaid realm of England, and lords of this ſaid land of Ireland, ſhall be accepted, taken, and reputed the only ſupream head in earth of the whole church of Ireland, called (*Hibernica Eccleſia*) and ſhall have and enjoy, annexed and united to the imperial crown of England, as well the title and ſtile thereof, as all honours, dignities, preheminences, juriſdictions, priviledges, authorities, immunities, profites, and commodities to the ſaid diginitie of ſupreme head of the ſame church belonging and appertayning, and that our ſaid ſovereign lord, his heyres and ſucceſſors, Kings of the ſaid realm of England, and lords of this land of Ireland, ſhall have full power and authority from time to time to viſit, repreſs, redreſs, reform, order, correct, reſtrain, and amend all ſuch errors, heriſies, abuſes, offences, contempts and enormities, whatſoever they be, which by any maner ſpiritual authority or juriſdiction ought or may lawfully be reformed, repreſſed, ordered, redreſſed, corrected, reſtrained, or amended, moſt to the pleaſure of Almighty God, the increaſe of vertue in Chriſt's religion, and for the conſervation of

peace, unitie, and tranquilitie of this land of Ireland: any uſage, cuſtome, foreign laws, foreign authoritie, preſcription, or any other thing or things to the contrary thereof notwithſtanding. A. D. 1537.

II. Provided alway, and be it enacted by the authority of this preſent Parliament, That if it fortune our ſoveraign lord the King, his heyres or ſucceſſors, to authoriſe and depute any perſon or perſons to viſit, repreſs, redreſs, reform, order, correct, reſtrain, or amend, by force of the preſent and foreſaid act, that then any ſuch Perſon or perſons ſhall go with ſuch company, as ſhall be convenient and neceſſary for the ſame; and that according the habilitie, ſubſtance, and power of the perſon, houſe, or monaſterie, which they ſhall ſo fortune to viſit, repreſs, redreſs, reform, order, correct, reſtrain, or amend; and that no ſuch perſon or perſons, ſo appointed or authorized to viſit, repreſs, redreſſe, reforme, order, correct, reſtrain, or amend, ſhall take, or cauſe to be taken, any proceſs money, or other exactions of any ſuch perſon, houſe, or monaſterie, which they ſhall ſo fortune to viſit, repreſs, redreſs, reform, order, correct, reſtrain, or amend, but onely convenient meat, drink, and lodging for themſelves, their company, ſervants, and horſes; and if any ſuch perſon or perſons, ſo appointed and authorized as aforeſaid, do take, or cauſe to be taken, any proceſs money, or any other exactions, (other than is aforeſaid) that every of them ſo offending ſhall forfeit four times the value of that, that he receiveth, or cauſe to be received, the one half thereof to our ſovereign lord the King, his heyres and ſucceſſors, and the other half to any perſon or perſons that will ſue for the ſame by action of debt, information, or otherwiſe, wherein no wager of law, eſſoine, ne protection ſhall lye.

CHAP. VI.

An Act of Appeales. Rot. Parl. cap. 7.

Recital that good laws were made in England, taking away appeals to Rome in ſpiritual cauſes. *Eng.* 24 *H.* 8. 12. 25 *H.* 8. 19. 2 *El.* 1. *confirmed.*

WHERE divers good and wholſome laws and ſtatutes be made and eſtabliſhed within the realm of England for the adnulling and utter taking away of appeales in caſes ſpiritual from the biſhop of Rome and See Apoſtolike, and ſuch other as claim by authority of the ſame, not onely for great ſpeed of juſtice to the King's ſubjects of the ſaid realm, but alſo in taking away the long delayes, coſts, charges, and expences that the ſaid ſubjects ſuſtayned by reaſon of ſuch appeales: and foraſmuch as this land of Ireland is the King's proper dominion of England, and united, knit, and belonging to the imperial crown of the ſame realm, which crown of itſelf, and by it ſelf, is fully, wholy, intirely and rightfully endowed and garniſhed with all power, authority, and preheminence, ſufficient to yield and render to all and ſingular ſubjects of the ſame full and plenarie remedies in all cauſes of ſtrife, debate, contention, or diviſion, without any ſuite, provocation, ap-

That the crown has ſufficient power to render juſtice to its ſubjects.

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None hereafter to appeal to Rome, or obey the proceſs of that court, on pain of a præmunire.

peale, or any other proceſs to be had, made, or ſued to any forrein prince or potentate ſpiritual or temporal: be it therefore, and for the common weal of the ſubjects of this land, ordained, and enacted by authority of this preſent Parliament, That no perſon or perſons, ſubjects or reſiants of this land, ſhall from the firſt day of this preſent Parliament purſue, commence, uſe, or execute any manner of provocations, appeales, or other proceſs, to or from the biſhop of Rome, or from the ſee of Rome, or to or from any other that claime authority by reaſon of the ſame, for any manner of caſe, grief, or cauſe, of what nature ſoever it be, upon the pain that the offenders, their aydors, counſaylors, and abetors, contrary to this act, ſhall incur and run into ſuch paines, forfeitures, and penalties, as be ſpecified and contained in the act of proviſion and premunire, made in the realm of England in the ſixteenth year of King Richard the ſecond, ſometime King of England and lord of Ireland, againſt ſuch as procure to the court of Rome or elſewhere to the derogation or contrary to the prerogative or juriſdiction of the ſaid crown of England. And that no manner of perſon, ſubject or reſiant within this ſaid land, ſhall attempt, procure, or obtain any manner of proceſs, of what kind or nature ſoever it be, to or from the ſame biſhop of Rome, or court of Rome, or See Apoſtolike, or from any other having authority by the ſame, to the let or interruption of this act, or any thing therein contained, nor in any wiſe obey or execute within this land ſuch manner of proceſs, upon like pains and forfeits as been above rehearſed.

Appeals ſhall be to the King, or chief governor of Ireland to their court of chancery, which ſhall grant a commiſſion or delegacy for final determination.

II. And to the intent that the ſubjects and reſiants of this land ſhall and may take and hear the appeales in their juſt and lawful cauſes, for lacke of juſtice within this land, be it further enacted by authority of this preſent Parliament, That in and for all maner of cauſes, griefes, and caſes, as they or any of them were wont and accuſtomed to have in their provocations, appeales, and other proceſs in caſes of debate and contention, to or from the biſhop of Rome, or to or from the See Apoſtolike, or court of Rome, they now being grieved, ſhall have, take, and uſe from the firſt day of this preſent Parliament their provocations, appeales, and ſuch like proceſs, to the King of England and lord of Ireland, his heyres and ſucceſſors, or to his or their lieutenant, deputie, juſtice, or other governour, whatſoever he be, of this land of Ireland for the time being, to his or their court of chauncerie within the ſame realm of England or land of Ireland: and that upon every ſuch provocation, appeal, and proceſs, made to the King of England and lord of Ireland, and to his heyres and ſucceſſors, the chauncellor of England, or keeper of the great ſeale for the time being, ſhall graunt a commiſſion or delegacy to ſome diſcreet and well learned perſons of this land of Ireland, or elſe in the realm of England, for final determination of all cauſes and griefes contayned in the ſaid provocations and appeales, and in the

principal matter, and in all circumſtances and dependants thereupon. And that upon every ſuch provocation, appeal, or proceſs made to the ſaid lieutenant, deputie, juſtice, or governour, the chancellor of this ſaid land of Ireland, or keeper of the great ſeale of the ſame for the time being, by the aſſent of the chief juſtices of the king's bench and common place, the maſter of the rolls, and the undertheſaurer of the ſaid land for the time being, or to any two of them, ſo as the ſaid undertheſaurer be one, ſhall grant a commiſſion or delagacie to ſome diſcreet and well learned perſons within this land of Ireland, for final determination of all cauſes and griefes conteyned in the ſaid provocation and appeales, and in the principal matter, and all circumſtances and dependants thereupon, which commiſſioners ſo named, ſhall have like power and authority in all manner of things, as commiſſioners aſſigned in appeales made to the King's highneſs in the realm of England have, by authority of their commiſſion, or by vertue of any acts made for appeales within the ſaid realm; any forrein laws, prohibitions, inhibitions from the court of Rome, cuſtomes, uſages, preſcription, or any other thing or things to the contrary thereof notwithſtanding.

A. D. 1537.

CHAP. VII.

An Act of Slaunder. Rot. Parl. cap. 8.

WHERE in a Parliament begun at London in the realm of England, the third day of November, the xxi. year of the raign of our moſt dread ſoveraign lord King Henry the eighth, King of England and of France, defendor of the faith, Lord of Ireland, and ſupream head in earth of the church of England, and from thence adjourned to Weſtminſter, and by divers prorogations there holden and continued, it was and is enacted amongſt other things, in manner and form as followeth: Foraſmuch as it is moſt neceſſary, both for common policie and duetie of ſubjects, above all things, to prohibit, provide, reſtrain, and extinct all manner of ſhameful ſlaunders, perills, or iminent danger or dangers which might grow, happen or riſe to their ſoveraign Lord the King, the Queen and their heyers, which when they be heard, ſeen, or underſtood, cannot be but odible, and alſo abhorred of all thoſe ſorts, that be true and loving ſubjects, if in any point they may doe or ſhall touch the King, his Queen, their heyres and ſucceſſors, upon which dependeth the whole unitie, and the univerſall weal of this realm, without providing wherefore too great a ſtop of unreaſonable libertie ſhould be given to all cankred and trayterous hearts, workers and willers of the ſame, and alſo the King's loving ſubjects ſhould not declare unto their ſoveraign Lord now being (which unto them hath been, and is moſt entirely both beloved and eſteemed) their undoubted ſincerity and truth. Be it therefore enacted by the aſſent and conſent

26 *H.* 8. 13. *Eng.*

Slandering the King, Queen, or heirs apparent by words or writing, wiſhing, or practiſing any harm to them, or to their dignity, *&c.* rebelliouſly detaining any of the King's fortreſſes, ſhips, artillery, &c. treaſon.

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ſent of our ſoveraign Lord the King, and the lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons, after the firſt day of February next coming, doe malicioufly wiſh, will, or deſire, by words, or writing, or by craft, imagin, invent, practiſe, or attempt, any bodily harm to be done or committed to the King's moſt royal perſon, the Queen, or their heyres apparent, or to deprive them, or any of them, of the dignitie, title, or name of their royal eſtates, or ſlaunderouſly and malicioufly publiſh and pronounce by expreſs writing, or words, that the King our ſoveraign lord ſhould be heretick, ſchiſmatick, tyrant, infidell, or uſurper of the crown, or rebellioufly doth detain, keep, or withhold from our ſaid ſoveraign Lord, his heyers or ſucceſſors, any of his or their fortreſſes, fortileſſes or holds, within this realm, or any other the King's dominions or marches, or rebellioufly detain, keep, or withhold from the King's ſaid Highneſs, his heyres or ſucceſſors, any of his or their ſhips, ordnances, artillery, or other munitions or fortifications of war, and doe not humbly render and give up to our ſaid ſoveraign Lord, his heyres or ſucceſſors, or to ſuch perſons as ſhall be deputed by them, ſuch caſtles, fortreſſes, fortileſſes, holds, ſhips, ordnances, artillery, and other munitions and fortifications of war rebellioufly kept, or detayned, within ſixe dayes next after they ſhall be commanded, by our ſaid ſoveregn Lord, his heyres and ſucceſſors, by open proclamations under the great ſeale: that then every ſuch perſon and perſons ſo offending in any of the premiſſes, after the ſaid firſt day of February, their aydors, counſaylors, conſentors, and abbettors, being thereof lawfully convicted, according to the laws and cuſtomes of this realm, ſhall be adjudged traditours; and that every ſuch offence in any the premiſſes that ſhall be committed or done after the ſaid firſt day of February, ſhall be reputed, accepted, and adjudged high treaſon, and the offendors therein, and their aydors, conſentors, counſailors, and abbettors, being lawfully convict of any ſuch offence as is aforeſaid, ſhall have and ſuffer ſuch paines of death and other penalties, as is limited and accuſtomed in caſes of high treaſon.

Sanctuary taken away in high treaſon.

II. And to the intent that all treaſons ſhould be the more dread, hated, and deteſted to be done by any perſon or perſons, and alſo becauſe it is a great boldneſs, and an occaſion to evil diſpoſed perſons to adventure and embrace their malicious intents and enterpriſes, which all true ſubjects ought to ſtudie to eſchue: be it therefore enacted by authority aforeſaid, that none offendor, in any kinds of high treaſons whatſoever they be, their aydors, conſentors, counſailors and abbettors, ſhall be admitted to have the benefit or privileges of any manner of ſanctuary, conſidering, that matters of treaſons toucheth ſo nigh, both the ſuertie of the King our ſoveraign lord his perſon, his heyres and ſucceſſors.

III. And

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III. And over that, be it enacted by authority aforeſaid, That if any of the King's ſubjects, denizens, or other, doe commit or practiſe out of the limits of this realm, in any outward parts, anie ſuch offences which by this act are made, or heretofore have bin made treaſon; that then ſuch treaſons, whatſoever they be, that ſhall ſo happen to be done or committed, ſhall be enquired and preſented by the oathes of twelve good and lawful men, upon good and probable evidence and witneſs, in ſuch ſhire and county of this realm, before ſuch perſons as it ſhall pleaſe the King's highneſs to appoint, by commiſſion under his great ſeal, in like manner and form as treaſons committed within this realm have been uſed to be enquired of and preſented; and that upon everie inditement and preſentment founden and made of any ſuch treaſons, and certified into the King's bench, like proces and other circumſtance ſhall be there had and made againſt the offendors, as if the ſame treaſons ſo preſented had lawfully found to be don and committed within the limits of this realm; and that all proces of outlarie hereafter to be made and had within this realm, againſt any offendors in treaſon, being reſiant or inhabited out of the limits of this realm, or in any other of the parts beyond the ſea, at the time of outlarie pronounced againſt them, ſhall be as good and effectual in the law, to all intents and purpoſes, as if ſuch offendors had been reſiant and dwelling within this realm, at the time of ſuch proces awarded and outlarie pronounced.

Treaſons committed out of the realm, to be tried in any county where the King ſhall appoint by commiſſion: and upon indictment found and certified into B. R. ſuch proceeding ſhall be as if the treaſon found within the realm.

Outlawry for treaſon againſt perſons reſiding abroad, as effectual as if reſiding within the realm.

IV. And be it further enacted by authority aforeſaid, That every offendor, and offendors, being lawfully convict of any maner of high treaſons, by preſentments, confeſſion, verdict, or proces of outlarie, according to the due courſe and cuſtom of the common law of this realm, ſhall loſe and forfeit to the King's highneſs, his heyres and ſucceſſors, all ſuch lands, tenements, and hereditaments, which any ſuch offendor or offendors, ſhall have of any eſtate of inheritance in uſe or poſſeſſion by any right, title, or meanes, within the realm of England, or elſewhere within any the King's dominions, at the time of any ſuch treaſon committed, or any time after. Saving to every perſon or perſons, their heyres and ſucceſſors, other then the offendors in any treaſons, their heyres and ſucceſſors, and ſuch perſon and perſons, as claim to any their uſes, all ſuch right, titles, and intereſſes, poſſeſſions, leaſes, rents, offices, and other profits, which they ſhall have at the day of committing ſuch treaſon, or at any time afore, in as large and ample maner, as if this act had never been had or made.

Ir. 27. *El.* 1. Offendors in high treaſon forfeit all lands, &c. of inheritance in uſe or poſſeſſion, by any title, at time of the treaſon or after.

Saving the rights of others.

V. Conſidering that this eſtatute made in the realm of England is moſt beneficial and expedient, to have due execution within the King's land and dominion of Ireland, eſpecially in reſpect of the high rebellion here lately committed, and that the odible infamies againſt the King and Queen, in the ſame act expreſſed, and other offences, abuſes, and abominations, there mentioned principally, have bin promul-

This act made in England enacted and confirmed in Ireland.

A. D. 1537. promulged, pronounced, done, and attempted within this ſaid land. Be it therefore eſtabliſhed, ordayned, and enacted, by authority of this preſent Parliament, That the aforeſaid eſtatute and ordainance, and every thing and things therein contayned, be eſtabliſhed, confirmed, accepted, deemed, judged, and taken for a good and right law, within this King's land and dominion of Ireland, and to be as good, effectual, and of the ſame ſtrength, qualitie, effect, force, and vertue, to all intents and purpoſes, within the ſaid land, as the ſame is, or ought to be in the realm of England.

VI. And be it further enacted by authority aforeſaid, That the ſaid eſtatute and act made in England, and every thing therein contained, ſhall have relation and take effect within this land of Ireland, againſt all offendors contrary to the form thereof, from the twentieth day of May, the twentie eight year of the King's moſt noble reign.

CHAP. VIII.

An Act for Firſt Fruits. Rot. Parl. cap. 10.

28 *H.* 8. 26. *Ir.* 26 *H.* 8. 3. *Eng.* 2 *Eliz.* 3. *Ir.*

Recital of the act in England, 26 *H.* 8. 3.

PRayeth the commons in this preſent Parliament aſſembled, That whereas at a Parliament holden upon a prorogation at Weſtminſter, within the realm of England, the third day of November, in the twenty ſix year of the reign of our moſt dread ſoveraign lord, King Henry the eight, amongſt other was ordayned, and enacted, That the King's highneſs, his heyres and ſucceſſors, Kings of the realm of England, ſhould have and enjoy from time to time, to endure for ever, of every ſuch perſon or perſons, which at any time after the firſt day of January, next enſuing the ſaid iii. day of November, ſhould be nominated, elected, perfected, preſented, collated, or by other meanes appointed to have any archbiſhoprick, biſhoprick, abbacy, priorie, colledge, hoſpital, archdeaconry, deanry, provoſtſhip, prebend, parſonage, vicarage, chauntrie, free chappel, or other dignity, benefice, office, or promotion ſpirituall, within the ſaid realm, or elſewhere within any the King's dominions, of what name nature or quality ſover they be, or to whoſe foundation, patronage, or gift ſoever they belong, the firſt fruits, revenues, and profits for one year of every ſuch archbiſhoprick, biſhoprick, abbay, monaſtery, priory, colledge, hoſpital, archdeaconry, deanry, provoſtſhip, prebend, parſonage, vicarage, chauntry, free chappel, or other dignity, benefice, office, or promotion ſpiritual aforenamed, whereunto any ſuch perſon and perſons, ſhall after the firſt day of January be nominated, elected, perfected, preſented, or by any other meanes appointed, as in the ſaid act more at large is contained. And conſidering the great decay of the King's revenues within this his grace's land and dominion of Ireland, and what great, exceſſive and ineſtimable charges his highneſs hath been at, and ſuſtained, and alſo daily ſuſtaineth for the maintenance, tuition and defence of his grace's ſubjects, and for the

Enacting part. Archbiſhops, &c. to pay to the King the profits for one year, to whomſoever the foundation, patronage or gift belong.

deſtruction, exile and baniſhing of his enemies, traditors, and rebells, within this his land and dominion of Ireland, and for ſuch cauſes and conſiderations, as appeareth by the ſaid act, made at Weſtminſter, the third day of November. Be it ordeyned, enacted, and eſtabliſhed by authority of this preſent Parliament, That the King our ſoveraign lord, his heyrs and ſucceſſors, Kings of the ſaid realm of England, and lords of this land and dominion of Ireland, ſhall have and enjoy from time to time to endure for ever, of every ſuch perſon and perſons, which at any time after the firſt day of this preſent Parliament, ſhall be nominated, elected, perfected, preſented, collated, or by any other meanes appointed to have any archbiſhopricke, biſhopricke, archdeaconry, deanry, prebend, parſonage or vicarage, within the ſaid land and dominion of Ireland, of what name, nature, or qualitie ſoever they be, or to whoſe foundation, patronage, or gift ſoever they belong, the annate, commonly called within this land the (ane) firſt fruits, revenues and profits for one year, of every ſuch archbiſhoprick, biſhoprick, archdeaconry, deanry, prebend, parſonage, and vicarage aforenamed, whereunto any ſuch perſon or perſons ſhall at any time or times, after the ſaid firſt day of this preſent Parliament, be nominated, elected, prefected, preſented, collated, or by any other meanes appointed. And that every ſuch perſon and perſons, before any actual or real poſſeſſion, or medling with the profits of any ſuch archbiſhoprick, biſhopricke, archdeaconry, deanry, prebend, parſonage, or vicarage, ſhall ſatisfie, content and pay, compound, or agree to pay to the King's uſe, at reaſonable dayes upon good ſuerties, the ſaid annate or ane, the firſt fruits and profits for one year.

Before actual poſſeſſion or meddling with the profits, they may compound for the firſt fruits.

II. Be it alſo enacted by authority aforeſaid, That the chancelor of Ireland, the maſter of the rolls, and the underthеſaurer for the time being, or any two of them, ſo as the ſaid underthеſaurer be one of the ſaid two, or ſuch other perſons or perſon as ſhall pleaſe the King's highneſs, his heyres or ſucceſſors, from time to time, at his or their pleaſurs, to name and depute by commiſſion or commiſſions, under the great ſeale, ſhall have power and authority as well to examin and ſearch for the juſt and true value of the ſaid annate, firſt fruites, and profites, by all ways and means that they can, as to compound and agree for the rate of the ſaid annate, and firſt fruits and profits, and to ſtall and limit reaſonable days upon payment thereof, upon good and ſufficient ſuerties or ſuerty, by writings obligatories by their diſcretion, and if compoſition or agreement be had or made for the ſame annate, firſt fruits and profits, before the ſaid lord chauncelor, the maſter of the rolls, and the underthеſaurer for the time being, or any two of them, ſo as the ſaid underthеſaurer be one of the ſaid two, that then the writings obligatory, or mony taken for the ſame, ſhall reſt, remain, and abide in the hands of the underthеſaurer, or in the hanaper of the King's chauncery in Ireland, there ſafely to be kept to the King's uſe, and the mony to be due of ſuch writings obligatory, or to be

The lord chancellor, &c. may examine the true value of the firſt fruits, and compound for the rate, and limit reaſonable days for payment thereof, upon good ſuretie, by writings obligatory; which, or the money taken for the ſame, ſhall remain in the under treaſurer's hands or the hanaper, and the money paid there, to be accounted for.

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received in hand by reaſon of any ſuch compoſition, ſhall be payed unto the ſaid undertheſaurer, or in the ſaid hanaper to the clerk of the hanaper for the time being. And that the ſaid undertheſaurer for ſuch writings obligatory and mony as commeth to his hands, or ought to come to his hands, ſhall make a true and a juſt accompt thereof. And that alſo the ſaid clerk of the hanaper, for ſuch writings and mony, as he receiveth or ought to receive, ſhall make a juſt and a true accompt thereof like as he is bound to do of the mony received of the profits of the King's great ſeal, and if compoſition or agreement be had or made for the ſaid annat, firſt fruits and profits, afore any perſon or perſons to be deputed by the King's highneſs, his heyres or ſucceſſors, by commiſſion under his great ſeale, that then the writings obligatorie, and money taken for the ſame, ſhall be delivered to the ſaid undertheſaurer, or elſe where to whom it pleaſe the King's highneſs, his heires and ſucceſſors, to give authority by commiſſion under his great ſeale to receive the ſame.

Acquittances under the hand of ſaid treaſurer, clerk of the hanaper, or other commiſſioners, and all ſuch writings obligatory ſhall be of the ſame effect in Ireland, as thoſe taken by perſons appointed by the act in England.

III. And it is alſo ordained and enacted by authority aforeſaid, That every writing of acquitance, ſubſcribed with the hand and name of the undertheſaurer, clerk of the hanaper, or other commiſſioners aforeſaid, or any of them, witneſſing the receit of the ſame annate, firſt fruites and profits, or any part thereof, and all writings obligatories to be taken for payment of the ſaid annate, ane, firſt fruites and profits, by and afore the ſaid lord chauncelor, the maſter of the rolles, and undertheaſurer, or any two of them, as is aforeſaid, or by and afore any other perſon or perſons to be deputed to compound and agree for the ſaid annate, ane, firſt fruites and profits, as is aforeſaid, ſhall be of the ſame ſtrength, force, vertue, qualitie and effect, to all entents and purpoſe, within this land and dominion of Ireland, as all ſuch writings of acquitances, and writings obligatorie ſubſcribed, and taken by and afore ſuch perſon and perſons, as be limited and appointed by the ſaid act, made at Weſtminſter the ſaid third day of November, within the realme of England, and that upon certificat hereafter to be made into the King's chauncerie of any ſuch writing obligatorie to be taken for payment of ſuch annate, firſt fruites and profits, like proceſs and execution ſhall be thereupon made, and had againſt any perſon ſpiritual or temporal, as hath been accuſtomed to be made againſt any lay perſon upon certificat of writings obligatory, of the ſtatute of the ſtaple. And that no perſon ſhall be compelled to pay for any writing obligatorie to be made for the ſaid payment of the ſaid firſt fruites, above eight pence, nor for any acquitance to be made for any receite of ſuch firſt fruites above foure pence: And ſuch perſon or perſons as ſhall be deputed by the King's highneſs by commiſſion under the great ſeale of England and Ireland, to compound and agree for the ſaid firſt fruites, ſhall at the end of every ſixe moneths next after the date of their commiſſion, and ſo from ſixe moneths to ſixe moneths, deliver or cauſe to be delivered, unto the undertheſaurer of this foreſaid land,

Upon certificate into chancery of ſuch writing obligatory, like proceſs ſhall be as uſual againſt lay perſons, on ſtatute ſtaple.

Not more than 8d to be paid for a writing obligatory: for an acquittance 4d

Commiſſioners of firſt fruits every 6 months to deliver by indenture to the under treaſurer, &c. ſuch

for the time being, or elſewhere, to ſuch commiſſioners as ſhall be appointed as is aforeſaid, to receive the ſame, aſwel all ſuch mony, as all ſuch ſpecialties and bandes as they ſhall have taken for the payment of the ſaid firſt fruites, by indenture to be made between them and the ſaid underthefaurer, or other commiſſioners as is aforeſaid, concerning the certainty and number of the ſummes of money, ſpecialties, and bandes by them taken and received; and if any perſon or perſons, to whom any deputation ſhall be made by commiſſion to compound and agree for the payment of the ſaid firſt fruites, their heyres, executors, or adminiſtrators, cancele or imbeaſile any of the ſaid ſpecialties, and bandes taken for the payment of the ſaid firſt fruites, and doe not deliver them according to the tenour of this act, that then everie ſuch offendors ſhall forfeit that office of deputation, and over that make fine and ranſome at the King's owne pleaſure and will.

money and ſpecialties as they receive, on pain of forfeiture of the office, fine and ranſom.

IV. And be it likewiſe enacted by authority aforeſaid, That all and every article, proviſion, and thing, whatſoever they be, enacted or compriſed within the ſaid act, made at Weſtminſter the third day of November for the ſuretie of paiment of the ſaid firſt fruits in the ſaid realm of England, be in the ſame force and ſtrength, vertue, qualitie, and effect to all intents and purpoſes within this land and dominion of Ireland, as they and every of them be within the ſaid realm of England.

All the proviſions in the act made in England, 26 *H.* 8. 3. for payment of firſt fruits, to be in force in Ireland.

V. Be it further enacted by authority aforeſaid, That annat, firſt frutes, and profites of benefices, heretofore accuſtomed to be taken and paide by and to the executors or adminiſtrators of the incumbents of the ſaid benefices, or to any other perſon or perſons within this land or dominion of Ireland, ſhall from the ſaid firſt day of this preſent Parliament ceaſe and be extinct, and no longer be paid ne taken, but only to the King's highneſs, his heyres and ſucceſſors, in ſuch form as is above mentioned in this act.

Firſt fruits, heretofore paid to others, to be paid to the King only.

VI. Provided alway, and be it enacted by authority of this preſent Parliament, That in as much as by this preſent and aforeſaid act our ſaid ſovereign lord the King, his heyres and ſucceſſors, hath and ſhall have for ever among other the premiſes the annat and firſt fruits of parſonages, vicarages, and ſuch benefices, as hath cure, that our ſaid ſovereign Lord, his heyres and ſucceſſors for ever at every avoydance of any ſuch parſonage, vicarage, or benefice, by any maner mean, of the iſſues and profites comming or growing of any ſuch parſonages, vicarages, or benefices, ſhall provide and finde a ſufficient and an able prieſt to ſerve the cure from any ſuch avoydance, till that one be admitted and inſtituted to the ſame.

Upon avoidance the King to find a Prieſt to ſerve the cure, out of the profits, till one admitted.

A. D. 1537.

CHAP. IX.

An Act of Delahyde's Lands in Carbrie. Rot. Parl. cap. 13.

Ir 27. *El.* 2. The eſtate of Sir Walter Delahide forfeited to the crown.

FORASMUCH as our ſoveraign lord the King after the death of Sir Walter Delahyde, knight, is juſt and rightfully intitled to have, poſſeſs, and enjoy, all the mannours, lordſhips, lands, tenements, and other hereditaments, whereof the ſaid Sir Walter or any other or others to his uſe, was ſeiſed or poſſeſſed the firſt day of Aprill in the yeare of our ſovereign lord the King, that now is, the xxv. in fee ſimple or fee tayle, to his Grace, his heyres and ſucceſſors for ever, and that by reaſon of that wilful and diſloyal traditor, James Delahyde ſon and heyre of the ſaid Sir Walter, which was one and the chief counſaylours of that traditour and rebell Thomas Fitz Gerald in all his traitorous proceedings, and that it is thought, that the ſaid Thomas Fitz Gerald and James were partly ruled and counſayled by the ſaid Sir Walter, and Jenet Euſtace then his wife, in all their traditors purpoſes, and in as much as diverſe of the ſaid manors, lordſhips, lands, tenements, and other the premiſſes, is in Carbrie, and ſituate in theſe places, whereby the the King's ſubjects thereunto adjoyning mought be the better defended, and in that, that when the ſaid Sir Walter did take upon him the rule and governance of the ſaid manors and other the premiſſes in Carbrie, by his negligence, and the love and favour that he and his ſervants bare to the ſaid James Delahyde, John Delahyde, and Sir Edward Delahyde, other of the ſons of the ſaid Sir Walter, certain of the caſtles and piles, being builded upon the ſaid lands, were burned, ſpoyled, and clearly caſt down by his ſaid ſons, and other the adherents of the ſaid Thomas Fitz Gerald, to the great unquietneſs and loſs of the King's true ſubjects: and to the intent that his Grace may have all the ſaid lands and tenements in Carbrie, whereby his Grace may have the better occaſion to defend his ſubjects, ſo that the ſaid Sir Walter ſhall have no medling ne no part thereof, whereby by his negligence and favour no like inconvenience, as is aforeſaid, may enſue, and that in ſpecial, for that that his Grace may rightfully be intitled to the ſame, if he would put his lawes in execution; be it enacted, ordeyned, and eſtabliſhed, by authority of this preſent Parliament, That our ſovereign Lord the King, his heyres and ſucceſſors for ever, from the feaſt of Eaſter, that was in the yeare of our ſaid ſoveraign Lord the xxvi. ſhall have, hold, poſſeſs, and enjoy, all the manors, lordſhips, lands, tenements, and other hereditaments, with their appurtenances, whereof the ſaid Sir Walter Delahyde, or any other, or others jointly and ſeverally, to his uſe, was ſeiſed or poſſeſſed in fee ſimple or fee tayle the xx. day of Januarie in the xxv. yeare of our ſaid ſovereign Lord, or at any time after, in the barony of Carbrie, with all the iſſues and pro-

Enacting part.

The lands, &c. veſted in the King.

A. D. 1537.

ſites of all the ſaid landes and tenements and other the premiſſes, with their appurtenances in Carbry, from the feaſt of Eaſter aforeſaid, and that his grace ſhall have and enjoy all the goods and cattals that at any time of right did belong or appertain to the ſaid Sir Walter, which came to the poſſeſſion of the King's underthefaurer, and general receivor of this his land of Ireland.

II. And for the further ſuretie of the ſaid lands, and other the premiſſes to which our ſaid ſovereign lord, is rightfully entituled, immediately after the death of the ſaid Sir Walter; Be it enacted, ordeyned and eſtabliſhed by authority of this preſent Parliament, That our ſoveraign lord the king his heyres and ſucceſſors for ever, from the day of the death of the ſaid Sir Walter Delahyde, ſhall have, hold, poſſeſs and enjoy all other the manors, lordſhips, lands, tenements, and other hereditaments, with their appurtenances, whereof the ſaid Sir Walter Delahyde, or any other or others joyntly or ſeverally to his uſe, was ſeyſed or poſſeſſed in fee ſimple or fee tayle, the twenty day of January, in the xxv. yeare of our ſaid ſovereign lord, or at any time after, within the land of Ireland. Saving to John Talbot of Dardieſton and to his heirs, all ſuch right, title, intereſt, entre and poſſeſſion, as he or they have to any of the premiſſes.

CHAP. X.

An Act how Perſons robbed ſhall be reſtored to their Goods. Rot. Parl. cap. 15.

BE it enacted by this preſent Parliament, That if any felon or felons hereafter do rob or take away any money, goods, or cattalls, from any of the King's ſubjects, from their perſon or otherwiſe, within this land of Ireland, and therefore the ſaid felon or felons be endicted, and after arraigned of the ſame felonie, and found guiltie thereof, or otherwiſe attainted by reaſon of evidence given by the party ſo robbed, or owner of the ſaid money, goods, or cattals, or by any other by their procurement, that then the party ſo robbed or owner, ſhall be reſtored to his ſaid money, goods and cattals, and that as well the juſtices of goale deliverie, as other juſtices before whom any ſuch felon or felons ſhall be found guiltie, or otherwiſe attainted by reaſon of evidence given by the partie ſo robbed, or owner, or by any other by their procurement, have power by this preſent act to award from time to time, writs of reſtitution for the ſaid money, goods and cattals, in like maner as though any ſuch felon or felons were attainted at the ſuit of the partie in appeal.

The party robbed ſhall, upon indicting and proſecuting the felon to conviction, be reſtored to his goods by writ of reſtitution awarded by the juſtice, as if the felon attainted in appeal. *Ir.* 3 & 4 *Ph. & M.* 6. *Eng.* 21 *H* 8. 11.

A. D. 1537.

CHAP. XI.

An Act reſtraining Tributes to be given to Iriſhmen. Rot. Parl. cap. 16.

Tribute not to be paid to the Iriſh for defending the King's ſubjects.

PRAYEN the lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, That whereas the King's Iriſh enemies have been heretofore of great force and ſtrength, within this land of Ireland, by reaſon whereof they have charged divers the King's towns and faithful ſubjects with tributes and exactions, for conſideration that the ſaid Iriſhmen, which do take the ſaid tributes ſhould defend the King's ſaid ſubjects, which they have not done, ne do not, and yet the King's ſaid ſubjects at the charge to pay them the ſaid unlawful impoſitions to their utter impoveriſhing. Wherefore and foraſmuch as our ſovereign lord the King, having reſpect to the povertie of his ſaid poor ſubjects of this his land of Ireland, hath ſent his armie royal hither for the exonerating of his grace's ſaid ſubjects, whereby his grace's ſaid ſubjects are highly animated and fortified, and the ſaid Iriſh enemies greatly enfeebliſhed, ſo as nothing lieth in them to do for having any ſuch tribute. Be it therefore by authoritie of this preſent Parliament enacted, eſtabliſhed, and ordained, That no manner Iriſh man within this land of Ireland, ſhall have any tribute, exaction, or any other unlawful impoſitions, of, or upon any the King's townes or faithful ſubjects within the ſame land, but that all and every the King's ſaid townes and ſubjects, ſhall be clearly from henceforth for evermore acquitted, diſcharged, and exonerated from all and every ſuch tributes, any letters or commandments ſent to them or any of them, or hereafter to be ſent contrary to this preſent act, in any wiſe notwithſtanding.

CHAP. XII.

An Act againſt Proctors to be any Member of the Parliament. Rot. Parl. cap. 19.

Proctors ſhall not be members of Parliament, nor have voice or aſſent, but only be as counſellors and aſſiſtants.

FORASMUCH as at every Parliament begun and holden within this land, two proctors of every dioceſs within the ſame land have been uſed and accuſtomed to be ſummoned and warned to be at the ſame Parliament, which were never by the order of the law, uſage, cuſtome, or otherwiſe any member or parcel of the whole bodie of the Parliament, nor have had of right any voice or ſuffrage in the ſame, but onely to be there as counſailors and aſſiſtants to the ſame, and upon ſuch things of learning, as ſhould happen in controverſie to declare their opinions, much like as the convocation within the realm of England is commonly at every Parliament begun and holden by the King's highneſs ſpecial licence, as his Majeſties judges of his ſaid realm of England, and divers other

other ſubſtantial and learned men, having groundly enquired and examined the root and firſt eſtabliſhment of the ſame, do clearly determine, and yet by reaſon of this ſufferance, and by the continuance of time, and for that moſt commonly the ſaid proctors have been made privie to ſuch matters as within this land at any time have been to be enacted and eſtabliſhed, and their advices deſired and taken to the ſame, they now of their ambitious mindes and preſumption inordinately deſiring to have authoritie, and to intermeddle with every cauſe or matter without any juſt ground or cauſe reaſonable to the ſame, doe temerariouſly preſume, and uſurpitly take upon themſelves to be parcel of the body, in maner claiming that without their aſſents nothing can be enacted at any Parliament within this land, which, as it is thought, cometh not without the procurement and maintenance of ſome of their ſuperiours, to the onely intent that the ſaid proctors for the more part, being now their chaplaines, and of mean degree, ſhould be the ſtoppe and lett that the develiſh abuſes, and uſurped authority and juriſdiction of the biſhop of Rome (by ſome men called the Pope) nor of themſelves ſhould not come to light or knowledge, that ſome good and godly reformation thereof might be had and provided. Wherefore be it enacted, ordained, and eſtabliſhed by authoritie of this preſent Parliament, That the ſaid proctors ne any of them ſo ſummoned or warned to any Parliament begun or holden, or to be begun and holden within this land, is ne ſhall be any member ne parcel of the bodie of the ſame Parliament, ne ſhall give ne have any voice, opinion, aſſent, or agreement to any act, proviſion, or ordinance to be regarded ne enacted in any Parliament within this land, ne yet their voices, aſſents, or agreements or opinions, ſhall not be neceſſarie ne requiſite to any ſuch act, proviſion, or ordinance, but that by authoritie aforeſaid, every act, ordinance, proviſion, thing or things, made, ordained, or eſtabliſhed, or to be made, ordained, or eſtabliſhed, at any time in any Parliament holden, or to be holden within this land, without the aſſent, conſent, or agreement of the ſaid proctors, or the more part of them, or contrary to the ſame, is and ſhall be good and effectual to all intents and purpoſes according to the tenour, purport, meaning and effect of every ſuch act, proviſion or ordinance, and by the ſame authoritie, the ſaid proctors ne any of them ſhall be accepted, reputed, deemed or taken from the firſt day of this preſent Parliament, as parcel or any member of the ſaid Parliament, or any other Parliament hereafter to be holden within this land, but onely as counſailours and aſſiſtants to the ſame. Any law, uſage, cuſtomes, preſcription, or any other cauſe or matter, thing or things, whatſoever it or they be in any wiſe to the contrary notwithſtanding.

A. D. 1537.

CHAP. XIII.

An Act againſt the Authority of the Biſhop of Rome. Rot. Parl. cap. 23.

FORASMUCH, as notwithſtanding the good and holſom lawes, ordinances, and ſtatutes heretofore made, enacted and eſtabliſhed by the King's highneſs our moſt gracious ſoveraign lord, and by the whole conſent of this high court of Parliament, for the extirpation, abolition, and extinguiſhment out of this land, of the pretended power, and uſurped authority of the biſhop of Rome (by ſome called the Pope) uſed within the ſame, which did obfuſcat and wreſt God's holy word and teſtament a long ſeaſon from the ſpiritual and true meaning thereof, to his worldly and carnal affection, as pompe, glorie, avarice, ambicion, and tyranny, covering and ſhadoing the ſame with his humane and craftie deviſes, traditions, and inventions ſet forth under the cloke of vertue, only to promote and eſtabliſh his dominion aſwel both upon the ſoules and bodies, as alſo upon the temporal goods of all chriſtian people, excluding not only Chriſt out of his kingdom and rule of man's ſoule as much as they might, but alſo other temporal Kings and Princes out of their dominions, which they ought to have by God's law, upon the bodies and goods of their ſubjects, whereby he did not only robbe the King's Majeſtie, being onely the ſupreme head of the realm of England, and of this his land of Ireland immediately under God, of his honor, right, and preheminence due unto him by the law of God, but alſo ſpoyled this his land of Ireland yearly of innumerable treaſure, and beſides the loſſes of the ſame, deceived the King's loving and obedient ſubjects, perſwading to them by his lawes, bulls, and other his deceivable meanes, ſuch dreames, vanities and fantaſies, as by the ſame many of them were ſeduced and conveyed unto ſuperſtitious and erronious opinions, ſo that the King's Majeſtie, the lord's ſpiritual and temporal, and the commons in this his land being overwearied and fatigued with the experience of the infinit abhominations, and miſchiefe proceeding of his impoſtures and craftie coloured deceipts, to the great damages of ſoules, bodies, and goods, were forced of neceſſity for the publique weale of this land to exclude that foreine pretended power, juriſdiction and authority uſed and uſurped within this ſaid land, and to deviſe ſuch remedies for their reliefe in the ſame, as doth not onely redound to the honour of God, the high praiſe and advancement of the King's Majeſtie, and of this his land, but alſo to the great and ineſtimable utilitie of the ſame: which ſaid good and holſome lawes, notwithſtanding ſo made and heretofore eſtabliſhed, it is come to the knowledge of the King's highneſs, and alſo to diverſe and many his loving, faithfull, and obedient ſubjects, how that divers ſeditious and contentious perſons,

The miſchief attending the Pope's authority.

Neceſſity of excluding ſuch foreign pretended power.

ſons, being impes of the ſaid biſhop of Rome, and of his ſee, and in heart members of his pretended monarchy, doe in covers and elſewhere, as they dare, whiſper, inculce, preach, and perſwade, and from time to time inſtil, into the eares and heads of the poore, ſimple, and unlearned people, the advancement and continuance of the ſaid biſhop's fained and pretended authority, pretending the ſame to have his ground and originall of God's law, whereby the opinions of many be ſuſpended, their judgments corrupted and deceived, and diverſitie in opinions augmented and encreaſed, to the great diſpleaſure of Almighty God, the high diſcontentation of our ſaid moſt dread ſoveraign Lord, and the interruption of the unitie, love, charity, concord, and agreement, that ought to be in a chriſtian region and congregation: for avoyding whereof, and of all ſuch ſeditious perſons as be the meanes and authors of ſuch inconveniences, be it enacted, ordained, and eſtabliſhed, by the King our ſoveraigne lord, and the lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons, dwelling, demurring, inhabiting, or reſiant within this land, of what eſtate, dignitie, preheminence, order, degree, or condition ſoever he or they be, after the firſt day of November which ſhall be in the yeare of our Lord God a thouſand five hundred ſeven and thirty, ſhall by writing, cyphering, printing, preaching, or teaching, or by any deed or act, obſtinately or maliciouſly hold or ſtand with to extoll, ſet forth, maintain, or defend the authority, juriſdiction, or power of the biſhop of Rome or of his ſee, heretofore claimed, uſed, or uſurped within this land, or by any pretence obſtinately or maliciouſly invent any thing for the extolling, advancement, ſetting forth, maintenance, or defence of the ſame, or any part thereof, or by any pretence obſtinately or maliciouſly attribute any manner of juriſdiction, authority, or preheminence to the ſaid ſee of Rome, or to any biſhop of the ſame ſee for the time being, within this land, that then every ſuch perſon or perſons, ſo doing or offending, their aydors, aſſiſtants, comforters, abbettors, procurers, maintainers, faulters, concealors, counſailors, and every of them, being thereof lawfully convicted according to the laws of this land, for every ſuch default and offence ſhall incur and run into the dangers, penalties, pains, and forfeitures, ordained and provided by the ſtatute of proviſion and premunire, made in the xvi year of the reign of the noble and valiant prince King Richard the ſecond, againſt ſuch as attempt, procure, or make proviſion to the ſee of Rome, or elſewhere, by any thing or things to the derogation or contrary to the prerogative royal, or juriſdiction of the crown and dignitie of the realm of England, the lawes, cuſtomes, and uſages of this land.

Enacting part.

To extol or maintain by writing or any act, the authority of the biſhops of Rome heretofore uſed in this kingdom, forbidden on pain of premunire, in 16 *R.* 2.

II. And to the intent that this act at all times may be well and truly executed, and the offendors thereof have and receive

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condigne puniſhment according to their demerits; it is enacted by the authority aforeſaid, That as well juſtices of aſſiſes in their circuits, as juſtices of peace within the limits of their commiſſion and authorities, or two of every ſuch juſticiars of peace at the leaſt, whereof one to be of the *quorum*, ſhall have full power and authoritie to inquire of all offences, contempts, and tranſgreſſions, perpretated, committed, or done, contrary to this act, in like maner and form, as they may of other offences againſt the King's peace, and ſhall certifie every preſentment afore them, or any of them, had or made concerning this act, or any part thereof, before the King in his bench of this land within fortie daies next after any ſuch preſentment had or made, if the term be then open, and if not, then at the firſt day of the term next following the ſaid fortie daies, upon pain that every of the juſtices of aſſiſe or juſtices of peace, before whom ſuch preſentment ſhall be made, making default of ſuch certificate contrary to this act, ſhall loſe and forfeit fortie pounds to the King's highneſs.

Juſtices of aſſize and peace, ſhall inquire of offences againſt this act, as of other offences againſt the King's peace, and certify every preſentment into B. R. in forty days after; if term open: if not, the firſt of the next term after 40 days, on pain of 40l.

III. And it is enacted by the authoritie aforeſaid, That the juſtices of the King's bench as well upon every ſuch certificate as by inquirie before themſelves within the limits of their authoties ſhall have full power and authoritie to hear, ordain, and determine every ſuch offence, done or committed contrary to this act, according to the lawes of the realm of England, and of this land, in ſuch like maner and form to all intents and purpoſes as if the perſon or perſons, againſt whom any preſentment ſhall be had upon this ſtatute, had been preſented upon any matter or offence expreſſed in the ſaid ſtatute, made in the ſaid xvi year of King Richard the ſecond.

The juſtices of B. R. to hear and determine.

IV. And it is alſo enacted by the authority aforeſaid, That all and every archbiſhops, biſhops, and archdeacons within this land, their commiſſaries, vicars general, and other their miniſters, in every their viſitations and ſeanes ſhall make diligent enſerche, enquirie, and examination, of all and every eccleſiaſtical and religious perſons within and of their juriſdiction, which ſhall be ſuſpected, accuſed, or deemed to be a tranſgreſſor or offendor of this act; and if upon ſuch ſearch, enquirie, and examination, any eccleſiaſtical or religious perſon ſhall be preſented, ſuſpected, accuſed, or found culpable by witneſs or confeſſion of any offence contrarie to this act, and be preſent at the time of ſuch preſentment, examination, or accuſation, that then every the archbiſhops, biſhops, and archdeacons, their commiſſaries, vicars general, and other their miniſters, afore or to whom any ſuch perſon ſhall be preſented, ſuſpected, accuſed, or found culpable as is aforeſaid, ſhall commit every ſuch perſon ſo preſented, accuſed, or found culpable, if he be preſented as is aforeſaid, to the next common goale of the ſhire, where ſuch enquiry, examination, or accuſation ſhall be had or made, or elſe by good and ſufficient ſureties, to be bound by obligation to the

Inquiry to be made at the viſitation, of ſuch eccleſiaſtical perſons as offend.

who, if found culpable, ſhall be committed to the next goal, or elſe let to bail, on ſureties to appear before the King and council, &c.

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King's uſe, ſhall let everie ſuch perſon to bayle by their diſcretions, to appear before the King and his councaile, or his Grace's deputie of this land, in the caſtle of Dublin, within xv. days next after ſuch enquiry, preſentment, or accuſation, if the term be then open and kept, or elſe in the firſt day of the term next following after the ſaid enquirie, preſentment, or accuſation, and at the ſaid day limited for ſuch appearance, they ſhall certifie into the ſaid caſtle of Dublin by writing under their ſeales as well the ſaid bond, and the obligation taken for ſuch appearance, as the preſentment, examination, accuſation, or conviction of every ſuch perſon, and all depoſitions, and circumſtances thereof, and the name of the goale whereunto they have committed the ſaid perſon; and if any ſuch eccleſiaſtical or religious perſon, being preſented, ſuſpected, or accuſed, in any ſeane or viſitation, be not preſent all the time of the ſaid ſeane or viſitation, as is aforeſaid, that then nevertheleſs every the ſaid archbiſhops, biſhops, and archdeacons, their commiſſaries, vicars general, and all other their miniſters, afore or to whom any ſuch preſentment, ſuſpection, or accuſation ſhall be had or made, ſhall certifie every ſuch preſentment, ſuſpection, or accuſation, and all circumſtances thereof, as is aforeſaid, unto the caſtle of Dublin within fifteene daies next after ſuch preſentment, ſuſpection, or accuſation, had or made, or in the firſt day of the terme next following after ſuch preſentment, ſuſpection, or accuſation, in ſuch maner and forme as is afore rehearſed: and in caſe any eccleſiaſtical or religious perſon, being preſented, ſuſpected, or accuſed of any offence done or attempted contrary to this ſtatute, be thereof convicted by confeſſion or witneſs before any archbiſhop, biſhop, or archdeacon, or before any the commiſſaries, vicars general, or other their miniſters in their ſeanes or viſitations, or before the King's counſaile in the caſtle of Dublin, that then every ſuch ſpiritual and religious perſon, ſo being convict, ſhall ſuffer ſuch paines, penalties, and forfeitures, as be expreſſed in the ſaid eſtatute, made in the ſixteenth yeare of King Richard the ſecond.

On the day of appearance the obligation, preſentment, &c. ſhall be certified into the caſtle of Dublin.

Upon conviction, penalty as in *Stat.* 16 *R.* 2.

V. It is alſo enacted by the authority aforeſaid, That if any eccleſiaſtical judge or viſitour doe voluntarily conceale, cloake, hide, or colour any preſentment, accuſation, or confeſſion, that ſhall be made to him concerning this ſtatute, and do not certifie every ſuch accuſation, preſentment, or confeſſion, before the King or his deputie, and his counſaile in the caſtle of Dublin, in ſuch maner and forme as is above ſpecified in this ſtatute; that then every ſuch eccleſiaſtical judge and viſitour, ſo wilfully offending, for every ſuch default ſhall forfeit xl. li. the one halfe thereof to the King's highneſs, the other half to ſuch perſon as will ſue for the ſame by original writ, bill, plaint, or information, in any of the King's courts, in which ſuit no eſſoine, protection, or wager of law ſhall be admitted or allowed.

Penalty of 40l. upon viſitor, &c. not certifying.

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VI. And for ſtronger defence and maintenance of this act it is ordained and enacted by authority aforeſaid, That all and every eccleſiaſtical judge, ordinary, chancellour, commiſſarie, official, vicar general, and other eccleſiaſticall officer and miniſter, of what dignitie, preheminence, or degree ſoever they ſhall be, and all and every temporal judge, juſticiar, maior, bayliffe, ſheriffe, underſheriffe, eſcheator, alderman, jurate, conſtable, headborough, thirdborough, borſolder, and every lay officer and miniſter, to be made, created, elected, or admitted into this land, of what eſtate, order, degree, or condition ſoever he ſhall be, from and after the ſaid firſt day of November ſhall, before he take upon him the execution of ſuch office, make, take, and receive, a corporall oath upon the evangeliſts before ſuch perſon or perſons, as have or ſhall have authority to admit him, *That he from henceforth ſhall utterly renounce, refuſe, relinquiſh, and forſake the biſhop of Rome, and his authority, power, and juriſdiction; and that he ſhall never conſent ne agree, that the biſhop of Rome ſhall practiſe, exerciſe, or have any maner of authority, juriſdiction, or power, within this land, but that he ſhall reſiſt the ſame at all times to the uttermoſt of his power; and that from henceforth he ſhall accept, repute, and take the King's Majeſtie to be onely ſuprem head in earth of the church of England and of Ireland; and that to his cunning, wit, and uttermoſt of his power, and without guile, fraud, or other undue meane, he ſhall obſerve, keep, maintain, and defend the whole effects and contents of all and ſingular acts and ſtatutes, made and to be made within this land in derogation, extirpation, or extinguiſhment of the biſhop of Rome and his authority, and all other acts and ſtatutes, made and to be made in reformation and corroboration of the King's power, or ſupreme head in earth of the church of England and of Ireland: and this he ſhall doe againſt all maner of perſons, of what eſtate, dignitie, degree, or condition they be, and in no wiſe doe nor attempt, nor to his power ſuffer to be done or attempted, directly or indirectly any thing or things privily or apertly, to the let, hinderance, damage, or derogation thereof, or of any part thereof, by any maner of meanes, or for any maner of pretence; and in caſe any oath be made, or hath been made, by him to any perſon or perſons in maintenance, defence, or favour of the biſhop of Rome, or his authority, juriſdiction, or power, hee repute the ſame as vaine and adnihiliate, ſo him help God, and all ſaints, and the holy evangeliſts.*

Oath of ſupremacy.

VII. And it is alſo enacted by authority aforeſaid, That all and every perſon and perſons ſpiritual and temporal, ſuing livery, reſtitutions, or any ouſterlemaine out of the King, his heyres or ſucceſſors hands, or which ſhall be ſworn to the King, his heyres, or ſucceſſors, or that ſhall have any office, fee, or roume, of his moſt gracious gift, or of his Majeſty's heyres or ſucceſſors, or ſhall be reteyned in ſervice with his Grace, his heyres, or ſucceſſors,

Perſons to take ſaid oath.

ceſſors, ſhall make, take, and receive the ſaid oath, and that alſo all and every religious perſon, at the time of his or their profeſſion or entry into religion, and every other eccleſiaſticall perſon at the time of his taking of orders, and all and every other perſon which ſhall be promoted or preferred to any degree of learning in any univerſitie within this land at the time of his promotion or preferment, and every of them ſhall make, take, and receive the ſaid oath before his or their chancellor, ordinary, or their commiſſarie of ſuch univerſitie.

VIII. And it is alſo enacted by authority aforeſaid, That if any perſon or perſons, limited or commaunded by authority of this act to make the ſaid oath, or commaunded by any other perſon or perſons authoriſed by the King's highneſs commiſſion under his great ſeale, previe ſeale or his ſeale ordeyned for cauſes eccleſiaſtical, to make the ſaid oath, obſtinately refuſe that to doe, that then every ſuch offence and contempt ſhall be high treaſon, and the offendor, thereof being lawfully convicted, ſhall ſuffer paines of death, and other forfeitures, penalties, and loſſes, as is limited and accuſtomed in caſes of high treaſon by any lawes or ſtatutes of this land heretofore made.

Refuſing to take ſaid oath high treaſon.

IX. Provided alwayes, and be it enacted, That this act, ne any thing or things in the ſame rehearſed, mentioned, or compriſed, be in any wiſe prejudicial, hurtfull, or derogatorie to the ceremonies, uſes, and other laudable and politique ordinances for a tranquilitie, diſcipline, concord, devotion, unitie, and the decent order heretofore in the church of Ireland uſed, inſtituted, taken, and accepted, nor to any perſon or perſons accordingly uſing the ſame, or any of them.

The ceremonies and decent order uſed in the church, not prejudiced by this act.

X. Provided, That notwithſtanding this act or any other act made for the taking away of the ſaid biſhop of Rome's uſurped power, authority, preeminence, and juriſdiction, or any thing or things in the ſame compriſed, that all and every archbiſhop, biſhop, archdeacon, commiſſarie, and officiall, and every of them, ſhall and may uſe and exerciſe in the name of the King only all ſuch canons, conſtitutions, ordinances, and ſinodalls provincial, being already made for the direction and order of ſpiritual and eccleſiaſtical cauſes, which be not contrarient nor repugnant to the King's lawes, ſtatutes, and cuſtomes of this land, nor to the damage and hurt of the King's prerogative royal, in ſuch manner and forme as they were uſed and executed before the making of this act, till ſuch time as the King's highneſs ſhall order and determin according his lawes of England, and ſuch order and determination as ſhall be requiſite for the ſame, and the ſame to be certified hither under the King's great ſeale, or otherwiſe ordered by Parliament.

Such canons, &c. as not repugnant to the laws or the prerogative, may be uſed ſtill in name of the King only, till order to the contrary.

XI. Provided alſo, That this act, or any thing therein contained, be not intended, ne meant, nor ſhall be expounded nor interpretated, that any diſpenſations, licences, or confirmations for marriages, or

Diſpenſations, &c. before granted, not repugnant to the laws or the

A. D. 1537. prerogative to be ſtill in force.

otherwiſe graunted to any the King's ſubjects of this land, at any time before the making of this act, which were not repugnant to the lawes of God, the King's lawes, or the prerogative royal, ſhall be appeyred, or of any leſſe value, ſtrength, force, or effect, then they were before the making of this act.

CHAP. XIV.

An Act for the twentieth Part. Rot. Parl. cap. 25.

Ir. 2 *El.* 3. *Eng.* 26 *H.* 8. 3.

AND foraſmuch as it is, and of verie dutie ought to be, the naturall inclination of all good people, like moſt faithfull, loving, and obedient ſubjects, ſincerely to deſire to provide not only for the publique weale of their native country, but alſo for the ſupportation, maintenance, and defence of the royall eſtate of their moſt dread, benigne, and gratious ſoveraign lord, upon whom and in whom dependeth all their joy and wealth, in whom alſo is united and knit ſo princely a heart and courage mixed with mercie, wiſdome, and juſtice, and alſo a natural affection joyned to the ſame, as by the great ineſtimable, and benevolent arguments thereof, being moſt bountifully, largely, and many times ſhewed, miniſtred, and approved towards his loving and obedient ſubjects, hath well appeared, which requireth a like correſpondence of gratitude to be conſidered according to their moſt bounden dueties: Wherefore his ſaid humble and obedient ſubjects, as well the lords ſpiritual and temporal, as the commons in this preſent Parliament aſſembled, calling to their remembrance not onely the manifold and innumerable benefites daily adminiſtred by his highneſs to them all, and to the reſidue of all other his ſubjects of this land, but alſo how long time his Majeſtie hath moſt victoriouſly by his high wiſdome and policie to his ineſtimable charges, in exhauſting of his Graces treaſure out of his realm of England, protected, defended and governed this his land, and maintayned his people and ſubjects of the ſame in tranquilitie, peace, unitie, quietneſs, and wealth, and amongſt other of late time from the captivitie and bondage of that late traditor Thomas fitz Garrot and his adherents, and alſo conſidering what great, exceſſive, and ineſtimable charges his highneſs hath heretofore been at and ſuſtained by the ſpace of xxviii. yeares whole, and alſo daily ſuſtayneth for the maintenance, tuition, and defence of this his land, and his loving ſubjects of the ſame, which can not be ſuſtained and borne, without ſome honourable prohibition and remedie may be made, found, provided, and ordeyned for maintenance thereof, do therefore deſire and moſt humbly pray, that for the more ſuerty of continuance and augmentation of his highneſs royal eſtate, being not only now recogniſed, as he alwayes indeed heretofore hath been, the only ſupreme head in earth next and immediately under God of the church of England and of Ireland, but alſo their moſt aſſured and

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undoubted natural ſoveraigne, liege, lord and King, having the whole governance, tuition, defence and maintenance of this land, and his moſt obedient and loving ſubjects of the ſame. It may therefore be ordeyned and enacted by his Highneſs, and the lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That the King's majeſtie, his heyres and ſucceſſors, Kings of the realm of England, for more augmentation and maintenance of the royal eſtate of his imperial crown and dignity, of ſupreme head of the church of England and of Ireland, ſhall yearely have, take and enjoy, and receive united and knit to his imperial crown for ever, one yearely rent or penſion, amounting to the value of the twentie part of all the revenues, rents, farmes, tithes, offerings, emoluments, and of all other profits, as well called ſpirituall as temporal, now appertayning or belonging, or that hereafter ſhall appertain or belong to any archbiſhoprick, biſhoprick, abbacie, monaſtery, priory, archdeaconry, deanry, hoſpital, commaundery, colledge, houſe collegiate, prebend, cathedral church, collegiate church, conventuall church, parſonage, vicarage, chauntry, or freechapel, or other benefice or promotion ſpiritual, of what name, nature, or quality ſoever they be within any dioceſs of this land, the ſaid penſion or annual rent, to be yearely paid for ever to our ſaid ſoveraign lord, to his heires and ſucceſſors, Kings of the realm of England, at the feaſt of the nativitie of our Lord God, and the firſt payment thereof to begin at the feaſt of the nativitie of our Lord God, a thouſand five hundred thirty ſeaven, and to be paid yearely, by ſuch as ſhall be appointed to have the collection thereof by this act, in ſuch maner and forme, as ſhall hereafter be limitted by this act, before the firſt day of April yearly next following after the ſaid feaſt of the nativitie of our Lord God.

Enacting part.

The 20th part of the profits of all ſpiritual promotions to be paid yearly to the King for ever.

II. And it is ordained and enacted by authority aforeſaid, That the ſaid yearely rent and penſion ſhall be taxed, rated, levied, received, and paid to the King's uſe, his heyres and ſucceſſors, in maner and forme hereafter to be declared by this act, that is to ſay, that the chancellor or keeper of the great ſeale of this land of Ireland for the time being, ſhall have power and authority to direct into every dioceſs in this land ſeveral commiſſions in the King's name, under his great ſeale, as well to the archbiſhop, or biſhop of every ſuch dioceſs, as to ſuch other perſon or perſons, as the King's highneſs ſhall name and appoint, commaunding and authoriſing the ſaid commiſſioners for to be named in every ſuch commiſſion, or three of them at the leaſt, to examine, ſearch, and enquire, by all the wayes, and means that they can by their diſcretions, of, and for the true and juſt, whole and entire yearly values, of all the manors, lands, tenements, hereditaments, rents, tythes, offerings, emoluments, and all other profits, as well ſpiritual as temporal, appertaining or belonging to any archbiſhoprick, biſhoprick, abbacy, monaſtery, priory, archdeaconry, deanry, hoſpital, commaundry, colledge, houſe collegiate,

The chancellor to direct commiſſions to inquire of the yearly value of all the ſaid profits into every dioceſe.

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collegiate, prebend, cathedral church, collegiate church, conventual church, parſonage, vicarage, chauntry, free chappel, or to any other benefice or promotion ſpiritual, within the limits of their commiſſion, with a clauſe to be contained within every ſuch commiſſion, that the ſaid commiſſioners, or three of them at the leaſt ſhall deduct and allow, in making and rating of the ſaid yearly values of the premiſſes, theſe deductions following, and none other, that is to ſay, the rents reſolute to the chief lords, and all other annual and perpetual rents and charges, which any ſpiritual perſon or perſons be the bound yearly to pay, or keep, or to give yearly in alms by reaſon of any foundation, ordinance, and all fees for ſtewards, receivers, counſailors, bailiffs, and auditors, and ſinods, and proxies, with another clauſe to be alſo contained in every ſuch commiſſion, that the ſaid commiſſioners or three of them at the leaſt, ſhall certifie under their ſeales, at ſuch daies as ſhall be limited by the ſaid commiſſions into the King's exchequer of this land, as well the whole and entire value, as the deductions aforeſaid of every archbiſhoprick, biſhoprick, abbacy, monaſtery, priory, archdeaconry, deanry, hoſpital, commaundry, colledge, houſe collegiate, prebend, cathedral church, collegiate church, conventual church, parſonage, vicarage, chauntry, freechappel, and all other benefices, and promotions ſpiritual.

The commiſſioners to deduct rents payable to the chief lords, and all annual and perpetual rents and charges, and fees for ſtewards, &c.

and to certify into the exchequer the whole value and the deductions.

III. And it is ordained and enacted by authority aforeſaid, That the ſaid commiſſioners that ſhall be ſo appointed, or three of them at the leaſt, ſhall have full power and authoritie to do, accompliſh, and execute the effects and contents of their ſaid commiſſions, in every behalf, and that every of the ſaid commiſſioners, before they ſhall execute their ſaid commiſſion, ſhall receive and take a corporal oath before the lord chancellour, or keeper of the great ſeal, or before ſuch other as ſhall be appointed by the ſaid chauncellor or keeper of the great ſeale, by the King's writ of *dedimus poteſtatem*, that they ſhall diligently and truly, without favour, affection, fraud, covin, meade, dread, or corruption, do fulfil and execute, the whole effects and contents, expreſſed in every ſuch commiſſion, within the limits thereof, to their cunning, wits, and uttermoſt of their power.

To take an oath for the due execution of the commiſſion.

IV. And it is ordained and enacted by authority aforeſaid, That after ſuch a certificate made by the ſaid commiſſioners, the ſaid yearly rent and penſion of the twenty part ſhall be ſet, taxed, rated, and taken juſtly, truly and indifferently, by the theſaurer and barons of the King's exchequer of and out of the clear yearly value of the premiſſes, that ſhall be above the deductions afore mentioned, and none otherwiſe, and that every archbiſhoprick, biſhoprick, abbacy, monaſtery, priorie, archdeaconry, deanery, hoſpital, commaundry, colledge, houſe collegiate, prebend, cathedral church, collegiate church, conventual church, parſonage, vicarage, chauntry, free-chappel, or other benefice or promotion ſpiritual, ſhall be ſeverally and

After ſuch certificate the 20th part ſhall be rated and taken by the treaſurer and barons of exchequer, out of the clear yearly value.

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and diſtinctly taxed, charged, and chargeable in the proper dioceſs where they been, for the paiment of ſuch portion of the ſaid twentie part, as ſhall be taxed and ſet upon them by authoritie of this act: That is to ſay, every of them, by and for themſelves, ſhall be taxed, charged, and chargeable in the proper dioceſs where they been, for the twentieth part of the yearly value of their poſſeſſions and profits to them belonging, whereſoever their ſaid poſſeſſions and profits ſhall happen to be or lie in any part of this land, and that none of them ſhall be charged nor chargeable for the paiment of the other charges or portion.

Every benefice to be ſeverally and diſtinctly charged in the proper dioceſe.

V. And it is alſo enacted by authoritie aforeſaid, that after ſuch certificate made into the King's exchequer and tax ſet of the twentieth part, in form above remembered, every archbiſhop and biſhop, now being, and that hereafter ſhall be charged and chargeable, to levie, collect and receive within their proper dioceſs, as well in places exempt as not exempt, all ſuch ſums of money, wherewith the dignities, benefices and other promotions ſpiritual, afore mentioned within their dioceſs chargeable by this act, ſhall be ſet, taxed and charged towards the paiment of the ſaid yearly penſion, and ſhall pay and content the ſaid ſums of money, yearly before the ſaid firſt day of April, to the King's highneſs, his under theſaurer, or general receivor of this his land for the time being, or to any other perſon or perſons, whom it ſhall pleaſe the King's highneſs, his heyres or ſucceſſors to appoint to receive the ſame: and that every of the ſaid archbiſhops and biſhops, their executors and adminiſtrators, and the poſſeſſioners of their dignities and churches, ſhall ſtand charged and chargeable for the ſure and true paiment of ſuch ſummes of money, as they ſhall collect and receive of the ſaid yearely rent and penſion, and that the theſaurer and barons of the King's eſchequer ſhall yearly cauſe proceſs to be made by their diſcretions for none payment of the ſaid penſion or yearly rent, or any parcel thereof, againſt every archbiſhop and biſhop of this land, that is to ſay, againſt every archbiſhop and biſhop, for ſo much part and portion of the ſaid penſion and yearly rent, wherewith the dignities, benefices and other promotions ſpiritual afore mentioned within his dioces, ſhall be taxed and charged, ſo that every of the ſaid archbiſhops and biſhops ſhall be charged and chargeable for the rate and portion of the ſaid yearly rent and penſion, ſet and taxed within his own peculiar dioces, and none otherwiſe.

The biſhop of each dioceſe to levy and pay ſaid rent or penſion yearly to receiver general, *&c.* the ſaid biſhops, their executors, *&c.* chargeable for ſaid payment.

Proceſs to go out of the exchequer yearly againſt the biſhops for ſuch portion thereof as they are taxed within the peculiar dioceſe; which the biſhops may levy by cenſures of the church or diſtreſs.

VI. And be it alſo enacted by authority aforeſaid, that every archbiſhop and biſhop ſhall have power and authority to levie, take and perceive by authority of cenſures of the church, or by diſtreſs or otherwiſe by their diſcretion, all ſuch ſummes of money as ſhall be rated, taxed and ſet, to go out of the lands, tenements, hereditaments, profites and emoluments of any dignitie, benefice, or other place or promotion ſpiritual within their dioces, towards their payment of the ſaid yearely rent or penſion. And that no *replevin*, *prohibition*,

No replevin or other writ to be ſued or

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bibition, nor *ſuperſedeas*, upon any excommunication, nor any other writ or impediment ſhall be ſued, allowed or obeyed, for any perſon or perſons making default of payment of ſuch part and portion, as they ſhall be rated and taxed unto by authority of this act, till ſuch time as they have truly ſatisfied their ſaid part and portion to them allotted of the ſaid yearely rent and penſion.

obeyed for any one making default of payment.

VII. And it is alſo enacted by authority aforeſaid, that whenſoever, and as often as any of the archbiſhoprickes or biſhoprickes happen to be void, that then the deane and chapiter of the cathedral church, or the prior and convent or chapiter, or convent of the monaſterie or cathedral church, where the ſee of ſuch archbiſhopricke or biſhopricke being voyde, ſhall happen to be, during the time of the vacation thereof, their executors, adminiſtrators and poſſeſſioners ſhall be charged and chargeable, to do and cauſe to be done all and every thing and things, for the due execution of this act within the dioces of ſuch archbiſhoprick or biſhoprick as the ſame archbiſhop or biſhop of the ſee being void ſhould have done, according as it is limitted and appointed by this act, or by any thing thereing contained.

When a biſhoprick void, the dean and chapter, &c. chargeable for the execution of this act.

VIII. And it is ordeyned and enacted by authority aforeſaid, That if any ſumme of mony being once due by any incumbent of any of the dignities, benefices or promotions ſpiritual afore ſpecified, charged to the payment of the ſaid yearly penſion and annual rent, be reaſonably demanded and required any time after the ſaid feaſt of the Nativity of our Lord, as other dignities, monaſteries, priories, hoſpitalls, commaundries, colledges, churches, chauntries, or houſes, by the archbiſhop or biſhop, or ſuch as ſhall be charged with the collection of any part of the ſaid penſion, or by any other their miniſters, ſervants, or officers, to pay ſuch portion of the ſaid penſion and yearly rent, as they ſhall be taxed and aſſeſſed, be not truly contented and payed unto ſuch archbiſhop or biſhop, or their miniſters and officers, or to ſuch other perſon and perſons, or their miniſters or ſervants as ſhall have the charge of collection thereof every yeare yearely, at the time of ſuch requeſt and demand thereof, or elſe within fourtie dayes next after every ſuch requeſt at the fartheſt. That then every incumbent making ſuch default of payment, after ſuch default thereof certified into the King's exchequer in writing, under the ſeales of any archbiſhop or biſhop, or of ſuch as be limitted and charged to the collection of the ſaid penſion by this act, ſhall be adjudged deprived *ipſo facto* of all ſuch dignities, benefices, penſions and promotions ſpiritual, as any ſuch incumbent making ſuch default, ſhall have at the time of ſuch certificate to be made, or at any time after, ſo that all ſuch dignities, benefices, penſions, and promotions ſpiritual, which anie incumbent making ſuch default of payment, ſhall have at the time of any ſuch certificate to be made, or at any time after, ſhall be cleerely voyd and deſtitute of incum-

Deprivation for non-payment.

By 15 *C.* 1. 12. inſtead of deprivation they forfeit treble value.

bent in the law, to all intents and purpoſes as if ſuch incumbent making ſuch default of payment were dead in deede.

IX. And it is ordeyned and enacted by authority aforeſaid, That if any archbiſhop or biſhop, or any other limited and charged by this act to the collection and payment of the ſaid penſion and annual rent, doe make a certificat into the King's Exchequer before the ſaid firſt day of Aprill, or at any time within four and twentie dayes next after the ſaid firſt day of Aprill, that they according to this act have reaſonably required and demaunded any incumbent of any dignitie, benefice, or promotion ſpiritual, chargeable by this act to pay ſuch part and portion of the ſaid penſion and annual rent, as they ſhall happen to be aſſeſſed unto, and that ſuch incumbent, ſo being required, hath not payed his ſaid part and portion according to the forme and effect of this act, that then every ſuch archbiſhop and biſhop, and every other perſon, having the charge by this act for collection and payment of the ſaid penſion and annual rent upon every ſuch certificate, ſhall be diſcharged and acquitted for ever againſt the King, his heyres, and ſucceſſors, of and for all ſuch ſummes of money as any ſuch incumbent, againſt whom ſuch certificat ſhall be made, ſhould or ought to have payed by this act; and that then in every ſuch caſe the theſaurer and barons of the King's Exchequer ſhall deviſe and direct upon every ſuch certificate ſuch proceſs out of the King's Exchequer againſt every ſuch incumbent, againſt whom any ſuch certificat ſhall be made, and their executors and adminiſtrators, or for inſufficiency of them againſt the ſucceſſors of every ſuch incumbent, whereby the King's highneſs, his heyres and ſucceſſors ſhall and may be truly anſwered, payed and contented of ſuch portion and part, as the incumbent, againſt whom any ſuch certificat ſhall be made, was taxed and aſſeſſed for his dignities, benefices, or promotions ſpiritual, chargeable by this act.

The biſhop, &c. after ſuch certificate ſhall be diſcharged of the payment, and proceſs ſhall iſſue out of Exchequer againſt the incumbent, his executors and adminiſtrators, or for their inſufficiency againſt the ſucceſſors.

X. And it is alſo ordained and enacted by authoritie aforeſaid, That all manner of acquitance made by the King's under theſaurer, and general receivor of this his land, or by any other ſuch commiſſioners as ſhall be appointed, as is aforeſaid, to receive the ſaid penſion or any part thereof, and ſubſcribed with the name of the ſaid under theſaurer and general receivor, or any other ſuch commiſſioner for the paiment of the ſaid penſion or annual rent, or any part thereof to any ſuch perſon or perſons, as be limited and charged with the collection thereof, ſhall be of as good ſtrength, force, vertue, and effect to the parties having the ſame, as if they were made in the King's name under his great ſeal, and ſo ſhall be allowed, admitted, and accepted in all courts of this his land. And that the theſaurer and barons of the King's Exchequer ſhall by vertue and authority of this act as well admit and allow ſuch acquittances, as all ſuch certificates as ſhall be made againſt any incumbent for default of paiment, as is above ſaid, upon the accompt of every archbiſhop

Acquittances by the receiver, &c. ſhall be as good a diſcharge as if under the great ſeal, and allowed in the Exchequer, as well as the certificates, without any bill or warrant.

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and biſhop, and of every other perſon limitted and charged by this act for the collection and paiment of the ſaid penſion and annual rent, without any writ, bill or warrant to be ſued in or for that behalf. And that no manner of officer of the King's Exchequer ſhall take of any archbiſhop or biſhop, or of any other perſon having charge with the collection and paiment of the ſaid penſion or annual rent, any manner reward or thing for making their accompt or *quietus eſt* in the ſame Exchequer, or for any manner of thing appertaining to the ſame, concerning the ſaid penſion and annual rent, upon pain of every officer doing contrary to this act to loſe and forfeit his office, and make fine to the King at his will and pleaſure.

No reward taken by officer of the Exchequer for making accompt or *quietus*, on pain of fine and forfeiture of office.

XI. And foraſmuch as every incumbent of the dignities, benefices, and promotions ſpiritual afore mentioned, ſhall be charged by this act to the paiment of the twentieth part of the value of their dignities, benefices, and promotions ſpirituall, without any deduction or allowance of ſuch penſion or penſions, wherewith ſome of them be ne charged to pay to their predeceſſours during their lives, or to other perſons to the uſe of ſuch their predeceſſours during their lives: It is therefore ordained and enacted by authority aforeſaid, That it ſhall be lawful to every incumbent charged with any ſuch penſion payable to any his predeceſſours, or to any to his uſe, to retain and keep in his hands the twentieth part of every ſuch penſion; and that every ſuch incumbent and his ſureties ſhall from henceforth be acquitted and diſcharged of the ſaid twentieth part of every ſuch penſion by vertue and authority of this preſent act; any decree, ordinance, or aſſignment of any ſuch ordinary, or any collateral writing or ſuerty made for ſuch penſion to any ſpiritual perſon or perſons, or to any to their uſes, for term of their lives in any wiſe notwithſtanding; and that as well every incumbent, as ſuch perſons as ſtand bounden for him for paiment of any ſuch penſion, ſhall plead this act in every of the King's courts for the clear extinguiſhment and diſcharge of the twentieth part of every ſuch penſion.

Every incumbent charged with a penſion to his predeceſſor may retain the 20th part; and he and his ſureties may plead this act in diſcharge.

XII. And alſo be it enacted by authority aforeſaid, that whenſoever any perſon or perſons from the firſt day of December, which ſhall be in the year of our Lord God a thouſand five hundred thirty and ſeven, ſhall be named, perfected, collated, or by any other means appointed to have any archbiſhoprick, biſhoprick, deanry, archdeaconry, prebend, parſonage, vicarage, or any other promotions ſpiritual within this land chargeable for the paiment of the firſt fruits of the ſame, ſhall at his or their compoſition, agreement, or entre into ſpecialty or ſpecialties for the paiment of the ſaid firſt fruits, have allowance and deduction of the ſaid twentieth part of the whole, out of the ſumme to be paid for the ſaid firſt fruits, for the year wherein he or they ſhall be firſt nominated, prefected, preſented, collated, or by any other means appointed to have any of the ſaid dignities, benefices, offices, or other promotions ſpiritual, ac-

On compoſition for the firſt-fruits, allowance made of the 20th part of the whole.

cording to the juſt rate, taxion, and ceſſement of the twentieth part of every of the ſaid archbiſhopricks, biſhopricks, deaneries, archdeaconries, prebends, parſonages, vicarages, or any other promotions ſpiritual within this land, of what name, nature, or quality ſoever they be, or to whoſe foundation, patronage, or gift ſoever they belong, now being enrolled, or that hereafter ſhall be enrolled, in the King's exchequer, or in any other the King's court of record.

The farmers or leſſees of the profits of ſpiritual promotions not charged with payment of firſt fruits or 20th part, but the leſſors ſhall notwithſtanding any covenant, contract, &c. to the contrary.

XIII. Provided, and be it enacted by authority of this preſent Parliament, that all and ſingular fermours and leſſees of any manours, lordſhips, lands, tenements, tythes, or other whatſoever profits or commodities, belonging to any archbiſhop, biſhop, or other prelate, or ſpiritual perſon or perſons, or body corporate or politique, whereof any firſt fruits or yearly penſion of the twentieth part is graunted to the King our Sovereign lord in this preſent ſeſſion of the ſaid court of Parliament, or otherwiſe, ſhall be diſcharged and not chargeable to pay to our ſaid ſovereign Lord, of his or their proper money, coſte, or charge, for or in diſcharge of the leſſour or leſſours, owner or owners of the ſame, by reaſon of any covenant, bargain, bond, condition, clauſe of reentree, or other thing heretofore made or concluded; but that every of the ſaid leſſours and owners, and their ſucceſſours, ſhall be charged and chargeable to pay and ſatisfie the ſame of his or their proper coſte and charge to the King our ſovereign lord, his heirs and ſucceſſors, according to the graunt thereof; any covenant, bargain, contract, bond, condition, clauſe of reentre, or other thing, heretofore made or concluded, to the contrary thereof in any wiſe notwithſtanding.

The dean, &c. of St Patrick's diſcharged from going or ſending to any hoſting, &c. and if amerced for default thereof, the ſheriff, &c. diſtraining for the ſame ſhall forfeit 10l.

XIV. And foraſmuch as the dean, chauntour, chauncellour, theſaurer, and archdeacon, and all other the dignities and prebends of the cathedral church of Saint Patrick beſides Dublin, for the time being, of their own free wills, and by their loving and obedient aſſent, immediately upon their admiſſion, inſtitution, and induction to any ſuch dignities or prebendary be chargeable by authority of Parliament to the payment and ſatisfaction of the firſt fruits (that is to ſay) the veray yearly value of one whole year of their ſaid dignities or promotion ſpiritual, whatſoever it be, to the King's highneſs, his heirs, and ſucceſſors for ever, and alſo by authority of this preſent act be likewiſe chargeable to the paiment and ſatisfaction unto the King's highneſs, his heirs and ſucceſſors, of the twentieth part of the yearly value of their dignities and promotion ſpiritual, whatſoever it be, the annual and perpetual charges uſed and accuſtomed to be paid therein allowed, whereby and divers other their conformable acts their loving hearts towards the King's highneſs plainly and evidently may appear: and conſidering that the ſaid cathedral church of Saint Patrick's is of our moſt dread ſovereign Lord's moſt noble progenitors foundation, and that ſithence the firſt foundation thereof by the wiſedom and pollecie of the dean of the ſaid church and his brethren, for the time being,

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have been kept, maintained, and ſupported according to the eſtabliſhment of the ſame, as well by the daily continuance and keeping of God's divine ſervice, and other laudable uſages and cuſtoms eſtabliſhed upon the foundation thereof, as alſo by the daily and continual reſidence and keeping of hoſpitality of the ſaid dean and others having the dignities of the ſaid church, to the pleaſure of Almighty God, the honour of our moſt dread ſovereign Lord, and the comfort, relief, and ſupportation of divers the King's true and needful ſubjects. And to the intent that the deane and other his brethren, having the dignities and prebends of the ſaid cathedral church, being in maner the only lanterne and light of any godly and eccleſiaſtical rule or order within this land, ſhould not be ſo exacted or charged, through which the ſaid divine ſervice, and other laudable uſages and cuſtomes, and keeping of hoſpitalities, might be decreaſed or in any part diminiſhed, but rather ſhould be ſo encouraged, that they and every of them from time to time to the uttermoſt of their power, wit, and cunning, ſhould continue, encreaſe, and augment the ſame, according to the eſtabliſhment of their firſt foundation, to the pleaſure of Almighty God, the honour and proſperitie of our moſt dread ſovereign Lord, his heyres, and ſucceſſors, and the quietneſs, tranquilitie, and publique common weale of this land: be it enacted, ordeyned, and eſtabliſhed, by authority of this preſent Parliament, that the deane, chauntour, theſaurer, and archdeacon of the ſaid cathedral church of Saint Patrick's, and every other perſon and perſons, having any dignities, prebend, or any other promotion ſpiritual within the ſaid cathedral church of Saint Patrick's for the time being, ſhall be quite and diſcharged to goe or ſend to any hoſting, rood, vyage, or journey, at any time to be had or aſſigned within this land, for or in conſideration of their ſaid dignities, prebends, or promotions ſpiritual within the ſaid cathedral church, whatſoever it be, ſo that they, ne none of them, for not going or ſending to any ſuch hoſting, vyage, roode, or journey, ſhall not be amercied or otherwiſe aſſeſſed in any penaltie or ſummes of money; and if they or any of them be amercied or aſſeſſed contrary to the tenour of this act, and that the King's ſheriffe or any other perſon or perſons will diſtraine for the ſame, that then by authority aforeſaid every ſuch ſherife by writ, commandement, or otherwiſe, and perſon or perſons taking any ſuch diſtreſs, ſhall forfeit for every ſuch time x. li. the one half thereof to our ſoveraign lord the King, and the other halfe to the partie grieved, that will ſue for the ſame by action of debt, bill, plaint, information, or otherwiſe, wherein no eſſoine, protection, ne wager of law ſhall be admitted or allowed.

XV. And foraſmuch as the purport and meaning of this act is, whenſoever any perſon or perſons is or be chargeable at his or their admiſſion to any promotion ſpiritual to the payment of the firſt fruits to the King's higneſs, that upon the compoſition for the payment of the ſaid firſt fruits, the ſaid twentieth part, to be

payed to the King's highneſs by authority of this act, ſhould be allowed in the ſame: and for that, that Edward Baſnett, now deane of the ſaid cathedral church, for this yeare, to be ended after the feaſt of Eaſter next enſuing, hath compounded for the firſt fruits, that is to ſay, the yearely value of the ſaid deanry, for one whole yeare, ending after the ſaid feaſt of Eaſter, having none allowance, ne deduction of the twentieth part of the yearely revenue or profite of the ſaid deanry, to be due to our ſoveraign lord the King, at the feaſt of the Nativitie of our Lord, which ſhall be in the yeare of our Lord God a thouſand five hundred thirtie and ſeven, being in the ſaid year for which he compounded for the ſaid firſt yeare's fruits; be it provided and alſo enacted, that this preſent act, or any thing therein contained, for the payment of the ſaid twentieth part, ſhall not extend in any wiſe to charge the ſaid Sir Edward, now deane of the ſaid cathedral church, for the payment of the ſaid twentieth part of the yearely profite or revenue of the ſaid deanry, till the feaſt of the Nativitie of our Lord, which ſhall be in the yeare of our Lord God a thouſand five hundred thirtie and eight; this act, or any thing therein contayned or mentioned, in any wiſe notwithſtanding. A. D. 1537. Chap. 14.

XVI. Provided, and alſo be it enacted by authority aforeſaid, That the lord priour of ſaint John's Jeruſalem in Ireland, and his ſucceſſours, from time to time ſhall be charged and chargeable with the gathering, levying, receiving, and paying of the twentieth part, to be due to the King's highneſs by authority of this act, in and of the priorie of ſaint John's Jeruſalem in Ireland, and the commaundries of the ſame religion, in like maner, form, condition, qualitie, and degree, as any archbiſhop or biſhop of this land, within his dioces, is charged and chargeable, by authority of this act, for the collecting, receiving, and paying of the twentieth part, likewiſe to be due unto his Highneſs, of any ſpiritual promotion, within any ſuch archbiſhop's or biſhop's dioces.

XVII. And that no archbiſhop ne biſhop ſhall be charged or chrageable for the collection, receiving, payment or ſatisfaction of the ſame, or any parcel thereof; be it provided and alſo enacted, That the clergie ſhall have two dayes of payment for the twentieth part aforeſaid, that is to ſay, the moytie of the ſame, to be payed at the feaſt of Eaſter next enſuing, and the other moytie at the feaſt of St. Michael the archangel, by even portions, and ſo to continue from year to year, perpetually to endure.

Eaſter and Michaelmas the two days of payment of the 20th part. 2 *G.* 1. 15. Letters patent of Q. *Anne*, granting the ſame, confirmed.

CHAP. XV.

An Act for the Engliſh Order, Habite, and Language. Rot. Parl. cap. 26.

THE King's majeſtie, our moſt gracious and moſt redoubted ſovereign lord, prepending and waying by his great wiſdom, learning, and experience, how much it doth more conferre to the induction

The Iriſh habit and apparel prohibited, on pain of forfeiting it.

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induction of rude and ignorant people to the knowledge of Almighty God, and of the good and vertuous obedience, which by his moſt holy precepts and commandements, they owe to their princes and ſuperiours, then a good inſtruction in his moſt bleſſed laws, with a conformitie, concordance, and familiarity in language, tongue, in maners, order, and apparel, with them that be civil people, and doe profeſs and knowledge Chriſt's religion, and civil and politique orders, lawes and directions, as his Grace's ſubjects of this part of this his land of Ireland, that is called the Engliſh pale, doth; and moſt graciouſly conſidering therewith upon the great love, zeale, and deſire, which his moſt excellent Majeſtie hath to the advancement of the ſtate of this his ſayde land, and to the conveyance and trayning of his people of the ſame to an honeſt chriſtian civilitie and obedience, whom his Higneſs tendreth as his members of this politique body, whereof immediately under God, he is ſupreame head and governour, that there is againe nothing which doth more conteyne and keep many of his ſubjects of this his ſaid land, in a certaine ſavage and wilde kind and maner of living, then the diverſitie that is betwixt them in tongue, language, order, and habite, which by the eye deceiveth the multitude, and perſwadeth unto them, that they ſhould be as it were of ſundry ſorts, or rather of ſundry countries, where indeed they be wholly together one bodie, whereof his highneſs is the onely head under God, as it is aforeſaid, of his moſt noble and princely diſpoſition, and fervent zeale, which his Highneſs hath and beareth to the advancement of the ſtate of this his land, for a certain direction and order to be had, that all we his ſaid ſubjects thereof, might the better know God, and do that thing that might in time be and redound to our owne wealth, quiet, and commoditie, doth not onely deſire that all ſuch good lawes, as by wiſe, godly and prudent princes, his moſt noble progenitors, have been heretofore made for the uſe of the Engliſh tongue, habite and order, within this his ſaid land, may be put in due execution, but alſo that the ſame may be ſo eſtabliſhed, and in this preſent Parliament brought to ſuch a perfection, that the ſaid Engliſh tongue, habite and order, may be from henceforth continually (and without ceaſing or returning at any time to Iriſh habite or language) uſed by all men that will knowledge themſelves according to their duties of allegeance, to be his Highneſs true and faithfull ſubjects, his Majeſtie doth hereby intimate unto all his ſaid ſubjects of this land, of all degrees, that whoſoever ſhall, for any reſpect, at any time, decline from the order and purpoſe of this law, touching the increaſe of the Engliſh tongue, habite, and order, or ſhall ſuffer any within his family or rule to uſe the Iriſh habite, or not to uſe themſelves to the Engliſh tongue, his Majeſtie will repute them in his moſt noble heart as perſons that eſteeme not his moſt dread lawes and commandements, but whatſoever they ſhall at other times pretend in words and countenance, to be perſons

of

of another ſort and inclination then becommeth the true and faithfull ſubjects; wherefore be it enacted, ordeyned, and eſtabliſhed by authority of this preſent Parliament, That no perſon ne perſons, the King's ſubjects within this land being, or hereafter to be, from and after the firſt day of May, which ſhall be in the yeare of our Lord God a thouſand five hundred thirtie nine, ſhall be ſhorn, or ſhaven above the eares, or uſe the wearing of haire upon their heads, like unto long lockes, called glibbes, or have or uſe any haire growing on their upper lippes, called or named a crommeal, or uſe or weare any ſhirt, ſmock, kerchor, bendel, neckerchour, mocket, or linnen cappe, coloured, or dyed with ſaffron, ne yet uſe, or wear in any their ſhirts or ſmockes above ſeven yards of cloth, to be meaſured according to the King's ſtandard, and that alſo no woman uſe or weare any kyrtell, or cote tucked up, or imbroydred or garniſhed with ſilke, or couched ne layd with uſker, after the Iriſh faſhion; and that no perſon or perſons, of what eſtate, condition, or degree they be, ſhall uſe or weare any mantles, cote or hood made after the Iriſh faſhion; and if any perſon or perſons uſe or weare any ſhirt, ſmock, cote, hood, mantle, kircher, bendell, neckerchor, mocket, or linnen cap, contrary to the forme above recited, that then every perſon ſo offending, ſhall forfeit the thing ſo uſed or worne, and that it ſhall be lawfull to every the King's true ſubjects, to ſeize the ſame, and further, the offendor in any of the premiſſes, ſhall forfeit for every time ſo wearing the ſame againſt the forme aforeſaid, ſuch penalties and ſummes of mony, as hereafter by this preſent act is limited and appointed. A. D. 1537. Chap. 15. Enacting part.

II. Provided alway, That this act, ne any thing therein contayned, be prejudicial to any woman or any herdes, horſe boyes, for the uſing or wearing of any mantle, ne ſhall extend to be hurtfull to any perſon or perſons, for or by reaſon of wearing of any mantles, during ſuch time as he or they ſhall be in going, riding, or abiding in any hoſtings, jorney or rode, or reiſing out upon a cry, but that they, and every of them, ſhall and may liberally and freely uſe and weare at their pleaſures their mantles, during ſuch hoſtings, jorneys or rodes, or reiſing out; any thing in this act before to the contrary mentioned or declared notwithſtanding.

III. And be it enacted by authority aforeſaid, That every perſon or perſons, the King's true ſubjects, inhabiting this land of Ireland, of what eſtate, condition or degree he or they be, or ſhall be, to the uttermoſt of their power, cunning, and knowledge, ſhall uſe and ſpeake commonly the Engliſh tongue and language, and that every ſuch perſon and perſons, having childe or children, ſhall endeavour themſelfe to cauſe and procure his ſaid childe and children to uſe and ſpeak the Engliſh tongue and language, and according to his or their abilitie, cunning, and power, ſhall bring up and keep his ſaid childe and children in ſuch places, where they ſhall or The Engliſh tongue to be commonly ſpoken, and taught to children.

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may have occaſion to learn the Engliſh tongue, language, order and condition.

Houſholders to live after the Engliſh manner.

IV. And further, be it enacted by authority aforeſaid, That every the ſaid perſon and perſons having or keeping any houſe or houſhold, ſhall, to their power, knowledge, and abilitie, uſe and keepe their houſes and houſholds, as neere as ever they can, according to the Engliſh order, condition, and maner, upon pain of forfeiture to every lord ſpiritual and temporal that ſhall offend in the premiſſes, or any parcel thereof, as often as he ſhall ſo offend, the ſumme of vi. li. xiii. s. iiii. d. and upon pain of forfeiture to every knight and eſquire that ſhall offend in the premiſſes, or any parcell thereof, as often as he ſhall ſo offend, xl. s. and upon pain of forfeiture to every gentleman or merchant that ſhall fortune to offend in the premiſſes, or any part thereof, as often as hee ſhall ſo offend, twentie ſhillings; and upon pain of forfeiture to every freeholder and yeoman, that ſhall offend in the premiſſes, or any parcel thereof, as often as he ſhall ſo offend, ten ſhillings; and upon pain of forfeiture to every huſbandman that ſhall offend in the premiſſes, or any parcel thereof, as often as he ſo offendeth, vi. s. viii. d. and upon pain of forfeiture to every other the King's ſubjects within this land, whatſoever he that ſhall offend in the premiſſes, or any part thereof, as often as he ſhall ſo offend, iii. s. iiii. d. the one halfe of the which forfeitures to be to our ſoveraign lord the King, his heyrs and ſucceſſors, and the other halfe of the ſame to the partie that will ſue for the recoverie thereof, by action of debt, bill, plaint, information, or otherwiſe, in any of the King's courts, wherein no eſſoine, protection, ne wage of law ſhall be admitted or allowed.

Offenders to forfeit certain ſums proportionable to their degree.

Juſtices, &c. to aſſiſt perſons ſeiſing.

V. And be it further enacted by authority aforeſaid, That every juſtice of peace, ſherife, mayor, ſuffraine, and portriefe, and every other head officer of any citie, borough or town, conſtables, and keepers of caſtles or garriſons within this land, within their limits, authority, and juriſdictions, ſhall, from the ſaid firſt day of May, ayde and aſſiſt any ſuch perſon ſo ſeiſing ſuch ſaid Iriſh garment or apparel, uſed or worne againſt the forme of this eſtatute, and alſo ſhall take and ſeiſe the ſaid garment, if no other perſon do ſeiſe ſuch garment, ſo uſed or worne contrary to the ſaid eſtatute, and the ſame garment ſo ſeiſed and taken, to have to his or their proper uſe; and every other perſon and perſons, the King's true ſubjects, at all times requiſite, ſhall ayde, maintaine, ſupport, and aſſiſt every of the ſaid ſeiſors; and every of the ſaid juſtices of peace, ſherifes, mayores, ſuffraines, portriffes, and every other head officer of cities or borough townes, conſtables, or keepers of caſtles and garriſons, in due and full execution of the ſame.

Penalty 5l. fine and impriſonment, for taking any

VI. Be it further enacted by authority aforeſaid, That if any perſon or perſons, whoſe garment or Iriſh habite, is ſeiſed or taken, by force of this preſent act, doe make or procure, or goe about to take

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take any diſtreſs or pledge, or any other recompence for the ſame, of any ſuch perſon or perſons that ſo did ſeiſe or take the ſame, or of any other their ſervants or friends, or any other the King's ſubjects for the cauſe aforeſaid, ſhall forfeit for every ſuch time ſo offending five pounds; the one half thereof to our ſoveraign lord the King, and the other part to him that will ſue for the recovery thereof by action of debt, bill, plaint, information, or otherwiſe, in any of the King's courts, wherein no eſſoine, protection, ne wager of law ſhall be admitted ne allowed: and over that it ſhall be lawfull to the juſtices of peace, and every other the King's officers and ſubjects, to take all and every ſuch perſon ſo offending, and him to commit to the next priſon or gaole, there to remaine till the next general ſeſſions within the ſaid countie to be kept; and further unto ſuch time as he be delivered by the juſtices ſitting in the ſaid ſeſſions upon ſuch reaſonable fines, as by them or any two of them ſhall be thought convenient.

Diſtreſs, &c. of the perſon ſeiſing.

VII. And further be it enacted by authority aforeſaid, That if any archdeaconrie, deanry, provoſtſhip, prebend, parſonage, vicarage, or chauntry, or any other dignity, benefice, office, or promotion ſpiritual within this land of Ireland, under the King our ſovereign lord's obedience, tuition, and governance; leviable or chargeable with payments of the firſt fruits to the King's highneſs, doe at any time after the ſaid firſt day of May, which ſhall be in the yeare of our Lord God a thouſand five hundred thirty nine, happen or become voyde, that then every perſon and perſons, and bodies politique, the King's true ſubjects, and under his rule and governance, having authority, power, right, intereſt, and title to nominate, elect, preſent, collate, or give any ſuch archdeaconry, deanry, provoſtſhip, prebend, parſonage, vicarage, or chauntry, or other ſuch dignitie, benefice, office, or promotion ſpiritual, ſhall nominate, elect, preſent, collate, or give, as the title ſhall require, the ſame archdeaconry, deanry, provoſtſhip, prebend, parſonage, vicarage, chauntry, or other dignity, benefice, office, and promotion ſpiritual ſo happening voyde, to ſuch perſon or perſons as can ſpeake Engliſh, and to none other perſon ne perſons, unleſs there be no perſon ne perſons, which can ſpeak Engliſh, that will accept and take the ſame; and if ſuch perſon or perſons, or bodies politique, having right, title, and intereſt to nominate, elect, collate, preſent, or give any ſuch archdeaconry, deanry, provoſtſhip, prebend, parſonage, vicarage, chauntry, or other dignitie, benefice, office, or promotion ſpiritual, as is aforeſaid, upon convenient ſearch and enquirie by him or them made, cannot within three moneths after ſuch archdeaconry, deanry, provoſtſhip, prebend, parſonage, vicarage, chauntry, or other dignity, benefice, office, or promotion ſpiritual, ſhall ſo happen to come and be voyde, have ne get any ſuch perſon, that can ſpeak Engliſh, to accept and take ſuch archdeaconry, deanry, provoſtſhip, prebend, parſonage, vicarage, chauntry, or other dignitie, benefice, office, or promotion ſpiritual,

Spiritual promotions to be given only to ſuch as can ſpeak Engliſh, unleſs, after four proclamations in the next market-town, ſuch cannot be had.

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ſo being voyde, then ſuch perſon and perſons, to whom the right, title, and intereſt of nomination, election, collation, preſentation, or giving of ſuch archdeaconry, deanry, and other dignitie, benefice, office, or promotion ſpiritual aforeſaid, ſhall appertain or belong, ſhall make or cauſe to be made four ſolemn proclamations, openly to be proclaymed at foure ſeveral market days holden in the next market towne adjoining to the church, chappel, or place, where ſuch dignity, benefice, office, or promotion ſpiritual is then voyde, that if any perſon or perſons, which can ſpeak Engliſh, apt and convenient to accept, occupie, and uſe the ſame dignity, benefice, office, or promotion ſpiritual, ſo then being voyd, will come and repayre unto him or them to whom the right, title, and intereſt of nomination, election, preſentation, collation, or gift of ſuch dignity, benefice, office, or promotion ſpiritual ſhall appertaine or belong, and will take and occupie the ſame dignity, benefice, office, or promotion ſpiritual, ſhall have the nomination, election, preſentation, collation, or gift of the ſame, as the caſe and matter therein ſhall require; and if no perſon ne perſons, which can ſpeak Engliſh as is aforeſaid, will or doe repaire or come to him or them, that hath the right, title, and intereſt of nomination, election, preſentation, collation, or gift of ſuch dignity, benefice, office, or promotion ſpiritual, then being voyde, within five weeks after the firſt of the ſame proclamations in forme aforeſaid made to take and receive the preſentation, collation, nomination, election, or gift of the ſaid dignity, benefice, office, or promotion ſpiritual, ſo then being voyde, then it ſhall be lawfull to every ſuch perſon and perſons, having right, title, or intereſt to the nomination, election, collation, preſentation, or gift of ſuch dignity, benefice, office, or promotion ſpiritual, then being voyde, to preſent, collate, nominate, elect, or give the ſame dignitie, benefice, office, or promotion ſpiritual, to any honeſt, ſufficient, able perſon, albeit ſuch perſon cannot ſpeak Engliſh; any thing in this act to the contrary mentioned notwithſtanding. And if any perſon or perſons, having right, title, intereſt, or lawfull authority to nominate, collate, preſent, elect, or give any ſuch dignity, benefice, office, or promotion ſpiritual, do hereafter nominate, collate, elect, preſent, or give any ſuch dignity, benefice, office, or promotion ſpiritual, ſo being voyde, to any perſon or perſons, which cannot ſpeak Engliſh, contrary to the form and manner afore recited, being thereof lawfully convicted according to the due proceſs of the King's laws upon any enquiry or preſentment before any of the King's judges, that then the ſame collation, nomination, election, preſentation, and gift, and the admiſſion and inſtitution of ſuch perſon, ſhall be voyde, and then it ſhall be lawfull to the King our ſoveraign lord, his heyres and ſucceſſors, to collate, elect, nominate, preſent, and give the ſame dignity, benefice, office, or promotion ſpiritual, to any perſon or perſons, that can ſpeake Engliſh, and to none other; and if the King's highneſs, his heyres and ſucceſſors,

Collation, &c. contrary to this act, void.

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ceſſors, upon ſuch preſentation, collation, nomination, election and gift, be interrupted, or diſturbed, then he ſhall have his writ of *quare impedit*, againſt ſuch diſturber, and recover the preſentation thereof for that time, in like forme as his grace ſhould have done for any other preſentation of his own patronage, and if the King's highneſs, his heyres and ſucceſſors, preſent any perſon by virtue of this act, which cannot ſpeake Engliſh, that then the ſame gift be voyde, and the patron's former gift to ſtand in his firſt force, any thing in this act to the contrarie notwithſtanding.

K. may collate, &c. but not to prejudice the rightful patron on the next avoidance.

VIII. Provided alway that ſuch preſentation, collation, nomination or gift, ſo to be made by the King's highneſs, his heyres and ſucceſſors, ſhall not in any wiſe be prejudicial, hurtfull, or impairment to him or them, that at time of ſuch preſentment had right, title or intereſt to the ſame, but that they and every of them ſhall and may, when ſuch dignitie, benefice, office, or promotion ſpiritual, ſhall next become voyde, preſent, collate, elect, nominate, or give the ſame as though no ſuch nomination, collation, or preſentment had been had by the King's highneſs, his heyres and ſucceſſors, any thing in this act to the contrary notwithſtanding.

Oath to be given to ſuch as take orders, that he will endeavour to learn and teach the Engliſh language, and that a ſchool ſhall for that purpoſe be kept in his pariſh, &c. taking the cuſtomary ſtipend.

IX. And further be it enacted by authority aforeſaid, That every archbiſhop, biſhop, ſuffragan, and every other having authority and power to give order of prieſthood, deacon, and ſubdeacon, ſhall at ſuch time as they or any of them doe give to any perſon or perſons, any of the ſaid orders of prieſthood, deacon, or ſubdeacon, give unto every perſon taking any of the ſaid orders of prieſthood, deacon, or ſubdeacon, a corporal oath that he or they ſo taking order as is aforeſaid ſhall to the uttermoſt of his power, wit, and cunning, endeavour himſelfe to learne the Engliſh tongue and language, and uſe Engliſh order and faſhions, if he may learne and attaine the ſame by poſſibility, in ſuch place and places, where his cure or dwelling ſhall be; and further, ſhall endeavour himſelf to move, endoctrine, and teach all other being under his order, rule and governance, to accompliſh and performe the ſame, and that alſo every ſuch archbiſhop, biſhop, ſuffragan, archdeacon, commiſſarie, and other having power and authority, to admit, inſtall, collate, inſtitute or induct, any perſon or perſons, to any dignity, benefice, office or promotion ſpiritual, as is aforeſaid, ſhall at the time of the admiſſion, inſtitution, inſtallation, collation and induction of ſuch perſon and perſons, to any dignity, benefice, office, or promotion ſpiritual, give unto the ſaid perſon and perſons, ſo admitted, inſtituted, inſtalled collated, or inducted, a corporal oath, that he and they ſo being admitted, inſtituted, inſtalled, collated, or inducted, ſhall to his wit and cunning, endeavour himſelf to learne, inſtruct, and teach the Engliſh tongue, to all and everie being under his rule, cure, order, or governance, and in likewiſe ſhall bid the beades in the Engliſh tongue, and preach the word of God in Engliſh, if he can preach, and alſo for his own part ſhall uſe and exerciſe the Engliſh order and habite,

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habite, and alſo provoke as many as he may to the ſame, and alſo ſhall keepe, or cauſe to be kept within the place, territorie, or paroch where he ſhall have preeminence, rule, benefice or promotion, a ſchole for to learne Engliſh, if any children of his paroch come to him to learne the ſame, taking for the keeping of the ſame ſchole, ſuch convenient ſtipend or ſalarie, as in the ſaid land is accuſtomably uſed to be taken. And if any archbiſhop, biſhop, ſuffragan or other, having authority to give orders as is aforeſaid, or having authority or power to collate, inſtitute, admit, inſtall, or induct any perſon or perſons to any dignitie, benefice, office, or promotion ſpiritual, as is aforeſaid, or any of them, doe give orders to any perſon or perſons, without giving the oath aforeſaid, or doe in any wiſe admit, collate, inſtitute, inſtall or induct, any perſon or perſons to any dignitie, benefice, office, or promotion ſpiritual, without giving to ſuch perſon or perſons ſo collated, admitted, inſtituted, inſtalled, or inducted, ſuch corporall oath as is aforeſaid, that then every ſuch archbiſhop, biſhope, ſuffragan, ordinarie, and other having power and authority to give orders, as is aforeſaid, or to collate, admit, inſtitute, inſtall, or induct any perſon or perſons, to any dignitie, benefice, office, or promotion ſpirituall, as is aforeſaid, ſhall forfeit for every time offending againſt this ſtatute iii. li. vi. s. viii. d. the one moietie to our ſoveraign lord the King, the other moietie to that perſon or perſons, that will ſue for the ſame as is aforeſaid.

Said oath to be given on pain of 3l. 6s. 8d.

X. And further be it ordeyned, eſtabliſhed and enacted by authority aforeſaid, That if any perſon or perſons, being promoted, collated, inſtituted, inſtalled, or inducted in any dignitie, benefice, office, or promotion ſpiritual, doe not obſerve, performe, and fulfill, the tenour, purport, and effect of the ſaid oath, that then ſuch perſon or perſons upon condemnation thereof by due proces of the law, had as is aforeſaid, ſhall forfeit for the firſt time vi. s. viii. d. and if ſuch perſon and perſons, be eftſoones lawfully condemned for like offence, then he ſhall forfeit xx.s. and if the third time he be lawfully condemned for like offence, then ſuch dignitie, benefice, office, or promotion ſpiritual, which ſuch perſon or perſons have, where ſuch offence is committed, ſhall be taken, deemed, and adjudged to be voyde, and that it ſhall be lawful to him or them to whom the right, title, or intereſt of nomination, collation, preſentation, election, or gift thereof ſhall appertayne, to nominate, collate, preſent, elect, or give the ſame to any other ſufficient and able perſon or perſons in like manner and form, as though the incumbent had died, any thing or things, by him afore then done notwithſtanding.

And to be obſerved on pain of 6s. and 8d. for the firſt offence: 20s. for the ſecond and the benefice to be void on the third.

XI. Provided and be it enacted by authority aforeſaid, That this act in any wiſe extend not or be prejudicial to any perſon or perſons, which hereafter ſhall be beneficed within this land, being bound to keepe reſidence, in any metropolitan, cathedral, or collegiate church, neyther to any perſon or perſons ſo beneficed, which ſhall be at ſtudy

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in any univerſitie, eyther being in the King's ſervice, or otherwiſe out of the land by the King's commandement, but that ſuch paroch prieſt or prieſts, which ſhall have the ſervice of any paroch church under him or them, ſhall during their abſencie teach the Engliſh tongue, and keep a ſchole according to the form of this act, upon pain of forfeiture to every ſuch paroch prieſt of xx. s. for every yeare that he ſhall omit the ſame. Provided alſo that this act ſhall take no effect ne execution, untill it be openly proclaymed in due forme. A. D. 1537.

CHAP. XVI.

An Act for the Suppreſſion of Abbyes. Rot. Parl. cap. 27.

MOST humbly deſire the King's highneſs, his humble ſubjects, that it may be enacted by authority of this preſent Parliament, That his Majeſty ſhall have and enjoy to him and to his heires for ever, the monaſteries and religious houſes of the Bectif, Saint Peters, beſides Trim, Duske, Duleke, Holmepatricke, Baltinglas, Grane, Taghmolin, Dunbrodie, Tenterne, the priorie of Ballibogane, and the abbey of the Hogges and Fernes, and in like manner ſhall have and enjoy all the ſites and circuits of every ſuch religious houſe, and all and ſingular the manours, granges, and meaſes, lands, tenements, reverſions, rents, ſervices, tithes, penſions, portions, churches, chappels, advowſons, parſonages, annuities, rights, intereſts, conditions, and other hereditaments, appertayning or belonging to every of the ſaid monaſteries, or religious houſes, in as ample and large maner as the abbots, priors, abbeſſes, prioreſſes, or other governors of the ſaid monaſteries and religious houſes, at any time within the whole yeare next before the making of this act, had, ought, or might, or have had, poſſeſſed, and enjoyed in the right of their ſaid houſes, and alſo that his Higneſs ſhall have to him and to his heyres, all and ſingular ſuch monaſteries and religious houſes, not being already by his grace given to any perſon or perſons, by letters patents, which at any time within two yeares next before the making of this act, hath been given to his Majeſtie by any abbot, prior, abbeſs or prioreſs, under their covent ſeales, or by any other meane, or that otherwiſe hath beene ſuppreſſed or diſſolved, and all and ſingular the manors, lands, tenements, rents, ſervices, reverſions, tyethes, penſions, portions, churches, chappels, advowſons, patronages, rights, intereſts, conditions, and other intereſts and hereditaments, to the ſame monaſteries, or religious houſes, or to any of them belonging or appertayning, which before the making of this act, his Higneſs hath not given and graunted to any perſon or perſons, by his letters patents as is aforeſaid, to have and to hold all and ſingular the premiſſes, with all their rights, profites, juriſdictions, and commodities, unto the King's majeſtie, and to his heyres and ſucceſſors for ever knit and united to the imperial crowne of England, to doe and uſe there-

27 *H.* 8. 28. *Eng.*
Several monaſteries and religious houſes veſted in the King in as ample manner as the abbots, &c. within a year enjoyed them.
33 *H.* 8. 5.

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therewith his or their owne wills, to the pleaſure of Almighty God, and to the honour and profite of this land.

The King's patentee ſhall enjoy according to the tenor of their letters patent, and have like remedies as the abbots, &c. might have had.

II. And it is ordeyned and enacted by authority aforeſaid, That all and every perſon and perſons, and bodies politique, which now have, or hereafter ſhall have any letters patents of the King's highneſs, of any the ſites, circuites, manours, lands, tenements, rents, reverſions, ſervices, tyethes, penſions, portions, churches, chappels, advowſons, patronages, tyethes, intereſts, conditions, intereſts and other hereditaments, which appertayneth to any monaſteries, abbeyes, priories, or religious houſes heretofore given or granted to the King's highneſs, or otherwiſe ſuppreſſed or diſſolved, or which appertain to any of the ſaid monaſteries or religious houſes, that is or ſhall be ſuppreſſed or diſſolved by authority of this preſent act, ſhall have and enjoy the ſaid ſites, circuits, mannors, lands, tenements, rents, reverſions, ſervices, tyths, penſions, portions, churches, chappels, advowſons patronages, tyths, intereſts, and all other hereditaments, contained and ſpecified in their letters patents, now being thereof made and to be contained and expreſſed in any letters patents hereafter to be made according to the tenors, purports, and effects of every ſuch letters patents. And ſhall alſo have all ſuch actions, ſuits, entries, and remedies, to all intents and purpoſes, for any thing and things contained in any ſuch letters patents, now made, or to be contained in any ſuch letters patents hereafter to be made in like manner, form and condition, as the abbots, priors, abbeſſes, prioreſſes, and chief governors of every religious houſe, which had the ſame, might or ought to have had, if they had not been ſuppreſſed nor diſſolved.

Saving the rights of others, except the abbots, &c.

Saving to every perſon and perſons, and bodies politique, their heirs and ſucceſſors: other then the abbots, priors, abbeſſes, prioreſſes, and chief governors of the ſaid religious houſes, ſpecified in this act, and the convents of the ſame and their ſucceſſours, and ſuch as pretended to be founders, patrons, or donors to the ſaid monaſteries or religious houſes, or of any lands, tenements, or hereditaments belonging to the ſame, or their heirs and ſucceſſors, all ſuch right, title, intereſt, poſſeſſion, leaſes of years, rents, ſervices, annuities, commons, fees, offices, liveries and livings, penſions, portions, corrodies, ſynods, proxies, and all other profits, as they or any of them have, ought or might have had, in or to any of the ſaid monaſteries or religious houſes, or in or by any mannors, lands, tenements, rents, reverſions, ſervices, tiths, pencions, portions, and other hereditaments appertaining or belonging, or that appertaineth to any of the ſaid monaſteries or religious houſes, as if the ſaid monaſteries or religious houſes had not been ſuppreſſed by this act or by any other mean, but had continued in their eſſential bodies and eſtates, that they now be or were in.

III. Provided always and be it enacted, That foraſmuch as diverſe the chief governours of the ſaid religious houſes, determining the utter ſpoiling and deſtruction of their houſes, and dreading the ſuppreſſion

preſſion thereof, for the maintenance of their deteſtable lives have lately fraudulently and craftely made feoffments, gifts, eſtates, graunts, and leaſes under their convent ſeals, or ſuffered recoveries of their manors, lands, tenements, and hereditaments, in fee ſimple, fee tail, for term of life or lives, or for years, or chargeth the ſame with rent or corodies, to the great decay and diſmynyſhes of their houſes; that all ſuch craftie and fraudulent recoveries, feoffments, gifts, eſtates, graunts, and leaſes, and every of them, made by any of the ſaid chief governours of the ſaid religious houſes under convent ſeals within two years next before the making hereof, ſhall be utterly void and of none effect.

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Feoffments, &c. within 2 years, void.

III. And it is alſo enacted by authority aforeſaid, That the King's highneſs ſhall have and enjoy to his own proper uſe all ſuch ornaments, jewels, goods, cattails, and debts, which appertaineth or belongeth to any of the chief governours of the ſaid monaſteries or religious houſes in the right of the ſaid monaſteries or religious houſes at the firſt day of June in the year of our Lord God one thouſand five hundred thirty ſix, or any time ſithence, not given ne granted by the King's Majeſty at any time before the making of this act to any perſon or perſons by his letters patents, whereſoever and to whoſoever poſſeſſion they ſhall come or be found, except onely ſuch beaſts, grain, and woods, and ſuch other like cattle and revenues, as hath been ſold in the ſaid firſt day of June or ſithence for the neceſſary and reaſonable expences or charges of any of the ſaid monaſteries and houſes. And in conſideration of which premiſſes, to be had to his Highneſs and to his heyres as is aforeſaid, his Majeſty is pleaſed and contented of his moſt excellent charity to provide to every chief head and governour of every ſuch religious houſe, during their lives, ſuch yearly penſion or benefices as to their degree and qualities ſhall be reaſonable and convenient, wherein his Highneſs will have moſt tender reſpect to ſuch of the ſaid chief governours, as well and truly conſerve and keep the goods and ornaments of their houſes to the uſe of his Grace, without ſpoil, waſte, or embeſilling of the ſame: and for the due fulfilling and accompliſhing of the ſame his Highneſs doth ordain and depute his truſtie and right well beloved counſailors, his Grace's deputy, chancelour, theſaurer, undertheſaurer, chief juſtices of the King's bench and Common place, and chief baron of his Grace's Exchequer, of this his land for the time being, or any ſix, five, four, three, or two of them, at the leaſt, ſo that the ſaid undertheſaurer be one, to aſſigne and depute to ſuch chief governour the certainty of ſuch penſion or other living: and that any ſuch penſion or living, ſo to be limitted or given to any the ſaid chief governours, ſhall be as good and effectual to all intents and purpoſes, as though the King's highneſs had given the ſame under his letters patents: and that none of the ſaid chief governours ſhall pay any thing in the hanaper for the enſealing of any ſuch penſions to be limitted, as is aforeſaid; and alſo his Majeſty will ordain and provide, that the convents of every ſuch religious

All ornaments, jewels, &c. given to the King.

A yearly penſion for life to every chief head.

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religious houſe ſhall have their capacities, if they will, to live honeſtly or vertuouſly abroad, and ſome convenient charity diſpoſed to them towards their living, or elſe ſhall be committed to ſuch honourable great monaſteries of this land, wherein good religion is obſerved, as ſhall be limitted by his Highneſs, or his Grace's ſaid counſailors, or any ſix, five, four, three or two at the leaſt, there to live religiouſly during their lives.

IV. And it is ordained by authority aforeſaid, That the chief governours and convents of ſuch great monaſteries ſhall take and accept into their houſes from time to time ſuch number of perſons of the ſaid convents, as ſhall be aſſigned and appointed by the King's highneſs, or his ſaid counſailors, or any ſix, five, four, three, or two of them at the leaſt, and keep them religiouſlie during their lives within the ſaid monaſteries, in like manner and form as the convents of ſuch great monaſteries be ordered and kept.

All their juſt debts to be paid by the King.

V. And alſo the King's majeſty is pleaſed, that it be enacted by authority aforeſaid, That his Highneſs ſhall ſatisfie, content, and pay all and ſingular ſuch juſt and true debts, which been owing to any perſon or perſons, by the chief governours of any of the ſaid religious houſes, in as large and ample manner as the ſaid chief governours ſhould or ought to have done, if this act had never been made.

VI. Provided always, that the King's highneſs, his heirs and ſucceſſours, at any time after the making of this act may at their pleaſures ordain and declare by their letters patents under their great ſeal, that ſuch of the ſaid monaſteries or religious houſes, not before this time given by his Grace to any perſon or perſons by his letters patents, as is aforeſaid, which his Majeſty ſhall not be diſpoſed to have ſuppreſſed nor diſſolved by authority of this act, ſhall ſtill continue and be of the ſame body corporate, and in the ſaid eſſential eſtate, qualitie, and condition, as well in poſſeſſion as otherwiſe, as they were before the making of this act, without any ſuppreſſion or diſſolution thereof, or any part of the ſame, by authority of this act; and that every ſuch ordinance and declaration, ſo to be made by the King's highneſs, ſhall be good and effectual to the chiefe governours of the ſaid religious houſes, which his Majeſtie will not have ſuppreſſed, and to their ſucceſſors, according to the tenors and purports of the letters patents thereof to be made; any thing or things contayned in this act to the contrary hereof notwithſtanding. Saving alwayes and reſerved to every perſon and perſons, being founders, patrons, or donours, of any the ſaid monaſteries or religious houſes, that is or ſhall be ſuppreſſed by this act, or otherwiſe by any other meanes, their heyres, and ſucceſſors, all ſuch right, title, and intereſt, poſſeſſion, rents, annuities, fees, offices, leaſes, commons, proxies, penſions, and ſinodals, and all other profites, whatſoever they bee, which any of them have or ſhould have had without fraud or covin, by any maner of meanes, otherwiſe then by reaſon or occaſion of the diſſolution of the ſaid monaſteries or religious houſes, in to or upon any the ſaid monaſteries or religious houſes, whereof they be founders,

The rights of founders, patrons, or donors, ſaved.

patrons, or donours, or in to or upon any the lands, tenements, or other hereditaments, appertayning or belonging to the ſame, in like maner, forme, and condition, as other perſons and bodies politique, be ſaved by this act, as is before rehearſed, and as if the ſaid monaſteries or religious houſes had not been ſuppreſſed or diſſolved by this act, or otherwiſe by any other meane, but had continued ſtill in their eſſential bodies and eſtates, as they be now or were in; any thing in this act to the contrary hereof notwithſtanding.

The King's leſſees of the ſites, &c. to keep an honeſt farmer's houſe therein according to the quantity of the demains; on pain of 100s. every quarter.

VII. And further be it enacted, ordained, and eſtabliſhed by authority aforeſaid, That all and ſingular perſons, bodies politique and corporate, to whom the King's Majeſtie, his heyres or ſucceſſours, have given, letten, or demiſed, or hereafter ſhall give, grant, let, or demiſe, any ſites, circuits, or precincts, with the houſes thereupon builded, together with all the demaines of any the ſaid monaſteries or religious houſes, that is, or have been or ſhall be, diſſolved or given to the King's highneſs by this act, or otherwiſe by any other meanes, and their ſucceſſours, executors, and aſſignes, of every ſuch perſon, bodie politique and corporate, ſhall be bounden by authority of this act, under the penaltie hereafter enſuing, to keepe, or cauſe to be kept, an honeſt farmour's houſe or houſhold in the ſame ſite, circuit, or precinct, according to the quantitie of the demains of the ſame: and if any perſon or perſons, bodies politique or corporate, that ſhall be bounden by this act, doe not keepe or cauſe to be kept ſuch an honeſt farmour's houſe or houſhold, that then he or they ſo offending ſhall forfeit to the King's highneſs, for every quarter of a yeare doing the contrarie, an hundred ſhillings; to be recovered to his uſe in every of his courts of record.

Juſtices of peace to inquire of ſuch offences: impoſe and eſtreat ſaid fines.

VIII. And over that it is enacted by authority aforeſaid, That all juſtices of peace in every ſhire, where any ſuch offence ſhall be committed or done contrary to the true meaning or intent of this preſent act, ſhall in every quarter and general ſeſſions within the limits of their commiſſion enquire of the premiſſes, and ſhall have full power and authority to hear and determine the ſame, and to taxe and ceſſe no leſſe fine for every of the ſaid offences, then is aforelimitted for the ſame offences, and the eſtreates thereof to be made and certified in the King's Exchequer of this land according and at ſuch time and fourme, as other eſtreates of fines, iſſues, and amerciaments, been made by the ſaid juſtices.

IX. Provided that this act, ne any thing therein contayned, ſhall extend, or any wiſe be meant, to the rectories, parſonages, vicarages, or churches of the Norragh and Taghmolyn begge, or to any diſmes, tythes, offerings, alterages, landes, tenements, and other profites, whatſoever they be, belonging to them or any of them, during the lives of Sir John Derthicke, parſon of the Norragh aforeſaid, and Sir Thomas Feſtame, parſon of Taghmolyn aforeſaid.

X. Provided that this act, ne any thing therein compriſed, ſhall extend or in any wiſe be meant to the rectories, parſonages, vicarages, or churches of Holywood, Dullardeſton, and the free chappel of Armakrenan, and Kyluſkie, and the parſonage of

A. D. 1537. Uſke, or to any diſmes, tythes, offerings, alterages, lands, tenements, and other profits, whatſoever they be, belonging to them, or any of them, during the lives of Sir Robert Luttrel, parſon of Holywood aforeſaid, Sir John Connyl, vicar of Holywood aforeſaid, Sir John Lawles, vicar of Taghmolynbegge aforeſaid, Sir Alexander Baron, parſon of Dullerdeſton aforeſaid, Sir Euſtace Browne, maſter or governour of the ſaid free chappel of Armakrenan and Kiluſkie, and Sir Edmonde Euſtace, parſon of Uſke; but that they, and every of them, ſhall have and enjoy their ſaid beneſices with the iſſues and profites of the ſame during their lives.

XI. Provided alſo by authority aforeſaid, That any article, proviſion, matter, thing, or things, whatſoever it be, compriſed or mentioned in this preſent act, ſhall extend, or in any wiſe be prejudiciall or hurtfull to the moſt reverend father in God, George archbiſhop of Dublin, or any his ſucceſſors, in, to, or for any right, poſſeſſion, or title, that the ſaid moſt reverend Father in God, or any his predeceſſors, hath or ſhall have to any advowſon, parſonage, vicarage, patronage, preſentation, or collation to or of any benefice or promotion ſpiritual, whatſoever it be, lately belonging or in any wiſe appertayning to the ſaid houſe or monaſtery of Taghmolynbegge; any thing or things in this preſent act notwithſtanding.

XII. Provided that this act, neyther any thing therein contayned, be prejudicial or hurtful to the vicars choralls of St. Patrickes church of Dublin, neyther to their ſucceſſors, for their right, title, intereſt, poſſeſſion, and entree, into and for the benefice, penſion, and tythes of Kynnegh, within the countie of Catherlaghe.

CHAP. XVII.

An Act for loding of Wool and Flockes. Rot. Parl. cap. 28.

Ir. 13 *H.* 8. 2. *Ir.* 11 *El.* 10. Seſſ. 3.

The former ſtatute of conveying wool, of little effect for want of authority to enter and ſeiſe.

WHERE in a Parliament holden at Dublin the thirteenth year of our ſoveraign lord king Henry the eighth, that now is, before the right honourable lord Thomas, then Earl of Surrey, and the King's lieutenant within this land of Ireland, amongſt other things for the common and publique weale of the ſame land it was eſtabliſhed, ordayned, and enacted, That no perſon ne perſons ſhould lode ne convey no maner of wooll ne flockes out of this ſaid land of Ireland upon pain of forfeiture to the King our ſovereign lord the double value of the ſame: that notwithſtanding, for becauſe there was no authority given by ſaid eſtatute to any officer of the King's, or other common perſon, to enter and make ſeiſure in the ſaid wooll and flockes to be loden contrary to the ſame ordinance, the ſaid good and beneficiall eſtatute hath taken little effect; but contrary to the minde, intent, and effect of the ſame great plenty of wooll and flockes hath continually hitherto, ſithence the making thereof, beene laden and conveyed out of this ſaid land, to the great and ineſtimable hurt, decay, and impoveriſhment of the King's poore ſubjects within the ſaid land: for redreſs whereof, and in conſidera-

Loading wool one of the greateſt occaſions of idleneſs and deſolation.

tion

A. D. 1537. Chap. 17.

tion that loading and conveying of the wooll of the growe of this land out of the ſame is one of the greateſt occaſions of the idleneſs of the people, waſte, ruine, and deſolation of the King's cities and borough townes, and other places of his dominion within this land: be it therefore enacted, ordayned, and eſtabliſhed by the aſſent and conſent of our ſaid ſoveraign lord the King, the lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That all licences and plackards heretofore had, made, or graunted by our ſoveraign lord the King, or hereafter to be had, made, or graunted by any the King's lieutenants deputy or deputies of this land to any perſon or perſons contrary to the true meaning, form, and effect of the ſaid ſtatute, ſhall be cleerly voyd and of none effect. And alſo that no maner perſon ne perſons from henceforth doe load, ſhip, convey, or carry in any ſhip, veſſel or boat, no maner woolls or flocks, nor convey or carry, or cauſe to be conveyed or carried, to any port, haven, place, or creeke, to the intent to ſhip or loade ſuch wooll or flockes, upon paine of forfaicture as well of the ſaid wooll and flockes ſo loaded, ſhipped, conveyed, and carried, as of the ſhip, veſſel, or boat, wherein the ſame ſhall be loaded, if the maſter, owner, or governour thereof be in any wiſe privie to the ſame; the one moitie of the ſaid forfeiture to be to the uſe of our ſaid ſovereign lord the King, and the other moitie to him or them that ſhall ſeiſe, finde, or preſent the ſaid forfaitures or any of them, or that will ſue therefore by action of debt, bill, plaint, information, or otherwiſe in any of the King's courts of his Grace's bench, common place, or exchequer, wherein the partie defendant ſhall in no wiſe be admitted to wage his lawe, nor in the ſaid action, bill plaint, or information, any eſſoine, ne protection, nor any licence, pardon, or plackard, graunted or to be graunted by any lieutenants or deputie of this land to any perſon or perſons, which ſhall be impeached to have offended contrary to the forme and effect of this or any other act touching the prohibition or loding of woolls or flocks, ſhall be allowable; and if any plees be pleaded in any ſuit, bill, pleint, information, or action not triable within this land, nor within any ſuch place where the King's writ dothe rune within this land, then by authority of this act every ſuch plee, if any iſſue be taken of the ſame, ſhall be tryed by verdict of twelve men in the ſhire or place, where any ſuch action, bill, plaint, or information ſhall be commenced; any thing to the contrary hereof had or made notwithſtanding.

All licences granted contrary to 13. *H.* 8. 2. to be void.

None ſhall ſhip, *&c.* wool or flocks, on pain of forfeiture thereof, and of the veſſel, if the maſter or owner Privy; half to K. half to the ſeizor, *&c.*

No pardon by the lieut. *&c.* allowable.

II. And it is alſo enacted by authority aforeſaid, That the King's juſtices of plees before his grace to be holden within this land for the time being, and every of them, and his highneſſe barons of his grace's exchequer for the time being, and every of them (that is to ſay) the ſaid juſtices in the King's bench, and the ſaid barons in the exchequer, and every perſon to be authorized by the King's commiſſion to enquire of the offenders of any thing or things mentioned

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Ir. 13 *H.* 8. 2.

or compriſed in this preſent act, ſhall have full power and authority from time to time to enquire of the offendors of every article, thing or things, provided and eſtabliſhed by authority of this preſent act, and of the ſaid act made in the ſaid thirteenth yeare of our ſaid Soveraign Lord, as well by preſentment, verdict, or oathes of twelve men or otherwiſe, and the ſame ſhall heare, determine, and adjudge in like manner, forme, and condition, as they may doe any other matter coming or growing before them, whereof they within the juriſdiction of their courts have good authority; and that none of them ſhall taxe any leſſe fine upon any perſon or perſons ſo offending, and being thereof lawfully convicted by verdict, confeſſion, or otherwiſe, then the very value of the forfeiture thereof, limitted and appointed by this preſent act or by the ſaid act made and eſtabliſhed in the ſaid thirteenth yeare of the reigne of our ſaid moſt dread Soveraign Lord.

This act to be inquired of by preſentment or verdict before the juſtices of B. R. barons of exchequer, or commiſſioners.

III. And be it further enacted by the ſame authority, That every ſearchour, which ſhall have full knowledge or be privy to the carrying, conveying, or lading of any wooll or flockes contrary to this act, and conceal the ſame without preſenting the cauſe of ſuch forfeiture into the King's exchequer, or before the ſaid juſtices within fourteene dayes next following, if the terme be then open, and if it be not, then within ſixe dayes of the beginning of the terme then next following; and being convicted thereof by verdict, confeſſion, or otherwiſe before any of the ſaid juſtices, barons of the ſaid exchequer, or commiſſioners, that he hath otherwiſe offended contrary to this act, ſhall forfeit ſuch eſtate, as he ſhall have in his ſaid office at the time of the offence committed, and by authority of this Parliament unhabled and repelled from the exerciſing, receiving, or occupying of that office for ever, any letters patents or other gift or graunt to him thereof made or had, or to be had or made, in any wiſe notwithſtanding: and if afterwards, contrary to the tenour of this act he receive, exerciſe, or uſe the ſame office, he ſhall loſe, for every day that he ſo uſeth or occupieth it, xl. s. the one halfe thereof to be to the uſe of our ſoveraign lord the King, and the other halfe to be to him or them that will ſue for the ſame by originall writ of debt, bill, plaint, information, or otherwiſe in any the King's courts, wherein the partie defendant ſhall not wage his law, ne in the ſame any eſſoine, licence, pardon, plackard, or protection ſhall be allowed. And if any ſearchor or ſearchors within this land doe make, aſſigne, or appoint any deputie or deputies, factour or factours, ſervant or ſervants for the uſing, exerciſing, or occupying of his or their ſaid office, which ſhall have knowledge or be privie to the carrying, conveying, or loding of any wooll or flockes contrary to this act, and conceale the ſame without preſenting the cauſe of ſuch forfeiture in the ſaid King's exchequer, or before the ſaid juſtices within fourteene dayes next following, if the terme be then open, and if it be not, then within ſixe dayes of the beginning of the terme then next following, and being thereof convicted by verdict, confeſſion, or otherwiſe before any of the ſaid juſtices,

Searchers privy to and not preſenting the cauſe of forfeiture in 14 days, if term open, if not, within 6 days of the beginning of the next term, forfeit their offices, and incapable.

If afterwards they receive or exerciſe the office, forfeit 40s. *per diem.*

Searcher to forfeit 5l. if his deputy or factor privy to and conceal ſuch offence.

juſtices, barons of the ſaid exchequer, or commiſſioners, that they or any of them hath otherwiſe offended contrarie to this act, any ſuch ſearcher or ſearchers, that ſhall ſo appoint any ſuch perſon or perſons to be his or their deputie or deputies, factour or factours, ſervant or ſervants, for the uſing and exerciſing of his or their office, offending and concealing, as is aforeſaid, ſhall loſe and forfaict for every ſuch time that his or their deputie or deputies, factour or factours, ſervant or ſervants, ſhall offend or conceale as is aforeſaid, five pounds, the one halfe thereof to the uſe of our ſoveraigne lord the King, and the other halfe to be to him or them that will ſue for the ſame, by originall writ of debt, bill, plaint, information or otherwiſe, in any of the King's courts, wherein the partie defendant ſhall not wage his law, ne in the ſame no eſſoine, licence, pardon, plackard, or protection ſhall be allowed. A. D. 1537.

IV. Be it alſo enacted by authority aforeſaid, That every packe or fardell laded, or ſhipped, or carried, ſent, or conveyed to any place within this land to the intent to be laded or ſhipped, wherein any maner of wool or flockes ſhall be ſet, packed, or encloſed, ſhall be ſeyſed and forfeited; whereof the one halfe ſhall be to our ſoveraign lord the King's uſe, and the other halfe to him or them that ſhall ſeiſe or take the ſame, or ſue for the ſame by action of debt, bill, plaint, information or otherwiſe in any of the King's courts, wherein the partie defendant ſhall not wage his lawe, ne in the ſame any eſſoine, licence, pardon, plackard, or protection ſhall be allowed; any thing or things heretofore had, made, or provided to the contrarie notwithſtanding.

V. Provided that this act, ne any thing or things herein contained, be prejudicial or hurtful to or for Edward Abecke of Mancheſter, merchant, but that he by himſelfe, or any other to his uſe, during his life natural may lode or carie yearly at his and their pleaſure into England flocks or wooll to the value of xl. li. to be yearely entered with the cuſtomer, controller, and ſearcher of any port or haven, where the ſame ſhall be ſhipped and loden, this act, or any thing or things therein mentioned, notwithſtanding. Exception for Edward Abecke of Mancheſter.

CHAP. XVIII.

An Act for the Proofe of Teſtaments. Rot. Parl. cap. 29.

FORASMUCH as in a Parliament holden at Weſtminſter in the one and thirtieth yeare of the noble Prince King Edward the third upon the complaint of his people for the outragious and grievous fines and ſummes of money, taken by the miniſters of biſhops and other ordinaries of holy church for the probate of teſtamentes, and for the acquitance by the ſaid ordinaries of the ſame to be made concerning the ſame, the ſaid noble King in the ſame Parliament openly charged and commaunded the archbiſhop of Canterbury, and other ordinaries for that time being, that amendment thereof ſhould be had, and if none amendement thereof be had, it was by authority of the ſame Parliament accorded, that the King ſhould thereof make enquiry by his juſtices of ſuch miſdemeanors, Recital of St. 31 *E.* 3. 4 *Eng.*

A. D. 1537. Chap. 18. 3 *H.* 5. 21 *H.* 8. 5. *Eng.*

and that the ſame juſtices ſhould heare and determine them as well at the ſuit of the King as the partie, as of old time hath been uſed, as by the ſame eſtatute more plainly it appeareth; and after for further avoiding of the ſame divers good and wholſome eſtatutes and lawes thereof was made, as well in the third yeare of the raigne of King Henry the fift, as in the one and twentieth yeare of our moſt dread ſoveraign lord King Henry the eight, as by the ſaid ſtatutes more plainly it appeareth; and conſidering the great povertie that reſteth amongſt the King's ſubjects of this land of Ireland by many and divers occaſions, and that the taking of the ſaid exactions in no part be diminiſhed, but from time to time encreaſed, to the impoveriſhing and hinderance of the King's true ſubjects, the ſaid eſtatutes and lawes notwithſtanding; for remedie whereof be it enacted, ordeyned, and eſtabliſhed by authority of this preſent Parliament, that from the firſt day of Februarie in the yeare of our Lord God one thouſand five hundred thirtie ſeven nothing ſhall be demaunded, received, ne taken by any archbiſhop, biſhop, ordinary, archdeacon, chancellor, commiſſary, officiall, or any other maner perſon or perſons whatſoever he or they be, which now have or hereafter ſhall have authority or power to take or receive probation, inſinuation, or approbation of teſtament or teſtaments by himſelfe or themſelves, nor by his or their regiſters, notaries, ſcribes, praiſers, ſumpnors, apparitors, or by any other of their miniſters, farmors, or ſervants, for the probation, inſinuation, and approbation of any teſtament or teſtaments, or for the commiſſion of adminiſtration of the goods or cattells of any perſon dying inteſtate, or for writing, ſealing, prayſing, regiſtering, fines, making of inventories, giving of acquittances, or for any coſtes and charges, or any other maner of cauſe concerning the ſame, where the goods of the teſtator of the ſaid teſtament, or the perſon ſo dying inteſtate or otherwiſe, doe not amount cleerely over and above the value of iii. li. vi. s. viii. d. Iriſh money, except to the ſcribe or notarie to have for the writing of the probat of the teſtament of him deceaſed, whoſe goods ſhall not be above the ſame cleere value of iii. li. vi. s. viii. d. Iriſh, xii. d. Iriſh; and except to the ordinary, his commiſſary, official, or other miniſter having the cuſtodie of his ſeale uſuall accuſtomed for the ſealing of teſtaments, for the wax, ſealing, and deliverie of the probate of the teſtament of him deceaſed, whoſe goods ſhall not be above the ſame cleere value of iii. li. vi. s. viii. d. Iriſh, and to the ſcribe for the writing of the commiſſion of adminiſtration of the goods of any man dying or deceaſing inteſtate, not being above like value of iii. li. vi. s. viii. d. xii. d. and to the ordinarie, his commiſſarie, official, or other miniſter, having the cuſtody of his ſaid ſeale, for wax, ſealing, and deliverie of the ſame commiſſion viii. d. Iriſh; and that nevertheleſs the archbiſhop, biſhop, ordinary, or other perſon or perſons, having power or authority to take or receive the probation, inſinuation, or approbation of teſtaments, refuſe not to approve or

Enacting part.

Fees for probate or adminiſtration where the goods exceed not 3l. 6s. 8d. to the ſcribe or notary 12d. to the ordinary, *&c.* for the ſeal 8d.

The ordinary, *&c.* not to refuſe to prove ſuch teſtament

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make any ſuch teſtament, or make any ſuch commiſſion being lawfully deſired, tendered, or offered to them to be proved, approved or made, then whereof the goods of the teſtator or perſon ſo dying inteſtate, or otherwiſe, amount not above the value of three pounds ſixe ſhillings eight pence Iriſh, ſo that the ſaid teſtament or commiſſion, be exhibited to him or them in writing readie to be ſealed, and that the ſame teſtament be lawfully proved before the ſame ordinary, before the ſealing, to be the true, whole and laſt teſtament of the ſame teſtatour, in ſuch forme as hath been commonly accuſtomed in that behalfe, and when the goods of the teſtatour doth amount over and above the cleere value of iii. li. vi. s. viii. d. and do not exceed the ſumme of ten pound Iriſh, that then no archbiſhop, biſhop, ordinarie, nor other maner perſon or perſons whatſoever he or they be, now having, or that hereafter ſhall have authority to take probation or approbation of any teſtament or teſtaments, as is aforeſaid by themſelfe or any of their ſaid regiſters, ſcribes, notaries, prayſours, ſumners, apparitors, nor any other their miniſters for the probation, inſinuation, and approbation of any teſtament or teſtaments, or for the commiſſion of adminiſtration of the goods and cattels of any perſon dying inteſtate, or for writing, regiſtring, ſealing, prayſing, making inventories, giving of acquittances, fines, or for any coſts or charges, or for any other maner of cauſe concerning the ſame, ſhall take or cauſe to be taken of any perſon or perſons, but only three ſhillings four pence Iriſh, and not above; whereof to be to the ordinarie, or to other perſon or perſons, having power and authority to take any probation of any teſtament or teſtaments, for him and his miniſters, ii. s. and not above; and xvi. d. reſidue of the ſaid iii. s. iiii. d. to be to the ſcribe, notarie, or regiſter, for the writing and regiſtring of the ſame. And where the goods of the teſtator, or perſon or perſons ſo dying inteſtate or otherwiſe, doe amount over and above the cleere value of x. li. Iriſh, and do not exceed the ſumme of xx. li. Iriſh, that then the archbiſhop, biſhop, ordinary, nor other perſon or perſons now having, or which hereafter ſhall have authority or power to take probate of teſtaments as is aforeſaid, by him or themſelfe, or any of his or their ſaid regiſters, ſcribes, notaries, prayſers, ſumners, apparators, or any other their miniſters, for the probation, inſinuation, and approbation of any teſtament, or teſtaments, or for the commiſſion of adminiſtration of the goods or cattalls of any perſon dying inteſtate, or for writing, regiſtring, ſealing, prayſing, making of inventories, giving of acquittances, fines, or for any coſtes or charges, or for any maner of cauſe concerning the ſame, ſhall take or cauſe to be taken, of any perſon or perſons, but onely vi. s. viii. d. Iriſh, and not above; whereof to be to the ordinarie or to other perſon or perſons, having power or authority to take probation of any teſtament or teſtaments, for him and his miniſters, v. s. Iriſh, and not above; and xviii. d. reſidue of the vi. s. viii. d. to be to the ſcribe, notary, or regiſter,

or grant ſuch commiſſion, when exhibited in writing ready to be ſealed, and the teſtament lawfully proved.

When the goods exceed not 10l. The ordinary, &c. ſhall have 2s. The regiſter, &c. 12. 4d.

When not above 20l. To the ordinary, &c. 5s. To the regiſter, &c. 1s. 8d.

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regiſter, for the writing and regiſtring of the ſame. And when the goods of the teſtator, or perſon or perſons ſo dying inteſtate, or otherwiſe do amount to the clear value of xx. pounds Iriſh, and do not exceed the ſum of xl. li. Iriſh, that then the archbiſhop, biſhop, nor ordinary, nor other perſon or perſons, now having, or which hereafter ſhall have authority or power to take probate of teſtaments, as is aforeſaid, by him or themſelfe, or any of his or their regiſters, notaries, praiſers, ſumners, apparators, or any other their miniſters, for the probation, inſinuation, and approbation of any teſtament or teſtaments, or for the commiſſion of adminiſtration of the goods or cattals of any perſon dying inteſtate, or for writing, regiſtring, ſealing, praiſing, making of inventories, giving of acquittances, fines, or for any coſts or charges, or for any manner of cauſe concerning the ſame, ſhall take, or cauſe to be taken of any perſon or perſons, but onely x. s. Iriſh, and not above; whereof to be to the ordinary, or to other perſon or perſons having power or authority to take any probation of any teſtament or teſtaments, for him and his miniſters viii. s. Iriſh, and not above, and ii. s. reſidue of the ſaid x. s. to be to the ſcribe, notary, or regiſter, for the writing or regiſtring of the ſame; and when the goods of the teſtator or perſon or perſons ſo dying inteſtate or otherwiſe, do amount to the clear value of xl. pounds Iriſh, and not exceed the ſum of c. li. Iriſh, that then the archbiſhops, biſhops, nor ordinaries, nor other perſon or perſons now having, or which ſhall have hereafter authority or power to take probate of teſtaments, as is aforeſaid, by him or themſelf, or any of his or their regiſters, notaries, praiſers, ſumners, apparators, or any other their miniſters, for the probation, inſinuation, and approbation of any teſtament or teſtaments, or for the commiſſion of adminiſtration of the goods and cattles of any perſon dying inteſtate, or for writing, regiſtring ſealing, praiſing, making of inventories, giving of acquittances, fines, or for any coſts or charges, or for any manner of cauſe concerning the ſame, ſhall take, or cauſe to be taken, of any perſon or perſons, but onely xvi. s. viii. d. Iriſh, and not above; whereof to be to the ordinary, or to other perſon or perſons having power or authority to take any probation of any teſtament or teſtaments, for him and his miniſters xiiii. s. Iriſh, and not above, and ii. s. viii. d. reſidue of the ſaid xvi. s. viii. d. to the ſcribe, notary, or regiſter, for the writing and regiſtring of the ſame. And when the goods of the teſtator or perſon or perſons ſo dying inteſtate or otherwiſe do amount to the clear value of one hundred pounds Iriſh, and above, whatſoever the ſum or quantity thereof be, That then the archbiſhops, biſhops, or ordinaries, or other perſon or perſons now having, or which hereafter ſhall have authority or power to take probate of teſtament as is aforeſaid, by him or themſelf, or any of his or their regiſters, notaries, praiſers, ſumners, apparators, or any other their miniſters, for the probation, inſinuation, and approba-

When not above 40l. To the ordinary, &c. 8s. To the regiſter 2s.

When not above 100l. to the ordinary, &c. 14s. The regiſter 2s. and 8d.

When above 100l. To the ordinary &c. 16s. and 8d. To the regiſter, 3s. and 4d.

tion of any teſtament or teſtamente, or for the commiſſion of adminiſtration of the goods and cattals of any perſon dying inteſtate, or for writing, regiſtring, ſealing, praiſing, making of inventories, giving of acquittances, fines, or for any coſts or charges, or for any other manner of cauſe concerning the ſame probate of teſtament, ſhall take, or cauſe to be taken, of any perſon or perſons but onely xx. s. Iriſh, and not above ; whereof to be to the ordinary, or to any other perſon or perſons having power or authority to take any probation of teſtament or teſtaments for him and his miniſters, xvi. s. viii. d. Iriſh, and not above ; and iii. s. iv. d. reſidue of the ſaid xx. s. to be to the ſcribe, notary, or regiſter, for the writing and regiſtring of the ſame. And that every ſuch archbiſhop, ordinary or other perſon or perſons ſo having, or which hereafter ſhall have authority or power to take or receive the probations or approbations of any teſtament or teſtaments, or to make any commiſſion of any adminiſtration of any goods or cattles of any perſon or perſons dying inteſtate, their regiſters, ſcribes, notaries, and miniſters, ſhall approve, ordain, make, inſinuate, ſeal, and regiſter from time to time, the ſaid teſtaments and commiſſions, and deliver the ſame, ſealed with the ſeal of their office, to the executor or executors, adminiſtrator or adminiſtrators, named or appointed for the ſame ; and that for the ſaid ſum or ſums aboveſaid, and in manner and form as is above rehearſed, to deliver it with convenient ſpeed without any fruſtratory delay. And in caſe any die inteſtate, or that the executors ſo named refuſe to prove the ſaid teſtament, then the ſaid ordinary, or other perſon or perſons, having authority to take probate of teſtaments, as is above ſaid, ſhall graunt the adminiſtration of the goods of the teſtatour or perſon deceaſed to the widow of the perſon deceaſed, or to the next of his kin, or to both as by the diſcretion of the ſame ordinary ſhall be thought good ; taking ſurety of him or them, to whom ſhall be made ſuch commiſſion, for true adminiſtration of the goods, cattals, and debts, which he or they ſhall be ſo authoriſed to miniſter ; and in caſe where diverſe perſons claim the adminſtration as next of kin, the which be equal in degree of kindred to the teſtatour, or perſon deceaſed, and where any perſon onely deſireth the adminiſtration as next of kin, where indeed diverſe perſons be in equality of kindred, as is aforeſaid ; then, in every ſuch caſe, the ordinary to be at his election and liberty to accept any one or moe making requeſt : where diverſe do require the adminiſtration, or where but one or moe of them, and not all being of equality of degree, do make requeſt, then the ordinary to admit the widow, and him or them onely making requeſt, or any one of them at his pleaſure, taking nothing for the ſame but the ſaid ſum, and that in manner and form as is aboveſaid. And that the executor and executors, named by the teſtatour or perſon deceaſed, or ſuch other perſon or perſons to whom ſuch adminiſtration ſhall be admitted, where any perſon

The probate or commiſſion to be delivered without delay. In caſe of inteſtacy, or executors refuſing to prove, the ordinary &c. to grant adminiſtration to the widow, or next of kin, or both, by his diſcretion taking ſurety for the true adminiſtration. *Eng.* 21 *H.* 8. 5.

Where in equal degree, the ordinary has election.

A. D. 1537. Chap. 18.

dyed inteſtate, or by way of inteſtate, calling or taking to him or them ſuch perſon or perſons, two at the leaſt, to whom the ſaid perſon ſo dying was indebted, or made any legacy, and upon their refuſal or abſence two other honeſt perſons, being next of kin to the perſon ſo dying, and in their default or abſence two other honeſt perſons, and in their preſence and by their diſcretions ſhall make or cauſe to be made a true and perfect inventory of all the goods, cattals, wares, merchandiſes, as well moveable as not moveable, whatſoever, that were of the ſaid perſon ſo deceaſed, and the ſame ſhall cauſe to be indented, whereof the one part ſhall be by the ſaid executor or executors, adminiſtrator or adminiſtrators, upon his or their oath or oathes, to be taken before the ſaid archbiſhop, biſhop, ordinaries, their officiall or commiſſaries, or other perſon having power to take probat of teſtaments, upon the holy evangeliſt to be good and true; and the ſame one part indented ſhall be preſented and delivered into the keeping of the ſaid archbiſhop, biſhop, ordinarie, or ordinaries, or other perſon or perſons having power to take probate of teſtaments, and the other part thereof to remain with the executor or executors, adminiſtrator or adminiſtrators. And that no archbiſhop, biſhop, ordinarie, or other perſon having authority to take probate of teſtaments, as is aboveſaide, upon the paine in this eſtatute hereafter contayned refuſe to take any ſuch inventorie or inventories, to him or them preſented or tendered to be delivered, as is aforeſaid, and that they, ne none of them, ſhall procure, or cauſe to be procured, any other inventorie for the probation or approbation of any teſtament, or making any letters or commiſſion of adminiſtration, if the ſaid inventorie or inventories be preſented to him or them, or tended to be delivered in manner and forme as is aforeſaid; in which inventorie or inventories, to be made in manner and form as is aforeſaid, all corne and cattell to be rated and valued to the ſame price and value, as hath been uſed and accuſtomed to be valued and praiſed within the dioces of Meithe in every inventorie before this time made for the probation of any teſtament, or making of any commiſſion of Adminiſtration. Provided alway, if the perſon or perſons ſo deceaſed will by his or their teſtaments or laſt will any lands, tenements, or hereditaments to be ſold, that the money thereof comming, nor the profites of the ſaid lands for any time to be taken, ſhall not be accompted as any of the goods or cattels of the ſaid perſon ſo deceaſed. And that the ſaid archbiſhop, biſhop, ordinarie, or other perſon or perſons having authority to take probate of teſtament or teſtaments, as is aforeſaid, upon the delivery of the ſeale and ſigne of the teſtator doe cauſe the ſame ſeale to be defaced, and thereupon incontinent to redeliver the ſaid ſeale unto the ſaid executor or executors, adminiſtrator or adminiſtrators, without claime or challenge thereunto to be made. And in caſe any perſon or perſons at any time hereafter require a copie or copies of the ſaid teſtaments ſo proved, or of the ſaid inventorie ſo made

Executors or adminiſtrators taking two creditors or legatees, or on their refuſal or abſence two next of kin, or in their default two other honeſt perſons, to make a true inventory; to be indented, one part upon the oath of the executor or adminiſtrator delivered to the ordinary, &c. the other to remain with them.

The ordinary, &c. not to refuſe the inventory, or to procure any other.

All corn and cattle to be valued as uſed in the dioceſe of Meath.

Lands, &c. deviſed to be ſold, or the money raiſed, or the profits not accounted part of the goods.

The ordinary, &c. to deface the ſeal, and immediately redeliver it to the executors, &c. and ſhall, upon requeſt, deliver without delay.

made, that then the ſaid ordinarie or ordinaries, and thother perſons having authority to take probate of teſtaments, or their miniſters, ſhall, from time to time, with convenient ſpeed, without any fruſtratorie delay, deliver, or cauſe to be delivered, a true copy or copies of the ſame, to the ſaid perſon or perſons ſo demaunding them, or any of them, taking for the ſearch, and for the making and writing of everie of the ſaid teſtaments or inventories but only ſuch fee as is before rehearſed, for the writing and regiſtring of the ſame.

true copies of wills or inventories to any perſons; taking for the ſearch and writing only ſuch fee as above for writing and regiſtering.

VI. Provided alway, that where any perſon or perſons having power or authority to take probate of teſtaments, have uſed to take leſſe ſummes of money than is aboveſaid, for the probate of teſtaments, or commiſſions of adminiſtrations, and other cauſe concerning the ſame, ſhall take and receive ſuch ſumme or ſummes of mony for the probate of teſtaments and commiſſions of adminiſtrations, and other cauſe concerning the ſame, as they before the making of this act have uſed to take, and not above.

Where leſs ſums uſed to be taken for the probate, &c. more ſhall not be taken than before.

VII. Be it further enacted by authoritie aforeſaid, That no archbiſhop, biſhop, ordinarie, or other perſon having any power or authoritie to prove or approve any teſtament, ſhall compell the huſband or friend of any woman covert to prove or approve any teſtament of her huſband's goods, or ſhall take or receive, or cauſe to be taken or received, any mony or other thing, for the probation or approbation of any teſtament of any woman covert, or making of any commiſſion of adminiſtration, for or concerning the pretenced goods of any ſuch woman covert, unleſs the ſaid woman covert be executor or adminiſtrator to any teſtator deceaſed, or otherwiſe have cauſe or title of action, whereof her huſband, after her death, have no remedy by courſe of the common law, upon pain hereafter limited.

Ordinary, &c. not to compel the huſband or friend of Feme covert to prove a teſtament of her huſband's goods, or receive any thing for probate or adminiſtration thereof; unleſs ſhe be an executrix, or adminiſtratrix, or have cauſe of action, whereof huſband has no remedy by law.

VIII. And it is enacted, That every archbiſhop, biſhop, ordinarie, archdeacon, chauncellour, commiſſarie, official, and other perſon or perſons having, or the which hereafter ſhall have authority to take any probate of teſtaments, their miniſters, farmours, regiſters, ſcribes, praiſors, ſumners, apparators, and all other their officers or ſervants, whatſoever they be, that ſhall doe, or attempt, or cauſe to be done or attempted, againſt this act or ordinance in any thing, ſhall forfeit and loſe, for every time ſo offending, to the party grieved in that behalf, ſo much mony as any ſuch perſon aboveſaid ſhall take, contrary to this preſent act, and over that, ſhall forfeit x. li. Iriſh, whereof the one moitie ſhall be to the King our ſoveraign Lord, and the other moietie to be to the perſon ſo grieved in that behalf, that will ſue by action of debt, bill, plaint, information, or otherwiſe, in any of the King's courts, for the recoverie of the ſame, in which action no eſſoine, protection, ne wager of law ſhall be admitted or allowed. And that every of the ſaid archbiſhops, biſhops, and other perſons, which hereafter ſhall incurre, or fall into the daunger of ſuch penalty or forfeiture;

Offenders to forfeit ſo much as they take contrary to this act, and alſo 10l.

But every offender to be charged only for himſelf.

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forfeiture, ſhall be charged onely for himſelf and none of them to be chargeable to that penalty for other offences.

Ordinaries, &c. may ſtill convene executors before them to prove or refuſe, and to bring inventories, &c.

IX. Provided alway, That this preſent act be not prejudicial to any ordinarie or other perſon, which now have, or hereafter ſhall have authority to take probate of teſtaments, but that every of them ſhall and may convent before them, all and every perſon and perſons made and named executor or executors of any teſtament, to the intent to prove or refuſe the teſtament or teſtaments of their teſtatour or teſtatours, and to bring inventories, and to doe every other thing concerning the ſame, as they might doe before the making of this act, ſo that alwayes any ſuch ordinarie, or other perſon or perſons having ſuch authority by themſelfe, their commiſſaries, ſcribes, regiſters, or other miniſters aforeſaid, ſhall not in any wiſe take for the ſame above the fees limitted by this act, ne in any wiſe attempt any thing contrary to any part of the ſame act.

CHAP. XIX.

The Act of Faculties. Rot. Parl. cap. 30.

Rep. 3. and 4. *Ph.* and *M.* Rev. 2 *Eliz.* 1. 25 *H.* 8. 21. *Eng. explained* 17 *and* 18 G. 3. c. 25.

WHEREIN a Parliament begun at London, in the realme of England, the third day of November, in the xxi. yeare of the raign of our moſt dread ſoveraign lord King Henry the eight, King of England and of Fraunce, defendour of the faith, lord of Ireland, and ſupreame head in earth of the church of England, and from thence adjourned to Weſtminſter, and by divers prorogations there holden and continued, it was and is enacted amongſt other things, in maner and forme as followeth: Moſt humbly beſeechen your moſt royal Majeſtie, your obedient and faithful ſubjects, the commons in this preſent Parliament aſſembled by your moſt dread commandement, that where your ſubjects of this your realme, and of other countries and dominions being under your obeyſance by many yeares paſt, have beene and yet be greatly decayed and impoveriſhed by ſuch intollerable exactions of great ſummes of mony as hath been claymed and taken, and yet continually be claymed to be taken out of this your realme, and other your ſaid countreys and dominions, by the biſhop of Rome, called the Pope, and the ſee of Rome, as well in penſions, cences, Peter-pence, procurations, fruits, ſuits for proviſions, and expeditions of bulls for archbiſhoprickes and biſhoprickes, and for delegacies and reſcrips in cauſes of contentions and appeales, juriſdictions legative, and alſo for diſpenſations, licences, faculties, graunts, relaxations, writs called *(perinde valere)* rehabilitations, abolicions, and other infinite ſorts of bulls, breeves and inſtruments of ſundry natures, names, and kindes, in great numbers, heretofore practiſed and obtayned, otherwiſe then by the lawes, laudable uſes and cuſtomes of this realme ſhould be permitted, the ſpecialties whereof been over long,

Recital of the Engliſh *St.*

Subjects impoveriſhed by great ſums ſent to Rome.

large in number, and tedious here particularly to be inſerted, wherein the biſhop of Rome aforeſaid hath not beene only to be blamed for his uſurpation in the premiſſes, but alſo for his abuſion and beguiling your ſubjects; pretending and perſwading to them that he hath full power to diſpence with all human lawes, uſes, and cuſtomes of all realmes in all cauſes, which be called ſpiritual; which matter hath beene uſurped and practiſed by him and his predeceſſors by many yeares in great derogation of your imperial crown, and authority royal, contrarie to the right and conſcience; for where this your grace's realme, recogniſing no ſuperiour under God but onely your Grace, hath beene and yet is free from ſubjection to any man's lawes, but onely to ſuch as have been deviſed, made, and ordained within this realme for the wealth of the ſame, or to ſuch other as by ſufferance of your Grace and your progenitors the people of this realme have taken at their free liberty, by their own conſent, to be uſed among them, and have bound themſelves by long uſe and cuſtome to the obſervance of the ſame, not as to the obſervance of the lawes of any forreigne prince, potentate, or prelate, but as to the accuſtomed and auncient lawes of this realme, originally eſtabliſhed as lawes of the ſame by the ſaid ſufferance, conſent, and cuſtomes, and none otherwiſe. It ſtandeth therefore with natural equitie and good reaſon, that in all and every ſuch lawes human, made within this realme, or induced into this realme by the ſaid ſufferance, conſentes, and cuſtome, your royall Majeſtie, and your lords ſpiritual and temporal, and commons repreſenting the whole ſtate of your realme, and this your moſt high court of Parliament, have full power and authority not onely to diſpence, but alſo to authoriſe ſome elect perſon or perſons to diſpence, with thoſe and all other human lawes of this your realme, and with every one of them, as the qualitie of the perſons and matters ſhall require, and alſo the ſaid lawes, and every of them, to abrogate, adnull, amplifie, or diminiſh, as it ſhall be ſeene to your Majeſtie, and the nobles and commons of your realme, preſent in your Parliament, meet and convenient for the wealth of your realme, as by divers good and wholeſome acts of Parliament, made and eſtabliſhed as well in your time, as in the time of your moſt noble progenitors, it may plainly and evidently appeare. And becauſe it is now in theſe preſent days ſeen, that eſtate, dignitie, ſuperioritie, reputation, and authoritie of the ſaid imperial crown of this realme, by the long ſufferance of the ſaid unreaſonable and uncharitable uſurpations and exactions, practiſed in the times of your moſt noble progenitors, is much and ſore decayed and diminiſhed, and the people of this realme thereby impoveriſhed, and ſo or worſe be like to continue, if remedie be not therefore ſhortly provided: it may therefore pleaſe your moſt noble Majeſtie for the honour of Almighty God, and for the tender love, zeale, and affection that ye beare and alwayes have borne to the wealth of this your realme and ſubjects of the ſame, for as much as your Majeſtie is ſupreme head

Laws made within the realm alone binding, ſave by ſufferance, conſent, and cuſtom.

The Parliament may diſpenſe with, annul, &c. the law; or authoriſe others ſo to do.

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of the church of England, as the prelates and clergie of your realme, repreſenting your ſaid church in their ſynodes and convocations have recogniſed, in whom conſiſteth full power and authority upon all ſuch lawes as have been made and uſed within this realme, to ordeyne and enact by the aſſent of your lords ſpiritual and temporal, and the commons in this your preſent Parliament aſſembled, and by authority of the ſame, that no perſon or perſons of this your realme, or of any other your dominions, ſhall from henceforth pay any penſions, cenſces, portions, Peter-pence, or any other impoſitions, to the uſe of the ſaid biſhop or of the ſee of Rome, like as heretofore they have uſed by uſurpation of the ſaid biſhop of Rome and his predeceſſors, and ſufferance of your Highneſs, and your moſt noble progenitors to doe: but that all ſuch penſions, cenſces, portions and Peter-pence, which the ſaid biſhop of Rome, otherwiſe called Pope, hath heretofore taken and perceived, or cauſed to be taken and perceived, to his uſe, and his chambers, which he calleth apoſtolique, by uſurpation and ſufferance, as is above ſaid, within this your realme or any other your dominions, ſhall from henceforth cleerely ſurceaſe, and never more be levied, taken, perceived, nor payed to any perſon or perſons in any maner of wiſe; any conſtitution, uſe, preſcription, or cuſtome to the contrary thereof notwithſtanding.

No Peter-pence, penſions, &c. to be paid to Rome.

II. And be it further enacted by the authority aforeſaid, that neyther your Highneſs, your heyres nor ſucceſſors, Kings of this realme, nor any your ſubjects of this realm, nor any of any other your dominions, ſhall from henceforth ſue to the ſaid biſhop of Rome, called the Pope, or to the ſee of Rome, or to any perſon or perſons, having or pretending any authority by the ſame, for licences, diſpenſations, impoſitions, faculties, graunts, reſcripts, delegacies, or any other inſtruments, or writings, of what kind, name, nature, or qualitie ſoever they be of, for any cauſe or matter, for the which any licence, diſpenſation, compoſition, facultie, graunt, reſcript, delegacie, inſtrument, or other writing heretofore hath been uſed and accuſtomed to be had and obtained at the ſee of Rome, or by authority thereof, or of any prelate of this realme, nor for any maner of other licences, diſpenſations, compoſitions, faculties, graunts, reſcripts, delegacies, or any other inſtruments or writings, that in cauſes of neceſſity may lawfully be graunted without offending of holy ſcriptures and lawes of God: but that from henceforth every ſuch licence, diſpenſation, compoſition, facultie, graunt, reſcript, delegacy, inſtrument, and other writing aforenamed and mentioned, neceſſary for your Highneſs, your heyres and ſucceſſours, and your and their people and ſubjects, upon the due examinations of the cauſes and qualities of the perſons procuring ſuch diſpenſations, licences, compoſitions, faculties, graunts, reſcripts, delegacies, inſtruments, or other writings, ſhall be graunted, had, and obtained, from time to time, within this your realme and other your dominions

Neither the King nor any ſubject to ſue to Rome for any licence, diſpenſation, &c.

granted by the archbiſhop of Canterbury, as formerly from Rome.

dominions, and not elſewhere, in manner and form following, and none otherwiſe (that is to ſay) the archbiſhop of Canterbury, for the time being, and his ſucceſſors, ſhall have power and authority, from time to time, by their diſcretions, to give, graunt, and diſpoſe, by an inſtrument under the ſeale of the ſaid archbiſhop, unto your Majeſtie, and to your heyres and ſucceſſours, Kings of this realme, as well all manner ſuch licences, diſpenſations, compoſitions, faculties, graunts, reſcripts, delegacies, inſtruments, and all other writings, for cauſes not being contrary, or repugnant to the holy ſcriptures and lawes of God, as heretofore hath been uſed and accuſtomed to be had and obtained by your Highneſs, or any your moſt noble progenitors, or any of your or their ſubjects, at the ſee of Rome, or any perſon or perſons, by authority of the ſame. And all other licences, diſpenſations, faculties, compoſitions, graunts, reſcripts, delegacies, inſtruments, and other writings, in, for, and upon all ſuch cauſes and matters, as ſhall be convenient and neceſſarie to be had, for the honour and ſuretie of your Highneſs, your heyres and ſucceſſours, and the wealth and profit of this your realme, ſo that the ſaid archbiſhop, or any his ſucceſſours, in no maner wiſe, ſhall graunt any diſpenſation, licence, reſcript, or any other writing afore rehearſed, for any cauſe or matter repugnant to the lawes of Almighty God.

III. Be it alſo enacted, by authority aforeſaid, that the ſaid archbiſhop and his ſucceſſours, after good and due examinations by them had, of the cauſes and qualities of the perſons procuring for licences, diſpenſations, compoſitions, faculties, delegacies, reſcripts, inſtruments, or other writings, ſhall have full power and authority, by themſelves, or by their ſufficient and ſubſtantial commiſſarie or deputie, by their diſcretions, from time to time, to graunt and diſpoſe, by an inſtrument under the name and ſeale of the ſaid archbiſhop, as well to any of your ſubjects, as to the ſubjects of your heyres and ſucceſſours, all maner licences, diſpenſations, faculties, compoſitions, delegacies, reſcripts, inſtruments, or other writings, for any ſuch cauſe or matter, whereof heretofore ſuch licences, diſpenſations, compoſitions, faculties, delegacies, reſcripts, inſtruments, or writings, have bin accuſtomed to be had at the ſee of Rome, or by authority thereof, or of any prelate of this realme. And that the ſaid archbiſhop and his commiſſarie ſhall not graunt any other licence, diſpenſation, compoſition, facultie, writing, or inſtrument, in cauſes unwont, and not accuſtomed to be had or obtained at the court of Rome, nor by authority thereof, nor by any prelate of this realme, untill your Grace, your heyres or ſucceſſours, or your or their counſaile ſhall firſt be advertiſed thereof, and determine whether ſuch licences, diſpenſations, compoſitions, faculties, or other writings, in ſuch caſes unwont, and not accuſtomed to be diſpenſed withall, or obtained, ſhall commonly paſs as other diſpenſations, faculties, or other writings, ſhall or may upon pain, that

But in unuſual caſes, not till the King or counſil firſt be advertiſed thereof, and determine that the ſame ſhall paſs, on pain of fine by the grantors.

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that the graunters of every ſuch licence, diſpenſation, or writing in ſuch cauſes unwont, contrary to this act, ſhall make fine at the will and pleaſure of your Grace, your heyres and ſucceſſours. And if it be thought and determined by your Grace, your heyres and ſucceſſours, or your or their counſaile, that diſpenſations, faculties, licences, or other writings, in any ſuch cauſes unwont, ſhall paſs; then the ſaid archbiſhop or his commiſſarie, having licence of your Highneſs, your heyres and ſucceſſours for the ſame, by your or their bill aſſigned, ſhall diſpence with them accordingly.

Diſpenſations, &c. where the tax to Rome on the mamounted to four pound, muſt be firſt confirmed under the great ſeal, and inrolled in Chancery, and ſo may others be, if the procurers require it, paying five ſhillings.

IV. Provided always, that no maner of diſpenſations, licences, faculties, or other reſcripts or writings, hereafter to be graunted to any perſon or perſons, by virtue or authority of this act, by the ſaid archbiſhop or his commiſſarie, being of ſuch importance, that the taxe for the expedition thereof at Rome, extended to the ſumme of four pound or above, ſhall in any wiſe be put in execution, till the ſame licence, diſpenſation, facultie, reſcript, or other writing, of what name or nature ſoever it bee, be firſt confirmed by your Highneſs, your heyres and ſucceſſours, kings of this realme, under the great ſeale, and enrolled in your chauncerie, in a roll by a clerk, to be appointed for the ſame. And that this act ſhall be a ſufficient warrant to the chancellour of England, for the time being, or to him whom your Grace, your heyres, or ſucceſſours, ſhall depute to be keeper of the great ſeale, to confirme in your name, your heyres or ſucceſſours, the aforeſaid writings, paſſed under the ſaid archbiſhop's ſeale, by letters patents, in due forme thereof, to be made under your great ſeale, remitting as well the ſaid writing under the archbiſhop's ſeale, as the ſaid confirmation under the great ſeale, to the parties from time to time procuring for the ſame. And that all ſuch licences, diſpenſations, faculties, and other reſcriptes and writings, for the expedition of the which, the ſaid taxes to be payed at Rome, was under foure pound, which be matters of no great importance, ſhall paſs only by the archbiſhop's ſeale, and ſhall not of any neceſſitie be confirmed by the great ſeale, unleſs the procurers of ſuch licence, facultie, or diſpenſation, deſire to have them ſo confirmed, in which caſe they ſhall pay for the ſaid great ſeale, to the uſe of your Highneſs, your heyres and ſucceſſours, five ſhillings ſterling, and not above, over and beſide ſuch taxes as ſhall be hereafter limitted, for the making, writing, regiſtring, confirming, and enrolling of ſuch licences, confirmations, and writings, under the ſaid taxe of foure pound. And that every ſuch licence, diſpenſation, compoſition, facultie, reſcript, and writing, of what name or nature ſo ever it be, for ſuch cauſes, as the taxe was wont to be foure pound or above, ſo graunted by the archbiſhop, and confirmed under the great ſeale, and all other licences, diſpenſations, faculties, reſcripts, and writings, hereafter to be graunted by the archbiſhop, by vertue and authority of this act, whereunto the great ſeale is not limitted of neceſſity to be

All diſpenſations, &c. ſo granted, to be as effectual as if obtained from Rome.

put

put to, by reaſon that the taxe of them is under foure pounds, ſhall be accepted, approved, allowed, and admitted good and effectuall in the law in all places, courts, and juriſdictions, as well ſpirituall as temporall, within this realme, and elſewhere within your dominions; and as beneficial to the perſons obtayning the ſame, as they ſhould have been, if they had been obtayned with all things requiſite of the ſee of Rome, or of any other perſon by authoritie thereof, without any revocation or repeale hereafter to be had of any ſuch licences, diſpenſations, faculties, reſcripts, or writings, of what nature ſoever they be. And that all children procreated after ſolemnization of any marriages, to be had or done by vertue of ſuch licences or diſpenſations, ſhall be admitted, reputed, and taken legitimate in all courts, as well ſpirituall as temporall, and in all other places, and inherite the inheritance of their parents and aunceſtors, within this your realme, and all other your dominions, according to the lawes and cuſtomes of the ſame. And all acts to be done, had, or executed according to the tenour of ſuch licences, diſpenſations, faculties, writings, or other inſtruments, to be made or graunted by authority of this act, ſhall be firme, permanent, and remaine in force; any foreign lawes, conſtitutions, decrees, canons, decretalls, inhibitions, uſe, cuſtome, preſcription, or any other thing had or hereafter to be made to the contrary notwithſtanding.

Children of ſuch marriages legitimate.

V. And be it further enacted, That the ſaid archbiſhop and his ſucceſſours ſhall have power and authority to ordeyne, make, and conſtitute a clerk, which ſhall write and regiſter every ſuch licence, diſpenſation, facultie, writing, or other inſtrument to be graunted by the ſaid archbiſhop, and ſhall finde parchment, wax, and ſilken laces convenient for the ſame; and ſhall have for his paines ſuch ſummes of money, as ſhall be hereafter in this preſent act to him limited in that behalfe for the ſame. And that likewiſe your Grace, your heyres and ſucceſſours, ſhall by your letters patents under your great ſeal ordeine, depute, and conſtitute one ſufficient clerke, being learned in the courſe of chauncery, which alwayes ſhall be attendant upon the lord chancellour or the lord keeper of the great ſeal for the time being, and ſhall make, write, and inroll the confirmations of all ſuch licences, diſpenſations, inſtruments, and other writings, as ſhall be thither brought under the archbiſhop's ſeal, there to be confirmed and inrolled; and ſhall alſo entitle in his bookes and inroll of record ſuch other writings, as thither ſhall be brought under the archbiſhop's ſeale, not to be confirmed, taking for his paines ſuch reaſonable ſummes of mony as hereafter by this act to him ſhall be limitted for the ſame. And that as well the ſaid clerke appointed by the ſaid archbiſhop, as the ſaid clerke to be appointed by your Highneſs, your heyres or ſucceſſours, ſhall ſubſcribe their names to every ſuch licence, diſpenſation, facultie, or other writing that ſhall come to their hands, to be

A clerk appointed by the archbiſhop for writing and regiſtering ſuch licences, &c.

Another by the King to write and inrol them.

Both clerks to ſubſcribe their names thereto.

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be written, made, graunted, ſealed, confirmed, regiſtered, and enrolled by authority of this act in forme as is before rehearſed.

VI. And foraſmuch as the charges of the obtayning of the ſaid licences, diſpenſations, faculties, and other reſcripts, or writings aforenamed, at the court of Rome by the loſſes, exchanges, and in conducting of currours, and waging ſolicitours to ſue for any ſuch licences, diſpenſations, faculties, inſtruments, and other reſcripts or writings, have beene grievous and exceſſive to your people; and many times greater ſummes have beene demaunded for the ſpeedie expedition in the court of Rome, than be expreſſed in the old taxe limitted to be payed for the ſaid expeditions, whereby your people have been brought to an uncertainty upon the payment for expeditions of ſuch things, and by reaſon thereof have been conſtrained to pay more, then they were wont to doe, to the great impoveriſhing of this realme as is aforeſaid: and ſometimes the ſpeeding of ſuch diſpenſations, faculties, licences, and other writings at Rome have been ſo long deferred, that the parties labouring for the ſame have ſuffered great incommodities and loſſes for lacke of quick ſpeede, which hereafter may be had within this your realme to the great commoditie of your people, whereby the charges of making exchanges, conducting of currours and ſolicitours for the ſaid diſpenſations, ſhall be abated, and your people ſo much relieved and eaſed; to the intent that all ambiguitie and incertaintie of payments for diſpenſations, faculties, licences, and other reſcripts and writings, may be taken away, that no fraud or exaction ſhall be exerciſed upon your people by ſuch officers, as ſhall be appointed by this act to take paines in ſpeeding ſuch diſpenſations, faculties, and licences, but that your people may be ſure and certaine, what they be appointed to pay for the ſame: be it enacted by this preſent Parliament, and by the authority of the ſame, that there ſhall be two bookes drawn and made of one tenour, in which ſhall be conteyned the taxes of all cuſtomable diſpenſations, faculties, licences, and other writings, wont to be ſped at Rome, which bookes, and every leafe of thoſe bookes, and both ſides of every leafe, ſhall be ſubſcribed by the archbiſhop of Canterbury, the lord chauncellour of England, the lord theſaurer of England, and the two chief juſtices of both the benches for the time being; to the which bookes all ſutors for diſpenſations, faculties, licences, and other writings afore rehearſed, ſhall have recourſe, if they require it; and one of the ſaid bookes ſhall remaine in the hands of him, which ſhall be appointed to be regiſter and ſcribe of the ſaid diſpenſations, faculties, and licences under the ſaid archbiſhop of Canterburie, in forme as is before ſaid; and the other booke ſhall remain with the clerke of the chauncerie, which by your Grace, your heyres, or ſucceſſours, ſhall be appointed, as is before rehearſed; which clerk of the chauncerie ſhall alſo entitle and note particularly and daily in his booke, ordeyned for that purpoſe,

To avoid all fraud, two books to be made containing the taxes of diſpenſations, &c.

Every leaf ſubſcribed on both ſides, by the archbiſhop, &c. one to remain with each of the clerks.

All ſuitors may have recourſe thereto

The clerk in chancery to note daily in his book the number and quality of the diſpenſations, &c.

poſe the number and qualitie of the diſpenſations, faculties, licences, and other reſcripts and writings, which ſhall be ſealed only with the ſeal of the ſaid archbiſhop, and alſo which ſhall be ſealed with the ſaid ſeale, and confirmed with the great ſeal in forme as is aforeſaid, that all fraude and concealment in this behalfe may be avoided.

VII. And be it enacted by this preſent Parliament, and by authority of the ſame, That no man ſuing for diſpenſations, faculties, licences, or other reſcripts or writings, which were wont to be ſped at Rome, ſhall pay no more for their diſpenſations, faculties, licences, or reſcripts, then ſhall be conteyned, taxed and limitted in the ſaid duplicate booke of taxes, (onely compoſitions excepted) of which being arbitrarie, no taxe can be made, wherefore the taxe thereof ſhall be ſet and limitted by the diſcretion of the ſaid archbiſhop of Canterbury, and the lord chauncellour of England, or the lord keeper of the great ſeal for the time being. And that ſuch as ſhall exact or receive of any ſutour more for any diſpenſation, facultie, or licence then ſhall be conteyned in the ſaid booke of taxes, ſhall forfeit ten times as much as he ſhall ſo extorciouſly exact and receive, the one halfe of the which forfeiture to be to the uſe of your Grace, your heyres or ſucceſſors, and the other halfe thereof to be to ſuch of your ſubjects as will ſue for the ſame by action, bill, or plaint, in any of your Grace's courts, wherein the defendant ſhall have no eſſoine or protection allowed, neither ſhall be admitted to wage his law.

None to pay more than as taxed in ſaid books, on pain of ten times as much as extorted. Except for compoſitions; which ſhall be taxed by diſcretion of the ſaid archbiſhop and the lord chancellor.

VIII. Be it alſo enacted by this preſent Parliament, and authority of the ſame, that the taxe or ſumme appointed to be payed for every ſuch diſpenſation, licence, facultie, inſtrument, reſcript, or other writing to be graunted by authority of this act, ſhall be employed and ordered as hereafter enſueth (that is to ſay) if the taxe extend to four pound, or above, by reaſon whereof the diſpenſation, licence, facultie, reſcript or writing, which ſhall paſs by the ſaid archbiſhop's ſeale muſt be confirmed by the appencion of the great ſeal, then the ſaide taxe ſo extending to foure pounds, or above, ſhall be devided into three parts, whereof two ſhall be perceived by the ſaid clerke of the chauncerie, to be appointed as is aforeſaid, to the uſe of your Highneſs, your heyres and ſucceſſors, and to the uſe of the lord chauncellour, or the keeper of the great ſeal for the time being, and to the uſe of the ſaid clerke, in ſuch wiſe as hereafter ſhall be declared, and the third part ſhall be taken by the ſaid clerke of the archbiſhop, to the uſe of the ſame archbiſhop, and his commiſſarie, and the ſaid clerke and regiſter, in ſuch wiſe as hereafter ſhall be ordered and limitted by this act: that is to ſay, the ſaid two partes ſhall be divided in four parts, of which three parts ſhall be taken to the onely uſe of your Highneſſe, your heyres and ſucceſſours, and the fourth part ſhall be devided into three parts, whereof the chauncellour of England, or lord keeper of the great ſeal for the time being, ſhall have two parts, and the ſaid clerke of the chauncerie the third part for his pains, travailes and labours that he is limit-

How the taxes, to be paid for diſpenſations, &c. ſhall be divided and diſpoſed.

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ted to write and doe by vertue of this act, and the third part of the whole tax appointed to the ſaid archbiſhop and his officers, as is aforeſaid, ſhall be devided in three parts, whereof the archbiſhop ſhall have to his uſe two parts, and his officers ſhall have the third part thereof, of which third part to be devided, two parts the ſaid clerke or regiſter, which ſhall finde parchment, wax, and ſilke, and ſhall deviſe and write the ſaid diſpenſations, licences, faculties, reſcripts or other writings, and regiſter the ſame, ſhall have for his ſaid labour, and for receiving, and for repaying of the ſummes of money that ſhall come to his hands for diſpenſations, faculties, licences, and other reſcripts aforeſaid, the one moitie thereof, and the commiſſary of the ſaid archbiſhop appointed to ſeale the ſame diſpenſations, faculties, licences, and reſcripts, ſhall have the other part: and if the taxe be under foure pound and not under fortie ſhillings, then the ſaid taxe ſhall be devided into three parts, as is aforeſaid, whereof the King's Highneſſe, his heyres and ſucceſſors ſhall have two parts, whereof abating three ſhillings four pence, which ſhall bee to the ſaid clerke of the chauncerie, for ſubſcribing, entitling, and enrolling the ſaid diſpenſations, licences, faculties, reſcripts, and other writings aforeſaid, and receiving of the King's money ſo taxed, and the archbiſhop and his officers ſhall have the third part, which third part ſhall be divided into two parts, whereof the archbiſhop ſhall have the one entirely to himſelfe, his ſcribe and commiſſarie the other part thereof, egally to be divided amongſt them, for their coſts and paines in that behalfe; and if the taxe be under fortie ſhillings, and not under twentie ſixe ſhillings eight pence, the ſame tax ſhall be devided into two partes, whereof the one part ſhall be unto your Grace, your heyres and ſucceſſors, deducting thereof for the clerke of the chancery two ſhillings for his paines, as is aforeſaid, and the other part ſhall be to the archbiſhop and his officers, which other part ſhall be divided into two parts, whereof the archbiſhop ſhall have the one, and his commiſſarie and ſcribe ſhall have the other, egally divided amongſt them; and if the taxe be under xxvi. s. viii. d. and not under twentie ſhillings, the ſame ſhall be devided into two partes, whereof your Grace, your heyres and ſucceſſours ſhall have the one part intirely, abating two ſhillings thereof to the ſaid clerke of the chauncerie, and the archbiſhop and his officers ſhall have the other part, and the ſame other part ſhall be devided into three parts, whereof the archbiſhop ſhall have one, his commiſſarie the ſecond, and his ſcribe or regiſter the third; and in caſe the taxe be under twentie ſhillings, the ſame ſhall be perceived to the uſe of the ſaid commiſſary, clerke of the ſaid archbiſhop, and clerke of the chauncery, to be egally devided amongſt them, for their paines and labours by them to be ſuſteyned by authoritie of this act, as is aforeſaid.

Other biſhops may notwithſtanding, diſpenſe as uſual before.

IX. Provided alway, that this act ſhall not be prejudiciall to the archbiſhop of Yorke, or to any biſhop or prelate of this realm, but

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that they may lawfully, notwithſtanding this act, diſpenſe in all cauſes in which they were wont to diſpence by the common law or cuſtome of this realme, afore the making of this act.

Guardian of the ſpiritualties to grant diſpenſations, &c. during vacancy of the ſee.

X. Provided alſo, and be it enacted by authoritie aforeſaid, That if it happen the ſee of the archbiſhopricke of Canterbury to be void, that then all ſuch maner of licences, diſpenſations, faculties, inſtruments, reſcripts, and other writings, which may be graunted by vertue and authoritie of this act, ſhall during the vacation of the ſame ſee be had, done, and graunted under the name and ſeal of the gardian of the ſpiritualties of the ſaid archbiſhoprick for the time being according to the tenour and forme of this act; and ſhall be of like force, value, and effect, as if they had been graunted under the name and ſeal of the archbiſhop for the time being.

If grants of diſpenſation, &c. refuſed, the chancellor to iſſue injunction unleſs cauſe.

XI. And be it further enacted, that if the foreſaid archbiſhoppe of Canterbury for the time being, or the ſaid gardian of the ſpiritualties for the time being, hereafter refuſe or denie to graunt any licences, faculties, diſpenſations, inſtruments, or other writings which they be authoriſed to doe by vertue and authoritie of this act, in ſuch maner and forme as is afore remembred, to any perſon or perſons that hath a good, juſt, and reaſonable cauſe to have the ſame, by reaſon whereof this preſent act by their wilfulneſſe, negligence, or default, ſhould take none effect, then the chauncellour of England or the lord keeper of the great ſeal for the time being, upon any complaint thereof made, ſhall direct the King's writt to the ſaid archbiſhoppe or gardian denying or refuſing to grant ſuch licences, diſpenſations, faculties, or other writings, enjoyning him by the ſaid writt, upon a certaine payne therein to be limitted by the diſcretion of the ſaid lord chauncellour or keeper of the great ſeal, that he ſhall in due fourme grant ſuch licence, diſpenſation, facultie, or other writing, according to the requeſt of the procurers of the ſame, or elſe ſignifie unto your Highneſs your heyres and ſucceſſours, in the court of chancerie at a certaine day, for what occaſion or cauſe he refuſed and denied to graunt ſuch licences, faculties, or diſpenſations; and if it ſhall appeare unto the ſaid lord chauncellor or lord keeper of the great ſeal upon ſuch certificate, that the cauſe of refuſal or denial of granting ſuch licences, faculties, or diſpenſations was reaſonable, juſt, and good, that then ſo being proved by due ſearch and examination of the ſaid chauncellor or lord keeper of the great ſeal to be admitted and allowed: and if it ſhall appeare upon the ſaid certificate, that the ſaid archbiſhop or gardian of ſpiritualties for the time being of wilfulneſs in contemning the due execution of this act without a juſt and reaſonable cauſe refuſed or denied to grant ſuch licences, faculties, or diſpenſations, that then your Highneſſe, your heyres and ſucceſſors, being thereof informed after due examination had, that ſuch licences, faculties, or diſpenſations may be graunted without offending the holy ſcriptures and laws of God, ſhall have

If cauſe not allowed, the King by injunction under great ſeal to order the grant be made, on a penalty.

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power and authoritie in everie ſuch cauſe for the default, negligence, and wilfulneſſe of the ſaid archbiſhop or gardian to ſend your writ of injunction under your great ſeale out of your ſaid court of chauncerie, commaunding the ſaid archbiſhop or gardian, that ſo ſhall denie or refuſe to graunt ſuch licence, facultie, or diſpenſation, to make ſufficient graunt thereof, according to the tenour and effect of this act by a certain day, and under a certaine paine in the ſaid writt to be conteyned and to be limitted by your Highneſſe, your heyres and ſucceſſours, Kings of this realm: and if the ſaid archbiſhoppe or gardian after the receipt of the ſaid writt refuſe or denie to graunt ſuch licences, faculties, or diſpenſations, as ſhall be enjoyned him by vertue of the ſaid writ, and ſhew and prove before your Majeſtie your heyres or ſucceſſours, no juſt or reaſonable cauſe why hee ſhould ſo doe, then the ſaid archbiſhop or gardian, that ſo ſhall refuſe to put this act in execution according to the ſaid writ of injunction, ſhall ſuffer, loſe, and forfeit to your Highneſſe, your heyres and ſucceſſours, ſuch pain and penaltie, as ſhall be limitted and expreſſed in the ſaid writ of injunction: and over that it ſhall be lawfull to your highneſs, your heyres and ſucceſſours, for every ſuch default and wilfulneſſe of the ſaid archbiſhoppe or gardian for the time being, to give power and authoritie by commiſſion under the great ſeal to ſuch two ſpirituall prelates, or perſons to be named by your Highneſs, your heyres or ſucceſſors, as will doe and graunt ſuch licences, faculties, and diſpenſations, refuſed or denied to bee graunted by the ſaid archbiſhop or gardian in contempt of this act.

On default of ſaid archbiſhop or guardian, the King may by commiſſion impower two ſpiritual perſons to grant diſpenſations, &c.

XII. And be it further enacted by authoritie aforeſaid, that the ſaid two ſpiritual prelates or perſons to whom in ſuch caſes anie ſuch commiſſion ſhall be directed, ſhall have power and authoritie to graunt every ſuch licence, facultie, diſpenſation, inſtrument, and other writings ſo refuſed to be graunted by the ſaid archbiſhop or gardian for the time being, by an inſtrument under their ſeales; taking like fees and charges for the ſame as is before rehearſed, and not above under the pain above remembred. And that every ſuch licence, facultie, and diſpenſation, ſo graunted for any cauſes or matters whereunto any confirmation under the King's great ſeal is appointed by this act to be had in manner and forme above declared, ſhall be had and obtayned accordingly; and ſuch licences and confirmations ſhall be had for like fees and charges, as they are above ſpecified, and not above, under the paines above mentioned. And that every ſuch licence, facultie, diſpenſation, and other writing to be graunted by the ſaid prelates or perſons to be aſſigned by the King's highneſſe, his heyres and ſucceſſors, as is aforeſaid, ſhall be of as good value, ſtrength, and effect, and as beneficiall and profitable to the perſons procuring the ſame, as if they had been made, graunted, and obtayned under the name and ſeal of the ſaid archbiſhop.

XIII. Provided always, that this act, nor any thing or things therein mentioned, ſhall be hereafter interpreted or expounded, that your Grace,

Grace, your nobles and ſubjects, intend by the ſame to decline or varie from the congregation of Chriſt's church in any things concerning the veraie articles of the catholicke faith of Chriſtendome, or in any other things declared by holy ſcriptures and the word of God neceſſarie for your and their ſalvations; but onely to make an ordinance by policies neceſſarie and convenient to repreſs vice, and for good conſervation of this realme in peace, unitie, and tranquilitie, from ravyne and ſpoyl, enſuing much the olde auncient cuſtomes of this realm in that behalfe, not minding to ſeeke for any reliefes, ſuccours, or remedies for any worldly things and humane lawes in any cauſe of neceſſity, but within this realm, at the hands of your Highneſſe, your heyres, and ſucceſſors, Kings of this realm, which have and ought to have an imperiall power and authority in the ſame, and not obliged in anie worldly cauſes to anie other ſuperior. Provided alway, that the ſaid archbiſhop of Canterbury, or any other perſon or perſons, ſhall have no power or authoritie by reaſon of this act to viſite or vexe any monaſterie, abbeyes, priories, colledges, hoſpitals, houſes, or other places religious which be or were exempt before the making of this act; any thing in this act to the contrary thereof mentioned notwithſtanding: but that redreſs, viſitation, and confirmation, ſhall be had by the King's highneſſe, his heyres, and ſucceſſours, by commiſſion under the great ſeal, to be directed to ſuch perſons as ſhall bee appointed requiſite for the ſame, in ſuch monaſteries, colledges, hoſpitalls, priories, houſes, and places religious exempt; ſo that no viſitation nor confirmation ſhall from henceforth be had or made in or at any ſuch monaſteries, colledges, hoſpitals, priories, houſes, and places religious exempted, by the ſaid biſhopp of Rome, nor by anie of his authoritie, ne by anie out of the King's dominions; nor that any perſon religious, or other reſiant in any the King's dominions, ſhall from henceforth depart out of the King's dominions to or for any viſitation, congregation, or aſſembly for religion; but that all ſuch viſitations, congregations, and aſſemblies ſhall be within the King's dominions.

Said archbiſhop not to viſit religious houſes exempt before.

But the King to appoint commiſſioners to viſit.

All viſitations to be within the King's dominions.

XIII. Provided alſo, That this preſent act, or any thing therein contayned, or any licence or diſpenſation hereafter to be made by vertue and authoritie thereof, ſhall not extend to the repeal or derogation of the late act, made ſithence the beginning of this preſent Parliament for the reformation of pluralities of benefices, and for non-reſidence of ſpirituall perſons upon their dignities or benefices, nor to any things contained or mentioned in the ſaid act; nor that this act, nor any thing to be done by authoritie thereof, ſhall not be taken, expounded, nor interpreted, to give licence to any perſon or perſons to have any more number of benefices, then is limitted in the ſaid act; and that the ſame act for pluralities and non-reſidence of benefices, and every thing therein conteyned, ſhall ſtand good and effectuall in all intents according to the true meaning thereof; any

This act, or any diſpenſation, &c. not to repeal the Stat. as to pluralities and non-reſidence, (viz. 21 *H.* 8. 13.) *Eng.*

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thing in this preſent act, or any licence or diſpenſation to be had by authority thereof, in any wiſe notwithſtanding.

Offenders incur a præmunire in 16 *R.* 2. 5.

XIV. And be it further enacted by authority aforeſaid, That if any perſon or perſons ſubject or reſiant within this realm, or within any the King's dominions, at any time hereafter ſue to the court of Rome, or the ſee of Rome, or to any perſon clayming to have his authoritie by the ſame, for any licence, facultie, diſpenſation, or other thing or things contrarie to this act, or put in execution any licence, facultie, or diſpenſation, or any other thing or things hereafter to be obtayned from Rome, or the ſee of Rome, or from any clayming authority by the ſame, for any of the cauſes above mentioned in this act, or for any other cauſes that may be graunted by authority of this act, or attempt or doe any thing or things contrarie to this act, or maintain, allow, admit, or obey anie maner of cenſures, excommunications, interdictions, or any other proceſſe from Rome, of what name or nature ſoever it be, to the derogation or let of the execution of this act, or of any thing or things to be done by reaſon of the ſaid act; that then every ſuch perſon or perſons ſo doing, offending, and being thereof convict, their ayders, counſailers, and abbettors, ſhall incur and run into the payne, loſſe, and penaltie, compriſed and ſpecified in the act of proviſion and premunire, made in the ſixteenth yeare of your moſt noble progenitour King Richard the ſecond againſt ſuch, as ſued to the court of Rome againſt your crowne and dignitie royall.

Places exempt remain as before.

XV. Provided alway, That this act, or any thing therein conteyned, ſhall not hereafter be taken nor expounded to the derogation or taking away of any graunts or confirmations of any liberties, priviledges, or juriſdiction of any monaſteries, abbeyes, priories, or other houſes, or places exempt, which heretofore the making of this act hath been obtained at the ſee of Rome, or by authority thereof: but that every ſuch graunt and confirmation ſhall be of the ſame value, force, and effect, as they were afore the making of this act, and as if this act had never bin made.

But not to pay penſion to Rome, &c.

XVI. Provided always, That the abbots, priors, and other chiefe rulers and governors of ſuch monaſteries, abbeys, priories, and other houſes and places exempt, ſhall not hereafter pay any penſion, portion, or other cenſe to the ſee of Rome, nor admit nor accepte any viſitation nor any confirmation from or by the ſaid ſee of Rome, or by authoritie thereof, or for any perſon to be elect, named, or preſented to be heads of any ſuch monaſteries, abbeyes, priories, places, or houſes exempt; nor ſhall make any corporal oath to the biſhop of Rome, otherwiſe called the Pope, upon paines limitted in this act: but that every ſuch viſitation and confirmation of ſuch heads elect in any ſuch monaſteries, abbeys, priories, houſes or places exempt, where after election they were bounden to have and obtaine any confirmation of their election, or of the perſon named, preſented, or elect,

ſhall be from henceforth had, made and done within this realme, at and within every ſuch abbeys, monaſteries, priories, and other houſes and places exempt by ſuch perſon or perſons as ſhall be appointed by authoritie of the King's commiſſion from time to time, as the caſe ſhall require, and not by the ſee of Rome, nor by the authoritie thereof: any thing in this next *proviſo* above ſpecified to the contrarie thereof notwithſtanding.

XVII. Provided always, that in ſuch monaſteries, abbeyes, priories, and houſes exempt, where after election, preſentation, or nomination of their heads, no ſuch confirmation is requiſite to be had, nor hath been uſed to be taken by reaſon of ſuch priviledges as they have concerning the ſame, that in every ſuch monaſteries, abbeyes, priories, and places exempt, they ſhall not be bounden to obtain, have or take any confirmation for the ſame within this realm by authority of this act, but uſe their priviledges therein, as they have done before the making of this act: any thing in this act, or any the proviſoes next above rehearſed, to the contrary thereof notwithſtanding.

Diſpenſations, &c. heretofore obtained from Rome, not contrary to the laws and ſtatutes, to remain in force.

XVIII. Provided alſo and be it enacted, That this act, or any thing or things, word or wordes, therein, or in the preamble thereof mentioned or conteyned, is not extended or meant, nor ſhall be expounded nor interpreted, that any diſpenſations, licences, or confirmations, for marriages graunted to any the King's ſubjects, borne under his obeyſance at any time before the twelfth day of March, in the year of our Lord God, a thouſand five hundred thirty three, ſhall be appeyred, or of any leſſe value, ſtrength, force, or effect, then they were at the ſaid twelfth day of March, nor that this act, or any thing therein conteyned, ſhall not extend to the derogation, appeyring or adnullation of any licences, diſpenſations, confirmations, faculties, or indulgences, at any time before the ſaid twelfth day of March, in the year of our Lord God, a thouſand five hundred thirtie three, had or obtained at the ſee of Rome, or by authoritie thereof, to or for any ſubjects borne in this realm, or in any the King's dominions, or to or for the hoſpitall of the Priour of St. John's Jeruſalem in England, or any commaundryes or members thereof, or to or for any cathedral churches, hoſpitals, monaſteries, abbeyes, priories, colledges, conventual churches, parochiall churches, chappels, fraternities, brotherhoods, or bodies politique within this realm, or in any other the King's dominions, but that everie ſuch licence, diſpenſation, confirmation, facultie, and indulgence graunted before the ſaid twelfth day of March, to any ſuch ſubject, or to the ſaid hoſpitall of the priour of Saint John's Jerufalem in England, and commaundries or members thereof, or to any other cathedral church, hoſpitall, abbey, priory, colledge, church conventuall, parochiall church, chappell, fraternity, brotherhood, or body politique, or to their predeceſſors or aunceſtors within this realm, or in anie other the King's dominions, ſhall be of the ſame force, ſtrength, value and effect, and may be from time to time put in execution, at all times

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hereafter, by and to them that will have the ſame as they mought have bin afore the making of this act, and as if this act had never been had or made, any thing in the ſaid act to the contrary hereof notwithſtanding. Provided alwayes, that ſuch licences, diſpenſations, confirmations or faculties, heretofore obtained at the ſee of Rome, or by authoritie thereof, contrary to the expreſſe proviſions of the lawes and ſtatutes of this realm heretofore made, ſhall not at any time hereafter be uſed or put in execution in any place, to the derogation or contrarie to the ſaid lawes and ſtatutes of this realm, and the proviſions of the ſame, any thing in this *proviſo* to the contrary thereof notwithſtanding.

The King may reform indulgencies heretofore obtained, and the abuſes thereof.

XIX. And be it enacted by authority of this preſent Parliament, That the King our ſovereign lord, by the adviſe of his honourable counſaile, ſhall have power and authority from time to time, for the ordring, redreſſe, and reformation of all maner of indulgences and priviledges thereof, within this realm, or within any the King's dominions heretofore obtained at the ſee of Rome, or by authoritie thereof, and if the abuſes of ſuch indulgences and priviledges thereof, as ſhall ſeem good, wholeſome and reaſonable, for the honour of God and weale of his people, and that ſuch order and redreſſe as ſhall be taken by his Highneſſe in that behalfe, ſhall be obſerved and firmly kept, upon the paines limitted in this act for the offending of the contents of the ſame.

This act extending not only to England but all the King's dominions, and Ireland being his proper dominion, and a member of the crown of England, and the like inconveniencies enſuing from the Pope's uſurpation, the ſaid act to be of the ſame force in Ireland.

XX. For as much as it is mentioned in the ſaid act, that the effects thereof ſhould not onely extend into the realm of England, and to the commoditie thereof, and of the ſubjects of the ſame, but alſo to all other the King's dominions, and his ſubjects, and that this the King's land of Ireland is his proper dominion, and a member appending and rightfully belonging to the imperiall crown of the ſaid realm of England, and united to the ſame; and alſo like inconveniences hath enſued within this land of Ireland, as hath been within the ſaid realm of England, by reaſon of the uſurpation of the biſhop of Rome, like as is mentioned in the ſaid act. Be it therefore enacted by authoritie of this preſent Parliament, That the ſaid act, and every thing and things therein contayned, ſhall be eſtabliſhed, affirmed, taken, obeyed and accepted, within this land of Ireland, as a good and perfect law, and ſhall be within the ſaid land of the ſame force, effect, qualitie, condition, ſtrength and vertue, to all purpoſes and intents, as it is within the realm of England, and that all ſubjects and reſiants within this ſaid land of Ireland, ſhall obſerve, keepe, obey, accompliſh and execute, the effects and contents ſpecified in the ſaid act, in like maner and forme, as the ſubjects of the ſaid realm of England been bounden by authoritie of the ſame act, and ſhall have and enjoy the profit and commoditie thereof, after like maner, forme and condition, as the King's ſubjects of the ſaid realm of England, uſe, doe, and have the ſame, and upon like paines and penalties as be compriſed in the

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ſaid act, and that all maner licences, diſpenſations, faculties, or other writings obtained by any ſubject or reſiant within this land, by authoritie of the ſaid act, ſhall be obeyed and executed within this land, and be good and effectual to all intents and purpoſes, according to the tenor and effects thereof.

Not to prejudice the power of diſpenſation in the biſhops, *&c.* of Ireland, as uſual.

XXI. Provided alway, that this act ſhall not be prejudiciall to any archbiſhop, biſhop, or prelate of this land, but that they may lawfully, notwithſtanding this act, diſpence in all cauſes in which they were wont to diſpence, by reaſon onely of their owne proper offices and dignities, by the common law or cuſtome of this land, before the making of this act.

Commiſſioners for eccleſiaſtical juriſdiction, granting faculties, *&c.* to have the ſame authority as the archbiſhop of Canterbury hath.

XXII. And be it further enacted by authoritie aforeſaid, That all and every perſon and perſons authoriſed and appointed, or to be hereafter authoriſed and appoynted by the King's highneſſe, his heyres and ſucceſſours, by commiſſion under his great ſeal, for the uſing, exerciſing, and occupying of any juriſdiction eccleſiaſticall, or giving or graunting of any faculties, licences, diſpenſations, or other thing or things mentioned or compriſed in this act, or any part thereof, ſhall have the ſame and like authoritie to every purpoſe, meaning and intent, for the uſing, exerciſing, occupying, giveing, and graunting of the ſame, and everie part thereof, as the Archbiſhop of Canterbury and his ſucceſſours for the time being, hath or ſhall have, by any maner authoritie, either within the ſaid realm of England, or this land of Ireland. And that the chauncellour of this land for the time being, and all other perſons required and appointed by the forme of this act to execute any thing for the perfection of the ſame, ſhall have like and ſame authority that the chauncellour of England, and all other perſons have by authoritie of this act within the realm of England: any forrein law, authoritie, uſage or preſcription, or any thing in this act mentioned to the contrarie notwithſtanding.

The chancellor of Ireland, *&c.* to have the ſame authority as the chancellor of England, *&c.*

CHAP. XX.

An Act declaring the Effect of Poynings Act. Rot. Parl. cap. 31.

10 *H.* 7. 4. Recital of 28 *H.* 8. 4. and of the doubt occaſioned by the copulative (And) in the laſt clauſe of the proviſion. Explanation of the intent of the makers thereof.

PRAY EN the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, That whereas in the firſt ſeſſion of this preſent Parliament, holden here at Dublin, the firſt day of May, in the xxviii. year of our moſt dread ſoveraign lord the King that now is, it was enacted by the authoritie of the ſame, that every act, ordinance, proviſion, thing or things, of what nature, name, condition, or quality they were of, had, done, made or eſtabliſhed, or after that in the ſame Parliament, to be had, made, or eſtabliſhed by authoritie thereof, ſhould bee good and effectual to all intents and purpoſes, according to the tenour and effect of the aforeſaid acts, ordinances and proviſions; the act made at Drogheda, in the Parliament there holden, the Monday next after the Feaſt of Saint Andrew, in the tenth year of the moſt noble King of famous memory, King

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Henry the ſeventh, before Sir Edward Poynings, Knight, then being deputie of this land, or any other act or acts, uſe or cuſtome, before the ſaid act, made the ſaid firſt day of May, the ſame eight and twentieth year, had, done, or made within this land, to the contrarie of the ſame act, in the ſame eight and twentieth year of our ſoveraign lord the King that now is, notwithſtanding. Wherein it was alſo provided and enacted, That by force and vertue of that act, ne any thing therein conteined, no act, ordinance, proviſion, thing or things of what nature, name, condition, or quality ſoever it were of, for any maner lordſhips, lands, tenements, advowſons, abbeies, priories, ſelles, or any other hereditaments whatſoever they were, for or between any perſon or perſons, body or bodies politique or corporate, or any other particular act, ordinance or proviſion, or any other act, ordinance or proviſion, that ſhould be prejudiciall, hurtfull, or in derogation of any graunts or liberties, franchiſes, uſages, cuſtomes, or any other commodities or priviledges, given or graunted by our ſoveraign lord the King, or his noble progenitors, to any citie or borough towne within this land of Ireland, ſhould be enacted or eſtabliſhed by vertue or authoritie of the ſame Parliament, but onely ſuch acts, ordinances and proviſions, thing or things, as ſhould be thought expedient for our ſoveraign lord the King's honour, the encreaſe of his grace's revenues and profite, and the common wealth of this his land and dominion of Ireland, as at large is expreſſed and declared in the ſaid act. And foraſmuch as upon the laſt clauſe of the ſaid proviſion in the ſaid act, that is to ſay, that no act ne acts, but onely ſuch acts, ordinances and proviſions, thing or things, as ſhould be thought expedient for our ſoveraign lord the King's honour, the increaſe of his Grace's revenues and profite, and the common weale of this his land and dominion of Ireland, diverſe and ſundry arguments alreadie have been moved and ſtirred, ſo that the ſame act being in ſuch a copulative, everie act, ordinance and proviſion had, enacted and made ſithence the ſaid act, or hereafter to be had or made in this Parliament, ſhould be as well for the King's honour and profite, as alſo for the common wealth or otherwiſe, ſuch act made or enacted ſhould be void and of none effect, whereas the meer trueth, and the true mindes and intents of us, the ordeyners, deviſers, and makers of the ſame act and proviſion, was, that all acts made or to be made in this Parliament, eyther for the King's honour, or for the encreaſe of his Grace's revenues or profites, or yet for the common wealth of this ſaid land, ſhould be good and effectuall, and the ſame ſhould be expounded, meant, interpreted and taken, that if any part thereof, or acts or proviſions were made or ordeyned, or ſhould be made or ordeyned in this preſent Parliament, which ſounded, and were either for the King's honour, his profit, or increaſe of his Grace's revenues, or els for the common wealth ſhould be accepted, reputed, and taken for good profitable acts, ordinances and proviſions, any act or acts to the contrarie, before then made and ordeyned, notwithſtanding.

The proviſion in that ſtatute to be ſo taken, that every act of this Parliament, concerning either the King's honour and profit, or increaſe of his revenues, or otherwiſe concerning the common

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For the more plainer explanation, expoſition, and true declaration of our intents and mindes, the makers of the ſaid act and proviſion: be it enacted and eſtabliſhed by authoritie of this preſent Parliament, That the ſaid act and proviſion ſhall bee taken, interpreted, explained and expounded, in ſuch ſort and forme, that everie act and acts, ordinance and proviſion made and to be made in this preſent Parliament, which toucheth and concerneth either the King's highneſſe, his honour and profit, or increaſe of his revenues, or otherwiſe concerneth the common wealth of this his land and dominion of Ireland, ſhall be good, effectuall, and availeable in the law, according to the purport and tenure of the ſame act, ordinance and proviſion; any act, ſtatute, ordinance, proviſion, interpretation, conſtruction and opinion, to the contrarie before this time ordeyned or provided, notwithſtanding.

wealth, ſhall be good in law, according to the tenor of that ſtatute.

II. And be it further ordeyned and enacted by authoritie aforeſaid, That if any perſon or perſons at any time hereafter arrogantly, wilfully and obſtinately, by way of ſuit, action, plea or anſwer, in any court within this land, after notice of this act to him made by any the judge or judges of any ſuch court ſitting in judgment where ſuch ſuit or action ſhall be commenced, doe attempt to adnihilate or avoid this Parliament, or any act, ordinance or proviſion, in the ſame Parliament made or to be made, which at the time of making of the ſame doth or did concerne eyther the King's honour, profit, or increaſe of his grace's revenues, or elſe the common wealth of this his land and dominion of Ireland, that everie ſuch perſon and perſons ſo attempting to adnihilate, avoyde, and make fruſtrate any ſuch act, acts, ordinances or proviſions, made or to be made in this preſent Parliament in forme aforeſaid, being thereof lawfully convict, ſhall be reputed, accepted and taken as a felon, and ſuffer ſuch penalties, forfeitures and loſſes, as felons, being lawfully convict, ſhall ſuffer and loſe by the courſe of the common law.

Felony to attempt to avoid this Parliament, or ſuch proviſions thereof as aforeſaid, after notice of this act given by the judge where a ſuit for that purpoſe commenced, and ſuch ſuit, &c. void.

III. And be it further enacted by authoritie aforeſaid, That every ſuch ſuite, action and plee, to be ſued or pleaded before any juſtice, or in any court within this land, ſhall not in any wiſe be allowable, but void and of none effect in law.

IV. And alſo be it enacted by like authoritie, That this act ſhall extend to the corroborating and making effectuall of all acts, ordinances and proviſions had or made, or to be had or made ſithence the firſt day of this Parliament, till the laſt day of this ſeſſion, which ſhall be for the King's honour, or for the encreaſe of his Grace's revenues or profits, or for the common wealth of this land and none otherwiſe. Any thing or things in this act, or in any other act or acts, to the contrary had or provided notwithſtanding.

This ſtatute extends to corroborate only ſuch ordinances and proviſions of this Parliament as aforeſaid.

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CHAP. XXI.

The Act of Penal Statutes. Rot. Parl. cap. 34.

Actions on penal ſtatutes. To be commenced within three years after the offence, when the King only hath cauſe of action.

Within one year, when any other ſues for the King and himſelf or for himſelf only.

WHERE diverſe and many penall ſtatutes and ordinances have been made and ordained, ſome, whereby the puniſhments be given onely to the King our ſoveraign lord, his heyres and ſucceſſors, by action, writ, bill, enditement, or information, and ſome, whereby the King by himſelfe, and any other common perſon for the King, or for himſelfe onely may ſue by writ, bill, enditement, or information againſt the offendor or offendors in that behalfe, and becauſe of long tract of time, and for ſparing of the ſuit thereof, and that then after ſuch long tract of time, divers and many of the King's true ſubjects have bin in time paſt vexed and troubled for the penalties conteyned in the ſaid eſtatutes and ordinances, more for malice then for juſtice, whereupon perjuries have enſued to the great trouble and vexation of the King's true ſubjects, their heires and executors being ignorant of the ſaid ſtatutes and offences: Wherefore, and for the tender love and zeale, that our ſoveraign lord the King beareth to his ſaid loving ſubjects, and at their humble deſire, be it enacted, ordeyned, and eſtabliſhed by his Highneſſe, and by the aſſent of the lords ſpiritual and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That all and ſingular ſuch actions, ſuites, bills, enditements, or informations, as from the firſt day of this preſent Parliament, upon prorogation, ſhall be commenſed, taken, ſued, had, or made onely for any pain and forfeiture, by reaſon or ſtrength of any penall ſtatutes, whereunto the King onely, his heyres or ſucceſſors, and none other common perſon ſhall or may have cauſe of action, or be entituled by reaſon of the ſaid penall ſtatutes or any of them, ſhall be commenced, ſued, taken or had within three years next, after the offence or offences committed or forfeited, of or for the ſame, had or made againſt the ordinance and proviſion of any ſuch act or acts, ſtatute or ſtatutes penall, and not after the ſaid three yeares, and that for any offence or forfeiture made or had, or to be made or had, againſt the ordinance and proviſion of any act or acts penall, made or ordeyned, or to be made and ordeyned, whereby action, ſuite, bill, or information popular is or ſhall be given to any perſon or perſons, ſuch as will ſue for the King, and for him or themſelfe, or onely for him or themſelfe, that ſuch action, bill, ſuite, or information be commenced, ſued, had, or made by ſuch perſon or perſons, other then the King, as will ſue in that behalfe, within one year next after the offence or forfeiture had, made, or committed againſt the ordinance and proviſion of any ſuch act or acts penall, and not after the ſaid year ended. And that the King's ſuit by writ, bill, plaint, enditement, and enformation

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in that behalfe be commenſed, ſued, had, or made, within three years next after the offence or forfeiture made or had againſt the proviſion and ordinance of any act or acts, ſtatute or ſtatutes penall, and not after the ſaid three years; and if any action, ſuite, bill, enditement, or information concerning the foreſaid ſtatutes, or any of them, had or made other wiſe then within the time or times limitted as is aforeſaid, that the ſame action, ſuite, bill, enditement, or information, and every of them, commenſed, ſued, had, or made, for the ſaid offence or offences, forfeiture or forfeitures, ſhall be voyd and of no force ne effect; any act or acts, ſtatute or ſtatutes, made, or hereafter to be made, to the contrarie notwithſtanding. A. D. 1537. Actions, &c. commenced otherwiſe void.

II. Provided alway, that where any action, information, or enditement, limitted by any ſtatute to be had, made, or taken, within ſhorter time or times, then is afore rehearſed, that it be had, made, and taken according to the time limitted in that eſtatute. But where a ſhorter time is limited by any ſtatute, that time muſt be obſerved.

CHAP. XXII.

An Act for the Weares upon the Barrow, and other Waters in the County of Killkenny. Rot. Parl. cap. 36.

PRAYEN the commons of this preſent Parliament aſſembled, That where at all times neceſſarie boates, ſcowts, wherries, clarans, cottes, and other veſſels, loden and beſtowed with goods, merchandizes, and other ſtuffe, have beene uſed to paſſe and repaſſe thorough and in the King's moſt excellent Majeſty's rivers and waters of the Barrow, the Noyre, the Suyr, and the Rie, within this land, which Rie is in the county of Kilkenny, to and from the King's citie of Waterford, and the townes of Kilkenny, Roſſe, and Clomel, to and from diverſe borrowe and corporate townes, and other places, being ſituated in the counties of Kyldare, Catherlagh, Wexford, Kilkenny, Waterford, and Tipperary, through which great commoditie and profit hath growen and might grow to the ſaid citie, townes, boroughes, and other places, and to all and every the King's true ſubjects adjoyning to the ſame waters and rivers: and yet this notwithſtanding now of late divers wilful perſons, having no reſpect to the premiſſes, but more rather to their own willfulneſſe, ſingular commoditie, and benefite, having no ground ne cauſe reaſonable to the ſame, have in divers places of the ſaid rivers and waters made ſuch weres, purpreſtures, ingines, ſtreites, and other like obſtacles, and them and every of them ſo do keep and maintaine, that by no meanes any boates, ſcowts, wherries, clarans, cottes, and other veſſels, laden and beſtowed as is aforeſaid, can conveniently paſſe and repaſſe; and through which the ſalmon frie, breeding in the ſaid waters and rivers, be cleerly deſtroyed, contrarie to the effect and purport of the ſtatutes therein provided; and in divers ſundry places of the ſaid rivers and waters alſo doe take, and procure to be taken, divers exactions and unlawfull 5 *G.* 2. 11. Againſt wears, &c. on certain rivers, obſtructing paſſage boats. Deſtroying ſalmon fry.

A. D. 1537. Chap. 22.

Exactions and unlawful cuſtoms on boats, &c.

cuſtomes, called bankfees, of any boate, ſcowt, wherrie, clarane, coct, and other veſſell, laden and beſtowed, as is aforeſaid, going and paſſing in and through the King's ſaid rivers and waters; albeit that part of the ſaid borough townes by their liberties and charters be freely and quite diſcharged of all manner tolles, paſſages, cuſtomes, and pondages in the ſaid rivers and waters, and the land on every ſide of the ſame: and that alſo ſuch perſon and perſons, as be the boatemen, and have the rule, governance, and conveying of ſaid boates, ſcoutes, wherries, clarans, cottes, and other veſſels, laden and beſtowed as is aforeſaid, at ſuch times as they be laded with wines, of their deceipt and craftie meanes doe from time to time draw, drink, and take with them parcell of the ſaid wines, and ſometimes putting in the veſſell, where the ſaid wine was, to repleniſhe the ſame, the quantitie or ſo much water, whereby the reſidue of the ſaid wine is cleerly deſtroyed, to the great loſſes and damages of the veray owners thereof; through which premiſſes the merchants, occupiers, and dwellers of the ſaid citie, townes, and boroughes, and places, be ſo diſcouraged and indammaged, that they be more liker to give over and withdrawe themſelves from ſuch trade of merchandiſes, then any further to uſe or exerciſe the ſame; which is not onely the impoveriſhing of the ſaid merchants, occupiers, and dwellers, but alſo the utter decay of the ſaid borough townes and places, unleſſe that ſome convenient remedie therein be provided:

Damage to to the goods carried.

Enacting part.

Any perſon with the ſheriff or ſeneſchal of Kildare, Catherlogh, Wexford, Kilkenny, Waterford, or Tipperary, may proſtrate wears, &c. in the rivers Barrow, Nore, Sure, and Rie.

Gaps in mill-ponds for the paſſage of boats, &c.

Penalty on reſiſting, five pounds.

II. Wherefore be it enacted, ordeyned, and eſtabliſhed, by authoritie of this preſent Parliament, That it ſhall be lawfull and juſtifiable to and for every of the King's ſubjects within this land, going in companie with any ſheriffe or ſeneſchall of any countie afore named, to proſtrate and breake, and cauſe to be proſtrated and broken, from time to time all and every ſuch weres, purpreſtures, engines, ſtreytes, and other like obſtacles, made or hereafter to be made in any of the ſaid rivers or waters, and alſo a convenient gapp, or place where that boates, ſcoutes, wherries, clarans, cottes, and other veſſels may paſſe and repaſſe in, of, upon, and through everie mill pond, made or hereafter to be made, in anie of the ſaid rivers and waters: and if anie perſon or perſons doe reſiſt or make anie defence in or for the proſtrating and breaking, or cauſing to be proſtrated and broken, of the ſaid weres, purpreſtures, engines, ſtreites, and other like obſtacles, and mill-pondes, in manner and forme as is aforeſaid, that then every ſuch perſon and perſons, ſo making reſiſtance or defence, for every ſuch time ſhall forfeit five pounds; the one moitie thereof to the King's highneſſe, his heyres and ſucceſſours, and the other moytie thereof to the partie that will ſue for the ſame in anie the King's courts by action of debt, bill, plaint, information, or otherwiſe; wherein no eſſoine, protection, ne wager of law, ſhall be admitted or allowed.

III. And

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III. And further be it enacted by authority aforeſaid, That the ſheriffe of anie countie, and the ſeneſchall of anie libertie for the time being, wherein any ſuch weres, purpreſtures, engines, ſtreytes, and other like obſtacles in any of the ſaid rivers and waters, is made or hereafter ſhall be made, or where there is or ſhall be anie mill-pond, whereof there is or ſhall be no gapp, as is aforeſaid, after knowledge thereof, had by report, complaint, enquiry, or otherwiſe, ſhall from time to time, calling and taking with him, if he be ſheriffe, the power of the county, and if he be ſeneſchall, the power of the liberty, go in proper perſon to every ſuch place, whereas anie were, purpreſture, engine, ſtreite, or other like obſtacle, in any of the ſaid rivers and waters, is or ſhall be made, or where there is or ſhall be any mill-pond, whereof there is or ſhall be any gapp broken, as is aforeſaid, and the ſame proſtrate and break, or cauſe to be proſtrated and broken in manner and form as is aforeſaid, upon pain to every ſuch ſheriffe and ſeneſchal, as often as he or they ſhall ſo offend, or refuſe to proſtrate and break, or cauſe to be proſtrated and broken, anie of the ſaid weres, purpreſtures, engines, ſtreytes, and other like obſtacles and gapps, in any ſuch mill-pond, of tenn pound, the one half thereof to the King's highneſſe, his heyres and ſucceſſours, and the other halfe to the party that will ſue for the ſame, in any of the King's courts, by action of debt, bill, plaint, information, or otherwiſe, wherein no eſſoin, protection, ne wager of law ſhall be admitted or allowed. And if any perſon or perſons dwelling or demurrant within any ſuch countie do refuſe, and will not go in aid of the ſheriffe of the ſame county, and if anie perſon or perſons dwelling, or demurrant within any ſuch liberty, do refuſe and will not go in aid of the ſeneſchal of the ſame, for the proſtrating and breaking, or cauſing to be proſtrated and broken, of anie the ſaid mill-ponds, weres, engines, purpreſtures, ſtreites, and other like obſtacles, made or to be made in any of the ſaid rivers or waters, in manner and forme as is aforeſaid, being lawfully ſummoned and warned for the ſame, for every ſuch time ſhall forfeit tenn ſhillings, the one half thereof to the King, his heyres and ſucceſſours, and the other half to anie ſuch ſheriffe or ſeneſchal, that will ſue for the ſame, in anie the King's courts by action of debt, bill, plaint, information, or otherwiſe, wherein no eſſoine, protection, ne wager of law ſhall be admitted or allowed.

Said Sheriff or ſeneſchal, after knowledge or complaint of ſuch wears, &c. ſhall take the power of the county or liberty, and proſtrate the ſame, on pain of ten pound, if the ſheriff or ſeneſchal refuſe.

Penalty ten ſhillings on thoſe who dwell in ſaid counties or liberties, and refuſe to aſſiſt.

IV. Be it farther enacted by authority aforeſaid, That no perſon, ne perſons, bodies politique, ne corporate within this land, by him or themſelves, his or their conſtables, fermours, officers or ſervants, ſhall take, levy, diſtrain, or receive or ſuffer, permit or cauſe to be taken, levied, diſtrained or received, no cuſtoms, or for any cuſtoms called bank fees, ne anie other duty, rent, or cuſtom of any boat, ſcoute, wherry, claraue, cotte, or anie other veſſel whatſoever it be, paſſing or repaſſing, in or through anie the ſaid rivers or waters, or anie parcel of them, or of anie boate or other veſſel, wherein anie

No bank fees, duty, or cuſtom to be taken of any boats, &c. on ſaid rivers, ſo far as the ſalt water ebbs and flows.

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perſon or perſons do fiſh in anie of the ſaid rivers or waters, ſo far as the ſalt water doth ebb and flow, in anie of the ſaid rivers, or of the owners of any goods, merchandiſes, victual or ſtuff, then being in any ſuch boate, ſcoute, wherry, claraue, or cotte, and other veſſels as is aforeſaid, or of anie the mariners, boatmen, and other rulers and conveyers of the ſaid boates, ſcoutes, wherries, claraues, cottes, and other veſſels, but that they and every of them ſhall peaceably ſuffer and permit the ſaid boates, ſcoutes, wherries, claraus, cottes, and other veſſels, as is afore ſpecified, with all the goods, merchandiſes, victualls, fiſh and ſtuffe compriſed and being in the ſame, and the owners of the ſaid goods, merchandiſes, victualls, fiſh, and other ſtuffe, and their ſervants, and the marryners, boatemen, and other rulers and conveyers of the ſaid boates, ſcoutes, wherries, claraus, cottes, and other veſſels, in, upon and through every the ſaid rivers, and everie parcell of them, and the land adjoyning to the ſame; and that the ſaid owners, their ſervants, marryners, boatmen, and other rulers and conveyers, and all other perſons coming in ayd and help of them and every of them, at all ſuch times as the ſaid mariners, boatemen, and other rulers and conveyers ſhall thinke the ſame neceſſarie and needfull, ſhall have and occupie at every of their wills and pleaſures, the ſpace and breadth of ſeven foote or more, as need require, of plain ground, upon every part of the land, of every ſide of every the ſaid rivers and waters, next adjoyning to the ſaid rivers and waters, and that to bee where they muſt needs draw the ſaid boats and other veſſells afore named, with ſtrength of horſes or men, by land; unleſſe that at the making of this preſent act, there bee a caſtel, fortreſſe, orchard, or garden, upon any ſuch land ſo adjoyning to the ſaid rivers, of everie ſide of the water, ſo far and as long as the ſaid rivers and waters doe run or have their concourſe, for the drawing, taking, loading, and conveying of the ſaid boates, ſcoutes, wherries, clauraus, cottes, and other veſſells, and everie of them, without any impediment, let, vexation, diſturbance, or unquietneſſe of any the poſſeſſioners or inheritors of the ſaid lands, or any part of them, or any perſon or perſons, bodies politique or corporate upon pain of forfeiture to every perſon and perſons, bodies politique and corporate offending in the premiſſes, or any parcel thereof, as often as he or they ſhall ſo offend, treble the valour of that thing that they or any of them doe take, to be forfeit and given to the party grieved; and over that ten pounds, the one half thereof to the King, his heirs, ſucceſſors, and aſſigns, and the other half to the party that will ſue for the ſame, in any of the King's courts, by action of debt, bill, plaint, information, or otherwiſe, wherein no eſſoine, protection, ne wager of law ſhall be admitted or allowed.

Boatmen, &c. to have, if they think needful. ſeven foot of plain ground on each ſide, next ſaid rivers, for the drawing, &c. ſaid boats, unleſs where a caſtle, fortreſs, orchard or garden, now is.

Offenders to forfeit treble value, and ten pound.

VI. And alſo conſidering the truſt and confidence that the owners of any wines doe put in the ſaid marryners, boatemen, rulers and conveyers of the ſaid boates, ſcoutes, wherries, claraus,

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cottes, and other veſſeles whatſoever they bee, for the true conveyance and cuſtodie of the ſaid wines, the deceipt and craftie handling of the ſaid marryners, boatemen, rulers, and conveyours of the ſaid boates, ſcoutes, wherries, claraus, cottes, and other veſſelles, and the loſſes and damages that hath and may hereafter enſue to the owners of anie ſuch wines; bee it enacted by authority aforeſaid, That if any marryner, boateman, ruler, or conveyer of anie the ſaid boates, ſcoutes, wherries, claraus, cottes, and other veſſelles have the carrying, freight, or conveying of any wines, goods, or other merchandiſes, in any boate, ſcoute, wherry, clarau, cotte, or other veſſell, in or through the ſaid rivers or waters, or any parcell of them, or if any perſon or perſons take upon him or them the carrying or conveying of any wine, goodes, or other merchandiſes by land, in cart, wayn, or otherwiſe, and doe drawe, drinke, take, or willfully periſh, any caſke, or parcell of any ſuch wines, goodes, or merchandiſes, to them or any of them to bee delivered at any time hereafter, to be conveyed, carried, or tranſported in the ſaid rivers or waters, or in anie parcell of them, or to any place or quarter of this dominion, by land, in maner and forme as is aforeſaid, ſhall forfeit and loſe to the owner and owners of the ſaid wines, goods, or merchandiſes, as often as hee or they ſhall offend the ſame, as much money as he or they ſhould have for the freight, conveying and carriage of all wines, goods and merchandiſes, to him or them at that time delivered, or appointed to be conveyed or carried, either by any of the ſaid rivers or waters, or to any other place by land, and the treble value of that thing or things that he or they doe take, draw, drinke, or wilfully periſh, or cauſe to bee taken, drawen, dronken, or willfully periſhed, of the ſaid wines, goods, or merchandiſes, and over that, to forfeit five pound, the one moytie thereof to our ſoveraign lord the King, his heires and ſucceſſors, and the other moytie to the partie that will ſue for the ſame, in any of the King's courts, by action of debt, bill, plaint, information or otherwiſe, wherein no eſſoine, protection, ne wager of law ſhall be admitted or allowed.

If ſaid boatmen, &c. carry wine or other merchandiſe, and drink, or willfully periſh the ſame, forfeit the freight, and treble the value of the thing, and 5l.

VII. And further bee it enacted by authority aforeſaid, That none of the ſaid marryners, or boatemen, or other perſons afore named, ſhall take or receive, or cauſe to be taken or received, any ſummes of money, or any other thing for the fraight, carriage, or conveying of any ſtuff or merchandiſes, whatſoever they bee, other then ſuch like as is compriſed in the extent thereof made, remayning in the cuſtodie of the ſhiriffe of the countie of Typperarie, and in other places where ſuch ſummes as they ſhould have, is not mentioned, or limitted in the ſaid extent, that then they and every of them, doe take no more wages ne ſummes of money, but ſuch like ſummes of money and wages, as they and every of them, in time paſſed, have been moſt commonly uſed and accuſtomed to take or receive for the freight, conveying, tranſporting, and carriage of

Said boatmen, &c. not to take more for freight than uſual, on pain of 13*s.* 4*d.*

A. D. 1537. any ſuch ſtuffe, goods or merchandiſes, upon pain to the taker, as often as hee ſhall offend in the ſame, thirteen ſhillings four pence, the one halfe thereof to our ſoveraign lord the King, his heires and ſucceſſors, and the other halfe to the partie that will ſue for the ſame, in any of the King's courts, or before the King's commiſſioners, by action of debt, bill, plaint, information, or otherwiſe, wherein no eſſoin, protection, ne wager of law ſhall be admitted or allowed.

CHAP. XXIII.

The Act for the Parſonage of Dongarvane. Rot. Parl. cap. 38.

The King to have, as annexed and united to his crown, the parſonages of Dongarvane, &c.

FOraſmuch as the parſonage and church of Dongarvane, and alſo the parſonages and churches of Rennegenagh, Kinſalbege, Arglas, Glaſſemore, Amane, Whitchurch, Tampleavien, Aview, Kylronane, Roſſemore, Lyſgenane, together with the patronages, advowſons, and gifts of the vicarages of the ſaid churches, and all other churches and chappelles, advowſons, and patronages, and all lands, tenements, diſmes, oblations, profits, emoluments, and commodities, to the ſaid parſonages, churches, advowſons, and patronages belonging, which were united, annexed, and appropriated to the houſe or monaſterie of Kentſhame in England, and that the abbot of the ſaid houſe or monaſterie, for the time being, was rightfully patrone of the vicarages of the ſaid churches, and the ſame long time after the union and appropriation thereof to the ſaid houſe or monaſterie peaceably did poſſeſſe and enjoy without any interruption or let of any perſon or perſons, unto ſuch time as in the rebellion of the late earles of Deſmond, the ſaid earles preſented certain perſons to the ſame churches, which by reaſon and force thereof, without any colour of right or title, extorciouſly took the profits of the ſame. And albeit that the abbottes of the ſaid houſe, for the time being, purſued here within this land for the recoverie thereof, yet neither the ſaid earles, ne the ſaid perſons by them preſented, would in no wiſe anſwere to the King's precepts or commaundements to them directed for the ſaid abbottes demaunds and purſuites; and for that the ſaid parſonages of the ſaid churches, and the patronages of the vicarages of the ſame, was united and appropriated to the ſaid houſe or monaſtery, at the time of ſuch preſentation, by the ſaid earles uſurped, and that the ſaid preſentations was in time of warre, and in the rebellion of the ſaid earle of Deſmond, and for that alſo, that preſentations made to any parſonages and churches ſo being appropriated and united to any abbeye or monaſterie, albeit ſuch preſentee be thereto admitted, and take thereof the profits, is but onely ſpoliation, and giveth no intereſt or title in the preſentor, ne putteth the abbeye or monaſterie out of poſſeſſion of ſuch churches, wherefore by the due courſe of the law, the ſaid earles coulde winne no maner rightfull title or poſ-

A. D. 1537. Chap. 23.

ſeſſion to the ſaid churches, ne with any of them: in conſideration whereof, and foraſmuch as at a Parliament holden at Dublin the firſt day of May, in the eight and twenty year of the raign of our moſt dread ſoveraign lord King Henry the eight amongſt other things it was enacted, ordayned, and eſtabliſhed, by authoritie of the ſame Parliament, That the King's highneſſe, his heires and ſucceſſors, ſhould have, poſſeſſe, and enjoy, as knitte and united to his and their imperiall crowne of England, all and everie the mannours, meſuages, tenements, and all other hereditaments, patronages, perſonages, vicarages, chappels, tythes, oblations, alterages, rights, titles, and poſſeſſions, with all other profites as well ſpirituall as temporall, whereof the abbot then being of the ſaid houſe or monaſterie, or any other to his uſe as in right of the ſaid houſe or monaſterie, had poſſeſſed or enjoyed, or of right ought to have had, poſſeſſed, or enjoyed, by which the King's highneſſe, his heires and ſucceſſors, be juſtly entitled to the ſame: and for that alſo, that the judgements and determination of ſuch as bee unlearned, who ſuppoſe that not alonelie the ſaid perſons, to whom anie ſuch preſentations by the ſaid earles was made, but alſo the ſaid earles by ſuch preſentations, conſidering the continuall poſſeſſion and taking the profites of the ſaid churches by the incumbents by the ſaid earles preſented by ſo long time, ſhould be thereby to the poſſeſſion thereof lawfully entituled, albeit the cleare determination of the law is and alway hath been otherwiſe and to the contrarie; for the expelling of which ſaid doubts, and clear determination of the premiſes from henceforth to be had, be it enacted, ordeyned, and eſtabliſhed, by authoritie of this preſent Parliament, That every preſentation made by any of the late earles of Deſmond or any perſon or perſons to the parſonages of the ſaid churches, and the vicarages of the ſame, or anie of them, and every admiſſion, inſtitution and induction of them, and every of them, to the ſaid churches, parſonages, and vicarages, or anie of them, be reputed, accepted, and taken, fruſtrate and voyd and of none effect in law; and that by ſuch preſentation the ſaid earles, ne any of them, to winne any intereſt or poſſeſſion in the premiſſes; and that by authoritie aforeſaid the King's highneſſe, his heyres and ſucceſſors, ſhall have, poſſeſſe, and enjoy, as knit, annexed, and united to his and their imperiall crown of England the ſaid parſonages of Dungarvan, and other parſonages aforeſaid, and churches, and alſo all and ſingular patronages, preſentations, and advowſons of every the ſaid vicarages and churches, together with all the manours, meſuages, lands, tenements, tythes, portions, penſions, oblations, alterages, profits, commodities, emoluments, and all other hereditaments, as well ſpirituall as temporall, with all and ſingular their appurtenances belonging, attayning, or in any wiſe apperteyning to the ſaid parſonages or churches, or any of them, any preſentation or preſentations heretofore made by anie of the ſaid earles of Deſmond, or any other perſon

Preſentations by the late earls of Deſmond, void; gaining no intereſt or poſſeſſion.

A. D. 1537.

ſon or perſons, or anie admiſſion, inſtitution, or induction, of them, or any of them, to any of the ſaid parſonages, churches, or vicarages, in any wiſe notwithſtanding.

Saving to the preſent vicars during their lives.

II. Provided, That this act, ne any thing therein contained, ſhall in any wiſe be hurtfull or prejudiciall to Sir Mawrice Connell, vicar of Dungarvane, or any other vicar perpetual, in any of the ſaid churches; but that they, and every of them, ſhall have and enjoy their vicarages during their natural lives, any thing in this act to the contrary notwithſtanding.

CHAP. XXIV.

The Act for Leaſers of Corn. Rot. Parl. cap. 40.

25 *H.* 8. 1. *Ir.* None, except owners or their ſervants, ſhall leaze corn in harveſt time.

PRAYETH the commons in this preſent Parliament aſſembled, That whereas leaſing of corn in harveſt ſeaſon is a great cauſe of idleneſſe, dearth of reaping of corn, and ſtealing of the ſame, which before this time hath been remedied by authority of Parliament, which took none effect, nor was put in execution, becauſe the poſſeſſioners and occupiers in the countrey do not endeavour themſelves thereunto: wherefore be it enacted and eſtabliſhed by authoritie of this preſent Parliament, That from henceforth every perſon and perſons, which hereafter ſhall leaſe in the harveſt time in any field or fields within this land, as long as the corn ſhall be there in reake or otherwiſe, ſhall not onely loſe all the corn that they or any of them ſhall leaſe, to any perſon or perſons that will take or ſeize the ſame, but alſo ſhall forfeit, for every time that they ſhall ſo leaſe, twelve pence; which forfeiture ſhall be to the lord of the ſoyl, and to be preſented and enquired of in the ſaid lord's court, and if he have no court, then the ſaid forfeiture to be to the King our ſoveraigne lord; and all his juſtices in every of his courts to enquire thereof in like forme and ſort, as they do all other eſtatutes penal, and to ſee the ſame duely puniſhed and put in execution.

Penalty: any perſon may ſeiſe.

Alſo forfeiture of 12d. to the lord of the ſoil: or, if he has no court, to the King.

Occupiers of fields permitting to leaze, forfeit 12d. to the King.

II. And further be it enacted by the authority aforeſaid, That every occupier or occupiers of ſuch fields, wherein any corn ſhall be, which willingly ſhall permit, or ſuffer any ſuch perſon or perſons to leaſe contrary to the forme aforeſaid, ſhall forfeit to our ſovereign lord the King for every time ſo offending twelve pence; of which offences every of the King's juſtices ſhall enquire and execute in manner and forme aforeſaid.

Penalty, for keeping ynmakes to leaze in harveſt, 6s. 8d. to the lord, or the King on his neglect.

III. And further be it enacted by authority aforeſaid, That every perſon or perſons enhabiting within this land, which in the harveſt ſeaſon receive or keep in his or their houſes or habitations any perſon or perſons called ynmakes, which ſhall ſo leaſe contrary to the forme of this act, ſhall forfeit for every ſuch ynmake ſixe ſhillings eight pence; which forfeiture ſhall be to the lord of the ſoil, if it be enquired or preſented in his court or leete, and in negligence

negligence or default thereof to be enquired and preſented in the King's court in manner aforeſaid. A. D. 1537.

IV. And further be it enacted, That every perſon and perſons, which be not able to keepe their children to ſchoole at the age of ten yeares, ſhall put them to handcrafts or huſbandry, upon pain of ſixe ſhillings eight pence, to be forfeit in manner aforeſaid, and to be inquired of in maner and forme aforeſaid.

Perſons not able to keep their children to ſchool at the age of 10, ſhall put them to handicrafts or huſbandry, on pain of 6s. and 8d.

V. Provided, That this act, ne any thing or things therein contained, ſhall extend or be meant to any owner or owners of cornes; but that they, and every of them, may leaſe by themſelves or ſervants their owne corne, any thing in this act mentioned to the contrary notwithſtanding.

CHAP. XXV.

The Act of Leaſes. Rot. Parl. cap. 33.

Leaſes by the King's commiſſioners, of his old lands, or thoſe of religious houſes ſuppreſſed, or of perſons attainted, ſhall be good, tho' no office or inquiſition taken or returned

WHEREAS the King our ſovereign lord's highneſſe hath been of late informed, that divers of his dominions, lands, and poſſeſſions within this his land of Ireland, as well of his Highneſſes old inheritance, as alſo of thoſe which of late been comen to his Highneſs, by reaſon of monaſteries ſuppreſſed, attainder of traditors or otherwiſe, by reaſon of any act or acts of Parliament within this his land of Ireland made or confirmed, do lie waſt and unoccupied: for the reformation whereof our ſaid ſoveraign lord the King, conſidering that the manurance thereof ſhould not alonely be to his Highneſs profit and honour, but alſo a great encreaſe and maintenance of the common-wealth, hath deputed and aſſigned Anthony Sentleger, George Poulet, Thomas Moyle, William Berners, William Brabazon, Geralde Aylmer, and John Alen, his commiſſioners to view and ſurvey aſwell his waſte lands, as alſo all other his lands and poſſeſſions in the ſame his ſaid land, and by his Highneſſe his commiſſion ſigned with his Grace's hand, and ſealed with his privy ſeal, hath authoriſed them, that they or any two of them not onely to demiſe and let the ſaid lands and poſſeſſions, aſwell waſte as occupied, and every or any part of them, for the terme of twenty one years, reſerving to his Highneſſe the rents thereof to be reſerved, but alſo to direct their warrant to the chauncellour of this his ſaid land for the ſealing of ſuch leaſes, as they or two of them ſhall make or graunt of the premiſes or any part of them; as by the ſaid commiſſion, dated at Sonninghill the laſt day of July in the xxix. year of our ſoveraign lord's moſt noble reign, more plainly it appeareth: and for ſomuch as it appeareth by the ſaid commiſſion, that his Grace's pleaſure is, that the ſaid commiſſioners ſhould make leaſes of the ſame, and that it is a thing conſonant to his highneſſe his honour and alſo profit, that ſuch leaſes to be made ſhould be good and vailable to ſuch perſons, as ſhall take the ſame; and that alſo ſuch as ſhall be occupiers, perceiving that the ſame leaſes ſo to be made by the ſaid commiſſioners,

A. D. 1537. Chap. 25.

or two of them, in our ſaid ſoveraigne lord's name, ſhall be good and available to the leſſee or leſſees, ſo that they ſhall and may lawfully enjoy and occupy the ſaid lands or poſſeſſions, ſo by them to be taken, during the ſaid terme according to the tenor of their leaſes, will the more gladly endeavour them to have and take ſuch lands of the ſaid commiſſioners: be it therefore enacted by authority of this preſent Parliament, That all and every leaſe and leaſes, made or hereafter to be made by the ſaid commiſſioners, or any two of them, in our ſaid ſoveraigne lord the King's name of any the honours, manors, lands, tenements, or other poſſeſſions, being the King's old inheritances, or of any ſuch lands, tenements, as did appertain to any monaſteries, abbeys, religious houſes, ſcites of monaſteries or abbeys, mills, tythes, oblations, alterages and other commodities and profits, with all their appurtenances, or of any part of them, which by reaſon of ſuppreſſion of ſuch abbeyes, religious houſes, or monaſteries, or any of them, now being in his Grace's hands or poſſeſſions, or any of thoſe landes, tenements, poſſeſſions, and profits, which becomen unto his highneſſe by reaſon of attainder of any perſon or perſons by an act of Parliament or otherwiſe, and alſo which were late given to his Highneſſe by reaſon of any act or acts of Parliament, made, enacted, or confirmed within this land of Ireland, or any other his Grace's revenues, to any perſon or perſons according to the purport, tenor, and effect of the ſaid commiſſion, ſhall be good, effectual, and available to ſuch perſon and perſons, as is aforeſaid, to whom ſuch leaſe or leaſes ſhall be made, and to their aſſigns, for and during the terme mentioned and contained in the ſame leaſe, ſo that the ſaid perſon or perſons, and every of them, to whom ſuch leaſe or leaſes of any of the premiſes ſhall be by the ſaid commiſſioners, or two of them, made or graunted in our ſaid ſoveraign lord's name, as is aforeſaid, and his and their aſſigns, ſhall and may occupy, poſſeſſe, and enjoy the ſame for the terme mentioned in the ſaid leaſe or leaſes according to the covenants and conditions mentioned and expreſſed in ſuch leaſe, to be made in ſuch ferme, as if the ſaid leaſes had been made and graunted by the King's Highneſſe, or as if the ſame had beene ſealed by the chauncellor of this land for the time by vertue of immediate warrant to him directed by the King's highneſſe, and ſigned with his Grace's hand; albeit there be no office ne inquiſition of the premiſes taken ne returned in the King's chauncery of this land, ne into the King's exchequer of the ſame; any act, ordinance, or ſtatute made and ordayned within this land of Ireland, or within the realme of England, and ratified and confirmed in this land, to the contrary notwithſtanding.

II. And further bee it ordeyned and eſtabliſhed by authority aforeſaid, That all and every warrant ſigned with the hands of the ſaid commiſſioners, or two of them, directed to the chauncellour or keeper of the great ſeal, for the making out and ſealing of ſuch leaſes, ſhall be good and ſufficient diſcharge and warrant to the ſaid chauncellor, or keeper of the great ſeal for the making and ſealing of the ſame, in

like ſort and forme as though ſuch warrant had beene ſigned with the hand of the King's highneſſe: any act or actes, ſtatute, ordinance, proviſion, uſe or cuſtome, made, ordeyned, declared, or uſed to the contrary notwithſtanding. A. D. 1537.

III. Provided alway that this act, or any thing or things therein compriſed, ſhall not in any wiſe extend to any gifts or graunts made by the King's highneſſe, not repealed in this Parliament, to any perſon or perſons before the making of this act, neither to any leaſee or leaſees afore the tenth day of December, in the xxix. year of our ſoveraigne lord King Henry the eight, made and graunted unto any perſon or perſons under the exchequer ſeal, but that ſuch gift, graunt, leaſe and leaſes ſhall be in the ſame ſtrength and effect in the law, as the ſame and every of them were the day of the making of this act, any thing in this act to the contrary notwithſtanding.

IV. And be it further enacted by authoritie aforeſaid, That every grant or grants made or to be made under the King's great ſeal of this land, by force of any warrant ſigned with the ſaid commiſſioners hands, or any two of them, ſo the ſaid William Brabazon be one, of any ward of body or land, although it bee under the teſte of the ſaid deputie, ſhall bee reputed and deemed in the law of like effect and force as if the ſame warrant had beene or were ſigned with the King's owne hand, and immediately directed to the chauncellor or keeper of the great ſeal of this land; any thing in this act, or any other act or actes to the contrary notwithſtanding.

CHAP. XXVI.

An Act for the firſt Fruites of Abbeyes, Priories, and Colledges.

First fruits of abbeys, hoſpitals, &c. granted to the King.

PRayeth the commons in this preſent Parliament aſſembled, that where in a Parliament holden at Dublin within this land, the firſt day of May, in the xxviii. year of the reign of our moſt dread ſoveraign lord King Henry the eight, amongſt other was ordeyned, enacted, and eſtabliſhed, *That the King's highneſſe, his heyres and ſucceſſors, Kings of the realme of England, and lords of this land and dominion of Ireland, ſhould have and enjoy, to endure for ever, of every ſuch perſon or perſons which at any time hereafter the ſaid firſt day of May ſhould be nominated, elected, prefected, preſented, or collated, or by any other meanes appointed to have any archbiſhopricke, biſkopricke, archdeaconry, deanry, prebend, parſonage, or vicarage, within the ſaid land or dominion of Ireland, of what name, nature, or qualitie ſoever they be, or to whoſe foundation, patronage or gift ſoever they belong, the annate, commonly called within this land the anne firſt fruits, that is to ſay, the revenues and profites for one whole year of every ſuch archbiſhopricke, biſhopricke, archdeaconry, deanry, prebend, parſonage and vicarage aforenamed, whereunto any ſuch perſon or perſons ſhall at any time or times after the ſaid firſt day of May nominated, elected, prefected, preſented, collated, or by any other means appointed,* as in the ſaid act more at large is conteyned. And conſidering that for the better

Recital of 28 *H.* 8. 8. *Ir.*

A. D. 1537. Chap. 26.

For augmentation of the King's revenue.

augmentation of the King's revenues within this land, whoſe Majeſtie like a moſt gratious prince and ſoveraigne lord hath, with the expence of an unportable ſumme of his owne treaſure, defended us from the ravine and ſpoyle of ſuch rebells and traditors as lately attempted the utter deſtruction of the ſtate of this land: And well perceiving a gratuitie again in us to be our ſhield againſt all like attemptates, that it is both reaſonable, meete and convenient, that his moſt excellent Majeſtie, his heires and ſucceſſors, ſhould have and enjoy from time to time to endure for ever, the firſt fruits, revenues, and profites for one year of every abbey, monaſterie, priorie, colledge, and hoſpitall, and of the priorie or hoſpitall of Saint John the Baptiſt of Jeruſalem, in Ireland, and the commaundrees of the ſame religion, as well as of the ſaid archbiſhoprick, biſhoprick, archdeaconries, deanries, prebends, parſonages, and vicarages: And much more the rather, ſeeing that the ſaid abbathies, abbeyes, monaſteries, colledges, and hoſpitalls, and the ſaid priorie or hoſpitall of Saint John's, and the commaundrees of the ſame may better or as well ſatisfie, content, and pay the ſaid firſt fruites, revenues and profits for one year, as the other perſons bound by the ſaid eſtatutes.

Enacting part.

Be it therefore ordeyned, enacted, and eſtabliſhed by authoritie of this preſent Parliament, That the King our ſoveraign lord, his heyres and ſucceſſors, Kings of the ſaid realme of England, and lords of this land and dominion of Ireland, ſhall have and enjoy from time to time to endure for ever, of every ſuch perſon and perſons, which at any time hereafter the firſt day of this preſent Parliament, holden at Dublin upon prorogation, ſhall be nominated, elected, prefected, preſented, collated, or by any other means appointed to have any abbey, priorie, colledge, hoſpitall, the priorie or hoſpitall of Saint John the Baptiſt of Jeruſalem of Ireland, or any commaundree of the ſame religion, within this land and dominion of Ireland, of what name, nature, or quality ſoever they be, or to whoſe foundation, patronage, or gift ſoever they belong, the annat, commonly called within this land the anne firſt fruits, that is to ſay, the revenues and profites for one whole year, of every ſuch abbey, priorie, colledge, hoſpitall, the priorie or hoſpitall of Saint John Baptiſt of Jeruſalem in Ireland, and of everie the commaundrees afore named, whereunto ſuch perſon or perſons ſhall at any time or times after the ſaid firſt day of prorogation of this preſent Parliament, be nominated, elected, prefected, preſented, collated, or by any other means appointed.

The ſame method, as to the valuing and taxing, &c. the firſt fruits, is to be obſerved, as preſcribed by 28 *H.* 8. 8.

And that every ſuch perſon and perſons before any actual or reall poſſeſſion, or meddling with the profites of any ſuch abbey, priorie, colledge, hoſpitall, the priorie or hoſpitall of Saint John the Baptiſt of Jeruſalem, or any commaundree, ſhall ſatisfie, content and pay, compound or agree to pay to the King's uſe at reaſonable dayes upon good ſuerties, the ſaid annat or ane firſt fruits and profites, for one whole year.

II. Be it alſo enacted by authoritie aforeſaid, That the chauncellor of Ireland, the undertheſaurer, and clerke or maiſter of the rolls

of

of this land for the time being, or anie two of them, ſo the ſaid undertheſaurer be one of the ſaid two, or ſuch other perſon or perſons as ſhall pleaſe the King's highneſſe, his heyres or ſucceſſors from time to time, at his or their pleaſure, to name and depute by commiſſion or commiſſions under the great ſeal, ſhall have power and authoritie as well to examine and ſearch for the juſt and true value of the ſaid annat, firſt fruits and profites, by all ways and means that they can, as to compound and agree for the rate of the ſaid annat, firſt fruits and profites, and to eſtabliſh, appoint, and limit reaſonable dayes for the payment thereof, upon good and ſufficient ſuerties or ſuerty, by writings obligatories at their diſcretions, and if compoſition or agreement be had or made, for the ſaid annat, firſt fruites and profits, before the ſaid lord chauncellor, the undertheſaurer, and the maſter of the rolles for the time being, or any two of them, ſo that the ſaid undertheſaurer be one of the two, that then the writings obligatories, and money taken for the ſame, ſhall reſt, remaine and abide in the hands of the undertheſaurer for the time being, or in the hanaper of the King's chauncerie in Ireland, there ſafely to bee kept to the King's uſe: and the money to bee due of ſuch writings obligatory, or to bee received in hand by reaſon of any ſuch compoſition, ſhall be paid to the ſaid undertheſaurer, or in the ſaid hanaper, to the clerke of the hanaper for the time being. And that the ſaid undertheſaurer for ſuch writings obligatory and money as commeth to his hands, or ought to come to his hands, ſhall make a true and juſt accompt thereof at ſuch times, and after ſuch ſort as hee ſhall account for the reſt of the King's highneſſe revenues. And that alſo the ſaid clerk of the hanaper for ſuch writings and money as he receiveth, or ought to receive, ſhall make a juſt and true accompt thereof, like as he is bound to doe of the money received of the profits of the King's great ſeale. And if compoſition or agreement bee had or made for the ſaid annat, firſt fruites and profits, afore any other perſon or perſons to be deputed by the King's highneſſe, his heires or ſucceſſors by commiſſion under his great ſeal, that then the writings obligatorie and money taken for the ſame, ſhall be delivered unto the ſaid undertheſaurer or elſewhere, to whom it pleaſeth the King's highneſſe, his heires and ſucceſſors, to give authoritie by commiſſion under his great ſeal to receive the ſame.

III. And it is enacted alſo by authoritie aforeſaid, That every writing of acquitance, ſubſcribed with the hand and name of the undertheſaurer, clerk of the hanaper, or other commiſſioners aforeſaid, or any of them, witneſſing the receiptes of the ſaid annates, firſt fruites and profits, or any part thereof, and all writings obligatories to bee taken for the payments of the ſaid annats, annue, firſt fruites and profits, by and afore the ſaid lord chauncellor, undertheſaurer and maſter of the rolles, or any two of them, or by or before any other perſon or perſons to be deputed to compound and agree for the ſaid annates, annue, firſt fruites and profites, ſhall be of the ſame ſtrength, force, verture, qualitie and effect, to all intents

A. D. 1537. Chap. 26.

and purpoſes within this land, as all ſuch writings and acquitances, and writings obligatories ſubſcribed and taken by and before any perſon or perſons, as be limitted and appointed by the act made at Weſtminſter, within the realme of England, the third day of November, in the xxvi. yeare of the reign of our moſt dread ſoveraign lord King Henry the eight, be within the ſaid realme of England, and upon certificate hereafter to be made in the King's chauncerie of this land, for any ſuch writing obligatorie to be taken for the payment of any ſuch annate, firſt fruites and profits, like proces and execution ſhall bee thereupon made and had againſt any perſon ſpirituall or temporall, as have beene accuſtomed to bee made againſt any lay perſon upon certificate or writings obligatory of the ſtatute of the ſtaple. And that no perſons ſhall be compelled to pay for any writing obligatorie, to be made for the payment of the ſaid firſt fruites, above viii. d. nor for any acquitance to be made for anie receipt of ſuch firſt fruits, above iiii. d. And ſuch perſon or perſons as ſhall be deputed by the King's highneſſe, by commiſſion under the great ſeal of England, or of this land, to compound and agree for the ſaid firſt fruites, ſhall at the end of everie ſixe moneths next after the date of their commiſſion, and ſo from ſixe moneths to ſixe moneths, deliver or cauſe to be delivered unto the underthеſaurer of this land for the time being, or elſewhere, to ſuch commiſſioners as ſhall be appointed as is aforeſaid to receive the ſame, aſwel all ſuch money as all ſuch ſpecialities and bonds, as they ſhall have taken for the payment of the ſaid firſt fruits, by indenture to bee made betweene them and the ſaid underthеſaurer or other commiſſioners, as is aforeſaid, concerning the certaintie and number of the ſummes of money, of the ſpecialties and bonds by them taken and received. And if any perſon or perſons, to whome any deputation ſhall be made by commiſſion to compound and agree for the payment of the ſaid firſt fruits, their heires, executors, or adminiſtrators, conceal or imbezel any of the ſaid ſpecialties and bonds taken for the payment of the ſaid firſt fruites, and doe not deliver them according to the tenor of this act, that they and every ſuch offendour, ſhall forfeit that office of deputation, and over that, their bodies and goods to be wholly, for every ſuch offence, at the King's will and pleaſure.

The Engliſh St. 26 *H.* 8. 3. to be in force in Ireland.

IV. And be it likewiſe enacted by authoritie aforeſaid, That all and every article, proviſion and thing, whatſoever they be, enacted and compriſed in and within an act made and eſtabliſhed at a Parliament holden upon a prorogation at Weſtminſter, within the realme of England, the third day of November, in the xxvi. year of the raign of our moſt dread ſoveraign, lord King Henry the eight, for the ſuertie and payment of the firſt fruits, revenues, and profits in the realme of England, and ſearch for the due knowledge of the yearly revenue of the ſaid abbeyes and other aforenamed, and every other thing materiall compriſed in the act, be in the ſame force, ſtrength, vertue, quality and effect, to all intents and purpoſes within this land, as they and every of them be within the ſame realme of England.

Statut'

A. D. 1537.

THE TWENTY EIGHTH YEAR OF HENRY VIII.

CHAP. XXVII.

¶ *The Acte of Subsidie.*

PRAYEN the commens, that wheare by the meane and compulsion of that falſe and diſloyal traditour, Thomas Fitz Geralde, ſon and heire to Geralde earle of Kildare, and other traditours, his falſe adherents, the mooſt parte of the King our Soveraigne Lords true ſubjects of this lande of Irelande againſte their duties of allegiaunce have rebelled, and not onelie by that traditour robbed and burned, but alſo by their intollerable oppreſſions and extorcions utterlie deſtroied and beggered; for reformacion whereof oure ſaid Soveraigne Lorde like a graciouſe Prince to his exceedinge greate charges haithe ſent hither his armye roiall, by whoſe powere the ſaide rebellioun is not nowe onelie refourmed, and the ſaide ſubjectes

Rebellion of Thomas Fitzgerald, &c.

A. D. 1537. Chap. 27.

Abuſes by Coyne and Liuery and other cuſtome.

ſubjectes ſet at reſt and quietnes, but alſoo the ſaid traditour and other his adherentes forced to flee: and where as of longe tyme there hathe bene uſed as wele by the Kinge's deputies and other his governours of this ſaide lande, as by the lordes and gentlemen of the ſame, manye, diverſe, and ſondrie intollerable chargeous cuſtomes and abuſiones, as coyne and lyneraie, that is to ſaye, horſemet and mans mete for the ſyndinge of their horſemenn and footmen, with other utrageous expenſes to be had, leavied and perceived of the erthe tillers, fermours, and inhabitants of the ſame lande, without any thing paying therfor, whiche be great cauſes of deſolacion of that lande: in conſideracion whereof, and to the entent the Kinge's revenues here may be the more augmented to bere the Kinge's charges within the ſame his lande for defence and reformacion of the ſame without takyng the ſaid coyne, and lyneray, and other the ſaide unlawfull impoſicions, whereby all rebellions, and inſurrecciones, and alſoo the foreſaide intollerable abuſions and lyneraye with all other extorcions and unlawfull impoſicions, ſhall be from henceforthe eſcheued and forbourne within the ſaide lande, whereby the inhabitaunts of the ſame may the better live in peaux accordinge to the lawe of God and the Kinge's: Therefor be it enacted, ordeyned, and eſtabliſhed by authoritie of this preſent Parliament, that our Soveraigne Lorde the Kinge ſhall have yerelie a ſubſidie of thirteen ſhillings, fowre pence, of lawfull monye of Irlande of and upon eny ploughlande occupied, manured, or hereafter to be occupied or manured, within this ſaide lande of Irelande, from the tyme of the occupyeng or manuraunce thereof as longe tyme as it ſhall be ſoo occupied or manured, to pay the ſaide ſubſidie in maner and forme aforſaide unto our ſaide Soveraigne Lorde the Kinge, his heires and ſucceſſours, from the twentie eighth day of September in the yere of our Lorde God a thouſande five hundred thirtie ſix to the ende of the terme of tenn yeres then next enſuyng, paiable yerelie at the feaſt of Eſter duringe the ſaid terme; and that all the croſſe landes on the clergie of this lande to be yerelie charged duringe the ſaid terme with like ſubſidie unto our ſaide Soveraigne Lorde to be levied at the feaſt aforeſaide in like maner and forme as the croſſe landes and clergie of the ſhires of Dublin, Methe, Kildare, and Louthe, was charged withe the laſt Parliament, whereby the laſt ſubſidie was graunted, and in noon otherwiſe.

Enacting part.

Subſidy of 13*s.* and 4*d.* on any ploughland occupied or manured,

from 28 *Sept.* 1536, for 10 years.

At *Eaſter* yearly.

II. Provided alwaie, That noo place in any ſhire within this lande, whiche paied noo ſubſidie, whan any ſubſidie was laſt levied in the ſame ſhire, be charged with ſubſidie by force of this acte.

III. Provided alſoo, That no maner man, ſpirituall ne temporall, ne commens of this lande, or any corporacion within the ſame, havinge landes or fredome or diſcharge of ſubſidie by the King oure Soveraigne Lorde or any his progenitours is graunts, acte or actes of Parliament, be charged with ſubſidie by force of this preſent acte.

IV. Provided alſoo, and be it enacted by authoritie of this preſent Parliament, That all lordes, knights, eſquyers, and gentlemenn, that hereafter be cauſed by the lorde deputie or any other governours of this lande for the tyme being to goo or ſende by reaſonn of their landes and poſſeſſions to oſtynges, roodes, or journeys, to ſerve oure Souveraigne lorde the Kinge, and all and everie lorde, knighte, eſquier, and gentleman, that by reaſon of his or their landes or poſſeſſions is and be chargeable by the lawe, cuſtome, or uſage of this lande of Irlande to goo or ſende to oſtinges, roodes, or journeyes, to ſerve oure ſouveraigne lorde the King upon their proper coſtes, the carting and carriage to everie of theme to be aſſigned at oſtinges, roodes, and journeyes, having their principall houſholde and dwelling in the countrey oute of citties and privileged townes, foraſmuche landes and tenements as by oon of our Souveraign Lorde the Kinge's mooſt honourable counſaill and twoo of everie countie and ſhire made, ordeyned, and deputed, the Kynges commiſſioners for the ſame ſhire or any twoo of theme, ſoo that he of our ſaide Souveraigne Lordes counſaill be oon, ſhall be thought mete and competent for

the

A. D. 1537.

the ſaide lorde, knyghte, eſquier, or gentleman, to manure and occupie for their awne propre ploughing and cattaill for the mayntenaunce of their houſholde and hoſpitallitie in the cuntrey for ſoo longe tyme as the ſaide lordes, knyghtes, eſquiers, and gentlemen have their principall houſholde and dwellinge there out of the ſaide cities and townes, ſhall pay noo ſubſidie for he ſame landes ne tenements ſoo by theme manured or occupied, ne ſhall not be charged with coyne, lyneraie, carting, ne cariages, to noo oſtinges, roodes, journeys, ne in any other maner; and that everie of the ſaide lordes, knyghtes, eſquiers, and gentlemen ſhall pay noo ſubſidie, coyne, lyneraye, carting, ne carriage, for aſmoche landes and tenements as everie of theme dothe occupie and manure, unto ſouche tyme as the ſaid commiſſioners doo appoynt theme as is aforeſaide.

V. And alſoo be it enacted by authoritie of this preſent Parliament, That if it fortune our Souveraigne Lorde the Kynge his Graces deputie or chauncellor of this his lande of Irelande to make, ordeyne, and depute any commyſſioner or commyſſioners in any countie or ſhire within this lande of Irelande, the counties or ſhires of Methe, Louthe, Dublin, and Kildare oonlie excepted, for the extending and making of ploughlandes whereof or upon the ſaid ſubſidie of thirteen ſhillings four pence ſhall be rered leviable, or alſoo for the levieng, rering, and perceiving of the ſaide ſubſidie to the uſe and behoufe of our Souverain the Kinge, his heyres and ſucceſſours, that then every perſone and perſones within this lande of Irelande to their powers and knowledge, of what eſtate, condicion, or degree ſoo ever theye be, ſhall aide, maynteyne, aſſiſte, obey, performe, and kepe the ſaide commyſſioners and every of theme, and alſoo the ordre, levieng, and receiving of the ſaid ſubſidie, execuite, made, or doon by theme, or any of theme, concernynge the ſame: and that uponn the payne of five pound to every perſone and perſones, as often as he and they ſhall offende the ſame, to be forfait to our Souveraigne Lorde the Kynge his heires and ſucceſſours for ever.

VI. Provided alſoo, That nether the city of Dublin, the citie of Waterforde, the citie of Corke, the citie of Lymeryeke, ne the townes of Droogheda, Kilkenny, Kynſale, Roſſe, ne noon other cittie nor towne priveledgid, ne borogh towne within this lande of Irelande, be charged with ſubſidie.

VII. Provided alſoo, That all the meſſuages, landes, and tenements in Phebleiſtown, in the pariſhe of Clonefillagh within the countie of Dublin, being of arrable lande but fiftie acres, and now named and charged for halfe of oon ploughlande, and alſoo all the meſſuages, landes, and tenements in Barbieſtown within the ſaid pariſhe, beinge of arable lande, but ſeventie one acres, three ſtanges, and nowe named and charged for an other halfe of oon plough-lande, from hencefurthe all the meſuages, landes, and tenements in Phebleiſtown and Barbieſtown aforeſaide ſhall not be ſeſſid, chargid, named, ne taken but for the halfe of oon ſole plough-lande, and ſhall pay no ſubſidie, ne noone other charges hereafter to be ſeſſid uppon the plough-landes, but as moche as oon ſole halfe plough-lande ſhall doo.

CHAP. XXVIII.

¶ *The Act for Marieng with Iriſhmen.*

Againſt marrying or ſoſtering with Iriſhmen.

FOraſmoche as by marriage, alterage, and foſtering of the Kinge's ſubjectes of this his lande of Irlande with his Graces Iriſhe rebels great lacke of obedience hathe growen to his Highneſs and his mooſt noble progenitours of their people within this lande, and by the ſame dyverſe enormyties, myſchieves, and inconveniences have enſued and comen to his ſaid loving ſubjectes from tyme to tyme for the more parte during thieſe two hundred yeres, as evidentlie to every

Repealed 11, 12 & 13 *Jac.* I. c. 5.

A. D. 1537. Chap. 28.

of the Kinge's ſubjectes of this his lande for the tyme being having knowledge or practyſe playnlie ded and dothe appere; and though in the tyme of the Kinge's mooſt noble progenytours the ſame myſchiefes and inconvenyences, which followed ſethens to the utter undoying and deſolacion of his Graces ſaid ſubjectes, was then right well perceived, and dyverſe good eſtatutes and actes by auctoritie of Parliament therefor provyded; wherein is conteyned, that every of the King's ſubjectes offendyng the ſame ſhoulde be a traditour attaynted: yet notwithſtanding what by the defaulte and negligence of the heddes and rulers of this lande undre the King's Highnes that the ſaid eſtatutes or actes were nat duelie put in execution, as the wilfull appetyt of his ſaid ſubjectes havyng noo remembrance of their bounden duties to their mooſt drad Soveraigne Lorde, their awne comoditie, quietnes, and profit, ne the utilitie and publicque weale of their native countrey, ne yet the contempt or daungier of the tranſgreſſing of the ſaid actes, ded often and manye tymes as well mary as foſtre with the ſaid Iriſhe rebelles; and ſomme tymes by fraude and covyne, havinge then a perfect knowledge and an intent that everye ſuch Iriſhe rebell, with whom they intended to marie or foſter, wold in noo parte uſe hymſelfe, as to the Kinge's true and obedient ſubject ſhoulde apperteigne, but for their awne ſaulfgarde and diſcharge from the penaltie and daungier of the ſaid eſtatutes or actes onelie to delude or defraude the ordynance and purvey of the ſame ded procure to make the ſaid Iriſhe rebelles, with whom they entended ſoo to mary or foſter, denyzyns by the Kinge's mooſt gracious lettres patentes whereas the ſaid Iriſhe rebells ſoo made denyzyns ded or doo in noo parte uſe theme ſelfe, as to the Kinge's ſubjectes do apperteigne, through which the Kinge's Highnes hathe loſt for the moor parte the obedience of his people of this his lande, and diverſe myſchieves and inconvenyences to his ſaid ſubjectes from tyme to tyme hathe enſued, and moche more like to enſue, onles that ſomme good remedie or proviſion be had or provided in that behalfe: for reformacion whereof be it enacted, ordeyned, and eſtabliſhed by the authoritie of this preſent Parliament, That noo perſone ne perſones the Kinge's ſubjectes within this his lande, of what eſtate, degree, dignitie, or condicion ſo ever he or they bee, ſhall marie or foſter themſelves their childer or kynsfolke within the fourthe degree or any of theme to or with any Iriſhe perſone or perſones of Iriſhe blood, whiche be not the Kinge's true ſubjectes, ne uſe themeſelves accordinglie thogh any ſouche perſone or perſones be made denizyns, oneles that every ſuche perſone, ſoo to be made denizen, doo his homage and feaultie befor the Kinge's chauncellour or keeper of the great ſeale for the tyme being to the Kinge's Highnes ſwering the othe compriſed in the act of ſucceſſion for the fullfilling and accompliſhment of the effect, tenour, and purport of the ſame, and alſoo ſhall be bound by recogniſaunce befor the Kinge's chauncellour or keaper of his Graces great ſeale of this his lande for the tyme being in ſuche ſommes of moneye, as to the ſaid chaunceller or keaper of the great ſeale ſhall be thought meat and convenyent, that he from the tyme that he is made denizen, ſhall be faithfull, true, and obedient to the Kinge's Highnes, his heyrs and ſucceſſours; and that every perſone and perſones the Kinge's ſubjectes within this his lande, that ſhall ſoo marie or foſter theme ſelves, their childer, or kynsfolke, or any of theme, to or with any ſuche perſone or perſones of Iriſhe blood, as is aforeſaid, without fraud or covine at the tyme of the ſaid mariage or foſtring, ſhall have a true and unfayned intent and meaning, that the partie ſoo made denyzyn, with whom he or they intend ſoo to marie or foſter, will during his naturall life be faithfull, true, and obedient to the Kinge's Highnes, his heyrs and ſucceſſours; and if any perſone or perſones, now made, or whiche hereafter ſhall be made denyzin, at any tyme or tymes hereafter, with whom any ſouche mariage or foſtring ſhall be had or made, doo tranſgreſſe his fidelitie and faithe to the Kinge's Highnes, his heyrs or ſucceſſours, uſing himſelfe as the Kinge's rebell, and proclamacion thereof made by the Kinge's lieutenant or deputie, or by his or their commaundement, by the advyſe of the Kinge's counſaill,

Enacting part.

A. D. 1537. Chap. 28.

in the ſhire or oppen markettes next adjoynyng to ſuch offendour, then every ſuche of the Kinge's ſubjectes, whiche ſoo ſhall have ſoſtred or maried with any ſuch denyzin ſoo rebelling or offending contrarie his othe or duetie, ſhall utterlie avoid eany willfull famyliaritie or company with hym or theme, that ſoo ſhall offende, oneles it be to reconcile ſuche offendour or offendours to knowledge their offences commytted to the Kinge's Majeſtie, or els to the intent to have reſtitution of ſuch goodes as any ſuch perſone or perſones ſoo offending have taken from any the Kinge's ſubjects; and yf any his Highnes ſubjectes of this his lande doo offende in the premyſſes or in any parcell thereof, that then every ſuch offence ſhall be demed highe treaſon; and that every perſone and perſones ſoo offending, being thereof lawfullie convicted according to the due ordre and proces of the King's lawes, ſhall be adjudged a traditour attaynted of highe treaſon, and ſhall have and ſuffre ſouche paynes of deathe, loſſes, and forfaictour of landes, tenementes, goodes, and cattailes,, as in caſes of highe treaſon.

II. And be it alſoo enacted by auctoritie aforeſaid, That if any ſuche perſone or perſones, made or to be made denizins, doo not to his and their wit, knowledge, and power, fulfill and accompliſhe the teanour, purport, and effecte of the ſaid othe, and of the condicion of the ſaid recognyſaunce, but wilfullie tranſgreſſe and withdrawe their obedience and bounden duetie to their moſte drad Souveraigne Lorde from his Highnes, that then if any ſuche perſone or perſones the Kinge's true ſubjectes, their freendes or ſervauntes, that hathe maried or ſoſtred or at any tyme hereafter ſhall marie or ſoſter, theme ſelves, theire childer, or kynsfolke, or eny of theme, to or with any ſouche perſone or perſones, made or to be made denyzins, will or doo aide, mayntayne, ſupporte, ſuccour, counſeill, favour, or by any other meane encourage any ſuche perſone or perſones, ſoo made or to be made denizins, contemptuouſelie offending as is aforeſaide, oneleſs it be to reconcile and bryng theme to their duetie of obedience due to their mooſt drad Soveraigne Lorde, or els to have reſtitucion of goodes by theme taken, as is aforeſaid, that then he or they ſoo offending, and every of theme, being therof lawfullie convicted according to the due ordre and proces of the Kinge's lawes, ſhall be adjudged a traditour attaynted of highe treaſon, and ſhall have and ſuffre ſuche paynes of deathe, loſſes, and forfaictour of landes, tenementes, goodes, and cattailes, as in caſes of highe treaſon.

III. And bee it further enacted, That all and every article, clauſe, and ſentence, compriſed in any other acte or actes, whiche be repugnaunt or contrarie to the effect, tenour, and purport of this acte, or any thing therein conteyned, ſhall be voide to all ententes and purpoſes.

IV. Provided that this acte be not in force or take execucion, before the ſame be proclaimed in every ſhire in due forme.

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Houses of the Oireachtas

The thirty third Year of Henry *the Eighth.*

A. D. 1542.

Statut' Ordinationes, Actus, & Proviſiones in quodam Parliamento illuſtriſſimi principis & domini noſtri, dom; HENRICI octavi Dei gratia *Angliæ*, *Franciæ*, & *Hiberniæ*, Regis fidei defenſoris, ac in terra eccleſiæ *Anglicanæ* & *Hibernicanæ*, ſupremi capitis, virtute commiſſion' & mandat' dict' dom' Regis, ſub magno ſigillo ſuo *Angliæ* apud *Dublin* die Lunæ proximo, poſt feſtum ſanctæ Trinitatis, videlicet XIII. die Iunii anno regni dicti domini Regis triceſimo tertio, coram dilecto & fideli ſuo *Anthonio Sentleger* milit' vno generoſorum privatæ cameræ dicti domini Regis deputat' ejuſd' domini Regis regni ſui *Hiberniæ*, tent' edit', & ibidem continuat' uſque ad diem Mercurii, in feſto ſanctæ *Margaritæ*, videlicet viceſimum diem Iulii tunc prox' ſequen' & ibidem prorogat' vſque ad diem Lunæ prox. poſt feſtum omnium ſanctorum videlicet ſeptimum diem Novembris, tunc prox. futur. & ibidem prorogat. abinde, eodem die vſque ad diem Iovis, viz. viceſimum ſecundum diem Decembris tunc prox. futurum ad *Dublin* præd, prorogat' & ibidem eodem viceſimo ſecundo die Decembris vſque ad decimum quintum diem Febr. tunc prox. ſequent. apud *Limericum* adiornat. & ibidem continuat. vſque ſeptimum diem Marcii tunc prox. ſeq. & ibid vſq; diem Lunæ proxim. poſt feſtum ſancti *Barnabæ* Apoſtoli, viz. duodecimum diem Iunii, tunc prox. ſequent. vſq; villam de *Trym* adiornat. & ibidem vſque XXI. diem Iunii, præd' continuat. & abind' vſq; ad diem Lunæ prox. poſt feſtum omnium ſanctorum, viz. vi. diem Novembris tunc prox. futur. ad Civitatem *Dublin* adiornat. & ibid' vſq; ad decimum octavum diem ejuſdem menſis Novemb. continuat. & ibid. eodem die prorogat. vſq; ad decimum ſeptimum diem Aprilis tunc prox. ſequent', viz. diem Martis prox. ante feſtum ſancti *Gregorii* martyris tunc prox. ſequent. vſq; civitatem *Dublin*, & ibidem vſq; ad ſecundum

diem menſis Maii tunc prox. ſequent. continuat. & ibid. eodem die prorogat. vſq; ad ſextum diem menſis Novemb. tunc prox. ſequent. vſq; ad civitatem *Dublin*, & ibidem vſque ad XIX. diem ejuſdem menſis Novembris continuat. & dict. decimo nono die ibidem finit. & diſſolut. edita in hæc verba. *Anno Dom.* 1542.

CHAP. I.

An Act that the King of England, his Heirs and Succeſſors, be Kings of Ireland. Rot. Parl. c. 3.

A. D. 1542.

The King, his heirs and ſucceſſors Kings of England, to be Kings of Ireland, as united and knit to the crown of England.

FORASMUCH as the King our moſt gracious dread ſoveraign lord, and his grace's moſt noble progenitors, Kings of England, have bin Lords of this land of Ireland, having all manner kingly juriſdiction, power, pre-eminences, and authoritie royall, belonging or appertayning to the royall eſtate and majeſtie of a King, by the name of Lords of Ireland, where the King's majeſtie and his moſt noble progenitors juſtly and rightfully were, and of right ought to be, Kings of Ireland, and ſo to be reputed, taken, named, and called, and for lacke of nameing the King's majeſtie and his noble grogenitors, Kings of Ireland according to their ſaid true and juſt title, ſtile, and name therein, hath beene great occaſion, that the Iriſh men and inhabitants within this realme of Ireland have not beene ſo obedient to the King's highneſſe and his moſt noble progenitors, and to their lawes, as they of right and according to their allegeance and bounden duties ought to have been: wherefore at the humble purſuite, petition, and requeſt of the lords ſpirituall and temporall, and other the King's loving, faithful, and obedient ſubjects of this his land of Ireland, and by their full aſſents, be it enacted, ordeyned, and eſtabliſhed by authoritie of this preſent Parliament, that the King's highneſſe, his heyres and ſucceſſours, Kings of England, be alwayes Kings of this land of Ireland, and that his Majeſtie, his heyres and ſucceſſours, have the name, ſtile, title, and honour of King of this land of Ireland, with all maner honours, preheminences, prerogatives, dignities, and other things whatſoever they be to the eſtate and majeſtie of a King imperiall appertayning or belonging; and that his majeſtie, his heyres and ſucceſſours, be from henceforth named, called, accepted, reputed, and taken to be Kings of this land of Ireland, to have, hold, and enjoy the ſaid ſtile, title majeſtie, and honours of King of Ireland, with all maner prehemineces, prerogatives, dignities, and all other the premiſſes unto the King's highneſſe, his heyres and ſucceſſours for ever, as united and knit to the imperial crown of the realm of England.

Proclamation of this act.

II. And be it further enacted by authority aforeſaid, That on this ſide the firſt day of July next comming proclamation ſhall be made in all ſhires within this land of Ireland of the tenour and ſentences of this act. And if anie perſon or perſons, of what eſtate, dignitie, or condition ſoever they or he be, ſubject, or reſiant within this

land of Ireland, after the ſaid firſt day of July, by writing or imprinting, or by any exterior act or deede, malicioufly procure or doe, or cauſe to be procured or done, any thing or things to the perill of the King's majeſties moſt royall perſon, or malicioufly give occaſion by writing, deede, print, or act, whereby the King's majeſtie, his heyres or ſucceſſors, or any of them might be diſturbed or interrupted of the crown of this realme of Ireland, or of the name, ſtile, or title thereof, or by writing, deede, print, or act, procure or doe, or cauſe to be procured or done, any thing or things, to the prejudice, ſlaunder, diſturbance, or derogation of the King's majeſtie, his heyres or ſucceſſors, in, of or for the crowne of this realm of Ireland, or in, of or for the name, title, or ſtile thereof, whereby his Majeſtie, his heyres or ſucceſſors, or any of them might be diſturbed or interrupted in body, name, ſtile, or title of inheritance, of, in, or to the crowne of this land of Ireland, or of the name, ſtile, title, or dignitie of the ſame, that then every ſuch perſon and perſons, of what eſtate, degree or condition they be, ſubject or reſiants within the ſaid land of Ireland, and their aidours, counſaylours, mainteyners, and abbetours therein, and everie of them, for everie ſuch offence, ſhall be adjudged high traytors, and everie ſuch offence ſhall be adjudged and deemed high treaſon, and the offendours, their aydors, counſailours, maintaynours, and abbetours therein, and every of them being lawfully convicted of any ſuch offence, by preſentment, verdict, confeſſion, or proofes, according to the cuſtomes and laws of this ſaid land of Ireland, ſhall ſuffer paines of death, as in caſes of high treaſon; and alſo ſhall loſe and forfeit unto the King's highneſſe, and to his heyres, Kings of this realme of Ireland, all ſuch his mannors, landes, tenements, rents, reverſions, annuities, and hereditaments, which they had in poſſeſſion as owner, and were ſole ſeiſed in their own right, of, by, or in any title or meanes, or in any other perſon or perſons, had to their uſe of any eſtate of inheritance, at the day of any ſuch treaſon and offences by them committed and done. And that alſo every ſuch offendour ſhall loſe and forfeit to the King's highneſſe, and to his ſaid heyres, as well all manner ſuch eſtates of freehold, and intereſt for yeares of lands and rents, as all the goods, cattels and debts, which they or any of them had, at the time of their conviction or attaindour of, or for any ſuch offence; ſaving alway to every perſon and perſons, and bodies politique, their heyres, ſucceſſours, and aſſignes, and to every of them, other then ſuch perſons as ſhall be ſo convicted or attainted, their heyres and ſucceſſours, and all other clayming to their uſe, all ſuch right, title, uſe, intereſt, poſſeſſion, condition, rents, fees, offices, annuities, commons and profites, which they or any of them ſhall happen to have, in, to or upon any ſuch manors, lands, tenements, rents, reverſions, ſervices, annuities, and hereditaments, which ſo ſhall happen to be loſt and forfeited, by reaſon and occaſion of any of the treaſons or offences above rehearſed, any time before the ſaid treaſons or offences committed or done.

High treaſon by writing, deed, print, or act to occaſion diſturbance to his crown of Ireland, in name, ſtile, &c.

The forfeiture.

Saving the rights of others.

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CHAP. II.

An Act for gray Merchants.

Hides, &c. not to be bought with intent to sell again, but in open market or fair.

FORASMUCH as divers merchants and other persons coveting and practising greatly their owne singular commodities and profites, and having little or no respect to the wealth of this land, have of late used to goe from towne to towne within this land, being no market townes, to buy hides, fells, checkers, fleges, yarne, linnen cloth, wooll and flocks, whereby the faires and markets within this land be greatly decayed, and the King's custome diminished, and every kinde of merchandise without cause reasonable brought to a great dearth, to the great hindrance and losse of the King's majestie, and of his faithful and true subjects of the same land. Wherefore be it enacted, ordeyned and established, by authoritie of this present Parliament, That no person ne persons, to the intent to sell the same againe, shall buy ne cause to be bought with in this land any hydes, fells, checkers, fleges, yarne, linnen cloth, wooll, or flocke, in any other place or places, but only in the open market or fayre. And if that any person or persons doe otherwise, and be of the same duely convicted, that then every such person so convicted to be adjudged and deemed a forestaller of the King's market.

Penalty on conviction, being adjudged forestallers.

If inconvenience ensue, the deputy, &c. may by open proclamation in any fairs or markets, make this act or part thereof void.

II. Provided alway, and be it enacted by authoritie aforesaid, that if any inconvenience, dammage, or hinderance doe, should, may grow, or come by any meanes of this present act, that then the lord deputie, the lord chauncellour, the lord treasorer, the vicetreasorer, the three chiefe judges, and the master of the rolls, of this land for the time being, or five of them at the least, whereof the lord deputie and lord chauncellour to be two of them, examining the circumstance of the same, shall have authority and power, by open proclamation to be made in any of the said markets or fayres, to discharge, adnihilate, and make voyde this present act, or such part thereof as they shall thinke good. And this present act, from and after the the said proclamation, so to be had and made, or as much thereof as they shall thinke good as aforesaid, shall be cleerly and utterly voyde and of none effect.

Justices of B. R. and of the peace in open sessions, to inquire and punish offenders as forestallers.

III. And also be it enacted by authoritie aforesaid, That the justices of the King's bench, and every justice of peace in open sessions, shall have full power and authoritie, by authoritie of this act, to enquire of and upon the offendors, and offences against the contents and purport of this said act and order, and to heare and determine the same, according to the lawes of this land, and to punish the said offendors, and to taxe like fines upon the same offendors, as though they were convicted of any forestalling of the King's markets, by the lawes of this land.

Not to endure longer than the last day of next Parliament.

IV. Provided alwayes, that this act shall endure but till the last day of the next Parliament, to be holden within this realm or land, if

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if it be not repealed, adnihilated, or made voyde before by proclamation as is above ſaid.

Not to extend to any tanner or barker, ſo as they do tan or bark the hides.

V. Provided alway, that this act, ne any thing therein conteyned, ſhall extend to any tanner or barker, within this realm, for the buying of any hides to be tanned or barked, ſo that they doe tanne or barke the ſame.

This act not to bind till proclaimed.

VI. Provided alſo, that this act, ne any thing therein conteyned, ſhall not extend to binde or charge any of the inhabitants of any county, citie, or borough towne, within this realme or land, unto ſuch time as the tenour of this ſaid act be proclaimed in the ſame county, citie, or borough towne. *Revived* 11 El. cap. 5. *and perpetuated.*

Revived and perpetuated 11 *Eliz.* 5.

CHAP. III.

An Act that the Plaintiff may abridge his Plaint in Aſſize.

21 *H.* 8. 3. *Eng.*

FORASMUCH as aſſiſes, which have beene thought the moſt ſpeedie remedie, be now by occaſion of pleading of many barres to moities and parts of the lands put in view and plaint, greatly delayed, for difficulties and diviſion of pleading; and one cauſe thereof is, becauſe that the plaintifes in the aſſiſe in ſuch plees to moyties and parts, cannot by the law abridge their plaints: For remedie whereof, be it enacted, That the plaintife in every aſſiſe from henceforth, may at his pleaſure ſever, and abridge his plaint, of any part or parts, whereunto any barre is pleaded, in ſuch like manner as he or they might doe, in caſe the plees in barre had beene made, and divided to any certaintie or number of acres, in the pleint, and that the pleint for the reſidue of the part or parts of the lands not abridged, ſhall be and ſtand good and effectuall in the law.

Plaintiff in aſſize may abridge his plaint of any part whereto any bar pleaded, and yet good for the reſidue.

CHAP. IV.

An Act that Conſanguinity or Affinity, being not within the fifth Degree, ſhall be no principal Challenge.

WHEREAS the King's obeyſant Engliſh ſubjects of this land, eyther by conſanguinitie or affinitie, which is ſo univerſally ſpread betwixt them, by reaſon that they are inhabited in ſo little a compaſſe or circuit, and reſtrayned by eſtatute to marrie with Iriſh nation, and therefore of neceſſity muſt marry themſelves together, ſo that in effect they all, for the moſt part, muſt be allyed together, either by conſanguinitie or affinitie, at the leaſt, within the ninth degree, and that by reaſon of the ſaid cauſes, as well ſuch as hath beene demaundants or plaintifes, as tenants or defendants, in actions, ſuits, plees or matters, and alſo the jurors in enqueſts and trials, upon the ſame empanelled, hath been greatly hindred, put to coſtes, and delayed ſometime by quaſſing of the array, other times by remayning of the jury, by challenging of the array, or of the

The Engliſh dwelling in a narrow compaſs, and reſtrained by ſtatute from marrying with the Iriſh, moſtly allied together.

Miſchief thence enſuing.

Conſanguinity or affinity, not within the 5th degree, no principal challenge.

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polles for the ſheriffe, underſheriffe, coroner or coroners, or other officer or officers, which retourned or arrayed the ſame enqueſts, or his or their wives within the ninth degree. For remedy whereof, be it enacted and eſtabliſhed by this preſent Parliament, and by authoritie of the ſame, That from henceforth conſanguinitie or affinitie, being not within the fifth degree betwixt the juror empanelled, or or at any time hereafter to be empanelled, in any enqueſt or triall, whatſoever it bee, or his wife, or any of the parties to the ſame enqueſt or trial, or any the wife of the ſame parties, or betwixt the ſheriffe or ſheriffes, under ſheriffes, coroner or coroners, or other officer or officers, that ſhall ſerve, returne, or array any panell or jury, in any enqueſt or triall, or the wife of any of them, and any of the parties to the ſame enqueſt or triall, or any the wife of any of the ſame parties, ſhall be no principall challenge.

CHAP. V.

An Act that maketh it Felony to any Man to run away with his Maſter's Caſket.

21 *H.* 8. 7. *Eng.* Servants going away with their maſters goods, delivered to them to keep, imbezling, or converting them to their own uſe, with intent to ſteal the ſame, contrary to the truſt repoſed in them, if to the value of 40s. felony.

WHERE before this time, divers aſwell noble men, as other the King's ſubjects, have upon confidence and truſt delivered unto their ſervants their caſkets and other jewels, money, goods and cattalls, ſafely to be kept to the uſe of their ſaid maſters or maſtreſſes, and after ſuch delivery the ſaid ſervants hath withdrawen themſelfe, and gone away from their ſaid maſters and maſtreſſes, with the ſaid caſkets, jewels, mony, goods, cattalls, or part thereof, to the intent to ſteal the ſame, and defraude their ſaide maiſters and maſtreſſe thereof. And ſometime being with their ſaid maſters and maſtreſſes, have converted the ſaid jewels, money and other cattalls, or part thereof to their own uſe, which miſbehaviour ſo done, was doubtful in the common lawe, whether it were felony or not: And by reaſon thereof, the foreſaid ſervants have beene in great boldneſſe to commit ſuch like offences. Be it therefore enacted, ordeyned and eſtabliſhed, by the King our ſoveraigne lord, by the aſſent of the lords ſpirituall and temporall, and the commons of this preſent Parliament, aſſembled by authoritie of the ſame; that all and ſingular ſuch ſervants, to whom any ſuch caſkets, jewells, money, goods or cattalls, by his or their ſaid maiſters or maſtreſſe, ſhall from henceforth ſo be delivered to keep, that if any ſuch ſervant or ſervants withdraw him from their ſaid maiſters and maſtreſſes, and goe away with the ſaid caſkets, jewels, money, goods, or other cattells, or any part thereof, to the intent to ſteal the ſame, and defraud his or their ſaid maſters and maſtreſſes thereof, contrary to the truſt and confidence to him or them put, by his or their ſaid maſters or maſtreſſes, or elſe being in the ſervice of his ſaid maſter or maſtreſſe, without aſſent or commaundement of his maſter or maſtreſſe, hee or ſhee imbeſell the ſame caſkets, jewells, money, goods, or cattells, or any part thereof, or otherwiſe convert the ſame to his

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own uſe, with like purpoſe to ſteale it, that if the ſaid caſkets, jewells, goods, and cattells, that any ſuch ſervant ſhall goe away with, or which he or ſhee ſhall embeſill with purpoſe to ſteal it, as is aforeſaid, be of the valour of fortie ſhillings or above, that then the ſame falſe, fraudulent, and untrue act and demeanour from henceforth ſhall be deemed and adjudged felonie; and hee or they, ſo offending, to be puniſhed as other felons be puniſhed for felonies committed by the courſe of the common lawe.

Standing mute, &c. ouſted of clergy, by 2 *G.* 1. 17.

II. Provided alway, that this act, or any thing herein conteyned, ſhall not in any wiſe extend or be prejudiciall to any apprentice or apprentices, nor to any perſon within the age of eighteene yeares, going away with his maſters goods or jewells, or otherwiſe converting the ſame to his or their own uſes, during the time of their apprenticeſhippe, or being within the ſame age of eighteene yeares, but that every apprentice or apprentices, ſuch perſon or perſons being within the ſaid age, doing or offending contrarie to this preſent act, ſhall bee and ſtand in like caſe, as they and every of them were before the making of this act.

Not to extend to apprentices, or any within 18 years of age.

CHAP. VI.

An Act for Marriages. Rot. Parl. cap. 7.

WHEREAS heretofore the uſurped power of the biſhoppe of Rome hath alwayes entangled and troubled the mere juriſdiction and regal power of this land of Ireland, and alſo inquieted much the ſubjects of the ſame by his uſurped power in them: as by making that unlawful, which by God's word is lawfull, both in marriages and other things, as hereafter ſhall appeare at more length: till now of late in our ſoveraigne Lord's time, which is otherwiſe by learning taught, then his predeceſſours in times paſt of long time hath beene, and hath ſo continued the ſame, whereof yet ſome ſparkles bee left, which hereafter might kindle a great fire, and ſo remayning, his power not to ſeeme utterly extinct: therefore it is thought moſt convenient to the King's highneſſe, and to his lords ſpirituall and temporall, with the commons of this land aſſembled in this preſent Parliament, That two things ſpecially for this time be with diligence provided for, whereby many inconveniences hath enſued, and many moe evils mought enſue and follow: as where heretofore diverſe and many perſons after long continuance together in martrimonie, without any allegation of eyther of the parties, or anie other at their marriage, why the ſame matrimonie ſhould not bee good, juſt, and lawfull, and after the ſame matrimonie ſolemnized and conſummate by carnall copulation, and alſo ſometimes fruite of children enſued of the ſame marriage, have nevertheleſſe by an unjuſt law of the biſhop of Rome, which is, that upon pretence of a former contract made and not conſummate by carnall knowledge, for proofe whereof two witneſſes by that law were onely required, beene divorſed and ſeparated contrarie to God's law; and ſo the true matri-

32 *H.* 8. 38. *Eng.* 2 & 3 *E.* 6. 23. *Eng.* *This act repealed* 3 & 4 *Ph.* & *M.* *Rev.* 2 *Eliz.* 1 *Ir. as to ſo much only as concerns degrees of conſanguinity.*

The Pope's uſurped power, making that unlawful which by God's word is lawful, not utterly extinct.

Two evils provided for.

Divorces on pretence of former contract.

A. D. 1542. Chap. 6.

monie both ſolempniſed in the face of the church, and conſummate with bodily knowledge, and confirmed alſo with the fruit of children had betwixt them, cleerely fruſtrate and diſſolved: further alſo, by reaſon of other prohibitions then God's law admitteth, for their lucre by that court invented, the diſpenſation whereof they alwayes reſerved to themſelfe, as in kindred or affinitie betwixt coſen germanes, and ſo to fourth and fourth degree, carnall knowledge of any of the ſame kinne or affinity, before in ſuch outward degrees, which all were lawfull, and be not prohibited by God's law, and all becauſe they would get money by it and keepe a reputation to their uſurped juriſdiction, whereby not onely much diſcord be betwixt lawfull married perſons hath (contrary to God's ordinance) ariſen, much debate and ſuit at the law, with the wrongfull vexation and great dammage of the innocent partie hath beene procured, and many juſt marriages in doubt and danger of undoing, and alſo many times undone, and lawfull heyres diſenherited, whereof they had never elſe, but for his vaine glorious uſurpation, beene moved any ſuch queſtion ſithence freedome was in them was given us by God's law, which ought to be moſt ſure and certaine: but that notwithſtanding, marriages have beene brought into ſuch an uncertaintie thereby, that no marriage could be ſo ſure knitte and bounden, but it ſhould lye in eyther of the parties powers and arbitre, caſting away the feare of God, by meanes and compaſſe to prove a precontract, a kindred and allyance, or carnall knowledge, to defeat the ſame: and ſo under the pretence of theſe allegations afore rehearſed to live all the dayes of their life in deteſtable adulterie, to the utter deſtruction of their owne ſoules, and the provocation of the terrible wrath of God upon the places where ſuch abominations were uſed and ſuffered: be it therefore enacted by the King our ſoveraigne lord, and the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That from the firſt day of July laſt paſt, in the year of our Lord God 1540, all and every ſuch marriage as within this Church of Ireland hath or ſhall be ſo contracted betwixt lawfull perſons, as by this act we declare all perſons to be lawfull, that be not prohibited by God's law to marry, ſuch marriages being contracted and ſolempnized in the face of the church, and conſummate with bodily knowledge, or fruit of children, or child, being had therein betwixt the parties ſo married, ſhall be by authoritie of this preſent Parliament aforeſaid deemed, judged, and taken to be lawfull, good, juſt, and indiſſoluble, notwithſtanding any precontract or precontracts of matrimonie, not conſummate with bodily knowledge, which eyther of the perſons ſo married, or both, ſhall have made with any other perſon or perſons before the time of contracting that marriage, which is ſolempnized or conſummate, or whereof ſuch fruit is enſued or may enſue as afore. And notwithſtanding any diſpenſation, preſcription, law, or other thing graunted or confirmed by act or otherwiſe. And that no reſervation or prohibition (God's law except) ſhall trouble or impeach any

Diſpenſation of prohibitions invented by the court of Rome.

Marriages between perſons not prohibited by God's law to marry, and ſolemniſed in face of the church, and conſummated ſhall be good, notwithſtanding precontract not conſummated; and notwithſtanding any diſpenſation, &c.

No reſervation or prohibition (God's law excepted) ſhall impeach any marriage without the levitical degrees.

28 *H.* 8. 2.

No proceſs, plea or allegation in any ſpi-

any marriage without the levitical degrees. And that no perſon of what eſtate, degree, or condition ſoever he or ſhee be, ſhall after the firſt day of the moneth of July aforeſaid be admitted in any of the ſpiritual courts within this the King's land of Ireland, or any other his Grace's lands and dominions, to any proces, plees or allegations contrary to this foreſaid act. A. D. 1542. ritual court to be admitted contrary to this act.

CHAP. VII.

An Act for all Lords to Diſtraine upon the Lands of them holden, and to make their Avowrie, not naming the Tenant but the Land. Rot. Parl. cap. 8.

WHERE aſwell the noble men of this land, as divers other perſons by fines, recoveries, graunts, and ſecret feoffements and leaſes made by their tenants, to perſons unknowne of the lands and tenements holden of them, have put from the knowledge of their tenants, upon whom they ſhould by order of the law make their avowries for their rents, cuſtomes, and ſervices, to their great loſſes and hindrances. Be it therefore enacted ordeyned and eſtabliſhed by authoritie of this preſent Parliament, That whereſoever anie mannours, landes, tenements or other hereditaments, bee holden by anie manner perſon or perſons by rents, cuſtomes or ſervices that if the lord of whom any ſuch mannours, lands, tenements, or hereditaments be ſo holden, diſtraine upon the ſame mannors, lands, or tenements for any ſuch rents, cuſtomes or ſervices, and replevin thereof to be ſued, that the lord of whom the ſame landes, tenements, or hereditaments bee ſo holden, may avow, or his bayliffe, or ſervant make cogniſance or juſtifie for taking of the ſaid diſtreſſes upon the ſame landes, tenements, or hereditamentes ſo holden, as in landes or tenementes within his fee or ſeigniorie, alleaging in the ſaid avowry, cogniſance, aud juſtification, the ſame manours, landes, tenementes, to bee holden of them without naming of any perſon certain to bee tenant of the ſame, and without making any avowrie, juſtification, or cogniſance upon any perſon certain; and likewiſe the lord, bayliffe, or ſervant, to make avowrie, juſtification, or cogniſance in like manner and forme, upon every writte ſued of ſecond deliverance. 21 *H.* 8. 19 *Eng.* Upon a replevin the lord may avow, or his bailiff make conuſance, or juſtify the diſtraining upon the lands as within his fee, without naming any perſon certain to be tenant. So upon every writ of ſecond deliverance.

II. And alſo be it enacted by the ſame authoritie, that every avowant, and every other perſon and perſons, that make any ſuch avow, juſtification or cogniſance, as bayliffe or ſervant to any perſon or perſons in any replegiare, or ſecond deliverance, for rentes, cuſtomes, ſervices, or for damages feaſaunt or other rent or rents upon any diſtreſs taken in any landes or tenements, if the ſame avowry, cogniſance or juſtification bee found for them, or the plaintifes in the ſame bee non ſuite, or otherwiſe barred, that then they ſhall recover their damages and coſts againſt their ſaid plaintifes, as the ſaid plaintife ſhould have done or had, if they had recovered in the replegiare or ſecond deliverance found againſt the ſaid defendants: and be it alſo ordeined, Avowant recovering ſhall have coſts and damages. 7 *H.* 8. 4. *Eng.* 33 *H.* 8. 13. *Ir.* Both plaintiff and defendant in ſuch writs ſhall have

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like pleas (except diſclaimer) like aid prayer and joinder aid, as at common law. 25 *G.* 2. 13.

ordeined, that the ſaid plaintifes and defendauntes in the ſaid writtes of replegiare or writtes of ſecond deliverance, and in everie of them ſhall have like plees, and like ayd preyers in all ſuch avowries, cogniſaunce and juſtifications (plees of diſclaim only excepted) as they might have had before the making of this act, and as though the ſaid avowrie, cogniſaunce and juſtification had beene made after due order of the common law.

III. And it is further enacted by the ſaid authoritie, that all ſuch perſons as by the order of the common law may lawfully joyne to the plaintifes or defendauntes in the ſaid writtes of replegiare or ſecond deliverance, aſwell without proces as by proces ſhall from henceforth joyne unto the ſaid plaintifes or defendaunts, aſwell without proces as by proces, and to have like plees, and like advauntage in all things (diſclaimer onely excepted) as they might have done by order of common law before the making of this act.

CHAP. VIII.

An Act for Capacities. Rot. Parl. cap. 9.

Religious perſons profeſſed, after ſuppreſſion, &c. of their houſes, may purchaſe, ſue and be ſued as other ſubjects, and enjoy all lawful things falling to them after deraignment, in as ample manner as if never profeſſed.

BE it enacted by the authoritie of this preſent Parliament, that Sir John Rawſon Knight, late priour of Saint John's Jeruſalem in Ireland, and all other religious perſons, aſwell men as women, profeſſed, of what order, rule or habite ſoever they were, which bee or heereafter ſhall bee put at their liberties from daunger, ſervitute and condition of their religion and profeſſion whereunto they were profeſſed by reaſon of ſuppreſſion, diſſolving, forfeiture by attainder, rendering or otherwiſe given up to the hands of the King's majeſty: or any other the ſame monaſteries, abbeyes, priories, or other religious houſes or places wherein the ſame religious perſons were profeſſed, ſhall by authoritie of this preſent parliament, from and after the firſt day of the ſame Parliament, and from and after the time that they were and ſhall be put in ſuch libertie free libertie to purchaſe and take to them and their heyres in fee ſimple, fee taile, or for terme of life, for yeares, or at will, mannours, lands, tenements, rents, annuities or other hereditaments, and things whatſoever they be, in like manner and forme, as though they nor any of them had never been profeſſed nor entered into any ſuch religion. And furthermore, that they the ſame religious perſons, and every of them, ſhall be made able by authoritie of this preſent act to ſue and to be ſued in all manner of actions, plaints and ſuits whatſoever they be, of and for any matter or cauſe growing ſince and after the time of their ſeverall deraignements or departing out of their religion, in all courts and places within this land, as other the King's ſubjects. And furthermore, that they and every of them ſhall and may from henceforth uſe and exerciſe, receive, take and enjoy all and every lawfull thing and things to be growing, fall or happened to them or any of them after the ſaid deraignement or departing out of their religion, in as large and ample maner and forme and condition, as if they had

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never been profeſſed nor entred into religion, the ſame profeſſion, or religion, or any law, cuſtome, or uſe within this land, to the contrarie thereof in any wiſe notwithſtanding.

But not to beheirs to any perſon,

II. Provided alway, and be it enacted by authority aforeſaid, that none of the ſame religious perſons ſhall or may at any time hereafter be taken, deemed, or judged, for or as heyre or heyres inheritable to any perſon or perſons, to any purpoſe, reſpect, conſtruction, or intent in the law, nor that they, nor any of them, by vertue of this act be received, admitted, or deemed able in the law, to demaund, challenge, receive, or take any manors, lands, tenements, or hereditaments, or any other thing or things, by reaſon of or for any former title, right, intereſt, matter or cauſe, had, made, or grown, to any reſpect or purpoſe before their ſaid ſeverall deraignements or departing out of their religion; nor that any of the ſaid religious perſons, being prieſts, or ſuch as hath avowed religion at xxi. yeares of age, or above, and thereto then conſented, continuing in the ſame any while after, not duely proving by witneſſe, or other lawfull meanes, ſome unlawfull coherſion or compulſion done to them or anie of them, for making of any ſuch vow, or conſtrayning them to remayne in their religion, be inabled by vertue of any words, clauſe, or ſentence, before in this act expreſſed, to marrie or take any wife or wives, but that they and every of them be cleerly excluded and put from the ſame to all intents and purpoſes: any thing before in this act to the contrarie hereof in any wiſe notwithſtanding.

Nor able to take lands, &c. by any title before ſuch deraignment. 5 & 6 *E.* 6. 13. *Eng.*

Prieſts, and ſuch as avowed religion, at or above 21, and continuing in the ſame any while after, not enabled to marry, unleſs proof of compulſion, 31 *H.* 8. 6. *Eng.*

CHAP. IX.

An Act for Servants Wages. Rot. Parl. cap. 11.

5 *Eliz.* 4. *Eng.*

FORASMUCH as prices of victualls, cloth, and other neceſſaries for labourers, ſervants at huſbandry, and artificers, yearely change, as well ſometime by reaſon of dearth and ſcarceneſſe of corne and victuall as otherwiſe, ſo that hard it is to limit in certain, what wages ſervants at huſbandry ſhould take by the yeare, and other artificers and labourers by the day; by reaſon whereof they now aſke and take unreaſonable wages within the land of Ireland. For reformation whereof, be it enacted by authority of this preſent Parliament, That the juſtice of Peace in every county within this land of Ireland, yearly in their ſeſſions to bee holden within one moneth next after the feaſt of Eaſter, and one moneth next after the feaſt of Saint Michael the Archangel, ſhall make proclamations by their diſcretion, haveing reſpect to ſuch prices as victualls, cloth, and other neceſſaries then ſhall be at, how much every maſon, carpenter, ſclauter, and every other artificer and labourer, ſhall take by the day, as well in harveſt ſeaſon, as any other time of the yeare, with meate and drinke, and how much without meate and drinke, betwixt both the ſaid ſeſſions; and alſo at the ſeſſions to bee holden next after the feaſt of Eaſter, how much

Juſtices of peace yearly, at Eaſter and Michaelmas ſeſſions, by diſcretion, having reſpect to the price of victuals and neceſſaries to proclaim wages of artificers and labourers.

And at Eaſter ſeſſions, of ſervants at huſbandry.

Obeyed, on forfeiture of the thing taken, and impriſonment.

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every ſervant at huſbandry ſhall take by the yeare following, with meate and drinke; and that every of them ſhall obey ſuch proclamations from time to time, as a thing made and eſtabliſhed by act of Parliament for a law in that behalfe, upon paine of forfeyture, every one of the ſaid carpenters, ſclauters, artificers, labourers, and ſervants, that ſhall take any thing contrarie to the ſaid proclamation or proclamations, the thing ſo taken, and impriſonment of their bodies, by the diſcretion of the ſaid juſtice; and that juſtice of peace at any ſeſſions ſhall enquire, heare, and determine the ſame offences, and thalffendell of the ſaid forfeiture to be to the King's highneſſe, and thother halfe to him or them that ſhall give information of the ſame forfeiture; and that all and every act before this time made concerning the limitation of wages for the ſaid ſervants, artificers, and labourers, bee in that point onely voyde and of none effect within this land; and this act to endure till the next Parliament within this land to be holden.

Juſtices of peace at ſeſſions to hear and determine the offences.

All former acts limiting wages, to be in that point only void.

Revived, and made perpetual, 11 *Eliz.* 5 *Seſſ.* 1.

CHAP. X.

An Act for Jointenants. Rot. Parl. cap. 12.

FORASMUCH as by the common lawes of this land, diverſe of the King's ſubjects being ſeiſed of mannours, lands, tenements, and hereditaments, as joynte tenaunts, or as tenaunts in common, with other of anie eſtate of inheritance in their owne right, or in the right of their wives, by purchaſe, diſcent, or otherwiſe, and every of them ſo being joynt tenants, or tenantes in common, have like right, title, intereſt, and poſſeſſion in the ſame manours, landes, tenements, and hereditamentes, for their partes or portions, joyntly, or in common, undividedly together with other, and none of them by the lawe doth or may knowe their ſeverall partes or poſſeſſions in the ſame, or that, that is his or theirs, by it ſelfe undivided, and cannot by the laws of this land otherwiſe occupie or take the profites of the ſame, or make any ſeveraunce, diviſion, or partition thereof, without other of their mutual aſſentes and conſentes; by reaſon whereof divers and many of them, being ſo jointly and undividedly ſeiſed of the ſaid mannours, landes, tenementes, and hereditamentes, oft times of their perverſe, covetouſe, and malicious mindes, and willes, againſt all right, juſtice, equitie, and good conſcience, by ſtrength and power hath not onely cutte and fallen downe all the woodes and trees growen upon the ſame, but alſo have extirped, ſubverted, and pulled downe and deſtroyed, all the houſes, edifices and buildings, medowes, paſture, commens, and the whole commodities of the ſame, and have taken and converted them to their own uſes and behoofes, to the open wrong and diſheriſon, and againſt the mindes and willes, of other holding the ſame mannours, landes, tenementes, and hereditamentes, jointly or in common with them, and they have beene alwayes without aſſured remedie for the ſame:

31 *H.* 8. 1. *Eng.* *Dy.* 98. *Pl.* 55. 32 *H.* 8. 32. *Eng.* 9 *Will.* 3. 12.

Partition could not be made without mutual conſent.

The miſchief.

ſame: bee it therefore enacted by the King our moſt dread ſoveraign lord, and by the aſſent of his lords ſpirituall and temporall, and by the commons in this preſent Parliament aſſembled, That all joynt tenants and tenants in commen, that now bee, or hereafter ſhall bee, of any eſtate or eſtates of inheritance in their owne rightes, or in the right of their wives, of any mannours, landes, tenementes, and hereditamentes within this land of Ireland, ſhall and may bee coacted and compelled by vertue of this preſent act to make partition betweene them of all ſuch mannours, landes, tenementes and hereditamentes, as they now holde, or hereafter ſhall hold, as joynt tenantes or tenants in common, by writte *de participatione facienda*, in that caſe to bee deviſed in the King our ſoveraign lord's court of chancerie of this land, in like maner and forme as coparcioners by the common lawes of this land have been and are compellable to do, and the ſame writte to be purſued at the common law.

Remedy. Jointenants and tenants in common may be compelled to make partition by writ, as Coparceners by the common law, of *Participatione facienda.*

II. Provided alway, and be it enacted, That every of the ſaid joynt tenants or tenants in common, and their heires, after ſuch particion made ſhall and may have ayde of the other, or of their heires, to the intent to deraign the garraunt paramount, and to recover for the rate as is uſed betwixt coparcioners after particion made by the order of the common law; any thing in this act conteyned to the contrary notwithſtanding.

But may afterwards have aid of each other to deraign the warranty paramount, &c. 6 *Anne* 3.

III. And bee it further enacted by the authoritie aforeſaid, That all joynt tenants and tenantes in common, and everie of them, which now holde, or hereafter ſhall holde, joyntly, or in common, for tearme of life, yeare or yeares, or joynt tenants or tenants in common, where one or ſome of them have or ſhall have eſtate or eſtates for terme of life or yeares, with the other that have or ſhall have eſtate or eſtates of inheritance or freehold in any mannours, lands, tenements, or hereditaments, ſhall and may be compellable from henceforth by writ of particion, to bee purſued out of the King's court of chauncerie upon his or their caſe or caſes, to make ſeveraunce and particion of all ſuch mannours, landes, tenements, and hereditaments, which they hold joyntly or in common for terme of life or lives, yeare or yeares, where one or ſome of them holde joyntly or in common for terme or life or yeares with other, that have an eſtate or eſtates of inheritance or freehold.

Partition may be made where one has inheritance, the other for life or years.

IV. Provided alway, and be it enacted, That no ſuch particion, nor ſeverance, hereafter to be made by force of this act, bee nor ſhall be prejudiciall or hurtfull to any perſon or perſons, their heyres or ſucceſſours, other than ſuch which bee parties or privie unto the ſaid particion, their executors or aſſignes.

Such partition not to prejudice any but parties or privies.

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CHAP. XI.

An Act for Recoverie in avoyding Leaſes. Rot. Parl. cap. 13.

21 *H.* 8. 15. *Eng.* 6 *E.* 1. 11. *Eng.*

WHERE afore this time diverſe perſons have made leaſes of their mannours, landes, tenements, and other hereditaments, ſometime by their indentures, and ſometime without writing, to other perſons for terme of yeares, taking of them great fines for their incomes of the ſame leaſes, and after the ſame leſſours, their heyres or aſſignes, have cauſed and ſuffered recoveries to be had againſt them in the court of our ſoveraigne lord the King, and in other lords courts within this land, upon fained and untrue titles by craft and covin to put the ſaid termours from their ſaide termes, and after ſuch recoveries had the ſame recoverers by reaſon of ſuch recoveries and judgment have entred into the ſame mannours, landes, tenements, and other hereditaments, ſo to ferme letten, and thereof have expulſed the ſaid farmours contrary to their ſaid leaſes, covenaunts, and agreements; and becauſe it was doubted to ſome perſons, whether the ſaide termours might falſifie ſuch recoveries or not; be it therefore enacted by the King our ſoveraigne lord with the aſſent of the lords ſpirituall and temporall and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That all ſuch termours ſhall and may falſifie for his terme onely ſuch recoveries, as well heretofore hadde, as hereafter to bee had, in ſuch wiſe and forme as a tenaunt of a freehold ſhall and may doe by the courſe of the common lawe, where ſuch tenaunt of freehold was neyther privie nor parte to the ſame recoverie, and that the ſame termours, their executors and aſſignes, notwithſtanding ſuch recoveries ſo had, ſhall retain, holde, and enjoy the ſaid termes according to their ſaid leaſes againſt all ſuch recoverers, their heirs and aſſignes, as they ſhould or might have done againſt the ſaid leaſors, if ſuch recoverie had not beene had ne ſuffered; and that the ſame recoverers, their heires and aſſignes, after ſuch recoverie ſo had, ſhall have like remedie againſt the ſaid termers, their executors and aſſignes, by avowrie or action of debt for the rentes and ſervices reſerved upon the ſame leaſes, being due after the ſame recoveries, and alſo like action againſt them for waſt done after the ſame recoveries ſo had, in like manner and fourme as the ſaid leaſors ſhould or might have had, if the ſame recoveries had never beene had.

Termor may, for his term only, falſify feigned recovery.

As tenant of the freehold may at common law, where neither privy or party.

And hold againſt recoverer.

Recoveror ſhall have like remedy as leſſor for rents, ſervices, and waſte.

II. And alſo bee it further enacted by the authority aforeſaid, That no manner of ſtatute of the ſtaple, ſtatute merchant, nor execution by *elegit*, bee hereafter avoyded or in any wiſe made fruſtrate by meanes of any ſuch fayned recoverie; but that all perſons having any lands, tenements, or other hereditaments in execution, or being intitled to have execution of any mannours, landes, or tenements, by any ſuch meanes, ſhall have by force of this

Perſons having ſtatute ſtaple, merchant, or execution by *Elegit* may likewiſe falſify.

ſtatute like remedie to avoyd and falſifie the ſame recoveries, as before is ordeined and provided for the leaſe for terme of yeares. A. D. 1542.

CHAP. XII.

An Act for Tythes. Rot. Parl. cap. 15.

32 *H.* 8. 7. *Eng.* 27 *H.* 8. 20. *Eng.*

WHERE divers and many perſons inhabiting in ſundrie countries and places of this land of Ireland, not regarding their duties to Almightie God, and to the King our ſoveraign lord, but in few years paſt more contemptuouſly and commonly preſuming to offend and to infringe the good and wholſome lawes of this land of Ireland, and gracious commaundements of our ſaid ſoveraign Lord, then in times paſſed hath been ſeen or known, have not letted to ſubſtract and withdraw the lawfull and accuſtomed tythes of corne, hay, paſturages, and other ſort of tithes and oblations commonly due to the owners, proprietaries, and poſſeſſioners of the parſonages, vicarages, and other eccleſiaſticall places of and within the ſaid land of Ireland; being the more encouraged thereunto, for that that divers of the King's ſubjects being lay perſons, having parſonages, vicarages, and tythes, to them and to their heires, or to them and to the heires of their bodies lawfully begotten, or for tearme of life or yeares, cannot by the order and courſe of the eccleſiaſtical laws of this land ſue in any eccleſiaſticall court for the wrongfull withholding and detaining of the ſaid tithes or other duties, nor cannot by the order of the common lawes of this land of Ireland have any remedie againſt any perſon or perſons, their heires or aſſignes, that wrongfully withholdeth and detayneth the ſame; by occaſion whereof much controverſie, ſuit, variance, and diſcord is like to enſurge and enſue amongſt the King's ſubjects, to the great detriment, damage, and decay of many of them, if convenient and ſpeedie remedie thereof be not had and provided: wherefore it is ordained and enacted by our ſaid ſoveraign lord the King with the aſſent of the lords ſpirituall and temporall and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all and ſinguler perſons of this his ſaid land, of what eſtate, degree, or condition ſoever he or they be, ſhall fully, truely, and effectually divide, ſet out, yeeld, or pay all and ſinguler tythes and offerings aforeſaid, according to the lawfull cuſtomes, and uſages of the paroches and places, where ſuch tythes or duties ſhall growe, ariſe, come, or be due; and in caſe that it ſhall happen any perſon or perſons of his or their ungodly and perverſe will and mind to detain or withhold any of the ſaid tithes or offerings, or part or parcell thereof, then the perſon or partie, being eccleſiaſticall or lay perſon, having cauſe to demaund or to have the ſaid tythes or offeringes, being thereby wronged or grieved, ſhall or may convent the perſon or perſons ſo offending before the ordinarie, his commiſſarie, or other compe-

Lay perſons could not by the laws eccleſiaſtical ſue for tithes in the eccleſiaſtical court, nor had any remedy by common law.

Tithes and offerings ſhall be truly and effectually ſet out or paid according to uſage of the place where they grow due.

Detainers thereof may be convened by the lay or

A. D. 1542. Chap. 12.

tent miniſter or lawfull judge of the place, where ſuch wrong ſhould bee done according to the eccleſiaſticall lawes; and in everie ſuch cauſe or matter of ſuit the ſame ordinarie, commiſſarie, or other competent miniſter or lawfull judge, having the parties or their lawfull procurators before him or them, ſhall and may by virtue of this act proceed to examination, hearing, and determination of everie ſuch cauſe or matter ordinarily of ſomeralie according to the courſe and proceſſe of the ſaid eccleſiaſticall laws, and thereupon may give ſentence accordingly. And in caſe that anie of the parties for anie cauſe or matter concerning that ſuit doe appeale from the ſentence, order, and definite judgment of the ſaid ordinarie or other competent judge, as is aforeſaid, then the ſame judge by vertue of the ſame act forthwith upon ſuch appellation made ſhall adjudge to the other partie the reaſonable coſts of his ſuite therein before expended, and ſhall compell the ſame partie appellaunt to ſatisfie and pay the ſame coſtes ſo adjudged, by compulſarie proceſſe and cenſoures of the ſaid laws eccleſiaſticall, taking ſuretie of the other partie, to whom ſuch coſtes ſhall be adjudged and payde, to reſtore the ſame coſtes to the partie appellaunt, if after the principall cauſe of that ſuit of appeal ſhall be adjudged againſt the ſame partie, to whom the ſaid coſtes ſhall be yeelded; and ſo everie ordinarie or other competent judge eccleſiaſticall by vertue of this act, ſhall adjudge coſtes to the other partie upon everie appeale to bee made in any ſuite or cauſe of ſubſtraction or detention of any tythes or offerings, or in any other ſuite to bee made for or concerning the dutie of ſuch tythes or offerings.

eccleſiaſtical owners before the ordinary, &c. who ſhall examine ſummarily according to eccleſiaſtical laws, and ſentence.

And upon appeal ſhall adjudge, and compel the appellant to pay reaſonable coſts; taking ſecurity for reſtoring if adjudged for appellant.

II. And further be it enacted by the authority aforeſaid, That if any perſon or perſons, after ſuch ſentence definitive given againſt them, obſtinately and wilfully refuſe for to pay their tythes or duties, or ſuch ſummes of money ſo adjudged, wherein they be condempned for the ſame, that then two juſtices of peace of the ſame ſhire, whereof one to be of the *quorum*, ſhall have authority by this act upon information, certificate or complaint, to them made in writing by the ſaid eccleſiaſtical judge that gave the ſame ſentence, to cauſe the ſame partie ſo refuſing to be attached and committed to the next goale, and there to remain without bayle or mainpriſe, till he or they ſhall have found ſufficient ſureties, to be bound by recogniſance or otherwiſe before the ſame juſtice to the uſe of our ſoveraign lord the King to performe the ſame definitive ſentence and judgment.

Perſons refuſing to pay, ſhall, upon certificate of the eccleſiaſtical judge, be committed by two juſtices of peace of the ſame ſhire (*quor. unus*) to next goal, till ſureties found.

III. Provided alwayes, and be it enacted by the authoritie aforeſaid, That no perſon ne perſons ſhall be ſued or otherwiſe compelled to yield, give, or pay any manner of tythes for any mannors, lands, tenements, or hereditaments, which by the laws or ſtatutes of this land of Ireland are diſcharged, and not chargeable with the payment of any ſuch tythes.

None compellable to pay tithes for lands, &c. by the laws or ſtatutes of Ireland, diſcharged of tithes.

IV. Bee

A. D. 1537. Chap. 12.

IV. Bee it further enacted by the authority aforeſaid, That in all caſes where any perſon or perſons, which now have, or which hereafter ſhall have, any eſtate of inheritance, freehold, terme, right, or intereſt of, in, or to any parſonage or vicarage, portion, penſion, tythes, oblations, or other eccleſiaſticall or ſpirituall profites, which now bee, or which hereafter ſhall bee, made temporall, or admitted to bee, abide, and goe to, or in temporall handes, or lay uſes and profites, by the lawes or ſtatutes of this land of Ireland, ſhall hereafter fortune to be diſſeiſed, deforced, wronged, or otherwiſe kept or put from their lawful inheritance, eſtate, ſeiſin, poſſeſſion, or occupation, tearme, right or intereſt of, in, or to the ſame, or of, in, or to any parcell thereof, by any other perſon or perſons clayming or pretending to have intereſt or title in or to the ſame: that then, in every and all ſuch caſes or caſe, the perſon or perſons ſo diſſeiſed, deforced, or wrongfully kept, or put from his or their right or poſſeſſion, as is afore rehearſed, their heyres, wives, or ſuch other, to whom ſuch injurie or wrong ſhall be done or committed, ſhall and may have their remedie in the King's temporall courts, or in other courts, as the caſe ſhall require, for the recoverie, getting or obtaining of ſuch inheritance, eſtate, freehold, ſeiſin, poſſeſſion, terme, right, or intereſt, by writs originall of *precipe quod reddat*, *aſſiſe de novel diſſeiſin*, *morte dauncеſter*, *quod ei deforceat*, writs of dower or other writs originall, as the caſe ſhall require, to be deviſed and graunted in the King's chauncerie, of every ſuch parſonage, vicarage, portion, penſion, or other profit called eccleſiaſticall or ſpirituall, ſo to be demaunded according to the nature and cauſe of the ſuit thereof, in like manner and forme as they ſhould, ought, or might have had of or for landes, tenementes, and other hereditamentes, in ſuch manner to be demanded, and that writs of covenant and other writs for fines to be levied, and all other aſſurances to be had, made, or conveyed of any ſuch parſonage, vicarage, portion, penſion, or other profite, called eccleſiaſticall or ſpirituall, as is aforeſaid, ſhall be hereafter deviſed and graunted in the ſaid chaunceries, according as hath been uſed for fines to bee levied, and aſſurances to bee had, made, or conveyed, of landes, tenementes, or other hereditamentes. And that all judgments to bee given upon any of the ſaid writs original, ſo to bee deviſed and graunted, of or for any the premiſſes, or any of them, and all fines to be levied and knowledged in any of the King's ſaid courts thereof, ſhall bee of like force and effect in the law to all intents and purpoſes, as judgments given and fines levied of lands, tenements, and hereditaments in the ſame courts upon writs originall, therefore duely purſued and proſecuted: Albeit no ſuch forme of writs originall out of the ſaid court of chauncery have heretofore proceeded or beene awarded.

Perſons having inheritance, freehold, term, right, or intereſt in tithes, &c. made temporal, or admitted to be to lay uſes, if diſſeiſed, &c. ſhall have like remedy in the temporal or other courts as the caſe requires, by writ original, as for lands, &c.

Writs of covenant and other writs for fines and other aſſurances of ſuch eccleſiaſtical profits, and judgments thereon, and fines levied thereof, ſhall be of like effect, as of lands, &c.

Although no ſuch form of writs original, heretofore awarded.

V. Provided alwayes, that this laſt act ſhall not extend nor bee expounded to give any remedie, cauſe of action, or ſuit in the courts temporall againſt anie perſon or perſons, which ſhall refuſe,

A. D. 1542.

or denie to ſet out his or their tythes, or which ſhall detain, withhold, or refuſe to pay his tythes or offerings, or any parcell thereof: but that in all ſuch caſes the perſon or partie being eccleſiaſticall or lay perſon, having cauſe to demaund or to have the ſaid tythes or offerings, and thereby wronged or grieved, ſhall take and have their remedie for their ſaid tythes or offerings in everie ſuch caſe in the ſpirituall courts, according to the ordinance in the firſt part of this act mentioned, and not otherwiſe, any thing here expreſſed to the contrarie notwithſtanding.

But the remedy for the refuſing to pay tithes, ſhall be in the court eccleſiaſtical, and not otherwiſe.

CHAP. XIII.

An Act for Attournements. Rot. Parl. cap. 16.

7 H. 8. 4. Eng.

WHEREAS diverſe, as well noblemen as other the King's ſubjects, have ſuffered recoveries againſt them, and divers their mannours, lordſhips, lands, and tenements, for the performance of their wills, or for the ſuretie of their wives joynters, or for the joynter of ſonnes and heyres apparent, and their wives, or for any other perſon or perſons, according to their covenants and agreements: and thoſe perſons, that ſo have recovered the ſaid mannours, by the courſe of the common law had not remedie, nor may have, to compell the fermour, freeholders, and tenants, which held of the ſame manors by rents, ſervices, or cuſtomes, to attorne to them, nor could by the order of the law attaine to the rents, ſervices, or cuſtomes, if they were denied by diſtreſſe or action, without they could once attaine to the poſſeſſion of the rents, ſervices, and cuſtomes, by paying or doing the ſaid rents, ſervices, or cuſtomes by the ſame freeholders, fermours and tenants; which to doe divers and many of them have often times refuſed, and yet doe, to the great offence and charge of their conſcience, not onely to the diſinheritance of the ſaid recoverers, but alſo in breaking of the laſt wills of them, againſt whom ſuch recoveries is had; and alſo to the diſinheritance of the ſaid huſbands, wives, and other, to whoſe uſe the ſame recoveries was ſo had. Alſo, if there were any advowſon, appendant to any of the ſaid mannours, the ſame advowſon had fallen void, and a ſtranger had preſented, the ſaid recoverers, nor they to whoſe uſe the ſame recoverie was had, had no remedie for the ſame diſturbance, and ſometime thereby they have been diſinherited.

Recoverers had no remedy by common law to compell attornment, or for their rents, ſervices, or advowſons.

II. Bee it therefore enacted by this preſent Parliament, and by the authority of the ſame, That the recoverers in all ſuch recoveries, their heires and and aſſignes, may from henceforth diſtrain for the ſaid rents, ſervices, and cuſtomes, ſo being due and unpaide, and make avowrie or juſtifie the ſame, as thoſe perſons, againſt whom the ſaid recoverie was had, ſhould have done, if the ſaid recoverie had not beene had: and alſo have like remedie for the recoverie of the ſaid rent, ſervices, and cuſtomes by avowrie, and alſo *quare impedit* for the ſaid advowſon, if any diſturbance bee made, as thoſe perſons,

Recoverers may diſtrain, avow, juſtify, have *Quare impedit*, as thoſe againſt whom the recoveries had, ſhould have done.

againſt whom the ſaid recoveries were had, might or ſhould have had, by the courſe of the common lawe, afore the ſaid recoverie, if any ſuch rent, ſervices, or cuſtomes had been denied them, or any ſuch diſturbance had, bee had, in their times; and alſo that every avowant, and any other perſon and perſons, that maketh avowrie, connyſance or knowledge, or juſtifie as baylife, to any other perſon or perſons, in any replegiare, ſecond deliverance for any rent, cuſtome, or ſervice, if their avowrie, conniſance, or juſtification, bee found for them or the pleintifes in the ſaid actions, otherwiſe barred, ſhall recover their dammages and coſts that they have ſuſteyned, as the pleintife ſhould have done, if they had recovered in the ſaid replevins.

A. D. 1542.

The avowant, &c. recovering ſhall have coſts. 33. *H.* 8. 7. *Ir.*

CHAP. XIV.

An Act for erecting of Vicarages. Rot. Parl. cap. 6.

WHERE as well the church of Kilmaynam is a pariſh church and hath been appropriated and united unto the late hoſpitall of Saint John's Jeruſalem, within this land of Ireland, as alſo diverſe other pariſh churches within the ſaid land, likewiſe appropried to the ſaid late hoſpitall, and to other monaſteries, religious houſes and hoſpitals, now diſſolved, having no vicar, endowed within the ſame pariſh churches, within which pariſh churches divine ſervice was done, maintayned and kept, and the cure ſerved by the late religious perſons of the ſame hoſpitall, monaſteries, and religious houſes. And foraſmuch as the ſaid hoſpitall, monaſteries, or religious houſes, be now lawfully and juſtly diſſolved, and commen to his Majeſties hands, whereby there is no perſon certain appointed to doe, maintain, or keep the ſame cure, miniſter ſacraments and ſacramentals to the pariſhioners within the ſame pariſhes, and every of them: wherefore if it might pleaſe the King's highneſſe, it were convenient that one able perſon ſhould be appointed, and limitted within every of the ſaid pariſh churches, for and to the intent afore rehearſed, in conſideration whereof, and to the intent that the King's ſubjects, inhabiting within every of the ſaid pariſhes, ſhould be hereafter, from time to time, inſtructed with the true, perfect, and ſincere word of Almightie God, and to the intents aforeſaid, at the humble petition and ſuite of the King's moſt obedient and loving ſubjects, the inhabitants of the ſaid pariſhes; his Majeſtie is contented and pleaſed, that it bee enacted and eſtabliſhed by authoritie of this preſent Parliament, That Sir Anthony Sentleger, knight, deputy to the King's highneſſe, John Allen, his Grace's chauncellor, William Brabazon, his Majeſties vicethefaurer of this land, Sir Garald Aylmer, knight, his Grace's chiefe juſtice of the plees, before himſelfe to bee holden, within this his ſaid land, Sir Thomas Lutrell, knight, chiefe juſtice of the common place, James Bath, chief baron of the King's exchequer, Robert Cowley, maſter of the rolls,

Divers pariſh churches appropriated to religious houſes diſſolved, having no vicars endowed.

Certain perſons are by this act impowered to erect and incorporate one vicarage of one vicar in every pariſh church.

A. D. 1542. Chap. 14.

Thomas Houth, ſecundarie juſtice of the King's bench, Patrick Barnwall, the King's ſargeant at lawes, Robert Dillon, the King's generall attorney, within this ſaid land of Ireland, or nine, eight, ſeaven, or ſixe of them, whereof the ſaid lord deputie, lord chauncellour, vicetheſaurer and chief juſtice, to bee four of them, ſhall and may by authoritie of this preſent act have full power and authoritie to erect, ordaine and incorporate, one vicarage, of one vicar in everie of the pariſh churches, as they, or nine, eight, ſeven, or ſixe of them, as is aforeſaid, ſhall think convenient, which ſhall have ſucceſſion in everie of the ſame vicarages as vicar in him and his ſucceſſors for ever. And that the ſaid lord deputie to nominate, and preſent in the King's highneſſe name, to the ordinarie within whoſe dioceſſe the ſaid church doth ſtand, one able and ſufficient perſon to bee vicar of everie of the ſaid churches, which perſon ſo nominated, and preſented after his admiſſion, inſtitution, and induction to bee reputed, taken, impleaded, and to implead as vicar of the ſaid church, to all intents and purpoſes, as other vicars of this land have, by the law of this land. And that further by the ſame authoritie, the ſaid Sir Anthony, John Allen, William Brabazon, Sir Garald, Sir Thomas, James, Robert Cowley, Thomas Houth, Patricke, and Robert, or nine, eight, ſeven, or ſixe of them, as is aforeſaid, ſhall and may limmit and aſſigne unto everie ſuch vicar ſuch manſes, portions of tythes, alterages, and oblations, of the poſſeſſions comming to the King's highneſſe, by the diſſolution of the ſame monaſteries, hoſpitalles, or houſes for the mayntenance of divine ſervice, keeping of good hoſpitality within their ſaid pariſhes, and for the intents and purpoſes aforeſaid, as by the ſaid Sir Anthony, John, William, Sir Garald, Sir Thomas, James, Robert Cowley, Thomas Houth, Patrick, and Robert Dillon, or nine, eight ſeven, or ſixe of them, whereof the lord deputie, lord chauncellor, vicetheſaurer, and chiefe juſtice, to be four of them, ſhall bee neceſſarie and convenient; and that the lord chauncellor of this ſaid land, for the time being, after the certificate had under their ſeals of the ſaid limitation and appointment of the manſions, portions of tythes, alterages and oblations, into the King's court of chauncerie, within this land, ſhall bee by the King's letters patents, under the great ſeal of this land, by vertue of this act, and in the King's name, graunt and endow the ſame vicars with the ſame manſions, tythes, portions, alterages, and oblations ſo certified, into the ſaid court of chauncerie, to bee had, every ſuch manſes, portions of tythes, alterages and oblations, unto every ſuch vicar and vicars, and his and their ſucceſſours, in pure almes, for ever; paying and reſerving unto the King's highneſſe, his heyres and ſucceſſours, yearely, the twentieth part of every ſuch vicarages, and the firſt fruits at and upon every preſentation, nomination, or collation of every ſuch vicar, in ſuch maner and forme as other vicars within this land bee bound by the lawes and ſtatutes of this realme. So that, and provided alway,

which ſhall have ſucceſſion for ever.

The lord deputy to nominate in the King's name to the ordinary, an able perſon to be vicar.

Who after admiſſion, &c. ſhall be taken and implead as vicar.

Such manſions, tithes, &c. as neceſſary and convenient, ſhall be aſſigned to ſuch vicars out of the poſſeſſions coming to the King by the diſſolution of monaſteries, for maintenance of divine ſervice, hoſpitality, &c.

After certificate thereof the chancellor by letters patent in the King's name ſhall grant and endow ſuch vicars therewith in pure alms for ever.

Reſerving to the King yearly the 20th part and firſt fruits, on every preſentation.

The yearly value of ſuch

A. D. 1537.

that the yearly valor of every ſuch manſe, portion of tithes, alterages, and oblations, ſo to bee endowed, given, graunted, limitted, and aſſigned, to any ſuch vicar at the time of any ſuch endowment, gift, graunt, limitation, and aſſignment, doe not exceed the yearly value of thirteen pounds ſixe ſhillings and eight pence Iriſh: ſaving to all and ſingular perſons, bodies politique and corporate, their heyres and ſucceſſors, and the heyres and ſucceſſors of every of them, other than the King's highneſſe, his heyres and ſucceſſors, all ſuch right, title, intereſt, claime, poſſeſſion, reverſion, remainder, offices, annuities, rent charges, or commons, which they or any of them have, ought or might have had, in or to any ſuch of the ſaid manſions, parcels of tythes, alterages, and oblations, ſo to bee endowed, given, graunted, limitted, or aſſigned, to any ſuch vicar or vicars; this act or any thing or things therein contained to the contrary notwithſtanding.

endowments not to exceed 13l. 6s. 8d.

Saving the right of others.

II. Provided, and alſo be it enacted, That after the firſt eſtabliſhment of every ſuch vicarage, and after the admiſſion and inſtitution of every ſuch vicar or vicars in the ſame, the King's highneſſe, his heyres and ſucceſſours, ſhall poſſeſſe and enjoy the advowſon, preſentation, and nomination of every ſuch vicarage, to have and to hold every ſuch avowſons, preſentations, and nominations of every of the ſaid vicarages unto our ſaid ſoveraign Lord, his heyres and ſucceſſors for ever, as united and knit to his and their imperiall crown.

The King ſhall enjoy the advowſon as united to his crown.

CHAP. XV.

An Act for Vagabonds. Rot. Parl. cap. 14.

FOraſmuch as at a Parliament, holden at London within the realm of England the third day of November the xxi. year of the reign of our moſt dread ſoveraign lord King Henry the eighth, and from thence adjorned and proroged untill Weſtminſter, and there continued by fortie and four days, that is to ſay, untill the xvii. day of December, and from the ſaid day and place untill the xxvi. day of April then next enſuing, and from the ſame xxvi. day of April untill the xxii. day of June then next enſuing; and from the xxii. day of June untill the firſt day of October then next enſuing: and from the ſame firſt day of October until the xxii. day of the ſame month; and from the ſame xxii. day of October untll the xvi. day of January then next enſuing; on the which xvi. day of January it was enacted, ordeyned, and eſtabliſhed by authoritie of the ſame Parliament, how aged, poor, and impotent perſons, compelled to live by alms, ſhould be ordred, and how vagabonds and mighty ſtrong beggars ſhould be punifhed,

Repealed 11 & 12 *G.* 3. c. 30.

The Engliſh Stat. 22 *H.* 8. 12. for ordering beggars and punifhing vagrants, enacted in Ireland.

A. D. 1542. Chap. 15.

as in the ſame act more plainely may appear; which act for divers cauſes is thought very meet and neceſſary to be enacted in this land; wherefore be it enacted, ordeyned, and eſtabliſhed by authoritie of this preſent Parliament, That the ſame act, and all and every thing, article, proviſion, and thing compriſed in the ſame, bee within this land an act and ſtatute to be continued and kept as a law within this land according to the tenor and purport of the ſame: the tenor of which act, made in the xxi. year of the ſaid King, enſueth in theſe words, *viz.* "Where in all places throughout this realm of England vagabonds and beggars have of long time encreaſed, and daily doe encreaſe, in great and exceſſive numbers by the occaſion of idleneſſe, mother and root of all vices; whereby hath inſurged and ſprung, and daily inſurgeth and ſpringeth continual thefts, murders, and other ſundry heynous offences and great enormities, to the high diſpleaſure of God, the inquietation and damage of the King's people and to marveylous diſturbance of the common wealth of this realm: and whereas manie and ſundry good lawes, ſtrait ſtatutes, and ordinances have been before this time deviſed and made, as well by the King our ſoveraign lord, as alſo by divers his moſt noble progenitors Kings of England, for the moſt neceſſarie and due reformation of the premiſſes; yet that notwithſtanding, the ſaid numbers of vagabonds and beggars bee not ſeen in any part to be miniſhed, but rather daily augmented and increaſed into great routs and companies, as evidently and manifeſtly it doth and may appeare: bee it therefore enacted by the King our ſoveraign lord, and by the lords ſpirituall and temporall and the commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That the juſtices of the peace of all and ſingular the ſhires of England within the limits of their commiſſions, and all other juſtices of peace, mayors, ſheriffes, bayliffes, and other officers of all and everie citie, borough, ridings, or franchiſes within the realm of England within the limits of their authoritie, ſhall from time to time, as often as need ſhall require, by their diſcretions divide themſelves within the ſaid ſhires, cities, boroughs, ridings, or franchiſes, whereof they be juſtices of peace, mayors, ſheriffes, baylifes, or officers: and, ſo being devided, ſhall make diligent ſearch and enquirie of all aged, poor, and impotent perſons, which live, or of neceſſitie be compelled to live, by almes of the charity of the people, that bee or ſhall bee hereafter abyding within every hundred, rape, wapentake, citie, borough, pariſh, libertie, or franchiſes within the limits of their deviſion; and after and upon ſuch ſearch made the ſaid juſtices of peace, mayors, ſheriffes, bayliffes, and other officers (that is ſay) every of them within their limits of their authorities whereunto they be divided, ſhall have power and authoritie by their diſcretions to enable to begge within ſuch hundred, rape, wapentake, citie, towne, pariſh, or other limits, as they ſhall appoint, ſuch of the ſaid impotent perſons, which they ſhall finde and thinke moſt convenient within the limits of their diviſion, to live of the charity and almes of the people, and to give in commandment to every ſuch aged and impotent beggar (by them

enabled)

Recital of 22 *H.* 12. *Eng.*

Idleneſs the cauſe of increaſe of beggars and vagabonds, notwithſtanding ſeveral ſtatutes.

Juſtices of peace, mayors, &c. ſhall inquire of aged and impotent perſons ſubſiſting by alms.

enabled) that none of them ſhall begge without limits to them ſo appointed, and ſhall alſo regiſter and write the names of every ſuch impotent begger by them appointed in a bill of roll indented, the one part thereof to remain with themſelfe, and the other part by them to be certified before the juſtices of the peace at the next ſeſſions after ſuch ſearch had, to be holden within the ſaid ſhires, cities, townes or franchiſes, there to remain under the keeping of *cuſtos rotulorum*. And that the ſaid juſtices of peace, mayors, ſheriffes, bailiffes and other officers, that is to ſay, as they be divided, ſhall have power and authoritie to make ſuch and ſo many ſeales to be engraved with the names of the hundreds, rapes, wapentakes, cities, boroughes, townes, or places within the which they ſhall appoint and limit every ſuch impotent perſon to begge, and commit the ſaid ſeales to the cuſtody of ſuch of them, or to the cuſtody of ſuch other as they ſhall thinke convenient, and ſhall make and deliver to every ſuch impotent perſon by them enabled to begge a letter containing the name of ſuch impotent perſon, and witneſſing that he is authoriſed to begge, and the limits within which he is appointed to begge: the ſame letter to be ſealed with ſuch of the ſaid ſeales, as ſhall be engraved with the names of the limit wherein ſuch impotent perſon ſhall be appointed to begge in, and to be ſubſcribed with the name of one of the ſaid juſtices or officers aboveſaid: and if any ſuch impotent perſon ſo authoriſed to begge, do begge in any other place than within ſuch limits that he ſhall be aſſigned unto, that then the juſtices of peace, mayors, ſheriffes, bailifes, conſtables, and all other the King's officers and miniſters ſhall, by their diſcretions, puniſh all ſuch perſons by impriſonment in the ſtockes by the ſpace of two days and two nights, giving them but onely bread and water, and after that, cauſe every ſuch impotent perſon to be ſworne to return again without delay to the hundred, rape, wapentake, citie, borough town, pariſh or franchiſes where they be authoriſed to begge in. And it is enacted, that no ſuch impotent perſon, as is aboveſaid, after the feaſt of the nativitie of ſaint John Baptiſt next comming, ſhall begge within any part of this realm, except he be authoriſed by writing under ſeale as is aboveſaid. And if any ſuch impotent perſon after the ſaid feaſt of ſaint John be vagrant, and go a begging, having no ſuch letter under ſeal, as is above ſpecified, that then the conſtables and all other inhabitants within ſuch town or pariſh where ſuch perſon ſhall begge, ſhall cauſe every ſuch begger to be taken and brought to the next juſtice of peace, or high conſtable of the hundred, and thereupon the ſaid juſtice of peace or high conſtable, ſhall commaund the ſaid conſtables, and other inhabitants of the town or pariſh, which ſhall bring before him any ſuch begger, that they ſhall ſtrip him naked from the middle upward, and cauſe him to be whipped within the town where he was taken, or within ſome other towne where the ſame juſtice or high conſtable ſhall appoint, if it ſhall ſeem to the diſcretion of the ſaid juſtice of peace or high conſtable,

And alſo regiſter their names in a roll indented,

One part thereof to be certified at the next ſeſſions, to remain with the *Cuſtos Rot.*

Said juſtices, *&c.* ſhall make ſeals, to be engraved with the names of the places limited,

and deliver to every ſuch beggar, a letter authoriſing him to beg in ſuch limits, ſealed with the ſeal aforeſaid, and ſubſcribed with the name of one of ſaid juſtices, *&c.*

If he beg beyond his limits, he ſhall be puniſhed at diſcretion by impriſonment in ſtocks for 2 days and nights, have only bread and water, and ſworn to return without delay to his own limits.

If vagrant, begging without ſuch letter, ſhall be taken to the next juſtice, *&c.* who ſhall in his diſcretion order him to be ſtripped naked and whipped, or ſet in ſtocks 3 days and nights, with only bread and water, then have ſuch letter ſealed delivered to him, and limits appointed, and be ſworn to repair thither.

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conſtable, that it be convenient ſo to puniſh ſuch begger to him brought: and if not, then to commaund ſuch begger to be ſet in the ſtockes in the ſame towne or pariſh where he was taken, by the ſpace of three dayes and three nights, there to have onely bread and water, and thereupon the ſaid juſtice, or high conſtable, before whom ſuch begger ſhall be brought, ſhall limit to him a place to begg in, and give to him a letter under ſeale in forme above remembred, and ſwear him to depart and repaire thither immediately after his puniſhment to him executed.

Perſons ſtrong and able to labour taken begging, or having no land, or uſing no lawful means to get living, giving no account thereof, and vagrant, may by diſcretion of the juſtices be whipped, and ſworn to return immediately the next and ſtrait way to their place of birth or dwelling the laſt 3 years, and there put to labour.

And have a letter ſealed, witneſſing the puniſhment, the place to which limited, and the time; within which they may beg by the way, ſhewing ſaid letter, elſe not.

And to be whipped in every place as often as found in default, contrary to the order of this ſtatute, till repaired to place of birth, or laſt dwelling for 3 yeares.

II. And be it further enacted by the authoritie aforeſaid, That if any perſon or perſons being whole and mightie in bodie and able to labour, at any time after the ſaid feaſt of ſaint John, be taken in begging in any part of this realme: or if any man or woman being whole and mightie in body and able to labour, having no land maſter, nor uſing any lawful merchandiſe, craft or myſterie whereby he might get his living, after the ſame feaſt be vagrant, and can give no reckoning how he doth lawfully get his living, that then it ſhall be lawfull to the conſtables, and all other the King's officers, miniſters and ſubjects of every towne, pariſh and hamlet, to arreſt the ſaid vagabonds and idle perſons, and them bring to any of the juſtices of peace of the ſame ſhire or libertie, or elſe to the high conſtable of the hundred, rape, or wapentake, within which ſuch perſons ſhall be taken, and if he be taken within any citie or towne corporate, then to be brought before the mayor, ſheriffes or bayliffes of everie ſuch towne corporate. And that every ſuch juſtice of peace, high conſtable, mayors, ſherifes, and baylifes by their diſcretions ſhall, and cauſe every ſuch idle perſon ſo to him brought, to be had to the next market towne or other place, where the ſaid juſtices of peace, high conſtable, mayors, bayliffes and other officers ſhall think moſt convenient by his or their diſcretion, and there to be tyed to the end of a cart naked, and be beaten with whippes throughout the ſame market towne, or other place, till his bodie be bloudy by reaſon of ſuch whipping; and after ſuch puniſhment and whipping had, the perſon ſo puniſhed by the diſcretion of the juſtice of peace, high conſtable, mayor, ſherifes, baylifes, and other officers before whom ſuch perſon ſhall be brought, ſhall be enjoyned upon his oath to return forthwith without delay in the next and ſtraight way to the place where he was born, or where he laſt dwelled before the ſame puniſhment by the ſpace of three yeres, and there to put himſelf to labour like as a true man ought to doe, and after that done every ſuch perſon ſo puniſhed and ordered, ſhall have a letter ſealed with the ſeale of the hundred, rape, wapentake, citie, borough towne, libertie or franchiſe, wherein he ſhall be puniſhed, witneſſing that he hath been puniſhed according to this ſtatute, and contayning

the day and place of his puniſhment, and the place whereunto he is limited to goe, and by what time he is limited to come thither, within which time he may lawfully begge by the way, ſhewing the ſame letter, and otherwiſe not; and if he doe not accompliſh the order to him appoynted by the ſaid letter, there to be eftſoones taken and whipped, and ſo as often as any default ſhall be found in him contrary to the order of this ſtatute in every place to be taken and whipped, till hee be repayred where he was born, or where he laſt dwelled by the ſpace of three yeres, and there put his body to labour for his living, or otherwiſe truely get his living without begging as long as he is able ſo to doe. And if the perſon ſo whipped be an idle perſon, and no common begger, then after ſuch whipping he ſhall be kept in the ſtockes till he have found ſuretie to goe to ſervice, or elſe to labour, after the diſcretion of the ſaid juſtice of peace, mayors, ſheriffes, bayliffes, high conſtables, or other ſuch officers before whom any ſuch idle perſon, being no common begger, ſhall be brought, if by the diſcretion of the ſame juſtice of peace, mayor, ſherif, baylife, high conſtable, or other ſuch head officer it be ſo thought convenient, and that the partie ſo puniſhed be able to find ſuretie, or elſe to be ordered and ſworne to repaire to the place where he was borne, or where he laſt dwelled by the ſpace of three yeares, and to have like letter, and ſuch further puniſhment, if he eftſoones offend this ſtatute, as is above appointed to and for the common ſtrong and able beggers, and ſo from time to time to be ordered and puniſhed till he put his body in labour, or otherwiſe get his living truely according to the law. And that the juſtices of the peace of every ſhire, ryding, citie, towne and libertie, ſhall have power and authoritie, within the limits of their commiſſions, to enquire of all mayors, bayliſes, conſtables, and other officers, and perſons that ſhall be negligent in executing of this act. And if the conſtables and inhabitants within any towne or pariſh where any ſuch impotent perſon or ſtrong begger doth happen to begge contrary to the forme of this ſtatute, be negligent, and take not everie ſuch impotent and ſtrong begger that ſo ſhall begge againſt the forme of this ſtatute, and order and puniſh every ſuch begger as is above limitted, that then the towneſhip or pariſh where default ſhall be, ſhall loſe and forfeit for every ſuch impotent begger that ſhall be ſuffered to begge within the ſaid towneſhip or pariſh, not being taken, ordered and puniſhed according to the forme of this ſtatute, iiis. iiiid. for every ſtrong begger that ſhall happen to beg within any ſuch townſhip or pariſh not being taken and ordered, as is above limitted by this ſtatute, vi.s. viii.d. the one halfe of all which forfeitures to be to the King our ſoveraign Lord, and the other halfe to him that will ſue for the ſame, by any bill of information before the King's juſtices of his peace in their general ſeſſions to be holden within the ſhire, or within the libertie where ſuch default ſhall happen. And that all juſtices, of peace

If an idle perſon, and no common beggar, after ſuch whipping he ſhall at diſcretion of the juſtice, &c. be kept in ſtocks till ſurety to go to ſervice or labour, if able to find ſurety: otherwiſe to be ſworn to repair to place of birth, or laſt dwelling, as above, with ſuch letter and further puniſhment as for ſtrong and able beggars.

Juſtices of peace within their limits, ſhall inquire of all perſons negligent in executing this act.

If the conſtable or inhabitants neglect, the townſhip or pariſh ſhall forfeit, for every impotent beggar, 3s. 4d.

For every ſtrong beggar, 6s. 8d.

To the King and informer at the ſeſſions.

To the King only, if by preſentment.

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within any ſhire, citie, borough, or libertie, ſhall have full power and authoritie, as well to heare and determine every ſuch default by preſentment, as by ſuch bill of information, and upon every preſentment afore them, and upon every ſuch bill of information to make proceſſe by diſtreſſe againſt the inhabitants of every ſuch towne and pariſh where any default ſhall be preſented or ſuppoſed by any ſuch information. By authoritie of which diſtreſſe the ſherife, or other officer to whom by the law ſuch diſtreſſe ſhall be made, ſhall diſtreyne the goods and cattals of ſuch one or two of the ſaid inhabitants, as he may have knowledge were moſt negligent, and in default in the execution of this act; and the ſaid diſtreſs retain till they finde ſuretie to appeare at the next ſeſſions limitted in their ſaid diſtreſſe, and in caſe they appeare and confeſſe the default, or elſe if they traverſe the preſentment, and it be tryed againſt them by verdict, or denie the information, and it be proved againſt them by ſufficient witneſſe, then the ſaid juſtices of peace in their ſeſſions, ſhall have authoritie to aſſeſſe the fines as been above limitted, after the rates abovefaid, and to make proceſſe for the levying of the ſame by diſtreſſe, of the inhabitants of ſuch townes or pariſhes where ſuch default ſhall be tried or proved, and that everie ſuch fine if it grow by preſentment to be onely to the King's uſe: and if it grow by information, then the moytie thereof to be to him that purſueth the information for the ſame, and the other moytie thereof to the King's uſe as is aforeſaid; and if any ſuch perſon or perſons diſtrayned appear not at the day and place contayned in ſuch diſtreſſe, then upon the return of the ſherife, or other officer to whome the diſtreſſe was delivered to execute, that ſuch perſon or perſons were diſtrayned, then every ſuch perſon or perſons ſo diſtrained, at the firſt diſtreſſe ſhall loſe xl.d. and at the ſecond vi.s. viii.d. and ſo to be doubled upon every diſtreſſe, in ſuch caſes to be awarded, till appearance may be had by one of the inhabitants of ſuch towne or pariſh to denie, traverſe, or confeſſe the preſentment or information exhibited againſt any ſuch towne or pariſh, to the intent that upon trial or proof thereof, the fines above limitted, may be aſſeſſed and levied of the inhabitants of everie ſuch towne or pariſh, as is above rehearſed.

To be levied by diſtreſs of the goods of one or two of the inhabitants known by the ſheriff, &c. to be moſt in default, till ſurety to appear next ſeſſions.

If they appear and confeſs, or traverſe, or deny, and found againſt them, ſaid fines to be levied.

Penalty for not appearing at the firſt diſtreſs, 40d. at the ſecond 6s. 8d. ſo to be doubled till appearance of one of the inhabitants to deny, &c.

III. And be it enacted by authoritie aforeſaid, That ſchoolers of the univerſities of Oxford and Cambridge that goe about begging, not being authoriſed under the ſeal of the ſaid univerſities, by the commiſſary, chancellor, or vicechancellor of the ſame, and all and ſingular ſhipmen pretending loſſes of their ſhips and goods of the ſea, going about the country begging, without ſufficient authority witneſſing the ſame, ſhall be puniſhed and ordered in maner and forme as is above rehearſed of ſtrong beggers. And that all proctors and pardoners going about in any country or countries without ſufficient authoritie, and all other idle perſons going about in any country, or abiding in anie citie, borough or towne, ſome of them uſing

Scholars not authorized under ſeal of the univerſity.

Shipmen pretending loſſes at ſea, without ſufficient authority, puniſhed as ſtrong beggars.

Idlers uſing unlawful games.

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uſing diverſe and ſubtile, crafty and unlawfull gaines and playes, and ſome of them fayning themſelves to have knowledge in phiſicke, phiſnomy, palmeſtry, and other craftie ſciences, whereby they bear the people in hand that they can tell their deſtinies, diſeaſes and fortunes, and ſuch other like fantaſticall imaginations, to the great deceit of the King's ſubjects, ſhall upon examination had before two juſtices of peace, whereof the one ſhall be of the *quorum*, if he by provable witneſſe be found guilty of any ſuch deceits, be puniſhed by whipping at ii. daies together, after the manner before rehearſed: and if he eftſoones offend in the ſaid offence, or in any like offence, then to be ſcourged ii. dayes, and the third day to be put upon the pillory from ix. of the clock till xi. before noon of the ſame day, and to have one of his ears cut off: and if he offend the third time to have like puniſhment with whipping, ſtanding on the pillory, and to have his other ear cut off. And that juſtices of peace have like authority in every liberty and franchiſe within their ſhires, where they be juſtices of peace, for the execution of this act in every part thereof, as they ſhall have without their liberty or franchiſe.

Pretenders to phyſick, palmiſtry, &c. found guilty before 2 juſtices (*quor. unus*) to be whipped 2 days: for further offence the like puniſhment, and pillory, and having the ears cut off.

The juſtices to have like authority within liberties as without, being in their ſhires.

IV. Alſo it is further enacted, That this act ſhall every yeare be read in open ſeſſions, to the intent that the ſaid ſtatute ſhall be the more feared, and the better put in execution.

This act to be read yearly in open ſeſſions.

V. And furthermore be it enacted, That if any perſon or perſons, at any time hereafter, give any harbour, money, or lodging, to any beggers, being ſtrong and able in their bodies to worke, which order themſelves contrary to the forme of this ſtatute, that every ſuch perſon ſo doing, being ſufficiently proved or preſented before anie juſtice of peace, ſhall make ſuch fine to the King, as by the diſcretion of the ſaid juſtice of peace, at their generall ſeſſions ſhall be aſſeſſed. And if any perſon or perſons doe diſturb or let the execution of this act in any maner wiſe, or make reſcous againſt anie mayor, ſherife, baylife, or other perſon that ſhall endevour himſelfe for the due execution thereof, it is then enacted, that every ſuch perſon and perſons, for every ſuch offence doeing, ſhall loſe and forfeit C. s. and over that, to have impriſonment at the King's will, the one halfe of which forfeite, if ſuch offence be committed in any citie or towne corporate, to be to the mayor, ſherife, baylife, or other head officers of ſuch citie or towne corporate, where any ſuch offence ſhall be done, to the uſe of the commonalty of every ſuch citie or town corporate, and if it be committed out of the citie or towne corporate, then the ſaid one half to be to the lord of the leet or lawday, where ſuch offence ſhall be done, and thother halfe of every ſuch forfeite to be to the King our ſoveraign Lord, for the which forfeite of v. li. recoverie ſhall be had by action of debt, bill, plaint, or information in any of the King's courts, in which ſuits the defendants ſhall not wage their law, nor have any eſſoin or protection allowed.

Harbourers of, or giving money to, able beggars, ordering themſelves contrary to this act, to be fined at diſcretion of the juſtices.

Diſturbing execution of this act, forfeiture of 5l. and impriſonment.

VI. Provided alway, that this act nor any thing therein conteyned, ſhall be hurtfull or prejudiciall to the barons, or other inhabitants of the five ports, or of their members,

Not to prejudice the barons of cinque ports.

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membres, neyther to any graunt, libertie, or franchiſe heretofore made by the King our ſoveraigne lord, or any his progenitors Kings of England, to the ſaid barons, or other enhabitants, their aunceſtors, predeceſſors, or to any of them.

VII. And that it be enacted by authoritie of this preſent Parliament, That all and every mayor and mayors, and baylife and baylifes, elective and elected by the commons, and inhabitants of every towne and place of the ſaid ports and members, and alſo jurates of every the ſaid townes and places of the ſaid ports and members, ſhall have like authority within every ſuch towne and place, where they or any of them be or ſhall be, mayor, baylife or jurate, to put, or cauſe to be put, this act in due execution, as the juſtice of peace in any county of this realme, have or ſhall have authoritie and power by this act to doe, where they be juſtices, and that the inhabitants within every towne, within the ſaid ports, ſhall be bounden to the execution of this act, like as other inhabitants be without the ſaid ports, upon like paine as is above remembred. And if any perſon or perſons which ſhall inhabite within the ſaid five ports or members, be impotent, or other idle perſon, do hereafter beg without the ſaid five ports or members of the ſame, contrary to this act, that then every ſuch perſon ſhall be ordred and puniſhed according to this act: any thing in this proviſo to the contrary, notwithſtanding.

The ſeales to be made at the charges of the juſtices, &c. within the limits of their diviſions.

VIII. And it is ordeyned and enacted, That the ſeales above rehearſed, ſhall be made at the coſts and charges of the juſtices of peace, mayors, ſherifs, bailifs and other officers above written, on this ſide the feaſt of the Nativitie of St. John Baptiſt next coming, that is to ſay, that every of them, ſhall do the ſaid ſeales to be made within the limits of their diviſions, juriſdictions and authorities.

IX. And it is alſo ordeyned and enacted, That every letter to be made, by the authoritie of this act, whereby any impotent begger ſhall be authorized, and aſſigned to begg, ſhall be made in this form enſuing.

The form of the letter authoriſing impotent perſons to beg.

¶ Kanc. ſſ. ¶ Memorand' *that* A. B. *of Dale, for reaſonable conſiderations is licenſed to begge within the hundreds of P. K. and L. in the ſaid countie. Given under the ſeale of that limit.* Tali die & anno.

And that every ſuch letter that ſhall be made and delivered to ſuch begger or vagabond, after he hath been whipped by authoritie of this act, ſhall be made in this wiſe following.

Form of the letter after whipping.

¶ Kente. ¶ J. S. *whipped for a vagrant ſtrong begger, at Dale in the ſaid countie, according to the law, the xxii day of July, in the xxiii. year of King Henry the eight, was aſſigned to paſſe forthwith, and directly from thence to Sale, in the county of Middleſex, where*

he ſaith he was borne (or where he laſt dwelled by the time of three years.) And he is limited to be there within xiiii. dayes next enſuing, at his perill (or within ſuch number of dayes, as to him ſhall be limitted by the diſcretion of the maker of the ſaid letter) In witneſſe whereof, the ſeal of the limit of the ſaid place of his puniſhment, hereunto is ſet.

Said letter to be made at the equall coſts of juſtices, mayors, &c. within whoſe juriſdiction.

And ſubſcribed by one of them.

X. And it is enacted, That every ſuch letter ſhall be made at the equall coſts of ſuch the ſaid juſtices, mayors, ſherifes, baylifes, and other officers, within whoſe juriſdictions, powers and authorities, the ſaid begger or vagabond ſhall be whipped or limitted to begge in, by authoritie of this act; and every ſuch letter ſhall be ſubſcribed with the hand of one of the ſaid juſtices, mayors, ſherifes, baylifes, or other officers, in this forme following:

Per me A. B. *unum juſticiariorum pacis*, or *maiorem civitatis*, or *ballivum villæ*, or *conſtabularium talis hundredi*, or elſe in like forme in Engliſh.

Gaolers ſhall have a ſeal engraved with the name of the gaol, and give licence to beg for 6 weeks to perſons delivered, not able to pay fees, nor get work, nor born in that hundred.

Afterwards they ſhall be compelled to go within a limitted time to the hundred where born, or dwelt laſt 3 years; and have a letter made by the clerk of the peace or of the town, without fee, to which the gaoler ſhall put the ſaid ſeal.

XI. And it is further enacted, That every ſuch perſon and perſons, as have the cuſtodie of any gaoles within any ſhire, citie, borough or towne corporate, on this ſide the feaſt of St. John the Baptiſt, ſhall doe, make a ſeal engraved with the name of the caſtle, priſon, or gaol which hee keepeth. And in caſe any perſon or perſons, that at any time after the ſaid feaſt of Saint John, ſhall be delivered out of any gaol or priſon, for ſuſpitions of felony by proclamation, or be acquit of any felony, and hath no friends to pay his fees, nor was borne within the hundred or place where he ſhall happen to be ſo delivered, nor can get him no maſter there to abide and worke with, ſhall have liberty to begge for his fees, by the licence of his keeper, by the ſpace of ſixe weekes, next after ſuch deliverance, and after that, to be compelled to go to the hundred where he was borne, or laſt dwelled, by the ſpace of three yeres, within ſuch time as ſhall be limitted by one of the juſtices of peace, mayors, ſherifes, baylifes, or other officers where ſuch deliverance ſhall bee had. And it is enacted, that every ſuch perſon ſo delivered, ſhall have a letter made to him by the clerk of the peace of the ſhire, within the which he was delivered, if he be delivered within the ſhire: and if he be delivered in any citie, borough or towne corporate, then he to have a letter of the common clerk of every ſuch citie, borough, or town where he is delivered, every ſuch letter witneſſing the day of his deliverance, and the place where he was delivered, and before whom, and the time appointed to him to begge for his fees, and the place to the which he ſhall be aſſigned to repaire unto, in caſe he can get no maſter to fall to worke, where hee was delivered. And to every ſuch letter, the ſaid goalor or keeper of priſon, out of the which ſuch perſon ſhall be delivered, ſhall put the ſeal limitted to be made as is aforeſaid, for the ſaid priſon, and that every ſuch letter ſhall be made in this wiſe following:

A. D. 1542. Chap. 15.

¶ Eſſex. ſſ. ¶ *The xx. day of July.* Ann. Regni Regis Henr. 8. 23. *J. S. was delivered for felony out of the gaol of D. in the ſaid county, at the ſeſſions holden afore A. B and his fellowes, at Sale, the day and year aforeſaid, and is allowed to begge for his fees, by the ſpace of ſix weeks. And in caſe he can get him no maſter to worke, within the ſaid term, then he is aſſigned to paſſe directly to D. in the countie of Kent, where he ſaith he was borne, or laſt dwelled by the ſpace of three yeares. And he is allowed xiiii. dayes next after the ſaid ſixe weekes, for his paſſage thither (or ſuch number of dayes as to him ſhall be limitted by the diſcretion of the maker of the ſaid letter) In witneſſe whereof the ſeal of the priſon from the which he was delivered, thereunto is ſet.*

Form of ſaid letter.

Where no gaol, the ſheriff ſhall engrave a ſeal with the name of the ſhire, and uſe it in ſame manner.

And in ſuch ſhires where there is no gaol, the ſherife thereof for the time being, ſhall cauſe a ſeal to be engraved with the name of the ſhire, and ſhall order and uſe the ſame ſeal to and for ſuch perſons delivered, as is aforeſaid, after like manner and forme as the gaoler or keeper of the gaol, is limitted and appointed to doe by this act.

Said letter to be delivered by ſaid clerk to the gaoler or ſheriff within one day after end of the ſeſſions.

XII. And it is alſo enacted, That everie clerk of the peace of the ſhire, within the which ſuch perſon ſhall be delivered, and every common clerke of every citie, borough or towne corporate, within the which any ſuch perſon ſhall be delivered, ſhall make for every ſuch perſon as ſhall be ſo delivered, where they be ſuch officers, the ſaid letter in form aboveſaid, without any fee taking for the ſame, and ſhall deliver every ſuch letter to the gaoler or keeper of the priſon, from the which ſuch perſon ſhall be delivered; and if there be no gaol there, then to the ſherife of the ſhire where ſuch deliverance ſhall be had, within one day next after the end of the ſeſſions, where any ſuch deliverance is had, upon paine to loſe and forfeit for default of every letter xii. d. to the King our ſoveraign lord. And that the gaoler or keeper of the priſon, from the which the ſaid perſon ſhall be ſo delivered, and in caſe there be no gaole, then the ſherife of the ſhire where any ſuch deliverance ſhall be had, ſhall not ſuffer any ſuch perſon to go abroad, to begge for his fees, nor depart out of priſon, except it be to ſervice or labour, unleſſe the ſame gaoler or ſherife firſt deliver to the ſaid perſon, the ſaid letter, contayning his name ſealed with the ſeal of the priſon from the which he ſhall be delivered, or elſe with the ſeal engraved with the name of the ſhire, if there be no priſon, upon paine for every default, to loſe xii. d. to our ſaid ſoveraign lord.

on pain of 12d.

Gaoler or ſheriff not to ſuffer ſuch perſons to go abroad unleſs to ſervice or labour, on pain of 12d.

Perſons ſo delivered begging without ſuch letter, or contrary thereto, puniſhed as ſtrong beggars.

XIII. And it is enacted, That if any perſon or perſons ſo being delivered out of priſon, at any time after the ſaid feaſt, doe begge, not having the ſaid letter ſealed in forme aboveſaid, or begge contrary to the tenour of the ſame letter, that then he ſhall be taken, ordred and whipped in every behalfe, like as is above appointed

pointed for ſtrong beggers, and that to be done and executed by ſuch as be above limitted to doe the ſame upon ſtrong beggers, and in ſuch wiſe, and upon ſuch paine, as is before limitted for non execution of the puniſhment of ſtrong beggers. A. D. 1542.

XIV. Provided alway, That it be lawfull to every perſon and perſons, being bounden by reaſon of any foundation or ordinance to give or diſtribute any money in almes, and alſo to everie perſon and perſons at common doles uſed at burialls or obytes, to give and diſpoſe in almes, any money to every perſon and perſons coming to ſuch almes or doles, after like maner and forme as they have been accuſtomed to do in that behalfe before the making of this act, without any danger or penaltie of this ſtatute: any thing conteyned in this preſent ſtatute to the contrary hereof notwithſtanding. Maſters of hoſpitals may harbour perſons of charity, and all perſons bound by their foundation may diſtribute alms.

XV. Provided alſo, That it be lawful to all maſters and governours of hoſpitalls, to lodge and harbour any perſon or perſons of charitie or almes, according to the foundation of ſuch hoſpitalls, and to give money in almes in as large maner and forme as they are bounden, or owne to doe: any thing in this ſtatute to the contrary hereof notwithſtanding.

The thirty third Year of Henry *the Eighth.* Seſſ. 2.

Statuta, Ordinationes & Actiones in Parliamento predicto apud *Lymericum* decim' quint' die *Februarii* dicto anno triceſimo tertio coram prefato deputato ſimiliter tento edit' in hæc verba. *An. Dom.* 1542. A. D. 1542.

Who ſhall be of the Parliament. And where held.

CHAP. I.

An Act for the Adjournment of the Parliament, and the Place to hold the ſame, and what Perſons ſhall be choſen Knights and Burgeſſes. Rot. Parl. cap. 2.

Whereasit has been enacted that no Parliament ſhould be ſummoned, &c. but in Dublin or Drogheda; or prorogued or adjourned above two times after the beginning; and that the knights, &c. ſhould dwell within the counties, &c. and ſuch knights ſhould ſpend 40s. in fee, &c. and that otherwiſe the ſtatutes of ſuch Parliament ſhould be void, whereby many good and profitable

FORASMUCH as in ſundry Parliaments holden in this realm it was enacted and eſtabliſhed, that amongſt other things it was enacted and eſtabliſhed by authority of Parliament, That no Parliament ſhould be ſummoned, appointed, holden, adjourned, or prorogued in any citie, towne, or place within this realm, but in Dublin or in Drogheda, ne that no Parliament ſhould be prorogued or adjourned over and above two times after the beginning of the ſaid Parliament, neyther that no knight, citizen ne burgeſſe, ſhould be choſen in Parliament, but ſuch as did dwell within the counties, cities, or townes where they be choſen. And that every ſuch knight ſhould ſpend fortie ſhillings in fee ſimple, fee tayle, or freehold, within the ſame ſhire where he is choſen, (except the town of Drogheda) and every proctor to be within the ſame dioceſſe, and if it be any otherwiſe in any

A. D. 1542. Chap. 1.

any parte done, that all acts and eſtatutes made in that Parliament ſhall be voyde and of none effect, which actes conſidering the diſtance of borough townes and obedient ſhires from Dublin and Drogheda, where moſt commonly the Parliaments be holden, and the dangerous and perilous paſſage by the way, by the occaſion of the King's rebels, and that the tenor ne purport of the ſaid acts were not plainly ne openly known to the King's ſubjects of this realm, ſo as at divers Parliaments ſince the ſtatutes holden and kept, the tenor of them might not be accompliſhed, in which Parliament diverſe acts, both for the King's honour and profite, and wealth of this realm, was ordeyned, eſtabliſhed, which ſhould be greatly to the King's loſſe, and to the dammage of the common wealth of this realm, if by the ſaid acts any part of the ſaid acts ſhould be avoyded. Wherefore be it enacted, ordeyned and eſtabliſhed by authoritie of this preſent Parliament, That all and every of the ſaid acts concerning onely the reſtraint of the ſummoning of the Parliament in any other citie, towne or place, but in Dublin or Drogheda, and the proroging and adjourning of Parliament, over and above two times after the beginning of any Parliament, and the chooſing of the knights, citizens, and burgeſſes, to be in Parliament, and every proctor to be within the ſame dioceſſe, in manner as is aforeſaid, ſhall be from the time or times of the making of the ſame acts, and any of them, voyde, fruſtrate, and of none effect in law, to all intents, conſtructions and purpoſes, the ſame former acts, or any thing in them, or any of them contained, to the contrary notwithſtanding.

Statutes would be avoided, as the purport of ſuch acts, from the diſtance and dangerous paſſage, were not openly known, or accompliſhed.

Enacted therefore that ſuch acts concerning only the reſtraint of ſummoning the Parliament any where but in Dublin or Drogheda, and the proroguing, &c. Parliament above two times, and chuſing knights, &c. as aforeſaid, ſhall from the time of making be void.

18 *E.* 4. 2. *Ir.*

II. Provided, and be it enacted by the authoritie of this preſent Parliament, That from henceforth everie knight, citizen and burgeſſe, for every Parliament hereafter within this realm of Ireland to be ſummoned, appointed or holden, ſhall be reſiant and dwelling within the counties, cities, and townes, choſen and elected by the greater number of the inhabitants of the ſaid counties, cities and townes being preſent at the ſaid election, by vertue of the King's writs for that intent addreſſed. And alſo the ſaid knights to be elected and choſen in maner and forme before rehearſed. And every electour of the ſaid knights to diſpend and have lands and tenements of eſtate of freehold within the ſaid counties, at the leaſt to the yearly value of fortie ſhillings over and above all charges, and every of the inhabitants aforeſaid, chooſing or electing in any other maner then as before is mentioned, to forfeit an hundred ſhillings, the moytie thereof to our ſoveraign lord the King, his heyres and ſucceſſours, and the other moytie to any that will ſue for the ſame by action of debt, bill, information, or otherwiſe, in any court of record, wherein no eſſoign, protection, or wager of law to be admitted or allowed. And every ſheriffe or other officer retourning any knight, citizen or burgeſſe choſen or elected in any other maner then as is before expreſſed, to forfeit an hundred pounds, to be had and recovered as before is ſpecified. And every knight, citizen and burgeſſe, taking

Henceforth the Knights, &c. ſhall be reſiant in the counties, &c. elected by the greater number of inhabitants preſent, by vertue of the King's writs.

Said knights to be choſen as before rehearſed.

Electors of the knights to diſpend and have eſtates of freehold in the counties, of 40*s.* yearly, above all charges.

Every inhabitant electing otherwiſe, to forfeit 5*l.* and the returning officers 100*l.*

Perſons elected otherwiſe, taking upon them to be knights, &c. to forfeit 100*l.*

upon him or them to bee knight, citizen, or burges, and not choſen nor elected in manner and forme as is before mentioned, to forfeit an hundred poundes, to bee forfeyted, recovered, and taken in manner and fourme before rehearſed. A. D. 1542.

CHAP. II.

An Act for the Election of the Lord Juſtice. Rot. Parl. cap. 3.

FORASMUCH as continually ſithens the conqueſt of this realm of Ireland it hath been uſed in this ſame realm of Ireland, that at everie ſuch time as it hath chaunced the ſame realm to be deſtitute of a lieutenant, deputie, juſtice, or other head governour by death, ſurrender, or departure out of the ſame realm, or otherwiſe, the counſell of this realm of Ireland, for the time being, have uſed by the lawes and uſages of the ſame to aſſemble themſelves together to chooſe and elect a juſtice to bee the ruler and governour of this realm, till the King's highneſſe hath deputed and ordayned a lieutenant, deputie, or other governour, for the ſame realm; which juſtice, ſo being elected, was and hath been alwayes, by the ancient lawes and cuſtomes of this ſaid realm of Ireland authorized to doe and exerciſe the ſaid room of deputie there, for the good rule, governance and leading of the King's ſubjects within the ſame realm of Ireland, and in miniſtration of juſtice, with divers other authorities, preheminences, and juriſdictions there; which uſage, election, and authoritie of the ſaid juſtice hath been many times ratified and confirmed by divers eſtatutes in this realm provided and made. That notwithſtanding at a Parliament holden the Monday next before the feaſt of Saint Andrew the Apoſtle, the tenth yeare of the raign of the moſt noble Prince of famous memorie King Henrie the ſeventh, amongſt other things it was ordeyned and enacted, as it ſhould ſeem for ſome private affection, that immediately after ſuch avoydance of any of the ſaid lieutenants, deputie, governour, or juſtice within this realm of Ireland, the King's Highneſſe lord theſaurer of this his realm for the time being ſhould be juſtice and governour of this his ſaid realm, unto ſuch time that his Highneſſe had ordayned, made, and ſent his lieutenant or deputie into this his ſaid realm of Ireland, and that all other letters patents, preſcriptions, and uſages of the election of the juſtice at or after any ſuch avoydaunce ſhould bee cleerly dampned, repealed, and of none effect; which act, at another Parliament then after holden at Dublin in the xiii. yeare of the raign of the ſaid late King Henry the ſeventh, for divers conſiderations, miſchiefes, and inconveniences then appearing, was by authoritie of the ſame Parliament adnihillated, repealed, made voyde and of none effect, the rowle of record of which Parliament by ſome ſiniſter meanes was imbeaſeled, and by no means now can be found; by reaſon whereof divers ambiguities

Uſage upon avoidance of chief governor, for the counſel to aſſemble to elect a juſtice

Which uſage often confirmed by ſtatute.

But 10 *H.* 7. an act paſſed, that the lord treaſurer ſhould be the juſtice upon ſuch avoidance.

Which was repealed.

13 *H.* 7. The roll of which Parliament loſt.

Doubts upon the election and authority of the juſtice.

A. D. 1542. Chap. 2.

Enacting part. Immediately upon the avoidance of King's lieutenant, &c. the chancellor to aſſemble the King's counſellors, by the King's writs.

and doubtes upon the election of the juſtice of this realm upon everie ſuch avoydaunce, and upon his authoritie, hath and yet doth daily ariſe and groweth in this realm: For the remedie whereof, and eſtabliſhment of a certain order to be had for the election of the juſtice within this realm at everie ſuch avoydaunce and his authoritie, be it enacted and eſtabliſhed by authority of this preſent Parliament, That immediately upon the avoydance of every the King's lieutenants, deputie, or juſtice of this realm, by death, ſurrender of their letters patents or office, departure out of this realm, or for any other cauſe, the King's chauncellour of this realm, or keeper of his Grace's great ſeal for the time being, ſhall by the King's writ or writs call and aſſemble together, at ſuch place as the ſaid chauncellor or keeper of the great ſeal ſhall think convenient, the King's counſaylors being inhabiting or dwelling in the ſhires of Dublin, Meith, Lowth, Kildare, Kilkenny, Tipperarie, Wexford, Waterford, Corke, Kery, and Lymerike, for the aſſembly of the ſaid counſaylors, which of them ſo aſſembled, ſhall by authoritie aforeſaid have full power and authoritie by vertue of this act to elect and chooſe one ſuch perſon, as ſhall be an Engliſhman, and born within the realm of England, being no ſpirituall perſon, to be juſtice and governor of this realm of Ireland during the King's Highneſſe pleaſure, if there ſhall be at that time any ſuch perſon within this realm, that ſhall be able, meet, and convenient for the ſame room or office, and for the uſe and exerciſe thereof. And if there be no ſuch perſon then within this realm, then they to elect and chooſe two perſons of the ſaid counſell of Engliſh blood and ſirname, being no ſpirituall perſons, whom they ſhall think meet, able, and convenient to be juſtice and governour of this realm of Ireland, during the King's Highneſs pleaſure; upon which election ſo by them or the more part of them had and made, as is aforeſaid, the chancellour or keeper of the great ſeal of this realm, for the time being, ſhall by authoritie aforeſaid according to the ancient uſage make letters patents to the perſon or perſons ſo elected under the King's great ſeal of Ireland, of, for, and concerning the room of juſtice of this realm of Ireland; which perſon or perſons being ſo elected as is aforeſaid, after he or they be ſolemnly ſworn according to the ancient uſage in this realm, ſhall have, uſe, and enjoy like authoritie, preheminence, and dignitie to every purpoſe and reſpect, as the King's lieutenant or deputy there next before him, being made by the King's moſt gracious letters patents, lawfully had, and uſed to have, hold, poſſeſſe, exerciſe, and enjoy the ſaid office of juſtice or governor, with the ſaid authoritie, preheminence, or dignitie, unto ſuch time as the King's Highneſſe, his heyres or ſucceſſors, doe admit and authoriſe one to be his lieutenant, juſtice, deputie, or governour of this realm, and unto ſuch time as the ſaid lieutenant, juſtice, deputy, or governour ſo authoriſed, doe take and receive his oath, as hath been afore accuſtomed, or the King's Highneſſe farther pleaſure therein known by writing,

They to elect one born within the realm of England, and no ſpiritual perſon, to be juſtice during the King's pleaſure.

If none ſuch in this realm, to chooſe two of the counſel of Engliſh blood and ſirname.

The chancellor to make letters patent to the perſons elected, who ſhall have like authority as the preceding lieutenant till a new lieutenant ſworn, or the King's pleaſure known by writing.

All other ſtatutes, preſcripts, and uſages of

and that by the ſame authoritie all other eſtatuts, preſcriptions, and uſages of the election of juſtice or governor of this realm of Ireland after any ſuch avoydance, and of any authoritie given or preſcribed unto him or them at any time before the firſt day of this preſent parliament, other then by the King's letters patents, be cleerely dampned, adnihilated, repealed, revoked, made voyde, and of none effect.

A. D. 1542.

election, to be void, or any authority given, ſave by patent.

CHAP. III.

An Act touching Miſpleading and Jeoyſailes. Rot. Parl. cap. 3.

FORASMUCH as the parties, pleintifes, and demaundants, in all manner of actions and ſuites, aſwell reall as perſonall, at the lawes of this realm, before this time hath been greatly delayed and hindered in their ſuites and demaundes by reaſon of the craftie, ſubtile, and negligent pleadings of the pleintifes or demaundants, defendants or tenauntes, where any action or demand hath been ſued, had, or made, aſwell in miniſtring of their declarations and barres, as alſo in their replications, rejoynders, rebutters, joyning of iſſues, and other pleadings, to the great hurt, delaye, and hinderance of the ſaid pleintifes or demaundants, or the vexation of the defendaunts or tenaunts; in ſo much that when the iſſues joyned in the ſame actions betweene the parties to the ſame hath been tried and found by the verdict of twelve men or more for the ſaid pleintifes or demaundants, or for the tenants or defendants, and the juſtice or juſtices, judge or judges, readie to give judgment for the ſaid parties for whom the ſaid iſſue was found, the ſame parties hath been compelled by the courſe and order of the lawes of this realm afore this time to replead, and the ſaid verdict ſo given, as is aforeſaid, to be taken as void and of none effect; ſometimes becauſe that the iſſues hath been misjoyned and jeofaile, and ſometime by taking advantage of the parties own miſpleading, or in the purſuing, miſconveying, or diſcontinuing of proceſſe of any of the parties, and for divers other cauſes, the which is thought aſwell a great ſclaunder to the ſaid law of this realm, and to the miniſters of the ſame, as alſo a plaine delay and hinderance unto the ſaid parties, in that they ſhould have their judgements, when the iſſue hath beene found and tried as is aforeſaid, to their great coſtes and charges: bee it therefore enacted by the King our ſoveraigne lord, the lordes ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That from henceforth, if any iſſue be tried by the verdict of twelve men or moe, for the partie pleintife or demaundant, or for the partie of the tenaunt or defendant, in any manner, action, or ſuite in the King's bench, common place, exchequer, or before the juſtices of aſſize, that then the juſtice or juſtices, judge or judges, by whom judgement thereof ought to be given, ſhall proceed

32 *H.* 8. 30. *Eng.*

10 *C.* 1. ſeſſ. 2 cap. 12. *Ir.* 17 and 18 *C.* 2. 12.

6 *Anne* 10.

9 *Wil.* 3. 38.

Several inconveniencies by delays in ſuits.

Enacting part

After iſſue tried, judgment given, notwithſtanding jeofaile, miſpleading, &c.

A. D. 1542. Chap. 3.

proceed and give judgment in the ſame, any miſpleading, lacke of colour, inſufficient pleading, or jeofaile, any miſcontinuance, or diſcontinuance, or miſconveying of proceſs, misjoyning of iſſue, lack of warrant of attorney for the partie, againſt whom the ſaid iſſue ſhall bee tried, notwithſtanding; and the ſaid judgements thereof ſo to be had and given ſhall ſtand in full ſtrength and force to all intents and purpoſes according to the ſaid verdict without any reverſall or undoing of the ſame by writte of errour, in like form as though no ſuch default or negligence had never been had or committed.

Attorneys to deliver warrants to the officer to be entered of record in the ſame term or before.

II. Provided alway, and be it enacted by authority aforeſaid, in avoyding of errors and other great inconvencies that daily doe fortune to riſe and grow in the King's ſaid courts within this realm through the negligence of attorneys, becauſe they deliver not their warrants of attorney in ſuch actions or ſuites, wherein they be named attorney, according to the lawes of this realm, That all and every ſuch perſon and perſons, which ſhall fortune hereafter to be attorney to or for any other perſon or perſons, being demandant or pleintife, tenant, or defendant in any action or ſuit at any time hereafter commenced or taken in any of the King's ſaid courts, and plead to any iſſue in the ſame action or ſuit, that then every the ſame attorneys, and every of them, from time to time ſhall deliver, or cauſe to be delivered, his or their ſufficient and lawfull warrant of attorney to be entered of record for every of the actions or ſuites, wherein they be named attorneys, to the officer or his deputie ordeined for the receipt and writing thereof, in the ſame term when the ſaid iſſue is entred of record in the ſaid court or afore, upon paine of forfeiting unto our ſaid ſoveraigne lord ten pounds ſterling, for every default for non delivery of the ſaid warrant of attorney, and alſo further to ſuffer ſuch impriſonment by the diſcretion of the juſtices or judges of the court for the time being, where any ſuch default ſhall fortune to be had or made, ſhall be thought convenient.

On pain of xl. and impriſonment at diſcretion.

None (except parties) to plead, unleſs refiding years in one of the Inns of court in England,

III. Provided alway, and be it enacted by authoritie aforeſaid, That no perſon ne perſons, that now is or hereafter ſhall be within this realm, except the partie pleintife or demaundant, tenant or defendant, ſhall be admitted or allowed as a pleader in any of the King's four principall courts within this his Grace's realm in any cauſe or matter, whatſoever it be, or yet to make or exhibite to or in any of the ſaid four courts any declaration or bill, plea in barr, replication or rejoynder, or to give evidence to any jury, unleſſe it bee for the King's majeſtie, or to argue any matter in law, or yet to doe or miniſter any other thing or things in any of the ſaid four courtes, which cuſtomably hath been uſed to be done by one learned or taken to be learned in the Kinge's lawes, but ſuch perſon and perſons hath or ſhall be for the ſame at one time, or ſeverall times by the ſpace of yeres complete at the leaſt demurrant and reſiant in one of the innes of court within the realm of England, ſtudying, practiſing, or endeavouring themſelves, the beſt they can to come to the true knowledge

knowledge and judgement of the ſaid lawes, upon pain of an c. s. to every perſon or perſons offending contrary to the *proviſo* laſt before ſpecified, or any thing therein contayned. A. D. 1542. On pain of 100s.

IV. Provided alway, and be it enacted by authoritie aforeſaid, that this act, or any thing or things therein contayned ſhall not extend to binde any juſtice or juſtices, judge or judges, to give judgement in any ſuit, action, cauſe, or matter depending or to bee depending between the King's majeſtie, his heires or ſucceſſours, and any of his or their ſubject or ſubjects, ne that no ſuch erronious judgement upon the ſaid defaults, negligence, or omiſſion to bee given againſt his highneſſe, his heirs or ſucceſſours, ſhall otherwiſe binde his Grace, his heires or ſucceſſours, or any of them, but as the ſame ſhould have done before the making of this preſent act, or any thing or things therein contayned to the contrary in any wiſe notwithſtanding. This act not to extend to bind juſtices to give judgement, where the King is party.

V. Provided alſo that this act, or anie thing therein contayned, doe not extend to any exception or exceptions to be moved before any juſtice or juſtices, judge or judges, and not allowed by them or any of them, whereupon a bill thereof ſhall be ſealed or refuſed to be ſealed, but the ſame to ſtand and be of and in the ſame force, effect, condition and manner, as it was before the making and eſtabliſhment of this preſent act: any thing mentioned in this act to the contrarie notwithſtanding. This preſent act with the provizoes to endure til the laſt day of the next Parliament. Nor where a bill of exceptions taken. *Rev. and made perpetual,* 11 *Eliz.* 5. *ſeſſ.* 1.

CHAP. IV.

An Act for Lands given by the King. Rot. Parl. cap. 5.

WHERE our ſoveraigne lord the King's moſt excellent majeſtie, for the reliefe and fortification of this his Highneſſe realm of Ireland, having reſpect to the great lack of nobilitie or men of honour now within the ſame, of his moſt kingly benevolence hath created, erected, and enabled, and hereafter entendeth to create, name, erect, and enable divers perſons unto names of honour and dignities within this his ſaid realm, induing them with divers poſſeſſions and hereditaments, and to others freely have alſo diſpoſed, and hereafter entendeth to diſpoſe others his Grace's poſſeſſions, lands, tenements, and hereditaments within the ſame realm, albeit that upon any diſloyaltie or diſgreſſing contrary to the duety of a ſubject, by any of theſe to whom his Highneſſe hath ſo benignly graunted and given anie ſuch benefit, or hereafter ſhall give and graunt any manner ſuch honour, ſtile, name and dignitie, lands, lordſhips, poſſeſſions, annuities, or any other profites, commodities or other hereditaments, being therefore duely condempned according to the due order of his Highneſſe lawes, ſhall be ſufficient title, right, and intereſt for his Nobility a fortification of the realm.

A. D. 1542. Chap. 4.

That the grantees of the crown may not be ignorant of their duty, and that their grants are upon condition.

Highneſſe, to ſeiſe again into his Majeſtie hands all maner ſuch things premiſed ſo to fore diſpoſed, yet for the more open declaration of the ſame to the world, and that the ſame grauntees and donees being hitherto very ignorant in the knowlege of the duety of a ſubject may be before their eyes alway, not onely the moſt gratious liberalities and benevolence of his Highneſs, but alſo their duties plainely expreſſed in his Grace's letters pattents by ſufficient words implying and purporting the ſame graunt or gift to bee alway knit with that condition, whereby they ſhall pretend no ignorance in the performance of their dutie therein. His Majeſtie is pleaſed therefore, and contented that it be enacted, ordeyned, and eſtabliſhed by his Highneſſe, with the aſſent of the lords ſpirituall and temporall and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That if any perſon or perſons of what eſtate, dignitie, degree, or condition they or any of them be, or their heirs, or the heirs of any of them, or any other having their eſtate or any part of their eſtate, or the eſtate of any of them, in any name, ſtile, honour, title, dignitie, degree, annuitie, lands, tenements, or any other hereditaments, or in any part or parcell thereof ſo by his Highneſſe heretofore freely given, or hereafter to be graunted or given freely to any ſuch perſon or perſons, do make any confederation which the law declareth to be treaſon, with any of his Highneſſe rebells againſt his Majeſtie, or attempt any wilfull warr or invaſion againſt his Majeſtie, or againſt his true and faithful ſubjects, or by any other meane doe tranſgreſſe in any part their duty of allegeance. which the law declareth to be treaſon, or do not performe ſuch covenants and pacts which ſhall be compriſed within the ſaid letters patents, as they or any of them by their or his owne aſſent or aſſents have or ſhall make covenant, agree and promiſe to performe with his Highneſſe deputie and counſell of this realm, or the more part of them for the time being, at ſuch time as they or any of them have or ſhall have, receive, and accept any ſuch gift or graunt of his Highnes, or his heyres or ſucceſſours Kings of England, as is before expreſſed, and the ſame being ſo proved and adjudged by the due order of his Majeſtie's lawes, whereby the partie therein is or ſhall be condempned, that then every ſuch perſon or perſons ſhall loſe and forfeit all ſuch right, intereſt, and eſtate, as he or they ſo offending and thereof condempned in maner and form beforeſaid, or any other perſon or perſons ſeyſed to their uſe or uſes, ſhall have in any name or names, honour or honours, dignitie or dignities, landes, tenements, or other hereditaments, by force of any ſuch graunt or graunts heeretofore made, given or graunted by his Highneſſe, or hereafter to be made, graunted and given by his Majeſtie, his heyres or ſucceſſours Kings of England.

Grantees of the crown confederating to the amount of treaſon with rebels, attempting war or invaſion, tranſgreſſing in any part their duty of allegiance, or not performing the covenants in their letters patents forfeit their honours, lands, &c.

II. And be it alſo further enacted by the ſame authoritie, That in all gifts and grauntes hereafter to be made, given or graunted freely by his Highneſſe, his heyres or ſucceſſours, to any perſon or perſons

of any name, ſtile, honour, title, eſtate or dignitie, landes, tenements or hereditaments, within this his Grace's realm, theſe wordes following, or words of like effect, ſhall alway be mentioned and expreſſed within every the ſayd giftes or grauntes, that if the ſame perſon or perſons unto whome the ſame gift or graunt, giftes or graunts ſhall bee ſo made, or any of his heyres or aſſignes having his eſtate in the ſame or any part or parcell thereof, doe from henceforth make any confederation with any of his Highneſſe rebells or enemies, againſt his Majeſtie as is before rehearſed, or attempt any wilfull warr, invaſion or deſtruction againſt his Majeſtie, or his true faithfull and obedient ſubjects, or by any other mean doe tranſgreſſe anie part of his or their duties of allegiance which the lawe declareth to bee treaſon, and thereof ſhall bee condempned by the due order of his Highneſſe lawes, his heyres or ſucceſſours, or doe not performe ſuch promiſe, agreement, graunt or pactes as they or anie of them ſhall make, contract and agree with his Grace's ſaid deputitie, and the ſecret counſell for the time being preſent, mentioned and appearing within the ſaid letters patents, that then the ſame perſon or perſons ſo condempned in manner and forme before rehearſed, ſhall loſe and forfeit to our ſaid ſoveraign lord, his heyres and ſucceſſours all ſuch title, intereſt, poſſeſſion, as hee or they ſhall have and clayme by force of any ſuch graunt unto him or them, or to their aunceſtours, or to the aunceſtours of any of them, or to any other whoſe eſtate or eſtates he or they ſhall ſo have in any ſuch honor, name or dignitie, lands, tenements, or hereditaments, or any parcell or parcells thereof: any matter, cauſe, thing or things compriſed in any ſuch graunts or gifts notwithſtanding.

A. D. 1542.

Words to be inſerted in all gifts or graunts by crown.

III. Provided always, that all other forfeytures for treaſons ſhall bee ſaved to the King's highneſſe, his heyres and ſucceſſours, as they were afore the making of this act.

Saving to the King all other forfeitures for treaſon as before.

CHAP. V.

An Act for the Suppreſſion of Kylmaynham and other Religious Houſes. Rot. Parl. cap. 6.

WHEREAS Sir John Rawſon, knight, late pryour of the priory or hoſpitall of Saint John's Jeruſalem, in this the King's highneſſe realm of Ireland, and other divers and ſundry abbottes, pryors, abbeſſes, prioreſſes, and other eccleſiaſticall governours and governeſſes of divers monaſteries, abbeyes, pryories, nunries, colledges, hoſpitalles, houſes of friers, and other religious and eccleſiaſticall houſes and places within our ſoveraign lord the King's realm of Ireland, of their own free and voluntarie mindes and aſſents, without conſtraint, coaction, or compulſion of any manner perſon or perſons, ſithence the fourth day of Februarie, in the ſeven and twenty year of the raign of our moſt now dread ſove-

Recital of the voluntary ſurrender of religious houſes.

A. D. 1542. Chap. 5.

raign Lord, by the due order and courſe of the common lawes of this his ſaid realm of Ireland, and by ſufficient writings of record under their convent and common ſeales, have ſeverally given, graunted, and by the ſame their writings, ſeverally confirmed all their ſaid hoſpitalls, monaſteries, abbeyes, pryories, nunries, colledges, hoſpitalls, commaundries, houſes of friers, and other religious and eccleſiaſticall houſes and places, and all their ſcites, circuits, and precincts of the ſame, and all and ſingular their mannours, lordſhippes, commaundries, meſuages, lands, tenements, meadowes, paſtures, reverſions, rents, ſervices, woods, tyethes, penſions, portions, churches, chappels, advowſons, parſonages, annuities, rights, entries, conditions, commens, leetes, courts, liberties, priviledges, and franchiſes, apperteyning, or in any wiſe belonging to any ſuch hoſpitall, monaſterie, abbey, priory, nunry, college, commaundry, houſe of friers, and other religious and eccleſiaſticall houſes, or places, or to any of them, by whatſoever corporation, name or names, they, or any of them, were then named or called, and of what order, habite, religion, or other kind or qualitie ſoever they be, or any of them, then were reputed, knowne, or taken, to have and to hold all the ſaid hoſpitals, monaſteries, abbeyes, priories, nunries, hoſpitalls, commaundries, houſes of friers, and other religious and eccleſiaſticall houſes and places, ſcites, circuites, precincts, mannors, lands, tenements, meddowes, paſtures, rents, reverſions, ſervices, and other the premiſſes to our ſaid ſoveraigne lord the King, his heyres and ſucceſſours for ever, and the ſame their ſaid hoſpitals, monaſteries, abbeyes, priories, nunries, colledges, hoſpitals, commaundries, houſes of friers, and other religious and eccleſiaſticall houſes and places, ſcites, circuits, precincts, mannors, lordſhippes, commaundries, graunges, meſuages, landes, tenements, meddowes, paſtures, rents, reverſions, ſervices, and other the premiſſes, voluntarie, as is aforeſaid, have renounced, left, and forſaken, and every of them, have left, renounced, and forſaken: Be it enacted by the King our ſoveraign lord, and the lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That the King our ſoveraign lord ſhall have, hold, poſſeed, and enjoy to him, his hyres, and ſucceſſors, for ever, the ſaid late hoſpitall of ſaint John's Jeruſalem in this realm, and all and ſingular ſuch late monaſteries, abbeyes, priories, nunries, colledges, hoſpitalls, commaundries, houſes of friers, and other religious and eccleſiaſticall houſes and places of what kind, nature, quality, diverſity of habits, rules, profeſſions, or orders, they or any of them were named, knowne, or called, which ſithence the ſaid fourth day of Februarie, in the ſaid ſeven and twentie year of the raign of our ſaid ſoveraign Lord, have been diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeyted, given up, or by any other mean, come, or ought to come or bee to his Highneſſe, and by the ſame authoritie

And the renouncing and leaving the ſame.

Enacting part.

Said houſes given to the King, his heirs and ſucceſſors for ever.

A. D. 1542. Chap. 5.

authoritie and like manner, ſhall have, hold, poſſeed, and enjoy all the ſcites, circuites, precinctes, mannours, lordſhippes, commaundries, graunges, meſueges, lands, tenements, meaddowes, paſtures, rentes, reverſions, ſervices, woods, tythes, penſions, portions, parſonages, appropriate vicarages, churches, chappels, and advowſons, nominations, patronages, annuities, rights, intereſts, entries, commodities, conditions, commons, leetes, courts, liberties, priviledges, franchiſes, and other whatſoever hereditaments, which appertayned or belonged to the ſaid late hoſpitall, monaſteries, abbeyes, priories, nunries, colledges, hoſpitalles, houſes of friers, and other religious and eccleſiaſticall houſes and places, or to any of them, in as large and ample manner and forme, as the ſaid Sir John Rawſon, late priour of the ſaid hoſpitall of the ſaid ſaint John's Jeruſalem in Ireland, and the late abbots, priours, abbeſſes, prioreſſes, commaundours, and other eccleſiaſticall governours and governeſſes of the ſaid late hoſpitall, or of ſuch late monaſteries, abbeyes, priories, nunries, colledges, hoſpitalls, commaundries, houſes of friers, and other religious or eccleſiaſticall houſes or places had, held, or occupyed, or of right ought to have had, holden, or occupyed in the right of the ſaid late hoſpitall, monaſteries, abbeyes, priories, nunries, colledges, hoſpitalls, houſes of friers, or other religious or eccleſiaſticall houſes or places, at the time of the ſaid diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeyting, giving up, or by any other manner of meanes, coming of the ſame to the King's highneſſe, ſithence the ſaid fourth day of Februarie above ſpecified.

In as ample manner as the abbots, &c. held them.

II. And it is further enacted by authoritie aforeſaid, That not onely the ſaid late hoſpital, monaſteries, abbeyes, priories, nunries, colledges, hoſpitalls, commaundries, houſes of fryers, and other eccleſiaſticall and religious houſes and places, ſcites, circuits, precincts, mannors, lordſhips, graunges, meſuages, lands, tenements, meadowes, paſtures, rents, reverſions, ſervices, and all other the premiſſes, forthwith and immediately, and preſently, but alſo all other monaſteries, abbeyes, priories, nunries, hoſpitalles, commaundries, houſes of fryers, and all other religious houſes, and places which hereafter ſhall happen to be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeyted, given up, or by anie other manner of meanes come to the King's highneſſe; and alſo all the ſcites, circuits, precincts, mannors, lordſhippes, commaundries, graunges, meſuages, landes, tenements, meadowes, paſtures, rents, reverſions, ſervices, woods, tyethes, penſions, portions, parſonages, appropriate vicarages, churches, chappels, advowſons, nominations, patronages, annuities, rights, intereſts, entries, conditions, commens, leets, courts, liberties, franchiſes, and other hereditaments, whatſoever they be, belonging or appertaining to the ſame, or to any of them, whenſoever and aſſoon as they ſhall be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeyted, given up, or by any other

All other religious houſes hereafter diſſolved, with their revenues, ſhall be veſted in the actual and real ſeiſin of the King.

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other mean come unto the King's highneſſe, ſhall be veſted, deemed and adjudged by authoritie of this preſent Parliament, in the very actual and real ſeyſon and poſſeſſion of the King our ſoveraign lord, his heyres and ſucceſſours for ever, in the ſtate and condition as they now be, and as though as well the ſaid late hoſpitall, and the ſaid late monaſteries, abbeyes, priories, nunries, hoſpitalls, commaundries, houſes of friers, and other religious houſes, and places diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeyted, given up, or come to the King's highneſſe, as is aforeſaid, as alſo the ſaid monaſteries, priories, nunries, hoſpitalls, commaundries, houſes of friers, and other religious houſes and places which hereafter ſhall happen to be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeyted, given up, or come to the King's highneſſe, and the ſaid ſcites, circuits, precincts, manours, lordſhips, graunges, lands, tenements, and other the premiſſes, whatſoever they be, and every of them, were in this preſent act ſpecially and particularly rehearſed, named, and expreſſed by expreſs words, names, titles, and faculties, and in their natures, kinds, and qualities. Saving to all, and every perſon or perſons, and bodies politique, and their heyres and ſucceſſours, and the heyres and ſucceſſours of all and everie of them, other then the ſayd late priour of ſaint John's Jeruſalem in Ireland, and his ſucceſſours, and the ſaid late abbottes, priours, abbeſſes, prioreſſes, commaundries, and other governours and governeſſes of the ſaid late monaſteries, abbeyes, priories, nunries, hoſpitalls, commaundries, houſes of friers, and other religious houſes and places, and their ſucceſſours, and the ſucceſſours of everie of them, and ſuch as pretend to bee founders, patrons, or donours of the ſayd hoſpitall, monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of fryers, and other religious houſes and places, or any of them, or of any landes, tenements, rents ſervices, parſonages, tythes, or other hereditaments, to them or anie of them belonging, and their heyres and ſucceſſours, and the heyres and ſucceſſours of every of them, and alſo other then ſuch perſon and perſons, their heyres and ſucceſſours, and everie of them, which bee barred, and whoſe right, title, intreſt and poſſeſſion, of or in the premiſes, or anie part thereof, bee not ſaved in the laſt Parliament heretofore holden within this realm; and other then the now abbottes, priours, abbeſſes, prioreſſes, and other governours and governeſſes of ſuch monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of friers, and other religious houſes and places which ſhall hereafter happen to bee diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeyted, given up, or come to the King's highneſſe, and ſuch as pretend to bee foundours, patrons and donours of ſuch hoſpitalls, monaſteries, abbeyes, priories, nunries, houſes of fryers, and other religious houſes and places, or any mannours, meſuages, landes, tenements, or hereditaments, to the ſame or to any of them belonging, and their

in their preſent ſtate and condition.

as if particularly named in this act.

Saving the rights of others.

heyres and ſucceſſours, and the heyres and ſucceſſours of everie of them, all ſuch right, title, clayme, intereſt, poſſeſſions, lawfull entries, rent charges, fee farmes, annuities, leaſes, offices, fermes, liveries, livings, fees, portions, corrodies, commens, ſynodes, proxies, and other profites, which they or any of them have claim, may, or might have had, in or to the premiſſes, or any parcell or part thereof, in ſuch like form, maner, and condition, to all intents, reſpects, conſtructions, and purpoſes, as if this act had never been made, rents ſervices, and rents ſeckes, and all other ſervices and ſuites, which were due, to be payed or done to any perſon or perſons, for or out of the premiſſes, or any part thereof, only excepted and forepriſed out of this clauſe of ſaving, next above ſpecified.

Rents ſervice, rents ſecks, and other ſervices and ſuits excepted out of the ſaving.

III. Provided, That this act, or any thing therein conteyned, ſhall in no wiſe extend to give benefit to our ſaid ſoveraign lord, his heirs or ſucceſſors, for any reentry, in, of, or upon the poſſeſſion or poſſeſſions of any of the leſſees, grauntees, their executors, or aſſignes, or the executors or aſſignes of any of them, of any lands, tenements, tythes, or hereditaments, demiſed, graunted, or letten, by any late prior, abbot, prioreſſe or abbeſs, or any other religious governor or governeſs to any perſon or perſons, bodies politique or corporate, ſo that the ſame leſees or grauntees, their executors or aſſignes, or any of them, doe tender or pay the rent or rents reſerved upon the ſaid leaſes or graunts, at the receipt of our ſoveraign lord the King's exchequer of this realm of Ireland, the day of their reentrie compriſed in their indentures thereof made, or before the King's vicethеſaurer for the time being, to the uſe of our ſaid ſoveraign lord the King, his heirs or ſucceſſours, if the ſaid exchequer be then open, if not, the tender or payment of the ſaid rentes to be made, as is before mentioned, within foure days next after the beginning of the next term then next enſuing, or to ſuch perſon or perſons as the King's majeſtie have appointed or commanded, the payment thereof to be made by his writ of *deliberate*, or to any other perſon or perſons to whom the King's majeſtie have graunted the reverſion and the ſaid rents; this act, or any thing therein contayned to the contrarie notwithſtanding.

The King not to reenter upon the poſſeſſion of the leſſees or grantees, they paying their rents at the receipt of the Exchequer, &c.

IV. Provided alwayes, and the King's majeſtie, of his moſt excellent goodneſſe, is pleaſed and contented, and by authoritie of this preſent Parliament, be it enacted, That the yearely value of the ſaid rents ſervices, and rents ſeckes, which any perſon or perſons, bodies politique or corporate, before the fourth day of Februarie, in the twenty ſeventh year of the King's majeſtie's raign, might have lawfully claymed, and had out of the ſaid hoſpitall, monaſteries, abbeyes, priories, nunries, houſes of friers, and other religious houſes and places, or any of them, or out of any the manours, landes, tenementes, parſonages, poſſeſſions, or other hereditamentes, aforeſaid, or any part thereof, which hath come, or is or ſhall come,

The yearly value of rents ſervices and rents ſeck, payable out of the ſame, ſhall be paid as a reward out of the Exchequer, as long as the King in poſſeſſion.

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come, in or to the poſſeſſion of his Highneſſe, by vertue and authority of this act, or otherwiſe ſhall be paid by way of reward out of the King's majeſtie's exchequer in this his realm of Ireland to ſuch perſon or perſons, bodies politique or corporate, their heires, ſucceſſours, and aſſignes, as ought to have the ſame, by the handes of the vicethefaurer of the ſaid realm for the time being, as long as the actuall poſſeſſion and freehold, and inheritance of the lands, tenements, or hereditaments which were charged with the paymentes of ſuch rents ſervices, and rentes ſeckes, ſhall be, continue or remaine in the King's poſſeſſion, and that the vicethefaurer, taking an acquittance for the payment thereof, from time to time, ſhall be allowed for the ſame in the ſaid exchequer, without any further bill or warrant to be ſued in that behalfe, and when the King's highneſſe hath or ſhall give or leeſe to any perſon or perſons any eſtate of yeares, freehold, or of inheritance, to his or their owne uſes and profite, in any of the ſaid landes, tenementes, or hereditaments, which were charged to the payment of the ſaid rents ſervices, and rents ſeckes, then the King's donees, leſſees, and grauntees, and their heyres and aſſignes, from thenceforth ſhall bear, yeald and pay one yearely rent of the yearely value of the ſaid rentes ſervices and rentes ſeckes, to ſuch perſon or perſons, bodies politique or corporate, their heires, ſucceſſors, or aſſignes, which of right ought to have the ſame, at ſuch feaſtes and times as the ſaid rents ſervices, and rents ſeckes hath been uſed and accuſtomed to bee payed and yeelded; and if it fortune the ſaid yearely rent to be behind unpayed, in part or in the whole, at any of the ſaid feaſtes, or times when it ought to be payed, that then it ſhall bee lawful to every ſuch perſon or perſons, their heires and aſſignes, as ought to have the ſame, to enter into any ſuch mannours, lordſhippes, landes, tenementes, and other hereditamentes, and every parcell thereof, whereof they might have lawfully claymed and had the ſaid rentes ſervices, and rentes ſeckes, and there to diſtraine; and the diſtreſſes ſo taken to leade and carry away, and the ſame to withhold, retain, and keep, unto ſuch time as they be payed of the ſaid yearely rent, and the arrerages of the ſame, if any ſhall fortune to bee.

Or by the King's donee, leſſee, or grauntee.

Power to enter and diſtrain, if the rent behind.

V. And be it enacted by authoritie abovefaid, That if the ſaid late prior, or any other late abbot, prior, abbeſſe, prioreſſe, or other governour, or governeſs aforeſaid, within two yeares next before the diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giving up, or comming to the King's highneſſe, of his late hoſpitall, monaſteries, abbey, priory, nunrie, houſe of fryers, or other religious houſes, or places, have made any leaſe or graunt, under his or their convent or common ſeal, or otherwiſe for tearm of life, or for tearm of yeares of the ſcite, circuite, and precinct, of his ſaid late hoſpitall, monaſterie, abbey, priory, nunrie, houſe of fryers, or other religious houſes, or places, or any part thereof, or of any mannours, meſuages,

Leaſes or grants for life or years, made within two years before the diſſolution of the ſcite, &c. not uſed to be let to ferme, but kept for maintenance of hoſpitality, ſhall be void.

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meſuages, lands, tenements, milles, tythes, graunges, parſonages appropriate, or other hereditaments, ſet, lying, or being in the ſame townes or fieldes, whereas the ſaid hoſpitall, monaſterie, abbey, priory, hoſpitall, nunrie, houſe of fryers, or other religious houſe or place is ſcituated, which belonged or appertayned to his ſaid hoſpitall, monaſterie, abbey, pryorie, nunrie, houſe of fryers, or other religious houſes or places, and which before ſuch leaſe or graunte thereof was not commonly uſed to be ſet, ne let to ferme, but kept and reſerved in the manurance, tillage, or occupation of the ſaid prior, abbots, priors, abbeſſes, prioreſſes, or other governours or governeſſes aforeſaid, for the maintenance of hoſpitality and good houſekeeping in their houſes; or if the ſaid prior, or any of the ſaid late abbots, priors, abbeſſes, prioreſſes, or other governor or governeſſe aforeſaid, at any time within two yeares next before the diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giving up, or comming to the King's highneſſe of his late hoſpitall, monaſterie, abbey, priory, nunrie, houſe of fryers, or other religious houſe or place, hath made any leaſe or graunt under his convent or common ſeal, or otherwiſe, for terme of life, or for terme of yeares, of any mannors, meſuages, lands, tenements, parſonages appropriate, or other hereditaments, belonging or appertaining to his ſaid hoſpitall, abbey, priory, nunry, hoſpitall, houſe of fryers, or other religious houſe or place, to the uſe, commoditie, or behoofe of any religious perſon or perſons, or to the intent that any religious perſon or perſons ſhould take any commoditie, benefite, or profit by the ſame, unleſſe it be for the ſervice of a pariſh prieſt or curate to ſerve the cure of a pariſh church, with the auncient ſtipend accuſtomed to goe with the ſame, any time during the ſpace of tenn yeares next before the making of this preſent act, and the ſame to continue but onely during the life of the ſaid religious perſon, or upon condition, pacte, bargain, or promiſe, by writing, word, or otherwiſe, that if their houſe had been ſuppreſſed, ſurrendred, or otherwiſe diſſolved, that then the leaſe to be good, and the leſſee to have and enjoy the ſame, and if not, then the ſame leaſe to be utterly void, and the leſſee to take no benefite, ne commoditie thereby: that then all and everie ſuch leaſe and leaſes, had or made as is aforeſaid, ſhall be utterly fruſtrate, voyde, and of none effect, to all and ſingular conſtructions, purpoſes, and intents; any thing in this act conteyned notwithſtanding; ſo that the King's ſaid leſſees, or graunteee for terme of life or yeares of the ſaid monaſteries or houſes, being not of the houſes of friers, or their aſſignes, of whoſe poſſeſſions and hereditaments any leaſe by authority of this act ſhall bee avoyded, doe dwell and keep hoſpitalitie in the ſaid houſe or monaſterie.

VI. Provided alſo, That this act or any thing therein contained, ſhall not extend to avoyd or adnull any leaſe or graunt for terme of life or yeares, made by any late prior, abbot, prior, abbeſſe, or priores, or

This act not to extend to avoid leaſes of the mills, &c.

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or any other religious governour or governeſs, to any perſon or perſons, bodies politique or corporate, of the milles, ſcite, circuite, or precinct, or other hereditaments, ſet, lying, or being within the precinct of any late religious houſe or place, or within the towne or place whereas the ſaid religious houſe or place is, where as hoſpitalitie is or ſhall not bee kept: and this proviſo, laſt before ſpecified, not to extend to any leaſe or leaſes made of any parcell of the ſcite, ambite, precinct, or circuite of any the ſaid houſe or houſes of friers.

But this proviſo not to extend to ſcite, &c.

This act not to prejudice grantees for life or years of lands, &c. before given by the King in fee or fee tail.

VII. Provided alwayes, and be it enacted by authoritie aforeſaid, That this preſent act, or any proviſo, clauſe, or article therein contayned, bee not hurtfull or prejudicial to any perſon or perſons, bodies politique or corporate, their heyres, ſucceſſours, or aſſignes, having any leaſe for terme of life or yeares, made by any abbot, prior, abbeſſe, or prioreſs, or other governour or governeſs aforeſaid, of any ſcities, circuites, lands, tenements, parſonages, tithes, or other hereditaments, which before the making of this act hath been given by the King's majeſtie to any perſon or perſons, bodies politique or corporate, in fee ſimple or fee taile, and which be out of his Highneſs poſſeſſion by reaſon of ſuch giftes or graunts thereof made: but that all and ſingular the leſſees thereof ſhall be in the ſame eſtate and condition againſt the King's donees and grauntees in fee ſimple or fee taile, their heyres, ſucceſſours, or aſſignes, as they ſhould have beene, if this act had never beene had ne made; any thing in this act to the contrarie thereof notwithſtanding.

Leaſes or grants by governors of religious houſes (herein named) of parſonages appropriate, or tithes, within two years before the diſſolution, which were not within four years next before let to farm, void.

VIII. And it is enacted by authority aforeſaid, That if any of the late governours or governeſſes of the late houſes of Connal, and Saint John's of Thiſtildermot in the countie of Kildare, Loughſewdy, Triſternaugh, Fower, and Saint John's of Kenlis in the countie of Mieth, Athirde and Saint Leonarde's beſides Dundalke in the countie of Louth, Duiſke in the countie of Catherlaugh, Tynterne, Donbrody, and Saint John's of Enyſcortie in the countie of Wexforde; Enyſtioke, Ardmacarte, and Fertnekerah in the countie of Kilkenny, and Kilcoule in the countie of Typperarie, or anie of them, within two yeares next before the diſſolution, ſuppreſſion, renouncing, forfeiting, giveing up, or coming to the King's highneſſe, of his late hoſpitall, monaſterie, abbey, priory, nunrie, hoſpitall, houſe of friers, or other religious houſe or place next before rehearſed, hath made anie leaſe or graunt under his or their convent or common ſeale, or otherwiſe for terme of life, or for tearme of yeares, of anie parſonages appropriate, or tythes, which belonged and appertayned to any of the ſaid houſes of Connal, Saint John's of Thiſtildermot, Loughſewdy, Triſternagh, Fower, Kenlis, Athirde, Saint Leonard's, Duiſke, Tinterne, Donbrody, Enyſcortie, Enyſtioke, Ardmacarte, Fertnekeragh, and Kilcoule, which parſonages or tythes were not at any time within four yeares next before the ſaid two yeares ſet or let to ferme, but kept and reſerved in the manurance, tillage, or occupying of the ſaid late abbot, prior, abbeſs, prioreſſe,

or other governour or governeſſe aforeſaid, for the maintenance of hoſpitalitie and good houſe-keeping, be from henceforth utterly fruſtrate, voyd and of none effect.

Leaſes within 2 years yielding yearly rent in money, which were not within 4 years before ſo let, but only for port of corn or marts, &c. if the inheritance of the reverſion is in the King or his leſſees or grantees, ſhall be ſurrendered: or elſe during the intereſt of ſuch leaſes, inſtead of ſuch rent in money, port of corn, &c. ſhall be paid.

IX. It is alſo enacted by authority aforeſaid, That if the ſaid late prior, or any late abbot, prior, abeſſe, prioreſſe, or other governour or governeſſe aforeſaid, within two yeares next before the diſſolution, ſuppreſſion, renouncing, forfeiting, giving up, or comming to the King's handes of his late hoſpital, monaſterie, abbey, priory, nunrie, hoſpital, houſe of friers, or other religious houſe or place within this realm, hath made any leaſe or graunt under his or their convent or common ſeal, or otherwiſe for term of life or for yeares, of any manours, meſuages, landes, tenements, parſonages appropriate, or other hereditamentes belonging or appertaining to his late hoſpital, monaſterie, abbey, priory, nunrie, houſe of friers, or other religious houſe or place yielding therefore any yearly rents and fermes in money, which were not any time within four yeares next before the ſaid two yeares ſet or let to ferm for money, but onely for port of corne, or marts, or for port of corne and money, or marts and money, or corne, martes and money to be paid, and rendred for the ſame, for maintenance of hoſpitalitie and good houſe-keeping: that then in everie ſuch caſe if the inheritance of the reverſion, rents and fermes reſerved in money upon any ſuch leaſe be in the King's poſſeſſion, or in the poſſeſſion of any of his Highneſs leſſees or grauntees for terme of life or yeares, then ſuch perſon and perſons, as have ſuch leaſes, their executors and aſſignes, ſhall ſurrender and give over the ſaid leaſes, or els to pay yearly to the King's majeſtie, his heyres or ſucceſſors, during the intereſt of their leaſes, in the place, and for recompence of their rentes and fermes reſerved in money, ſuch port of corn or martes, or port of corne and money, or martes and money, or corn marts and money, and all other profits which was uſed to be payed for all ſuch landes, tenements, or hereditaments ſo to them letten at any time within the ſaid four yeares, next before the ſaid two yeares, and if ſuch leſſees will ſtill hold and keep their ſaid leaſes and farmes, paying therefore the ſaid port of corn or martes, or corn and money, or martes and money, or corn martes and money, and other profites, as is aforeſaid, that then ſuch leſſees, their executores and aſſignes, ſhall be quite and diſcharge, aſwell againſt the King's majeſtie, as againſt his leſſees and fermours for terme of life or yeares, of and for the rents and fermes reſerved in money upon their ſaid leaſes. And alſo all and every the King's ſaid leſſees and fermours, which have any leaſes for term of life or yeares, of reverſions, rents, and fermes, reſerved in money of the lands and tenements and other hereditaments ſo letten, yeelding any rent or ferme, to our ſaid ſoveraign lord for the ſame, ſhall be diſcharged and acquited againſt his Majeſtie of and for ſuch rent and ferme, as in that caſe they are bounden to pay.

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The King's leſſees or grantees of the above named houſes ſhall upon ſuch leaſes receive yearly, in recompence of the money, the ſaid port of corn, &c. for better maintenance of hoſpitality.

X. Provided alway, That if any of the King's grauntees or leſſees, which have in ferme for terme of life or yeares, any of the ſaid houſes of Connall, Triſteldermot, Loughſewdy, Triſternaugh, Fower, Kenlis, Athirde, Saint Leonardes, Diuſke, Tinterne, Donbrody, Eneſcorte, Eneſtioke, Ardmacartie, Fertnekeragh, and Kilcoule, and alſo hath in ferme with ſuch houſes, as is next aforeſaid, the reverſion, rentes and fermes, reſerved in money upon leaſes made as is aforeſaid, of landes, tenementes, or other hereditamentes, which were uſed within foure yeares next before the two yeares aforeſaid, to be ſet and let for port of corne and martes ſhall have and perceive yearly the ſaid porte of corne and martes in the place, and for the recompence of their money reſerved in rente and ferme, for the better maintenance of hoſpitalitie and good houſe-keeping in and upon the houſes next above remembred to them letten, any thing in this act to the contrary thereof notwithſtanding.

If the King's ſaid grantees dwell not continually and keep hoſpitality in ſaid houſes, their grants ſhall be void,

and then the leſſees of the abbots, &c. ſhall enjoy again, paying to the King ſuch rent as ſhall be valued by commiſſioners named.

XI. And it is further enacted by authority aforeſaid, That if any of the King's grauntees, or leſſees, or his or their able and ſufficient aſſignes, which have, or hereafter ſhall have, in ferme for terme of life or of yeares, any of the ſaid houſes of Connall, Thriſteldermot, Loughſewdy, Triſternaughe, Fower, Kenlys, Athirde, Saint Leonards, Dinſke, Tynterne, Donbrody, Eneſcortie, Eneſtyoke, Ardmacartie, Fertnekeragh, and Kilcoule, doe not continually dwell, inhabite, keep houſhold, and hoſpitalitie, in ſuch houſes as before is rehearſed, during their intereſt therein, that then their leaſes and grauntes thereof ſhall bee voyd and of none effect. And that then ſuch perſon and perſons, their executores and aſſignes, to whom any abbot, prior, abbeſs, prioreſs, or other governour or governeſs of ſuch houſes as aforeſaid, hath heretofore made any leaſe of any of the ſaid houſes, or of any landes, tenementes, rentes, reverſions, parſonages, tythes, or other hereditamentes belonging to them, or any of them, ſhall have and enjoy againe their leaſes therein: any thing in this act aforeſaid declared, to the contrary thereof notwithſtanding. So that alwayes ſuch leſſees, ſo rehaving their leaſes, their executors and aſſignes, from henceforth yeeld, pay, and doe yearely for the ſame to the King's highneſſe, his heyres and ſucceſſors, as much yearely rentes, fermes, and profites, as they bee ſet and valued, by the ſurvey of the right honourable Sir Anthonie Seintleger, Knight, the King's deputie of this his realme of Ireland, Thomas Walſh, one of the King's barons of his exchequer in England, John Mynn and William Cavendiſh, his Grace's auditors, being his Highneſſe commiſſioners aſſigned for the ſame.

Leaſes by abbots, &c. within two years, not reſerving the old rents uſual for 10 years paſt,

XII. And it is further enacted by authority aforeſaid, That if the ſaid late priour, or any late abbot, priour, abbeſs, prioreſs, or other governour or governeſs aforeſaid, within two yeares next before the diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giving up or comming to the King's highneſs, of his late hoſpital, monaſterie, abbey, priorie, nunrie, hoſpital, houſe of friers, or other

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other religious houſe or place, hath made any leaſe or graunt, under his or their convent or common ſeal, or otherwiſe for terme of life, or for terme of yeares, of any mannors, meſuages, landes, tenementes, parſonages appropriate, tyethes, penſions, portions, or other hereditamentes, or of any reverſion, of any mannors, meſuages, lands, tenements, parſonages appropriate, tyethes, penſions, portions, or other hereditaments, which appertained to his ſaid late priorie, monaſterie, abbey, nunrie, hoſpital, houſe of friers, or other religious houſe or place, the inheritance of the poſſeſſion or reverſion of which mannors, meſuages, landes, tenementes, reverſions, parſonages, tyethes, penſions, portions and hereditamentes, bee now in the King's hands, or ſhall come to his hands, by virtue and authority of this act; and upon which leaſe or leaſes, graunt or grauntes ſo made, the uſual and old rentes and ſervices, accuſtomed to be yeelded and reſerved by the ſpace of tenn yeares, next before the firſt day of this preſent Parliament, is and bee not thereupon yeelded and reſerved, that then the leſſees and grauntees, to whom any ſuch leaſe or graunte is ſo made, ſhall have and enjoy the ſame, ſo that ſuch leaſes were made without like fraud, covin or colluſion, as is aforeſaid: and ſo that the ſaid leſſees, their executors and aſſignes, yeeld and pay therefore yearely, during their intereſt in their leaſes to the King's highneſs, his heyres and ſucceſſors, ſo much yearely rente, ferme and profite, as hath beene at any time within the ſaid ſpace of tenn yeares yeelded, done, and paid out of, and for the ſame.

ſhall be enjoyed by ſuch leſſees, if made without fraud, paying to the King ſo much yearly rent as within 10 years has been paid.

XIII. And it is alſo enacted by authority aforeſaid, that if the ſaid late prior, or any late abbot, prior, abbeſs, prioreſs, or other governour or governeſſe aboveſaid, within two yeares next before the diſſolution, ſuppreſſion, relinquiſhing, forfeiting, giving up, or comming to the King's highneſs, of his late hoſpital, monaſtery, abby, priorie, nunnerie, hoſpitall, houſe of friers, or other religious houſe or place, hath made any leaſe or graunt, for any time above the terme of one and twentie yeres, of any mannors, meſuages, landes, tenementes, meddowes, paſtures, woods, parſonages appropriated, tyethes, penſions, portions, churches, chappels, or other hereditaments whatſoever they bee, whereof or in the which any eſtate or intereſt for terme of life or yeares, at the time of the making of any ſuch graunt or leaſe then had his being or continuance, and then was not determined, finiſhed, extinct nor expired, and which leaſe is not taken away by authority of this act, that then every ſuch leſſee and grauntee, to whom any ſuch leaſe or graunt is or hath been made, ſhall not have, poſſede, ne enjoy the ſame, but onely for terme of twentie and four yeares next after the commenſement or beginning of the ſaid laſt leaſe.

Leaſes with in 2 years for above 21 years, a former intereſt then unexpired, ſhall, if not taken away by this act, be good for 24 years only,

XIV. Provided alway, That ſuch leaſes be made without like fraude, covine, or colluſion, as is aforeſaid, and that the leſſees having and enjoying the ſame, their executors and aſſignes, ſhall yeeld and pay for the ſame yearely, during their intereſt therein, the old uſual and accuſtomed rentes and fermes, in forme as is aforeſaid.

Provided made without fraud.

And the leſſees paying the old rent.

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And if the yeares mentioned or compriſed in ſuch leaſes be under the number of foure and twenty yeares, that then the ſaid leſſees thereof ſhall have and enjoy their ſaid leaſes, according to the year and yeares compriſed and mentioned in the ſaid leaſe or graunt, and not above, yeelding and paying therefore as is aforeſaid.

The King's leſſees Y. of the reverſion of lands, &c. evicted by this act, ſhall have abatement of their rents in the exchequer.

XV. Provided alway, and be it enacted by authority aforeſaid, That if the King's majeſtie hath made any leaſe for terme of yeares of the reverſion of any landes, tenementes, parſonages, tyethes, or other hereditamentes, which at any time hereafter by authority of this act ſhall fortune to be evicted from the poſſeſſion of the King's graces fermours, leſſees, and come to the King's majeſties diſpoſition, gift or graunt, that then in every ſuch caſe the King's ſaid leſſees, fermours and grauntees, and their aſſignes, ſhall be defalked, abated, and allowed in the King's exchequer within the ſaid realme, of and for ſuch and ſo much yearely rent and ferme, as they paid for the ſaid landes, tenementes, parſonages, tyethes, or other hereditamentes aforeſaid, evicted out and from their poſſeſſion by authority of this act, if ſuch rente and ferme may be certainly knowen by their leaſes; and if not, then they ſhall be alway rated, defalked, allowed, and abated for the ſaid landes, tenementes, or other hereditamentes ſo evicted by the diſcretion of the King's theſaurer and barons of his Grace's ſaid exchequer in Ireland.

Feoffments, fines and recoveries, &c. within 2 years without the King's licence, void.

XVI. And it is alſo enacted by authority aforeſaid, That all feoffements, fines, and recoveries had, made, knowledged or ſuffered to any perſon or perſons by any late abbot, prior, abbeſs, prioreſs, or other governour or governeſs aforeſaid, without the King's licence under his great ſeal of this realme, made by his Grace's warrant under his ſigne, and bearing a teſte, in his Highneſſe owne name, within two yeares next before the diſſolution, renouncing, relinquiſhing, forfeyting, giving up or comming to the King's highneſſe of any of the ſaid late monaſteries, abbeyes, priories, nunries, hoſpitalls, houſe of friers, or other religious houſes or places afore ſpecified, or of any mannours, meſuages, landes, tenementes, or other hereditamentes whatſoever they bee, which any of the ſaid late abbotes, priors, abbeſſes, prioreſſes, or other governours or governeſſes, or any of them, or any of their predeceſſors, had or held in the right of their houſes, of the gift, graunt, or confirmation of our ſaid ſoveraign lord, or of any his Highneſſe moſt noble progenitors, or of the which monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of fryers, or other religious houſes and places, our ſaid ſoveraign lord was founder or patron, or which houſes, mannors, meſuages, landes, tenementes, and other hereditamentes, were in poſſeſſion of the ſaid late monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of friers, and other religious houſes and places, ſhall be utterly voyd and of none effect.

XVII. Provided alſo, that this act or any thing therein contayned, ſhall not extend to adnihilate or avoyd any leaſe or graunt,

ſeoffement, fine, or recovery had or made of any landes, tenementes, tithes, or other hereditamentes, by or againſt any late priour, abbot, prioreſſe, abbeſſe, or any other religious governour or governeſſe, for payment of any debt or dutie, that came to the uſe or profite of any late religious houſe or place, which ſhall be proved by writing, witneſſe, or otherwiſe before the two chiefe juſtices, the chiefe baron, and the vicethefaurer for the time being, or any three of them, (ſo that the ſaid vicethefaurer be one) and ſo by them allowed till ſuch time as the leſſees, grauntees, feoffees, recoverers, coniſees, their heires, executors, or aſſignes of the ſaid lands, tenementes, tythes, or other hereditamentes, have and ſhall receive, perceive, and take the ſaid debts, ſo proved and allowed as is aforeſaid, of and upon the rents of the ſaid lands, tenementes, and others the premiſſes, accompting the ſaid landes, tenementes, and other the premiſſes to be of ſuch value yearly in rent, as they have been cuſtomably uſed to be ſet and let for at any time during the ſpace of tenne yeares next before the making of this preſent act.

Not to avoid grants, &c. for debts for a religious houſe, proved before the vice treaſurer, &c.

Such grantees, &c. to take the rents, till debts paid, accounting the value as uſually let within 10 years.

XVIII. And it is further enacted by authoritie aforeſaid, That if any abbot, priour, abbeſſe, prioreſſe, or other governour or governeſſe of any monaſtery, abbey, priorie, nunrie, hoſpitall, houſe of friers, or other religious houſe or place, which ſhall happen hereafter to be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeyted, given up, or come to the King's highneſſe, within two yeares next before the firſt day of this preſent Parliament, have made, or hereafter doe make any leaſe or graunt under his convent or common ſeal, or otherwiſe, for terme of yeares or life of the ſcite, circuit, or precinct of his monaſtery, abbey, priory, nunrie, hoſpitall, houſe of friers, or other religious houſe or place, or of any part thereof, or of any manours, meſuages, landes, tenementes, parſonages appropriate, penſions, portions, or other hereditaments belonging or appertaining to his ſaid monaſterie, abbey, priory, nunrie, hoſpitall, houſe of friers, or other religious houſes or places, which manours, meſſuages, graunges, landes, tenementes, parſonages appropriate, tyethes, penſions, portions, or other hereditaments, whatſoever they be, were not before the ſaid leaſe commonly uſed to be ſet nor let to ferme, but kept and reſerved in the manurance, tillage, and occupation of the ſaid governour or governeſſe for the maintenance of hoſpitalitie and good houſe-keeping or now be in the manurance, tillage, or occupation of the ſaid governour or governeſſe for the maintenance of hoſpitalitie, and good houſe-keeping within two yeares next before the firſt day of this preſent Parliament, hath made or hereafter ſhall make any leaſe or graunt for terme of life or yeares of any mannours, meſſuages, landes, tenementes, medowes, paſtures, woods, parſonages appropriate, tyethes, penſions, portions, churches, chappels, and other hereditaments, whatſoever they be, whereof and in the which any eſtate or intereſt for terme of life, yeare or yeares, at the time of making of any ſuch leaſe or graunt then had his being or continuance, and then was not determined, finiſhed, or expired, or with-

Leaſes within 2 years of lands not uſually let of houſes hereafter diſſolved,

or of lands in leaſe at the time.

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in two yeares next before the firſt day of this preſent Parliament hath made or hereafter ſhall make any leaſe or graunt for terme of life or yeares of any mannours, meſuages, landes, tenementes, meddowes, paſtures, woods, parſonages appropriate, tythes, penſions, portions, churches, chappels, or other hereditaments, whatſoever they bee, upon which leaſes and graunts the uſual and old rents and fermes, accuſtomed to bee yeelded and reſerved by the ſpace of xx. yeares next before the firſt day of this preſent Parliament, is or bee not, or hereafter ſhall not bee, thereupon reſerved and yelden, or if any ſuch governour or governeſs of any ſuch monaſterie, abbey, priorie, nunrie, hoſpitall, houſe of friers, or other religious houſe or place, which hereafter ſhall happen to bee diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or come to the King's highneſſe within two yeares next before the firſt day of this preſent Parliament, hath made or hereafter ſhall make any bargain, or ſale of his woods, which woods bee yet growing or ſtanding, that then all and every ſuch leaſe, graunt, bargain, or ſale of wood or woods, as is aforeſaid, ſhall be utterly void and of none effect.

Or not reſerving the old rent 20 years before,

Or ſales of woods, yet growing or ſtanding, void.

Feoffements, &c. by governors of houſes hereafter diſſolved, without the King's licence, void.

XIX. And it is alſo enacted by authoritie aforeſaid, That all feoffement, fines, and recoveries had, made, knowledged, or ſuffered, within two yeares next before the firſt day of this preſent Parliament, or hereafter to be had, made, knowledged, or ſuffered by any governour or governeſs of any monaſterie, abbey, priorie, nunrie, hoſpital, houſe of friers, or other religious houſe or place, which hereafter ſhall happen to bee diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeyted, given up, or come to the King's highneſs, without the King's licence under his great ſeale by his ſigne under his warrant, and under his owne teſte, of any mannours, meſuages, landes, tenements, or other hereditaments whatſoever they be, which the ſaid abbots, priours, abbeſſes, prioreſſes, or other governours and governeſſes had or have in the right of their houſes, which hereafter ſhall happen to be diſſolved, ſuppreſſed, renounced, relinquiſhed, forfeited, given up, or come the King's highneſs, as is aforeſaid, or any of them, or that anie of their predeceſſors had or held, have or hold, of the gift, graunt, and confirmation of our ſaid ſoveraign lord, or of anie of his Highneſs progenitors, or of the which monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of friers, or other religious houſes or places, our ſaid Soveraign lord is founder or patron, or which mannours, meſſuages, landes, tenements, or other hereditaments were or be of the old or ancient foundation or poſſeſſion of the ſaid monaſteries, abbeys, priories, nunries, hoſpitalls, houſes of friers, or other religious houſes or places, ſhall be utterly voyd and of none effect.

Leaſes for lives, then unexpired, ſhall be good, reſerving the rent uſually

XX. Provided alſo, and be it enacted by authority aforeſaid, That if anie abbot, prior, abbeſs, prioreſs, or other late governour or governeſs, within two yeares next before any ſuch diſſolution, ſuppreſſion, renouncing, relinquiſhing, giving up, or comming unto the King's

King's highneſs of the premiſſes, or of anie parcell thereof, as is aforeſaid, have made anie deviſe, leaſe, or graunt to anie perſon or perſons for tearme of life or lifes of any manours, meſuages lands, tenements, parſonages appropriate, tyethes, penſions, portions, or other hereditaments aforeſaid, which perſon or perſon or any of them, at the time of the ſaid leaſe, deviſe, or graunt had and held the ſaid tearme of life or lives, or for tearme of yeares, then not expired, that then the ſame perſon and perſons, to whom any ſuch leaſe or graunt hath beene ſo made, ſhall have and hold the ſame for tearme of their life or lives, ſo that the old rent, uſed and accuſtomed to bee yeelded and payed at any time within ten yeares before, be thereupon reſerved; this act or any thing therein conteyned to the contrarie notwithſtanding.

paid for ten years.

XXI. Provided alway, and be it enacted by authoritie aforeſaid, That all and ſingular leaſes and graunts made by the coppy to any perſon or perſons of any the ſaid meſuages, lands, tenements, parſonages appropriate, tyethes, penſions, portions, or other hereditaments aforeſaid, for tearme of life or lives, which by the cuſtome of the countrey hath beene demiſed, letten, or graunted by coppy of court roll, ſhall be good and effectual in the law; ſo that the old rent be reſerved by and upon every ſuch leaſe and leaſes; this act or any thing therein conteyned to the contrary notwithſtanding.

Grants by the copy for life, according to the cuſtom, good, reſerving the old rent.

XXII. Provided alway, and be it enacted by authority aforeſaid, That all and every perſon and perſons, their heyres and aſſignes, which ſithence the ſaid fourth day of Februarie by licence, pardon, confirmation, releaſe, aſſent, or conſent of our ſaide Soveraigne lord the King under his great ſeale, paſſed by his Highneſs warrant under his own teſte, heretofore given, had, or made, or hereafter to be made, had, obtayned, or purchaſed by indenture, fine, feoffement, recovery, or otherwiſe, of the ſaid late priour, abbots, priors, abbeſſes, prioreſſes, or other governour or governeſs of any ſuch hoſpital, monaſteries, abbeyes, nunries, hoſpitalls, houſes of friers, or other religious houſes or places, any monaſteries, priories, hoſpitalls, commaundries, mannours, meſuages, landes, tenementes, medowes, paſtures, churches, chappels, parſonages, tythes, penſions, portions, or other hereditamentes, ſhall have and enjoy the ſame according to ſuch writings and aſſurances, as bee thereof before the date of this preſent Parliament, or hereafter ſhall be, had or made. Saving to all and every perſon and perſons, bodies politike, their heyres and ſucceſſours, and the heyres and ſucceſſours of every of them, other then the ſaid late abbots, priors, abbeſſes, prioreſſes, and other governours and governeſſes, and their ſucceſſours, and the ſucceſſours of every of them, and ſuch as pretend to be foundors, patrones, or donors of the ſaid monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of friers, and other religious houſes and places, or of any of them, or of any manours meſſuages, landes, tenements,

Grants by the King's licence good

Saving the rights of other.

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or other hereditaments, lately belonging to the ſame, or to any of them, and their heyres and ſucceſſours, and the heyres and ſucceſſours of every ſuch foundor, patron, or donor, all ſuch right, title, intereſt, poſſeſſion, lawful entries, annuities, commodities, rent charges, fee fermes, offices, fees, liveries, and livings, penſions portions, corrodies, ſynodes, proxies, and other profites, which they or any of them have, ought, or might have had in or to the ſaid monaſteries, abbeyes, priories, nunries, hoſpitalls, mannours, meſuages, landes, tenementes, reverſions, tythes, penſions, portions, or other hereditamentes, at any time before any ſuch purchaſe, indentures, fines, feoffements, recoveries, and other lawfull meane, betweene any ſuch parties had or made, as is aboveſaid, this act or any thing therein contayned to the contrary notwithſtanding.

Confirmation of the King's purchaſes ſince 4th Feb. 27 *H.* 8. notwithſtanding. miſrecital, &c.

XXIII. And where our ſaid ſoveraign Lord, ſithence the fourth day of Februarie, the ſaid twentie ſeventh yeare of the raigne of our ſaid Soveraign lord, hath obtayned and purchaſed, as well by eſchaunge as by gifts, bargaines, fines, feoffements, recoveries, deedes enrolled, and otherwiſe, of divers and ſundry perſons, many ſundry and divers honours, caſtles, mannours, landes, tenementes, meddowes, paſtures, woods, rents, reverſions, ſervices, and other hereditamentes, and hath not onely payd divers and ſundry great ſummes of money for the ſame, but alſo have given and graunted for the ſame unto divers and ſundry perſons divers and ſundry mannours, landes, tenementes, and hereditamentes, and other recompences, in and for full ſatisfaction of all ſuch honours, caſtles, mannours, landes, tenementes, rents, reverſions, ſervices, and other hereditamentes by his highneſſe obtayned or had, as is aboveſaid: be it therefore enacted by authoritie aboveſaid, that our ſaid Soveraign lord the King, his heyres and ſucceſſours, ſhall have, hold, poſſede, and enjoy all ſuch honnours, caſtles, mannours, landes, tenementes, and other hereditaments, as his Highneſs ſithence the ſaid fourth day of Februarie the ſeven and twentieth yeare aboveſaid hath obtayned and had by mean of eſchange, bargain, purchaſe, or other whatſoever mean or meanes, according to the true meaning and entent of his bargaine, eſchange, or purchaſe, miſrecitall, miſnaming, or non recitall, or not naming of the ſaid honnours, caſtles, mannours, landes, tenementes, and other hereditamentes, compriſed or mentioned in the ſame bargaines or writings made between the King's highneſſe or any other partie or parties, or of the townes or countries, where the ſaid honnours, caſtles, mannors, landes, tenementes, and hereditamentes, lye or bin, or any matter or cauſe whatſoever it be, in any wiſe notwithſtanding. Saving to all and everie perſon and perſons, bodies politique and corporate, and their ſucceſſours, and everie of them, other then ſuch perſon and perſons, and their heyres, and their wives, and the wives of every of them, bodies politique and corporate, and their ſucceſſours, and every of them, of whom the Hing's highneſſe hath obtained

Saving the rights of all but the vendors, &c.

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tained by eſchange, gift, bargaine, fine, feoffement, recoverie, deed enrolled or otherwiſe, any ſuch honours, caſtles, mannors, landes, tenementes, and other hereditamentes, as is aforeſaid, all ſuch right, title, uſe, intereſt, poſſeſſion, lawfull entries, rent ſervices, rent charges, rent ſeckes, fee fermes, annuities, commodities, fees, and other profites, which they or any of them have, might, or ought to have had, in, or to the premiſſes ſo obtayned and had, or in or to any parcell thereof, as if this act had never been had ne made, this preſent act, or any thing therein contayned to the contrary notwithſtanding.

Confirmation of the King's grants, by letters patent, ſince ſaid 4th of February, or in 3 years after this act, &c.

XXIV. And where it hath pleaſed the King's highneſſe, of his moſt abundant grace, aſwell upon divers and ſundry conſiderations, his Majeſtie ſpecially moving, as alſo otherwiſe to have bargained, ſold or chaunged, given or graunted by his Grace's ſeverall letters pattents, indentures, or other writings, under his Highneſſe great ſeale, to divers and ſundry perſon and perſons, bodies politique and corporate, and other his loving and obedient ſubjects, divers and ſundry honnours, caſtles, mannours, monaſteries, abbeyes, priories, landes, tenementes, rents, reverſions, ſervices, parſonages appropriated, advowſons, liberties, tythes, oblations, penſions, portions, franchiſes, priviledges, and other hereditamentes, commodities, and profits in fee ſimple, fee tail, or for terme of life, for avoyding of which ſaid letters pattents, and the contents of the ſame, divers ſundry and many ambiguities, doubts and queſtions might hereafter ariſe, be moved and ſtirred; aſwell for miſrecitall as non recitall, as for divers other matters, things or cauſes to be alleaged, objected, or invented againſt the ſaid letters pattents, as alſo for lack of finding of offices or inquiſitions, whereby the title of his Highneſſe therein ought to have been found before the making of the ſaid letters pattents, or for miſrecitiall, or non recitiall of leaſes, as well of record as not of record, or for lack of the certaintie of the value, or by reaſon of miſnaming of the honnours, caſtles, mannours, monaſteries, abbeyes, priories, landes, tenementes, and other hereditamentes, compriſed and mentioned within the ſame letters pattents, or of townes or countries, where the ſame honnours, caſtles, mannours, monaſteries, abbeyes, priories, landes, tenementes, rents, and other hereditamentes, lyeth and bethe, as for divers and ſundry other ſuggeſtions and ſurmiſes, which hereafter might happen to be moved, ſurmiſed, or procured, againſt the ſaid letters patents, albeit the words in effect, conteyned in the ſaid letters pattents, bee according to the true intent and meaning of his royall Majeſtie. Be it therefore enacted by authority of this preſent Parliament, That aſwell all and every the ſaid letters pattents, indentures, and other writings, and every of them made under the great ſeale of Ireland, by his warrant under his Highneſſe hand, or privie ſeale, and bearing teſte in his owne name, or under his great ſeale of England, ſithence the ſaid fourth day of February, in the ſeven and twentieth yeare of his moſt noble raign, and all and ſingular other

Notwithſtanding miſrecital, want of office found, &c.

A. D. 1542. Chap. 5.

ſuch his Grace's letters pattents, indentures, or other writings, to be had or graunted in forme as is aforeſaid, to any perſon or perſons, bodies politique or corporate, within three yeares next after the making of this preſent act, of any honnours, caſtles, mannours, monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of friers, and other religious houſes or places, ſcites, circuits, precincts, lands, tenementes, parſonages, tyethes, penſions, portions, advowſons, nominations, and all other hereditaments and poſſeſſions, of what kind, nature, or quality ſoever they bee, or by whatſoever name or names they or any of them bee named, knowen, or reputed, ſhall ſtand, be good, effectuall, and avayleable in the law of this realme, to all reſpects, purpoſes, conſtructions, and intents againſt his Majeſtie, his heyres and ſucceſſours, without any other licence, diſpenſations, or tolleraunce of the King's highneſſe, his heyres or ſucceſſours, or of any other perſon or perſons, whatſoever they bee, for any thing or things conteyned, or hereafter to be conteyned, in any ſuch letters pattents, indentures, or other writings, any cauſe, conſideration, or any thing material to the contrary notwithſtanding.

Saving the rights of others.

Saving to all and ſinguler perſon and perſons, bodies politique and corporate, their heyres and ſucceſſours, and heyres and ſucceſſours of every of them, other then his Highneſſe, his heyres and ſucceſſours, and the ſaid governours and governeſſes, and their ſucceſſours, donours, foundours, and patrons aforenamed, and their heyres and ſucceſſours, and other then thoſe perſon and perſons, their heyres and aſſignes, and every of them which bee barred, and whoſe right, title, intereſt and poſſeſſion, bee not ſaved in the laſt Parliament, heretofore holden within this realme, and all other perſon or perſons, claiming in their right, and to their uſe, or in the right, or to the uſe of any of them, all ſuch right, title, intereſt, clayme, poſſeſſion, reverſion, remaynder, offices, annuities, rents, ſervices, rentes charges, rent ſeckes, fee fermes, commens, commodities, fees and other profites, which they or any of them have, ought, or might have had, in, or to any of the ſaid honnours, caſtles, mannours, monaſteries, abbeyes, priories, nunries, hoſpitalls, landes, tenementes, and other hereditamentes, in the ſaid letters pattents made or hereafter to bee made, and compriſed at the time of the making of the ſaid or ſuch letters patents, this act, or any thing or things to the contrary, notwithſtanding.

XXV. And where divers and ſundrie abbots, priours, abbeſſes, prioreſſes, and other governours and governeſſes, of any the ſaid late monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of friers, and other religious houſes and places, have had, poſſeſſed and enjoyed diverſe and ſundrie parſonages appropriate, tythes, penſions and portions, and alſo were acquitted and diſcharged of and for the payment or payments of tythes, to be payed out, or for the ſaid monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of friers, and other religious houſes and places, mannours, meſuages, landes, tenementes, and hereditа-

hereditamentes. Be it enacted by authority of this preſent Parliament, that aſwell the King our ſaid Soveraign lord, his heyres and ſucceſſours, as all and every ſuch perſons, their heyres and aſſignes, which have, or hereafter ſhall have, any monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of fryers, or other religious houſes and places, ſcites, circuites, precinctes of the ſame, or any of them, or any mannours, meſuages, parſonages appropriate, tythes, penſions, portions, and other hereditamentes whatſoever they bee, which belonged or appertained, or which now belong or appertaine to the ſaid monaſteries, priories, nunries, hoſpitalls, houſes of friers, and other religious houſes and places, or to any of them, ſhall have, hold, retaine, keepe and enjoy, aſwell the ſaid parſonages appropriate, tythes, penſions, portions, as the ſaid monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of friers, and other religious houſes and places, ſcites, circuites, mannours, meſuages, landes, tenementes and other hereditamentes, whatſoever they bee, and every of them, according to their eſtates and titles, diſcharged and acquitted of payment of tythes, as freely, and in as large and ample manner as the late abbotts, priours, abbeſſes, prioreſſes, and other governours and governeſſes, or any of them had, held or occupied, poſſeſſed, uſed, retayned, or enjoyed the ſame, or any parcel thereof, at the dayes of their diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giving up, or comming to the King's highneſſe, of ſuch monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of friers, or other religious houſes or places, at the day of the diſſolution, ſuppreſſion, renouncing, relinquiſhing, forfeiting, giving up, or comming unto the King's highneſſe, of any of them: this act, or any thing therein contayned, notwithſtanding. Saving to the King's highneſſe, his heyres and ſucceſſours, all and every mannours, rents, ſervices, and other duties whatſoever they bee, as if this act had never beene had ne made.

Such abbey lands as before the diſſolution were diſcharged of tithes, ſhall continue.

Saving to the King all rents, ſervices, &c.

XXVI. And be it further enacted by authority of this preſent Parliament, that ſuch of the late monaſteries, abbeyes, priories, nunries, hoſpitalls, houſes of fryers, and other religious houſes and places, and all churches and chappells, to them, or any of them belonging, which before the diſſolution, ſuppreſſing, renouncing, relinquiſhing, forfeyting, giving up, or coming to the King's highneſſe, were exempted from the viſitation or viſitations, and all other juriſdictions of the ordinary and ordinaries, within whoſe dioceſs they, or any of them bee ſituated and ſett, from henceforth ſhall bee within the juriſdiction and viſitation of the ordinary and ordinaries, within whoſe dioceſs they or any of them bee ſituated and ſett, or within the juriſdiction and viſitation of ſuch perſon or perſons, as ſhall be by the King's highneſſe limitted and appointed, this act, or any other exemption, libertie, or juriſdiction to the contrary, notwithſtanding.

Monaſteries &c. before diſſolution, exempt from viſitation, henceforth to be within the juriſdiction and viſitation of the ordinary, or perſons appointed by the King.

Statuta, Ordinationes & Actiones in Parliamento prædicto apud *Dublin*, die Lunæ, proximo poſt feſtum omnium ſanctor' viz. ſexto die Novembris, anno regni regis præd' triceſim' quarto, coram præfato, deput' ſimiliter tento, edit' in hæc verba. *Anno Dom.* 1543.

CHAP. I.

A. D. 1543.

An Act for the Diviſion of Methe in two Shires.

Meath divided into two ſhires.

FORASMUCH as the ſhire of Methe is great and large in circuit, and the weſt part thereof laid about and beſet with diverſe of the King's rebells, and that in ſeveral partes thereof the King's writs for lacke of miniſtration of juſtice, have not of late beene obeyed, ne his Grace's lawes put in due exerciſe. And that the ſaid ſheriffe of the ſaid ſhire, for the time being, moſt commonly hath beene one of the inhabitants of the Engliſh pale, within the ſaid ſhire, and is not able to execute the King's proceſſe and precepts, and other things belonging to his office, throughout and by all the ſaid ſhire, and in ſpeciall in diverſe places of the weſt part of the ſame, by which diverſe of the inhabitors of the ſame, whoſe aunceſtors and predeceſſors hath beene obedient to the King's highneſſe, and his moſt noble progenitors, of their duetie of obedience, and allegeance unto the King's highneſſe, and his lawes, for and by default of due execution of his ſaid lawes: in conſideration whereof it is thought meet, that the ſaid ſhire ſhould be devided, and made two ſhires, and one of them ſhall be named and called the countie of Methe, and the other ſhall bee called the countie of Weſtmethe, and there ſhall bee two ſherifes, and other officers convenient, within the ſaid ſhires, and that the King's ſubjectes thereby ſhould greatly encreaſe, in obedience unto the King's highneſſe and his lawes.

Causes for making this act.

The baronies which ſhall compoſe Meath.

Wherefore be it enacted, ordayned, and eſtabliſhed by the authoritie of this preſent Parliament, that the baronies or hundreds of Duleke, Scryne, Slaue, Margallen, Nouan, Kenles, the halfe barony of Fower, next unto Kenles, having and conteyning in the ſame the paroches of Killalou, Demore, Cloue, Moylagh, Loghcrne, Oldecaſtell, and Luyn, Moyfeuragh, Deeſe, Rathtouh, and Donboyne, ſhall be in the countie of Methe. And all and ſingular honours, lordſhips, caſtells, mannours, landes, tenementes, and hereditamentes, lying or being within the compaſſe of the ſaid baronies or hundredes, whatſoever they bee or ſhall bee, ſhall ſtand and bee from the feaſt of Saint Catherine, the virgin and martyr, which

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which ſhall bee in the yeare of our Lord God a thouſand five hundred fortie and two reputed, accepted, deemed, and taken within the ſaid countie of Methe; and that within the ſame countie there ſhall be made, ordeyned, elected, and deputed a ſheriffe, two corc-ners, one eſcheator and clerke of the market, juſtices of peace and gaole deliverie, knightes of the ſhire, and all other officers and miniſters, according as in the ſaid ſhire of Methe before this time hath beene uſed and accuſtomed, as oft as need ſhall require; which ſheriffe, coronors, eſcheators, clerke of the market, juſtices of peace and gaole deliverie, officers, and miniſters, ſo to be made, ordeyned, elected, and deputed, and every of them, ſhall have the ſame and like authoritie, power, preheminence, priviledge, and profites within the ſaid baronies, precinctes, limites, and boundes, now by this act made in the ſaid countie of Methe, as the like officers in times paſſed had within the ſame ſhire of Methe, and in none other limitte or place within the ſaid whole ſhire.

All officers as uſual there in.

II. And further, by the ſame authoritie it is ordeyned and enacted, That Dalton's countrey bee from henceforth made and named the baronie or hundred of Rathcomyrte; and Delamar's countrey, named Moywrackry, made and named the barony or hundred of Roſſaughe; and Tyrrel's countrey, named Fertullaghe, made and named the barony or hundred of Fertullaghe; and Dillon's countrey, named Maghirquirke, made or named the barony or hundred of Kilkenny weſt; which barony or hundred of Kilkenny weſt ſhall have and contayne in the ſame the paroches of Kilkenny, Dromvrane, Bonowne, Oughevalle, Artenecrane, Alone, and Brawney-Iwryn; and a certaine peece of a certaine countrey, named Moylagaghe, to be of and as parcell of the other halfe barony or hundred of Fower; which Moylagaghe lyeth on the northweſt part of the ſame halfe barony or hundred of Fower; which halfe barony ſhall have and contein in the ſame the paroches of our lady church Saint Feighens in the towne of Fower, Kilpatricke, Mayne, Beallaghila, Lyckbla, Foyeran, and Hylton.

What baronies ſhall compoſe Weſtmeath

III. And be it further enacted by the ſame authority, That the baronies or hundreds of Delven, Moyaſhell, Maghirityernan, Corkrie, Ferbille, Moyguoiſe, and the ſaid baronies or hundreds now made by authority of this act, as Rathcormycke, Roſſaughe, Fertullagh, and Kilkenny weſt, and the half barony of Fower, whereof the ſaid Moylagaghe is now made parcell, ſhall be taken, accepted, and had, in the countie of Weſt-Meth: and all and ſinguler honoures, lordſhippes, caſtels, mannours, landes, tenements, and hereditamentes, lying or being within the compaſs or precinct of the ſaid baronies or hundreds of Delvin, Moyaſhell, Maghirityernan, Corkrie, Ferbille, Moyguoiſe and of the ſaid baronies or hundreds now made and eſtabliſhed by the authority of this act, as Rathcormirte, Roſſaughe, Fertullagh, and Kilkenny weſt, and the half barony of Fower, whereof the ſaid Moylagagh is now made parcell, whatſoever they be or ſhall be, and every

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part thereof, ſhall ſtand and be for ever from the ſaid feaſt of Saint Katherin aforeſaid reputed, accepted, named and taken the countie of Weſt-Meth; and within the ſame countie there ſhall be ordayned, elected, and deputed, a ſheriffe, coroners, eſcheator, clerke of the market, juſtice of peace and of goale deliverie, knightes of the ſhire, and all other officers and miniſters, according as in the ſame ſhire of Meth before this time hath been uſed and accuſtomed, as oft as need ſhall require; which ſheriffe, coroners, eſcheator, clerke of the market, officers, and miniſters, ſo to be made, elected, and deputed, and every of them, ſhall have the ſame and like authority, power, preheminence, priviledge, and profites, within the ſaid baronies, precinctes, limites, and bounds, now by this act made the countie of Weſt-Meth, as the like officers in times paſt had within the ſaid ſhire of Meth, and in every part or place within the ſaid ſhire of Meth; and that the towne of Molinger ſhall be named, accepted, reputed, uſed, had, and taken, the head and ſhire towne of the ſaid countie of Weſt-Meth.

All officers as uſual therein.

Molinger to be the ſhire town of Weſtmeath.

III. And further, foraſmuch as it is thought needful and neceſſarie, that there ſhall be a common goale for the receipt and ſure keeping of ſuch perſons, as ſhall be committed to priſon within the precinct of the ſaid countie of Weſt-Meth, and that there is no place ſo meet for the ſame, as the houſe of late Fryers of Molinger aforeſaid, being the ſhire towne appointed by this act: be it therefore enacted, ordeyned, and eſtabliſhed by authority of this preſent Parliament, That the ſaid common gaole or priſon ſhall be within the precinct of the ſaid houſe, and in ſuch place thereof where the lord deputie, the lord chauncellour, the three chief judges, and the maſter of the rolles, for the time being, ſhall aſſigne and appoint.

The priſon.

IV. Provided always, and be it enacted by authority aforeſaid, That all proceſs and proceſſes, awarded or to be awarded out of any our ſoveraign lord the King's courts or by any of his Grace's judges, officers, or miniſters to the ſheriffe, or any other officer or officers, miniſter or miniſters, in the ſaid countie of Meth, and not returnable ne returned before the ſaid Saint Katherin's day, being or purſued for the recoverie or redreſſe of any cauſe or matter within the limites, precinct, or circuit of the countie of Meth, made and eſtabliſhed by authoritie of this preſent act, ſhall be ſerved and returned by the ſheriffe, or other officer or officers, miniſter or miniſters, of the ſaid countie of Meth, made and eſtabliſhed by the authoritie of this preſent act; and that the ſame proceſſe and proceſſes, ſo to be ſerved and returned, ſhall be of and in the ſame maner and condition, and of and in ſuch like force, ſtrength, and vertue, to all intents, conſtructions, and purpoſes, as though the ſame had been ſerved and returned by the ſheriffe, officer or officers, miniſter or miniſters, of the ſaid now countie of Meth, as though this act had not been made; this preſent act, or any thing therein contayned to

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the contrarie notwithſtanding. And that likewiſe by authoritie aforeſaid all proceſſe and proceſſes, awarded or to be awarded out of any of our ſaid ſoveraign lord the King's courts, or by any of his Grace's judges, officers or miniſters to the ſhiriff or any other officer or officers, miniſter or miniſters in the ſaid countie of Meth, and not returnable ne returned before the ſaid Saint Katherin's day, being or purſued for the recoverie or redreſſe of anie cauſe or matter, thing or things within the limits, precinct, or circuite of the ſaid countie of Weſtmeth, made and eſtabliſhed by authoritie of this preſent act, ſhall be ſerved and returned by the ſhiriffe, or other officer or officers, miniſter or miniſters of the ſaid countie of Weſtmeth, and that the ſame proceſs, and proceſſes ſo to bee ſerved and returned ſhall bee of, and in the ſame manner and condition, and of and in ſuch like force, ſtrength and condition, and vertue, to all intents, conſtructions and purpoſes, as though the ſame had been ſerved and returned by the ſhiriff, officer or officers, miniſter or miniſters, of the ſaid countie of Meth, as though this act had never been made, this preſent act, or any thing therein contayned to the contrarie in any wiſe notwithſtanding. A. D. 1543.

V. Provided and be it enacted by the authoritie aforeſaid, that the now knights for the ſaid countie of Meth elected and returned for this preſent Parliament, ſhall continue, remaine, and bee knightes, of and for the ſaid countie of Meth, made and eſtabliſhed by authoritie of this preſent act; and alſo of and for the ſaid countie of Weſtmeth, made and authoriſed by authoritie aforeſaid, during the continuance of the ſame Parliament, and to the utter diſſolving of the ſame in like manner, ſorte, forme, effect and condition, as though this act had never been made, anie thing or things conteyned or mentioned in the ſame to the contrarie in anie wiſe notwithſtanding. The intent meaning and making of this act is that everie of the halfe baronies of Fower in all tryalles ſhall be taken as an entire barony; that is to ſay, that moytie allotted to the ſhire of Meth to bee taken as an entire barony of that ſhire; and the other moytie allotted to Weſtmeth to be as an entire barony in that ſhire, for all tryalles.

Each half barony of Fower to be taken as an intire barony in all trials.

CHAP. II.

An Act that for Perſons ſtanding bound in any Court for their Appearance, and being in Service, to be diſcharged by Writt.

FORASMUCH as the King's ſubjects in this realm of Ireland, ſtandeth at diverſe ſeaſons in ſuch danger and perrill of invaſion by the diſobeyſants, Iriſhrie, as the poſſeſſioners and inhabitants being his Grace's ſubjects in this realm of Ireland, muſt be attendant in their perſons upon his Majeſtie's lieutenant or deputie of the ſame for the time being, in committing invaſion to the ſame diſobeyſants, and

Subjects from danger of invaſion by the Iriſhry, &c. muſt attend on the lieut. &c.

A. D. 1543. Chap. 2.

Perſons bound, or having a day to appear in court or ſeſſions, and not keeping the ſame by reaſon of attendance on the lieut. &c. oppoſing rebels.

and to reſiſt their attemptats. The King's moſt excellent Majeſtie of his Higneſſe benign and moſt Kingly goodneſſe therefore is pleaſed and contented that it be enacted, ordeyned and eſtabliſhed by the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That if any perſon or perſons have or ſhall be bounden by recogniſance, or having a day by rolle to appeare in any of his Grace's his heyres or ſucceſſours, court or courts, ceſſion or ceſſions, any day in the ſame recogniſance, record or rolle, written, mentioned and entered, or hereafter to be written and entred, and that at the ſame day of apparance that any ſuch perſon or perſons was or ſhall be bounden in any of the ſaid courts or ceſſions to appear in maner and forme as is aforeſaid, he or they, the ſame perſon or perſons, be or ſhall be attendant upon the lieutenant, deputy, juſtice or juſtices, or other governor of this realm, in committing invaſion upon any diſobeyſants in this realm, or for defence of any of the King's ſubjects, or appointed or aſſigned by the lieutenant, deputie, juſtice or juſtices, or other governour aforeſaid, to invade any diſobeyſant, or to defend any of the King's ſubjects aforeſaid, by reaſon whereof any ſuch perſon or perſons have not, or hereafter ſhall not keep their ſaid day of apparance, for that, that he or they was, were or ſhall be at that time occupied as is aforeſaid, that then it ſhall be lawfull unto the ſaid lieutenant, deputie, juſtice or juſtices, or other governor aforeſaid for the time being, by force and authoritie of this act, to direct a warrant under his ſigne or ſeal to the chauncellor or keeper of the great ſeale of this realm for the time being, willing him by the ſame, that foraſmuch that ſuch perſon or perſons were or ſhall be in the aſſayres in forme aforeſaid, to direct a writ under the King's ſeal to the judge or judges of any the King's courts or ceſſions of this realm, where any ſuch perſon or perſons did not keep their day or dayes of apparance, to diſcharge the ſame incurred in any ſuch forfeiture, the ſame recogniſance, record or rolle, or any other thing therein conteyned to the contrarie notwithſtanding. Nothing to be payed for the premiſſes by the partie ſo to bee diſcharged, but twelve pence to the clarke that ſhall make the warrant, twelve pence to the clarke of the crowne of the chauncery for making of the writ, twelve pence to the clarke of the court where the ſaid bond ſhall bee diſcharged for the inrolling of the writ and entring the parties diſcharge upon the bond.

The lieut. &c. may direct a warrant to the chancellor, to direct a writ to the judge of the court to diſcharge the forfeiture.

Fees for the diſcharge.

Provided that the next term or ſeſſions after their return from ſuch ſervice they appear, &c. and preſent the writ of diſcharge.

II. Provided alway, that at or in the next terme or ſeſſions after the return of anie ſuch perſon or perſons from the doing or executing of any ſuch ſervice in maner and forme aforeſaid, he or they ſo incurring in any ſuch forfeiture ſhall appeare before the judges in the ſame court or ceſſions where any ſuch forfeiture ſhall happen to be, and there preſent unto the ſame judges the ſame writte for the diſcharge of the ſame forfeiture, upon which writte all and every ſuch

ſuch perſon and perſons of every ſuch forfeiture ſo forfeyted, in manner and form aforeſaid, ſhall be cleerly thereof diſcharged, and the ſaid judge or judges to take a new bond of the partie, as to their diſcretions ſhall be thought good. A. D. 1543. and a new bond may at diſcretion of the judge be taken.

III. Provided alſo, that if any perſon or perſons ſhall be bound to keepe the peace, and happen to breake the ſame, that then any ſuch perſon or perſons ſhall take no advantage ne beneſite by this act, ne by any thing therein contayned, as to be diſcharged of any ſuch forfeiture, for or concerning the breaking of the peace. Perſons bound to keep, and breaking, the peace ſhall have no benefit of this act.

The thirty fourth Year of Henry *the Eighth.* Seſſ. 2.

Statuta, Ordinationes et actiones in Parliamento præd' apud *Dublin*, die Marties prox, ante feſtum ſanct' *Gregorii* martiris, vz. xvii, die Aprilis anno triceſimo quarto præd', coram præfato deputato, ſimiliter tento, ædit' in hæc verba. *Anno Dom.* 1543.

CHAP. I.

An Act touching the Manor and Caſtle of Dongarvan. Rot. Parl. cap. 2.

WHEREAS the caſtle, mannour and lordſhip of Dongarvan, hath been the King's majeſties and his moſt noble progenitors auncient inheritance, whoſe Highneſs poſſeſſion therein hath of long time been incumbred, diſquieted, diſturbed, and now the entire and quiet poſſeſſion of the ſame is in his Highneſs poſſeſſion and hands, and having reſpect to the place where the ſame is ſituated, which may be a meane to bring all that parties of Mounſter into a better quiet, and way of reformation, being in his Grace's hands and diſpoſition, as is moſt meet and convenient to be: Be it therefore enacted, ordeyned and eſtabliſhed by the King's moſt excellent majeſtie, by the aſſent of the lords ſpiritual and temporal, and commons in this preſent Parliament aſſembled, and by authoritie of the ſame, and at the ſpeciall requeſt and deſire of the right honourable Lord James earl of Ormond and Oſſorie, That the King's majeſtie, his heyres and ſucceſſours Kings of England, ſhall have and hold the ſaid caſtle, mannour and lordſhip, with the appurtenances, with all iſſues, fiſhings, cuſtomes, profites and commodities thereunto belonging or appertayning, in as large and ample manner as The caſtle, &c. of Dungarvan confirmed to the King as united to his crown for ever.

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as any other of his Highneſs, or any of his moſt noble progenitors, right, or of any of his progenitors, clayming the ſame in their owne right, the ſame had and received at any time, to have, hold and enjoy the ſame caſtle, mannour and lordſhip, with all other the premiſſes, to his Highneſs, his heyres and ſucceſſours Kings of England, as knit, united and annexed unto his Majeſtie, his heyres and ſucceſſours imperiall crown for ever.

II. Provided that this ſaid act, ne any thing or things, matter, ſentence, or article therein contayned, ſhall extend in any wiſe to any maner of corne, imblements, fallow, or to any other thing or things now ſet or ſowen by any perſon or perſons, in, of, or upon the ſaid mannor and lordſhip, meſuages, lands, tenements, or any part thereof, but that the owners, ſetters, or manurers thereof, ſhall have, take, poſſeſs and enjoy the ſaid corn, imblements, fallow, and other the premiſſes, without any let, diſturbance, or impediment of the King's majeſtie, his heyres or ſucceſſours, or any his or their officer or officers: this preſent act, or any thing therein contayned to the contrary notwithſtanding.

Houses of the Oireachtas

THE

A. D. 1556.

THE THIRD and FOURTH YEARS OF PHILIP and MARY.

Statuta, Ordinationes, Actus, & proviſiones edita in quodam Parliamento Illuſtriſſimorum Principum domini noſtri Philippi & dominæ noſtræ Mariæ, Dei gratia, Regis & Reginæ Angliæ, Hiſpaniarum, Franciæ, utriuſque Siciliæ, Hieruſalem, & Hiberniæ, fidei defenſorum, Archiducum Auſtriæ, Ducum Burgundiæ, Mediolani, & Brabantiæ, Comitum Haſpurgi, Flandriæ & Tirolis, virtute commiſſionis & mandati dictorum domini Regis & dominæ Reginæ ſub magno ſigillo ſuo Angliæ apud Dublin die Martis, viz. primo die Junii annis regnorum prædictorum domini Regis & dominæ Reginæ tertio & quarto, coram prædilecto conſanguineo & conſiliario ſuo Thoma Radclif Milite, Comite Suſſex vic. Fitz-water, domino Egremont & Burnell, uno generoſorum private Cameræ dicti domini Regis, omniumq; generoſorum penſionar. ad arma dictæ dominæ Reginæ in regno ſuo Angliæ capitaneo, ac deputato eorundem domini Regis & dominæ Reginæ regni ſui Hiberniæ tento, & ibidem continuato uſque ad ſecundum diem Julii tunc prox' ſequen' & ibm' uſque ad decimum diem Novemb. tunc prox' ſequen, uſque civitatem Lymeric. adjourn' & ibidem dicto decimo die Novemb' continuat. & abinde eodem die uſq; ad primum diem

Martii tunc proxime ſequent' uſq; villam de Drogheda adjournat. Ante quem primum diem Martii dict. deputatus per mandatum dictorum domin' Regis & dom' Reginæ transfretavit ad eorum Majeſtat' in Angliam & ibm' remanſit uſq; poſt dictum primum diem Martii, ratione cujus ſuæ abſentiæ dictum Parliamentum eodem primo die Martii, diſcontinuatum & diſſolutum fuit. *Anno Dom.* 1556.

CHAP. I.

An Act for the Diſpoſition of Leix and Offialie. Rot. Parl. cap. 7.

A. D. 1556.

The countries of Leix, &c. late wholly in poſſeſſion of rebels, ſubdued by the earl of Suſſex, lord deputy,

WHERE the countries of Leix, Slewmarge, Offalie, Irrie, and Glynmalire, which belong of right to the King and Queen's moſt excellent majeſties, were of late wholly poſſeſſed by the Moores, the Connors, the Dempſyes, and other rebells, and now by the induſtrious travaile of the earle of Suſſex, now lord deputie of Ireland, be brought again to be in the poſſeſſion of their Majeſties, and ſo remaine, to be diſpoſed as to their Highneſſes ſhall be thought good: foraſmuch as the well diſpoſing of the foreſaid countries, and planting of good men there, ſhall not onely be a great ſtrength to thoſe quarters, but alſo a wonderfull aſſurance of quiet to all the reſt of the Engliſh countries, and a great terror to all Iriſh countries bordering upon the ſame: therefore at the humble requeſt of the lords ſpirituall and temporall and the commons of this realm bee it enacted by our ſoveraigne lord and lady the King and Queen's majeſties, the lords ſpiritual and temporal and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That the foreſaid earle of Suſſex, now lord deputy, ſhall have by vertue of this act full power and authoritie, dureing the time he ſhall be lord deputy there, to give and graunt to all and everie their Majeſties ſubjects, Engliſh or Iriſh, borne within this realme, or within the realme of England, at his election and pleaſure ſuch ſeveral eſtates in fee ſimple, fee taile, leaſes for terme of yeares, life or lives, of all and every the lordſhips, mannours, caſtles, patronages of beneſices, landes, tenementes, and all other hereditamentes temporal, with their appurtenances, parcel of any the ſaid countries, or to any of the ſaid countries of right appertaining or belonging, as for the more ſure planting and ſtrength of the countries with good ſubjects ſhall be thought unto his wiſdome and diſcretion meet and convenient; and that the ſaid earle of Suſſex, now lord deputy, may by vertue of this act commaund the lord chauncellor or keeper of the great ſeal of this realm,

who ſhall have full power by this act to grant eſtates in fee, &c. thereout.

And may command the lord chancel-

for the time being, to ſet their Majeſties great ſeal of his realme to every ſuch graunt of eſtate in fee ſimple, fee taile, leaſe for yeares, life or lives, ſo by him graunted or demiſed, and that every ſuch commandement of the ſaid lord deputie, by warrant ſigned with his hand and ſeal, ſhall be to the ſame lord chancellor, or the keeper of the great ſeal for the time being, a ſufficiant warrant or diſcharge for the ſealing of every ſuch graunt ſo by him graunted, which graunt ſo by him graunted, and ſealed with the ſaid broad ſeal, ſhall be good and vaileable in the law to every perſon that poſſeſſeth any of the ſaid graunts, according to the tenor of the graunt againſt our ſaid ſoveraigne lord and lady the King and Queen's majeſties, her heyres and ſucceſſours, and againſt any other perſon or perſons, bodies politique or corporate, their heyres and ſucceſſours, and the heyres and ſucceſſors of every of them: any law, ſtatute, or other order heretofore made to the contrary in any wiſe notwithſtanding. A. D. 1556. lor to ſet the great ſeal thereto.

II. Provided alwaies, that upon every ſuch eſtate of fee ſimple, fee taile, leaſe for terme of yeares, life or lives, ſo by the ſaid deputie to be graunted or demiſed, as before, there be ſuch yeareſy rents, ſervices, conditions and covenants reſerved to the King and Queen's majeſties, her heyres and ſucceſſours, as by the ſaid lord deputy, upon the ſaid graunt or graunts, ſhall be thought expedient and neceſſary for the better advancement of their Majeſties, and the ſure planting ſtrength and ſuretie of the ſaid countries. Provided ſuch yearly rents, &c. reſerved as by ſaid deputy thought expe- expedient.

III. Provided alſo, that this act, or any matter therein conteyned, ſhall not extend to any landes or inheritances, ſpirituall or temporall of any perſon or perſons, their heyres and ſucceſſors, which are excepted by *proviſo* in the act paſſed, entituling the King and Queen's majeſties, her Grace's heyres and ſucceſſors, in and to the ſaid countries of Leix, Offayly, Slewmarge, Irry, and Glimnaliry, but that they the ſame perſon and perſons, their heyres and ſucceſſours, and the heyres and ſucceſſours of every of them ſhall and may have, enjoy, poſſeſſe, and diſpoſe his and their ſaid ſeveral lands, inheritances and intereſts, according to the ſaid *proviſoes* in the other act, at their will and pleaſure: any matter or thing in this act to the contrary notwithſtanding.

CHAP. II.

An Act whereby the King and Queen's Majeſties, and the Heires and Succeſſours of the Queen, be entituled to the Countries of Leix, Slewmarge, Irry, Glinmaliry, and Offaily, and for making the ſame Countries Shire Grounds. Rot. Parl. cap. 8.

PRayen the commons in this preſent Parliament aſſembled, that foraſmuch as the Omores, Odempſies, Oconnors, and others of the Iriſhry, lately inhabiting the countries of Leixe, Slewmarge, Irry, Glinmaliry and Offaily, and by their ſundry manifeſt treaſons The King and Queen, during life of the Queen, and her heirs and ſucceſſors ſhall have for

A. D. 1556. Chap. 2.

ever, as in right of the crown, the counties of Leix, &c.

after many pardons graunted to them, and ſundry benefits ſhewed to them, yet often rebelled, committing great hurts to the King and Queen's Majeſties moſt loving ſubjects, by the which they provoked the moſt worthy prince King Edward the ſixt, brother to our ſaid ſoveraign lady the Queen's majeſtie, to uſe his power againſt them, who at length to his great charge did ſubdue and repreſs the ſaid Iriſh enemies or rebelles, bringing into his poſſeſſion the countryes aforeſaid, ſithence which time the ſaid Omores, Odempſies, Oconnors, and others of the ſaid Iriſhry, have trayterouſly, contrary to their bounden duties, by force entered the ſaid countries, and them ſo did hold againſt the King and Queen's majeſties, unto ſuch time as their Majeſties, by the diligent and painefull travaile and labour of the right honourable the earl of Suſſex, their majeſties lord deputy in Ireland, by the ſword evicted and reduced the ſaid countrys out of and from the wrongfull and uſurped poſſeſſion of the ſaid Iriſh enemies or rebels, to their Majeſties former poſſeſſion as of right appertayneth, and for that, that neyther of the ſaid countries is knowen to be within the limites of any ſhires or counties of this realm, no title could be found either to the ſaid late King, or to their Majeſties, for and in the ſaid countries and the hereditaments of them, as by their Grace's law is appointed to bee in like caſe, by default whereof, their Majeſties might not take order for the diſpoſition of the ſaid countries by their graunts, as they now intend to doe. Bee it therefore ordeyned, enacted and eſtabliſhed by our ſaid ſoveraign lord and lady the King and Queen's majeſties, the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authoritie of the ſame, That the ſaid King and Queen's majeſties, during the life of the ſaid Queen, and the heires and ſucceſſors of the ſaid Queen ſhall have, hold and poſſeſſe for ever, as in the right of the crown of Enggland and Ireland, the ſaid countries of Leixe, Slewmarge, Irrye, Glimnalyrie and Offaily, and all and ſingular ſeignories, honours, mannours, caſtels, fortreſſes, meſuages, landes, tenementes, woods, moores, paſtures, mountaines, mareſhes, waters, rivers, loghes, churches, chappels, advowſons, patronages, townes, fields, rentes, ſervices, and all and ſingular other the hereditamentes ſpirituall and temporall, of what name, nature, kind or quality ſo ever they bee of in the ſaid countries, and everie of them according to the auncient limits, meares and boundes of the ſame countries, and everie of them, except all and ſingular ſuch parſonages and vicarages as now have cure there, the patronages whereof ſhall be likewiſe given to their Majeſties, and to the heires and ſucceſſors of the ſaid Queens Majeſtie for ever.

Enacting part.

II. And to the end the ſaid countries may be from henceforth the better conſerved, and kept in civill government; bee it enacted by the ſaid authoritie, That the new fort in Leixe, be from henceforth for ever called and named, Mary

The new fort in Liex, called Mary-Burgh,

A. D. 1556. Chap. 2.

Burgh, and that the ſaid countries of Leixe, Slewmarge, Irry, and ſuch portion of Glimnalyre, as ſtandeth and is ſcituate of that ſide of the river of Barrow, whereupon the ſaid Mary Burgh ſtandeth and is ſcituated, and all the ſeignories, honours, mannours, landes, tenementes, and hereditamentes of the ſame countries and portion, and other of them, bee from the firſt day of this Parliament one ſhire or countie, named, knowne, and called the Queen's County, and ſhall from the ſaid day be taken, reputed, and uſed as a countie or ſhire to all purpoſes for ever, and that there ſhall be appointed, ordayned, and made within the ſaid ſhire or countie, for the rule thereof, and execution of things there, ſherife, coroners, eſchetor, clerke of the market, and other officers and miniſters of juſtice yearly, as in other the ſhires or counties in this realm of Ireland bee or ſhould bee.

And countries of Leixe, &c. called, the Queen's county.

To have ſheriff, &c. as other ſhires.

III. And bee it alſo enacted by authoritie aforeſaid, That the new fort in Offaily, bee from henceforth for ever called and named Philippeſton and that the ſaid country of Offaily, and ſuch portion of the ſaid Glinmalry as ſtandeth, and is ſcituated of that ſide of the river of Barrow, whereupon the ſaid Philippeſton ſtandeth and is ſcituated, and all the ſeigniories, honours, mannours, landes, tenementes and hereditamentes of the ſame countrey and portion, and every of them, bee from the feaſt of Saint Michael tharchangel, next coming after the firſt day of this preſent Parliament, one ſhire or county, named, knowne, and called the King's countie, and ſhall from the ſaid feaſt be taken, reputed, and uſed as a countie or ſhire to all purpoſes for ever; and that there ſhall be appointed, ordeyned, and made within the ſaid countie or ſhire, for the rule thereof, and execution of things there, ſherife, coroners, eſchetor, clerke of the market, and other officers and miniſters of juſtice yearly, as in other the ſhires or counties of this realm of Ireland be or ſhould be.

The new fort in Offaly, called Philipſtown.

The King's county named.

To have ſheriff and other officers.

IV. And be it likewiſe enacted and ordeyned by the ſaid authority, that a commiſſion be made forth by the lord chancellor, for the time being, to certain of the counſail and others, after his diſcretion, as well for the dividing of the bounds and limits of the ſaid ſeveral counties or ſhires from other counties and places, and to either of them adjoyning, and alſo poſſeſſions and hereditamentes of the ſaid counties or ſhires of King's countie and Queen's countie, into ſeveral baronies or hundreds, as alſo the towne or place where the priſon, yaile or gaole in every of the ſaid counties or ſhires ſhall be, and what order and appointment ſhall be ſo taken and made by the ſaid commiſſioners in that behalfe, and retorned into the King and Queen's majeſties chauncerie of this realm, be it by authority of this preſent Parliament ratified, confirmed and eſtabliſhed for ever.

A commiſſion by the lord chancellor for dividing the bounds of ſaid counties, and into baronies or hundreds.

Alſo the place where a gaol for each ſhall be.

V. Provided alwayes, that this act, or any thing therein conteyned, ſhall not in any wiſe be prejudicial, ne hurtfull to any letters

Not to prejudice the grants to the earl of Kildare.

A. D. 1556. letters patents made and graunted unto Gerald, now earle of Kildare, and to his heyres, by our ſaid ſoveraign lady the Queen, or by her Highneſs late brother, King Edward the ſixt, of any honours, mannours, lands, tenementes, preheminences, dignities, priviledges, juriſdictions, and other hereditaments whatſoever, within this realm of Ireland, but that the ſaid Gerald earle of Kildare, and his heyres, ſhall and may enjoy and hold all and ſingular the ſaid honours, preheminences, dignities, priviledges, juriſdictions, mannours, lands, tenements, and all other hereditaments, to him and his heyres given and graunted by our ſaid ſoveraign lady the Queen, or by her Highneſſe ſaid late brother King Edward the ſixt, or by either of them, according to the tenor, forme, and effect of the ſaid ſeveral letters patents, and as the ſaid earle and his heires, ſhould or ought to have and enjoy the ſaid honours, mannours, and other the premiſes by force of the ſaid ſeverall letters pattents, or of any of them, as if this act had not been made; any thing herein contained to the contrary notwithſtanding.

Nor any rights of the biſhops, or other eccleſiaſtical perſons.

VI. Provided alſo, that this act, nor any thing therein conteyned, doth not extend to the archbiſhop of Dublin, the biſhop of Kildare, the biſhop of Leighlin, or any other eccleſiaſticall perſon or perſons, and their ſucceſſours, of any right, title, intereſt preheminence, authorities, advowſons, preſentations, by laps or otherwiſe, or any other thing or things, that they or their predeceſſors have had, enjoyed or poſſeſſed within the ſaid countrey of Leixe and Offaily, but that the ſame ſhall be in their and every of them, and their ſucceſſours, in as large and ample manner as any their predeceſſours had enjoyed, manured, occupied and poſſeſſed the ſame at any time before the making of the ſaid act; any law, uſe or cuſtome in this act to the contrary in any wiſe notwithſtanding.

CHAP. III.

An Act to convert and turne divers and ſundry Waſte Grounds into Shire Grounds. Rot. Parl. cap. 9.

11 *Eliz.* 9. *Ir.* ſeſ. 3. Robberies, &c. daily committed in waſte grounds, lying in no ſhire.

WHERE divers and ſundry robberies, murders and felonies be daily committed and done within ſundry townes, villages, and other waſte grounds of this realm, being no ſhire grounds, to the great loſſe of divers and ſundry true ſubjects of this realm, to the great boldnes and encouraging of all other like offendors, by reaſon that the ſame townes, villages and waſte grounds, be not made ſhire grounds; for remedy whereof, bee it enacted by authoritie of this preſent Parliament, that immediately upon the prorogation or diſſolution of the ſame, the lord chauncellor of this realm for the time being, ſhall have full power and authoritie by vertue of this act to award and direct the King and

A. D. 1566. Chap. 3.

and Queen's Majeſties commiſſion under their Graces great ſeal of this realm to ſuch number of perſons, as ſhall by warrant under the lord deputies hand and ſeal for the time being bee thought moſt convenient and meet; giving thereby full power and authoritie to the ſame commiſſioners by authoritie of the ſame commiſſion to view, ſurvey, and make inquirie of all the townes, villages, and waſte groundes of this realm, now being no ſhire groundes, and upon the ſaid view, inquirie, and ſurvey, to limit, make, nominate, and devide by certain limittes and boundes, all ſuch townes, villages, and waſte groundes within this realm, being preſently no ſhire ground nor countie, into ſuch and as many ſeverall counties, ſhires, and hundreds, as to the ſaid commiſſioners ſhall be thought moſt meeteſt and convenient, and after they have made ſuch ſurvey, inquirie, and diviſion of the ſaid counties, ſhires, and waſte grounds, as is aforeſaid, the ſaid commiſſioners ſhall certifie the ſame unto the lord deputy for the time being; who, likeing the ſaid certificate, ſhall under his hand and ſeal and the hands and ſeals of the ſaid commiſſioners return and certifie the doing together with the ſaid commiſſion into the high court of Chancery before ſuch feaſt or time, as by the ſaid commiſſion ſhall be to them limitted and appointed, to the intent the ſame may there remaine of record; and the ſame certificate ſo made ſhall be of the ſame force and effect, as it were done and made by act of Parliament; and that the ſaid ſhires, countries, and hundreds, after the ſaid certificate ſo made ſhall be uſed and taken as other counties, ſhires, and hundreds be in everie other ſhire within this realm of Ireland.

Commiſſioners under the great ſeal to ſurvey and divide the ſame into counties and hundreds.

And certify to the lord deputy;

To be certified into chancery.

There to remain of record.

Such certificate to have ſame force, as if by act of Parliament.

II. Provided alwayes, and bee it enacted by authoritie aforeſaid, That the King and Queen's Majeſties, her heyres and ſucceſſours, ſhall and may have full power and authoritie for the tearm of ſeven yeares next after the end and diſſolution of this preſent Parliament, for ſuch time as ſhall pleaſe their Majeſties, her heyres and ſucceſſours, to ſuſpend or utterly to repeal, revoke, and abrogate this whole act, together with all other things done by force of the ſame or any part thereof from time to time, as ſhall ſtand with their Majeſties moſt gracious pleaſure, ſo that every ſuch ſuſpending, repeale, and revocation, from time to time as often as any ſuch caſe ſhall happen, ſhall be made in writing under the great ſeal of Ireland; and that proclamations of every ſuch ſuſpending, repeal, and revocation ſhall be made in ſuch and as many ſhires of this realm of Ireland, as to their Majeſties, her heires, and ſucceſſours, ſhall bee thought meete and convenient; and thereupon the ſaid commiſſion to be inrolled in the rolles of this preſent Parliament, wherein this act ſhall be inrolled, and that every ſuch ſuſpending, repeale, and revocation, ſo to be had and made by the King and Queen's Majeſties, her heires and ſucceſſours, ſhall be as good and effectuall to all intents and purpoſes, as if the

The King and Queen, her heirs and ſucceſſors, may within 7 years after this Parliament ſuſpend or repeal this act, or any part, and all things done under it.

In writing under the great ſeal,

And proclamation made.

A. D. 1556. the ſame had been done by authoritie of this preſent Parliament; this act or any thing therein conteyned to the contrary thereof notwithſtanding.

CHAP. IV.

An Act declaring how Ponings Acte ſhall be exponed and taken. Rot. Parl. cap. 11.

Recital of 10 *H.* 7. 4. *Ir.* 11 *Eliz.* 1. ſeſſ. 2.

WHERE at a Parliament holden at Drogheda the Monday next after the feaſt of ſaint Andrew the Apoſtle in the tenth yeare of the raign of the late King of famous memory, Henry the ſeventhe, graundfather unto our ſoveraign Lady the Queen, before Sir Edward Ponings, knight, then lord deputie of this realm of Ireland, an act among other things was enacted and made for and concerning the order, manner, and forme of Parliament to bee from henceforth holden and kept in this realm of Ireland, in forme following: Item, *At the requeſt of the commons of the land of Ireland bee it ordeyned, enacted, and eſtabliſhed, That at the next Parliament, that there ſhall be holden by the King's commaundement and licence, wherein amongſt other the King's grace intendeth to have a generall reſumption of his whole revenue ſith the laſt day of the raigne of King Edward the ſecond, no Parliament bee holden hereafter in the ſaid land, but at ſuch ſeaſon as the King's lieutenant and counſaile there furſt doe certifie the King under the great ſeal of that land the cauſes and conſiderations of all ſuch acts, as them ſeemeth ſhould paſſe in the ſame Parliament; and ſuch cauſes, conſiderations, and acts affirmed by the King and his counſaile to be good and expedient for that land, and his licence thereupon as well in affirmation of the ſaid cauſes and acts, as to ſummon the ſaid Parliament under his great ſeale of England had and obtained, that done, a Parliament to bee had and holden after the form and effect aforeſaid: and if any Parliament bee holden in that land hereafter contrary to the forme and proviſion aforeſaid, it bee deemed voyde and of none effect in the law*; and by the ſaid act more at large doth appeare: for as much as ſithence the making of the ſaid act diverſe and ſundrie ambiguities and doubts have been made and riſen upon the true underſtanding and meaning of the ſame; for the avoyding of the which doubts and ambiguities, and for a full and plain declaration of the true meaning and underſtanding of the ſaid act, be it ordayned, enacted, and eſtabliſhed by authority of this preſent Parliament, That the ſaid act, and every clauſe and article therein conteyned, ſhall from the firſt day of September laſt paſt be expounded, underſtanded, and taken, as hereafter followeth; that is to ſay, That no Parliament be ſummoned or holden within this realm of Ireland, untill ſuch time as the lieutenant, lord deputie, lord juſtice, lords juſtices, chiefe governour or governours, or any of them, and the counſaile

Doubts ariſen thereupon.

Expoſition thereof.

of

of this ſaid realme of Ireland, for the time being, ſhall have certified the King and Queen's Majeſties, her heyres and ſucceſſours, under the great ſeale of this ſaid realme of Ireland, the conſiderations, cauſes, and articles of ſuch acts, proviſions, and ordinances, as by them ſhall be then thought meet and neceſſary to be enacted and paſſed here by Parliament, and ſhall have alſo received again their Majeſties anſwer, under their great ſeale of England, declaring their pleaſure, eyther for the paſſing of the ſaid acts, proviſions, and ordinances, in ſuch form and tenour as they ſhall be ſent into England, or elſe for the change or alterations of them, or any part of the ſame.

II. And be it further enacted by the authority aforeſaid, That after ſuch return made, and after licence and authority to ſummon a Parliament within the ſaid realm of Ireland, graunted under the great ſeale of England unto the ſaid lieutenant or lord deputie, or other lord juſtice, lords juſtices, chief governour or governours of the ſame realm of Ireland, for the time being, and not before the ſame lieutenant, lord deputie, lord juſtice, lords juſtices, chiefe governour or governours, ſhall and may ſummon and hold a Parliament within this realm of Ireland, for paſſing and agreeing upon ſuch acts, and no other, as ſhall be ſo retorned under the ſaid great ſeale of England.

III. And foraſmuch as manie events and occaſions may happen during the time of the Parliament, the which ſhall be thought meet and neceſſary to be provided for, and yet at or before the time of the ſummoning of the Parliament, was not thought nor agreed upon: therefore be it further enacted and eſtabliſhed by authority of this Parliament, That as well after every ſuch authority and licence ſent into this realm of Ireland, as alſo at all times after the ſummons, and during the time of every Parliament to be hereafter holden within the ſaid realm of Ireland, according to the tenor and form of this act, the lieutenant, lord deputie, lord juſtice, lords juſtices, chiefe governour or chiefe governours and counſaile of the ſame realm of Ireland for the time being, ſhall and may certifie all ſuch other conſiderations, cauſes, tenours, proviſions, and ordinances, as they ſhall further then think good to be enacted and eſtabliſhed, at and in the ſame Parliament within the ſame realm of Ireland, to the King and Queen's Majeſties, her heyres and ſucceſſors, under the great ſeal of this ſaid realm of Ireland, and ſuch conſiderations, cauſes, tenours, proviſions, and ordinances, or any of them, as ſhall be thereupon certified and returned into the ſaid realm, under the great ſeal of England, and no others, ſhall and may paſs and be enacted here in every ſuch Parliament within this ſaid realm of Ireland, in caſe the ſame conſiderations, cauſes, tenours, proviſions, and ordinances, or any of them, be agreed and reſolved upon by the three eſtates of the ſaid Parliament; any thing conteyned in this preſent act,

The lieutenant, &c. may, after ſummons, and during the time of every parliament, certify all ſuch other cauſes, conſiderations, &c. as they think expedient.

And ſuch as are returned under the great ſeal of England, and no others, ſhall be enacted, if agreed to by the three eſtates.

A. D. 1556. or in the foreſaid act made at Drogheda to the contrarie notwithſtanding.

IV. Provided alwayes, and be it further enacted by the authority of this preſent Parliament, That all and every Parliament and Parliaments ſummoned, kept and holden within this realm of Ireland, ſince the making of the ſaid former act, in the ſaid tenth yeare of the reigne of the ſaid late King Henry the ſeventh, and all and every act, acts, ordinances, and proviſions, made, paſſed, ordeyned, and enacted in the ſame, ſhall be and remaine in ſuch and the ſame force, ſtrength, validitie and effect, to all intents, conſtructions, and purpoſes, as if this act had never been had ne made: this act, or any thing therein contained to the contrary notwithſtanding.

All parliaments and acts paſſed ſince 10 *H.* 7. to be in force, as if this act never made.

V. Provided alſo, that this act, or any thing therein conteyned, ſhall not extend or be meant, to the defeating or hindrance of any the proviſoes made in this ceſſion of this preſent Parliament.

This act not to defeat any proviſoes made this ſeſſion.

CHAP. V.

An Act againſt Corſors and idle Men. Rot. Parl. cap. 14.

FORASMUCH as now in this realm all labouring men in huſbandrie, as cottiers, and other dwellers under lords, gentlemen, freeholders and fermors, doe give themſelves to idleneſs, and will not labour, but daily uſe corſerie, as in buying horſes, garrons, geldings, coltes, and mares, intending to fatten them in the lord, gentleman, freeholder, or fermour's ground, under whom the ſaid cottier and cottiers dwelleth, aud then after again to ſell ſuch horſe, gelding, colt, or mare, ſo bought as before, verie deere, and ſo thereby do not only make horſes, geldings, coltes, and mares verie deere to ſuch as occupie huſbandrie, and have otherwiſe need of them, but alſo the idleneſs of the ſaid cottiers and labouring men, that will not labour the earth upon requeſt made, is of great hinderance to huſbandry, and much hurtfull to the common wealth of this realm. Be it therefore enacted, ordeyned, and eſtabliſhed by our ſovereign lord and lady, the King and Queen's Majeſties, the lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That from the firſt day of May next comming no cottier, nor labouring man in huſbandrie, nor horſeboy, nor kernaugh, ſhall not buy any horſe, garran, gelding, colt, or mare, nor make bargain with any other for the having of any of them, upon pain of forfeiture for every time ſo offending, in buying or bargaining for horſe, garran, gelding, colt or mare, xl. s. of lawfull money of Ireland, the one moitie of the ſaid penaltie of xl. s. to be to the King and Queen, her grace's heires and ſucceſſors, and thother moitie thereof to be to ſuch perſon as will ſue for the ſame, by action of debt, by original writ or bill, before the juſtices of their

Cottiers giving themſelves to idleneſs,

buying and ſelling horſes,

Hinderance to huſbandry.

No labourer in huſbandry, &c. to buy horſes.

Penalty 40s.

Graces bench or common place within this realm of Ireland, in which actions the defendant ſhall not wage his law, nor none eſſoine nor protection for the defendant ſhall lie, nor be allowed in the ſaid action. A. D. 1556.

II. Provided alwaies, that this act, nor any thing therein conteyned, ſhall not extend, nor be prejudiciall to any carter, carrier, miller, baker, nor tanner, buying horſe, garran, gelding, colt, or mare, for ſerving them, and every of them, in that his or their facultie or trade. Not to extend to carters, millers, &c. buying for ſervice of their trade.

III. Provided alſo, this act, nor any thing therein conteyned, ſhall not extend nor be prejudiciall to any cottier, or labouring man in huſbandrie, nor horſeboy, nor kearnagh, but that they, and every of them, may yearly, from the firſt of Auguſt till the laſt day of October then next following, buy and have a horſe, garran, gelding, colt, or mare, to labour and draw home ſuch corne and other things, as they and every of them ſhall have to doe, from the firſt day of Auguſt till the ſaid laſt day of October yearly. And ſaid labourers, &c. may buy and have a horſe yearly, from firſt of Auguſt to the laſt of October, to draw home corn, &c.

CHAP. VI.

An Act that the Owners of Goods ſtollen may be reſtored thereunto.
Rot. Parl. cap. 15.

WHEREAS divers the King and Queen's Majeſties ſubjects of this realm have cauſed the bodies of ſuch felons, as ſtale their goods from them, to be apprehended and brought to anſwer to the law for that malefact, or have done their diligence to have them taken, whereupon the malefactours have been arraigned and attainted, or otherwiſe have fled away for that cauſe; and yet for that the ſaid malefactour had diſperſed and put abroad the goods ſtolen amongſt Iriſhmen and otherwiſe, the partie could not have or come by his ſaid goods, to his utter impoveriſhing: For remedie whereof, bee it enacted by the lords ſpiritual and temporall and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That in caſe the partie, from whom any goods or cattals hath been or ſhall be ſtolen, or his executors, cannot come by the goods ſo 28 *H.* 8. 10. *Ir.* 21 *H.* 8. 11. *Eng.* If goods ſtolen cannot be had again, the party ſhall have the value of the goods

A. D. 1556. Chap. 6.

of the felon attainted, &c. delivered by the ſheriff or perſons in poſſeſſion thereof, who are to be diſcharged for ſo much.

ſo ſtolen, that then he or his executors ſhall have of the felons goods, that ſtale his goods, and ſhall be attainted, condemned, or pardoned for the ſame, or percaſe have fled, or ſhall flie away for the ſame cauſe, to the value of the goods from him ſtolen and diſperſed, as is aforeſaid, to be delivered to him or to his executors by the handes of the ſherife, or any other perſon or perſons having the poſſeſſion of the ſame goods: and the ſherife, or hee that maketh ſuch deliverie to the partie, or to his executors, to be diſcharged, for ſo much as he ſhall deliver, againſt the King and Queen's Majeſties, her heyres, or ſucceſſours of the ſaid Queen; and if the ſherife, or ſuch perſon or perſons having the ſaid goods, will refuſe to deliver to the partie, or to his executors, of the ſaid felons goods, to the value of the goods ſtollen as is aforeſaid, that then he or they, refuſing ſo to doe, to forfeit to the ſaid partie, or to his executors, the value of the ſaid ſtollen goods, in caſe there came ſo much in value to his or their hands; for the which the ſaid partie, or his executors, ſhall have an action of debt againſt the ſaid ſherife, or any other perſon or perſons, and againſt their executors, to whoſe poſſeſſion the ſaid goods came, or ſhall come, as is aforeſaid; in which action no law wager, protection, nor eſſoine ſhall bee allowed.

Sheriff, &c. refuſing, forfeit the value, if ſo much came to their hands.

Debt lies for the ſame.

Houses of the

A. D. 1556.

CHAP. VII.

An Act againſt making of Aqua Vitæ. Rot. Parl. cap. 16.

FORASMUCH as *aqua vitæ*, a drink nothing profitable to be daily drunken and uſed, is now univerſally throughout this realm of Ireland made, and eſpecially in the borders of the Iriſhry, and for the furniture of Iriſhmen; and thereby much corn, grain, and other things, are conſumed, ſpent, and waſted, to the great hinderance, loſſe, and damages of the poor inhabitants of this realm: be it therefore enacted, ordeyned, and eſtabliſhed by our ſovereign lord and lady the King and Queen's Majeſties, the lords ſpirituall and temporall and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That no perſon nor perſons from henceforth, without having the lord deputie of this realm's licence, ſealed with the great ſeale of this realm, make any *aqua vitæ* within this realm, upon pain of impriſonment at the deputies pleaſure, and to forfeit, for every time ſo offending and making of *aqua vitæ*, four pound of lawfull money of Ireland, the one moytie of the ſaid penaltie of four pound to be to the King and Queen, her heires and ſucceſſours, and the other moytie thereof to be to ſuch perſon as will ſue for the ſame by action of debt, by original writ, or bill, before the juſtices of their Graces bench, or common place, within this realm of Ireland; in which action the defendant ſhall not wage his law, nor none eſſoine nor protection for the defendant ſhall lye or be allowed in the ſaid action.

Aqua vitæ not to be made without licence of the deputy, under the great ſeal,

on pain of impriſonment at pleaſure and 4l. *Ir.* one moiety to King, the other to the party ſuing in B. R. or C. B.

II. Provided alway, that this act, nor any thing therein conteyned, ſhall not extend nor be prejudiciall to any peers of this realm, nor to no gentleman of the ſame, that may diſpend to his own uſe in lands or tenements, for terme of life or inheritance, ten pounds ſterling by the yeare, nor to no freeman dwelling in any city or borough town within this realm, that is charged with burgeſſes to the Parliament, but that they the ſaid peers, gentlemen, and freemen, and every of them, ſhall make *aqua vitæ* for their own expences onely.

But peers, gentlemen of 10l. *per annum* in lands, &c. for life, or inheritance, or freemen in boroughs, may make for their own expences only.

A. D. 1556.

CHAP. VIII.

¶ *An Act repealing Eſtatutes, and Proviſions made againſt the See apoſtolique of Rome, ſithence the twentieth Year of King* Henry *the Eighth, and alſo for the Eſtabliſhment of ſpiritual and eccleſiaſtical Poſſeſſions and Hereditaments conveyed to the Laity.*

1 & 2 *P. & M.* 8. *Eng.* repeal of ſtatutes againſt See of Rome, ſince 20 *H.* 8.
Falſe doctrine ſpread abroad ſince 20 *H.* 8.

WHEREAS ſethens the twentieth yere of Kinge Henry the eight of famouſe memory, Father unto your Majeſtie owre mooſt naturall ſouverain and graciouſſe Ladye and Queen, mouch falſe and erronious doctryne haithe ben taught, preachid, and written, partlie by diverſe the naturall borne ſubjects of this realme, and partlie beinge brought in hither from ſundrye outher forryne countries, haith ben ſowen and ſpreade abrode within the ſame; by reaſon whereof, as well the ſpiritualtie as the temporaltie of your Highneſs realmes and dominions have ſwarved from the obedience from the ſee apoſtolique, and declined from unitie of Chriſtes churche, and ſoo have contynued untill ſouche tyme as your Majeſtie, beinge firſt reiſed up by God, and ſet in the ſeate roiall over us, and then by his devyne and graciouſe providence knyt in marriage with the mooſt noble and vertus Prynce the King our ſoverain lorde your huſband, the Pope is holineſs and the See apoſtolicque ſent hither unto your Majeſties (as unto perſons undefiled, and by Goddes goodneſs preſervid from the commen infection aforeſaid) and to the realmes of England and Ireland, the mooſt reverend father in God, the lordde cardinall Poole, legate *de latere*, to call us home againee unto the right waye from whence wee have all this longe while wandred and ſtraied a brood: and wee, after ſondrie longe and grievous plages and calamities, ſeeing, by the goodneſs of God, our owne errors, wee, the lordes ſpirituall and temporall and the commens in this preſent Parliament aſſembled, and the hole boddie of this your Highnes realme of Ireland, are the rather, at the contemplacion of your Majeſties, received and embraced into the unitie and booſom of Chriſtes churche, conſidering the diſtance from this, dangir of the ſeas, exchewinge of chardges, and further travaill or labour, repairing to the preſens of the ſaid mooſt reverend father in God, the lord cardynall Poole, towards England, there to make our humble ſubmiſſion, accordinge as the lordes ſpirituall and temporall and the commens in the Parliament holden at Weſtminſter, in the furſt and ſecounde yeres of your mooſt proſperous reignes, which wee, your humble ſubjects, mooſt hartlie praie God longe to contynue, mencionynge the repele of all eſtatutes, articles, and proviſions, made againſt the Sea apoſtolicque of Roome, ſethence the twentieth yere of Kinge Henry the eight of mooſt famouſe memorie, your Graces forſeinge our wekeneſe

Cardinal Poole ſent by the Pope to call the people into the right way.

A. D. 1556. Chap. 8.

wekeneſe and long contynuance in our errour, mooſt lovinglie requiring the redreſſe thereof and to have us to be in one folde, united and knyt together with your Majeſties ſubjects of England in the faith of Chriſt, of a godlie purpoſe, of your accuſtomed goodnes, alwaie ſhowed unto us your humble ſubjects of this your Graces realme of Irlande, by whoſe meanes and interceſſion, we have obteigned of the Pope is holineſs Paule, of that name the fourth, by the ſaid mooſt reverend father in God, cardynall Poole, legate *a latere* of the Sea apoſtolicque, boethe pardon, forgivance, and remiſſion, togidder with many other beneficts, as by a bull, under the ſaid lorde legates ſeale, more playnelie doethe apeere, the tenour whereof enſuyth :

Bull of Pope Paul 4.

" Reginaldus miſeratione divina tituli ſancte Marie in coſmedin ſancte " Romane eccleſie preſbiter cardinalis Polus archiopiſcopus Cantuarien' ſanc- " tiſſimi domini noſtri Pape et ſedis apoſtolice ad ſereniſſimos Philippum et " Mariam Anglie et Hibernie reges et univerſa Anglie et Hibernie Regna " ac Dominia et partes illis adjacentes de latere legatus ad perpetuam rei " memoriam. Cum inſula Hibernie ſub dominio Anglie Regnum exiſtens " ab eccleſie catholice unitate et Romani Pontificis obedientia cui antea " ſemper maxime dedita fuerat metu potius quam libera voluntate diſceſſiſſet " et ejuſdem Inſule ſupremum conſilium Parliamentum appellatum quod " univerſum ipſius Inſule corpus repreſentat ſe ipſum et eandem Inſulam " hereſi et ſchiſmati involvendo ac ſententias cenſuras et penas tam eccle- " ſiaſticas quam temporales contra talio perpetrantes tum a jure tum ab " homine latas et promulgatas damnabiliter incurrendo Henrico octavo pri- " mum ac deinde Edwardo ſexto ad id impellentibus et authoritatem ſuam " preſtantibus quaſdam leges ſeu conſtitutiones generales contra poteſtatem " et authoritatem Romani Pontificis edidiſſet in quibus erat et illud ſpe- " cialiter ſtatutum quod Romanus Pontifex caput eccleſie in terris et Chriſti " vicarius non erat et quod ipſe Anglie et Hibernie rex in eccleſia Hi- " bernica ſupremum in terris ſub Chriſto caput exiſtebat. Licet demum " eadem Inſula ab eo ſtatim tempore quo ſereniſſima Maria Henrici pre- " fati filia que ſemper in recta fide et religione etiam contra domeſticas " ſuorum injurias conſtans et firma preſtitit poſt obitum Edwardi ejus fra- " tris una omnium voce Regina declarata fuit et tam hujus regni Anglie " quam dicte Inſule gubernacula ſuſcepit ac deinde ſereniſſimo Philippo Hiſ- " paniarum tunc Principi nunc Regi matrimonio conjuncta eſt ac utriuſque " pietate ſapientia et ſtudio idem Anglie regnum ad voluntatem catholice " eccleſie et apoſtolice ſedis obedientiam reductum et omnes conſtitutiones " que per Henricum et Edwardum predictos et ejuſdem Anglie regni " Parliamentum contra catholicam fidem et eccleſie unitatem late erant re- " vocati fuerunt ad eccleſie unitatem & Romani pontificis obedientiam in- " effectu redieret ejuſdemque Romani pontificis ſupremitatem & authorita- " tem in omnibus agnovit ab eadem appoſtolica ſede tam in Romana curia " quam a nobis hoc in regno varias & innumerabiles gratias & indulta " impetando aliaque omnia que cetera regna & nationes catholice faciunt " faciendo necnon diverſe particulares perſone tam eccleſie quam tempo- " rales

Tenor thereof.

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" rales que hujuſmodi ſchiſma incurrerant a ſchiſmate & cenſuris predictis
" tam per nos quam per noſtros ad id ſubdelagatos abſolute & eccleſie ca-
" tholice reconſiliatæ fuerunt nichilomius iidem ſereniſſimi Phillipus & Ma-
" ria Reges ſubditorum ſuorum animarum ſaluti & quieti ac tranquilitati
" plene conſultum cupientes nobis expoſuerunt ſe magnopere deſiderare ut
" eandem inſulam in regnum auctoritate dicte apoſtolice ſedis ad eorum
" ſupplicationem pridem erectam que ſicut per dictarum legum & conſtitu-
" tionum contra auctoritatem & poteſtatem Romani pontificis editionem
" univerſaliter in eandem appoſtolicam ſedem peccant & ab ejus obedientia
" deſtinit ita nunc eaſdem leges & conſtitutiones eodem modo quo edite
" fuerant per Parliamentum ipſum revocare eidemque apoſtolice ſedi auc-
" thoritatem ſuam reſtituere intendit ac parata eſt & ad hunc etiam effec-
" tum ex permiſſione & mandato ipſorum dictorum Parlamentorum nuper
" convocavit idque primo feciſſet niſi nonnulla juſta impedimenta obſtitiſ-
" ſent univerſaliter ab hereſi & ſchiſmate predictis & omnibus penis per-
" eam propterea incurſis liberaremus ipſumque regnum Hibernie ad unio-
" nem eccleſie catholice receperemus. Et inſuper cum ſchiſmate in dictum
" Hibernie regnum introducto ejuſdem regni Parlamenti proviſa auctoritate
" celique inferiores eccleſie in collegiatas & forſan in cathedrales eccleſias
" erecte ac diverſe eccleſie ſchole & hoſpitalia fundata. Necnon plurime
" diſpenſationes & beneficiorum proviſiones facte fuerunt & multe perſone
" quibus perſuaſum fuerat juris canonici diſpoſitionem eo in regno amplius
" locum non habere ac omnia ejuſdem juris impedimenta matrimonialia ex
" eiſdem proviſis legibus ſublata fuiſſe in conſanguinitatis & affinitatis gra-
" dibus & aliis impedimentis canonicis ſibi obſtantibus matrimonia inter ſe
" per verba de preſenti contraxerint ac etiam conſummaverint, ac multi
" proceſſus & actus judiciarii tam in prima quam ulterioribus inſtantiis ſu-
" per rebus ſpiritualibus & eccleſiaſticis coram judicibus tam ordinariis quam
" delegatis qui auctoritate laicali procedebant habiti & formati ac ſuper
" eis etiam ſentencie late & promulgate bonaque eccleſiaſtica per diverſas
" ejuſdem regni perſonas occupata & apprehenſa fuerint que licet ex ſa-
" crarum canonum inſtitutis irrita declarari poſſent, quia tamen ſi ad alium
" quam in quo nunc ſunt ſtatu revocarentur publica pax & quies ejuſ-
" dem regni turbaretur & maxima confuſio oriretur iidem ſereniſſimi reges
" a nobis ut premiſſarum rerum firmitati & ſtabilitati providere ejuſdem-
" que regni quieti & tranquillitati eodem modo quo huic regno Anglie
" conſuluimus conſulere vellemus maxima cum inſtancia poſtularunt nos
" igitur qui legacionis officium pro eo ſentinemus qui illius vices in terris
" gerit cujus eſt proprium miſereri & parcere attendentes quod pia mater
" eccleſia ad ſe redeuntibus gremium nuncquam cladere ſolet & aiaduſa in
" ejuſdem inſule habitatoribus vera & ſincera penitentia & erga ſedem ap-
" poſtolicam prefatam debita reverencia ac devotione dictorum ſereniſſimo-
" rum regum qui pro unitate eccleſie & ſedis apoſtolice auctoritate in
" eiſdem regnis reſtauranda tam ſancte & ſtudioſe elaborarunt piis & ho-
" neſtis votis annuentes auctoritate appoſtolica nobis per ſanctiſſimum Do-
" minum noſtrum Papam & ſedem appoſtolicam predictam conceſſa & qua
" fungimur in hac parte tenore preſentium univerſum Hibernie regnum

" ejuſque

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" ejuſque provincias dominia civitates oppida terras & loca quecunque ab
" hereſi & ſchiſmate predicta & quibuſvis ſuſpenſionis & interdictorum aliiſque
" eccleſiaſticis & temporalibus ſentencijs cenſuris & penis cujuſcunque ge-
" neris exiſtant in quas premiſſorum occatione univerſitas ejuſdem regni quo-
" modo libet incurriſſet etiam ſi in eis per plures annos inſorduiſſet & eo-
" rum obſolucio dicte ſedi appoſtolice etiam per literas in die cene Do-
" mini legi conſuetas reſervata exiſtat in utroque conſcientie ſilicet & con-
" tencioſo foro plenarie abſolvimus & liberamus & ad catholice eccleſie uni-
" tatem recipimus & aliorum Chriſti fidelium conſortio aggregamus ac om-
" nem inhabilitatem & infamie maculam ſive natam ex premiſſis quomodo
" libet inſurgentem ab eis pendus & omnino abolemus eaque ad priſtinos
" honores dignitates famam ac bona in priſtinumque & eundem in quo
" ante premiſſa quomodo libet erant ſtatu ita ut omnibus & ſingulis gra-
" ciis privilegiis favoribus & indultis eidem regno Hibernie tam a Roma-
" nis pontificibus quam ab alijs conceſſis & quibus alii Chriſti fideles gau-
" dent & guadere quomodolibet poſſunt uti & guadere valeant in omni-
" bus & per omnia perinde ac ſi a fide catholica & eccleſie unitate ac Ro-
" mani pontificis obedientia nunquam in aliquo defeciſſent plenarie reſti-
" tuimus & redintegramus & inſuper ut ejuſdem regni Hibernie paci &
" tranquilitati conſulamus ad quam etiam & omnia que ad eam pertine-
" rent omni ſtudio procuranda a ſanctiſſimo Domino noſtro Papa & ſede ap-
" poſtolica de latere legati miſſi ſumus atque ut unitas eccleſie ex qua ſa-
" lus tot animarum preciſio Chriſti ſanguine redemptarum dependet in eadem
" regno jam introducta corroboretur & ſalva permaneat cum ubriuſque rei
" ſtabilitatem in eo maxime conſiſtere ſi dictorum bonorum eccleſiaſtico-
" rum poſſeſſoribus moleſtia nulla inferatur quo minus ea teneant multa &
" gravia teſtimonia nobis fidem faciant utque univerſum ipſum Hibernie
" regnum ſedes appoſtolice prefate vere maternam indulgentiam & chari-
" tatem erga ſe agnoſcat & re ipſa experiatur quoſcunque ad quos in-
" fra ſcripta pertinent a quibuſvis excommunicationis ſuſpenſionis & in-
" terdicti aliiſque eccleſiaſticis ſentenciis cenſuris & penis a jure vel ab
" homine quavis occaſione vel cauſa latis ſi quibus quomodolibet innodati
" exiſtunt ad effectum preſentem duntaxat conſequentem has ſerie abſol-
" ventes & abſolutos fore cenſuram eadem auctoritate appoſtolica nobis ut pre-
" mititur conceſſa earundem preſentium tenore ſtatuimus & decernimus quod
" omnes & ſingule cathedralium collegiatarum & aliarum eccleſiarum erecti-
" ones hoſpitalium & ſcholarum fundationes tempore preteriti ſchiſmatis li-
" cet nulliter & de facto attentate in eo ſtatu in quo nunc ſunt perpetuo
" firme & ſtabiles permaneant illiſque appoſtolice firmitatis robur adjicimus
" ita ut non temeritate priore ſed appoſtolica authoritate quam nunc eis
" tribuimus facte ab omnibus cenſeatur et cum omnibus et ſingulis perſo-
" nis Regni Hibernie predicti que in alicujus conſanguinitatis vel affinita-
" tis gradus etiam multiplicis vel cognationis ſpiritualis ſeu publice honeſta-
" tis juſticie impedimento uno vel pluribus ſimul de jure poſitivo introduc-
" tis et in quibus idem ſanctiſſimus dominus noſter Papa diſpenſare con-
" ſuevit matrimonia ſcienter vel ignoranter tempore ſchiſmatis predicti de
" facto contraxerunt ut aliquo impedimentorum hujuſmodi non obſtante in

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" cor matrimoniis ſeu contractis libere et licite remanere ſeu illa de novo
" contrahere poſſint miſericorditer in domino diſpenſamus prolem ſuſceptam
" et ſuſcipientam exinde legittimam decernendo ita tum ut qui ſcienter et
" malicioſe contraxerint a ſententia excomunicationis et ab inceſtus ſeu ſa-
" crilegii reatu obſolutionem a ſuo ordinario vel curato quibus id faciendi
" authoritate et tenore predicta facultatem concidemus obtineat et ſaluta-
" rem penitentiam eiſdem propterea imponendam adimpleat ac omnes eccle-
" ſiaſticas ſeculares ſeu quorumcunque ordinum regulares perſonas que ali-
" quas impetrationes diſpenſationes gratias conceſſiones et indulta tam ordines
" quam beneficia eccleſiaſtica ſeu alias ſpirituales materias concernencia pro-
" viſa authoritate ſupremitatis eccleſie Hibernice licet nulliter et de facto
" obtinuerint et ad earum reverſe eccleſie unitati reſtitute fuerint in ſuis
" ordinibus et beneficiis per nos ipſos ſeu per alios a nobis ad id deputatos mirabiliter recipimus pro ut multe jam recepte fuerunt ſecumque
" ſuper hiis opportune in domino diſpenſabimus ac omnes proceſſus in qui-
" buſvis inſtanciis coram quibuſvis judicibus tam ordinariis quam delagatis
" etiam laicis ſuper materiis ſpiritualibus habitos et formatos et ſententias
" ſuper eis licet nulliter et de facto latas quo ad nullitatem ex defectu
" juriſdictionis tantum inſurgentum ſanamus illoſque et illas confirmamus
" ac ſalvis tamen remanentibus iiſque de bonis et juribus eccleſiaſticis per
" ſereniſſimos reges predictos ad noſtram diſpenſationem dimiſſis per nos
" eadem authoritate appoſtolica ſtatuta fuerunt quibuſvis ejuſdem Regni Hibernie perſonis ad quarum manus bona eccleſiaſtica ex quo-
" cunque contractu ſeu titulo oneroſo vel lucrativo jam devenerint te-
" nuerint ſeu etiam teneant omnes et quoſcunque fructus ex eiſdem bo-
" nis licet indebite perceptos remittimus et relaxamus volentes ac decer-
" nentes quod dictorum bonorum eccleſiaſticorum tam mobilium quam
" imobilium poſſeſſores prefati non poſſint in preſenti nec impoſterum
" ſeu per conſiliorum generalium vel provincialium diſpenſationes ſeu de-
" cretales Romanorum Pontificum epiſtolas ſeu aliam quamcunque cenſuram
" eccleſiaſticam in dictis bonis ſeu eorundem poſſeſſione moleſtari inquietari
" vel perturbari nec eis alique cenſure vel pene eccleſiaſtice propter hu-
" juſmodi detentionem ſeu non reſtitutionem errogari vel infligi et ſic per
" quoſcunque judices et auditores ſub lata eis quavis aliter indicandi et in-
" terpretandi facultate et authoritate judicari et diffiniri debere et quicquid
" ſecus attentari contigerit irritum et inane fere decernimus non obſtanti-
" bus premiſſis defectibus et quibuſvis appoſtolicis ac inprovincialibus et
" ſinodalibus conſiliis edictis ſpiritualibus vel generalibus conſtitutionibus et
" ordinationibus ceteriſque contrariis quibuſcunque volumus autem ut idem
" Regnum Hibernie in eo quod proxime celebrabitur Parlamento omnes
" leges et conſtitutiones que ab anno vigeſſimo Regni Henrici octavi uſque
" ad Edwardi ſexti obitum adverſus eccleſie catholice unitatem et ſanctiſſi-
" mi domini noſtri Pape et ſedis apoſtolice ſupremitatem et authoritatem
" directe vel indirecte in ejuſdem Regni Parliamentis ſeu aliis quomodoli-
" bet temere late et promulgate fuerunt ceſſet irritet et annullet omnemque
" eam ſubjectionem et obedientiam erga romanam eccleſiam quam ante
" dictum annum vigeſſimum eidem exhibebat et preſtabat in ſe recipiat

" alioqui

" alioqui preſentes eidem Regno nullatenus ſuffragentur et inſuper admone- A. D.
" mus cum erectio cathedralium eccleſiarum ſit de majoribus cauſis que 1556.
" ſumme pontifici ſunt reſervate recurrendum eſſe ad ſuam ſcituatem et ab Chap. 8.
" ea ſuppliciter poſtulandum ut has confirmare ſeu de novo facere dignetur
" et licet omnes res mobiles eccleſiarum indiſtincte iis qui illos tenent re-
" laxavimus eos tamen admonitos eſſe volumus ut ante oculos habentes di-
" vini judicii ſeveritatem contra Balthaſarem Regem Babylonis qui vaſo
" ſacra non a ſe ſed a patre et templo ablata in profanos uſus convertit ea
" propriis ſi extant vel aliis eccleſiis reſtituant hortentes etiam et per viſ-
" cera miſericordie Jeſhu Chriſti obteſtantes omnes eos quos res hec tangit
" ut ſalutis ſue non omnino immemores hoc ſaltem efficiant ut ex bonis
" eccleſiaſticis maxime iis que ratione perſonaticum et vicariaticum ad po-
" puli miniſtrorum ſuſtentationem fuerunt ſpecialiter deſtinate cathedralibus
" et aliis que nunc extant inferioribus eccleſiis curam animarum exercenti-
" bus ita provideatur ut earum paſtores parſone et vicarii commode et ho-
" neſte juxta eorum ſtatum et qualitatem ſuſtentari ac curam animarum
" laudabiliter exercere et onera ſibi incumbencia congrue ſupportare poſſint.
" Datum Lambethi prope Londinum Wintonien' dioceſs anna a nativitate
" Domini milleſimo quingenteſimo quinquageſimo ſeptimo pridie nonarum
" Maii pontificatus ſanctiſſimi in Chriſto patris et domini noſtri domini
" Pauli divina providencia Pape quarti anno ſecundo Reginaldus Cardinalis
" Polus legatus.

Whiche Bull, by the right honorable Thomas Radcliff, knight of the noble order of the Garter, earle of Suſſex, vicount Fitzwater, lorde Egremont and Burnell, one of the Kinge's Majeſtie privie chamber, capitayne of all the Queen's Majeſties gentlemen penſioners, and gentlemen at arms in their highneſs realme of England, and their Majeſties lorde deputie of Irelande, right reverendlie was ſet forthe and deliverid to your Highnes lorde chauncellor of this your ſaid realme of Irelande, whiche alſo devoutlie and right reverendlie received the ſame, and upon his kneies, to the good enſample of all others in oppyn Parliament, deliberatelie and diſtinctlie in an highe voyex red the ſame, whiche wee the lordes ſpirituall and temporall, and the commens in this preſent Parliament, repreſenting the hole boddie of this your ſaid realme of Irelande, in the name of ourſelves particularlie, and alſo of the ſaid boddie univerſall of this realme, hyringe the ſame red, embraced and right reverendlie and humblie kneling on our kneys, beinge repentant, for declaration of our repentance, immediatelie attending upon the ſaid lorde deputie, reſorted to the cathedrall churche, yeldinge thanks, had *Te Deum* ſolemmonſelie ſonge, and further for a due prouf of our repentence in ſo convenient time, as may be immediatlie by authoritie of this preſent Parliament, ar contentid, and ſhall be contentid to abrogate and repele all ſouche actes and ſtatutes as hath been made in Parliament, ſethens the ſaid twentieth yere of King Henry the eight, againſt the ſupremicie of the ſea apoſtolicque of Roome, according to the tenor and effecte of the ſaid Bull. Therefore wee the ſaid lordes ſpirituall and temporall, and the commens in this preſent Par-

That all acts made againſt See of Rome ſince 20 *H.* 8. be repealed.

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liament assembled, render mooſt humble thankes unto your Majeſties, by whoſe interceſſion and means wee have obtayned the ſaid remiſſion and diſpenſations, mooſt humbly beſeeching that the ſame maye be ordeyned and enacted as folowethe.

The cardinal's diſpenſation confirmed by Parliament.

II. And therefore be it enacted by the authoritie of this preſent Parliament, that all and ſingular articles and clauſes conteigned in the ſaid diſpenſation, aſwell touching the eſtabliſhment of buſſhopprickes and cathedrall churches, as alſoo the confirmation of marriags in degrees prohibitted by the cannons of the churche, the legittimacion of childryn, and the ratification of proceſſes, and of ſentences in mattiers eccleſiaſticall touching the invaliditie of them for want of juriſdiction, and the inſtuticions and deſtuticions of and in benefices and promotions eccleſiaſticall, diſpenſations, and graces given by ſouche order as the publike lawes of the realmes then approvid, and all other things before conteigned in the ſaid letters of diſpenſation ſhall remaine, and be reputed, and taken, to all intents and conſtructions in the lawes of this realme, lawfull, good, and effectual, to be alledgid and pleaded in all courts eccleſiaſticall and temporall for good and ſufficient mattier, either for the plaintif or defendant, without any allegation or objection to be made againſte the validity of theym, by pretence of any generall counſaill, cannon, or decree to the contrarie made, or to be made, in that behaulf.

Monaſteries, &c. granted to K. *H.* 8.

III. And whereas diverſe and ſundrye late monaſteries, priories, commandries, nonries, deanries, prebends, colledgs, hoſpitalls, houſes of freers, chauntries, and outher relligiouſe and eccleſiaſticall houſes and places, and the manors, graungs, meſſuages, landes, tenements, rectories, tiethes, pencions, porcions, vicarages, churches, chapells, advouſons, nominations, parſonages, annuities, rents, revercions, finees, and outher poſſeſſions and hereditaments, to the ſaid late monaſteries, priories, nunries, commandries, deanries, chauntries, prebendes, houſes of freeres, colledges, hoſpitalles, and outher religiouſe and eccleſiaſticall howſes and places, and to ſundrie archbuſſhoprickes and buſſhopricks within this realme, late apperteynynge and belonging, came as well to the handes and poſſeſſion of the ſaid Kinge of famouſe memorie, Henry theight, father unto your Majeſtie, our ſaid ſoveraign Lady, by diſſolution, gift, graunt, ſurrender, attaynder, or outherwiſe, as alſoo to the hands and poſſeſſion of diverſe and ſundrye outher perſons and boddies polliticque and corporat, by ſundrye meanes and conveyances, and aſſurances, accordinge to thorder of the lawes and ſtatuits of this realme. And where alſoo divers manors, lands, tenements and hereditaments, parcell of the poſſeſſions of archebuſſhoprickes and buſſhopricks, and many and ſondrye late priories, deanries, colledges, chauntries, rectories, prebends, free chapells, gyldes and fraternities, and of the now deanries, colledges, chauntries, rectories, prebends, gilds and fraternities, manors, houſes, graunges, lands, tenements, rents, ſervices, and outher eccleſiaſticall poſſeſſions

And lands &c. parcel of archbiſhopricks, granted to K. *E.* 6.

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poſſeſſions and hereditaments, goods and chattles, to the ſaid archebuſſhoprickes, buſſhoprickes, priories, deanries, colledgs, chauntries, free chappells, rectories, gilds, and fraternities, late apperteynyng and belonging, or appoynted to and for the fynding of preeſts, obits, lights, and outher like purpoſes, came aſwell to the hands and poſſeſſion of the late noble King Edwarde the ſixth, brother unto your Majeſtie ſoverain Ladie, by virtue of an acte of Parliament thereof made, or outherwiſe, as alſoo to the hands and poſſeſſion of diverſe and ſondrie outher perſons and boddies politicque and corporat by ſondrie meanes, conveyances and aſſurances, according to thorder of the lawes of this realme, as outherwiſe, by aſſurances from the ſaid deanes and chapiters, and everie of them, by any meanes, a great nomber of whiche ſaid late monaſteries, priories, nonries, commandries, deanries, colledgs, hoſpitalls, prebends, chauntries, free chapells, gildes, and fraternities, and the manors, granges, meſſuages, lands, tenements, rents, reverciones, ſervices, tieths, pencions, porcions, vicarages, churches, chapells, advowſons, nominacions, parſonages, annuyties and hereditaments, goods and chattells to the ſaid monaſteries, priories, nonries, commandries, deanries, colledgs, hoſpitalls, chauntries, free chapells, gilds, fraternities, and outher eccleſiaſticall howſes, archebuſſhoprickes and buſſhoprickes, belonging, aſwell for greate ſomms of money, as for outher good and reaſonable cauſes and conſideracions, have been conveyighed and aſſurid to diverſe the ſubjects and boddies politicque of this realme, aſwell by the ſaid King Henry theight, the ſaid King Edwarde the ſixth, and by your Highneſs, our ſoverain Ladie, and joyntlie by boeth your Majeſties, as alſo by diverſe the owners of the ſaid eccleſiaſtical poſſeſſions, which ſaid conveyances and aſſurances, by their ſondrie letters patents and outher writings more playnelie doe and maie appeere. Forasmuche as the ſaid moſt reverend father hath alſoo by the ſaid diſpenſations removed, and taken awaye all mattier of ympechment trouble and daungier, which by occaſion of any generall counſaill, canon, or decree eccleſiaſticall, might towtche and diſquiet the poſſeſſions of ſouche goods moveable, lands, tenements, poſſeſſions, and hereditaments, as were of late belonging to eny of the ſaid archebuſſhopricks, buſſhopricks, monaſteries, priories, nonries, commandries, deanries, colledgs, chauntries, prebends, rectories, hoſpitalls, howſes of freers, or outher religiouſe and eccleſiaſticall howſes and places, of what nature, name, kynde, or qualitie ſoever they be of; yit for that the title of all landes, poſſeſſions and hereditaments, in this your Majeſties realme is grounded in the lawes, ſtatuts and cuſtoms of the ſame, and by your highe juriſdiction, authoritie roiall, and crowne ymperiall, and in your courts oonlie to be empleaded, ordered, tried, and judgid, and none otherwiſe; and underſtanding that the hole, full, and mooſt graciouſe entent, mynde, and determination of your mooſt excellent Majeſties be, that all and everie perſon and perſons, boddies politicque and corporat, their heirs, ſucceſſors, and aſſignes, and every of them, ſhall have, keepe, retayne, and enjoie, all and everie their eſtats, rights, poſſeſſions, and intereſts, that they and everye of them nowe hath, or hereafter ſhall have, of and in all and everye the manors, graunges, meſſuages, lands, tenements, tiethes, pencions, porcions, advouſons, nomi-

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nations, patronages, annuyties, rents, reverſions, ſervices, hundredes, wapentaks, liberties, franchiſes, and outher poſſeſſions and hereditaments of the ſaid monaſteries, abbies, priories, nonries, commandries, deanries, colledgs, prebends, hoſpitalls howſes of freers, chauntries, rectories, vicarags, churchs, chappells, archbuſſhoprickes, and buſſhopricks, and outher religiouſe or eccleſiaſtical howſes and places, or of eny of them within this realme, and dominions of the ſame, by ſuche lawes and ſtatutes as were in force before the firſt daye of this preſent Parliament, and by outher lawfull conveyaunces to theym thereof made; and that it maie be enacted, and therefore be it enacted by the authoritie of this preſent Parliament, That aſwell your Majeſtie ſoveraign Ladye, your heires and ſucceſſors, alſo all and everie outher perſon and perſons, boddies politicque and corporat, their heires, and ſucceſſors, and aſſignees, nowe having, or that hereafter ſhall have, hold or enjoye eny of the ſcites of the ſaid late monaſteries, and outher the religiouſe or eccleſiaſticall howſes or places, and all the ſaid manors, graungs, meſſuages, lands, tenements, tiethes, pencions, porcions, glebe lands, advouſons, nominations, patronags, annyties, rents, reverſions, ſervices, hundreds, wapentaks, liberties, franchiſes, profits, commodities, and outher the poſſeſſions and hereditaments of the ſaid late monaſteries, abbeis, priories, nonries, commandries, deanries, colledgs, prebends, hoſpitalls, howſes of freers, rectories, vicarages, chauntries, churches, chapells, archebuſſhoprickes, buſſhoprickes, and outher relligiouſe and eccleſiaſticall howſes and places, or any of theym, of what name, nature, or kinde ſoever they be, ſhall have, holde, poſſede, reteyne, keepe, and enyoie, all and everie the ſaid ſcits, manors, graungs, meſſuags, lands, tenements, poſſeſſions, profits, commodities, and all outher hereditaments, according to ſouche intereſts and eſtats as theye, and everie of theym, nowe have or holde, or hereafter ſhall have or holde, of and in the ſame, by the due order and courſe of the lawes and ſtatuits of this realme, whiche nowe be, or wer ſtanding in force before the furſt daie of this preſent Parliament, in manor and forme as theye ſhoulde have done yf this acte had never ben had, ne made; this acte or any thing herein conteyned to the contrarie in any wiſe notwithſtanding. Saving to yowe our ſaid ſoveraign Lady, your heires and ſucceſſours, and every of theym, and to all and every outher perſon and perſons, ſubjects of theſe realmes, and boddies politicque and corporat, and to their heires and ſucceſſors of all and every of theym, outher then ſouche whoſe right, title, or intereſt is bounden or taken awaye, undone, or extincte, by any acte of Parliament heretofore made, or outherwiſe, all ſouche right title, cleyme, poſſeſſion, intereſts, rents, annyties, commodities, commens, offices, fees, leaſes, lycences, livings, pencions, porcions, debts, duties, and outher profits, whiche they or any of theym lawfullie have, or of right ought to have, or myght to have had, in, of, or to eny of the premiſſes, or in, of, or to eny parte or parcell thereof, in ſouche like maner, forme, and condition, to all intents, reſpects, conſtructions and purpoſes, as yf this acte had never ben had, ne made.

The Queen, &c. ſhall enjoy the ſcites of late monaſteries, &c. as they now or hereafter ſhall hold the ſame.

Saving the right of others.

IV. And that it may be further enacted by authoritie aforeſaid, That all and everie article, clauſe, ſentence, and proviſo, conteyned or ſpecified in eny acte or acts of Parliament, concernying or touching thaſſurance or conveyance of eny the ſaid monaſteries, priories, nonries, commandries, deanries, prebendes, colledgs, chauntries, hoſpitalls, houſes of freers, rectories, vicarags, churchs, chapells, archebusſhopricks, busſhopricks, and outher religiouſe and eccleſiaſticall howſes and places, or any of theym, or in eny wiſe concernynge eny manors, lands, tenements, profits, commodities, hereditaments, or outher things before ſpecified, to the ſaid King Henry theight, or King Edward the ſixth, or to either of theym, or any outher perſon or perſons, or boddie politicque, or corporat, and everie of theym, and all and everie wryting, deede, and inſtrument, concernying thaſſurance of eny of the ſame, ſhall ſtand, remayne, and be in as good force and effecte, and ſtrengthe, and ſhal be pleaded and taken advantage of, to all intents, conſtructions and purpoſes, as the ſame ſhould, myght, or coulde have ben by the laws and ſtatuits of this realme, in cace this preſent acte had never ben had, ne made. And that all feoffments, fynes, ſurrenders, forfeitours, aſſurances, conveyances, eſtates, and intereſts, in any wiſe coveyed, had, or made to our ſaid late ſoverain lorde King Henry theight, or to our ſaid late ſoveraign lorde King Edwarde the ſixth, or either of them, or to eny outher perſon or perſons, boddies politicque or corporat, or to eny of theym, by deede or deedes, acte or actes of Parliament, or outherwiſe of eny of the ſcites, manors, lands, tenements, poſſeſſions, profits, commodities, or hereditaments of any of the ſaid archebuſhopricks, buſshopricks, late monaſteries, priories, nonries, commandries, deanries, houſes of freers, colledgs, chauntries, hoſpitalls, prebends, freechappells, or of eny manors, lands, tenements, reverſions, fines, tieths, pencions, porcions, annuyties, or of any other hereditaments, of, by, or from any eccleſiaſticall or ſpirituall perſon or perſons, or by, from, eny ſpirituall or eccleſiaſticall corporation, or bodie politicque, ſhal be as good and vaylable in the lawe, to all intents, conſtructions, and purpoſes as they wer by the lawes and ſtatuits of this realme ſtanding in force before the firſt daye of this preſent Parliament, and that the ſame maie and ſhall be pleaded, alledged, and taken advantage of, in ſouch ſorte, and to ſouche effecte, as they ſhoulde, coulde, or myght have ben by the lawes and ſtatuits of this realme ſtanding in force before the ſaid furſt daye of this preſent Parliament; and that all and everie clauſe and article of ſaving, conteyned in all and everie the ſaid acts and ſtatuits, ſhall ſtand, remayne, and be in ſouch force, ſtrengthe, and effecte, as they wer before the ſaid furſt daye of this preſent Parliament; any thing conteyned in this preſent acte, to the contrarie notwithſtanding.

V. And that it maie be in like maner enacted by authoritie aforeſaid, That whoſoever ſhall by any proceſſee obteined out of eny eccleſiaſticall courte within this realme, or without, or by pretence of any ſpirituall juriſdiction, or outherwiſe, contrarie to the lawes of this realme, inquiet or moleſt eny perſon or perſons, or boddie politicque, for eny of the ſaid manors, lands,

Penalty for moleſting any perſon for the lands above, premunire, 16 *R.* 2. 5. *No clauſe of this act concerning premunire is repealed by* 2 El. 1.

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lands, tenements, hereditaments, or things above ſpecified, contrarie to the words, ſentences, and meanying of this acte, ſhall encurr the dangier of the acte of premunire, made in the ſixteenth yere of King Richard the ſecond, and ſhall ſuffer and incurre the forfeitures and peynes conteyned in the ſame.

Suits for tithes, &c. in eccleſiaſtical court.

VI. Provided alwaie, That it ſhall and maie be lefull to eny perſon or perſons, bodies politicque and corporat, to ſue in eny competent eccleſiaſticall or ſpirituall courte within this realme for tiethes, rights, and dueties, that they or eny of them ſhall pretend to have of or out of any the ſaid manors, lands, tenements, and outher the premiſſes, and to have full and perfit remedie for the ſame, in ſouche maner and forme as thei or any of them might or ought to have done or had by the lawes and ſtatuits of this realme, before the making of this acte, and as thoughe this acte had never ben had or made.

Title of ſupreme head of the church never could be juſtly attributed to any King or governor.

VII. And that it maie be further provided and enacted by thauthoritie aforeſaid, That albeit the title or ſtile of ſupremacye, or ſupreme head of the churche of England and Irland, or either of theym, never was nor coulde be juſtlie or lawfully attributed or knooledgid to eny King or ſoverain governour of eny of the ſaid realmes, nor in any wyſe coulde or might rightfullie, juſtlie, or lawfullie, by any King, or ſoverain governor of the ſame realmes, be claymed, challenged, or uſid: yit foraſmuch as the ſaid title and ſtile, ſethens the thirde daie of November in the twentie ſixth yere of the reigne of the ſaid King Henry theight, haith ben uſid, and is mentioned and conteyned in diverſe and ſondry writts, letters patents, recordes, exemplifications, court rolls, charters, deeds, inſtruments, evidences, books, and writings, it ſhal be lawfull, aſwell to and for your Majeſties, and your ſoverain Ladies heires and ſucceſſors, as to and for everie outher perſon and perſons, and boddies politicque and corporat, at all tyme or tymes hereafter, to have, reteyne, and keepe the ſaid writts, letters patents, records, exemplifications, courte rolls, charters, deeds, inſtruments, evidences, bookes, and writings, and theym to ſhoe, exhibit, uſe, allidge, and pleade in all tymes and places requiſit, or needfull, without any daungier, penaltie, loſſe, forfeiture, trouble, vexation, or ympeachment for the ſame; eny thing in this acte, or in any outher acte, to the contrarie hereof in any wiſe notwithſtanding.

Writs, letters patents, &c. with ſuch title, may yet be kept and pleaded.

VIII. And where your Highnes ſoverain Ladye, ſethens your commyng to the crowne of this realmes of England and Irland, of a good and chriſten conſcience omitted to write the ſaid ſtile of ſupremacie, ſpecified in one acte, made in your late father King Henry theights tyme, aſwell in gifts, graunts, letters patents, as in commiſſions and outher writings, and alſoo outher have in their writings done the ſame aſwell in your tyme as before: and forafmouche as notwithſtanding eny lawe made concerning the ſaid ſtile of ſupremacie, it was in the free choice, libertie, and pleaſure of the King of the ſaid realmes, and of your Highnes, whither ye would expreſſe the ſame in the ſtile or not; be it therefore declared and enacted by authoritie of this preſent Parliament, That all graunts, letters patents, commiſſions, inditements, records,

records, and writings, made in your owne ſoverain Ladies name, or in the names of your ſoverain Lord and Ladye, or any outher, wherein the ſaid ſtile of ſupremacie is omitted, is and ſhalbe to all intents and purpoſes as good and effectuell, as yf the ſame had ben therein expreſſed, and maye be deteyned, keapt, pleaded, and alledged without any daungier, payne, penaltie, or forfeiture to enſue to any perſon or perſons, or boddie politicque, for or concerning the omiſſion of the ſame ſtile, or partie thereof, in any ſouche writings; and no perſon ne perſons ſhallbe ympeched, moleſted, or dampnified for, by reaſon of any ſouche omiſſion.

Writings, &c. wherein the ſtile of ſupremacy omitted, good notwithſtanding.

IX. And wheare in an acte of Parliament made ſethens the ſaid twentieth yere of King Henry theight, all bulls, deſpenſations, and writings, whiche wer before that tyme obteigned from the Sea of Roome, ſhould be voide, abolisſhed, and extinguysſhed, with a clauſe nevertheles, that the matier of them, by virtue of letters patents from the King then being, ſhould and might be alledged, pleaded, and allowed as yf the ſame had not ben ſo abolisſhed or extinguisſhed: foraſmouche as the ſaid acte is here before amongſt outher repealid and made voide, be it therefore enacted by authoritie of the preſent Parliament, That all bulls, diſpenſations, and priviledges, obteyned before the ſaid twentieth yere, or at any tyme ſethens, or whiche ſhall hereafter be obteigned of that Sea of Roome, not conteyning matier contrarie or prejudiciall to the authoritie, dignitie, or preemynence roiall or ymperiall of theiſe ſaid realmes, or to the lawes of this realme nowe beinge in force, and not in this Parliament repealid, maye be put in execution, uſed, and alledgit in any court within this realme or elſewheare, whether the ſame remayne yit hole, or can appeere to have ben cancellid, in as vailable and effectuell maner to all intents and purpoſes, as yf this acte had never ben had or made; any objection by pretence of extinguiſhment, or cancelling of the ſaid bulls, diſpenſations, or priviledges, or of any other mattier or cauſe, by the pretence of the lawes of this realme whatſoever, in any wiſe notwithſtanding.

Bulls, &c. from Rome, not prejudicial to authority royal, or the laws in force, and not repealed in this Parliament, may be put in execution, whether cancelled or not.

X. And whereas by diſſolution of monaſteries and outher religiouſe howſes, certeyne pariſhe churches and chapells, whiche wer before exempt from the juriſdiction of tharchebusſhoppe and busſhoppe of the dioces, and by ſpecial exemption and privilege from Rome, wer under the gouvernment and order of the abbotts and priors of theis religiouſe houſes, whiche ſaid churchs, by collour of the ſaid exemptions, be nowe of ſpeciall graunt from King Henry and King Edwarde under the ruell and government and juriſdiction of temporall and laye men, whoo can no more enyoie that ſupremacye over this particuler chirches, then the King might over the hole realme: be it therefore enacted, That all archebusſhopps and busſhopps in their dioces, and all outher ſpirituall perſon and perſons, having juriſdiction, and their miniſters and officers, and noo laie perſon or perſons, in everie churche and place within the precincte of the ſame, being exempt or not exempt, maye freelie, and without ympediment, execute their ſpirituall juriſdiction in all poincts and articles, as thoughe noo ſouche exemtion or graunt had never ben made.

Spiritual, and no lay, perſons to execute juriſdiction, as tho' no exemption or grant made.

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XI. And forasmuch as after this reconsiliation and unitie of this noble realme of Irlande to the boddie of Christes church it is to be trusted, that by the abundance of Godd's mercy and grace devotion shall encrease and growe in the harts of many subjects of this realme, with desire to give and bestowe their wordlie possessions for resuscitating of almes, praier, and example of good lif in this realme: to thintent that souche godlie motions and purposes shoulde be advanced, be it therefore enacted by authoritie of this present Parliament, That it shalbe lawfull to souche as shalbe seised of any manors, lands, tenements, parsonages, tiethes, pencions, portions, or outher hereditaments what so ever, in fee simple, in possession, reversion, or remainder, in their owne rights, not being copy holde, maye thereof make feoffements, graunts, or any outher assurances, or by his last will and testament in writing maye bequeath and give in fee simple all and everye the said manors, lands, tenements, parsonages, tieths, pencions, porcions, or outher hereditaments to any spirituall boddie politicque and corporat in this realme, and dominions of the same, now erected or founded, without any lycence of mortmayne therein to be obteyned, or any writ of *ad quod dampnum* to be sued out for the same; thactes *de terris ad manum mortuam non ponendis*, or any outher acte or estatuit heretofore had or made, in anywise notwithstandinge. Saving to the lords of the fee all rents services due or going out of eny the said lands, or tenements, or hereditaments, soo to be amortified as is aforesaid.

Lands, &c. may be given or devised to spiritual bodies, without licence of Mortmain

XII. Provided alwaye, that this clause of this acte for giving of libertie, of or for the amortizing of lands or tenements, shall conteynue for and during the space of twentie yeres next and immediatlie following, and no longer.

For twenty years.

XIII. And forasmouche as wee your Majesties humble and obedient subjects, the lords spirituall and temporall, and commens in this present Parliament assembled, neither by the making or delivering of eny the supplications afforesaid, nor by any clause, article, or sentence thereof, or of any outher clause, article, or sentence of this or eny outher estatuits or any of the preambles of the same, made or agreed upon in the cession of this present Parliament, by eny maner of interpretation, construction, implication, or otherwise, entented to derogate, empayre, or dymynysshe, eny of the prerogatives, liberties, franchises, premynences, or jurisdictions of your crowne imperiall of the realmes of England and Irland, and outher the dominions to the same belonging; wee doo mooste humblie beseeche your Majesties, that it maye be declared and ordeyned, and be it enacted and declared by authoritie of this present Parliament, That neither the making and exhibiting, or inserting in this present statuit, or in the preambles of the same, of the supplications or promise aforesaid, or either of theym, nor any outher thing or things, wordes, sentences, clauses, or articles in the preambles or boddie of thacts aforesaid, shalbe construed, understanded, or expounded to derogat

Nothing in this stat. to be prejudicial to the prerogatives of the crown.

derogat, dymynisſhe or take awaye, or take awaye eney the liberties, priviledges, prerogatives, premynces, authorities, or juriſdictions, or eny parte or parcell thereof, whiche were in your imperiall crowne of this realme, or did belong to your ſaid imperiall crowne the twentieth yere of the reign of yours the Queen's Majeſtie's mooſt noble Father, or any outher your mooſt noble progenitours, before the ſaid twentieth yere; and the Pope's holineſs and Sea apoſtolicque to be reſtored, and to have and enyoie ſouche authoritie, preminence, and juriſdiction, as his holines uſid and exerciſed, or myght have lawfullie uſid and exerciſed by the authoritie of his ſupremacie, the ſaid twentieth yere of the reigne of the King your Father, within this your realme of Irland, and outher your dominions, without dymynucion or enlargement of the ſame, and none outher; and the eccleſiaſticall juriſdiction of the archebusſhoppes, busſhoppes, and ordinaries, to be in the ſame ſtate for proceſſe of ſuits, ponysſhement of crymes, and execution of cenſures of the chirche, with knooledge of cauſes belonging to the ſame, and as large in theiſe poincts as the ſaid juriſdiction was the ſaid yere.

Pope's juriſdiction reſtored.

And the biſhops, &c.

XV. Provided alwaies, and be it enacted by thauthoritie aforeſaid, That in and upon everie ſouche gifts and deviſes to be made to ſuch ſpirituall corporations or perſons as is aforeſaid, the donour, feoffer, or deviſor thereof, may reſarve to hym, and to his heires for ever, a tenure in frank-almoigne, or a tenure by divine ſervice, and to have all remedies and actions for and upon the ſaid gifts, or deviſes, and tenures, in like maner and forme, as was uſid before the ſtatuit of Weſtmynſter thyrd, comonlie callid *Quia emptores terrarum*, the ſaid eſtatuit, or any outher lawe or cuſtome nowe being to the contrarie in any wiſe notwithſtanding.

Tenures reſerved on gifts to ſpiritual corporations.

Remedy as before Stat. *Quia emptores*, &c.

XVI. Provided alwaies, and be it enacted, That all and everie perſon and perſons, and boddies politicque and corporat, whiche nowe or hereafter ſhall have eny eſtate of inheritance, freeholde, terme or intereſt of, in, or to eny porcion, pencion, tiethes, glebe lands, or outher eccleſiaſticall or ſpirituall profit, which by this acte, and the letters of diſpenſation reherced in the ſame, be permitted and ſuffrid to remayne and contynue in laye mens poſſeſſions, ſhall and maye have like remedie for the recoverye of the ſame, and everie parte thereof, as they, and everie of theym, might have had before the furſt daye of this preſent Parliament; any thing in this acte conteyned to the contrarie in eny wiſe notwithſtanding.

Like remedy as before for recovery of tithes, &c. in lay mens poſſeſſions.

Repealed 2 *Eliz.* I.

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CHAP. IX.

¶ *An Act for reviveinge of thre Statutes made for the Ponyſhement of Hereſies.*

The following ſtatutes revived. *5 R. 2. 5. ſtat. 2. 2 H. 4. 15. 2 H. 5. 7.*

FOR the eſchuyng and avoiding of errours and hereſies, whiche of late have riſen, growen, and mouche increaſed within this realme; for that the ordinaries have wanted authoritie to procede againſt thoſe that were infected therewith: be it therefore ordeyned and enacted by the authoritie of this preſent Parliament, That the ſtatute made in the fifth yeare of the reigne of King Richard the ſecond, concernyng the arreſtinge and apprehenſion of erronyous and heretical preachers, and one outher ſtatute made in the ſecond yere of the reigne of Kinge Henry the fourthe, concernyng repreſſing of hereſies and ponyſhement of hereticks, and alſo one outher ſtatute made in the ſecond yere of the reigne of Kinge Henry the fifthe, concernyng the ſuppreſſion of hereſie and Lallardy, and everie article, braunche, and ſentence conteigned in the ſame thre ſeveral acts, and everie of them, ſhall from the furſt daie of this preſent Parliament be revived, and be in full force, ſtrength, and effecte, to all intents, conſtructions, and purpoſes, for ever.

Repealed 2 Eliz. 1. ſec. 4. 1 Eliz. 1. ſec. 15. Eng.

CHAP. X.

¶ *An Acte for the Diſchardge of the Furſt Fruites.*

Repealed 2 Eliz. 3. 2 & 3 P. & M. 4. Eng. 28 H. 8. 8.

WHERE in a Parliament holden at Dublin the Mondaie, being the furſt day of Maye, in the twenty eighth yeare of the reigne of King Henry the eight of famouſe memorie, before the lord Leonard Graye, then being his Majeſtie's lord deputie of this realme of Ireland, whiche was prorogated and adjorned till the Tueſdaie, being the twenty fifth daie of Julie in the ſaid yere, to the towne of Kilkenny, and there holden, and from thence proroged and adjorned till the Wedneſdaie, being the twenty eighth daye of the ſame monethe, to the towne of Caysſhell, and then there holden, and proroged and adjorned till Wedneſdaie, the ſecond dai of Auguſt then next followinge, to Lymericke, and there holden; and from thence proroged and adjorned till Fridaie, being the fifteenth daie of September then next following, to Dublin aforeſaid, and there then holden; and for mayntenance of his roiall eſtate, then being recogniſed the oonly ſupreme head in earthe, next and immediatlie under God, of the churches of England and Irland, it was ordeyned, enacted, and eſtabliſhed by authoritie of the ſaid Parliament, "That the ſaid King, his heirs, and ſucceſſoures, ſhould have and enjoie from tyme to tyme, to endure for ever, of everie ſouche perſon or perſons, whiche at any tyme after the furſt daie of this ſaid Parliament, ſhould be nominated, elected, perfected, collated, or by any outher meanes appoynted to have any archebuſhopriche, buſhipriche, abbie, monaſterie, priorie, colledge, hoſpitall, archedeaconrie, deanrie, provoſtſhippe, prebend, parſonage, vicarage, chauntrie, free chaple, or outher dignitie, benefice, office, or promocion ſpiritual within this realme, of what name, nature, or qualitie ſoo ever thei were, or to or of whoſe fundacion, patronage, or gift ſoo ever thei belonged, the furſt fruits, revenues, and profits for one yere, of everie ſouche archebuſhopriche, buſhopriche, abbei,. monaſterie, priorye, colledge, hoſpitall, archdeaconrie, deanrie, provoſtſhippe, prebend, parſonage, vicarage, chauntrie, free chaple, or outher dignitie, benefice, office, or promocion ſpirituall afore named, whereunto any ſouche perſon or perſons ſhould, after the ſaid furſt daie of the ſaid Parliament, be nominated, elected, perfected, preſented, collated,

or by any outher meanes appointed; and that everie ſouche perſon and perſons, before eny actuall or reall poſſeſſion, or medling withe the profitts of any ſouche archebusſhopriche, busſhopriche, abbeye, monaſterie, priorye, college, hoſpital, deanrie, provoſtſhippe, prebend, parſonage, viccarage, chauntrie, free chaple, or outher dignitie, benefice, or promocion ſpirituall, ſhould ſatisfie, content and paie, or compound or agree to paie to the King's uſe, at reaſonable daies, upon good ſuerties, the ſaid furſt fruits for one yere".

II. And whear further, in the ſaid Parliament, it was enacted by authoritie aforeſaid, "That the ſaid King, his heires and ſucceſſours, Kings of this realme, for more augmentacion and mayntenance of the roiall eſtate of the imperiall crowne and dignitie of ſupreme head, ſhould yerelie have, take, receive, and enjoie, united and knytte to his imperiall crowne for ever, one yerelie rent or pencion, amountinge to the value of the twentieth part of all the revenues, rents, farms, tiethes, ofrings, emolyments, and of all outher profits, as well callid ſpirituall as temporall, then apperteyneing or belonging, or that from thencefourthe ſhould apperteyne or belong to any archebusſhopriche, busſhopriche, abbeye, monaſterie, priorye, archedeaconrye, deanrye, hoſpitall, college, collegiat houſe, prebend, cathedrall chirche, collegiate chirche, conventuall chirche, parſonage, viccarage, chauntrie, free chaple, or outher benefice or promocion ſpirituall, of what name, nature, or qualitie ſoo ever theye were, or lie within any dioces of this realme, the ſaid pencion or annual rent to be yerelie paied for ever to the ſaid late King, his heires and ſucceſſours, Kings of this realme, at the feaſte of the Nativitie of our Lord God, and the furſt paiement thereof to begynne at the feaſt of the Nativitye of our Lord God one thouſand five hundred and thirty ſeven, and to be paid yerelie by ſouche as ſhalbee appoynted to have the collection thereof, by the ſaid acte, in ſouche manner and forme as ſhoulde be lymitted by the ſaid acte, before the furſt daie of April then next following after the ſaid feaſt of the Nativitie of our Lord God, as in the ſaid acte, among outher thinges, more playnlie appeareth": The King and Queen's mooſt excellent Majeſties, for diverſe urgent conſideracions, thym, their honours and conſciences ſpeciallie movinge, will that it bee enacted, and therefore bee it enacted by authoritie of this preſent Parliament, That all payments of the ſaid furſt fruites, ſhall from hencefurth ceaſe, and be clerelie extincte and determyned for ever; and that as well all and ſinguler archebusſhoprichs, busſhoprichs, and outher benefices, dignities, and promocions ſpirituall aforeſaid, charged and chargeable to and with the paiement of the furſt fruits, as all and everie poſſeſſour, owner, and incumbent of the ſame, and their ſucceſſours, ſhall, from and after the eight daie of Auguſt, in the ſecound and thyrd yeres of the reignes of our ſaid ſoverain Lord and Ladye, and ſoo from thence further at all tymes for ever be clerelie exonerat, acquitted, and diſcharged againſt our ſaid ſoverain Lord and Ladye, and againſt the heires and ſucceſſours of our ſaid ſoverain Ladye, of and from the payement and payements of all and everie the ſaid furſt fruits, in as ample and large maner and forme, as they were before the making of the ſaid act, and as thoughe the ſame acte had never been had ne made.

Payment of firſt fruits to ceaſe.

III. Provided alwaies, and be it enacted by the authoritie aforeſaid, that this acte, or eny thing therein conteyned, ſhall not in any wiſe extend to extinguyſhe or diſcharge eny recogniſaunce or outher bond obligatorie, or any payne, penaltie, debte, or forfeitur had, made or done to the Queene's Highnes, her heires and ſucceſſours, at any tyme before the ſaid eighth daie of Auguſt for and concerning the ſaid furſt fruits.

IV. And whereas, ſens the ſaid twentie eighth yere of the ſayd late King Henry the eight, his Majeſtie, and the late King Edward the ſixt, and our ſaid ſoverain Lord and Ladye the King and Queen's Majeſties, or any of thym, have before this tyme, by their ſeverall and ſondrie letters patents, given and graunted, and aſſurid, as well unto ſondrye buſhoppes and their ſucceſſours, as to diverſe cathedrall churches, deanes and chapiters, colleges, and outher eccleſiaſticall and ſpirituall perſons and corporacions, and their ſucceſſours, diverſe manors, lands, tenements, rectories, parſonages, tiethes, glebe lands, and outher hereditaments, to hold in pure and franke almoigne, or by any outher tenure, and to paie yerelie unto their Majeſties, their heires and ſucceſſours, oon yerely rent, in the name of a tenth, or the tenth parte of the yerelie value of the ſame, as by the ſaid ſeverall patents more at large doeth appeere; owr ſaid ſoverain Lord and Ladye the King and Queen's Majeſties that nowe are, further

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willen that it be enacted, and be it enacted by the authoritie of this preſent Parliament, That the ſame perpetuall pencion and annuall rent or tenth, mencioned and conteyned in the ſaid acte, made in the ſaid twentie eighth yere of the reigne of the ſaid late King Henry the eight, and the ſaid ſeverall rents and tenths, reſerved upon the ſaid letters patents, for and in the name of a tenth, or any of thym, from and after the furſt daie of this Parliament, ſhall nat be paied or paiable unto their Majeſties, their heires or ſucceſſours. And that as well all and ſingulr the archebuſhopriches, buſhopriches, and outher the benefices, dignities, deanes and chapters, colledgs, corporacions, and ſpirituall promocions aforeſaid, as all and everie poſſeſſour, owner, proprietare, and encumbent of the ſame, and their ſucceſſours, and everie of thym, from and after the furſt day of this Parliament, ſhall be clearlie exonerated, acquitted, and diſchardged, of and for the paiement of the ſaid perpetuall pencion, annual rent, or tenthes aforeſaid, and of the ſaid tenthes reſarvid upon the ſaid letters patents, and of everie of thym, againſt our ſaid ſoverain lord and ladye, and the heires and ſucceſſours of the Queen, to the intent that the ſame maie be ordrid, uſed and diſpoſid, in maner and forme as hereafter in this acte ſhall be expreſſed: and for the better declaracion of their Majeſties good and godlie diſpoſicions in the premiſſes, their Higneſſes doo, by authoritie of this preſent Parliament, clearlie give over, renounce and relynquyſhe from thym, and the heires and ſucceſſours of the Queen's Highnes, the ſaid perpetuall pencion, annuall rent and tenthes, and the ſaid rents reſarved *nomine decimæ* upon the ſaid ſeverall letters patents, and all their right, tytle and intereſt, whiche theye, or the ſaid heires or ſucceſſours of our ſaid ſoverain the Queen, have, or maie have in or to the ſame.

Yearly tenths heretofore paid renounced.

V. And wheare dyverſe and ſondrie rectories, parſonags, and benefices impropriat, glebe lands, tiethes, oblacions, pencions, porcions, and outher profits and emoluments eccleſiaſticall and ſpirituall, to the ſame or any of thym belonging, and the revercion and revercions of dyverſe of them ſens the twenti eight yere of the reigne of the ſaid late King Henry the eight, came into the handes and poſſeſſion of the ſaid late Kynge, and likewiſe ſens his deathe, unto the handes of the ſaid late Kinge Edward the ſixth, and after to the handes and poſſeſſion of the King and Queens Majeſties that nowe are, as in the right of her Highnes of an eſtate of inheritaunce. Their Majeſties like good catholicque and chriſtian prynces, erneſtlie tendringe the inſtruccion of their people in true and ſyncere doctryne, and therewithall waieing the pouvertie and ſcarcenes of living of manie and ſondrie benefices and cures within this realme, by reaſon whereof ſufficient and hable curates can nat be gotten to ſerve the ſame, likewiſe willen that it be enacted, and therefore be it enacted by authoritie of this preſent Parliament, That their Majeſties, and the heires and ſucceſſours of the Queens Highnes, ſhall nat, from the firſt daie of this preſent Parliament, receive, perceive, take or enyoie, eny of the yſſues, revenues, profits or commodities, of the ſaid rectories, parſonags, benefices, glebe lands, tiethes, oblacions, pencions, porcions, and outher profits and emoluments eccleſiaſticall and ſpirituall aforeſaid, or any of thym, or of the revercion or revercions of thym, or of any of thym, but doeth from and after the ſaid furſt daie of this preſent Parliament, clerelie give over, renounce and relynquyſhe by the authoritie aforeſaid, the ſaid rectories, parſonages, benefices, glebe lands, tiethes, oblacions, pencions, porcions, and outher profits and emolyments eccleſiaſticall and ſpirituall aforeſaid, and every of thym, and the reverſion and revercions of thym, and of everye of thym, and all their right, title, uſe, intreſt and demande, of, in, or to the ſame, from thym and the heires and ſucceſſours of the Queen's Majeſtie for ever, to be uſid, emploied, ordred and diſpoſid, in manner and forme as in this acte hereafter is expreſſed and declared.

Rectories glebes, &c. alſo renounced by the Queen.

VI. Provided alwaies, and be it enacted by the authoritie of this preſent Parliament, That this acte, or any thinge therein conteyned, ſhall not in any wiſe extend to extinguyſhe, diſcharge, or give awaye eny of the yſſues, revenues or profits, of the ſaid rectories, parſonages, and benefices impropriat, glebe lands, tiethes, oblacions, pencions, porcions aforeſaid, or any arrerages of rents of the ſame, or the arrerages of eny of the ſaid ſeverall tenthes or twentie parte before ſpecified, or of any part or parcell thereof, due unto their Majeſties, her heires and ſucceſſours, at the ſaid furſt daie of this Parliament, or any tyme before the ſame tyme, but that their Highneſſes, her heires and ſucceſſours, ſhall have, receive and enyoie, all ſinguler the ſaid arrerages

of

of the ſaid rents, and ſeverall tenthes due at or before the ſaid tyme, in like manner and forme as yf this act had nat ben made; eny thing before mencioned, lawe, uſe, or cuſtome, to the contrarie notwithſtandinge.

VII. Provided alſoo, and be it enacted by the authoritie aforeſaid, That this acte, or eny thing therein conteyned, ſhall nat in any wiſe extend to extinguyſhe, diſcharge, or to give awaye eny yerelie rent reſarved for, and in the name of a tenthe or twentie parte, upon any letters patents heretofore made and graunted, by our ſaid ſoverain lord King Henry the eight, King Edwarde the ſixth, or by our ſoverain lord and ladye the King and Queen's Majeſties, or by any of them, to any perſon or perſons, and to their heires, or in fee taile general or ſpecial, or for terme of life, lives or yeres, or to any boddies politicque or corporat, and to their ſucceſſours, outher then to ſpirituall and eccleſiaſticall corporacions, and to their ſucceſſours, but that the King and Queen's Majeſties, her heires and ſucceſſours, ſhall have, perceive and enyoie, all and ſinguler the ſaid rents ſoo reſarved upon any of the ſaid letters patents, nat being made and graunted to any ſpirituall or eccleſiaſticall perſons and corporacions, and to their ſucceſſours as is aforeſaid, in like maner and forme as yf this act had never ben made. And where the King and Queen's Majeſties ſtand charged for the paiement of ſondrie rents, pencions, annuities, corrodies, fees, and outher yerelie payements ſeverallie graunted, as well by dyverſe and ſondrie late abbats, priories, maſters of colleges, maſters of hoſpitalls, chauntries, preeſts, and other eccleſiaſticall and ſpirituall perſons, before the diſſolucion of their howſes, to dyverſe and ſoundrye perſons ſeveraille or yointlie, for term of life, lives, or yeres, as alſoo by her ſaid father King Henry the eight, and by her ſaid broother King Edwarde the ſixth, and by her Majeſtie, or by any of them, to dyverſe and ſundrie religiouſe perſons and outhers, ſeverallie and jointlie for term of life, lives or yeres, the names of whiche perſons, togither with their ſeveral yerelie rents, pencions, annuyties, corrodies, fees, and yerely payemenss and profites, ſhall be ſpeciallie and particularlie ſetforth and conteyned in a certeyn boke indented, whereof the one counterpane to be ſigned by our ſoverain ladye the Queen, and the oother with the ſigne manuall of the mooſt reverend father in God Reynold Pole, cardinal and legate *de Latere* of the Popes holines, and of the ſea apoſtolicque ſpecialli, ſent unto their Majeſties, and to their kingdoms and dominions, to the intent our ſaid ſoverain lord and ladye the Kynge and Queen's Majeſties, their heires and ſucceſſours, ſhoulde be from the ſaid furſt daie of this Parliament, and at all tymes from thenceforthe, clerelie exonerated, acquitted, diſcharged, and ſaved harmeles of and from the payement of the ſaid rents, pencions, annuyties, corrodes, fees, and yerelie payements aforeſaid; owre ſaid ſoverain lord and ladye the King and the Queen's Majeſties, are pleaſed and contented that it be enacted, and therefore be it enacted by the authoritie of this preſent Parliament, That ſouche and ſoo manye of the clergie of this realme as the ſaid lord legates grace ſhall from tyme to tyme name and appoynt, and the ſucceſſours of theym, and everye of theym, yf it ſhall ſoo pleaſe the ſaid lord legates grace to name, appoynt and aſſigne theym, ſhall from the ſaid furſt daie of this Parliament, and ſoo from thenceforthe from tyme to tyme, untill the ſaid rectories, parſonages, and benefices impropriat, and outher the ſaid ſpirituall profits ſhall be outherwiſe ordred, uſed and emploied by the aſſignement of the ſaid lord legates grace, as hereafter is expreſſed and declared, have, take, perceive and receive, as well all and ſinguler the ſaid perpetuall penſions, annuall rents or tenthes, and everie of theym, at ſouche daies and tymes and by all ſouche waies and meanes as the ſame is lymitted and appoynted to be paid, either by the ſaid ſeverall letters patents, or by the ſaid former eſtatuit made in the ſaid twentie eight yere of King Henry the eight, or by any outher eſtatuit made for and concernynge the true paiement of the ſaid tenths, or any of theym, as alſoo all and ſinguler the iſſues, revenues, profits and comodities, of and in all and ſinguler the ſaid rectories, parſonages, and benefices impropriat, glebe lands tiethes, oblacions, pencions, porcions, and outher profits and emolyments eccleſiaſticall and ſpirituall aforeſaid, and of the revercion and revercions thereof, when theye ſhall fall by all ſuche waies, remedies and meanes, for the levieng and recoverie of the rents and profits of the ſaid premiſſes, as our ſaid ſoverain lord and ladye, her highnes heires and ſucceſſours, ſhould or might have done yf the ſaid premiſſes had ſtill contynued in their Majeſties hands and poſſeſſion, to this uſe, intent, and purpoſe following; That is to ſaye, That ſouche and ſoo manye of the clergie of this realme, and their

Not to extend to tenths, &c. on letters patents.

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ſucceſſours, as the ſaid mooſt reverend father the lord legates grace, ſhall name and appoynt, as is aforeſaid, ſhall therwith ſatisfye, content and paie, or cauſe to be ſatisfyed, contented and paied, to all and everie the ſaid religiouſe perſons, and outhers named within the ſaid boke indented, whiche at this tyme have or ought to have any pencion, corrodie, annuytie, yerelie rent, profit or fee, for terme of life, lives or yeres, as is aforeſaid, all and ſinguler their ſaid pencions, corrodies, annuyties, rents, or fees, at ſouche daies and tymes as is lymitted and appointed by ſeverall letters patents, or outher writings and graunts to theym made, in ſouche maner and forme as our ſaid ſoverain lord and ladye the King and Queens highnes, her heirs and ſucceſſours, ſhould or myght to have paied the ſame yf this acte had never ben had ne made; eny thing before mencioned to the contrarie notwithſtanding. And that theye ſhall exonerat, acquit and diſchardge, or ſave harmeles the ſaid King and Queen's Majeſties, and her heiers and ſucceſſours, Kings of this realme, of and for the payement of all and ſinguler the ſaid pencions, annuyties, corrodies and fees, and ſhall be further bound for the aſſurance thereof, as ſhall be deviſed by their Majeſties, with the aſſent of the ſaid lord legate; eny thinge before mencioned to the contrarie natwithſtandinge.

For augmentation of livings, incumbents, &c.

VIII. And to the intent the poore benefices and cures of this realme, may be hereafter furnyſhed with good and hable curates to inſtructe the people with good and ſyncere doctryne, and to be hable to maynteyne hoſpitalitie, and for and to outher godlie intents and purpoſes to be done within this realme. Owre ſaid ſouverain Lord and Ladye the King and Queen's Majeſties, of their mooſt graciouſe diſpoſicions, are contented and willing that it be enacted, and be it enacted by the authoritie aforeſaid, That the ſaid lord legate ſhall and maie diſpoſe, order and emploie, and convert the ſaid rectories, parſonages, and benefices impropriate, glebe lands, tiethes, oblacions, pencions, porcions, and outher the ſaid profits and empolyments eccleſiaſticall and ſpirituall, to and for the yncreaſe and augmentacion of livings, of the incumbents of the ſaid or outher poore cures and benefices, or outherwiſe for the fyndinge of preachors, or the exhibicion of ſcholers within this realme, or els wheare within the realme, or to any outher uſe, as by the godlie wiſdome and diſcrecion of the ſaid lord legate, ſhall be thought mooſt meete and convenyent. Saving to all and everie perſone and perſones, boddies politicque and corporat, and theire heires, aſſigns and ſucceſſours, and everie of theym, outher then owre ſaid ſoverain Lord and Ladye the King and Queen's Majeſties, and the heires and ſucceſſours of the Queen's Highnes, all ſouche parſonages, nominacions, preſentacions, advowſons, right, title, poſſeſſion, intreſt, revercion, remaynder, entre, condicion, fees, offices, rents, annuyties, commons, leaſes, liberties, and all outher commodities, thing and things, profits and hereditaments what ſoo ever, in like maner and forme to all intents, conſtructions and purpoſes, as theye or any of theym ſhould, myght, or ought to have had, into, or out of any of the ſaid tenthes, parſonages, rectories, benefices, viccarages, tiethes, pencions, porcions, oblacions, obvencions, or in, or to any the premiſſes, or any parte thereof, in as ample and large manner, as yf this acte had never ben had ne made.

IX. Provided alwaies, and be it further enacted by the authoritie of this preſent Parliament, That immediatlie after the deceas of the ſaid perſons named in the ſaid boke to be indented, and the determinacion of their ſeverall eſtates and rights, in and to the ſaid annuyties, fees, rents and corrodies, of the ſaid paiements of the ſaid perpetuall pencion, anuell payement, or tenthes, and of the ſaid tenthes and rents, reſarved *nomine decimæ*, upon eny letters patents, made unto eccleſiaſticall and ſpirituall perſons aforeſaid, ſhall utterlie ceaſſe and be determyned for ever; eny thing herein conteyned to the contrarie in any wiſe nowithſtanding.

X. And be it further enacted by the authoritie of this preſent Parliament, That all and ſinguler perſon and perſons, boddies politicque and corporat, being ſpirituall and eccleſiaſticall, and their ſucceſſours and everie of theym, whiche ſhall hereafter have and enyoie eny of the ſaid rectories, parſonages, and benefices impropriat, glebe lands, tiethes, oblacions, pencions, porcions, and outher profits and emoluments eccleſiaſticall and ſpirituall aforeſaid, ſhall and maie have and enyoie, by the authoritie of this acte, like advantages, meanes, benefits, actions and remedies, againſt the leſſees and grauntees, their executors, adminiſtrators or aſſignes, and everie of theym, by entre for non payement of rent, from henceforth to be due, or for any waſt hereafter to be done, or for breache, or nat performynge of any condicion, couvenant or agreement,

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ment, from thenceforthe to be performed, fulfilled or done, conteyned and expreſſed in the indentures of the ſaid leaſes or graunts, againſt all and everie the ſaid leſſees, fermors and grauntees, and their executors, adminiſtrators and aſſignees, and everie of theym, as yf the ſaid perſon or perſons, boddies politicque and corporat, ſpirituall and eccleſiaſticall, their ſucceſſours and everie of theym, ſhould and myght have had yf theye had ben partie or privie to the ſaid indentures, leaſes and graunts; and likewiſe that all and everie the ſaid fermours, leſſees, and graunties, their executors, adminiſtrators and aſſignees, and everie of theym, ſhall and maie have and enyoie ſouche parte of the premiſſes, as is conteyned in their leaſe or leaſes graunt or graunts, duryng ſouche tyme as is mencioned and lymitted in eny ſouche leaſe or leaſes, graunt or graunts, yielding and paieing the yerely rents and ſervices reſerved upon the ſame leaſe or leaſes, and performing all and ſinguler couvenants and agreements ſpecified in everie ſouche leaſe and graunt, the whiche on the leſſees parte are to be obſarved and kept; and further ſhall have likeaccion, advantage, benefite and remedie againſt all and everie the ſaid perſon and perſons, boddies polliticque and corporate, ſpirituall and eccleſiaſticall, their ſucceſſours, and everie of theym, whiche ſhall have and enyoie eny parte of the premiſſes, for any condicion, couvenaunt, graunt, or agreement hereafter broken, or nat performed, conteyned, and expreſſed in their ſeverall indentures of their leaſes and graunts, or eny of theym, the whiche, on the parte and behaulfe of the leſſors, are to be obſarved and keapt, as the ſame leſſees or grauntees, or their executors, adminiſtrators and aſſignees, or any of theym, might or ſhoulde have had againſt the ſaid perſon and perſons, bobdies politicque and corporate, eccleſiaſticall and ſpirituall, and their ſucceſſours, or any of theym, yf theie had ben boethe partie and privie to the ſaid indentures, leaſes and graunts.

XI. Provided alſoo, and be it enacted by the authoritie aforeſaid, That this acte, or any thing therein conteyned, ſhall not extend to take awaie from our ſaid ſoverain Ladie the Queen, her heires and ſucceſſours, the patronages of any vicarage belonging to any of the aforeſaid parſonages, or rectories ympropriat, but that her Highnes, her heires and ſucceſſours, ſhall contynue and remayne patroneſſe and patrons of the ſaid viccarages, in maner and forme, as yf this acte had never ben had ne made; eny thing before mencioned to the contrarie notwithſtanding.

XII. And be it further enacted by the authoritie aforeſaid, That yf it fortuen any of the ſaid rectories and parſonages impropriat, whereof there is noo viccare, or that haithe viccarages indowid, and the patronage of the ſame apperteyneth unto the Queen's Majeſtie, her heires and ſucceſſours, to be hereafter diſappropriated and made preſentable, or outherwiſe emploied as is aforeſaid, that then her Highnes, her heires and ſucceſſours, ſhall, by virtue of this acte, be judged and deemed verrie and undoubted patrons of everie ſouche rectorie and parſonage diſappropriated and made preſentable; this acte, or any outher lawe, uſe or cuſtome to the contrarie in eny wiſe notwithſtanding.

XIII. And be it further enacted by the authoritie of this preſent Parliament, That yf it fortuen any of the ſaid rectories and parſonages impropriat, the patronage of the vicarage whereof doethe or ſhall apperteyne unto any perſon or perſons, boddies politicque and corporat, outher then to our ſaid ſoverain Ladye the Queen, her heirs and ſucceſſours, to be hereafter diſappropriated and made preſentable, that then, in everie ſouche cace, the ſaid perſon and perſons, boddies polliticque and corporat, the whiche then ſhall be patrons of the ſaid vicarages, ſhall be patrons of the ſaid parſonage ſoo diſappropriated, in like eſtate, degre and condicion, as they were of the patronage of the vicarage, before the ſaid diſappropriacion of the ſaid rectorie or rectories impropriated; eny thing in this acte, or eny lawe or cuſtom to the contrarie notwithſtanding.

XIV. Provided alſoo, and be it enacted by the authoritye aforeſaid, That when and as often as any perſon or perſones to whome the ſaid pencions, annuyties, corrodies, or fees aforefaid, or any of theym doo belonge, ſhall be paied thereof, by the authoritie of this acte, or outherwiſe ſatisfiede by any order that ſhall be taken upon the ſame, by any outher then the Queen's Majeſtie, her heires and ſucceſſours, that then ſouche perſon and perſons, or any of theym ſo paied, or otherwiſe ſatisfied, ſhall nat demaunde the ſame agayne of the King or Queen's Majeſties, her heires or ſucceſſours, nor ſhall be double paied of the ſame; the proviſion and order of paye-

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On deceaſe of lord Legate.

ment thereof before ſpecified, or any outher thinge therein conteyned to the contrarie notwithſtanding.

XV. Provided alſoo, and be it further enacted by the authoritye aforeſaid, That yf it fortuen the ſaid lord Legat to deceaſe before ſouche tyme as the contents of this acte lymitted and appoynted to his Grace to be done, be fullie accomplyſhed and executed, that then it ſhall be lawfull unto the archbuſhoppe of Canterburye and Yorke, for the tyme being, and to the eldeſt buſhoppe of that realme, by conſecration, and in the tyme of the vacacion of the ſaid archebuſhopriches, or of either of theym, then to the deane and chapiter of the ſeas or ſea ſoo voide durying the ſaid tyme of vacacion, and ſoo to the ſaid eldeſt buſhoppe for the tyme being, to doo, execute, and accomplisſhe all and everie thing and things toutchyng the order and diſpoſicion of the premiſſes, as the ſaid mooſt reverend father the lord Legat ſhall in his life tyme lymyt, aſſigne, and preſcribe unto theym, and as his Grace ſhould or myght have done; and that the ſaid archebuſhoppes and buſhoppes, or the ſaid deanes and chapiters in the tyme of vaccacion, and the ſaid eldeſt buſhoppe as is aforeſaid, ſhall, from tyme to tyme, after the deceaſe of the ſaid lord Legat, have full power and authoritie, by vertue of this acte, to doo and execute all and everie thing and things toutching the order and diſpoſicion of the ſaid premiſſes, accordinge as it ſhall be preſcribed to theym by the ſaid lord Legat, and as the ſaid lord Legates grace ſhould or myght have done, yf he had lived; eny thing before mencioned to the contrarie notwithſtanding.

XVI. And whereas dyverſe and ſundrie of the ſaid rectories, parſonages, and benefices impropriat, glebe lands, tiethes, oblacions, pencions, porcions, and outher profits and empolyments eccleſiaſticall and ſpirituall, have ben heretofore dimiſed and graunted to ſondrie perſons for terme of life, lives, or yeres, as well by diverſe and ſoundrie late abbotes, priories, maſters of hoſpitalls and colleges, and outher religiouſe and ſpirituall perſons and governours, before the diſſolucion of their ſeverall and places, as ſethens by the ſaid late King Henry the eight, King Edwarde the ſixt, and by our ſouverain Lord and Ladye the King and Queen's Majeſties, or by anie of theym, and in and by the ſaid leaſes and graunts, there is alſoo comprehended and demiſed, togithers with the ſaid premiſſes, or with ſome parte of the ſame, dyverſe and ſundrie manors, lands, tenements, and outher hereditaments, and upon ſome of the ſaid leaſes and graunts, is oone hole and intier yerelie rent reſarved for the ſaid ſpirituall poſſeſſions, and for the ſaid outher manors, lands, tenements and hereditaments therewith alſoo graunted and letten, as by the ſaid ſeverall leaſes and graunts it maye appeere, or be duelie provid. And wheare alſoo dyverſe of the ſaid rectories, parſonages, benefices impropriat, and outher the ſpirituall poſſeſſions aforeſaid, have ben heretofore of ſoo long contynuance and tyme, dimiſed, letten, and occupied, togither with manors, lands, tenements, and outher hereditaments, and ſoo yointlie occupied and uſid, that it is to be doubted, that ſom ambiguytie queſtion and controverſie maye hereafter riſe and growe, as well for the diviſion and ſeverance of the glebe lands and outher poſſeſſions of diverſe of the ſaid rectories and parſonages, from outher the ſaid manors, lands, tenements and hereditaments, whiche have ben joyned with the ſame, in leaſe and occupacion, as for the apporcioning and rating of the ſaid hole and intier yerelie rents, reſarved upon ſouche leaſe as is aforeſaid: for the avoyding of whiche ambyguyties, queſtions, and controverſies, and to the intent a good indifferent rate and apporcionement of the ſaid entier rent maye be made, according to the quantitie of the ſaid ſpirituall poſſeſſion ſoo letten, and that the glebe lands of the ſaid rectories and parſonages, and outher the ſaid ſpirituall poſſeſſions ſoo letten, with outher landes and poſſeſſions as is aforeſaid, maye hereafter be knowen, devidid, and uſid in ſeveraltie from the oother temporall poſſeſſions wherewith they be letten, ſoo that ſouche ſpirituall perſons as ſhall be incumbent or owners of the ſaid ſpirituall poſſeſſions, may have, enyoie and receive the ſame, and the profits and rents thereof in ſeveraltie, from the oother temporall poſſeſſions aforeſaid, without any interrupcion or queſtion, according to the King and Queen's Majeſties mooſt godlie intent and meaning; be it therefore enacted by the authoritie of this preſent Parliament, That in all caces wheare the ſaid rectories, glebe lands, and ſpirituall poſſeſſions, or anie parte thereof, is let, dimiſed, and graunted with any of the ſaid manors, lands, tenements, or hereditaments temporall, under one

Where ſpirituall and temporall poſſeſſions let together.

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rent undevided, or where the said glebe lands and spirituall possessions are not certeynlie knowen, divided, or severed from the outher temporall possessions therewith also letten, graunted, and occupied, severall commissions shall be from tyme to tyme adwarded out of the court of the Exchequer, to sixe indifferent persons, whereof three to be of the spiritualtie, and three to be of the temporaltie, gyving thym authoritie, by virtue of the same, to call before them twelve good and indifferent men, inhabiteing within the countie whereof everie of thym shall have lands, tenements, or hereditaments of an estate of freehoulde, to the yerelie value of five poundes at the least, where the said rectories, glebe lands, and spirituall possessions doo lye; and the same twelve, upon their othes, shall indifferentlie divide and sever, by sufficient meetes and boundes, the said glebe lands of the said rectories, and outher spirituall possessions, from the outher lands and possessions with the same letten, and to rate and apporcion howe mouche yerelie rent shall be yerelie paied for the said rectories, and outher spirituall possessions soo letten, and howe mouche yerelie rent shall be paied for the said manors, lands, tenements, or outher temporall hereditaments therewithall letten and graunted, as the same twelve, upon their othes and consciences thincke and judge to be, accordinge to the quantitye and value of things soo letten and graunted, and the rating, division and apporcionyng of the said intier rent, and the severaunce and division, as well of the said glebe lands and spiritual possessions from the outher manors, lands, tenements, and hereditaments temporall, as alsoo of the said manors, lands, tenements, and hereditaments temporall, from the said glebe lands and spirituall possessions, being certified under theire seales, and the seales of the said commissioners, unto the said courte of Exchequier, shall be as good and effectuall in the lawe, as yf the said rate and apporcionement of the said rent, or the division and severance of the said manors, lands, tenements and hereditaments, had ben made and done by the authoritie of this present Parliament; eny lawe, use or custome to the contrarie notwithstanding.

CHAP. XI.

¶ *An Act whereby certein Offences be made Treasons; and alsoo for the Governement of the King and Queen's Majestie's Yssue.*

FORASMOUCHE as the great mercie and clemencie heretofore declared by the Queen's Highnes, in releasing the penall lawes made by her progenitours, hath given occasion to many kankrid and traitorouse harts to ymagyne, practise and attempt things, stirring the people to disobedience and rebellion against her Highnes, commen pollici and duetie of subjects requier that som lawe be estsoons established to restrayne the malice of souche evil and wicked doers, whereby they maye be prohibited to blowe abrood souche shamfull slaunders and lies as they dailie invent and ymagyne of her Highnes and the King's Majestie, her moost lawfull husband; which, when thei be hard, can nat be but odible and detested of all good men, consydringe they towtch their Majesties, upon whom dependeth the hole unitie and universall wealth of this realme of Irland: in consideracion whereof, bee it ordeyned and enacted by the King and Queen's Majesties, with the assent of the lords spirituall and temporall, and of the commens in this present Parliament, and by authoritie of the same, That yf eny person or persons, after the furst dai of this present Parliament, duringe the marriage between the King's and Queen's Majesties, doo compasse or ymagyne, to deprive the King's Majestie that now is, from the haveinge and enyoieng joyntlie togither with the Queen's Highnes, the stile, honour, and kinglie name of the realmes and domynions unto our said soverain Ladie the Queen's Highnes apperteynynge, or to distroie the Kinge that now is, duringe the said matrimony, or to distroie the Queen's Majestie that nowe is, or the heires of her boddie begotten, being Kinges or Queens of this said realme, or to levie warre within this realme of Irland, against the Kinge's Majestie that nowe is, duringe the said marriage, or against the Queen's Majestie that nowe is, or any of her said heires, beinge Kings or Queens of this said realme, or to depose the Queen's Majestie that nowe is, or the heires of her boddie begotten, being Kings or Queens of this realme, from the ymperiall crowne of the realmes and dominions abovesaid, and the compasses or ymaginacions, or eny of them, malicioustie, advisedlie, or directlie shall or doo utter by open preachinge, expresse words or saings, or yf eny person or persons, after the said furst daie of this present Parliament, by preachinge,

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preachinge, expreſſe words or ſaiengs, ſhall malicioufelie, adviſedlie and directlie, ſaye, publiſhe, declare, maynteyne or hold opinion, that the King's Majeſtie, that nowe is, durynge the ſaid matrimony, ought nat to have or enyoie joyntlie togither with the Queen's Majeſtie, the ſtile, honour and kyngelie name of this realm, or that anie perſon or perſons, being neither the Kinge or Queen's Majeſties, that nowe are, durynge the ſaid matrimony between thym, ought to have and enyoie the ſtile, honour, and kinglie name of this realme, or that the Queen's Majeſtie, that nowe is, durynge her lif, is nat nor of right ought nat to be Queen of this realme, or after her death, that the heires of her Highnes boddie, being kings or queens of this realme, of right ought nat to be Kings or Queens of this realme, or to have and enyoie the ſame, or that any perſon or perſons, other than the Queen's Majeſtie, that nowe is, durynge her life, ought to be Queen of this realm, or after her death, outher than the heires of her boddie, being Kings or Queens of this realme, as longe as any of her ſaid heires of her boddie begotten ſhall bee in lif, of right ought to have and enyoie the ymparial crown of this realme, that then everie ſouche offendor, beinge thereof duelie convicted or attaincted by the lawes of this realme, theire abbettours, procurers and counſaillours, and all and everie their comforters, knowing the ſaid offences or any of theyme to be done, or being thereof convicted or attaynCted, as is abovefaid, for his or their ſouche offence, ſhall forfeit or loſe to the Queen's Highnes, her heires and ſucceſſours, all his and their goodes and chatells, and the hole yſſues and profits of his and their lands, tenements and outher hereditaments, for terme of the lif of every ſouche offendor or offendors, as alſoo ſhall have and ſuffer, durynge his and theire lives, perpetual impriſonment.

II. Provided alwaies and be it enacted by the authoritie aforeſaid, That all and everie eccleſiaſtical perſon, being convicted or attaynted in forme aforeſaid, for every ſouch his offence, ſhall be deprived by the ordinarie from his promocion, ſpiritual or eccleſiaſtical, in ſouche lyke manner and forme, that it ſhall be lawfull for every patrone, founder or giver thereof, to preſent after ſouch deprivacion had, ſom oon outher to the ſame, as thoughe the ſaid offendor or offendours were diſceaſid, and if any perſon or perſons, being hereafter convicted or attaynted of any of the ſaid offences in forme aforeſaid commytted, ſhall after his or their conviction or atteynder, eſtſoons commytte or perpetrate eny of the ſaid offences, in forme aforeſaid, that then everie ſouche ſecounde offence or offences, ſhall be deemed and adjudged high treaſon, and the offendour or offendours therein, their abettours, procurers and counſaillours, and all and everie their ayders and comforters, knowing the ſaid offences or eny of thym to be done, beinge thereof convicted or attaynted, accordinge to the lawes and ſtatuits of this realmes, ſhall be judged and deemed high traitours, and ſhall ſuffer peyns of deathe and loſſe, and forfait all their goods and chattels, lands and tenements, to the Queen's Majeſtie, her heires and ſucceſſours, as in caſes of highe treaſon, by the lawes of this realme, at this day, of right ought to be loſt and forfeited.

III. And be it further enacted by the ſaid authoritie, That yf any perſon or perſons, at any time after the ſaid furſt of this preſent Parliament duringe the ſaid marriage compaſſe, or ymagin the deathe of the King's Majeſtie, that nowe is, and the ſame maliciouſly, adviſedlie and directlie ſhall utter and attempte, by any writeinge, printinge, overt deede or acte, or yf any perſon or perſons, at any tyme after the ſaid furſt daie of this preſent Parliament, ſhall malicioufelie, adviſedlie and directlie, by writeinge, printinge, overt deede or acte, afferme, that the King's Majeſtie, that nowe is, durynge the ſaid matrimony, ought nat to have or enyoie joyntlie togithers with the Queen's Highneſſe, the ſtile, honour and kinglie name of this realme, or that eny perſon or perſons, beinge neither the King or Queen's Majeſtie, that now is, duringe the ſaide matrimony between them, ought to have or enyoie the ſtile, honour and kinglie name of this realme, or yf eny perſon or perſons after the ſaid daie, by any writinge, printinge, overt deede or acte, malicioufelie, adviſedlie and directlie, doo afferme that the Queen's Majeſtie, that nowe is, durynge her lif, is nat nor ought nat to be Queen of this realme, or after her deathe, that the heires of her highneſſe's boddie being Kings or Queens of this realme, of right ought nat to have and enyoie the ymperi- crowne of this realme, or that any perſon or perſons, outher than the Queen's Majeſtie, that

that nowe is, duringe her lif, or after her deathe, outher then the heires of her boddie begotten, being Kings or Queens of this realme, as long as any of the ſaid heires of her boddie ſhall be in lif, of right ought to have and enyoie the ymperiall crowne of this realme, that then everie ſouche offence and offences, ſhall be adjudged highe treaſon, and the offendour and offendours therein, their abbettours, procurers and counſaillours, and all and everie their aidours and comforters, knowing the ſaid offences, or any of them to be done, beinge thereof convicted or attaynted by the lawes and ſtatuites of this realme, ſhall be deemed and adjudged highe traitours, and ſhall ſuffer paynes of deathe, and loſe and forfait all their goodes and chattels, lands and tenements to the Queen's Majeſtie, her heires and ſucceſſours, as in caſes of highe treaſon, as is above ſaid.

IV. And albeit, wee the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, have firme hope and confidence in the goodnes of Almightie God, that lyke as he haith hitherto myraculouſelie preſervid the Queen's Majeſty from eny great and ymmynent perills and daungiers, even ſoo he will of his infynit goodnes, give her Highnes ſtrength, the rather by our contynuell praiers, yit forafmouche as all things of this worlde be uncerteyn, and havynge before our eies, the dolorouſe experience of the incounſtant governement, durynge the tyme of the reigne of the late Kinge Edwarde the ſixth, doo pleynlie ſee the manyfolde inconvenyences, greate daungiers and perills, that maye enſue to this hole realme, yf foreſyght be nat uſed to prevent evill chaunces yf they ſhoulde happen; for they exchuying whereof, wee the lords ſpirituall and temporall, and the commens in this preſent Parliament aſſemblid, for and in conſideracion of a mooſt ſpeciall truſt and confidence that wee have and repoſe in the King's Majeſtie, for and concernynge the good and politicque governement, order and adminiſtracion of his realme, in the tyme of the young yeres of the yſſue, or yſſues of her Majeſtie's boddie to be borne, yf it ſhoulde pleaſe God to call the Queen's Highnes out of this preſent lif, durynge the tender yeres of ſouche yſſue or yſſues (whiche God forbid) accordynge to ſouche order and manner as hereafter in this preſent acte of her Highnes mooſt gracioufe pleaſure is, ſhoulde be declared and ſetforthe, have made our mooſt humble ſuit, by aſſent of the Queen's Highnes, that his Majeſtie wolde vouchſauf to accepte and take upon hym, the ruell, order, education and governement of the ſaid iſſue, or iſſues, to be borne as is aforeſaid, upon whiche, our ſuite being of his Majeſtie mooſt gracioufelie accepted, it haith pleaſid his Highnes, nat onelie to declare that lyke as for the furſt parte, his Majeſtie verrelie truſteth, that Almighty God, who hath hitherto preſarvid the Queen's Majeſtie, to give this realme ſoo good an hope of certeyn ſucceſſion in the bloud roiall of the ſame realme, will aſſiſt her Highnes, with his graces and benediccions, to ſee the fruit of her boddie well brought furthe, live and hable to governe, whereof neither all this realme, nor all the worlde beſides, ſhoulde or coulde receive more comfort, then his Majeſtie ſhoulde and woulde, yit yf ſouche chaunce ſhould happen, his Majeſtie, at our humble deſires, is pleaſid and contented, not alonelie to accepte and take upon hym the cure and charge of the education, ruell, order and governement of ſouche yſſues, as of this mooſt happie marriage ſhall be borne between the Queen's Highnes and hym, but alſoo durynge the tyme of ſouche governement, woulde by all waies and meanes ſtudie, travail and emploie hymſilf to advaunce the weale, bothe publicque and privat of this realme, and dominions thereunto belongynge, accordinge to the ſaid truſt in his Majeſtie repoſed, with noe leſſe good will and affeccion, then yf his Highnes had ben naturallie borne amonge us: In conſideracion whereof, be it enacted by the King and Queen's mooſt excellent Majeſties, by the aſſent of the lords ſpirituall and temporal, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, that yf it ſhall ſoo pleaſe God to call the Queen's Majeſtie out of this preſent lif, (which God forbid) before the yſſue inheritable to the crowne of this realme, yf it be male, ſhall accompliſhe the age of eighteen yeres, or yf it be female, before it ſhall be of the age of fifteen yeres, and nat married after the age of conſent, and before the ſaid age of fifteen yeres, that then and ymmediatelye after, and from the deceaſe of our ſaid ſove-

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rain Ladie the Queen, the Kinge's Majeſtie that nowe is, ſhall have the ruell, order, educacion and governement of the perſone of ſouche yſſue or yſſues, and the ruell, order and governement, under ſuche yſſue or yſſues of this realme, and the dominions to the ſame belonginge, untill the ſame yſſue or yſſues inheritable to the ymperiall crowne of this realme, yf it be male, ſhall accompliſſhe the full age of eighteen yeres, and yf it be female, untill ſouche yſſue female ſhall accompliſſhe the age of fifteen yeres, or be married after the age of conſent, and before the ſeid age of fifteen yeres, yf the ſaid yſſue or yſſues, and our ſaid ſoverain Lorde the Kinge ſhall ſoo longe live togither: and that durynge, and by all the tyme of ſouche governement, all and everyie the partes, couvenants, articles, and agreements, mencioned and compriſed in the treatiſes and acte of Parliament, and everie of thym, made and concluded for and concernynge the honorable marriage had and conſummat between the Kinge and the Queen's Majeſties, whiche on the behaulfe of his Majeſtie, ben to be obſerved, performed, and keapt, ſhall, after the deathe of the Queen's Majeſtye, durynge the tyme of the ſaid governement, remayne, contynue, and be in as good and full force, ſtrengthe, and effecte, to all intents and purpoſes, as theye were at eny tyme durynge the ſaid marriage, or now ben, and as yf theye wer newlie by apte wordes, termes, and ſentences, inſerted and reherced in this preſent acte, and newlie made and enacted to ſtand, remayne, contynue, and to be obſerved and keapte, durynge the tyme of the ſaid governement, and ſhall be by his Majeſtie, durynge the ſaid tyme, inviolablie obſerved, performed, mayntayned, and upholden, in ſouche ſorte, and in as full, lardge, and ample manner, to all reſpects, as theie ſhoulde and ought to be durynge the tyme of the ſaid marriage, or after; and his Highnes, and the Queen's mooſt excellent Majeſtie are pleaſid and contented, that it be enacted by this preſent Parliament, that noo thinge ſhall be done, permitted, or aſſented unto by his Majeſtie to the contrarie.

V. And be it further enacted by the authoritie aforeſaid, That yf any perſon or perſons, duringe the tyme that our ſaid ſoverain lorde the Kinge that nowe is, ſhall or ought to have the order, ruell, education and governement of ſouche yſſue or yſſues, beinge King or Queene of this realme, according to the order and proviſion aforeſaid, malicioufelie, adviſedlie, and directlie, by writing, printinge, overt deede, or acte, doo compaſſe, attempte, and goo abowt to diſtroie the perſon of our ſaid ſoverain Lorde, or to deprive or remove his Highnes from the order, ruell, education and governement of the ſame yſſue or iſſues, being Kinge or Queene of this realme, contrarie to the intent and true meaninge of this preſent acte, that then everie ſouche perſon and perſons ſoo offending, their procurers and abbettours, being thereof lawfully convicted, or attaynted by the lawes of this realme, ſhall be deemed and adjudged highe traitours; and that all and everie ſouche offence and offences ſhall be deemed and adjudged highe treaſon, and the offendor and offendors therein, their procurers, counſaillours, and abbettours, ſhall incurre the daungiers, forfeiturs and penalties of highe treaſon.

VI. And be it further enacted by the authoritie aforeſaid, That all trialls hereafter to be had or made for eny treaſon, ſhall be had and uſid onelie accordinge to the due order and cours of the common lawes of this realme, and nat outherwiſe. Saving to everie perſon and perſons, boddies politicque and corporat, their heires and ſucceſſours, outher then the offendours and their heires, and ſouche perſon or perſons as cleyme to eny of their uſes, all ſouche rights, titles, intereſts, poſſeſſions, leaſes, rents, reverſions, offices, and outher profits, whiche they, or any of thym, ſhall have at the daie of the committinge ſouche treaſons, or at eny tyme afore, in as large and ample manner, as yf this acte had never ben had or made.

VII. Provided alwaies, and bee it declared and enacted by the authoritie aforeſaid, That concelement, or keepinge ſecret of anie highe treaſon, be deemed and taken onelie miſpriſion of treaſon, and the offendours therein to forfeit and ſuffer, as in caſes of miſpriſion of treaſon hath heretofore ben uſid; any thing above mencioned to the contrarie notwithſtandinge.

VIII. Provided alſoo, That if it ſhall fortuen hereafter any of the peers of this realme to be indited of any of the offences made treaſon, or miſpricion of treaſon by this acte, that then the ſame peere or peeres ſoo being indited, ſhall be put to aunſwer unto everie ſouche inditement before ſouche peere of this realm, of Engliſh bloud, as by the lord deputie, or governor of this realme, ſhall be by commiſſion appoynted, under the

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the broode ſeale, and to have his and their triall by his and their peeres, and to receive and have ſouch like judgment upon the ſame triall of his or their peeres, or making open confeſſion of the ſame offence or offences, as is uſid in outher caſes of highe treaſon.

IX. And it is further enacted by the authoritie aforeſaid, That noo perſon or perſons ſhall in any wyſe be ympeached for any of the offences, above ſaid committed, onelie by open preachinge or wordes, oneles the offendour or offendours, be thereof indit:d within ſix monthes next after the ſame open preachinge or words; any thing conteyned in this acte to the contrarie notwithſtandinge.

X. Provided alwais, and be it enacted by the authoritie aforeſaid, That upon the arraynement of any perſone whiche hereafter ſhoulde fortuen to be arraygned for eny treaſon mencioned in this acte, all and everie ſouch perſon and perſons, or twoo of theym at the leaſt, as ſhall hereafter write, declare, confeſſe, or depoſe eny thing or things againſt the perſons to be arreigned, ſhall if theye be then livinge, and within the realme, be brought furthe in perſone before the partie arraigned, yf he requier the ſame, and objecte and ſay openlie in his hearynge, what they, or any of them, can againſt hym, for or concernyng any the treaſons conteyned in the inditement whearevpon the partie ſhall be ſoo arraigned, oneleſſe the partie arreigned for eny ſouche treaſon, ſhall willinglie confeſſe the ſame at the time of his or their arreignment.

XI. Provided nevertheleſſe, and be it enacted by the authoritie aforeſaid, That in all caſes of high treaſon concernynge coyne currant within this realme, or for counterfaiting the King or Queen's ſignet privie ſeale, great ſeale, or ſigne manuell, ſouche manner of triall, and none outher, be obſarvid and keapt as heretofore haith ben uſid by the common lawes of this realme; any law, ſtatuit, or any outher thing or things to the contrarie notwithſtandinge.

XII. Provided alwaies, That the counſaillours, procurers, comforters and abettours, for his or their furſt offence, ſhall ſuffer lyke ponyſhement, penaltie, and forfeitur, as is conteyned in this acte againſt the principall offendours for their furſt offence, and none outher; and that the counſaillors, procurors, comforters, and abbettours, for his or their ſecond offence, ſhall ſuſteyne like ponyſhement, penaltie, and forfaitur, as is conteyned in this acte againſt the principall offendour or offendours, for their ſecound offence, and none other.

CHAP. XII.

¶ *The Acte of ſubſidye.* Rot. Parl. cap. 6.

THE King and Queenes mooſt humble, faithfull, lovinge, and obedient ſubjects, the commens in this preſent Parliament aſſemblid, prudentlie and lovinglie conſidering and calling to their remembrances nat onelie the numerable benefits and goodnes which thei heretofore have received, had and enyoied by and from the progenitours of the Queenes mooſt roiall Majeſtie, ſpeciallie the mooſt noble and famouſe Princes her father and Broother, and by and from their highneſſes, by the tranquillitie of peace, due and juſt adminiſtracion and execution of juſtice within this their realme of Ireland, ſethens the tyme of her aſſumption of her crown, eſtate, and dignitie roiall, to their great lawde, glorie and honour, but alſoo the ineſtimable coſts, chardges and expences, whiche theire Highneſſes neceſſarilie and of fyne force have ben coacted, and compelled to ſuſteyne and ſupport, in maynteyneying a contynuell armye and ſoundrie forts and garriſons in ſeverall partes of this realme, for the ſuretie and comfort of their Graces ſubjects, and by outher ſundrie waies and meanes, and upon juſt and reaſonable occaſions and groundes, in and for the maynteynenaunce of their warres, invaſion, and defence of their enemies, repreſſinge and ſubduynge rebells and traitours, whoſe mooſt godlie and honorable acts, as well marciall as outher their mooſt prudent affaires and interpriſes, hereof of late nat onelie redounded to their mortall fame and honcur, but alſoo to the greate quiet, commoditie and profit of th s realme of Ireland, in and abowt the which their Majeſties, as it is nat unknowen, have expoſid and diſpendid mouch notable treaſure and ineſtimable ſubſtaunce, as well riſen and growen of their yerelie revenues of their crowne in this realme, as alſoo of

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their awne treasure in their realme of England, which els their Highnes might have reservid and keapt to their awne use and commoditie. And wheare the Queen's Majestie is justlye and lawfullie intituled unto the crowne and realme of Scotland, and to whose highnes, as to their naturall and soverain liege ladie, all the inhabitaunts of the same ought to beare due obediens and be subjects, yit nevertheless, the inhabitaunts of the owte yles, there called Irishe Scotts, or Red Shankes, contrarie to the dutie of their allegiaunce, do not onelie rebell against her Majestie, but also doo make diverse and soundrie incurses, invasions, spoiles, wastings, and depopulacions in the northe parte of this her said Realme of Ireland; wherefore the King's moost excellent Majestie, and hers, like moost godlie, vertuouse, and prudent prynces, intending to meete with their said maliciouse pretended purposes and interprises, and to expell theyme from this their realme, ar forced, and can of their honour noo lesse doo, but determyne, by the help of Almightie God, with power of their army roiall, and of their subjects in this realme, to prosecute with the sworde their said enemyes to the extremytie of their power, as som parte thei have by the right noble lorde the erle of Sussex, their Majesties lord deputie in this realme alreddie with mouch good successe done, and soo to inforce and fortifie the said northe partes, as the said enemies shall never henceforthe have soo facill successe to disturbe the subjects of this realme, as heretofore thie have had, to the perpetuell suretie, utilitie, and commoditie of this their realme as their loving subjects of the same, for the maynetenaunce of whiche their Majesties determynacion ar required inestimable sommes of treasure to be emploied and defraid abowts the same. Whearefore their said moost loving faithefull and obedient subjects, considringe that it is their office and moost bounden dutie to honour, mayneteyne, and support their Majesties in all their just querells and attemptats with their boddies, lands, goodes, and substaunce, minding to beare with their highnesses in this their moost graciouse and godlie interprize, to the alleviacion of parte of their greate and inestimable chardges, of one mynde, consent and assent, and by authoritie of this present Parliament, doo, for theymselves, and all the hole boddie of this realme, whome thei doo present, freelie, liberallie, moost lovinglie, and benevolentlie, give and graunt unto the King and Queen's Highnesses a subsidie, and humblie requier the same to be enacted; be it therefore enacted by authority of this present Parliament, That their Majesties, and her Graces heires and successours, shall have and perceive yerelie, a subsidy of thirten shillings fower pence, lawfull moneye of Ireland, of and upon everie ploughe land occupied and manured, or hereafter to be occupied or manured within this realme of Ireland, from the tyme of the occupieing or manurance thereof, as long tyme as it shall be so occupied or manured, the said subsidie to be paied in maner and forme aforesaid, unto our said soverain lord and ladie the Kynge and Queens Majesties, her heires and successours, yerelie from the thirtie daie of September last past, whiche was in the yere of our lord God a thousand five hundred fiftye and six, to the end of the terme of tenne yeres then next ensuying, at the feast of saynte Michell the archangell.

Subsidy of 13*s.* and 4*d.* on every plough land, for ten years.

II. And forasmuche as in divers countries and partes of this realme, whiche nowe be shier grounde, and which ar nat yit estabilished for shire ground, there is noo extent certyn of ploughe landes, by which occasion this benevolence of the said lovinge subjects, can nat be soo beneficiall unto the Kyng and Queens Majesties, her heires and successours, as they do intend and meane it, onelesse order be taken for reducyng the same to lyke certentie, as thei be in the shiers of Dublin, Kildare, Methe and Lowth; be it enacted, ordeyned, and estabilished by the authoritie of this present Parliament, That the lord deputie, or outher governour of this realme for the tyme beinge, shall have full power and authoritie, by force of this acte, to make, ordeyne, and depute souche and so manie commissioners in everie countie or shire of this realme nowe made, estabilished, and knowen for shire grounde (the said shires of Dublin, Kildare, Methe and Lowthe onlie excepted) for the extending and making of ploughelandes of lyke rate, estimat, and quantitii, as ploughe landes be presentlie moost universallie set out and knowen in the said shires of Dublin, Kildare, Methe and Loweth, whereof or upon whiche the said subsidie of thirteen shillings fower pence shall be leviable and perceived, and also for the levieng, rearing, and perceiving of the said subsidie, to the use and behoof of the King and the Queen's Majesties her, heires and successours, in manner afore expressid; whiche rate and extent, soo set owte and

Commissioners to be appointed to extend plough lands.

and made by the ſaid commiſſioners, ſhall be retourned by theym in the King and Queens Majeſties highe courte of the exchequier, ther to remayne of record for ever; and that the ſame plough-lands ſoo rated and extended, ſhall be and ſtand chardged with the ſaid yerelie ſubſidie accordinge to the tenour and purport of this preſent acte, and that everie perſon and perſons within this realme, to their power and knowledge of eſtate, condicion or degree ſoever he or they be, ſhall be ayding and aſſiſting to the ſaid commiſſioners, and everie of theym, and ſhall rightlie, trulie and obedientlie, obſerve and keepe the order to be taken by theym, as well in the extent and rate of the ploughe landes, as for the levieng and rearing of the ſaid ſubſidie in maner aforeſaid, upon paine of five poundes, to be forfaited by everie perſon that ſhall offend in this poincte, ſoo oft as he doethe tranſgreſſe this eſtabliſhment, whiche forfaiture to be levied and taken to the uſe and behouf of the King and Queen's Majeſties, heir heires and ſucceſſours, of and upon his landes, goodes and chattells, by ſouche and the ſame order as like forfaiturs to their Highneſſes, by the lawes of this realme be leviable and perceivable.

III. Provided alwaies and be it enacted by the authoritie aforeſaid, that noo maner man ſpirituall, ne temporall, ne commoner of this realm, nor any corporacion within the ſame, having freedome or diſcharge of ſubſidie by the Kinge and Queenes Majeſties, or eny her progenitours graunts, or by acte or actes of Parliament of this realme, or outher lawfull meane, be chardged with ſubſidie by force of this acte.

IV. Provided alſoo, and be it enacted by the authoritie aforeſaid, That all lordes, knightes, eſquires and gentlemen, that nowe be charged by lawe, cuſtome or uſage of this realme or hereafter ſhall be chardged and appoynted by the lorde deputie or outher governour of this realme for the time being, by reaſon of their landes and poſſeſſions, to goo or ſend to hoſtings, roode or journies for ſervice of the realme at their proper chardges, having aſſignment of carting and carriage after the auncient cuſtome, whiche lordes, knights, eſquires, or gentlemen, have or ſhall have their chief dwellings in the countries owt of the cities and priviledged townes, ſhall be, during the tyme that they ſoo dwell or ſhall dwell in the countreye, free and diſchardged of this ſubſidie, for ſoo mouche and ſouch porcion of their landes and poſſeſſions, as preſentlie by any ordinarie meane is aſſigned unto theym as competent for their proper manurance, plowinge and cattell in their chief dwelling places, or that hereafter ſhall be aſſigned, lymitted and ſet oute by commiſſioners to be appointed in everie ſhire now eſtabliſhed, or hereafter to be eſtabliſhed in this realme by the King and Queen, her heires and ſucceſſours, commiſſion to be made under their great ſeale of this realme for that purpoſe, in everie of whiche commiſſion, one of their Majeſties privie counſaill in this realme, to be of the quorum, and ſhall alſoo be free of all coyne and liveree, and of carting and carriag to hooſtings, roodes and journies.

V. Be it alſoo enacted by the authority aforeſaid, that all ſouche lands and tenements, and all outher poſſeſſions and things boeth ſpirituall and temporall, whiche have comen or hereafter ſhall come to the King and Queen's Majeſties hands or poſſeſſions, ſhall be chardgid with like ſubſidie in like ſorte and maner as thei wer or ought to have ben chardgid with this ſubſidie heretofore graunted before the comynge of the ſame lands, tenements and poſſeſſions, to the hands and poſſeſſion of their Highneſſes, or any their progenitors. Provided that this acte nor any thing therein conteyned, ſhall in eny wiſe extend or be ment to charge eny the polles of Methe or Weſtmethe, with the ſaid ſubſidie or eny parte thereof, but that the ſame polls, and the inhabitants manurers, or occupiers of the ſame, ſhall beare and yelde ſouch chardges and ympoſicions as thei have ben accuſtomed heretofore; eny thing in this acte to the contrarie notwithſtanding.

VI. Provided allwaye, that this acte, nor any thing therein conteyned, ſhall extend to charge with this ſubſidie, eny land that at this preſent is nat ſhire grounde.

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CHAP. XIII.

¶ *An Acte declaringe the Queen's Highnes to have bene born in a moſte juſt and lawfull Matrimony, and alſo repealinge all Actes of Parliament and Sentences of divors had and made to the contrarie.* Rot. Parl. cap. 1.

FORASMOUCH as truethe beinge of her awne nature, of a mooſt excellent vertue, efficacye, force and wurking, cannot but by proceſſe of tyme break oute and ſhew herſilf, howſoever for a tyme, or while ſhee maie by the iniquitie and frailtie of man be ſuppreſſed and keapt cloſe, and being revealed and manifeſted ought to be embraced, acknowledged, confeſſid and profeſſid in all caſes and mattiers, whatſoever and whomſoever they touch or concern, without reſpect of perſons, but in ſuch caſes and matteires ſpeciallie as whearby the glorye and honour of God in Heaven, whoo is the author of trueth, and trueth itſelf is to be ſpeciallie ſet forthe, and wherebye alſoo the honour, dignitie, fuertie and preſervation of the prynce and rueler under God in earthe dependethe, and the welfare, profit and ſpeciall benefit of the univerſall people and boddie of a realme, is to be contynued and mayntayned. Wee your Highneſſe mooſt lovinge faithfull and obedient ſubjects, underſtandinge the verrie truethe of the ſtate of matrimonye between the twoo mooſt excellent prynces, of mooſt worthye memorye, Kynge Henry the eight, and Queen Kathrin his lovinge godlie and lawfull wif, your Higneſſe ſoverain Ladie his lawfull father and mother, can not but thinke our ſelfe mooſt bounden booth by our dutie of allegiaunce to your Majeſtie, and of conſcience towardes God, to ſhowe to your Highneſſe furſt how that the ſame matrimonye beinge contracted, ſolemnized and conſummated, by the agreement and aſſent of boothe their mooſt noble parents, by the counſail and adviſe of the mooſt wyſe and graveſt men of boethe realmes, by the deliberate and mature conſideracion and conſent of the beſt and moſt notable men in learning in thois daies of chriſtendome, did even ſo contynue by the ſpace of twentie yeres and more between theym to the pleaſure of Almightie God, the ſatisfaccion of the worlde, the joye and comfort of all the ſubjects of this realme, and to their awne good repoſe and contentment, God giving for a ſurer token and teſtimonye of his good acceptacion of the ſame, nat onelie goodlie fruit your Highnes mooſt noble perſon, whome wee beſeeche Almightie and everlaſting God long to proſper and preſarve here amongſte us, and outher iſſue alſoo, whome yt haithe pleaſid God to take out of this tranſitorie lif, unto his eternal glorie; but alſoo ſendinge us a happie floriſhinge and mooſt proſperous commen wealthe in all things, and then afterwarde how that the malicious and perverſe affections of ſom, a verrie few perſons envienge the grate felicitie, whearein by the goodneſs of God, your ſaid mooſt noble father and mouther, and all their ſaid ſubjects lived and continued many yeres, did for their awne ſinguler glorie and veyne reputation, conceive ſondrye ſubtill and diſloyall practices, for the interrupcion and breach of the ſame mooſt lawfull and godlie concorde, and travailinge to put the ſame in ure, deviſed furſt to inſynuat a ſcruple unto the Kinge your fathers conſcience, of an unlawfull marriage betwen hym and his mooſt lawfull wif, the Queen your Highneſſes mouther, pretendinge for the grounde thereof, that the ſame was againſte the worde of God, and thereupon ceaſid not to perſuade continuallie unto the ſaid Kinge your father, that he coulde nat withoute daungier of the loſſe of his ſowll contynue with his ſaid mooſt lawful wif, but muſt have been ſeperated and divorced from her, and to this intent cauſed the ſeales, as well of certain univerſities in Italie and Fraunce to be gotten, as yt wer for a teſtimonye, by the corrupcion with money of a fewe light perſons ſcholers of the ſame univerſities, as alſoo the ſeales of the univerſities of the realme of England, to be obteyned by greate travaill, ſyniſter

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fyniſter working, ſecret threatnynges, and intreatings of ſome men of authoritie, ſpecialle ſent at that tyme thidther for the ſame purpoſe, and howe that finallie Thomas Cranmer, then newlie made archebuſhoppe of Cantorburye, mooſt ungodlie and againſte all lawes, equitie and conſcience, proſecutinge the ſaid wicked adviſe of divors and ſeparacion of the ſaid King your father and Queen your mouther, callid before *ex officio* the hearinge of the ſaid mattier of marriage, and takinge his fundacion partlie upon his awne unadviſed judgment of the ſcripture, joynynge therewith the pretended teſtimonies of the ſaid univerſities, and partlie upon bare and mooſt untrue conjectures, gathred and admitted by hym upon mattiers of noo ſtrengthe or effecte, but onelie by ſuppoſell, and without admittinge or hearinge any thinge that coulde be ſaid by the Queen youre mouther, or by eny outher of her behaulf, in the abſens of the laid late Queen your mouther proceded, pronounced, declared, and gave ſentence, the ſame mooſt lawfull and undoubted matrimonye to be naught, and contracted againſte Godds lawe, and of noo value, but lackeinge the ſtrengthe of the law, and the ſaid mooſt noble Kynge your father and the ſaid noble Queene your mouther, ſoo married togither, did ſeperat and divorſe, and the ſame your mooſt noble father King Henry the eight and the ſaid noble Queen your mouther from the bands of the ſame mooſt lawfull matrimonye did pronounce and declare by the ſame his unlawefull ſentence to be freelie diſchardged and ſet at libertie; whiche ſentence and judgment ſoo given, by unlawfull and corrupt meanes and waies, by the ſaid archebuſhoppe of Cantorburye was afterwards upon certein affeccions ratified and confirmed by twoo ſeverall acts made in the tyme of the reigne of the ſaid Kynge your Highnes father, the oon intituled, *An Acte declareinge the eſtabliſhment of the ſucceſſion of the King's mooſt roiall Majeſtie of the ymperiall crowne of this realme*, the oother acte of Parliament made in the tyme of the reigne of the ſaid Kynge your Highnes father, entituled, *An acte for the ſtabliſhment of the ſucceſſion of the ymperiall crowne of the ſaid realme*; in the whiche ſaid twoo actes was conteyned the illegittimacions of your mooſt noble perſon, whiche your ſaid mooſt noble perſon, beinge borne in ſoo ſollempne a marriage, ſoo openlie approved in the worlde, and with ſoo good faithe boeth contracted, and alſoo by ſoo manie yeres conteyned betwen your mooſt noble parents, and the ſame marriage in verrie deede nat beinge prohibitted by the lawe of God, coulde nat by eny reaſon or equitie in this cace be ſoo ſpotted. And nowe wee your Highnes mooſt lovinge, faithfull, and obedient ſubjects, of godlie hart and true meanynge, freelie and franklie without feare, phantaſie, or eny outher corrupt mocion or ſenſuall affeccion, conſideringe that this foreſaid marriage had his begynynge of God, and by hym was contynued, and therefore was ever and is to be taken for a mooſt true, juſt, lawfull, and to all reſpects a ſincere and perfit marriage, nor could ne ought by any meanes, power, authoritie or juriſdiccion, be diſſolvid, broken, or ſeparated; for whom God joyneth noo man can ne ought to put aſunder: and conſidering alſoo howe duringe the ſame marriage in godlie concorde the realme in all degrees floriſhed to the glorie of God, the honour of the prynce, and the greate reputacion of the ſubjects of the ſame, and on the oother ſide underſtandinge manifeſtlie that the ground of the ſaid deviſe and practiſe for the divorce proceeded furſt of malice and vayne glorie, and afterwards was proſecuted and followed of fond affeccion and ſenſuall fantaſie, and finallie executed and put in effecte by corruption, ignoraunce, and flatterie; and fealinge to our greate ſorrowe, damage, and reproof, howe ſhamefull ignomynyes, rebukes, ſlaunders, contempts, yea what deathe, peſtilence, warres, diſobediences, rebellions, inſurreccions, and diverſe outher greate and greviouſe plagues, God of his juſtice haithe ſent upon us ever ſence the ſaid ungodlie purpoſe was furſt begoone and practiſed; but alſoo ſeeinge evidentlie before our eies, that oneleſſe ſoo greate an injuſtice as this haith ben, and yit contynuethe, be redubbed, and that the ſaid falſe and wrongfull proceſſe, judgment, and ſentence, with their dependents, be repealed and revoked, noo thing is leſſe to be doubted then that greater plagues and ſtrokes ar like to encreaſe and continue dailie more and more within this realme, doo beſeeche your moſt excellent Majeſties, as well in reſpecte of your

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awne honour, dignitie and juſt title, as for truethes ſake, wherewith wee doubt not but your Highneſſe alſoo will be ſpeciallie moved in conſcience, and alſoo for the entire love, favour, and affeccion whiche your Majeſties beare to the common wealthe of this your realme, and for the good peace, unitie, and reſt of us your bounden ſubjects, and our poſterities, that it may be enacted by your Highneſſes, with the conſent of the lords ſpirituall and temporall and the commens in this preſent Parliament aſſembled, and be it enacted by the authoritie of this preſent Parliament, That all and everie decree, ſentence, and judgment of divorce and ſeparacion between the ſaid Kinge your father and the ſaid late Queene your mouther, and all the proceſſe commenced, followed, given, made, and promulgated by the ſaid Thomas Cranmer, then archebusſhoppe of Canterburye, or by any outher perſon or perſons whatſoever, weare by the ſame mooſt juſt, pure, and lawfull marriage between the ſaid late Kinge your father and the ſaid late Queene your mouther, was and is pronounced, or in eny wife declared to be unlawfull or unjuſt, or againſt the lawe of God, be and ſhall be, from the begynnynge and from henceforth of noo force, validitie, or effecte, but be utterlie naught, voide, fruſtrate, and adnichillated to all intents, conſtructions, and purpoſes, as if the ſame had never ben given or pronounced.

Enacting part. 1 M. 1. *ſeſſ.* 3. *Eng.*

II. And bee it alſoo enacted by authoritie aforeſaid, That as well the ſaid acte of Parliament, intituled, *An Acte declaringe the ſtablisſhment of the ſucceſſion of the Kinge's mooſt roiall Majeſtie of the ymperiall crowne of this realme*, made in the tyme of the reigne of the King your father, be repealid, and be voide, and of none effecte; as alſoo all and everie ſouche clauſes, articles, braunches, and mattiers conteyned and expreſſid in the foreſaid outher acte of Parliament, made in the ſaid tyme of the reign of the ſaid late King your father, or in any outher acte or actes of Parliament, as wherebye your Highnes ſoveraign ladie is named or declared to be illegittimat, or the ſaid marriage between the ſaid Kinge your father and the ſaid Queen your mouther is declared to be againſt the worde of God, or by any meanes unlawfull, ſhall be and be repealed, and be voide, and of none effecte, to all intents, conſtruccions, and purpoſes, as yf the ſame ſentence or actes of Parliament had never ben had ne made. And that the ſaid marriage, had and ſolempniſed between your ſaid noble father Kinge Henry and your ſaid mooſt noble mouther Queen Kathrin, ſhall be diffinytivelye, clerlie, and abſolutelie declared, deemed, and adjudged to bee and ſtand withe God's lawes, and his mooſt holie worde, and to be accepted, reputed, and taken of full, good effecte and validitie, to all intents and purpoſes.

CHAP. XIV.

An Acte declarynge that the Regall Power of this Realme is in the Queene's Majeſtie, as fullie and abſolutlie as ever it was in any of her mooſt noble Progenitours, Kynges of this Realme. Rot. Parl. cap. 2.

1 *M.* 1. *ſeſſ.* 3. *Eng.*

FORASMOUCHE as the ymperiall crowne of this realme, with all dignities, honours, prerogatives, authorities, juriſdiccions, and preemynences thereunto annexed, united, and belongynge, by the divine providence of almyghtie God is mooſt lawefullie, juſtlie, and rightfullie diſcended and com unto the Queen's Highnes that now is, being the verrie true and undoubted heire and inheritrix thereof, and inveſted in her mooſt roiall perſon accordinge unto the lawes of this realme, and by force and vertue of the ſame all regall power, dignitie, honour, authoritie, prerogatif, pre-emynence, and juriſdictions, doo apperteigne, and of right ought to apperteigne

The regal power in the Queen as fully as in any her progenitors.

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perteigne and belonge unto her Highnes, as to the ſoverain ſupreeme governour and Queene of this realme, in as full, lardge, and ample maner, as it haith done heretofore to any outher her mooſt noble grogenitors, Kings of this realme: nevertheleſſe, the mooſt auncynt ſtatuits of this realme, beinge made by Kings then reignyng, doo nat onelie attribute and referre all prerogatif, preemynence, power and juriſdiccion roiall unto the name of Kinge, but alſoo do give, aſſigne and appointe the correccion and ponyſhment of all offendours againſt the regallitie and dignitie of the crowne, and the lawes of this realme, unto the Kinge; by occaſion whereof, the maliciouſe and ignoraunt perſons maie be hereafter induced and perſwaded unto this errour and follie, to thinke that her Highnes coulde ne ſhould have, enyoie, and uſe ſuche like roiall authoritie, power, preemynence, prerogatif, and juriſdiccion, nor doo ne execute and uſe all thinges concernynge the ſaid eſtatuits and take the benefit and priviledge of the ſame, nor correct and ponyſhe offendours againſte her mooſt roiall perſon and the regalitie and dignitie of the crowne of this realme, as the Kings of this realme, her mooſt noble grogenitours, have heretofore donne, enyoied, uſid, and exerciſed: for the avoidinge and clere extinguiſhment of which ſaid errours or doubte, and for a playne declaracion of the lawes of this realme in that behaulf, be it declared and enacted by the authoritie of this preſent Parliament, That the lawe of this realme is and ever haith ben and ought to be underſtand, that the kinglie and regall office of the realme, and all dignities, prerogatives, power, preemynences, priviledges, authoritie, and juriſdiccions thereunto annexed, united, or belonginge, beinge inveſted either in male or female, ar and be, and ought to be as fullie, hoolye, abſolutlie and intierlie demed, judged, accepted, inveſted, and taken in the oon as in the oother, ſoo that what or when ſoo ever ſtatuit or lawe doethe lymitte or appoint that the Kinge of this realme maie or ſhall have, execute, and doo any thinge as Kinge, or doethe give any profit or commoditie to the Kinge, or doethe lymit or appoynte eny peynes or ponyſhment for the correccion of the offendours or tranſgreſſours againſte the regalitie and dignitie of the Kinge or of the crowne, the ſame the Queene being ſupreem governeſſe, poſſeſſour, and inheritrix to the imperiall crowne of this realme (as our ſaid ſoverain ladie the Queen mooſt juſtlie preſentlie is) maye by the ſame authoritie and power likewiſe have, exerciſe, execute, poniſhe, correcte, and doo, to all intents, conſtruccions and purpoſes, withowte doubte, ambiguitye, ſcruple, or queſtion; any cuſtome, uſe, ſcruple, or any outher thinge whatſoever to be made to the contrarie notwithſtandinge.

Several cauſes of making this act.

The royal power and dignities as well in a Queen as in a King.

A. D. 1556.

CHAP. XV.

¶ *An Acte againſt bringynge in of Scotts, reteyninge of theym, and Marrieng with theym.* Rot. Parl. cap. 13.

Repealed 11, 12, & 13 *Y.* 1. 6

FORASMOUCHE as diverſe rebells, and outher naughtie and evill diſpoſed perſones of the Iriſhrie within the realme of Irland, have oftentymes heretofore broughte into this realm of Irland Scotts, and outher eſtraungiers, beinge men of warre, and have given theym wages, bonaght, and outher interteynementes within this realme, to ſupporte, aide, and maynteyne theym in the tymes of their rebellion and otherwiſe, ſoo as by the reaſon thereof Scottes have of late inhabited in the northe partes of this realme in ſeverall places, and have oute thereof expulſed the verrie inheritours of the ſame; a hyndraunce and greate lette, of the King and Queen's Majeſties affaires within this their realme: and alſoo the Scottes aforeſaid for their bettier maynteraunce to remayne and abide within this realme, have and doo dailie allie theymſelves by marriages with diverſe of the Iriſhrie in thoiſe partes, and therebie have diverſe tymes procured warre and great trouble in thoiſe partes: be it therefore enacted, ordeyned, and eſtabliſhed by our ſoverain lorde and ladie the Kinge and Queenes Majeſties, the lordes ſpirituall and temporall and the commens of this preſent Parliament aſſemblid, and by authoritie of the ſame, That yf any perſon or perſons at any tyme hereafter doo procure the comynge of Scottes, beynge men of warre, into this realme, or doo brynge into this realme Scottes, beynge men of warre, or do hereafter at any tyme give any Scotte or Scottes, beinge within this realme, and men of warre, eny wages, bonaghts, ſorryn, or any outher interteynemente or hiere for the ſarvice in warre, that then everie ſouche offence and offences ſhall be demed and adjudgid highe treaſon, and the offendour or offendours therein, their procurers, abbettours, and counſaillours, and everie of theym, beynge thereof convicted or attaynted accordinge to the lawes and ſtatuits of this realme, ſhall be deemed and adjudgid highe traitours and ſhall ſuffer peynes of deathe, and loſſe and forfait all their goods, chattells, lands, and tenements to the King and Queen's Majeſties, her Graces heires and ſucceſſours, as in the caces of highe treaſon by the lawes of this realme at this daie ought to be loſt and forfeited.

II. And be it further enacted by the ſaid authoritie, That yf any perſon or perſons, borne within this realme of Irland, doo hereafter, without havinge the lorde deputie of this realmes lycence, ſealed with the greate ſeale of this realme, contracte matrimonie or marrie with eny Scottiſhe man, woman, or mayden, that then every ſouche offence or offences ſhall be deemed and adjudgid fellonye, and the offendour or offendours therein, their abettours, procurers, and counſaillours, being thereof convicted or attaynted accordinge to the lawes and ſtatuits of this realme, ſhall be deemed and judged fellons, and ſhall ſuffer peynes of deathe, loſſe and forfaitur of all their goodes, chattells, lands, and tenements to the Kinge and Queen's Majeſties, her Graces heires and ſucceſſours, as in caſes of felonys by the lawes of this realme at this daye of right ought to be loſt and forfaited.

III. Provided alwaie, that this acte, nor any thinge therein conteigned, ſhall nat extend or be prejudiciall or hurtfull to any perſon or perſons bringinge any Scottiſhe merchaunts or Scottiſhe maryners into this realme withe merchaundiſe, or for barganynge withe the Scottiſhe merchaunts or Scottiſhe maryners in waye of merchaundiſe.

IV. Provided alſoo, That this acte, nor any thinge therein conteyned, ſhall nat extende to any Scotte made or to be made denyzyn.

THE SECOND YEAR OF ELIZABETH.

STATUTA, ORDIN' Actus, et proviſiones. Ædit. in quodam Parliamento illuſtriſſimæ principis dominæ noſtræ ELIZABETH, Dei gratia Reginæ Angliæ, Franciæ & Hiberniæ fidei defenſor' &c. virtute commiſſionis & mandatiæ dict, dominæ Reginæ ſub magno ſigillo ſuo Angliæ apud *Dublin*, die Veneris proxim' ante feſtum ſancti *Hilarii*, viz. xii. die Januarii, anno regni prædictæ dominæ Reginæ ſecundo, coram chariſſimo conſanguineo & conſiliar. ſuo *Thoma* Comite Suſſex, ordinis ſui garterii milite, capitaneo omnium generoſorum pencionarior' ſuorum ad arma, capitali Juſtic' omnium foreſtarum, parcorum & chacearum ſuarum citra Trentam, ac deputato ejuſdem dominæ Reginæ regni ſui *Hiberniæ* tent' & ibidem continuat. uſque ad primum diem Februar. tunc proxim' ſequent' & eodem primo die Februarii diſſoluto, finito & determinato. *Anno Dom.* 1560.

CHAP. I.

An Act reſtoring to the Crown, the auncient Juriſdiction over the State Eccleſiaſticall and Spirituall, and aboliſhing all forreine Power repugnant to the ſame.

MOST humbly beſeech your moſt excellent Majeſty, your faithfull and obedient ſubjects the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, That where in the time of the raign of your moſt dear A. D. 1560. 1 *Eliz.* 1 *Eng.*

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father of worthy memorie, King Henry the eighth, divers good lawes and ſtatutes were made and eſtabliſhed, as well for the utter extinguiſhment and putting away of all uſurped and forrein powers and authorities out of this your realm, as alſo for the reſtoring and uniting to the imperial crown of this realm, the auncient juriſdictions, authorities, ſuperiorities, and preheminences to the ſame, of right belonging and appertayning, by reaſon whereof, we your moſt humble and obedient ſubjects, from the twenty eighth year of the raign of your ſaid dear father, were continually kept in good order, and were diſburdened of divers great and intollerable charges and exactions before that time unlawfully taken and exacted, by ſuch forrein power and authoritie as before that was uſurped, untill ſuch time as all the ſaid good lawes and ſtatutes, by one act of Parliament made in the third and fourth years of the raigns of the late King Philip and Queen Mary, your Highneſſe ſiſter, intituled, *An Act repealing all eſtatutes, articles, and proviſions made againſt the See apoſtolique of Rome, ſithence the twentieth year of King Henry the eighth, and alſo for the aboliſhment of ſpiritual and eccleſiaſticall poſſeſſions and hereditaments conveyed to the laity*, were cleerely repealed and made voyd, as by the ſame act of repeal more at large doth and may appear; by reaſon of which act of repeal, your ſaid humble ſubjects were eftſoones brought under an uſurped forrein power and authoritie, and yet doe remain in that bondage, to the intollerable charges of your loving ſubjects, if ſome redreſſe, by the authoritie of this your high court of Parliament, with the aſſent of your Highneſſe, be not had and provided. May it therefore pleaſe your Highneſſe, for the repreſſing of the ſaid uſurped forrein power, and the reſtoring of the rights, juriſdictions, and preheminences appertayning to the imperiall crown of this your realm, that it may be enacted by authority of this preſent Parliament, That the ſaid act, made in the third and fourth years of the raigns of the ſaid late King Philip and Queen Mary, and all and every braunch, clauſes and articles therein contayned, other than ſuch braunches, clauſe, and ſentences, as hereafter ſhall be excepted, may, from the laſt day of this ſeſſion of Parliament, by authoritie of this preſent Parliament, be repealed, and ſhall from thenceforth bee utterly voyd and of none effect; and that alſo for the reviving of divers of the ſaid good lawes and ſtatutes made in the time of your ſaid dear Father, it may alſo pleaſe your Highneſſe, that one act and eſtatute made in a Parliament holden at Dublin, the firſt of May, in the eight and twentieth year of the ſaid late King Henry the eighth, and after proroged, adjorned, and continued, as by the roll of the ſaid Parliament more at large appeareth, entituled, *The Act of appeals:* and alſo one act made in the ſaid Parliament, entituled, *The Act of faculties*; and alſo all and every braunches, words, and ſentences in the ſaid ſeveral acts and eſtatutes conteyned by authority of this preſent Parliament, from

Divers good ſtatutes made in the time of K. *H.* 8. againſt uſurpations and exactions of foreign power.

which ſtatutes were repealed by 3 and 4 *P.* and *M.* 8.

The ſubjects thereby brought under uſurped foreign power.

For remedy thereof, and reſtoring the rights of the crown.

Said act, 3 and 4 *P.* and *M.* 8. repealed, except as hereafter.

The ſtatutes 28 *H.* 8. 19. and 28 *H.* 8. 6. revived.

from and at all times after the laſt day of this ceſſion of Parliament, ſhall be revived, and ſhall ſtand and be in full force and ſtrength, to all intents, conſtructions, and purpoſes; and that the braunches, ſentences, and words of the ſaid ſeveral acts, and every of them, from thenceforth ſhall and may be judged, deemed, and taken, to extend to your Highneſſe, your heyres and ſucceſſours, as fully and largely as ever the ſame acts, or any of them, did extend to the ſaid late Henry the eighth, your Highneſſe Father.

So much only of the ſtat. 33 *H.* 8. 6. as concerns degrees of conſanguinity, revived.

II. And that it may alſo pleaſe your highneſſe, that it may be enacted by authority of this preſent Parliament, That ſo much onely of one act or eſtatute made in a Parliament begun at Dublin, the thirteenth of June, in the thirty third year of the raign of your ſaid deere father King Henry the eighth, and after proroged, adjourned, and continued, as by the rolls of the ſaid Parliament more at large appeareth, intituled, *An act for marriage*, as doth touch and concern degrees of conſanguinitie, may from henceforth likewiſe ſtand and be revived, and remain in full force and ſtrength, to all intents and purpoſes: any thing in this ſaid act of repeal before mentioned, or other matter or cauſe to the contrary notwithſtanding.

All other ſtatutes, and clauſes repealed by 3 and 4 *P.* & *M.* 8. and not in this act ſpecified and revived, continue repealed.

III. And that it may alſo pleaſe your Highneſſe, that it may be further enacted by the authoritie aforeſaid, That all other lawes and ſtatutes, and the braunches and clauſes of any act or eſtatute repealed and made void by the ſaid act of repeal, made in the time of the ſaid late King Philip and Queen Mary, and not in this preſent act ſpecially mentioned and revived, ſhall ſtand, remain, and be repealed and void, in ſuch like manner and form as they were before the making of this act; any thing herein contayned to the contrary notwithſtanding.

An act 3 & 4 *P.* & *M.* 9, for reviving three ſtatutes of herefy, and alſo the ſaid three ſtatutes, repealed.

IV. And that it may alſo pleaſe your Highneſſe, that it may be enacted by the authority aforeſaid, That one act or eſtatute made in the third and fourth years of the ſaid late King Philip and Queen Mary, intituled, *An Act for revyving of three Eſtatutes made for the Puniſhment of Hereſies*; and alſo the ſaid three eſtatutes mentioned in the ſaid act, and by the ſame act revived, and all and every braunches, articles, clauſes, and ſentences contayned in the ſaid ſeveral acts or eſtatutes, and every of them, ſhall be from the laſt day of this ſeſſion of Parliament deemed and remain utterly repealed, void, and of none effect, to all intents and purpoſes; any thing in the ſaid ſeveral acts or any of them contayned, or any other matter or cauſe to the contrary notwithſtanding.

No foreign power to exerciſe eccleſiaſtical juriſdiction in this realm.

V. And to the intent that all uſurped and forreign power and authority ſpiritual and temporal may for ever be cleerely extinguiſhed, and never to be uſed or obeyed within this realm; may it pleaſe your Highneſſe, that it may be further enacted by the authority aforeſaid, That no forreign prince, perſon, prelate, ſtate, or potentate, ſpiritual or temporal, ſhall at any time after the laſt

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day of this ſeſſion of Parliament uſe, enjoy, or exerciſe any manner of power, juriſdiction, ſuperiority, authority, preheminence, or priviledge ſpiritual or eccleſiaſticall within this realm, but from henceforth the ſame ſhall be clearly aboliſhed out of this realm for ever; any eſtatute, ordinance, cuſtome, conſtitutions, or other matter or cauſe whatſoever, to the contrary in any wiſe notwithſtanding.

VI. And that alſo it may likewiſe pleaſe your Highneſſe, that it may be eſtabliſhed and enacted by the authority aforeſaid, that ſuch juriſdiction, priviledges, ſuperiorities, and preheminences ſpiritual and eccleſiaſtical, as by any ſpiritual or eccleſiaſtical power or authority hath heretofore been or may lawfully be exerciſed or uſed for the viſitation of the eccleſiaſtical ſtate and perſons, and for reformation, order, and correction of the ſame, and of all manner errors, hereſies, ſchiſmes, abuſes, offences, contempts, and enormities, ſhall for ever by authority of this preſent Parliament be united and annexed to the imperial crown of this realm; and that your Highneſs, your heyres and ſucceſſors, Kings or Queens of this realm, ſhall have full power and authority by vertue of this act by letters patents under the great ſeal of England or of this realm, and the lord deputy, and other governour or governours of this realm for the time being, ſhall have likewiſe full power and authority by vertue of this act, by letters patents to be made by his or their warrants under the great ſeal of this realm, to aſſigne, name, and authoriſe, when and as often as your Highneſs, your heyres and ſucceſſours, or the lord deputy, governour or governours of this realm for the time being, ſhall think meet and convenient, and for ſuch and ſo long time as ſhall pleaſe your Highneſs, your heyres or ſucceſſours, or the lord deputie, governour or governours of this realm for the time being, ſuch perſon or perſons being natural born ſubjects to your Highneſs, your heyres or ſucceſſours, as your Majeſtie, your heyres or ſucceſſours, or the lord deputie, governour or governours of this realm for the time being, ſhall think meet to exerciſe, uſe, occupie, and execute, under your Highneſs, your heyres and ſucceſſours, all maner of juriſdiction, priviledges, and preheminences, in any wiſe touching or concerning any ſpirituall or eccleſiaſtical juriſdiction within this your realm of Ireland, and viſite, reforme, redreſs, order, correct, and amend all ſuch errours, hereſies, ſchiſmes, abuſes, offences, contempts, and enormities whatſoever, which by any maner ſpiritual or eccleſiaſticall power, authority or juriſdiction, can, or may lawfully be reformed, ordered, redreſſed, corrected, reſtrained, or amended, to the pleaſure of Almighty God, the encreaſe of vertue, and the conſervation of the peace and unitie of this realm; and that ſuch perſon or perſons ſo to be named, aſſigned, authoriſed, and appointed by your Highneſs, your heyres or ſucceſſours, or by the lord deputie, governour or governours of this realm for the time being, in maner aforeſaid, after the ſaid letters patents to him or them made

Such juriſdiction annexed to the crown.

The Queen by letters patent under the great ſeal of England, or of this realm, or the governors by letters patents under the great ſeal of this realm, may aſſign natural born ſubjects, to exerciſe the ſame.

made and delivered as is aforesaid, shall have full power and authority by vertue of this act, and of the said letters patents under your Highnes, your heyres or succes̄ours, to exercise, use, and execute all the premises according to the tenour and effect of the said letters patents: any matter or cause to the contrary in any wise notwithstanding.

VII. And for the better observation and maintenance of this act, may it please your Highnes, that it may be further enacted by the authority aforesaid, That all and every archbishop, bishop, and all and every other ecclesiastical person, and other ecclesiasticall officer and minister, of what estate, dignitie, preheminence or degree soever he or they be, or shall be, and all and every temporall judge, justicer, mayor, and other lay or temporall officer and minister, and every other person having your Highnesse fee or wages within this realm, shall make, take and receive a corporall oath upon the evangelists before such person or persons as shall please your Highnesse, your heyres or succes̄ours, under the great seal in England, or of this realm, or the lord deputie, or other governor or governors of this realm for the time being, by letters patents to be made by his or their warrant under the great seale of this realm, to assigne and name, to accept and take the same, according to the tenour and effect hereafter following, that is to say,

Who compellable to take the oath of supremacy.
Ecclesiastical persons and officers,
Judge,
Justice,
Mayor,
Temporal officer,
He that has the Queen's fees or wages.

I A. B. *doe utterly testifie and declare in my conscience, that the Queen's Highnesse is the onely supream governour of this realm, and of all other her Highnesse dominions and countries, as well in all spirituall or ecclesiastical things or causes, as temporall, and that no forreigne prince, person, prelate, state or potentate, hath or ought to have any jurisdiction, power, superioritie, preheminence, or authoritie, ecclesiasticall or spirituall within this realm, and therefore I doe utterly renounce and forsake all forreine jurisdictions, power, superiorities and authorities, and doe promise, that from henceforth I shall bear faith and true allegiance to the Queen's Highnesse, her heires and succes̄ours, and to my power shall assist and defend all jurisdictions, privileges, preheminences and authorities, graunted or belonging to the Queen's Highnesse, her heirs and succes̄ours, or united and annexed to the imperiall crown of this realm, so help mee God, and by the contents of this booke.*

The Oath.

Repealed by St. 3 *W.* and *M.* 2. *Eng.* and another oath appointed.

VIII. And that it may bee also enacted, that if any such archbishop, bishop, or any other ecclesiastical officer or minister, or any of the said temporall judges, justicer, or any other lay officer or minister, shall peremptorily, or obstinately, refuse to take or receive the said oath, that then he so refusing shall forfeit and lose, onely during his life, all and every ecclesiastical and spirituall promotion, benefice and office, and every temporall and lay promotion and office, which he hath sole at the time of such refusall made; and that the whole title, interest and incumbencie, in every such promotion,

Penalty for refusing the oath.

Forfeiture of office and promotion, during life.

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motion, benefice, and other office, as againſt ſuch perſon onely ſo refuſing during his life, ſhall cleerely ceaſe and bee void as though the partie ſo refuſing were dead, and that alſo all and every ſuch perſon and perſons, ſo refuſing to take the ſaid oath, ſhall immediately after ſuch refuſall bee from thenceforth, during his life, diſabled to retaine or exerciſe any office or other promotion, which hee at the time of ſuch refuſall had joyntly or in common with any other perſon or perſons; and that all and every perſon and perſons that at any time hereafter ſhall bee preferred, promoted or collated to any archbiſhopricke, or biſhopricke, or to any other ſpirituall or eccleſiaſticall benefice, promotion, dignitie, office, or miniſtrie, or that ſhall be by your Highneſſe, your heyres or ſucceſſours, preferred or promoted to any temporall or laye office, miniſtrie or ſervice within this realm, before hee or they ſhall take upon him or them to receive, uſe, exerciſe, ſupply or occupie any ſuch archbiſhoprick, biſhoprick, promotion, dignitie, miniſtrie, office or ſervice, ſhall likewiſe make, take and receive the ſaid corporall oath before mentioned, upon the evangeliſt, before ſuch perſons as have or ſhall have authoritie to admitt any ſuch perſon to any ſuch office, miniſtrie or ſervice, or elſe before ſuch perſon or perſons as by your Higneſſe, your heyres or ſucceſſours, by commiſſion under the great ſeal of England, or of this realm, or by the lord deputie, or other governour, or governours of this realm for the time being, by letters patents to bee made by his or their warrant under the great ſeal of this realm, ſhall be named, aſſigned or appointed to miniſter the ſaid oath.

Perſons to take the oath.

IX. And that it may likewiſe be further enacted by authoritie aforeſaid, that if any ſuch perſon or perſons as at any time hereafter ſhall be promoted, preferred, or collated to any ſuch promotion ſpirituall or eccleſiaſtical benefice, office or miniſtery, or that by your Highneſſe, your heires or ſucceſſours, ſhall be promoted or preferred to any temporall or laye office, miniſtrie or ſervice, ſhall and doe peremptorily and obſtinately refuſe to take the ſame oath ſo to him to be offered, that then he or they ſo refuſing ſhall preſently bee judged diſabled in the law to receive, take and have the ſame promotion ſpirituall or eccleſiaſticall, the ſame temporall office, miniſtrie or ſervice within this realm, to all intents, conſtructions, and purpoſes.

He that ſueth livery or ouſtre le main, that doth homage to the Queen, or received into the Queen's ſervice, that takes orders, or degrees in the univerſity.

X. And that it may bee further enacted by the authoritie aforeſaid, that all and every perſon and perſons temporall, ſuing liverie or ouſterlemain out of the hands of your Highneſſe, your heires or ſucceſſors, before his or their livery or ouſterlemain ſued forth and allowed, and every temporall perſon or perſons, doing any homage to your Highneſſe, your heires or ſucceſſors, or that ſhall bee received into ſervice with your Highneſſe, your heires or ſucceſſours, ſhall make, take and receive the ſaid corporall oath before mentioned, before the lord chauncellor of Ireland, or keeper of the great ſeal for the time being, or before ſuch perſon or perſons as by your Higheneſſe,

neſſe, your heires or ſucceſſours, or by the lord deputie, or other governour or governours of this realm for the time being, by letters patents to be made by his or their warrants under the great ſeal of this realm, ſhall be named and appointed to accept and receive the ſame; and that alſo all and every perſon and perſons taking orders, and all and every other perſon and perſons which ſhall be promoted or preferred to any degree of learning, in any univerſitie that hereafter ſhall bee within this your realm, before he ſhall receive or take any ſuch orders, or be prefered to any ſuch degree of learning, ſhall make, take and receive the ſaid oath, by this act ſet forth and declared as is aforeſaid, before his or their ordinary, commiſſary, chauncellor or vice chauncellor, or their ſufficient deputies in the ſaid univerſitie.

He that has eſtate of inheritance in temporal office, refuſing, and afterwards taking the oath, ſhall be veſted in, and uſe ſuch office as before refuſal.

XI. Provided alway, and that it may be further enacted by the authoritie aforeſaid, That if any perſon having any eſtate of inheritance in any temporall office or offices, ſhall hereafter obſtinately and peremptorily refuſe to accept and take the ſaid oath as is aforeſaid, and after at any time during his life ſhall willingly require to take and receive the ſaid oath, and ſo to take and accept the ſame oath, before any perſon or perſons that ſhall have lawfull authoritie to miniſter the ſame, that then every ſuch perſon immediately after hee hath ſo received the ſame oath, ſhall be veſted, judged and deemed in like eſtate and poſſeſſion of the ſaid office, as he was before the ſaid refuſall, and ſhall and may uſe and exerciſe the ſaid office in ſuch manner and forme as hee ſhould or might have done before ſuch refuſall; any thing in this act conteyned to the contrary in any wiſe notwithſtanding.

Penalty of maintaining or defending foreign authority.

XII. And for the more ſure obſervation of this act, and the utter extinguiſhment of all forrein and uſurped power and authoritie, may it pleaſe your Higneſs, that it may be further enacted by the authoritie aforeſaid, That if any perſon or perſons dwelling or inhabiting within this your realm, of what eſtate, dignitie or degree ſoever he or they be, after the end of thirtie daies next after the determination of this ſeſſion of this preſent Parliament, ſhall by writing, printing, teaching, preaching, expreſſe words, deed or act, adviſedly, maliciouſly, and directly affirm, hold, ſtand with, ſet forth, maintain and defend, the authority, preheminence, power, or juriſdiction ſpiritual or eccleſiaſticall, of any forrein prince, prelate, perſon, ſtate or potentate whatſoever heretofore claymed, uſed or uſurped within this realm, or ſhall adviſedly, maliciouſly and directly put in ure or execute any thing for the extolling, advancement, ſetting forth, maintenance or defence of any ſuch pretended or uſurped juriſdiction, power, preheminence, or authority, or any part thereof, that then every ſuch perſon and perſons ſo doing and offending, their abbettours, aydours, procurers, and counſellours being thereof lawfully convicted and attainted according to the due order and courſe of the com-

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mon lawes of this realm, for his or their firſt offence ſhall forfeit and loſe unto your Highneſſe, your heyres and ſucceſſours, all his and their goodes and chattels as well reall as perſonall, and if any ſuch perſon ſo convicted or attainted ſhall not have or be worth of his proper goods and chattells to the value of twentie poundes, at the time of ſuch his conviction or attayndour, that then every ſuch perſon ſo convicted and attaynted over and beſides the forfeiture of all his ſaid goodes and chattells, ſhall have and ſuffer impriſonment by the ſpace of one whole year without bayl or mainepriſe; and that alſo all and every the benefices, prebends and other eccleſiaſticall promotions and dignities whatſoever, of everie ſpirituall perſon ſo offending and being attainted, ſhall immediately after ſuch attaindour bee utterly voyd to all intentes and purpoſes, as though the incumbent thereof were dead; and that the patron and donour of every ſuch benefice, prebend, ſpirituall promotion and dignitie, ſhall and may lawfully preſent unto the ſame, or give the ſame in ſuch manner and from as if the ſaid incumbent were dead; and if any ſuch offendour or offendours after ſuch conviction or attaindour doe eftſoones commit or doe the ſaid offences or any of them in manner and form aforeſaid, and be thereof duely convicted and attainted as is aforeſaid, that then every ſuch offendoure or offendours ſhall for the ſame ſecond offence incurr into the dangers, penalties and forfeitures, ordeyned and provided by the ſtatute of proviſion and premunire made within the realm of England in the ſixteenth year of the raign of King Richard the ſecond, and if any ſuch offendour or offendours at any time after the ſaid ſecond conviction and attaindour, doe the third time commit and doe the ſaid offences, or any of them, in manner and form aforeſaid, and be thereof duly convicted, and attaynted as aforeſaid, that then everie ſuch offence or offences ſhall bee deemed and adjudged high treaſon, and that the offendour, and the offendoures therein, being thereof lawfully convicted and attainted according to the lawes of this realm, ſhall ſuffer paines of death, and other penalties, forfeitures and loſſes, as in caſes of high treaſon, by the lawes of this realm.

Firſt offence, forfeiture of goods and chattels: a year's impriſonment, beſides, if he has not 20l. if an eccleſiaſtical perſon, his benefice to be void, as if dead, and the patron may preſent.

Second offence præmunire, 16 *R.* 2. 5.

Third offence high treaſon.

XIII. And alſo that it may likewiſe pleaſe your Highneſſe, that it may bee enacted by the authoritie aforeſaid, that no manner of perſon or perſons, ſhall bee moleſted or impeached for any the offences aforeſaid, committed or perpetrated onely by preaching, teaching, or wordes, unleſſe hee or they bee thereof lawfully indicted within the ſpace of one half year next after his or their offences ſo committed; and in caſe any perſon or perſons ſhall fortune to bee impriſoned, for any of the ſaid offences committed by preaching, teaching, or wordes onely, and bee not thereof indicted, within the ſpace of one half year next after his or their ſuch offence ſo committed and done, that then the ſaid perſon ſo impriſoned, ſhall be ſet at libertie, and bee no longer deteined priſoner for any ſuch cauſe or offence.

Offenders by words only, to be proſecuted within half a year.

XIV. Provided alwayes, and bee it enacted by authority aforeſaid, that this act, or any thing therein contayned, ſhall not in anie wiſe extend to repeal any clauſe, matter or ſentence contayned or ſpecified in the ſaid act of repeal made in the ſaid third and fourth years of the reignes of the ſaid late King Philip and Queen Mary, as doth in any wiſe touch or concerne any matter in caſe of premunire, or do make or ordeine any matter or cauſe to bee within the caſe of premunire, but that the ſame, for ſo much onely as toucheth and concerneth any caſe or matter of premunire, ſhall ſtand and remaine in full force and effect as the ſame was before the making of this act; any thing in this act conteined to the contrary in any wiſe notwithſtanding.

This act not to repeal any clauſe in 3 and 4 *P. M.* 8. concerning præmunire.

XV. Provided alſo, and be it enacted by the authoritie aforeſaid, that this act, or any thing therein contayned, ſhall not in any wiſe extend or be prejudicall to any perſon or perſons for any offence or offences committed or done, or hereafter to be committed or done, contrary to the tenour and effect of any act or ſtatute now revived by this act, before the end of thirty daies next after the end of this ceſſion of this preſent Parliament; any thing in this act conteined, or any other matter or clauſe to the contrary notwithſtanding. And if it ſhall happen that any peere of this realm ſhall fortune to be indicted of and for any offence that is revived or made premunire or treaſon by this act, that then the ſame peere or peeres ſo being endicted, ſhall be put to anſwer to every ſuch endictment before ſuch peere of this realm, of Engliſh blood, as by the lord deputy, or governour or governours of this realm ſhall bee by commiſſion appointed under the broad ſeal, and to have his and their tryall by his and their peeres, and to receive and have ſuch like judgment upon the ſame triall of his or their peeres, or making open confeſſion of the ſame offence or offences, as in other caſes of treaſon or premunire hath been uſed.

Not to prejudice perſons for offences committed a gainſt ſtatutes revived by this act, before the end of 30 days after this ſeſſion.

Peers indicted, to be tried by peers, as in other caſes of treaſon and præmunire.

XVI. Provided alwayes, and be it enacted as is aforeſaid, that no manner of order, act, or determination for any matter of religion or cauſe eccleſiaſticall, had or made by the authoritie of this preſent Parliament, ſhall bee accepted, deemed, interpreted or adjudged at any time hereafter to bee any errour, hereſie, ſchiſme or ſchiſmaticall opinion; any order, decree, ſentence, conſtitution or law whatſoever the ſame bee to the contrary notwithſtanding.

No order by this Parliament for matter of religion, ſhall be deemed error, hereſy, or ſchiſm.

XVII. Provided alwayes, and be it enacted by the authoritie aforeſaid, That ſuch perſon or perſons to whom your Highneſſe, your heires or ſucceſſours, ſhall hereafter by letters patents under the great ſeal of England, or of this realm, or the lord deputie, or other governour or governours of this realm, for the time being, by letters patents to be made by his or their warrant under the great ſeale of this realm, give authority to have or execute any juriſdiction, power or authoritie ſpirituall, or to viſite, reform, order or correct, any errors, hereſies, ſchiſmes, abuſes or enormities, by vertue of this act,

Commiſſioners to execute ſpiritual juriſdiction, ſhall not adjudge any thing hereſy, but what ſo judged by the canonical ſcriptures, or the firſt four general councils, or any other general council, or by Parliament.

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act, ſhall not in any wiſe have authority or power, or order, determine, or adjudge any matter or cauſe to be hereſie, but onely ſuch as heretofore hath beene determined, ordered, or adjudged to bee hereſie, by the authoritie of the canonicall ſcriptures, or by the firſt four generall counſails, or any of them, or by any other generall counſail, wherein the ſame was declared hereſie, by the expreſſe and plain words of the ſaid canonicall ſcriptures, or ſuch as hereafter ſhall bee ordered, judged or determined to bee hereſie by the high court of Parliament of this realm; any thing in this act contayned to the contrarie notwithſtanding.

Two witneſſes face to face neceſſary upon any offence within this act.

XVIII. And bee it further enacted by authoritie aforeſaid, that no perſon or perſons ſhall bee hereafter endicted or arraigned for any the offences made, ordeyned, revived and adjudged by this act, unleſſe there be two ſufficient witneſſes or more to teſtifie and declare the ſaid offences, whereof hee ſhould bee indicted or arraigned, and that the ſaid witneſſes, or ſo many of them, as ſhall bee living and within this realm at the time of the arrainement of ſuch perſon ſo indicted, ſhall be brought forth in perſon, face to face before the partie ſo arrained, and there ſhall teſtifie and declare what they can ſay againſt the partie ſo arrained, if he require the ſame.

And upon giving relief, &c. to any offender, two witneſſes neceſſary that the party had notice of the offence.

XIX. Provided and bee it further enacted by the authoritie aforeſaid, that if any perſon or perſons ſhall hereafter happen to give any reliefe, ayd or comfort, or in any wiſe bee ayding, helping or comforting to the perſon or perſons of any that ſhall hereafter happen to bee an offendour in any matter or caſe of premunire or treaſon revived or made by this act, that then ſuch reliefe, aid or comfort given ſhall not be judged or taken to be any offence, unleſſe there be two ſufficient witneſſes at the leaſt, that can and will openly teſtifie and declare, that the perſon or perſons that ſo gave ſuch reliefe, ayd or comfort, had notice and knowledge of ſuch offence committed and done by the ſaid offendor, at the time of ſuch reliefe, ayd or comfort, ſo to be given or miniſtered; any thing in this act conteyned, or any other matter or cauſe to the contrary in any wiſe notwithſtanding.

CHAP. II.

An Act for the Uniformitie of Common Prayer and Service in the Church, and the Adminiſtration of the Sacraments.

1 *Eliz.* 2 *Eng.*

WHERE at the death of our late ſoverain lord King Edward the 6. there remained one uniforme order of common ſervice, prayer, and of the adminiſtration of ſacraments, rites and ceremonies in the church of England, which was ſet forth in one book, intituled, "the Book of Common Prayer, and adminiſtration of Sacra-

"ments,

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"ments, and other rites and ceremonies in the church of England," authoriſed by act of Parliament, holden in the ſaid realm of England, in the fifth and ſixth years of our ſaid late ſoveraign lord King Edward the 6. intituled, *An act for the uniformitie of common prayer, and adminiſtration of the ſacraments;* the which was repealed and taken away by act of Parliament in the ſaid realm of England, in the firſt year of the raign of our late ſoveraign lady Queen Mary, to the great decay of the due honour of God, and diſcomfort to the profeſſors of the truth of Chriſt's religion. Be it therefore enacted by the authoritie of this preſent Parliament, That the ſaid book with the order of ſervice, and of the adminiſtration of ſacraments, rites and ceremonies, with the alteration and additions therein added and appointed by this eſtatute, ſhall ſtand and bee from and after the feaſt of Pentecoſt, next enſuing, in full force and effect, according to the tenour and effect of this eſtatute.

St. 5 & 6 *E.* 6. 1. *Eng.* for uniformity of the common prayer, being repealed by *Stat.* 1 *Mary*, 2 *Seſſ.* 2. *Eng.*

The book of common prayer, with the order of ſervice, ſacraments, *&c.* and the alterations and additions by this ſtatute ſhall be in force.

II. And further be it enacted by the Queen's Highneſſe, with the aſſent of the lords and commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all and ſingular miniſters in any cathedrall or pariſh church, or other place within this realm of Ireland, ſhall from and after the feaſt of Saint John Baptiſt, then next enſuing, bee bounden to ſay and uſe the mattens, evenſong, celebration of the Lord's ſupper, and adminiſtration of each of the ſacraments, and all their common and open prayer, in ſuch order and form as is mentioned in the ſaid book ſo authoriſed by Parliament, in the ſaid fifth and ſixth years of the raigne of King Edward the 6. with one alteration or addition of certain leſſons to bee uſed in every Sunday in the year, and the forme of the letanie altered and corrected, and two ſentences onely added in the delivery of the ſacrament to the communicants, and none other or otherwiſe; and that if any manner of parſon, vicar, or other whatſoever miniſter that ought or ſhould ſing or ſay common-prayer mentioned in the ſaid book, or miniſter the ſacraments from and after the feaſt of Saint John the Baptiſt aforeſaid, refuſe to uſe the ſaid common-prayers, or to miminiſter the ſacraments in ſuch cathedrall or pariſh church, or other places as he ſhould uſe to miniſter the ſame, in ſuch order and form as they be mentioned and ſet forth in the ſaid book, or ſhall wilfully or obſtinately (ſtanding in the ſame) uſe any other rite, ceremony, order, form or manner of celebrating of the Lord's ſupper openly or privily, or mattens, evenſong, adminiſtration of the ſacraments, or other open prayers is mentioned and ſet forth in the ſaid book. (Open prayer in and throughout this act, is meant that prayer which is for other to come unto, or hear, either in common churches or privy chappels, or oratories, commonly called the ſervice of the church,) or ſhall preach, declare or ſpeak any thing in the derogation or depraving of the ſaid book, or any thing therein conteyned, or of any part thereof, and ſhall be thereof lawfully convicted according to the lawes of this realm, by verdict of twelve men, or by his owne confeſſion

And uſed by all miniſters.

Alterations of the book ſet forth.

Leſſons on Sunday.

Form of the litany.

Addition of 2 ſentences in delivery of the ſacrament.

Penalty on miniſters refuſing to uſe ſaid form,

or uſing any other.

Preaching or ſpeaking in derogation of ſaid book.

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And convicted thereof by verdict, confeſſion, or notorious evidence of the fact.

For firſt offence, forfeiture of the profits of his benefice for 1 year, and 6 months im priſonment.

Second offence, impriſonment 1 year,

And deprivation, and patron may preſent as if offender dead.

Third offence, deprivation and impriſonment during life.

If not beneficed, for 1ſt offence 1 year's impriſonment: for the ſecond, during life.

feſſion, or by the notorious evidence of the fact, ſhall loſe and forfeit to the Queene's Highneſſe, her heires and ſucceſſors, for his firſt offence, the profit of all his ſpirituall benefices or promotions coming or ariſing in one whole year next after his conviction, and alſo the perſon ſo convicted ſhall for the ſame offence ſuffer impriſonment by the ſpace of ſixe monthes without bayl or mainpriſe: and if any ſuch perſon once convicted of any offence concerning the premiſſes, ſhall after his firſt conviction eftſoons offend and be thereof in forme aforeſaid lawfully convict, that then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment by the ſpace of one whole year, and after ſhall therefore be deprived *(ipſo facto)* of all his ſpirituall promotions; and that it ſhall be lawfull to all patrons or donours of all and ſingular the ſame ſpirituall promotions, or any of them, to preſent or collate unto the ſame, as though the perſon or perſons ſo offending were dead; and that if any ſuch perſon or perſons after he ſhall be twiſe convicted in the forme aforeſaid, ſhall offend againſt any of the premiſſes the third time, and ſhall be thereof in forme aforeſaid lawfully convicted, that then the perſon ſo offending and convicted the third time, ſhall be deprived *(ipſo facto)* of all his ſpirituall promotions, and alſo ſhall ſuffer impriſonment during his life: and if the perſon that ſhall offend and be convict in forme aforeſaid, concerning any of the premiſſes, ſhall not be beneficed, nor have any ſpirituall promotion, that the ſame perſon ſo offending and convict, ſhall for the firſt offence ſuffer impriſonment during one whole year next after his ſaid conviction, without bayle or mainepriſe: and if any ſuch perſon not having any ſpirituall promotion, after his firſt conviction ſhall eftſoons offend in any thing concerning the premiſſes, and ſhall in forme aforeſaid be thereof lawfully convicted, that then the ſame perſon ſhall for his ſecond offence ſuffer impriſonment during his life.

For depraving or deſpiſing ſaid book,

or cauſing other prayer to be ſaid or ſung.

or interrupting the miniſter.

III. And it is ordeyned and enacted by the authority aboveſaid, That if any perſon or perſons whatſoever, after the ſaid feaſt of Saint John Baptiſt, ſhall in any enterludes, playes, ſongs, rimes, or by other open words, declare or ſpeake any thing in derogation, depraving or deſpiſing of the ſame book, or of any thing therein conteyned, or any part thereof, or ſhall by open fact, deed, or by open threatenings compell or cauſe, or otherwiſe procure or maintaine any perſon, vicar or other miniſter, in any cathedrall or pariſh church, or in chappell, or in any other place, to ſing or ſay any common and open prayer, or to miniſter any ſacrament otherwiſe, or in any other maner and forme then is mentioned in the ſaid book, or that by any of the ſaid meanes ſhall unlawfully interrupt, or let any perſon, vicar, or other miniſter in any cathedrall or paroch church, chappell, or any other place to ſing or ſay common and open prayer, or to miniſter the ſacraments or any of them, in ſuch maner and forme as is mentioned in the ſaid book, that then every ſuch perſon being thereof lawfully convicted in forme aboveſaid, ſhall forfeit to the Queen our ſoveraign

ſoveraign lady, her heyres and ſucceſſors, for the firſt offence an hundred markes; and if any perſon or perſons, being once convict of any ſuch offence, eftſoones offend againſt any of the laſt recited offences, and ſhall in forme aforeſaid be thereof lawfully convict, that then the ſame perſon ſo offending and convict, ſhall for the ſecond offence forfeyt to the Queen our ſoveraign lady, her heires and ſucceſſours, four hundred marks; and if any perſon, after he in forme aforeſaid ſhall have been twiſe convict of any offence concerning any of the laſt recited offences, ſhall offend the third time, and be thereof in forme aboveſaid lawfully convict, that then every perſon, ſo offending and convict, ſhall for his third offence forfeit to our ſoveraign lady the Queen all his goods and chattles, and ſhall ſuffer impriſonment during his life. And if any perſon or perſons, that for his firſt offence concerning the premiſſes ſhall be convict in forme aforeſaid, doe not pay the ſumme to be payed by vertue of his conviction, in ſuch manner and forme as the ſame ought to be paied, within ſixe weekes next after his conviction, that then every perſon, ſo convict and ſo not paying the ſame, ſhall for the ſame firſt offence, inſteade of the ſaid ſum, ſuffer impriſonment by the ſpace of ſix moneths without baile or maineprise: and if any perſon or perſons, that for his ſecond offence concerning the premiſſes ſhall be convict in forme aforeſaid, do not pay the ſaid ſumme to be payed by vertue of his conviction and this eſtatute, in ſuch manner and forme as the ſame ought to be payed, within ſix weeks next after his ſaid ſecond conviction, that then every perſon, ſo convicted and not ſo paying the ſame, ſhall for the ſame ſecond offence in the ſteade of the ſaid ſum, ſuffer impriſonment during twelve moneths without bayl or maineprise; and that from and after the ſayd feaſt of Saint John Baptiſt all and every perſon and perſons inhabiting within this realm ſhall diligently and faithfully, having no lawfull or reaſonable excuſe to be abſent, endeavour themſelves to reſort to their paroch church or chappell accuſtomed, or upon reaſonable let thereof to ſome uſuall place, where common prayer and ſuch ſervice of God ſhall be uſed in ſuch time of let, upon every Sunday and other dayes ordeyned and uſed to be kept as holy daies, and then and there to abide orderly and ſoberly during the time of the common prayer, preachings, or other ſervice of God, there to be uſed and miniſtered, upon pain of puniſhment by the cenſures of the church, and alſo upon pain that everie perſon ſo offending ſhall forfeit for every ſuch offence twelve pence to be levied by the church-wardens of the pariſh where ſuch offence ſhall bee done, to the uſe of the poore of the ſame paroch, of the goods, lands, and tenements of ſuch offendour by way of diſtreſſe; and for the due execution thereof the Queene's moſt excellent Majeſtie, the lords temporall, and all the commons in this preſent Parliament aſſembled, doe in God's name earneſtly require and charge all archbiſhops, biſhops, and other ordinaries, that they ſhall endeavour themſelves to the uttermoſt of their knowledges, that the due

firſt offence, after conviction, 100 marks; 2d offence, 400 marks.

Third offence, forfeiture of goods and chattels and impriſonment for life.

If ſaid ſum for firſt offence not paid in ſix weeks, inſtead thereof impriſonment for 6 months: for 2d offence, if not paid, 12 months.

All perſons not having reaſonable excuſe, ſhall reſort to their pariſh church, on holy-days.

On pain of cenſures of church and 12d. levied by the church-wardens, to uſe of the poor, by way of diſtreſs.

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and true execution hereof may be had throughout their dioceſſes and charges, as they will aunſwere before God for ſuch evils and plagues, wherewith Almightie God may juſtly puniſh his people for neglecting this good and wholeſome law.

Ordinaries required and charged to put this act in execution.

IV. And for their authoritie in this behalfe be it further enacted by the authoritie aforeſaid, that all and ſingular the ſame archbiſhops, biſhops, and all other their officers, exerciſing eccleſiaſtical juriſdiction as well in place exempt as not exempt within their dioceſſes, ſhall have full power and authoritie by this act to reforme, correct, and puniſh by cenſures of the church all and ſingular perſons, which ſhall offend within anie their juriſdictions or dioceſſes after the ſaid feaſt of Saint John Baptiſt againſt this act and eſtatute; any other law, eſtatute, priviledge, libertie, or proviſion heretofore made, had, or ſuffered, to the contrarie notwithſtanding.

And have power to puniſh by cenſures of the church.

V. And it is ordeyned, and enacted by the authoritie aforeſaid, That all and every juſtices of the peace, goal deliverie, of oyer and determiner, or juſtices of aſſiſe, ſhall have full power and authoritie in every of their open and generall ſeſſions to enquire, heare, and determine all and all manner of offences, that ſhall be committed or done contrarie to any article conteyned in this preſent act, within the limits of the commiſſion to them directed, and to make proceſſe for the execution of the ſame, as they may doe againſt any perſon being indicted before them of treſpaſſe, or lawfully convicted thereof.

Juſtices of peace, &c. may hear and determine ſaid offences, and make proceſs for execution.

VI. Provided alwayes, and be it enacted by the authoritie aforeſaid, That all and every archbiſhop and biſhop ſhall and may at all time and times at his libertie and pleaſure joyne and aſſociate himſelfe by vertue of this act to the ſaid juſtices of the peace, goale deliverie, of oyer and determiner, or to the ſaid juſtices of aſſiſe, at every of the ſaid open and generall ſeſſions to be holden in any place within his dioceſſe for and to the enquirie, hearing, and determining of the offences aforeſaid.

The biſhop may join with ſaid juſtices in the inquiry at the open ſeſſions within his dioceſs.

VII. Provided alſo, and be it enacted by the authority aforeſaid, That the books concerning the ſaid ſervices ſhall at the coſtes and charges of the parocheners of every paroch and cathedrall church be attained and gotten before the ſaid feaſt of Saint John the Baptiſt; and that all ſuch paroches and cathedrall churches, or other places where the ſaid books ſhall be attained and gotten before the ſaid feaſt of Saint John Baptiſt aforeſaid, ſhall within three weeks next after the ſaid books ſo attained and gotten uſe the ſaid ſervice, and put the ſame in ure according to this act.

Books provided at coſt of the pariſhioners.

VIII. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall be at any time hereafter impeached or otherwiſe moleſted of or for any of the offences above mentioned, hereafter to be committed or done contrarie to this act, unleſſe hee or they ſo offending be thereof indicted at the next generall ſeſſion to be holden before any ſuch juſtices of the peace, goale deliverie, of oyer

Indictment at the next generall aſſizes.

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and determiner, or juſtices of aſſiſe next after any offence committed or done contrarie to the tenour of this act.

IX. Provided always, and be it ordeyned and enacted by the authority aforeſaid, That all and ſingular lords of the Parliament, for the third offence above mentioned, ſhall be tryed by their peers, before ſuch peer of this realm of Engliſh bloud, as by the lord deputy, or other governour or governours of this realm, for the time being, ſhall be by commiſſion appointed under the broad ſeal.

Lords for ſaid third offence, to be tried by their peers.

X. Provided alſo, and be it ordayned and enacted by the authoritie aforeſaid, that the mayor of Dublin, and all other mayors, baylifes, and other head officers of all and ſingular cities, boroughes, and townes corporate within this realm, to the which juſtices of peace, or of gaole deliverie, or aſſiſe, do not commonly repayre, ſhall have full power and authoritie by vertue of this act, to enquire, heare and determine the offences aboveſaid, and everie of them, yearly within fifteen dayes after the feaſt of Eaſter and ſaint Michael the archangel, in like manner and forme as juſtices of the peace, gaole delivery, aſſiſe, and oyer and terminer may doe.

Head officers of corporations, to which ſaid juſtices do not commonly repair, may in like manner inquire of ſaid offences yearly in 15 days after Eaſter and Michaelmas.

XI. Provided alwayes, and be it ordayned and enacted by the authoritie aforeſaid, that all and ſingular archbiſhops and biſhops, and every of their chauncellours, commiſſaries, archdeacons, and other ordinaries, having any peculiar eccleſiaſticall juriſdiction, ſhall have full power and authoritie by vertue of this act, as well to enquire in their viſitation, ſynodes, and elſewhere within their juriſdictions, at any other time and place, and to take accuſations and informations of all and every the things aboveſaid, done, committed or perpetrated within the limittes of their juriſdictions and authoritie, and to puniſh the ſame by admonition, excommunication, ſequeſtration, or deprivation, and other cenſures and proceſſes, in like forme as heretofore hath been uſed in like caſes by the Queen's eccleſiaſtical lawes.

Ordinaries, *&c.* may inquire and puniſh as heretofore by the eccleſiaſtical laws.

XII. Provided alwayes, and be it enacted, that whatſoever perſon offending in the premiſſes, ſhall for the offence firſt receive puniſhment of the ordinarie, having a teſtimonie thereof under the ſaid ordinaries ſeales, ſhall not for the ſame offence eftſoones be convicted before the juſtices, and likewiſe, receiving for the ſaid firſt offence, puniſhment by the juſticers, he ſhall not for the ſame offence eftſoones receive puniſhment of the ordinarie: any thing conteyned in this act to the contrarie notwithſtanding.

No one to be puniſhed twice, viz. by the juſtices and ordinary, for ſame offence.

XIII. Provided alwayes, and be it enacted, that ſuch ornaments of the Church, and of the miniſters thereof, ſhall be retained and be in uſe, as was in the church of England by the authority of Parliament, in the ſecond year of the raigne of King Edward the ſixt, untill other order ſhall be therein taken by the authoritie of the Queen's Majeſtie, with the adviſe of her commiſſioners appointed

Such ornaments of the church and miniſters to be retained, as in 2 *E.* 6. until other order by the Queen, *&c.* who may publiſh further ceremonies or rites.

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pointed and authoriſed under the great ſeal of England, or of this realm, for cauſes eccleſiaſticall, or by the authoritie of the lord deputy, or other governour or governours of this realm for the time being, with the advice of the counſaile of this realm under the great ſeal of this realm, and alſo that if there ſhall happen any contempt or irreverence to be uſed in the ceremonies or rites of the church, by the miſuſing of the orders appointed in this booke, the Queen's Majeſtie may by the like adviſe of the ſaid commiſſioners, or the lord deputie, or other governour or governours of this realm for the time being, may with the adviſe of the counſaile of this realme; ordeine and publiſh ſuch further ceremonies or rites, as may be moſt for the advancement of God's glorie, the edifying of this church, and the due reverence of Chriſt's holy myſteries and ſacraments.

All laws and ordinances for other ſervice, void. 5 *Anne* 5. *Eng.*

XIV. And be it further enacted by the authoritie aforeſaid, That all lawes, ſtatutes, and ordinances wherein or whereby any other ſervice, adminiſtration of ſacraments, or common prayer is limitted, eſtabliſhed, or ſet forth to be uſed within this realm, ſhall from henceforth be utterly voyd and of none effect.

XV. And foraſmuch as in moſt places of this realm, there cannot be found Engliſh miniſters to ſerve in the churches or places appointed for common-prayer, or to miniſter the ſacraments to the people, and that if ſome good meane were provided, that they might uſe the prayer, ſervice, and adminiſtration of ſacraments ſet out and eſtabliſhed by this act, in ſuch language as they mought beſt underſtand, the due honour of God ſhould be thereby much advanced; and for that alſo, that the ſame may not be in their native language, as well for difficultie to get it printed, as that few in the whole realm can read the Iriſh letters. Wee doe therefore moſt humbly beſeech your Majeſtie that with your Highneſſe favour and royall aſſent, it may be enacted, ordeyned, eſtabliſhed and provided by the authority of this preſent Parliament, That in every ſuch church or place, where the common miniſter or prieſt hath not the uſe or knowledge of the Engliſh tongue, it ſhall be lawfull for the ſame common miniſter or prieſt to ſay and uſe the mattens, even ſong, celebration of the Lord's ſupper, and adminiſtration of each of the ſacraments, and all their common and open prayer in the Latin tongue, in ſuch order and forme as they be mentioned and ſet forth in the ſaid book eſtabliſhed by this act, and according to the tenour of this act, and none otherwiſe, nor in other manner: any thing before expreſſed and conteyned in this act to the contrarie notwithſtanding.

Where the miniſter cannot ſpeak Engliſh, he may uſe the Latin tongue in the ſervice, in ſuch form as in ſaid book, and according to the tenor of this act, and no otherwiſe.

CHAP.

A. D. 1560.

CHAP. III.

An Act for the Reſtitution of the firſt Fruits and xx. Part, and Rents reſerved nomine *x. or xx. and of Parſonages impropriate to the imperiall Crown of this Realm.*

IN their moſt humble wiſe beſeechen your moſt excellent Majeſtie, your faithfull and humble ſubjects the lords ſpirituall and temporall, and the commons of this your realm in this preſent Parliament aſſembled, That where in the Parliament of your moſt noble father of famous memorie, King Henry the eighth, holden at Dublin the firſt day of May, in the xxviii. year of his proſperous raign, and after proroged, adjorned, and continued as by the rolle of the ſame Parliament more at large appeareth, it was enacted, ordeyned and eſtabliſhed by the authoritie of the ſame Parliament, amongſt other things, That his Highneſſe, his heyres and ſucceſſours, Kings of the realm of England, ſhould have and enjoy from time to time to endure for ever, of every ſuch perſon and perſons, which at any time after the firſt day of that Parliament ſhould be nominated, elected, perfected, preſented, collated, or by any other meanes appointed to have any archbiſhoprick, biſhoprick, archdeaconry, deanry, prebend, parſonage, or vicarage, within the land and dominion of Ireland, of what name, nature, or qualitie ſoever they be, or to whoſe foundation, patronage or gift ſoever they belong, the annat, commonly called within this land, the ane firſt fruits, revenues and profits for one year, of every ſuch archbiſhoprick, biſhoprick, archdeaconry, deanry, prebend, parſonage and vicarage afore named, whereunto any ſuch perſon or perſons ſhould at any time or times after the ſaid firſt day of that Parliament be nominated, elected, prefected, preſented, collated, or by any other meanes appointed, and that every ſuch perſon and perſons before any actuall or real poſſeſſion, or medling with the profites of any ſuch archbiſhopricke, biſhopricke, deanry, prebend, parſonage, or vicarage, ſhould ſatisfie, content, and pay, compound or agree to pay to the king's uſe, at reaſonable dayes upon good ſuerties, the ſaid annat or ane, the firſt fruits and profites for one year: and where alſo in the ſame Parliament it was enacted and eſtabliſhed, that the King's Majeſtie, his heyres and ſucceſſours, Kings of England, ſhould have and enjoy from time to time, to endure for ever, of every ſuch perſon and perſons which, at any time after the firſt day of the ſame Parliament, ſhould be nominated, elected, prefected, preſented, collated, or by any other meanes appointed to any abbey, priorie, colledge, hoſpitall, the priorie or hoſpitall of Saint John the baptiſt of Jeruſalem in Ireland, or any commaundrie of the ſame religion within the land and dominion of Ireland, of what nature or qualitie ſoever they be, or to whoſe foundation, patronage or

1 *Eliz.* 4. *Eng.* 2 *G.* 1. 15. 10 *G.* 1. 7.

Recital of 28 *H.* 8. 8. for firſt fruits.

28 *H.* 8. 26.

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gift ſoever they belong, the annate, commonly called within this land the ane, firſt fruits, that is to ſay, the revenues and profits for one whole yeare of every ſuch abbey, prior, colledge, hoſpitall, the priorie or hoſpitall of Saint John baptiſt of Jeruſalem in Ireland, and of every the commaundries aforenamed, whereunto ſuch perſon or perſons ſhould, at any time or times after the ſaid firſt day of that Parliament, be nominated, elected, prefected, preſented, collated, or by any other meanes appointed, and that every ſuch perſon and perſons, before any actuall or real poſſeſſion, or medling with the profits of any ſuch abbey, priorie, colledge, hoſpitall, the priorie or hoſpitall of Saint John the baptiſt of Jeruſalem, or any commaundry, ſhould ſatisfie, content, and pay, compound or agree to pay to the King's uſe, at reaſonable dayes upon good ſureties, the ſaid annat or ane, firſt fruits and profites for one whole year. And where alſo in the ſame Parliament it was enacted and eſtabliſhed, that the King's Majeſtie, his heyres and ſucceſſours, Kings of the realm of England, for more augmentation and maintenance of the royall eſtate of his imperiall crown, ſhould yearely have, take, enjoy and receive, united and knit to his imperiall crown for ever, one yearely rent or penſion, amounting to the value of the twentieth part of all the revenues, rents, fermes, tithes, emoluments, offerings, and of all other profites, as well called ſpirituall as temporall, then appertaining or belonging, or that thereafter ſhould belong to any archbiſhopricke, biſhoprick, abbey, monaſterie, priorie, archdeaconry, deanry, hoſpitall, commaundry, colledge, houſe collegiate, prebend, cathedrall church, collegiate church, conventuall church, parſonage, vicarage, chauntry, or free chappell, or other benefice or promotion ſpiritual, of what name, nature or quality ſoever they bee, within any dioceſſe of the ſaid land, the ſaid penſion or annuall rent to be yearely payd for ever to the King's Majeſtie, his heyres and ſucceſſours, Kings of England, at the feaſt of the nativitie of our Lord God, and the firſt payment thereof to begin at the feaſt of the nativitie of our Lord God, a thouſand five hundred thirty and ſeven, and to be paid yearely by ſuch as ſhould be appointed to have the collection thereof by the ſaid act, in ſuch manner and forme as ſhould after be limited by that act, by reaſon of which premiſſes the ſaid perpetual revenues of the firſt fruit and twentieth part graunted by the ſaid acts, in augmentation and maintenance of the crown of this realm, were well and juſtly anſwered and payed unto the late Queen Mary, your Highneſſe ſiſter's uſe and behoofe, in her court of Exchequer within this realm, like as the ſame had been unto the two noble Kings, her ſaid father and her brother, by the ſpace of twentie yeares, without griefe or contradiction of the prelates and cleargie of this realm, to the great ayde, reliefe, and ſupportation of the ineſtimable charges of the crowne of this realm, which daily, ſithence the time of the making of the ſaid acts, have encreaſed and growen

28 *H.* 8. 14 of the twentieth part.

Which were juſtly and without contradiction of the clergy paid to the crown, to the great relief and ſupport thereof, for 20 years.

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more and more; which thing although the ſaid late Queen mought and did manifeſtly feel and perceive to bee moſt true, yet ſhe by procurement of King Philip, her late huſband, upon zealous and inconvenient reſpects not ſufficiently nor politiquely enough waying that matter, nor having due conſideration and regard to the maintenance, upholding, and good continuance of the ſtate of the imperiall crown of this realm in ſucceſſion, which rather needed an augmentation then any diminuition, willed in an act of Parliament to be made and provided in the third and fourth years of the reigns of the ſaid King Philip and Her, That all payments of the ſaid firſt fruits ſhould from thenceforth ceaſe, and bee cleerly extinct and determined for ever, and that as well all the ſaid benefices and ſpirituall promotions, as the poſſeſſors, owners, and incumbents thereof, and their ſucceſſours, ſhould from and after the eighth day of Auguſt in the ſecond and third yeares of the ſaid late King and Queen, and ſo from thenceforth at all times for ever to be cleerly exonerate, acquitted, and diſcharged againſt the ſaid late King Philip and Queen Mary, her heyres and ſucceſſors, of and from the payment and payments of all and every the ſaid firſt fruits, in as ample and large manner and forme as they were before the making of the ſaid acts in the firſt and originall graunts thereof in the ſaid eight and twentieth year of the raigne of the ſaid late King your noble father, and as though the ſame had never been had ne made: and farther, that neither the ſaid perpetuall penſion and annuall rent or tenth mentioned and contayned in the ſaid act, made in the ſaid eight and twentieth year of the raign of the ſaid noble King Henry the eight, nor alſo the ſeverall rents and tenthes, reſerved by and upon any letters patents of your ſaid noble father ſithence the ſaid eighth and twentieth yeare of his raigne, and of your ſaid deereſt brother, and the ſaid King Philip and Queen Mary, or either of them, for and in the name of a tenth, or any of them, from and after the firſt day of that Parliament ſhould not bee payed or payable unto the ſaid late King and Queen, her heyres or ſucceſſours, but that as well all and ſingular the archbiſhoprickes, biſhoprickes, and other benefices, dignities, deanes, and chapters, colledges, corporations, and ſpiritual promotions aforeſaid, as all and every poſſeſſour, owner, proprietarie, and incumbent of the ſame, and their ſucceſſours, and every of them, from and after the ſaid firſt day of that Parliament, ſhould bee cleerly exonerated, acquitted, and diſcharged of and for the payment of the ſaid perpetuall penſion, annuall rents, or tenths aforeſaid, and of the ſaid tenthes reſerved upon the ſaid letters pattents, and of every of them againſt them, and the heyres and ſucceſſours of the ſame late Queen for ever; and furthermore that the ſaid late King Philip and Queen Mary, her heyres and ſucceſſours, from and after the firſt day of that Parliament ſhould not receive, perceive, take and enjoy any the iſſues, revenues, profites, or commodities of any the rectories, parſonages,

Queen Mary's zealous, but not politick reſpects.

The crown requiring augmentation rather than diminuition.

By Stat. 3 and 4 *P.* and *M.* 10. theſe Payments to ceaſe.

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parſonages, benefices, gleabe lands, tyethes, oblations, penſions, portions, and other profites and emoluments eccleſiaſticall or ſpirituall, which the ſaid late King and Queen then had and enjoyed by title of inheritance, in right of the ſaid late Queen, or of any of them, or of the reverſion or reverſions of them, or of anie of them, but in and by the ſaid act the ſame late King and Queen cleerely gave over, renounced, and relinquiſhed, as well the ſaid rectories, parſonages, benefices, gleabe lands, tyethes, oblations, penſions, portions, and other profites and emoluments, eccleſiaſticall and ſpirituall aforeſaid, and every of them, and the reverſion and reverſions of them and every of them, and all their right, title, uſe, intereſt, and demaund of, in, or to the ſame, from them and the heyres and ſucceſſours of the ſame late Queen for ever, as alſo the ſaid perpetuall penſion, annuall rent and tenth, and alſo yearly rents reſerved for and in the name of a tenth, upon the ſaid ſeverall letters patents, and all the right, title and intereſt, which they or either of them, or the heires or ſucceſſours of the ſaid late Queen, had or mought have had in or to the ſame; the ſame yearly penſion, tenthes, yearly rents, parſonages, emoluments, and profites to be perceived, taken, received, converted, employed, uſed, and diſpoſed by the late reverend father in God, Reginald Poole late cardinall and legate, and ſuch other perſons as hee ſhould name and appoint, and ſuch other as been ſpecially limitted in the ſaid act, to and for certain uſes, purpoſes, and intents mentioned in the ſame act, with divers proviſions and ſavings in the ſame expreſſed and conteined, as by the ſame more at large appeareth:

Conſidering the innumerable charges of the crown, and how much the royal eſtate diminiſhed.

wee your ſaid humble and obedient ſubjects, the lords ſpirituall and temporall and the commons in this your preſent Parliament aſſembled, calling to our remembrance the huge, innumerable and ineſtimable charges of the royall eſtate and imperiall crown of this realm, and how the ſame was left unto your Majeſtie at your firſt entry thereunto greatly diminiſhed as well by reaſon of the ſaid act, made in the ſaid third and fourth yeares of the ſaid King Philip and Queen Mary, as otherwiſe, doe conceive at the bottome of our hearts great ſorrow and heavineſſe, as ſubjects carefull for their naturall and liege Soveraigne ladie, upon whom dependeth the ſuertie, worldly joy, and wealth of us all; and being no leſſe affected towards your Majeſties moſt royall perſon, and the preſervation and maintenance of the ſame, and of the eſtate and ſucceſſion of your Majeſties ſaid crown, then were the firſt graunters of the ſaid firſt fruits and twentieth part toward your highneſſe moſt noble father and his ſaid royall eſtate at the time of their ſaid graunts to him thereof made, doe accompt of verie right and good congruence no leſſe then our moſt bounden dutie to move your Highneſſe, and therewith moſt humbly to beſeech the ſame, that the great diſheriſon and decay, committed and done to the crown and eſtate royall of this your realm and the ſucceſſion thereof by reaſon

For remedy thereof. Enacting part.

of

Repeal of St. 3 & 4 P. & M.

of the ſaid act made in the ſaid third and fourth years of the raigns of the ſaid late King Philip and Queen Mary, at this Parliament be reformed and avoided, and that with your Highneſſe favour and royall eſtate it may bee enacted, ordeyned, eſtabliſhed, and provided by authoritie of this Parliament in manner and forme hereafter inſuing, that is to ſay, that the ſaid act made in the third and fourth yeares of the reign of the ſaid late King Philip and Queen Mary, and all articles, clauſes and ſentences, therein conteyned, ſhall be from and after the firſt day of this preſent Parliament utterly and clearly repealed, made voyde, and of no force ne effect; and all liberties and authorities graunted, limitted, and appointed, in and by the ſaid act to the ſaid late cardinall Poole, or made or derived by force, ſtrength, or colour of the ſame act by or from the ſaid late cardinall to any other perſon or perſons, bodies politique or corporate, to ceaſe and be utterly void and determined; and that the ſaid firſt fruits and all payments thereof from and after the ſaid firſt day of this Parliament ſhall be revived, and have their being and continuance again, and bee deemed and adjudged to all intents, conſtructions, and purpoſes in the Queene's highneſſe moſt royall perſon, her heyres and ſucceſſours, and united and annexed to the imperiall crown of this realm of and in ſuch like and the ſame eſtate, intereſt, title, qualitie, ſort, degree, and condition, and in as ample and beneficiall manner and form, as the ſame was or were in the perſon or poſſeſſions of the ſaid late Queen Mary, and before the ſaid eighth day of Auguſt, the ſaid act of extinguiſhment mentioned and expreſſed; the ſame act of extinguiſhment, or any letters pattents, or any other matter or thing, had, done, or ſuffered by the ſaid late King and Queen, or any of them, to the contrary thereof in any wiſe notwithſtanding: and alſo that as well ſo much of the ſaid perpetuall and annuall twentieth part and penſion graunted by the ſaid act, made in the ſaid eight and twentieth yeare of the raigne of the ſaid late King Henry the eighth, as alſo ſo much of the ſaid yearly rents, reſerved upon the ſaid ſeverall letters patents *nominæ decimæ* or *viceſimæ partis*, and alſo ſo manie of the ſaid rectories, parſonages, and benefices impropriate, gleabe lands, tyethes, oblations, penſions, portions, and other profites and emoluments eccleſiaſticall and ſpirituall aforeſaid, and the reverſion and reverſions thereof, and all rents, emoluments, conditions, and profites incident to the ſame, as were in the hands and poſſeſſion of the ſaid late Queen Mary at and before the ſaid firſt day of the ſaid Parliament holden in the ſaid third and fourth years, ſhall from the twentieth day of November in the firſt year of the raign of our ſaid ſoveraign lady Queen Elizabeth be veſted, adjudged and deemed actually and really in the ſeiſin aud poſſeſſion of her Majeſtie, her heyres and ſucceſſours, to all intents, conſtructions, and purpoſes, of and in ſuch like and the ſame eſtate, intereſt, order, degree, quality, ſort, and condition, and as fully, wholly, largely, and beneficially,

Payment of firſt fruits revived.

The 20th part, &c. revived, and annexed to the crown, in as ample manner as before.

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beneficially, as the ſame were in the ſeiſin and poſſeſſion of the ſaid late Queen Mary at and before the ſaid firſt day of the ſaid Parliament in the ſaid third and fourth years; and that as well the ſaid firſt fruits and twentieth part, as alſo the ſaid annuall rents reſerved *nominæ decimæ* or *viceſimæ*, and the ſaid rectories, parſonages, benefices, gleabe lands, tyeths, oblations, penſions, portions, and other profits and emoluments eccleſiaſticall and ſpirituall aforeſaid, and every of them, and the reverſion and reverſions of them, and of all rents and profits unto the ſame or any of them incident or belonging, ſhall be ordered and anſwerable in and at the Queen's Highneſſe court of the Exchequer in every degree, ſort, and condition, as they were at and before the ſaid firſt day of the ſaid Parliament in the third and fourth years aforeſaid; the ſaid act madein the ſaid third and fourth years, or any other matter or thing, to the contrarie thereof notwithſtanding; and that all and every the ſaid actes and eſtatutes made in the ſaid eight and twentieth year of the ſaid late King Henry the eight, and all articles, clauſes, and ſentences in them and every of them conteyned ſhall bee, remaine, and continue in their full and perfite ſtrength and forces, and be obſerved and put in due execution according to the tenour and purports of the ſame, and of every of them; and that the Queen's Majeſtie, her heyres and ſucceſſours, by authoritie of this preſent Parliament ſhall from the ſaid firſt day of this preſent Parliament have, hold, poſſeſſe, and enjoy for ever the advowſons, gifts, and patronages, of all vicarages belonging or incident to any of the ſaid rectories and parſonages impropriate in the ſame ſort, qualitie, condition, and degree to all intents and purports, as the ſame were in the perſon and poſſeſſion of the late Queen Mary at and before the ſaid firſt day of the ſaid Parliament in the ſaid third and fourth years; any thing or act done by the ſame late cardinall, or any graunt or graunts by letters patents made by the ſaid late Queen Mary of the ſaid advowſons and patronages, or any of them, to any eccleſiaſticall or ſpirituall perſon or perſons, or any ſpirituall corporation, to the contrary in any wiſe notwithſtanding; ſaving to all and every perſon and perſons, bodies politique and corporate, and their heyres, executors, ſucceſſours, and aſſignes, and every of them, other then ſuch perſons as be mentioned and named in any letters patents, made by the ſaid Queen Mary at any time ſithence the ſaid firſt day of the ſaid Parliament in the ſaid third and fourth years, or clayming onely by or under the authoritie and ſtrength of the ſame act or letters patents, or any of them, all ſuch right, title, intereſt, eſtate, offices, leaſes, graunts, annuities, penſions, fees, corrodies, rentes, and other yearly profites and commodities, as they or any of them ought or ſhould have had, perceived, or enjoyed of, in, or by reaſon of any the parſonages, rectories, or of any other the premiſſes, in caſe the ſaid former act now repealed and

The ſaid Statutes 28 H. 8. revived.

The Queen to have advowſon of vicarages, belonging to rectories, &c.

Saving the rights of others.

this preſent act of repeale had never beene had ne made; any thing in the ſame acts, or any of them conteyned or ſounding to the contrarie thereof, in any wiſe to the contrary notwithſtanding.

Penſions, &c. how to be paid.

II. And bee it further enacted by the authoritie aforeſaid, That from and after the ſaid twentieth day of November, and ſo from thenceforth from time to time, the ſaid penſions, annuities, rents, corrodies, fees, and other yearly payments, ſhall be payed and payable onely by our ſaid Soveraign Lady, her heyres and ſucceſſours, at the receipt of the Exchequer, or in ſuch other places as the Queen's Majeſtie, her heyres and ſucceſſours, ſhall appoynt, to all and every perſon or perſons, that ought to have and enjoy the ſame, in ſuch ſort, order, and form, as the ſame ſhould or ought to have been payed and payable, in caſe the ſaid act now repealed had never been had ne made, any thing therein or elſe in this act conteyned to the contrarie thereof in any wiſe notwithſtanding.

Arrear of rents, &c. chargeable to the Queen.

III. And be it further enacted by the authority aforeſaid, That all and ſingular incumbents, proprietaries, tenaunts, fermours, leſſees, and occupyers of the premiſſes, or any part thereof, their heyres, executors, and aſſignes, which the ſayd firſt day of this preſent Parliament were behinde or in any arrerages of and with the rents, fermes, tenths, twentieth part, or other revenues, profites, or duties by them or any of them due and payable for or by reaſon of the premiſſes, or any of them, ſhall and may by the authoritie of this act be ſeverally chargeable, accomptable, and anſwerable to the Queen's Majeſtie, her heyres and ſucceſſours, in and at the ſaid court of the Exchequer of and for the ſame arrerages and duties, as other the accomptants been and ſhall be in the ſame court; any thing in the ſaid act, now repealed in this act, or any other matter or cauſe to the contrarie thereof, in any wiſe notwithſtanding.

Vicarages not exceeding 6l. 13s. 4d. and parſonages 5l. after the books of rates in the Exchequer, diſcharged from firſt fruits.

IV. And yet nevertheleſſe, the Queen's moſt excellent Majeſtie at the humble requeſt of her ſaid ſubjects of her aboundant grace and bountifulneſſe is pleaſed and contented, that it bee enacted by the authority aforeſaid, That all and ſingular vicarages, not exceeding the yearely value of ſixe pounds thirteen ſhillings, four pence, after the rate and value upon the records and bookes of the rates and values of the firſt fruites and twentie part, now remayning in the Exchequer, or that ſhall hereafter come and remaine in the ſame court, and alſo all and ſingular parſonages, not exceeding the yearely value of five pounds after the like rate and valuation, and the incumbents thereof, and every of them, their executors, adminiſtrators, ſucceſſours, and ſuerties, and every of them, from the ſaid twentieth day of November ſhall be free and cleerely diſcharged and acquitted for ever againſt the ſaid Queen's Majeſtie, her heyres and ſucceſſours, of and from the ſaid firſt fruits; any thing in theſe actes of the firſt fruits, made in the ſaid eight and twentieth year of the raigne of the ſayd late King Henry the eight, or in this act

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of repeale, or any other act or acts before recited, to the contrarie thereof in any wise not withstanding.

Incumbent living half a year after last avoidance, so as he hath, or without fraud might have received the profits, and before end of the other half year dying, or lawfully evicted, chargeable only with the fourth part of first fruits.

V. Provided always, and be it enacted by the authoritie aforesaid, That if anie incumbent of anie such promotion spirituall, as is aforesaid, charged or chargeable to the payment of the said first fruites, happen to live to the end of one halfe year next after the last avoydance of the same promotion spirituall, so as hee hath received or without fraud or covin might lawfully have received and enjoyed the rents and profites of that halfe year, and before the end of the other halfe year then next following shall happen to die, or to be lawfully evicted, removed, or put from the promotion spirituall by judgment in any action at the common law, without fraud or covin, that then every such incumbent, his heyres, executors, administratours, and suerties, shall be charged and chargeable but onely with the fourth part of the first fruits due, to bee payed for such his promotion, and with no more of the said first fruits; any thing in this act conteyned, or any bond or writing to bee made for the payment of the said first fruits, or any other matter or cause to the contrarie notwithstanding: and if it shall happen

If he lives one year, chargeable with a moiety.

anie such incumbent to live by the space of one whole year next after the last avoydaunce of the same promotion spirituall, and after before the end of one halfe year then next following shall fortune to die, or to be lawfully evicted, removed, or put from the said promotion spirituall by judgment in any action at the common law without fraud or covin, that then everie such incumbent, his heyres, executors, administrators, and suerties, shall be charged and chargeable but onely with the moietie and one halfe of the first fruits due to be payed for such his promotion spirituall, and with no more of the same first fruits; any thing in this act conteyned, or any bond or writing obligatorie to bee made for the payment of the same first fruits, or any other matter or cause to the contrarie, notwithstanding. And if it shall happen any such incumbent to live

Living a year and an half, chargeable with three parts.

to the end of one whole year and half next after the last avoidance of such promotion spirituall, and after, and before the end of sixe moneths then next following, shall fortune to die, or to be lawfully evicted, removed, or put from the said promotion spirituall by judgment in any action at the common law without fraud or covin, that then every such incumbent, his heyres, executors, administrators, and suerties, shall be charged and chargeable but onely with three parts of the first fruits of the same promotion spirituall, in foure parts to be devided, and with no more; any thing in this act conteyned, or any bond or writing obligatorie had or made for the payment of the first fruits, or any other matter or cause to the contrarie notwithstanding. And if it shall happen any such incum-

Living two years chargeable with the whole.

bent to live to the end of two whole years next after the last avoydance of the same promotion spirituall, and not to be lawfully evicted, removed, or put from the said promotion spirituall, as is aforesaid,

aforeſaid, then every ſuch incumbent, his heyres, executors, adminiſtrators and ſuerties, ſhall content and pay to our ſaid ſoveraign ladie the Queen, her heyres and ſucceſſours, the whole firſt fruits due, to be payed for the ſame promotion ſpirituall, according to the ſtatutes aforeſaid.

Leaſes before 20 December 1 *Eliz.* for 21 years or 3 lives, of the premiſes, commonly let to farm, then out of leaſe, or only one year to come, and upon which the old rent for 20 years laſt reſerved, and alſo grants of offices wont to be granted, ſhall be valid.

VI. Provided alſo, and be it enacted, That all leaſes made before the twentieth day of December in the firſt year of your Majeſties raign for one and twentie years, or three lives at the moſt, by anie perſon or perſons, bodies politique or corporate, being lawfully ſeiſed of or in any of the ſaid parſonages impropriate, or of, or in any other the premiſes, wonte commonly to be ſet or let to ferme, then being out of leaſe, or whereof there was not at the time of the making of the ſaid leaſe or leaſes any former leaſe to endure above one yeare then to come at the moſt, and upon which new leaſe or leaſes the old yearly rent accuſtomable wont to be payed for the ſame the ſpace of twentie years laſt before the making of ſuch leaſe or leaſes, or more yearely rent is reſerved and payable dureing the ſaid term, and all other lawfull graunts by them or any of them heretofore made of any office or offices, in old time wont commonly to be graunted, ſhall be as good and effectual in the law, as though this act or any thing therein contayned had not been had or made.

Perſons preſented, *&c.* ſince the firſt day of this Parliament, or on this ſide the feaſt of annunciation next, not to incur penalty or forfeiture, ſo that they compound before the annunciation.

VII. Provided alwayes, and be it further enacted by the authority of this Parliament, That no perſon or perſons preſented, inſtituted, or inducted, at any time ſithence the firſt day of this preſent Parliament, or that ſhall bee preſented, inſtituted, or inducted on this ſide the feaſt of the annunciation of our bleſſed lady Saint Mary next coming, to any the ſaid ſpirituall or eccleſiaſticall promotions, chargeable to or with the payment of the firſt fruits, or one years profites of ſuch promotion, ſhall incurre any penaltie or forfeyture by entring into any of the ſaid ſpirituall or eccleſiaſtical promotions, or by taking the profites thereof for the non payment or not compounding of or for the firſt fruits thereof; ſo that hee, or any other for him, ſhall or doe compound for the ſame firſt fruits according to the true meaning of this ſtatute before the ſaid feaſt of the annunciation of our bleſſed lady Saint Mary; any thing in this act contayned to the contrarie notwithſtanding.

Hoſpitals for the poor, and ſchools not to be charged with firſt fruits or 20th part.

VIII. Provided alſo, that this act, or any thing therein contayned, ſhall not in any wiſe extend to charge any hoſpitall founded and uſed, and the poſſeſſions thereof imployed, to and for the relief of poore people, or any ſchool or ſchooles, or the poſſeſſions or revenues of them, or any of them, with the payment of any twentieth part or firſt fruites; any thing in this act before mentioned to the contrarie in any wiſe notwithſtanding.

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CHAP. IV.

An Act for the Conferring and Conſecrating of Archbiſhops and Biſhops within this Realme. Rot. Parl. cap. 4.

1 *E.* 6. 2. *Eng.* Elections of biſhops by deans and chapters, being to the delay, coſts and charges of the perſons. And being only ſhadows of elections. And derogatory to King's prerogative. No ſuch election to be made or *Conge d'eſlire* granted, but the Queen, or deputy, &c. by warrant may by letters patents collate ſuch perſons as the Queen, &c. ſhall think fit.

FORASMUCH as the elections of the archbiſhops and biſhops by deanes and chapters within the Queen's Majeſties realm of Ireland at this preſent time be as well to the long delay as to the great coſtes and charges of ſuch perſons, as the Queen's Majeſtie giveth any archbiſhopricke or biſhopricke unto : and whereas the ſaid elections be in veraie deed no elections, but onely by a writ of *conge d'eſlier*, have colours, ſhadowes, or pretences of elections, ſerving nevertheleſs to no purpoſe, and ſeeming alſo derogatorie and prejudiciall to the Queen's prerogative royall, to whom onely appertaineth the collation and gift of all archbiſhoprickes, and biſhoprickes and ſuffragan biſhops within this her Highneſſe realm : for a due reformation hereof be it therefore enacted by the Queen's highneſſe with the aſſent of the lords ſpirituall and temporall and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That from henceforth no ſuch *conge d'eſlier* be graunted, nor election of any archbiſhop or biſhop by the deane and chapter made, but that the Queen's Majeſtie, her heyres and ſucceſſours, may by their letters patents under the great ſeale of England or of this realm, or the lord deputie, or other governour or governours of this realm for the time being, having inſtructions, letters miſſive, or other warrant ſigned by the Queen's Majeſtie, her heyres and ſucceſſours, for the ſame purpoſe, may by letters patents to bee made by his or their warrant under the great ſeal of this realm at all times when any archbiſhoprick or biſhoprick be void, conferre the ſame to any perſon, whom the Queen, her heyres or ſucceſſours, ſhall think meete ; the which collation ſo by letters patents made in manner aforeſaid, and delivered to the perſon whom the Queen, her heyres, or ſucceſſours, ſhall confer the ſame archbiſhoprick or biſhoprick, or to his ſufficient proctor and attorney, ſhall ſtand to all intents, conſtructions, and purpoſes, to as much and the ſame effect as though *conge d'eſlier* had been given, the election duely made, and the ſame confirmed ; and that upon that the ſaid perſon, to whom the ſaid archbiſhoprick, biſhoprick, or ſuffraganſhip is ſo conferred, collated, or given, may bee conſecrated, and ſue his livery or *ouſter lemaine*, and doe other things, as well as if all the ſaid ceremonies and elections had been done and made.

Upon which the perſon collated may be conſecrated, &c. as if all ſaid ceremonies obſerved.

If to a biſhoprick, ſignified to the archbiſhop of the province ; if the ſee void, then to ſuch archbiſhop as by the Queen or deputy, inſtructed as aforeſaid.

II. And be it likewiſe enacted by the ſaid authoritie, That everie ſuch collation to be made in manner aforeſaid, if it be to the office and dignitie of a biſhop, ſhall be ſignified to the archbiſhop of the province, where the ſee of the ſame biſhoprick is voyd ; if the ſee of the ſaid archbiſhoprick be then full, and not voyd ; and if it be voyd, then to be ſignified to ſuch archbiſhop within this realm

as ſhall pleaſe the Queen's Highneſſe, her heyres or ſucceſſours, or the lord deputie, or other governour or governours of this realm, for the time being, having inſtructions, letters miſſive, or warrant ſigned by the Queen's majeſtie, her heyres or ſucceſſours, in manner aforeſaid; and if any ſuch collation ſhall happen to be made, to the dignitie of any archbiſhop, then the ſame ſhall be ſignified in manner and form aforeſaid, to one ſuch archbiſhop, and two ſuch biſhops, or elſe to foure ſuch biſhops in this realm, as ſhall be aſſigned by our ſaid Soveraign Lady, her heyres and ſucceſſours, or by the lord deputie or other governour or governours of this realm, for the time being, having inſtructions, letters miſſive, or other warrants, as is aforeſaid.

Which archbiſhop and biſhop ſhall, with all ſpeed, inveſt and conſecrate the perſon conferred, give the pall, *&c.* without ſuing to foreign power.

III. And be it enacted by the authoritie aforeſaid, that whenſoever any ſuch collation ſhall be made by the Queen's Highneſſe, her heyres or ſucceſſours, or by the lord deputie or other governour or governours of this realm, for the time being, in manner aforeſaid, by vertue and authoritie of this act, and according to the tenor of the ſame, that then every archbiſhop and biſhop, to whom any ſuch collation ſhall be ſignified, ſhall, with all ſpeed and celeritie, inveſt and conſecrate the perſon conferred aforeſaid, to the office and dignitie that ſuch perſon ſhall be ſo conferred unto, and give uſe to him, pall, and all other benedictions, ceremonies, and things requiſite for the ſame, without ſuing, procuring, or obteyning hereafter any bulls, or other things, by or from any foreign authoritie or power, for any ſuch office or dignitie, in any behalfe.

Perſons ſo conferred, and ſuing their temporalities, and making oath and fealty only to the Queen, ſhall be throniſed and inſtalled, and have their reſtitution out of the Queen's hands, and obeyed as archbiſhops, *&c.*

IV. And be it further enacted by the authoritie aforeſaid, that everie perſon and perſons, being hereafter conferred, inveſted, and conſecrated to the dignitie or office of anie archbiſhoprick, or biſhop within this realm, according to the form, tenor, and effect of this preſent act, and ſuing their temporalities out of the Queen's hands, her heyres and ſucceſſours, as hath been accuſtomed, and making ſuch oath and fealtie onely to the Queen's Majeſtie, her heyres and ſucceſſours, and to none other, as ſhall be limited and appointed for that purpoſe, ſhall and may from henceforth bee thoronized, or inſtalled, as the caſe ſhall require, and ſhall have and take their onely reſtitution out of the Queen's hands, and of all the poſſeſſions and profites, ſpirituall and temporall, belonging to the ſaid archbiſhoprick or biſhoprick, whereunto they ſhall bee ſo conferred, and ſhall bee obeyed in all manner of things, according to the name, title, degree and dignitie, that they ſhall bee ſo conferred unto, and doe and execute in every thing and things, touching the ſame, as any archbiſhop, or biſhop of this realm, without offending of the prerogatives royal of this crowne, and the lawes and cuſtomes of this realm mought at any time heretofore doe.

Penalty of Præmunire, in the Statutes, 25 *E.* 3. & 16 *R.* 2. 5. upon refuſing to

V. And be it further enacted by the authoritie aforeſaid, that if any archbiſhop or biſhop within this realm, after ſuch collation ſhall be ſignified unto them, in maner and form before rehearſed, ſhall

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inveſt and conſecrate within 20 days after the letters patent come to their hands, or executing any thing to contrary of this act.

ſhall refuſe, and doe not inveſt and conſecrate with all due circumſtance, as is aforeſaid, every ſuch perſon that ſhall be ſo conferred, and to them ſignified, as is above mentioned, within twenty dayes next after the Queen's letters patents, of ſuch collation as ſhall come to their hands, or elſe, if any of them, or any other perſon or perſons admit, maintaine, allow, obey, doe, or execut any cenſures, excommunications, interdictions, inhibitions, or any other proceſſe or act, of what name, nature, or qualitie ſoever it be, to the contrarie or let of due execution of this act, that then every archbiſhop and biſhop, and all other perſons ſo offending, and doing contrarie to this act, or any part thereof, and their aydours, counſaylours and abettours, ſhall runne in the dangerous paines and penalties of the eſtatutes of provis and premunire, made within the realm of England, in the five and twentieth year of the raign of King Edward the third, and in the ſixteenth year of King Richard the ſecond.

CHAP. V.

An Act of Recognition of the Queene's Highneſſe Title to the Imperial Crowne of this Realme.

1 *Eliz.* 3. *Eng.*

The recognizing the Queen's title to the crown.

Queen *Eliz.* is, and ought to be by the laws of God and of this realm, our lawful Queen.

All honours, *&c.* veſted in her, and the heirs of her body, as in her predeceſſors, ſince the St. 35 *H.* 8. 1. *Eng.* eſtabliſhing the ſucceſſion.

AS there is nothing under God, moſt deare Soveraign Lady, wherein we your moſt humble, faithfull, and obedient ſubjects, the Lords ſpirituall and temporal, and commons in this preſent Parliament aſſembled, have, may, or ought to have more cauſe to rejoyce then in this onely, that it hath pleaſed God of his mercifull providence and goodneſſe towards us, and this our realm, not onely to provide, but alſo to preſerve and keep for us and our wealths, your royall Majeſtie, our moſt rightfull and lawfull Soveraign liege Lady and Queen, moſt happily to reign over us, for the which we doe give and yeeld unto him, from the bottomes of our hearts, our humble thankes, laud and prayſe, even ſo there is nothing that we your ſaid ſubjects, for our parts, can, may or ought, towards your Highneſſe more firmely, entirely, and aſſuredly, in the puritie of our hearts think, or with our mouthes declare and confeſſe to be true, then that your Majeſtie, our ſaid Soveraign Lady is, and in very deed, and of moſt meere right ought to be, by the laws of God, and the laws and eſtatutes of this realm, our moſt rightfull and lawfull Soveraign liege Lady and Queen, and that your Highneſſe is rightly, lineally, and lawfully deſcended, and come of the blood royall of this realm, in and to whoſe princely perſon, and the heyres of your bodie lawfully to be begotten after you, without all doubt, ambiguitie, ſcruple or queſtion, the imperiall and royall eſtate, place, crown, and dignitie of this realm, with all honours, ſtiles, titles, dignities, regalities, juriſdictions, and preheminences to the ſame now belonging and appertayning,

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are and ſhall be moſt fully, rightfully, really and entirely inveſted and corporated, united and annexed, as fully and lawfully, to all intents, conſtructions and purpoſes, as the ſame were in the late King Henry the eighth, or in the late King Edward the ſixth, your Highneſſe brother, or in the late Queen Mary, your Highneſſe ſiſter, at any time, ſithence the act of Parliament made at Weſtminſter, within your realm of England, in the five and thirtieth year of the reign of your ſaid moſt noble father, King Henry the eighth, entituled, *An Act concerning the Eſtabliſhment of the King's Majeſties Succeſſion in the Imperiall Crowne of this Realm*, for which cauſes, we your ſaid loving, faithfull, and obedient ſubjects, repreſenting the three eſtates of this your realm of Ireland, as there unto conſtrained by the lawes of God and man, except we ſhould over much forget our duties to your Highneſſe, and to the heyres of your bodie lawfully begoten, can no leſſe doe, but moſt humbly beſeech your Highneſſe, that by the authoritie of this preſent Parliament, it may bee enacted, eſtabliſhed and declared, That we doe recogniſe, acknowledge, and confeſſe the ſame, your eſtate, right, title, and ſucceſſion, as is aforeſaid, to bee in, and to your Highneſſe, and the heyres of your bodie, to bee begotten, throughly and in the whole, and in every part thereof, in ſuch manner and form, as before is mentioned, declared or confeſſed, and thereunto moſt humbly and faithfully wee doe ſubmit our ſelves, our heyres and poſterities for ever, and further doe make our moſt heartie and humble petitions unto your Highneſſe, that it may pleaſe the ſame, not onely to accept this our ſaid recognition, but alſo our faithfull promiſes, that we, according to our duties, ſhall, and will ſtand to aſſiſt and defend your royall Majeſtie, and the heyres of your bodie, to be begotten, being Kings and Queens of this realm, and your ſayd rights and titles, in and to the ſaid imperiall eſtate, place, crowne and dignitie, in all things thereunto belonging, at all times to the uttermoſt of our poſſible powers, and therein to ſpend our bodies, lands and goods, againſt all perſons whatſoever, that any thing ſhall attempt to the contrarie.

Enacting part.

II. And that it may be enacted by the authoritie aforeſaid, that as well this our declaration, confeſſion, and recognition, as alſo the limitation and declaration of the ſucceſſion of the imperiall crowne of this realm, mentioned and contayned in the ſaid act, in the ſaid five and thirtieth year of the reign of your ſaid moſt noble father, ſhall ſtand, remaine, and be the law of this realm of Ireland, for ever, in ſuch like and the ſame force, ſtrength, effect, manner and form as the ſame hath been, is, and hereafter ſhall be the law of the realm of England, and that all ſentences, judgments, and decrees, had, made, declared, ſet forth, publiſhed, and promulged, and alſo as much of every clauſe, article, braunch, matter, or thing conteyned and expreſſed in any act or acts of Parliament, as be in any thing repugnant, contrarie, or derogatorie to this our ſaid confeſſion, declara-

This recognition, and alſo the limitation of the ſucceſſion in the ſaid St. 35 *H.* 8. of like force as in England.

All ſentences, *&c.* to the contrary, void.

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tion, and recognition, or to any part or parcell thereof, or contrarie to the ſaid limitation of the ſucceſſion of the imperiall crowne, eſtabliſhed and made by the ſaid act, in the ſaid five and thirtieth year of the reign of the ſaid late King Henry the eighth, by whatſoever power or authoritie the ſame bee, or have been had or made, ſhall be utterly fruſtrate, voyd, and of none effect, and alſo ſhall and may be cancelled, defaced, and put in perpetuall oblivion, at your Highneſſe will and pleaſure, as if the ſame had never been had, made, declared, ſet forth, publiſhed, and promulged.

CHAP. VI.

An Act whereby certaine Offences be made Treaſon.

1 *Eliz. 5. Eng.* Recital, that by 3 & 4 *P. & M.* 11. certain offences againſt Queen *Mary* and Heirs of her body, made treaſon.

WHERE in the Parliament holden at Dublin the firſt day of June, in the third and fourth years of the raigns of the late King Philip and Queen Mary, ſiſter unto our moſt gracious ſoveraigne lady the Queen's Majeſtie that now is, there was an act or eſtatute made for the better ſuertie and preſervation of the ſaid late Queen, intituled, *An Act whereby certain Offences be made Treaſons*; and foraſmuch as the verie words and ſentences of the ſaid eſtatute doe extend no further but unto the ſaid late Queen Mary, and the heyres of her body, therefore if any ſuch like offences, as be mentioned and conteyned within the ſaid eſtatute, ſhould hereafter happen to be committed againſt our ſaid ſoveraign Lady that now is, there were no due remedie, to condigne puniſhment, provided for the ſame, in conſideration whereof, and to the intent that the malice of wicked and ill doers may the better be reſtrayned, by the extending of the effect and benefite of the matters conteyned in the ſaid eſtatute to our moſt dear ſoveraigne Lady that now is, and for the more ſuertie and preſervation of her Highneſſe royal eſtate; Be it enacted by the Queen's moſt excellent Majeſtie, with the aſſent of the lords ſpirituall, and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That if any perſon or perſons, after the laſt day of this ceſſion of Parliament, doe maliciouſly, adviſedly, and directly compaſſe or imagine to deprive the Queen's Majeſtie that now is, or the heyres of her bodie to be begotten, being Kings or Queens of this realm, from the ſtile, honour, and kingly name of the imperiall crown of this realm, or from any other the realms and dominions unto our ſaid ſoveraign Lady appertayning or belonging, or to deſtroy the Queen's Majeſtie that now is, or any the heyres of her bodie, being Kings or Queens of this realm, or to levie war within this realm, or within any the marches or dominions to the ſame belonging, againſt the Queen's majeſty that now is, or any the heyres of her bodie, being Kings or Queens of this realm, or to depoſe the Queens Majeſtie that now is, or any the heyres of her bodie, being Kings or Queens of this realm, from the imperiall crown of the realms and dominions aforeſaid, and the ſame compaſſes, or imaginations, or any of them, maliciouſly, adviſedly, and directly ſhall or doe utter, by open preaching, expreſſe words, or ſayings; or if any perſon or perſons, after the ſaid laſt day of this ceſſion, ſhall maliciouſly, adviſedly, and directly ſay, publiſh, declare, maintaine, or hold opinion, that the Queen's Majeſtie that now is, during her life, is not, or ought not to be Queen of this realm, or after her death, that the heyres of her Highneſſe bodie, being Kings or Queens of this realm, of right ought not to be Kings or Queens of this realm, or that any other perſon or perſons, other than the Queens Highneſſe that now is, during her life, ought to be King or Queen of this realm, or any other the realms or dominions aforeſaid, or after her death, other than the heyers of her bodie being Kings or Queens of this realm, as long as any of her ſaid heyers of her bodie begotten ſhall be in life, of right ought to have and enjoy thimperiall crown of this realm, or any the realms and dominions aforeſaid, that then, every ſuch offendour,

To extend the benefit thereof to the preſent Queen.

Compaſſing or imagining to deprive the Queen, or heirs of her body, of the ſtile of the crown, or to deſtroy, levy war againſt, or depoſe any of them, and uttering the ſame imaginations by open words, &c.

offendour, being thereof duely convicted or attainted by the lawes of this realm, their abettours, procurours, and counſailours, and all and every their comfortors, knowing the ſaid offences, or any of them to be done, and thereof duely convicted or attainted as is aboveſaid, for his or their ſuch offence, ſhall forfeit and loſe to the Queen's Highneſſe, her heyres and ſucceſſours, all his and their goods and chattles, and the whole iſſues and profeits of his and their landes, tenements and hereditaments for terme of the life of every ſuch offendour or offendours, and alſo ſhall have and ſuffer during his and their lives, perpetuall impriſonment.

Offenders, their aiders, &c. forfeit goods and chattels, and profits of lands for life,

II. Provided alwayes, and be it further enacted by the authoritie aforeſaid, That all and every eccleſiaſticall perſon, being convicted or attainted in forme aforeſaid, for every ſuch his offences, ſhall immediately and preſently, upon ſuch attaindour had, be judged and remain in the law to all intents, deprived from all his beneſices and promotions ſpirituall or eccleſiaſtical, in ſuch manner and forme, that it ſhall be lawfull for every patron, founder, or giver thereof, to preſent immediately after ſuch attaindour had, ſome one other to the ſame, as though the ſaid offendor or offendors were deceaſed: and if any perſon or perſons, being hereafter convicted or attainted of anie the ſaid offences, in forme aforeſaid committed, ſhall after his or their conviction or attaindor, eftſoons commit or perpetrat any of the ſaid offence, in forme aforeſaid, that then every ſuch ſecond offence or offences, ſhall be deemed and adjudged high treaſon, and the offendour or offendours therein, their abbettours, procurers, and counſailours, and all and every their aydours and comforters, knowing the ſaid offences, or anie of them to be done, being thereof convicted or attainted, according to the lawes and eſtatutes of this realm, ſhall be judged and deemed high traytors, and ſhall ſuffer paines of death, and loſe and forfeit all their goods and chattles, landes and tenements, to the Queen's Majeſtie, her heyres and ſucceſſours, as in caſes of high treaſon, by the lawes of this realm at this day of right ought to bee loſt and forfeyted.

Suffer perpetual impriſonment.

Eccleſiaſtical perſons immediately deprived

Second offence, high treaſon.

III. And be it further enact by the authoritie aforeſaid, That if any perſon or perſons, at any time after the ſaid laſt day of this ceſſion, by any writing, printing, overt deede or act, maliciouſly, adviſedly and directly, doe affirme, that the Queen's Majeſtie that now is, ought not to have or enjoy the ſtile, honnour, and kingly name of this realm, or that any perſon or perſons, other than the Queen's Majeſtie that now is, ought to have or enjoy the ſtile, honour, and kingly name of this realm, or that the Queen's Majeſtie that now is, dureing her life, is not, or ought not to bee Queen of this realm, or after her death, that the heyres of her Highneſſe bodie, being Kings or Queens of this realm, of right ought not to have and enjoy the imperiall crown of this realm, or that anie perſon or perſons, other than the Queen's Majeſtie that now is, during her life, or after her death, other than the heyres of her bodie begotten, being Kings or Queens of this realm, as long as any of her ſaid heyres of her bodie ſhall be in life, of right ought to have and enjoy the imperiall crown of this realm, that then everie ſuch offence and offences ſhall be adjudged high treaſon, and the offendour and the offendours therein, their abettours, procurers and counſailours, and all and everie their aydours and comforters, knowing the ſaid offences, or any of them to be done, being thereof lawfully convicted or attainted by the lawes of this realm, ſhall be deemed and adjudged high traytours, and ſhall ſuffer paines of death, and loſe and forfeit all their goods and chattels, lands and tenements, to the Queen's Majeſtie, her heyres and ſucceſſours, as in caſes of high treaſon, by the lawes of this realm at this day of right ought to be loſt and forfeited; ſaving to everie perſon and perſons, bodies politique and corporate, their heyres and ſucceſſours, other than the offendors, and their heyres and ſuch perſon and perſons as claim to any of their uſes, all ſuch rights, titles, intereſt, poſſeſſions, leaſes, rents, reverſions, offices, and other profites, which they, or any of them, ſhall have at the day of the committing ſuch treaſons, or any time afore, in as large and ample manner, as if this act had never been had nor made.

Said offences committed by writing, printing, or any overt act, high treaſon.

IV. Provided alwayes, and be it declared and enacted by the authoritie aforeſaid, That concealment, or keeping ſecret of any high treaſons, be deemed and taken onely miſpriſion of treaſon, and the offendours therein to forfeit and ſuffer, as in caſes of miſpriſion of treaſon hath heretofore been uſed; any thing above mentioned to the contrarie notwithſtanding.

Concealment, only miſpriſion of treaſon.

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Trial of peers.

V. Provided alſo, that if it ſhall fortune hereafter any of the peeres of this realm to be indicted of any the offences made treaſon, or miſpriſion of treaſon, by this act, that then the ſame peeres or peere, ſo being indicted, ſhall be put to anſwere to everie ſuch indictment, before ſuch peere of this realm of Engliſh bloud, as by the lord deputie, or other governour or governours of this realm for the time being, ſhall be by commiſſion appointed under the broad ſeal, and to have his and their triall by his or their peeres, and to receive and have ſuch like judgment upon the ſame triall of his or their peeres, or making open confeſſion of the ſame offence or offences, as is uſed in other caſes of high treaſon and miſpriſion of treaſon.

Proſecution to be in ſix months, where the offence by words.

VI. And be it further enacted by the authoritie aforeſaid, That no perſon or perſons ſhall in any wiſe be impeached for anie of the offences aboveſaid, committed onely by open preaching or words, unleſſe the offendor or offendors be thereof indicted within ſix moneths next after the ſame open preaching or words; any thing mentioned in this act to the contrarie notwithſtanding.

VII. Provided alwayes, that the counſailors, procurers, comforters, and abbettours, mentioned in this act, for his or their firſt offence, ſhall ſuffer like puniſhment as is contayned in this act againſt the principall offendors for their firſt offence, and none other, and that the counſailours, procurers, comforters and abettours, for his or their ſecond offence, ſhall ſuſtain like puniſhment, penaltie, and forfeiture, as is contayned in this act againſt the principall offendor or offendors, for their ſecond offence, and none other.

Two witneſſes face to face neceſſary.

VIII. Provided alwayes, and be it enacted by the authoritie aforeſaid, That no perſon or perſons ſhall be hereafter indicted or arraigned for any offence or offences made treaſon, or miſpriſion of treaſon by this act, unleſſe the ſame offence and offences of treaſon and miſpriſion of treaſon aforeſaid, be proved by the teſtimony, depoſition, and oath of two lawfull and ſufficient witneſſes, at the time of his or their indictment, which ſaid witneſſes alſoe at the time of the arrainment of the party ſoe indicted, if they be then living, ſhall be brought in perſon before the partie ſoe arrained, face to face, and there ſhall avow and openly declare all they can ſay againſt the ſaid partie ſoe indicted, unleſſe the ſayd partie ſo indicted, ſhall willingly, without violence, confeſſe the ſame. *Expired; extending only to the Queen, and heirs of her body.*

CHAP. VII.

An Act for the Reſtitution of the late Priorie or Hoſpitall of Saint John's Jeruſalem in Ireland, and of all the Mannours, Lordſhips, Commaundries, and Hereditaments of the ſame, to the Imperiall Crown of this Realm.

Recital of ſurrender to K. *H.* 8. by the prior of St. John's Jeruſalem.

IN their moſt humble wiſe beſeech your moſt excellent Majeſtie, your faithfull and humble ſubjects, the lords ſpirituall and temporall, and the commons of this your realm, in this preſent Parliament aſſembled, That where Sir John Rawſon, knight, late prior of the priorie or hoſpitall of Saint John's Jeruſalem, in this your Highneſſe realm of Ireland, of his own free and voluntarie minde and aſſent, without conſtraint, coaction, or compulſion of any manner perſon or perſons, did, by the due order and cours of the common laws of this your Majeſties realm, and by ſufficient writings of record, under his convent and common ſeal, with the full aſſent and conſent of his conbrethren or chapter, give, grant, and confirm unto your moſt noble father, of famous memory, King Henery theighth, the ſaid late priorie, or the hoſpitall, and the whole ſcite, circuite, and precinct of the ſame, and all and ſingular

gular the mannors, lordſhips, commaundries, meſuages, lands, tenements, meadowes, paſtures, rents, reverſions, ſervices, woods, tyeths, penſions, portions, churches, chapels, advowſons, parſonages, annuities, rights, reentries, conditions, commons, leetes, courts, liberties, priviledges, and fraunchiſes appertayning, or in any wiſe belonging to the ſaid late hoſpitall, or to any commaundrie thereof, to have and to hold the ſaid hoſpitall, ſcite, circuit, precinct, mannours, lordſhips, commaundries, meſuages, lands, tenements, meadowes, paſtures, rents, reverſions, ſervices, and other the premiſſes to your ſaid deere Father, his heyres and ſucceſſours for ever, and the ſame hoſpitall, ſcite, circuite, precinct, mannours, lordſhips, commaundries, meſuages, lands, tenements, meadowes, paſtures, rents, reverſions, and other the premiſſes, voluntarily did renounce, leave, and forſake; and after in the Parliament of your ſaid noble Father, begun at Dublin in the thirtieth day of June, in the three and thirtieth year of his proſperous raigne, and after proroged, adjourned, and continued, as by the rolle of the ſame Parliament more at large appeareth, it was enacted by your ſaid deere Father, and the lords ſpirituall and temporall, and the commons in that Parliament aſſembled, and by the authoritie of the ſame, amongſt other things, "That your ſaid Father ſhould have, hold, poſſeſſe, and enjoy to him, his heyres, and ſucceſſours for ever, the ſaid late hoſpitall of Saint John's Jeruſalem in this realm, and by the ſame authoritie, and like manner ſhould have, hold, poſſed, and enjoy the ſcite, circuite, and precinct of the ſame, and all the mannours, lordſhips, commaundries, meſuages, lands, tenements, meadowes, paſtures, rents, reverſions, ſervices, woods, tythes, penſions, portions, parſonages impropriate, vicarages, churches, chappels, advowſons, nominations, patronages, annuities, rights, intereſtes, entries, commodities, conditions, commons, leetes, courts, liberties, priviledges, fraunchiſes, and other whatſoever hereditaments, which appertayned or belonged to the ſaid late hoſpitall, in as large and ample maner and fourm, as the ſaid Sir John Rawſon, late prior of the ſaid hoſpitall of Saint John's Jeruſalem in Ireland, had, held, or occupyed, or of right ought to have had, holden, or occupyed, in the right of the ſaid late hoſpitall, at the time of the renouncing, relinquiſhing, and giving up of the ſame to your Highneſſe ſaid Father.

The hoſpital veſted in the King by 33 *H.* 8.

II. And it was further enacted by authoritie aforeſaid, that the ſaid late hoſpitall, ſcite, circuit, precinct, mannours, lordſhips, commaundries, meſuages, landes, tenements, meadowes, paſtures, rents, reverſions, ſervices, and all other the premiſſes forthwith and immediately, and preſently ſhould be veſted, deemed and adjudged by authoritie of that parliament, in the verie actuall and reall ſciſin, and poſſeſſion of your ſaid father, his heyres and ſucceſſours for ever, in the ſtate and condition as they then were, and as though the ſaid late hoſpitall, ſcite, circuite, precinct, mannors, lordſhipes, com-

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maundries, lands, tenements, and other the premiſes whatſoever they be, and every of them had in that preſent act, ſpecially and particularly been rehearſed, named and expreſſed, by expreſſe words, names, titles and faculties, and in their natures, kindes, and qualities, as by the ſaid act or eſtatute, more full and at large appeareth; by reaſon of which premiſſes your Highneſſe ſaid father, and your deer brother King Edward the ſixth, and the late Queen Mary, your deer ſiſter, were ſucceſſively ſeiſed of the ſaid late hoſpitall, and of all the mannors, lordſhips, commaundries, lands, tenements and hereditaments, as well ſpirituall as temporall, belonging or appertayning to the ſame, to the great ayd, reliefe and ſupportation of the ineſtimable charges of the crowne of this realm, which thing although the ſaid late Queen mought and did manifeſtly feel and perceive to bee moſt true, yet ſhe upon certain reſpects, not having due conſideration and regard to the maintenance, upholding, and good continuance of the ſtate of the imperiall crown of this realm in ſucceſſion, which rather needed an augmentation than a diminution, did together with King Philip her late huſband, by their letters pattents, give and graunt the ſaid late priory or hoſpitall, the ſcite, circuit, and precinct thereof, and all the mannours, lordſhips, commaundries, lands, tenements, and hereditaments belonging and appertayning to the ſame, unto Sir Oſwald Meſſingberde knight, then uſurping the name of prior of Saint John's Jeruſalem in Ireland, by titles conveyed from foreign authorities, to have and to hold the ſaid late hoſpitall, and other the premiſſes unto the ſaid Sir Oſwald Meſſingberd, and to his ſucceſſours, priours of St John's Jeruſalem in Ireland, for ever; and further as by the ſame letters patents, remaining enrolled of record in the remembrancie of your Majeſties exchequer in Ireland more at large doth appeare; by force of which letters patents, the ſaid Sir Oſwald Meſſingberd, had and enjoyed the ſaid late hoſpitall, and all the mannors, lordſhips, commaundries, lands, tenements and hereditaments, appertayning and belonging to the ſame, till that now of late, in the firſt yeare of your Majeſties moſt proſperous raigne, the ſame Sir Oſwald Meſſingberd, of corrupt and factious mind, and for ſome diſloyall intents and purpoſes as is to be preſumed, have not onely left and forſaken the ſaid hoſpitall, and the whole poſſeſſions thereof, but hath alſo departed this realm without your Majeſties licence, contrarie to his duetie of allegeance, for cauſes rather ſuſpect to us your loving ſubjects, than known.

Queen Mary not having due conſideration of the maintenance of the crown, which rather needed augmentation than diminution. granted the ſame to Sir Oſwald Maſſingberde pretending title from foreign authority,

who has departed the realm without licence.

III. Wee your ſaid humble and obedient ſubjects the lords ſpirituall and temporall, and commons in this your preſent Parliament aſſembled, calling to our remembrance the huge charges of the royall eſtate and imperiall crown of this realm, and how the ſame was left unto your Majeſtie at your firſt entrie thereunto greatly diminiſhed, as well by reaſon of the ſaid graunt made to the ſaid Sir Oſwald Meſſingberd, by the ſaid King Philip and Queen Mary, as otherwiſe, doe accompt of very right and congruence, no leſſe

To reform the diſheriſon of the crown thereby ſaid grant, &c. ſhall be void.

then our moſt bounden dutie, to move your Highneſſe, and therewith moſt humbly to beſeech the ſame, that the diſheriſon and decay committed and done to the crown and eſtate royal of this your realm, and the ſucceſſion thereof, by reaſon of the ſaid graunt made by the ſaid King Philip and Queen Mary, at this Parliament, bee reformed and avoyded, and that with your Highneſſe favour and royall aſſent, it may be enacted, ordeyned, eſtabliſhed and provided by the authoritie of this Parliament, in maner and form hereafter enſuing, That is to ſay, that the ſaid letters patents, made by the ſaid King Philipe and Queen Mary, to the ſaid Sir Oſwald Maſſingberd, of and upon the ſaid late hoſpitall, and the mannours, lordſhips, commaundries, lands, tenements and hereditaments, ſpirituall and temporall appertayning, and in any maner of wiſe belonging to the ſame, and all articles, clauſes, graunts, and ſentences therein contained, ſhall bee from and after the xxiii. day of Auguſt laſt paſt utterly and cleerly reſigned, repealed, made void and of no force nor effect, and that likewiſe all authorities, juriſdictions, preheminences, liberties, honours, ſtiles, titles, incorporations and dignities, graunted, limited, made, eſtabliſhed and appointed, in and by the ſaid letters patents, or in and by any bulls, breves, or other writings whatſoever, made, conveyed, or derived, by, or from any foreign authoritie or power to the ſaid Sir Oſwald Meſſingberde, touching or concerning the ſaid late priorie or hoſpitall of Saint John's Jeruſalem in Ireland, or the mannours, lordſhips, commaundries, and other the hereditaments as well ſpirituall as temporall, belonging and appertayning to the ſame, or touching and concerning the royall ſuperioritie or government of the ſaid late priorie or hoſpitall, and the lordſhips and commaundries thereof, ſhall, from and after the ſaid xxiiii. day of Auguſt, ceaſe and be utterly voyd and determined.

IV. And be it likewiſe enacted by the ſaid authoritie, that the ſaid late hoſpitall, or priorie of Saint John's Jeruſalem in Ireland, and the ſcite, circuite and precinct of the ſame, and alſo all and ſingular the manors, lordſhips, commaundries, meſſuages, lands, tenements, meddowes, paſtures, rents, reverſions, ſervices, woods, milles, weares, fiſhings, tythes, penſions, portions, parſonages impropriate, vicarages, churches, chappels, advowſons, nominations, patronages, annuities, rights, entries, commodities, conditions, commens, leetes, courts, liberties, priviledges, franchiſes, and other whatſoever hereditaments, as well ſpirituall as temporall, which appertayned or belonged to the ſaid late hoſpitall of Saint John's Jeruſalem in Ireland, or that were reputed, knowen, taken, uſed, occupied or enjoyed, as member, part, parcel, right, poſſeſſion or hereditament of the ſaid late hoſpitall or priory, ſhall, from and after the ſaid xxiii. day of Auguſt, bee deemed and adjudged to all intents, conſtructions and purpoſes, in the Queen's Highneſſe moſt royall perſon, her heires and ſucceſſors, and united and annexed to the imperial crown of this realm, of and ſuch like, and the ſame eſtate, intereſt, title, quality,

And ſaid hoſpital veſted in the Queen, her heirs and ſucceſſors.

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ſorte, degree, and condition, and in as ample and beneficiall maner and forme as the ſame was or were in, in the perſon and poſſeſſion of the ſaid late Queen Mary, at any time before the ſaid letters patents made to the ſaid Sir Oſwald Maſſingberde, the ſame letters patents, or any thing in them conteyned, or any act, or acts of Parliament heretofore eſtabliſhed and ordeyned within this realm, or any other matter or thing, had, done, or ſuffered by the ſaid late Queen, or any other perſon or perſons whatſoever, to the contrarie thereof in any wiſe notwithſtanding. Saving to all and every perſon and perſons, bodies politique and corporate, their heyres, executours, ſucceſſours, and aſſignes, and everie of them, other than the ſaid Sir Oſwald Maſſingberd, late priour, and his ſucceſſours, and the late commaundours of the ſaid commaundryes, and their ſucceſſours, and the ſucceſſours of every of them, and ſuch as pretend to bee foundours, patrons or donours, of the ſaid late hoſpitall, or of the commaundries aforeſaid, or any of them, or any lands, tenements, rents, ſervices, parſonages, tythes, or other hereditaments, ſpirituall or temporall, to them or any of them belonging, and their heyres and ſucceſſours, and the heyres and ſucceſſours of everie of them, and alſo other then ſuch perſon or perſons, their heyres and ſucceſſours, and every of them, which bee except, ſecluded and forepriſed from the benefite of the ſavings, or proviſions, conteyned and expreſſed in the ſaid act, made in the ſaid three and thirtieth year of King Henry the eighth, all ſuch right, title, clayme, intereſt, poſſeſſion, lawfull entries, rent charges, fee ferme, annuities, leaſes, offices, fermes, liveries, livings, fees, penſions, corodies, commons, ſynodes, proxies, and other profites, which they or any of them had claymed, or mought have had, perceived or enjoyed, of, in, or to the premiſſes, or any parcell or part thereof, at any time before the ſaid letters patents, made by the ſaid King Philip and Queen Mary, in ſuch like form, manner and condition, to all intents, reſpects, conſtructions and purpoſes, as if this act had never been made; rents, ſervices, and rents ſeckes, and all other ſervices and ſuits which were due to be payed or done, to any perſon or perſons for and out of the premiſſes, or any part thereof, onely excepted, and forepriſed out of this clauſe of ſaving. Saving alſo to all and every perſon and perſons, bodies politique and corporate, their heyers, executors, ſucceſſours, and aſſignes, and every of them, other than ſuch perſons, as be before excepted and forepriſed, all, and all manner benefites and advantages, liberties and commodities, which they, or any of them, may or ought to have, claime, and take in and by the ſaid act or eſtatute, made in the ſaid three and thirtyeth year of King Henry the eighth, and in or by any article, clauſe, or ſentence therein contayned; this act or any thing therein contayned, or ſounding to the contrary thereof in any wiſe notwithſtanding.

Saving right of others.

Except rents, ſervices, &c.

Saving alſo all benefits under St. 33 *H.* 8.

V. And be it further enacted by the authoritie aforeſaid, that all and ſingular tenaunts, fermours, leſſees and occupiers of the premiſſes, or any part thereof, their heires, executors and aſſignes, which

Tenants, &c. in arrear anſwerable to the Queen at the exchequer.

the ſaid xxiiii. day of Auguſt were behinde, or in any arrerages of and with the rents, fermes, or other revenues, profites or dueties by them or any of them due and payable, for and by reaſon of the promiſſes, or any part of them, ſhall and may be, by thauthoritie of this act, ſeverally chargeable, accomptable, and anſwerable to the Queen's Majeſtie, her heires and ſucceſſours, in and at her Highneſſe court of the exchequer, of and for the ſame arrerages and dueties, as other accomptants been and ſhall be in the ſame court, the ſaid letters patents, or any other matter or cauſe, to the contrarie thereof in any wiſe notwithſtanding.

Leaſes and grants, &c. by Maſſingberd, void.

VI. And where the ſaid Sir Oſwald Maſſingberd, during the time that hee held and enjoyed the ſaid late hoſpitall, and other the premiſſes, by colour of the ſaid letters patents, ſpecially and chiefly ſithence the death of the ſaid late Queen Mary, having in himſelfe, as is to be ſuppoſed, a determination to leave and relinquiſh the ſame hoſpitall and poſſeſſions thereof, did of a ſet will and purpoſe, to diminiſh the revenues and profits of the ſame late hoſpitall of the mannours, lordſhips and commaundries thereof, and contrarie to the order taken with him by the ſaid late Queen, upon his eſtabliſhment in the ſaid late hoſpital, grant and make forth, as well by himſelfe ſolely, as by and with the aſſent of his conbrethren, or chapter, under their convent and common ſeale, divers and ſundry leaſes for years, of mannours, lordſhips, commaundries, and other the ſaid hereditaments, ſpirituall and temporall, which at the time of his leaſes, were in leaſe, ſome for thirtie, ſome for fortie, ſome for threeſcore years, and did alſo graunt unto divers and ſundry perſons, large annuities, fees, rents and penſions, to goe out and forth of the ſaid late hoſpitall, and other the hereditaments, ſpirituall and temporall aforeſaid, and to ſome of the ſame his deeds hath, as is thought and ſaid, given antedates, by the meane whereof, the ſame late hoſpitall cannot, nor may not be in the Queen's Majeſtie, in ſo ample and beneficial condition, manner and form, as is meant and intended by this act, unleſſe that the ſaid leaſes and grants, ſo made by the ſaid Sir Oſwald, and his conbrethren, or chapiter, be reformed and avoyded. Be it therefore enacted by the authority aforeſaid, that all and every the ſaid leaſes, demiſes, gifts, and grants, of any lordſhipes, mannours, commaundries, meſuages, lands, tenements, tyeths and hereditaments, ſpirituall or temporall, fees, penſions, annuities, rents, offices, corodies, or other profites or commodities whatſoever, and all and every act and acts, thing and things, made, wrought, ſuffered or done, by the ſaid Sir Oſwald Maſſingberd, as priour of the ſaid late hoſpitall, ſolely, by matter in deed, or of record, or by him with the aſſent of his ſaid conbrethren, or chapter under their convent or common ſeale, ſithence the day of the date of the ſaid letters pattents, graunted by the ſaid late King and Queen, to the ſaid Sir Oſwalde, ſhall be judged, taken or deemed, and reputed utterly and clearely voyde, determined, and of no force nor effect, to

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all intents, conſtructions and purpoſes, as if the ſame had never been made, wrought, ſuffered or done; any matter, cauſe or thing had, done or ſuffered, to the contrary thereof, in any wiſe notwithſtanding.

Tenants not to be charged for payments to Maſſingberd.

VII. Provided alwayes, and bee it enacted by the ſaid authoritie, that this act, or any thing therein conteyned, ſhall not in any wiſe be prejudiciall or hurtfull to any the tenaunts, fermours, leſſees or occupiers of any of the premiſſes, their heyres or executors, for any rents, fermes, or other revenues, profits or dueties, by them payed for and out of the premiſſes, or any part of them, to the ſaid Sir Oſwald Maſſingberd, his receivers or aſſignes, before the ſaid foure and twentyth day of Auguſt, but that the ſaid tenaunts, fermours, leſſees or occupiers, their heyres and executors, and every of them, ſhall be cleerly and fully acquitted, exonerate and diſcharged, of and for the ſame payments, and every of them, againſt the Queen's Majeſtie, her heyres and ſucceſſors: any thing conteyned in this act, or any other cauſe or matter to the contrary hereof, in any wiſe notwithſtanding.

The eleventh Year of Elizabeth.

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Statuta Ordination,' Act' & Proviſiones ædit' in quodam Parliamento illuſtriſſimæ principis dominæ noſtræ Elizabethæ Dei gratia *Angliæ*, *Franciæ* & *Hiberniæ* Regniæ fidei defenſ. &c. virtute commiſſionis & mandati dict' dominæ Reginæ ſub magno ſigillo ſuo *Angliæ* apud *Dublin* die Luniæ prox. poſt octavam Epiphaniæ, viz. xvii. die *Januarij*, anno regni prædict' dominæ Reginæ undecimo coram prædilect' & fideli conſiliar' ſuo *Henrico Sidney* præclari ordinis ſui garterij milite, domin' præſident' conſilij ſui infra principalitat' & Marchias ſuas Walliæ, deputat' ſuo generali regni ſui Hibern' tent' ædit', & ibm' continuat' uſq; ad diem Lunæ prox. ante feſt. Sancti *Mathiæ* Apoſtoli: vz. xxi. die Februar. ann' reg. dict' dom' Reginæ undecimo, & ibm' tent' & continuat' uſq; ad xxiii. diem Februar. anno reg. præd' dom. Reginæ undecim, prox. futur', & ibm' prorog. abinde uſq; ad x. diem Octobris tunc prox. futurum, anno regni præd' dom. Regin' undecim' ad *Dublin* præd' & ibm' tent' & continuat' uſq; ad ultimum

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ultimum diem ejuſd' menſis Octobris, & eod' die prorog. abinde apud villam de *Drogheda*, & ibm' tent' & continuat' xiii. die Febr. anno duodecimo regni Reginæ, præd' uſq' ad xv. diem ejuſd' menſis Februar. & ibm' prorogat' abinde eodem xv. die Februar. ad civitatem *Dublin*, præd. uſq; xxvi. diem Maij tunc prox' ſequen' & eodem xxvi. die Maij apud *Dublin* tent. & ibm' continuat' uſq; ad xxvi. diem Iunij tunc prox. ſequen' anno duodecimo regni Reginæ præd' & eod' xxvi. die Iunij prorog. abinde uſq; ad ſextum diem Novemb. tunc. prox futur. ann. duodecim' regni' Regin' præd' & eod. vi. die Novemb' anno præd' ibm' tent' & continuat. uſq; ad ſecund' diem Decemb. tunc. prox. futur. anno tertio decimo regni Reginæ præd' & eodem ſecundo die Decemb. prorog. abinde uſq; ad quint. diem ejuſdem menſis Decem. Et eodem. quint. die Decem. anno tertio decimo regini Reginæ præd. apud *Dublin* præd. tent. & ibm' continuat, uſq; ad duodecimum diem ejuſdem menſis Decemb. Et eodem duodecim' die Decembris proro' abind' uſq; ad xxv. diem Apr. tunc prox. futur.

CHAP. I.

The Act of Subſidie granted to the Queen's Majeſtie.

Expired.

Recital of a ſubſidy of a 13s. and 4d. for every ploughland for 10 years to Q. Mary, by ſtat. 3. and 4. P. and M. chap. 12. now expired.

Sir Henry Sydney, lord deputy, having put in ſuſpenſe coyne and livery.

WHERE at a Parliament holden at Dublin the firſt day of June, in the third and fourth years of the raignes of King Philip and your moſt deare ſiſter Queen Mary, before their right welbeloved couſen and counſailor Thomas Earle of Suſſex, Viſcount Fitzwaters, Lord Egremount and Burnell, one of the gentlemen of their privie chamber, captaine of all the gentlemen penſioners at armes to their Majeſties, in your realme of England, and then the lord deputie of your Majeſties ſaid realm, we your Majeſties loving, faithfull and obedient ſubjects, conſidering with our ſelves the infinite maſſes of treaſure able to purchaſe a kingdom, that your moſt noble progenitors, the famous princes of England, hath exhauſted for the government, defence and preſervation of us, and this your Highneſſe realm of Ireland, did then, as an argument of our benevolent and loial minds towards the maintenance and conſervation of your kingly eſtate over us, graunt unto the ſaid Queen's majeſtie, her heyres and ſucceſſours, a ſubſidie of thirteen ſhillings foure pence, of every plough land within this realm, for tenn years then enſuing, and now expired, to be taxed and levied in ſuch rate and form, as in the ſame act, entituled, *The Act of Subſidie*; more amply doth appear; and being now at this preſent time juſtly moved by ſundry great cauſes of joy and comfort, which we daily receive through your Majeſties ineſtimable goodneſſe in providing for us ſo profitable a governour as the right honorable Sir Henry Sydney, Knight of the honourable order, now lord deputie of this your Majeſties realm of Ireland, who by his great travail of bodie and mind, ſincere, and upright adminiſtration of juſtice, hath not onely, through your Highneſſe maintenance and ſupportation, put in ſuſpence that grievous and intollerable exaction of coyne and livery, the freter of our lives and ſub-

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And suppressed Oneil's rebellion.

ſtance, but alſo hath ſubdued and brought to nought that unnaturall and ranke rebell, Shane Oneil, the chiefe diſquieter and hinderer of this our common wealth, whereby the whole countries and territories of Ulſter, are like ſhortly, by the grace of God, to be at your Majeſties devotion and diſpoſition: for whoſe tender care over us, ſhewed by the deputing and ſupporting of ſo good a miniſter, wee your faithful ſubjects acknowledge our ſelves more beholding to your moſt excellent Majeſtie, than we can with tongue or pen expreſſe, and ſhall inceſſantly make our prayers to Almightie God, for the preſervation of your moſt royal and noble perſonage long and proſperouſly to reigne over us, and other your realmes and dominions. And haveing with all due conſideration of the huge charges already imployed, and to be imployed by your Majeſtie, for bringing to paſſe of theſe great things, tending to the ſound and univerſall reformation of this your Highneſſe realm, which wee hope your Highneſſe doe graciouſly mean and truſt to be in theſe your happy dayes, to the glorie of God and your immortall fame, wee for the allevation of ſome part of your Majeſties ſaid ineſtimable charges, and in conſideration to be from henceforth delivered from that grievious exaction of coyne and livery, doe moſt lovingly and freely offer unto your Majeſtie, not onely the renewing of the ſaid ſubſidie now expyred, but alſo lowly and hartily profer to you our bodies and ſubſtance to maintaine theſe your juſt quarrells, godly enterpriſes, and lawfull attempts, and doe humbly require that the graunt of the ſaid ſubſidie may be enacted.

In alleviation of the Queen's charges, and in conſideration of being delivered from the grievous exaction of coyne and livery.

The ſaid ſubſidy renewed for 10 yeares.

And bee it therefore enacted, ordayned and eſtabliſhed by your Majeſtie, with the aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That your Majeſtie, your heyres and ſucceſſours, ſhall have and perceive yearly a ſubſidie of thirteene ſhillings foure pence, of and upon every plough land occupyed or manured, or hereafter to be occupyed or manured within this your realm of Ireland, from the time of the occupying or manuring thereof, as long time as it ſhall be occupyed or manured, to be payed in manner and forme beforeſaid, from the laſt day of September, which was in the year of our Lord God a thouſand five hundred threeſcore and ſixe, to the end of the terme of tenn years then next enſuing, payable yearly at the feaſt of Saint Michael the Archangell, during the ſaid tearm, and that all croſſe lands and cleargie of this realm, ſhall bee yearly charged during the ſaid tearm, with like ſubſidie unto your Majeſtie, your heires and ſucceſſours, to be levied at the feaſt aforeſaid, in like manner and forme as the croſſe lands and clergie of the ſheirs of Dublin, Meth, Kildare and Loweth, were charged with by the Parliament of this realm, begun at Dublin the firſt day of May in the eight and twentie year of the raign of your Highneſſe moſt deer father King Henry the eight, in the act of ſubſidie paſſed in that Parliament, and in none otherwiſe; and forasmuch as divers countries and parts of this realm, which now bee ſhire grounds, and which are not yet eſtabliſhed for ſhire grounds, there is no extent certaine of ploughlands, by which occaſion, this benevolence of us, your ſaid loving ſubjects, cannot be ſo beneficiall unto your Majeſty, your heires and ſucceſſours, as wee doe intend and meane it, unleſſe order be taken for reducing the ſame to like certaintie as they be in your ſhires of Dublin, Kildare, Meth, and Lowth.

Payable yearly at feaſt of St. Michael.

All croſſe lands and clergy chargeable, as they were by the act of ſubſidy, 28 *H.* 8. chap. 27. in the ſhires of Dublin, Meath, Kildare and Louth.

Divers parts not being yet eſtabliſhed for ſhire grounds, there is no extent certain of plough lands, whereby this benevolence not ſo beneficial as intended.

II. Bee it enacted, ordayned and eſtabliſhed, by the authority of this preſent Parliament, That the lord deputie, or other governour of this realme for the time being, ſhall have full power and authoritie by force of this act, to make, ordeyne and depute, ſuch and ſo many commiſſioners in everie countie or ſhire of this realm, now made, eſtabliſhed, and known for ſhire ground, the ſaid ſhires of Dublin, Kildare, Meth and Loweth onely excepted, and that heerafter ſhall be made and eſtabliſhed ſhire ground for the extending and making of ploughlands, of like rate, eſtimate and quantitie, as ploughlands bee preſently moſt univerſally ſet out and knowen in the ſhires of Dublin, Kildare, Meth and Loweth, whereof or upon which the ſaid ſubſidie of thirteen ſhillings and foure pence ſhall be leviable and perceived, and alſo for the levying, rearing, and perceiving of the ſaid ſubſidie to the uſe and behoofe of your Majeſtie, your heyres and ſucceſſors, in manner afore expreſſed, which rate and extent ſo ſet out and made by the ſaid commiſſioners, ſhall bee returned by them into your Majeſtie, your heires and ſucceſſours court of exchequer in this realm, there to remaine of record for ever, and that the ſame plough lands ſo rated and extended, ſhall be and ſtand charged with the ſaid yearly ſubſidie, according to the tenour and purport of this

The governor may make commiſſioners in every county, except the ſaid 4 ſhires, for extending and eſtimating ploughlands in the like manner.

Which extent ſhall be returned into exchequer.

All perſons to aſſiſt the commiſſioners, and obſerve the order taken by them, on pain of 5l.

preſent act, and that every perſon and perſons within this realm, to their power and knowledge, of what eſtate, condition, or degree ſoever hee or they be, ſhall bee ayding and aſſiſting to the ſaid commiſſioners and everie of them, and ſhall rightly, truely and obediently, obſerve and keep the order to be taken by them, aſwell in the extent and rate of the plough lands, as for the levying and rearing of the ſaid ſubſidie in manner aforeſaid, upon paine of five pounds to bee forfeited by every perſon that ſhall offend in this point, ſo ofte as he doth tranſgreſſe this eſtabliſhment, which forfeiture ſhall bee levyed and taken to the uſe and behoofe of your Majeſtie, your heires and ſucceſſours, of and upon his lands, goods and cattalls, by ſuch and the ſame order, as like forfeytures to your Majeſtie, by the laws of this realm, be leviable and perceiveable.

Not to charge thoſe who have freedom from ſubſidy.

III. Provided alwayes, and be it enacted by the authoritie aforeſaid, That no manner man ſpirituall ne temporall, ne commoner of this realm, nor any corporation within the ſame, having freedom or diſcharge of ſubſidie by your Majeſtie, or any your progenitours, grants, or by act or acts of Parliament of this realm, or other lawfull meane ſhall be charged with ſubſidie by force of this act.

Nor lands within limits of priviledged cities and towns.

IV. Provided alſo, That neyther the citie of Dublin, the citie of Waterford, the citie of Corke, the citie of Lymericke, ne the townes of Drogheda, Kilkenny, Kynſale, ne none other citie ne towne priviledged, ne borough towne within this realm of Ireland, nor any the citizens, burgeſſes or inhabitants of them, or any of them, ſhall be charged with ſubſidie, for any the lands or hereditaments that bee parcell, part or member of the ſame cities, towns or boroughes, or any of them, or ſcituated within the franchiſe, liberties, limits, or bounds of any the ſame cities, towns or boroughes.

Perſons charged to go or ſend to hoſtings, &c. for ſervice of the realm, having their chief dwellings in the countries, ſhall during that time be free of this ſubſidy for ſo much, &c.

V. Provided alſo, and be it enacted by the authoritie aforeſaid, That all lords, knights, eſquiers and gentlemen that now bee charged by law, cuſtom, or uſage of this realm, or hereafter ſhall bee charged and appoynted by the lord deputie, or other governour of this realm for the time being, by reaſon of their lands and poſſeſſions, to goe or ſend to hoſtings, roades or journeyes, for ſervice of the realm, at their proper charges, having aſſignement of carting and carriage after the auncient cuſtome, which lords, eſquieres or gentlemen, have or ſhall have their chief dwellings in the countries out of the cities and priviledged towns, ſhall be during the time that they ſo have or ſhall have their chief dwellings in the countrey, free and diſcharged of this ſubſidie, for ſo much as ſuch portion of their lands and poſſeſſions, as preſently by any ordinary meane is aſſigned unto them, as competent, for their proper manurance, plowing, and cattel, in their chief dwelling places, or that hereafter ſhall be aſſigned, limited, and ſet out by commiſſioners to be appointed in every ſhire now eſtabliſhed or hereafter to be eſtabliſhed in this realm by your Majeſtie, your heyres or ſucceſſors, commiſſion or commiſſions, to be made under yours or their great ſeal of this realm, at or by the denomination of the lord deputie, or other governour of this realm for the time being, for that purpoſe, in everie of which commiſſions, one of your Majeſties, your heyres or ſucceſſours, privie councell in this realm to be of the *quorum*, and ſhall alſo be free and diſcharged from and of all coyne and liverie, and of carting and carriage to hoſtyngs, roades, and journeyes.

All lands, &c. which have or ſhall come to the crown, except the auncient inheritance, ſhall be charged with this ſubſidy, as with like ſubſidy heretofore.

VI. Be it alſo enacted by the authority aforeſaid, That all ſuch lands and tenements, and all other poſſeſſions and things both ſpirituall and temporall, which have commen, or hereafter ſhall come to your Majeſties hands or poſſeſſion, or to the hands and poſſeſſion of any your heyers or ſucceſſors, or that heretofore have commen to the hands or poſſeſſion of your Majeſtie, or any your moſt noble progenitors and predeceſſors, the auncient inheritance of your Majeſtie, or any your moſt noble progenitors only excepted, ſhall be charged with this ſubſidie in like ſort and manner, as the ſame were or ought to have been charged, with like ſubſidie heretofore granted before the comming of the ſame lands, tenements and poſſeſſion, to the hands and poſſeſſion of your Majeſtie, or any your predeceſſors, progenitors, heyres or ſucceſſors, and in no other maner.

Not to charge the polles of Meath and Weſtmeath, ſo that they bear the accuſtomed impoſitions.

VII. Provided alſo that this act, nor any thing therein conteyned, ſhall in any wiſe extend or be ment to charge any the polles of Meth or Weſtmeth, with this ſaid ſubſidie or any part thereof, ſo that the ſame polles and the inhabitants, manurers or occupyers

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pyers of the ſame, doe bear and yeald ſuch charges and impoſitions as they have been accuſtomed heretofore: any thing in this act to the contrarie notwithſtanding.

CHAP. II.

An Act for the Limitation of Places for Tanning of Leather.

Rep. 10. & 11. *C.* 1. 6. The lord deputy by advice of the council, may appoint places for the tanning hides and leather.

IT is enacted by our ſoveraigne lady the Queene's Majeſtie, by aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authoritie of the ſame, that the right honourable Sir Henry Sidney, Knight of the moſt noble order, now lord deputie of this realm, by adviſe of the Queene's Majeſties privie councell, ſhall have full power and authoritie, by tenour of this act, to limit and appoint in all and every the ſhires of this realm, ſuch place and places for the tanning of hydes and leather, as to his wiſdom by adviſe aforeſaid, ſhall be thought meet and convenient, and that all the hydes and leather tanned, or put to be tanned in any other place or places by any perſon or perſons after the limitation and appointment of the ſaid place or places, by his honour, in any ſhire, other then in the ſaid place or places ſo limited or appointed, ſhall be forfeit, the one halfe thereof to our ſoveraign lady the Queen's Majeſty, her heyres and ſucceſſours, and thother halfe to the party that will informe the ſame, the juſtices of peace, juſtice of gaole delivery, aſſiſe, oyer and determiner in every ſhire, to enquire thereof, heare and determine the ſame.

CHAP. III.

An Act confirming the Queen's Title, and the Intereſt of Patentees, in the Landes of late belonging to Chriſtopher Ewſtace and others.

Recital of 28 *H.* 8.

WHERE in a Parliament holden at Dublin the firſt day of May, in the twentieth and eight yeare of the raign of the Queene's Majeſties moſt noble father King Henry the eight late King of England, before his truſty and welbeloved the lo: Leonard Gray, Knight, lord Gray, deputy to the ſaid late King, and to his moſt deer and moſt beloved couſin Henry duke of Richmond and Somerſet, then his lieutenant of this his land and dominion of Ireland, there was one act made and eſtabliſhed, by the tenour of which act, it appeareth that Chriſtopher Ewſtace, of Cotlanſton in the countie of Kyldare, Eſquire, and certain others in the ſaid act named, did commit and perpetrate high treaſon, which Chriſtopher Euſtace was condemned, executed and ſuffered death for the ſaid treaſon; after whoſe death all the mannours, caſtles, meſuages, lands, tenements, and hereditaments, with the appurtenances, whereof the ſaid Chriſtopher, or any other perſon or perſons, were ſeyſed to his uſe, were come and taken into the hands of the ſaid late King Henry the eighth, and ſithence that time to this preſent, have continued in the poſſeſſion of the ſaid late King Henry the eighth, King Edward the ſixt, Queen Mary, King Philip and Queen Mary, and of our ſoveraign lady the Queene's Majeſtie that now is, except ſuch parcells of the ſame as were by any of the ſaid noble princes King Henry the eight, King Edward the ſixt, Queen Mary, King Philip and Queen Mary, or our ſoveraign lady the Queen's Majeſtie, given, graunted, bargained,

Chriſtopher Euſtace executed for high treaſon.

or

or ſold to any perſon or perſons, of all which parcels ſo given, graunted, bargained or ſold, the grauntees or patentees, their heires and aſſignes, have continued in the quiet poſſeſſion of the ſame, likewiſe to this preſent. For confirmation therefore of the right, title, and intereſt of our ſaid ſoveraign ladie the Queen's Majeſtie, and the ſaid patentees and grauntees, their heyres and aſſignes, in the premiſſes, and to the end no ſcruple or queſtion may hereafter remaine, whereby any perſon or perſons, by ſubtile or ſiniſter practiſe, might take occaſion to encumber, vexe, or diſturb the poſſeſſion of our ſoveraign ladie the Queen's Highneſs, her heyres and ſucceſſours, eyether in the ſaid land, tenements, or hereditaments, or in any other lands, tenements, or hereditaments, which were unto any other perſon or perſons in uſe or poſſeſſion attainted or charged with treaſon by the ſaid act, or to vex, cumber or diſturb, the poſſeſſion of any the patentees, grauntees, leſſees, of any the ſaid noble princes, or the heires, executors, or aſſignes of the ſaid patentees, grauntees, or leſſees of any the ſaid lordſhips, manors, caſtles, meaſes, lands, tenements or hereditaments: Be it ordeyned eſtabliſhed, and enacted by our ſoveraign lady the Queen's Majeſtie, by the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That the ſaid Chriſtopher Ewſtace, be deemed, reputed and adjudged as a traytour and perſon attainted of the ſaid treaſon, which by the tenour of the ſayd act is recyted that hee committed.

Confirmation of his attainder and the Queen's title to his lands, &c. notwithſtanding any error therein, or lack of record.

II. And be it further enacted, ordeyned, and eſtabliſhed by authoritie aforeſaid, That all the caſtles, manours, houſes, meeſes, lands, tenements, rents, reverſions, ſervices, mills, moors, meadowes, paſtures, woods, waters, fiſhings, courts, leets, warrens, advowſons of churches, and all other hereditaments, commodities, dueties and profites, of what nature, name, condition, or kind the ſame bee, with all and ſingular their appurtenances, whereof the ſaid Chriſtopher Ewſtace, or anie other perſon or perſons charged or attainted of treaſon by the ſaid act, were ſeiſed in fee ſimple or fee tayle, or whereof any other perſon or perſons were ſeiſed to the uſe of them, or any of them and their heyres, or the heires of any of them, or the heyres male or generall of the bodie of any of them, the day or time of their treaſon, by the ſaid act ſuppoſed to bee done or committed, or any time after, ſhall be and remain to our ſoveraign lady the Queenes Majeſtie, her heyres and ſucceſſours for ever, the lack of any record or records, of any the ſaid perſon or perſons, attainder or attainders, or any errour in the ſame, or any other cauſe or matter to the contrary in any wiſe notwithſtanding.

Attainder of Nicholas Keting and David Nevel, their lands, &c. remain to the Queen,

III. And be it further enacted by the authority aforeſaid, That all the caſtles, manours, lordſhips, meaſes, lands, tenements, rents, reverſions, ſervices, milles, moores, meddowes, paſtures, woods, waters, fiſhings, and other hereditaments, commodities and profites, of what nature, condition or qualitie the ſame were or be, whereof

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notwithſtanding lack of record, &c.

Nicholas Keting, commonly called the Baron Keting, David Nevell, commonly called the Baron Nevell, in the countie of Wexford eſquiers, or any of them were ſeiſed in fee ſimple or fee tayle, the day of their attainder or deaths, or the day of the attainder or death of any of them or whereof any other perſon or perſons were ſeiſed to the uſe of them, or any of them, of any eſtate of inheritance, the day of the death of any of them, ſhall be and remaine to our ſoveraign lady the Queenes Majeſtie, her heires and ſucceſſours for ever, the lack of any record or records, of any the ſaid perſon or perſons, attainder or attainders, or any errour in the ſame, or any other cauſe or matter, to the contrary in any wiſe notwithſtanding.

Confirmation of the patentees of any ſaid lands.

IV. Provided alway, and bee it enacted by the authoritie aforeſaid, that all and every letters patents, under the great ſeal of England, or under the great ſeal of Ireland, made by any of the ſaid noble princes, King Henry the eighth, King Edward the ſixth, Queen Mary, King Philip and Queen Mary, or by our ſoveraigne lady the Queenes Majeſtie that now is, to any perſon or perſons before the firſt day of this preſent Parliament, of any the ſaid lordſhips, mannours, caſtles, meſees, lands, tenements, rents, reverſions, ſervices, hereditaments, or any other the premiſſes, ſhall be and remain in full force and effect, to all intents, conſtructions and purpoſes, and that the ſaid patentees, their heirs, executors, and aſſigns, ſhall have and enjoy all the lordſhips, manours, caſtels, meſes, lands, tenements, rents, reverſions, ſervices, milles, moores, meddows, paſtures, woods, waters, fiſhings, hereditaments, commodities and profits, with the appurtenances, and everie other thing and things in their letters patents ſpecified and conteyned, that is to ſay, eyther of the ſaid patentees, his heires, executors, and aſſignes, according to the words, purporte and limitation of their letters patents, this preſent act, or the lack of the records of the attainder of the ſaid perſons, or any of them, or errour in the ſame, the lack or inſufficiencie of offices taken of any the ſaid lands, to the contrarie in any wiſe notwithſtanding.

The patentees paying &c.

V. It is likewiſe ordeyned and enacted, That the ſaid patentees, their heyres, executours and aſſignes, ſhall yeeld, pay, doe, and obſerve to our ſoveraigne lady the Queen's Majeſtie, her heires and ſucceſſours, everie thing and things to be yeelded, payed, done and obſerved of their parts, by tenour of their letters patents, and ſhall yeeld and pay to everie other perſon and perſons, every rent, cuſtome, profite and duty, which of right they ought to have out of any the ſaid hereditaments, or by reaſon of the ſame, at any time ſithence the date of their letters patents before the paſſing of this act.

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CHAP. IV.

An Act that five Perſons of the beſt and eldeſt of every Nation amongſt the Iriſheric, ſhall bring in all the idle Perſons of their Surname, to be juſtified by Law. Rot. Parl. cap. 6.

Rep. 10. and 11 *C.* 1. 6.

WHERE we, your Majeſties moſt humble and obedient ſubjects, have been theſe many years paſt grieved with a generation of vile and baſe conditioned people, bred and maintained by (coynie and liveries) the auncient enemies to the proſperitie of this your Majeſties realm, of which ſort the lords and captains of this land hath to raiſe and ſtirre up ſome to be maintained as outlaws to annoy each others rules, and ſo ſerving the iniquitie of the time, hath not onely in attending thoſe practiſes, imbaſed their owne particular eſtates, but alſo brought the whole publike wealth of their ſuppoſed rules to ruine and utter decay; for remedie whereof, your ſaid ſubjects moſt lowly and humbly beſeech it may bee enacted, ordeyned and eſtabliſhed by your moſt excellent Majeſty, with the aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, that from henceforth, five perſons of the beſt and eldeſt of everie ſtirpe or nation of the Iriſhrie, and in the countries that bee not as yet ſhire grounds, and till they bee ſhire ground, ſhall be bound to bring in to be juſtified by law, all idle perſons of their ſurname, which ſhall bee hereafter charged with any offence, or elſe ſatisfie of their owne proper goods, the hurtes by them committed to the parties grieved, and alſo yeeld to the Queen's Majeſtie, her heires and ſucceſſours, ſuch fines as by the lord deputy, governour or governours, and the councell of this realm for the time being, ſhall be aſſeſſed for their offences.

33 *H.* 6. 3 *Ir.* 35 *H.* 6. 2. *Ir.*

Five perſons of the beſt and eldeſt of every ſtirp of the Iriſhry, and in countries not yet ſhire ground, bound to bring in to be juſtified by law, all idle perſons of their ſurname charged with offence, or elſe ſatisfy for the ſame out of their own goods, and fined at diſcretion.

CHAP. V.

An Act for reviving the Statute againſt Gray Merchants; the Statute for Servants Wages, and the Satute of Jeofailes. Rot. Parl. cap. 7.

WHERE in the firſt ſeſſion of Parliament holden within this realm at Dublin, the Monday next after the feaſt of the holy trinity, the xiii. day of June in the xxxiiii. year of the raigne of the noble King Henry the eighth, father to our ſoveraign lady the Queen's Majeſtie, before the right honourable Sir Anthony Seintleger, knight, one of the gentlemen of the ſaid noble king's privy chamber, lord deputy of Ireland, there was an act eſtabliſhed and made by authority of the ſaid Parliament, that no perſon or perſons to the intent to ſell the ſame again, ſhould buy, or cauſe to be bought within this land any hydes felles, chequers, fleges, yarne, linnen cloth, wool or flockes, in any other place or places, but onely in the open market or fayr, and if any perſon or perſons did otherwiſe, and were of the ſame duely convict, that then every perſon or perſons ſo convicted, to be adjudged a foreſtaller of the market, with certain penalties in the ſame act; which act was to endure but to the laſt day of the next Parliament, then after to be holden within this land, in which Parliament there was one other act made and eſtabliſhed, intituled, *An Act for ſervants wages*, to endure to the next Parliament within

The following ſtatutes revived and recontinued.

33 *H.* 8. 2. ſeſſ. 1. againſt gray merchants.

33 *H.* 8. 9. ſeſſ. 1. for ſervants wages.

33 *H.* 8. 3. ſeſſ. 2. ſtat. of Jeofails.

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The eleventh Year of Elizabeth. Seſſ. 2.

Stat' Ordination' & Act' in Parliamento prædict' apud Dublin. præd. die Lunæ proxim. ante feſtum ſancti Mathæi Apoſt. viz. viceſimo primo die Februar. Anno undecimo Regni Reginæ prædict. coram Prefato deputato, ſimiliter tento edit' in hæc verba.

CHAP. I.

An Act authoriſing Statutes, Ordinances, and Proviſions to be made in this preſent Parliament concerning the Government of the common Weale, and the Augmentation of Her Majeſties Revenues, notwithſtanding Ponynges *Act.* Rot. Parl. cap. 8.

11 *Eliz.* 8. ſeſſ. 3. IN their moſt humble wiſe beſeechen your moſt excellent Majeſtie, the lords ſpiritall and temporall, and all other your Highneſſe moſt loving and obedient ſubjects, the commons in this

Recital of 10 *H.* 7. 4. your high court of Parliament aſſembled: That where in a Parliament holden at Drogheda, the Monday next after the feaſt of Saint Andrew the apoſtle, in the tenth year of your moſt noble grandfather King Henry the ſeventh, before Sir Edward Ponynges, knight, then lord deputy of this realm, it was, amongſt other things enacted, and eſtabliſhed, " That no Parliament ſhould be holden in " this realm, but at ſuch ſeaſon as the King's lieutenant and councell " here did certifie the King, under the great ſeal of this realm, the " cauſes and conſiderations, and all ſuch acts as them ſeemed,

" ſhould

" ſhould paſſe in the ſame Parliament, and ſuch cauſes, and con-
" ſiderations, and acts, affirmed by the King and his councell to be
" good and expedient for this realm, and his licence thereupon
" as well in affirmation of the ſaid cauſes and acts as to ſummon
" the ſaid Parliament, under his great ſeale of England had and
" obtained; that done, a Parliament to be had and holden after the
" forme and effect afore rehearſed: and if any Parliament bee
" holden in this realm contrarie to the forme and proviſion a-
" foreſaid, it bee deemed voyd of none effect in the law."
By occaſion whereof no eſtabliſhments or proviſions can be concluded by the bodie of your Majeſties Parliament being aſſembled, but ſuch onely as have been before their aſſembly certified unto your Highneſſe, and affirmed by the ſame; and ſo the moſt grievous ſores of this your Highneſſe common wealth, which are beſt known to ſuch, as are and ſhall be appointed to be of that high court, and moſt felt by them, cannot be conveniently reformed, as having not been before certified to your Highneſſe: It may therefore pleaſe your Majeſtie of your moſt aboundant grace, and for the princely zeale that your Highneſſe hath ever tenderly borne unto this your poore realm, that it bee enacted, ordeyned, and eſtabliſhed by your moſt excellent Majeſtie with the aſſent of us the lords ſpirituall and temporall and commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That all and every the acts, ſtatutes, ordinances, proviſion, thing and things, of what nature, name, condition, or qualitie the ſame ſhall be of, to be had, done, made, ordeyned, and eſtabliſhed by the authoritie of this preſent Parliament, that ſhall concern the common weale of this realm, or of any province, territory, country, ſhire, member, or part thereof, or any good orders for repreſſion and reformation of enormities, vices, and abuſes, that doe or may annoy this common weale, or any part or member thereof, or your Highneſſe ſubjects reſiant therein, or the better correcting or amending of defaults that ſhall bee ſeen to the ſayd court of Parliament meet to be reformed for the eaſe of your Highneſſe ſubjects or the deviſe of wholſome ordinances for the correction and well ordering of the life and manners of your Majeſties people here, or the eſtabliſhment of civill policie, quiet, and order amongſt your good and loving ſubjects, or the augmentation of your Majeſties revenues, or the aſſurance of your Majeſtie, your heyres and ſucceſſours, to any lands, tenements, hereditaments, caſualties, commodities, or profits, which ſhall bee certified unto your Majeſtie under your great ſeal of this your realm of Ireland, and by your Highneſſe allowed and conſented unto, and after returned unto Ireland under the great ſeal of England; and after openly proclaymed in the cities and townes of Dublin, Waterford, Cork, Lymerick, Drogheda, and Galway, ſhall immediately after the ſaid proclamations in form aforeſaid made and pronounced, and not

Inconvenience thereof.

All ſtatutes, *&c.* of this Parliament, concerning the common weal of this realm, or any part thereof, or reformation of vices and abuſes, amending defaults, well ordering manners, or eſtabliſhment of civil policy, augmentation of the Queen's revenues, aſſurance to her of lands, *&c.* certified under the great ſeal, and allowed and returned to Ireland under great ſeal of England, and proclaimed in Dublin, Waterford, Cork, Limerick, Drogheda, and Galway, ſhall be in full force, notwithſtanding to *H.* 7. 4. or any act to the contrary.

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The eleventh Year of Elizabeth. Seſſ. 3.

Stat', Ordination' & Act' Parliam' præd. apud Dublin præd. viceſimo tertio die ejuſdem menſis Februar. Anno undecimo Regni prædictæ dominæ Reginæ, cora præfato deputato ſimiliter tento edita in hæc verba.

CHAP. I.

An Act for the Attainder of Shane Oneile, and the Extinguiſhment of the Name of Oneile, and the entitling of the Queen's Majeſtie, her Heyres and Succeſſours, to the country of Tyrone, and to other Countries and Territories in Ulſter. Rot. Parl. cap. 9.

WHEN we conſider, our moſt intirely beloved and no leſſe dread Soveraign lady and princeſſe, the loving mind and daily charges, which you inceſſantly ſpare not to imploy both for the advancement of this your realme of Ireland, and the ſuertie and profite of us your faithfull and obedient ſubjects of the ſame, wee cannot nor ought, except we would be noted to the world for ingrate and unnaturall people to your royall perſon, being our ſupream head and defendor, but ſtudie, deviſe, and invent all the beſt wayes and means, we can poſſible, both to increaſe your kingly eſtate over us, and alſo help to uphold and maintaine with the rampier of our carcaſſes, and conſumption of our goods: and as the glory of Kings doe not onelie conſiſt in high bloud or haute progenie, abundance of private riches and ſubſtance, wherewith your Majeſtie is on every way plentifully adorned, but alſo the greateſt magnificence of a prince reſteth in populous, rich, and well governed regions, wealthy ſubjects, and beautifull cities and townes, of which themperiall crowne of England have ben before this time conveniently furniſhed within this realm of Ireland, untill through the iniquitie of times ſuch, as yet remaine, were impaired, and the reſt utterly loſt; but now thanks be unto Almightie God, thone well amended, and the ſeates, ſignes, plattes, and places of thother recontinued to the quiet poſſeſſion of your moſt excellent Majeſty,

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aſwell by the death and finall deſtruction of that caitife and miſerable reble Shane Oneile, as alſo by other godly and careful trade of government, uſed by your Majeſties deputie Sir Henry Sidney, which rebell, to the perpetuall damage and infamy of his name and linage, refuſing the name of a ſubject, and taking upon him as it were the office of a prince, hath proudly, arrogantly, and by high and perillous practiſes enterpriſed great ſturres, inſurrections, rebellions, and horrible treaſons againſt your royall Majeſtie your crown and dignitie, imagining and compaſſing thereby to deprive your Highneſſe, your heires and ſucceſſors, from the reall and actuall poſſeſſion of this your Majeſties kingdom of Ireland, your true, juſt, and auncient inheritance to you by ſundrie diſcents, and authentike ſtrong titles rightfully and lawfully devoluted, as to the very indubitate and lawful heire thereof by pretext of keeping to him and his ſurname the dominion and territories of Ulſter, unjuſtly claimed as their ſoile and ancient inheritance, being the ſift and one of the largeſt partes of this your realm, and ſtanding in the moſt perilous place of the ſame; and foraſmuch, moſt gracious ſoveraign lady, as for the manifold heynous offences committed by the ſaid traytour and his confederats, our intent and earneſt deſire is to intitle your Majeſtie, your heires and ſucceſſours, by Parliament, to the dominion and territories of Ulſter, as a foundation layd for your Highneſſe to plant and diſpoſe the ſame for increaſing of your revenue, ſtrengthening of us, and confirmation of this your realm, wee think it not unneceſſarie firſt to open unto your Majeſtie and your nobilitie of England, by this our humble ſupplication addreſſed unto your moſt princely eſtate, the fall and trayterous attempt of that archrebell and arrant traytor, as an introduction to ſo great and good a purpoſe, to the intent that like as wee your people are repleniſhed with incredible joy and gladneſs for being delivered from the perill of ſo great and cruell a tyrant, ſo your Majeſtie would vouchſafe to expreſſe your juſt deſerved indignation by matter of record againſt the bloud, progeny and linage of ſo vile, abhominable, and ſediſious perſon. And therefore to begin, it may pleaſe your Majeſtie to underſtand, that after that your moſt famous father, King Henry the eighth, hath upon the humble ſubmiſſion of the late Coun Oneyle, father to the ſaid traytour, created the ſaid Coun earle of Tyrone, and his ſoone Matthew Oneyle, baron of Dungannan, the remainder of the ſaid earldome, to the ſaid baron and his heires males of his bodie, lawfully begotten, the ſaid Shane Oneyle of pretenced malice, to prevent that Engliſh creation and order of ſucceſſion, did falſly and tryterouſly, in his ſaid father's life time, murder the ſaid baron, being a faithfull ſubject to the crown of England, and after the deceaſe of his ſaid father, uſurped and tooke upon him the name of Oneyle, with the whole ſuperiority, rule and govern-

Rebellion of Shane Oneile,

Who unjuſtly claimed Ulſter, the fifth part of this realm, ſtanding in the moſt perilous place thereof.

Shane Oneil's traiterous attempt ſet forth.

Conn Oneil, father of Shane, upon his ſubmiſſion, created by K. *H.* 8. earl of Tyrone,

his ſon Mathew, baron of Dungannon, remainder of the earldom to him and his heirs male of his body.

Shane, to prevent that

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ance of all the lords and captains of Ulſter, according to the Iriſh cuſtome, in ſcorne of that Engliſh creation, and ſo proceeded on with tyrannie, oppreſſion and diſobedience, untill he openly and publickly, in the beginning of your Majeſties raigne, levied ſharpe and cruell warre againſt your Majeſtie, depopulating, killing, robbing and ſpoyling of us, your faithfull and obedient ſubjects, within this your realm of Ireland; hee entered firſt into Oreyles countrie, and took hoſtages of him to be his man, and at his commaundement, and after that made a roode in Tirconile, and there by treachery and falſhood took Odonill, a faithfull ſubject to your Majeſtie, his wife, and his ſoone and heire priſoners, and ſo cruely handled the ſaid Odonil, that through dureſſe of impriſonment, hee was compelled to yeeld up into his hands, his holdes and caſtels, his plate and all his ſubſtance, and then putting him at libertie, deteyned ſtill the ſonne in captivitie, and the wife he kept in carnall knowledge: Thus having Odonils countrey and people at commaundement, hee began to fortifie a ſtrong iſland in Tyrone, which for the ſtrength and force of the place, hee cauſed to bee called in deſpite Fooghnegall, which is as much to ſay as, the hate of Engliſhmen. And further for manifeſtation of this rancour and cancred heart to that nation, hee cruelly hanged one of his country by the feet, onely upon bare ſuſpicion that he ſhould be a ſpie for Engliſhmen, another he hanged becauſe he was found with Engliſh biſket about him, the third being one of the captaines of your Majeſties galloglaſſes, named Fardorogh Mac Donill, falling infortunately into his hands, hee ſo cruſhed by torture and dureſſe of binding, that he brack his backe bone, and ſo ended his life miſerably. And albeit that theſe and other the actions and doing of the ſaid Shane Oneyle, hath been ſithence that time, ſo manifeſt, rebellious, and trayterous againſt your moſt excellent Majeſtie, your eſtate, crown and dignitie, as each member of this commonwealth and kingdome hath well felt the ſame, by his arrogant, undutifull and trayterous attempts, untill the arrivall of Sir Henry Sidney, your Majeſties deputie of this realm; yet for the more evident declaration of your Majeſties clemencie, and of his unnaturall, ingrate and deteſtable conſpiracies and treaſon, the ſaid lord deputy, with the adviſe of the councell heere, hath thought good to publiſh and denounce by proclamation, what hope your Highneſſe had of his dutifullneſſe and conformity, and how worthily his deſerts hath heaped upon him your Highneſſe utter indignation, correction and incurable diſpleaſure, and namely, ſithence the ſaid lord deputie accepted the deputation and government of this kingdome, before which time his diſſimulation and hypocriſie was ſuch, as in humble and repentant manner, he promiſed his loyaltie and faithfull obedience with ſuch ſubjection heereafter, as he obteined at your Majeſties hands, not onely peace, but pardon to his offences againſt your Highneſſe and your crowne, and after that exhibiting certaine petitions

Engliſh creation and ſucceſſion, murdered the ſaid baron,

and after his father's deceaſe uſurped the name of Oneil, with the rule of all Ulſter, according to Iriſh cuſtom,

in the beginning of the Queen's reign levied war on her ſubjects, entered O Reyle's country, and took hoſtages from him,

took priſoner O'Donnel, and poſſeſſion of his country, fortified a ſtrong iſland in Tyrone.

His cruelties.

Proclamation of Sir H. Sidney, lord deputy.

Shane's diſſimulation and hyprocify, obtains pardon upon promiſe of obedience.

his petitions by the dean of Armagh grant-

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titions in England by the dean of Armagh, the ſame deane was returned with letters from your Majeſtie to the ſaid lord deputie, wherein the moſt part of his demaunds were yeelded unto conditionally, that it mighte appeare to the world, that he ment faithfully, effectually and truely to obſerve and performe his humble and loyall promiſe, which being diſſimuled till the firſt of May, which was in the year of our God a thouſand five hundred threeſcore and ſixe, at which time he craved a meeting and conference in the confines beſides Dondalke: the ſaid lord deputie and councell both for his benefite and the quiete eſtate of this countrey repayred thether, and there continued the ſpace of five dayes, where in all that ſpace he could not be perſwaded or allured by his friends either to repaire to the ſaid lord deputie according to his bounden dutie, or to meete in convenient place, where by ſpeech and conference his loyaltie and good meaning (if there had been any) might have been witneſſed and diſſiphered by the ſaid lord deputy and councell, and by them for his benefite pronounced to your Highneſſe: at his returne from thence the malice of his traytors heart waxing as it were to a ripeneſſe, and not any longer able to bee conteyned, repreſſed, or hidden in it ſelfe, he hath not onely ruined, broken down, and defaced the metropolitane church of Armagh in the countie of Ulſter moſt unnaturally, irreligiouſly, and contemptuouſly, but alſo hath raiſed divers holds, fortes, houſes, and caſtels within the ſame countie, deteyning and impriſoning your Majeſties good and obedient ſubjectes without any cauſe of offence offered, and beſides invaded the countrey of Fermanagh, and from thence expelled Mac Gwire, your Majeſties good and faithfull ſubject, exempted from all rule and authoritie of Oneyl, and his aunceſtors, as may appeare by ſufficient teſtimonie. And when after theſe tyrannous, felonious, and traytorous attempts he urged again a Parliament and meeting the five and twentieth of July in the yeare aforeſaid, profeſſing by the humilitie of his letters as though he had been glad of peace and tranquilitie, foraſmuch as the lord deputie and councell were truly advertiſed, that he repaired to the confines in warrelike manner with all the force and power he was able to make, it was thought meet, that a convenient force to reſiſt his invaſions ſhould at that day bee aſſembled at Dondalke aforeſaid: and albeit that by the ſpace of two daies the ſaid lord deputie remained in the frontiers of Ulſter, readie to heare any requeſt that he ſhould humbly have offered, yet hee not onely refuſed to repaire unto him, or to ſend any man inſtructed in his griefes, but cauſed his people to begin warre and ſkirmiſh contrary to his oath and dutie of a ſubject; and after ſuch time as the ſaid lord deputie had diſperſed his force for the commoditie and eaſe of the people, the ſame Oneyle hath with banners diſplayed, as an open enemie, traytor, and rebell entered into the Engliſh pale, and with fire and ſword waſted part of

ed upon condition to obſerve his promiſes.

1ſt of May 1566 craved a meeting with the deputy, and refuſed to repair to him.

Defaced the church of Armagh, raiſed forts in Ulſter, impriſoned the Queen's ſubjects,

invaded Fermanagh and expelled Mc. Guire.

Required a ſecond meeting, profeſſing humility, came in a warlike manner, and again refuſed.

After the deputy diſbanded his forces, entered the pale, waſted the country, &c. and beſieged Dondalk, where repulſed with loſs.

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the country, and ſlew of your Majeſties ſubjectes; and laſtly hath beſieged Dondalke, where the pride and treaſon of his arrogant rebellious minde was juſtly ſcourged by God, and the valiante defence of the ſoldiers and inhabitants, where he loſt no ſmall number, with their captaines, enſignes, and leaders. And for a further declaration of the malice of this traytor it is evident, that hee hath practiſed with foraine princes to bring into this realm a power of ſtrangers to the diſheriſon of your Majeſtie, and the utter ruine and ſpoyle of this your Highneſſe countrey and people; as moſt manifeſtly appeareth by his owne letters addreſſed as well to Princes as to ſundre other forraigne potentates, politikely intercepted by the ſaid lord deputie, ſhewed unto us, and after, as wee are informed, to your moſt excellent Majeſtie: for all which cauſes the ſaid lord deputie and councel did pronounce him a rebell, and moſt unnaturall, vile, and corrupt traytour to your Highneſſe, your crown and dignitie, to bee proſecuted as the lothſomnes of his treaſon and rebellion deſerved at your Majeſties hands, with all his confederates, maintayners, and partakers, except ſuch as before a certaine day then limited ſhould perſonally come and ſubmit themſelves to the ſaid lord deputie to receive your Majeſties pardon, with ſuch conditions for the aſſurance of their fidelities hereafter as to him ſhould ſeeme good. And the ſaid traytour, having by this effrenable meanes growen to great power and force, did bring the whole north of Ireland in ſubjection to him and under his rule, wherein he had a ſcope of a hundred and twentie miles long, and a hundred and odde miles broade, to runne and rome himſelfe; and then beganne to put in a foote in Connaght, and to procure friendſhip in the province of Mounſter, by his ſecret letters and meſſengers ſent to the greateſt potentate there, exciting him to rayſe warre and rebellion in that end of the realm, to the intent that your Majeſties army here might not wholy attend to his reſiſtance in the ſharpe and daily inventions by him attempted to burn, kill, ſpoyle, and deſtroy us, your Majeſties faithfull ſubjects within the Engliſh pale of this your realm: and although he was denied of that requeſt, yet that intreatie together with the greatneſſe of the intreator did incourage many lewd perſons in thoſe parts to live in great diſorder, and apt to runne to armour by his proſperity. Thus this pernicious rebell, in whom the wicked of this realm had repoſed their whole truſt of libertie, to rove and live at randan, continued in his pride and tyrannicall ruffling, untill by the diligent miniſtry, actuall warre, and the politique perſecutions of your Majeſties painefull, prudent, and well diſpoſed deputie, Sir Henry Sidney, knight of your honourable order, a man moſt fit for the reſervation of this your realm, and of us your faithfull ſubjects, in that reſpect ſo truly beloved as hee, hath not lacke of our hearts and willing mindes both to ſerve and contribute for the advancement of this commonwealth, whereon we ſee and

practiſed to bring in ſtrangers.

He and his confederates, except ſuch as ſubmitted, proclaimed traitors by the deputy,

brought the whole North into ſubjection,

his practices in Connaught and Munſter.

Commendation of Sir H. Sidney, to whom Shane was determined to come diſguiſed,

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feele his eie continually fixed, who, loſing no time nor ſlugging one hour, hath ſo actually followed the warre, that from firſt to laſt there were of the ſaid traytors men ſlaine and drowned to the number of three thouſand five hundred perſons or thereabouts, himſelfe diſcomfited and put to ſundry flights, his wings daily pulled awaye, his paſſages ſtopt, and his places of his refuge by good foreſight ſo anticipated, as he was driven to ſuch ſtraightneſſe and extreem exigent, that the ſecond day of June a thouſand five hundred threeſcore and ſeven feeling himſelfe all weakened, and beholding his declination and fall neer at hand, avowed and fully determined to come in diſguiſed manner, for fear of intercepting, with a collar about his neck, to the preſence of the ſaid lord deputie, and to ſubmit himſelfe as a moſt wretched man, hoping by that order of humilitie to have founde ſome mercie and grace at your Majeſties hands, until he was ſtaied againſt his will by ſuch as pretended to bee his truſtieſt friends, and in eſpecial by the perſwaſion of a barbarous clerk, named Neyll Mac Kever, whom hee had in moſt reputation, and uſed for his ſecretory, by whoſe councell the ſaid rebell was drawen firſt to try and treate the friendſhip of the Scotts, in joyning with them for the maintayning of that his traiterous rebellion; which if he might not obtain, then agreed, that his firſt determination was the likelieſt way to ſave his life with the loſſe of his lande and reputation, and thereupon took his journey towards the Scotts, who were incamped in Claneboy to the number of ſixe hundred under the leading of Alexander Oge, brother to James Mac Conell, and one Mac Gilly Aſſpuke his nephew, ſonne to Agnes Jlye, brother alſo to the ſaid James, which was ſlaine in the late overthrow given by the ſaid Shane Oneyle to the Scottes, and ſo entered the tent of the ſaid Alexander, accompanied with Odonilles wife, whome hee kept; Swarlye Boye brother to the ſaid Alexander, the ſaid ſecretorie, and the number of fiftie horſmen, where after a few diſſembled gratulatorie words uſed betwixt them, they fell to quaffing and drinking of wine; This Agnes Jlye's ſonne, all inflamed with malice and deſire of revenge for the death of his father and uncle, began to miniſter quarrelling talk to Oneyle, who took the ſame verie hot, and after ſome reprochfull words paſt betwixt them the ſaid Gillaſſpuke demaunded of the ſecretorie, whether hee had bruted abroad, that the ladie his aunt, wife unto James Mac Conill, did offer to come out of Scotland into Ireland to marrie with Oneile, the ſecretorie affirmed himſelfe to bee the author of that report, and ſaid withall, that if his aunt were Queen of Scotland, ſhee might bee well contented to match herſelfe with Oneyle, the other with that gave him the lye, and ſaid, that the ladie, his aunt, was a woman of that honeſtie and reputation, as would not take him, that was the betrayer and murderer of her worthy huſband. Oneyle, giving eare to the talke, began to maintayne his

2 June, 1567, with a collar about his neck, and ſubmit,

but reſtrained by his ſecretary, who perſwaded him to treat with the Scots then encamped at Claneboy,

by whom he is ſlain upon a ſudden quarrel.

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ſecretories quarrell, and thereupon Gillaſpuke withdrew himſelfe out of the tent, and came abroad amongſt his men, who forthwith raiſed a fray, and fell to the killing of Oneiles men; and the Scotts, as people thirſtie of Oneiles bloud, for requiting the ſlaughter of their maſter and kinsfolke, aſſembled together in a throng and thruſt into the tent, where the ſaid Oneile was, and there with their ſlaughter ſwords hewed him to pieces, ſlew his ſecretorie and all thoſe that were with him, except a verie few which eſcaped by their horſes. Alexander Oge, after this bouchery handling of this cruell tyrant, cauſed his mangled carcaſſe to be caried to an old ruinous church neer unto the camp, where for lack of a better ſhroud he was wrapt in a kerns old ſhirt, and there miſerably interred; a fit end for ſuch a beginning, and a funerall pompe convenient for ſo great a defacer of God's Temples, and a withſtander of his princes lawes and regall authoritie. And after being foure dayes in earth, was taken up by William Piers, and his head ſundred from his bodie was brought unto the ſaid lord deputie to Drogheda the one and twentieth day of June a thouſand five hundred three ſcore and ſeven, and from thence carried unto the citie of Dublin, where it was bodied with a ſtake, and ſtandeth on the top of your Majeſties caſtle of Dublin. Thus in ſhort ſpace beyond the expectation of man, was this unnaturall, odious, and arrant rebell, naming himſelfe ſometime King of Ulſter, and King of all the Iriſhry of this realm, and ſometime their patron, protector, and defendor, by the mightie hand of God brought to confuſion, and delivered into the hands of his competitores for the lands and poſſeſſions of your Majeſtie, and of your true and faithfull ſubjects of this realm. And now moſt deere ſoveraign Ladie, leaſt that any man, which liſt not to ſeek and learn the truth, might be ledd eyther of his owne fantaſticall imagination or by the ſiniſter ſuggeſtion of others to think, that the ſtrene or lyne of the Oneiles ſhould or ought by prioritie of title to hold or poſſeſſe anie part of the dominion or territories of Ulſter before your Majeſty, your heyres and ſucceſſours, we your Grace's ſaid faithfull and obedient ſubjects, for avoyding of all ſuch ſcruple, doubt, and erroneous conceit, doe entend here (pardon firſt craved of your Majeſtie for our tedious boldneſſe) to diſcloſe unto your Highneſſe your auncient and ſundry ſtrong authentique tytles conveyed farre beyond the ſayd lynage of the Oneiles and all other of the Iriſhrie, to the dignitie, ſtate, title, and poſſeſſion of this your grace's realm of Ireland. And therefore it may like your moſt excellent Majeſtie to bee advertiſed, that the auncient Chronicles of this realm, written both in the Latine, Engliſh, and Iriſh tongues, alledge ſundry auncient titles for the Kings of England to this land of Ireland. And firſt, that at the beginning, afore the comming of Iriſhmen into the ſayd land, they were dwelling in a province of Spain, called Biſcan, whereof

His head delivered to the deputy 21 June 1567, and placed on the caſtle of Dublin.

The Queen's ſeveral anticent titles, far beyond the Oneils and all other of the Iriſhry.

Firſt title.

whereof Bayon was a member, and the chief citie. And that at the ſaid Iriſhmen's comming into Ireland, one King Gurmonde, ſonne to the noble King Belan King of Great Britaine, which now is called England, was lord of Bayon, as many of his ſucceſſours were to the time of King Henry the ſecond, firſt conquerour of this realm, and therefore the Iriſhmen ſhould be the King of England his people, and Ireland his land. Another title is, that at the ſame time that Iriſhmen came out of Biſcay as exiled perſons in ſixtie ſhips, they met with the ſame King Gurmond upon the ſea, at the yles of Orcades, then coming from Denmark with great victory, their captaines called Hiberus and Hermon, went to this King, and him told the cauſe of their comming out of Biſcay, and him prayed with great inſtance, that he would graunt unto them, that they might inhabite ſome land in the Weſt. The King at the laſt, by adviſe of his counſel, granted them Ireland to inhabit, and aſſigned unto them guides for the ſea to bring them thither: and therefore they ſhould and ought to bee the King of England's men. Another title is, as the clerke *Geraldus Cambrenſis*, writeth at large the hiſtorie of the conqueſt of Ireland, by King Henry the ſecond, your famous progenitor, how Dermot Mac Morch prince of Leinſter, which is the firſt part of Ireland, being a tyraunt or tyraunts baniſhed, went over the ſea into Normandie, in the parts of France, to the ſaid King Henry, and him beſely beſought of ſuccour, which hee obtayned, and thereupon became liegeman to the ſaid King Henry, through which he brought power of Engliſhmen into the land, and maried his daughter named Eve, at Waterford, to Sir Richard Fitz Gilbert, earl of Stranguile in Wales, and to him graunted the reverſion of Leinſter, with the ſaid Eve his daughter. And after that the ſaid earl granted to the ſaid King Henry, the citie of Dublin, with certaine cantredes of lands next to Dublin, and all the haven-townes of Leinſter, to have the reſt to him in quiet, with his Grace's favour. Another title is, that in the year of our Lord God, one thouſand one hundred ſixtie two, the aforeſaid King Henry landed at the citie of Waterford, within the realm of Ireland, and there came to him Dermet King of Corke, which is of the nation of the Mac Carties, and of his own proper will became liege tributorie, for him and his kingdom, and upon that made his oath, and gave his hoſtages to the King. Then the King rode to Caſhell, and there came to him Donalde King of Limericke, which is of the nation of the O Brenes, and became his liege, as the other did. Then came to him Donalde King of Oſſorie, Mac Shaghlin King of Ophaly, and all the princes of the South of Ireland, and became his liege men as aforeſaid. Then went the ſaid King Henry to Dublin, and there came to Him O Kirnill King of Uriell, O Rowcke King of Meth, and Rothorick King of all Iriſhmen of the land, and of Connaght, with all the princes, and

Second.

Third. Hiſtory by Geraldus Cambrenſis, Clerk.

Fourth, the landing of K. *H.* 2. to whom all the Kings of Ireland voluntarily became ſubject.

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men of value of the land, and became liege ſubjects, and tributaries, by great oathes, for them, their Kingdomes and lordſhippes, to the ſaid King Henry, and that of their owne good wills, as it ſhould ſeem, for that the chronicles make no mention of any warre or chivalrie done by the ſaid King, all that time that he was in Ireland. And in the year of our Lord God, a thouſand, a hundred, fourſcore and five, he gave the land of Ireland to his youngeſt ſonne John by name, about which time the ſaid John came in perſon into Ireland, and held the ſame land. Another title is, that all the clergie of this realm aſſembled at Armagh at the time of the conqueſt, upon the coming over of Engliſhmen our forefathers, and there it was decreed and deemed by them, that through the ſinne of the people of the land, by the ſentence of God, the miſchiefe of the conqueſt them befell. Another title is, that at the firſt comming and being of King Richard the ſecond, in Ireland, at the citie of Dublin, and other places of the land, there came unto him, with their own good wills, O Neyl, captain of the Iriſhmen of Ulſter, O Breene of Thomond, O Connor of Connaght, Arther Mac Morchie, captaine of Iriſhmen in Leinſter, and all Captaines of Iriſhmen of Ireland, and became Liege men to the ſaid King Richard, and to him did homage and fealty, and for the more greater ſuretie bound themſelves in great ſummes of money, by divers inſtruments, in caſe they did not truely keepe and hold theire allegiance in the forme aforeſaid, and therefore ſayeth this clerk, that from the beginning of his time, which was about three hundred, and fourſcore years paſt, good is the King of England's title and right to the land and lordſhip of Ireland, and wiſheth him for ſhame to hold the ſame as a thing of great price in diſpite of them that would ſay the contrarie. This Author, in a ſhort collection of this his hiſtorie ſaith, that one Robert Fitz Stephen was the firſt man that opened the way of Ireland to the earl Stranguyle, the earl to King Henry, the King to his ſon John, and that greatly hee is to bee praiſed, that firſt ſo boldely began; and greater worthy of prayſe, that after the beginning, ſo nobely came to execute the thing ſo well begun; but moſt of all he is to be praiſed that ſhall end the ſame; which prayſe by God's divine preſcience, is light on your Majeſtie, in whoſe happie dayes this four hundred and foure years began conqueſt is now ended and brought to an honourable paſſe, without any great effuſion of bloud, but by a godly conqueſt, in winning of the people and the land, who now being over layed by the mightineſſe of your power, and perſwaded by the juſt and gracious dealing of your deputie here, are fatigated with warre, and begin to cry, firſt for your mercy, and next for your juſtice, to remaine as a continual ſtickler among them, to right and end their cauſes for ever. Now leaving theſe hiſtoricall titles, which be witneſſe of time, and the meane whereby man is brought to the knowledge of antiquities, as a firme foundation layed for your Majeſties good

H. 2. gave Ireland to his ſon John, who came and held the ſame in perſon.

Fifth, decree of the clergy aſſembled at Armagh.

Sixth, K. *R.* 2. came to Ireland. voluntary ſubmiſſion of the Iriſh chiefs.

Robert Fitz Stephen, the firſt who opened the way to Ireland.

The Queen's right corroborated with recent matter of record, and particularly to Ulſter.

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good and ſound right to this realm; we will corroborate the ſame with recent matter of record, verifying your Majeſtie's title in generaltie to the whole realm of Ireland, and in particularitie to the dominion and territories of Ulſter. And therefore it is to be underſtood, that King Henry the ſecond, the firſt conquerour of this realme, ſent one John de Corſie, being a valiant knight, and a borne ſubject to the crowne of England, into Ulſter with a power of men, who firſt won the citie of Downe, and after that conquered all Ulſter, and brought the people of the ſame in due ſubjection to the crowne of England, and for his paine-full ſervice and worthy deedes, did hold and poſſeſſe the ſayd countrey of Ulſter quietly of the King of England's gift, of whoſe companions in armes, there remaineth at this day in Ulſter, as a teſtimonie of that conqueſt, certaine ſtirpes of Engliſh bloud, as the Savages, Yordans, Fitz Simons, Chamberlins, Benſons, Ruſſels, Audeleyes, Whytes, and many others, as proprietories of large portions of land, hardly and valiantly hitherto kept by them, although with great peril and povertie: which John de Corſie died without iſſue, after whoſe death the ſame countries was given to Hugh de Lacy, and to his heires, who died, having iſſue a daughter, which daughter was married to one Redmonde de Burgo, which Burgo, after three or foure diſcentes, had iſſue a daughter, was eſpouſed to Leonell duke of Clarence, third begotten ſon of your moſt famous progenitor King Edward the third, who likewiſe quietly held the ſame countrey of Ulſter during his life, in right of his ſaid wife, and died, having iſſue Phillippe his onely daughter, which was maried to Edmonde Mortimer, earle of March, who long and honourably enjoyed the ſame country; which Edmond Mortimer had iſſue Roger Mortimer, earl of March, which had iſſue Edmond Mortimer, Anne and Ellynor, which Edmond and Ellynor died without iſſue. And the ſaid Anne was married to Richard earl of Cambridge, ſonne unto Edmond of Langley, duke of York, the fift begotten ſonne of the ſaid King Edward the third; which Richard had iſſue the famous prince Richard Plantagenet, duke of York, which had iſſue that noble prince King Edward the fourth, father to the vertuous Queen Elizabeth, your Majeſties graundmother, united in matrimony to the high and ſage Prince King Henry the ſeventh, your Majeſtie's good and gracious grandfather: during all which time the O Neyles were of no eſtimation, nor durſt bear up head in Ulſter, but lived as vaſſalls and obedient people to the crowne of England, untill civill warres began in the realm of England, betwixt King Richard the ſecond, and Henry of Lancaſter, ſonne to John of Gaunt, by which diſcord, the foundation of this common-wealth began to ſhake; for that, that thoſe perſonages of honour and reputation here withdrew themſelves into England, to be occupyed as they were affected in that factious time; upon whoſe departure the O Neyles, and

John De Corſie ſent by *H.* 2. conquered and held Ulſter by gift of the King.

Stirpes of Engliſh bloud ſtill remaining there.

Upon his death without iſſue, the ſaid country given to Hugh de Lacy, who left a daughter married to Redmond de Burgo.

The Queen's title to Ulſter, by lineal deſcent.

The Oneils lived as vaſſals and obedient to the crown, till the civil wars in England of York and Lancaſter.

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other Iriſhrie heere, ſought and took opportunitie to withdraw from their dutie of allegeance, and ſo to doe all that which appertained to rebellious and undutifull ſubjects to doe, and ſo diſcontinued uncontrolled, untill the foure and thirtieth year of the raign of your moſt famous and victorious father King Henry the eight, at which time O Neyle, O Breene, Mac William Bourk, and others the greateſt and chiefeſt captaines of the Iriſhrie of this realm, repaired into England to his Majeſtie's royal preſence, and there with all humilitie, free conſent, and good will, ſubmitted themſelves unto his Grace, reſigning and ſurrendring up unto his Highneſſe hands their captainſhips, ſtiles, titles, dignities, ſuperiorities, countries, and lands, to be ordered and diſpoſed at his Grace's pleaſure; who, like a mercifull and a bounteous Prince, accepting the ſame, returned them home againe, with Engliſh names of honour, great gifts and poſſeſſions, to bee holden in ſucceſſion, by Engliſh tenure, of his Majeſtie, his heires and ſucceſſours for ever. And farther, in a Parliament holden at Dublin within this realm, the eight and twentieth year of the raigne of your ſaid moſt famous Father, it was enacted by an act, intituled, *The Act of abſencie*; "That foraſmuch as it was notorious and manifeſt, that this land of Ireland, being heretofore inhabited and in due obedience to the ſaid King's moſt noble progenitors, who in thoſe dayes, in the right of the crowne of England, had great poſſeſſions, rents and profites within the ſame land, hath principally growen into ruine, rebellion, and decay, by occaſion that great dominions, lands, and poſſeſſions within the ſame land, aſwell by the King's graunts, as by courſe of inheritance, deſcended to noblemen of the realm of Enland, and eſpecially the lands and dominions of the earledomes in Ulſter and Leinſter; the conqueſt and winning whereof, in the beginning, not onely coſt the King's ſaid noble progenitors, and their faithfull ſubjects of this realm, charges ineſtimable, but alſo thoſe to whom the ſaid lands was given then, and many years after abiding within the ſaid land, nobly and valiantly defended the ſame againſt all the King's enemies, and alſo kept the ſame in ſuch tranquilitie and good order, as the King of England had due obedience of the inhabitance there, the laws obeyed, and of the revenues and regalitie were duely anſwered; and after the gift or diſcent of the ſaid lands, poſſeſſions, and dominions to the perſons aforeſaid, they and their heires abſented themſelves out of the ſaid land of Ireland, deniorning within the realm of England, not pondering ne regarding the preſervation thereof; the townes, caſtels, and garriſons appertaining unto them, fell in ruin and decay, and the Engliſh inhabitants therein, in default of defence and juſtice, and by compulſion of thoſe of the Iriſh, were exiled, whereby the King's ſaid progenitors loſt aſwell their ſaid dominion and ſubjection there, as alſo all their revenues and profites, and their ſaid enimies, by readopting or retayning the ſaid lands, dominions, and poſſeſſions, were

34 *H.* 8. Oneil and other Iriſh chiefs repaired to England, ſubmitted, and ſurrendered their lands, *&c.* to the King.

Who ſent them back with Engliſh names of honour, and poſſeſſions to be held by Engliſh tenure.

28 *H* 8. 3. the act of abſentees recited.

Inconveniencies thereof.

were elevated into great pride, power and ſtrength, for ſuppreſſing of the reſidue of the King's ſubjects of this land, which they daily, ever ſince, have attempted, whereby they from time to time uſurped and encroached upon the King's dominion, which hath been the principall cauſe of the miſerable eſtate, wherein the land was at that preſent time :" and thoſe lands and dominions, by negligence and default of the very inheritors, after this manner loſt, may bee good example to your Majeſtie, intending by the grace of God, the reformation of the ſaid land, to foreſee and prevent that the like ſhall not enſue hereafter. Therefore the three eſtates of this realm, aſſembled in that preſent Parliament, did enact, condiſcend, and agree, " That your Majeſties ſaid moſt famous Father ſhould have, hold, poſſeſſe, and enjoy, to him, his heires and ſucceſſours, for ever, as in the right of the crown of England, aſwell the ſaid earldomes of Ulſter and Leinſter, as alſo all other honours, mannours, lordſhips, caſtles, ſeignories, and other hereditaments whatſoever, to the ſaid perſons in any wiſe belonging or appertayning, within this your Majeſties realm of Ireland." And likewiſe in a Parliament holden at the ſaid citie of Dublin within this land, in the three and thirtieth year of the raign of your ſaid moſt victorious Father, it was enacted then by authoritie of the ſaid Parliament, " That your Majeſties ſaid moſt famous Father ſhould bee King of Ireland, and that his Highneſſe, his heires and ſucceſſours, as Kings of the ſame realm, ſhould have all kingly eſtate, preheminence, dignitie and ſuperioritie over this land, and the people of the ſame ;" all which recent and ſtrong title conſidered, together with this your Majeſties late honourable eviction of the ſaid dominion of Ulſter from the uſurpation of the trayterous intruder Shane O Neyle, maketh to manifeſt proof to the world, of your cleere, ſound and unſpotted titles, both to the whole body of this realm, and in particularitie to that part and member of Ulſter, out of which hath like to have growen the infection and ſubverſion of this your whole realm. And albeit, moſt gracious ſoveraign Lady, that this your preſent conqueſt atchieved, is the conſummation of foure hundred foure yeares travaile in this realm, yet is there of late, to the great glorie of God, your immortall fame, and good encouragement, a greater conqueſt then this wrought in this your land of Ireland, which is, the aboliſhing and extirpation of that horrible and moſt deteſtable coyne and liverie, which was the very nurſe and teat that gave ſuck and nutriment to all diſobediences, enormities, vices, and iniquities of this realm, over foule and filthie here to be expreſſed, and ſuch as did juſtly provoke the wrath and vengeance of Almighty God upon the people of this land, and to be feared, hath bred ſome perill of God's diſpleaſure to your moſt noble progenitors, the Princes of England, for ſo long ſuffering of the ſame. By the extirmination whereof, there is, in

Earldom of Ulſter and Leinſter veſted in H. 8.

33 H. 8. 1. made King of Ireland.

Advantages accruing by the exterminating Coyne and Liverie.

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ſo ſhort a time, ſuch an alteration of this eſtate happened, that where before there was every where but howling, crying, curſing, penury and famine, now is there inſtead thereof mirth, joy, jolitie, and bleſſing of your Majeſtie, with ſuch plentifulneſſe of graine and victualls among the people of this realm, as the like hath not been ſeen nor heard of within the memorie of man ; all parts of the ſame realm ſo quieted, the people as it were of themſelves ſo inclined to juſtice, as wee dare ſay, your Majeſties commiſſioners, juſtices, and commaundements may have, at this day, free courſe throughout this your whole realm of Ireland. This is the handy worke of God, extending his great mercy and compaſſion upon your poore and long afflicted people of this land. This is the favour which your Majaſtie have found in the ſight of God, to augment, ſtrenghten, and honour your imperiall crown of England, by the thorough reformation of this your realm of Ireland now preſent at hand, if it pleaſe your highneſſe to accept the ſame. This is the diligent and painfull induſtry of your good ſervant, Sir Henry Sydney, whoſe part wee may not leave unreported, without breach of conſcience ; who, laying God for his foundation, hath proceeded by the direct line of juſtice, according your Highneſſe inſtruction, without corruption or reſpect of perſons, to bring theſe great things to paſſe. And upon the humble knees of our hearts, doe render endleſſe thankes to the omnipotent God, which hath thus bleſſed this worke in the hands of your Majeſtie, and your ſaid faithfull ſervant, and doe moſt lowly and humbly beſeech your moſt excellent Majeſtie, that like as to your great charges, and ours partly, according to our moſt bounden duty, all impediments to the reformation of this your realm, is now taken away. So it would pleaſe your Highneſſe to take ſuch faſt hold thereof, as wee may bee from henceforth conſerved and kept in order by due adminiſtration of juſtice, which is the onely way, warranted by God, to make Princes raigne proſperouſly, and their ſubjects to live in due obedience, wealth, and tranquilitie, whatſoever the thoughts or deviſes of men are to the contrarie. And although (moſt gracious ſoveraign Ladie) that the ſayd traytor be dead and miſchieved, yet by the law of the land not puniſhed, and therefore to put ſuch traytours in feare in time comming ; We the commons of this your realm, moſt humbly pray your moſt excellent Majeſtie, that it may be enacted, and be it enacted by your highneſſe, with the aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That the ſaid Shane O Neyle ſhall be of theſe treaſons attainted, and that he ſhall forfit unto your Majeſtie his goods, lands, and tenements, rents and poſſeſſions, and his blood corrupt and diſabled for ever, and that he ſhould be reputed, had, named, and declared a falſe traytor to your Majeſtie, your crowne and dignitie,

Enacting part. Shane Oneil attainted.

nitie, and that all his tyrannie, acts, feates, and falſe opinions, ſhall be avoided, abated, adnulled, deſtroyed, and put out of remembrance for ever, as a thing purpoſed againſt God and conſcience, and againſt your royall eſtate and preheminence.

II. And foraſmuch as the name of O Neyle, in the judgments of the uncivill people of this realm, doth carrie in it ſelfe ſo great a ſoveraigntie, as they ſuppoſe that all the lords and people of Ulſter ſhould rather live in ſervitude to that name, than in ſubjection to the crown of England: bee it therefore, by your Majeſtie, with the aſſent of the lords ſpiritual and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That the ſame name of O Neyle, with the manner and ceremonies of his creation, and all the ſuperiorities, titles, dignities, preheminences, juriſdictions, authorities, rules, tributes, and expences, uſed, claymed, uſurped, or taken by any O Neyle, as in right of that name, or otherwiſe, from the beginning, of any the lords, captaines, or people of Ulſter, and all maner of offices given by the ſaid N Neyle, ſhall from henceforth ceaſe, end, determine, and be utterly aboliſhed and extinct for ever. And that what perſon ſoever he bee that ſhall hereafter challeng, execute, or take upon him that name of O Neyle, or any ſuperioritie, dignitie, preheminence and juriſdiction, authoritie, rule, tributes, or expences, uſed, claymed, uſurped, or taken heretofore by any O Neyle, of the lords, captains, or people of Ulſter, the ſame ſhall bee deemed, adjudged, and taken high treaſon againſt your Majeſtie, your crown and dignitie; and the perſon or perſons therein offending, and being thereof attainted, ſhall ſuffer and ſuſtain ſuch pains of death, forfeiture of lands and goods, as in caſes of high treaſon by the laws of this realm hath been accuſtomed and uſed.

Name of Oneile extinguiſhed; with the ceremonies of his creation.

Arrogating thereof high treaſon.

III. And for the better extirpation of that name, be it further enacted by the authority aforeſaid, That all the lords, captains, and people of Ulſter, ſhall be from henceforth ſevered, exempted, and cut off from all rule and authority of O Neyle, and ſhall onely depend upon your imperiall crowne of England, and yeeld to the ſame their ſubjection, obedience, and ſervices for ever.

Ulſter exempted from all rule of Oneil.

depend only upon, and yeild obedience and ſervice to, the crown of England.

IV. And where diverſe of the lords and captains of Ulſter, as the ſept of the Neyles, which poſſeſſeth the country of Claneboy, O Cahan, Mac Gwylin, the inhabitants of the Glynnes, which hath been ſometimes the baron Miſſets lands, and of late uſurped by the Scots, whereof James Mac Conyll did call himſelfe lord and conqueror, Mac Gynnes, O Hanlon, Hugh Mac Neile Moore; the four ſeptes of the Mac Mahounnes, Mac Kyvan, and Mac Can, hath been at the commaundement of the ſaid traytour Shane O Neyle, in this ſharp and trayterous warre by him levied againſt your Majeſtie, your Majeſties crowne and dignitie; for whoſe offences, be it enacted by your Highneſſe, with the aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled,

Lands, *&c.* of Shane's adherents forfeited, and veſted in the Queen.

A. D. 1569. Chap. 1.

and by the authoritie of the ſame, That your Majeſtie, your heyres and ſucceſſors, ſhall have, hold, poſſeſſe, and enjoy, as in right of your imperiall crown of England, the country of Tyrone, the countrey of Claneboy, the countrey of Kryne, called O Cahans countrey, the countrey of Rowte, called Mac Gwylins countrey, the countrey and lordſhip of the Glinnes, uſurped by the Scots, the countrey of Iveagh, called Mac Gynnes countrey, the countrey of Orry, called O Hanlons countrey, the countrey of the Fues, called Hugh Mac-Neyle Mores countrey, the countries of Ferny, Ireel, Loghty, and Dartalry, called Mac Mahouns countries, the countries of the Troo, called Mac Kynaus, and the countrey of Clancanny, called Mackans countrey, and all the honours manours, caſtles, lands, tenements, and other hereditaments whatſoever they be, belonging or appertayning to any of the perſons aforeſaid, or to their kinſmen or adherents, in any of the countries and territories before ſpecified: and that all and ſingular the premiſſes, with their appurtenances, ſhall be, by authoritie aforeſaid, forthwith inveſted with the reall and actuall poſſeſſion of your Majeſtie, your heyres and ſucceſſours for ever. And now moſt gracious and our redoubted ſoveraign lady, albeit that the ſaid lords and captains be not able to juſtifie themſelves in the eye of the law, for the undutifull adhering to the ſaid traytour O Neyle in the execution of his falſe and trayterous attempts againſt your Majeſtie, your crown and dignitie, yet having regard to his great tyranny which he uſed over them, and the miſtruſt of your Majeſties earneſt following the warre, to deliver them from his tyrannicall bondage, as you have moſt graciouſly and honourably done, wee muſt think, that rather fear, than any good devotion, moved the moſt part of them, to ſtand ſo long of his ſide, which is partly verified in that, that many of them came into your Majeſties ſaid deputie, long before the death of the ſaid traytour, and that after his deceaſe, Tirrelaghe Leinagh, whom the countrey had elected to be O Neyle, and all the reſt of the ſaid lords and captains, came, of their owne voluntarie accord, into the preſence of your Majeſties ſaid deputie, being then in Ulſter, and there, with ſigns and tokens of great repentance, did humbly ſubmit themſelves, their lives and lands, into your Majeſties hands, craving your mercy and favour, with ſolemne oathes, and humble ſubmiſſions in writing, never to ſwerve from that their profeſſed loyaltie and fidelitie to your imperiall crown of England. And therefore we your Majeſties ancient, obedient, true and faithfull ſubjects of this your realm of Ireland, with theſe your ſtrayed and new reconciled people, fleeing now under the wings of your grace and mercy, as their onely refuge, moſt humbly and lowly make our humble petition unto your moſt excellent Majeſtie, that it would pleaſe the ſame to behold with your pitifull eyes, the long endured miſerie of your ſaid ſtrayed people, and rather with eaſie remiſſion, than with due correction, to looke unto their offences paſt, and not onely to extend unto them your gracious pardon of their lives, but

But conſidering his great tyranny over them, and their miſtruſt of the Queen's following the war, that many of them came in before the death of Oneil, and Tirrelagh Leinagh afterwards, who was elected to be Oneil, and voluntarily ſubmitted.

Petition in their favour, for pardon, and a portion of their ſeveral countries to live on by Engliſh tenure and profitable reſervation.

alſo

alſo to have ſuch merciſull conſideration of them, as each according to his degree and good hope of deſerte may receive of your moſt bounteous liberalitie ſuch portions of their ſayd ſeveral countries to live on by Engliſh tenure and profitable reſervations, as to your Majeſtie ſhall ſeem good and convenient; in the diſtribution whereof your Highneſſe ſaid deputie is beſt able to inform your Majeſtie, as one, which by great ſearch and travayle doth knowe the quantity of the ſaid countreys, the nature of the ſoyles, the quality of the people, the diverſitie of their lynages, and which of them hath beſt deſerved your Majeſtie's favour to be extended in this behalfe.

Not to prejudice perſons of Engliſh blood or name, having any right before 20 H. 8.

V. Provided alwayes, and be it enacted, That this act, or any proviſion, clauſe, or article therein contayned, ſhall not bee underſtand or interpreted to be hurtfull or prejudiciall to the moſt reverend father in God the archbiſhop of Ardmagh, or his ſucceſſours; the right honourable Gerrald, earl of Kildare, or his heyres ſpeciall or generall, or his or their aſſignes; the right honourable Thomas earl of Ormond and Oſſory, or his heyres ſpeciall or generall, or his or their aſſignes; the biſhopes of Downe, Clogher, and Dromore, or their ſucceſſors; the dean and chapiter of the bleſſed Trinity in Dublin, or their ſucceſſours, fermours, or aſſignes; the deans and chapiters of Ardmagh, Clogher, and Dromore, and their ſucceſſours; the lord of Louth, or his heyres; Sir Nicholas Bagnoll, knight, or his heyres; Sir John Bellewe, knight, or his heyres; Chriſtopher Darcye, eſquire, or his heyres; John Travers of Ballikey, or his heyres; Richard Sedgrave of Killeglan, or his heyres; William Talbotte of Mallahyde, or his heyres; Roger Gernon of Gernonſton in the county of Lowth, or his heyres; Nicholas Taffe of Ballibragan, or his heyres; Edward Dowdall of Glaſpyſtell, or his heyres; Rowland White, or his heyres: John White of Balregan, or his heyres; John Caddell of the Nall, or his heyres; William Blackney of Richenhore, or his heyres; Chriſtopher Ruſſell of Lecall, or his heyres; Patrick Goughe, late of Mourne in the countie of Downe, or his heyres, feoffees, or aſſignes; Sir Chriſtopher Gafney Clerk, his heyres, feoffees, or aſſignes; Thomas Fleming of Syddan, or his heyres; Nicholas Taffe of Ratheſker, or his heyres; Manfelde, now dewelling in the countie of Waterford, or his heyres, feoffees, or aſſignes; or any other perſon or perſons ſeyſed to the uſe of any the ſaid perſons, their heyres or aſſignes, or to any the fermours, leſſees, or aſſignees of any the perſons before named, or of any their feoffee or feoffees, or to any other perſon or perſons, bodies politique or corporate, their heyres, aſſignees, or ſucceſſours, or any of them, being of the meere and naturall Engliſh bloud and name, that had any right, title, clayme, intereſt, lawfull entrie or poſſeſſion in and to any the lordſhips, mannours, lands, tenements, or hereditaments, ſituate within any the countries, territories, or places mentioned, rehearſed, or ſpeci-

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fied in this act, or in and to any rights, duties, or priviledges growing or to grow of any wares, merchandiſes, or foreign commodities to be conveyed or brought into any the ports, havens, creekes, and other places of diſcharge, within any part of the ſaid countries, territories, grounds, or places, at any time before the twentieth year of the raign of the late moſt famous Prince King Henry the eighth, father to you our ſoveraign lady; but that they and every of them ſhall have, enjoy, hold, poſſeſſe, and take full advantage and benefite of their ſeverall rights, titles, claimes, intereſts, lawfull entries or poſſeſſions, as if this act had never bin had or made.

CHAP. II.

An Act for making of the Trinitie Term ſhorter, and for the Commencement thereof. Rot. Parl. cap. 10.

32 *H.* 8. 21 *Eng.* Cauſes of abbreviating Trinity term.

WHERE the terme called the Trinitie terme of long time hath been and yet is uſed to be holden and kept in ſuch time and ſeaſons of the year, that by occaſion thereof not onely greate perill and daunger of infection of the plague and ſundry other ſickenes hath happened to the Queen's Majeſtie's loving ſubjects, as well nobles as other, but alſo hath been and yet is a great impediment and let to a great multitude of the Queen's Highneſs poore ſubjects for proviſion and gathering in of the harveſt, and other neceſſarie buſineſſe and livings, in that ſeaſon of the yeare moſt expedient to be exerciſed: the Queen's moſt royall Majeſtie, having eſpeciall reſpect as well to the health as to the wealth of her people, by the aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authoritie of the ſame, ordeyneth, enacteth, and eſtabliſheth, That in the ſaid Trinitie term ſhall be foure common dayes of return onely, and not above (that is to ſay) the firſt day of returne ſhall be, and be called in *craſtino ſanctæ Trinitatis*; the ſecond day of return of the ſame terme ſhall be, and be called *in Octavis ſanctæ Trinitatis*; the third day of returne in the ſaid terme ſhall be, and be called *in Quindena ſanctæ Trinitatis*; and the fourth day of return of the ſame term ſhall be and be called *a die ſanctæ Trinitatis in tres ſeptimanas*: and that the ſame dayes of return ſhall be obſerved and kept in all our ſoveraign the Queen's Majeſtie's high courts of record, her heyres and ſucceſſours, hereafter to be holden in Dublin or other place or places within this realm of Ireland, at the aſſignment, appointment, or agreement of the lord's lieutenant, lord deputie, or other governour or governours of the ſaid realm, for the time being. And that from and after the feaſt of Saint Michael tharchangel next comming there ſhall not be nor be called any daies of return *in craſtino ſancti Johanis Baptiſtæ*, *Octavis ſancti Johannis Baptiſtæ*, nor *quindena ſancti Johannis Baptiſtæ*, nor any of them.

There ſhall be only four common days of return in Trinity term.

A. D. 1569. Chap. 2.

II. And be it further enacted by authoritie aforeſaid, That the ſaid term of Holy Trinitie ſhall yearly for ever from the ſaid feaſt of St. Michael the Archangell, next comming, begin the Monday next after Trinitie Sunday, whenſoever it ſhall happen to fall, for the keeping of the eſſoines, proffers, returns, and other ceremonies heretofore uſed and kept in like manner and form as in times paſt hath been uſed to be done in the day of return, commonly called, *in octabis ſanctæ Trinitatis*, and that the full term of the ſaid Trinitie term ſhall yearly for ever begin and take his commencement the Friday next after Trinity Sunday in ſuch and like manner and form to all purpoſes, intents, and reſpects, as heretofore hath been uſed the Wedneſday next after the ſayd Friday; and that from and after the ſaid feaſt of Saint Michael the Archangell, next comming, the ſaid ſecond and third dayes of return, called, *octabis ſanctæ Trinitatis* and *quindena ſanctæ Trinitatis*, ſhall take their commencement and begin, as in times paſt hath been uſed; and that the ſaid fourth day, called, *a die ſanctæ Trinitatis in tres ſeptimanas*, ſhall take his commencement and begin from the ſaid Trinitie Sunday into three weekes then next following, and ſhall have his return the fourth day, as is accuſtomed in other like dayes of return.

When Trinity term ſhall begin, and every return thereof.

III. And be it further enacted by the authoritie aforeſaid, That if after the ſaid feaſt of Saint Michael tharchangel next coming any writ in any reall action come in or bee returnable into any of our ſaid ſoverain lady the Queen's courts, her heyres or ſucceſſors, *in octab. ſancti Hillarij*, then day ſhall be given *in craſtino ſanctæ Trinitatis*, *in decimo quinto ſancti Hillarij*, *in octabis ſanctæ Trinitatis*, if *in craſtino purificac' beatæ Mariæ*, *in quind' ſanctæ Trinitatis*, if *in purificac' beatæ Mariæ*, then *a die ſanctæ Trinitatis in tres ſeptimanas*. And if after the ſaid feaſt of Saint Michael tharchangel any writ in any reall action come into any of our ſaid ſoveraign lady the Queen's courts, her heirs or ſucceſſors, returnable *in craſtino ſanctæ Trinitatis*, then day ſhall be given *in craſtino animar'*, if *in octabis ſancta Trinitatis*, *in craſtino ſanctæ Martini*, if *in quinden' ſanctæ Trinitatis*, *in octabis ſanctæ Martini*, if *a die ſanctæ Trinitatis in tres ſeptimanas*, *in quindena ſancti Martini*.

Days given in real actions.

IV. And be it further enacted by authoritie aboveſaid, That if after the ſaid feaſt of Saint Michael tharchangell next comming any writ of dower come into any our ſoveraign ladie the Queen's courts, her heires or ſucceſſors, returnable *in quindena Paſchæ*, then day ſhall be given *in craſtino ſanctæ Trinit'*, if *a die Paſchæ in tres ſeptimanas*, *in octabis ſanctæ Trinitatis*, if *a die Paſchæ in unum menſem*, *in quindena ſanctæ Trinitatis*, if *a die Paſchæ in quinque ſeptimanas*, or *in craſtino Aſſentionis Domini*, then day ſhall bee given into the day of *a die ſanctæ Trinitatis in tres ſeptimanas*. And if after the feaſt of Saint Michael the Archangel next coming any writ of dower that come into any of our ſoveraign lady the Queen's courts of record, *in craſtino ſanctæ Trinitatis*, then day ſhall bee given *in quindena ſancti*

Days given in writs of Dower

A. D. 1569.

Michaelis, and that all and every other writ or writs in any reall action, which ought to have day *in octabis ſancti Michaelis*, by any order of law or otherwiſe, that all ſuch writ and writs ſhall by authoritie aforeſaid have day *in quindena ſancti Michaelis*, foraſmuch as the ſaid *in octabis ſancti Michaelis* hath never been uſed within this realm to be any day of return, nor the ſaid Michaelmas term kept or holden till the ſaid *quindena ſancti Michaelis*; and if the ſaid writ of Dower come to any of the Queen's ſaid courts of record, *in xv. ſanctæ Trinitatis*, then to have day *a die ſancti Michaelis in tres ſeptimanas*, if *a die ſanctæ Trinitatis in tres ſeptimanas*, then *a die ſancti Michaelis in unum menſem* or otherwiſe, as is appointed, limitted and declared, by the ſtatute of Marlebridge, the xii. chapter.

52 *H.* 3. 12.

All common writs and proceſs, as well perſonal as mixt, ſhall keep the ſaid returns.

V. And bee it further enacted by authoritie aforeſaid, That all common writs and proceſſe aſwell perſonall as mixt, which ſhall fortune to bee returnable in the ſayd Trinitie tearm, ſhall have and keep the ſaid returnes of *craſtino ſancta Trinitatis*, *octabis ſanctæ Trinitatis*, *quindena ſanctæ Trinitatis*, *& a die ſanctæ Trinitatis in tres ſeptimanas*, or any of them.

The juſtices may at diſcretion aſſign ſpecial days of returns, in caſes where ſpecial days uſed to be appointed.

VI. Provided alway, and is further enacted by authority aboveſaid, That in ſuch caſes and proceſſe as ſpeciall dais having uſed to be appointed, aſſigned, or given for returning of writs and proceſſe, it ſhall be lawfull for the juſtices of every of the Queen's ſaid courts of record, for the time being, in all the proceſſe by them to bee awarded to aſſigne and appoint ſpeciall days of returns, as by their diſcretions ſhall be thought convenient.

The days in aſſize of *darrein preſentment* and *quare impedit*, by ſtat. of Marlebridge, and the days in attaint by ſtat 5. *E.* 3. ſhall ſtand in force.

VII. Provided alſo, and bee it further enacted by the authoritie aboveſaid, That the days in aſſize of *darrein preſentment* and in plea of *quare impedit*, limited and appointed by the ſtatute of Marlebridge, and alſo the days to bee given in *attaint*, limited in the ſtatute made in the ſixt year of the reign of the noble King Edward the third, being not contrarie to the tenour of this act, ſhall be holden firm and ſtable, and ſhall ſtand in their full force and effect.

CHAP. III.

An Act intitling the Queen's Majeſtie, her Heirs and Succeſſours, to Thomas, Knight of the Valleys Lands in Mounſter. Rot. Parl. cap. 11.

Tho. Fitzgerald the ſon executed for burnings and divers offences.

WHERE Thomas fitz Gerad, knight of Valey, otherwiſe knight of Glanne, in the countie of Limericke, within the province of Munſter, and Thomas his ſonne and heire apparent, have committed ſundry willfull murders, burnings, waſt, and warlike diſtructions upon divers the Queen's Majeſtie's people within the ſaid province, for which offences Thomas the ſonne was executed by order of her Grace's laws before Sir Thomas Cuſake, Knight, then her Majeſtie's commiſſioner, and other his aſſociates in Mounſter, and

and Thomas the father was likewiſe indicted, arraigned, and found guiltie of and for procuring of his ſaid ſonne to commit the ſaid burning, and ſtayed from execution, as in reſpect of a certain ſcruple or doubt conceived of the ſtatute which maketh burning to be treaſon in this realm: nevertheleſſe, foraſmuch as it is manifeſtly known in how wilfull and unlawful ſort the ſaid Thomas, knight of the Valley, hath led his life from his youth to this his decripid age, and how neceſſarie it is, that ſome enſample by his puniſhing bee ſhewed to the great men of forces in that countrey, we your Majeſtie's ſubjects humbly beſeech, it may be enacted, and be it therefore enacted by the authority of this preſent Parliament, That our ſoveraign lady the Queen's Majeſtie, her heyres and ſucceſſours, ſhall have all the lordſhips, caſtles, meſes, lands, tenements, rents, reverſions, ſervices, advowſons of churches, woods, underwoods, milles, moores, meadowes, paſtures, and all other hereditaments, commodities, and profits whatſoever, with all their rights, members, and appurtenances, whereof the ſaid Thomas Fitz Geralde, commonly called knight of the Valley or Knight of the Glanne, and his ſaid ſonne, and eyther of them, were ſeyſed in their owne right in fee ſimple or fee taile, or whereof any other perſon or perſons were ſeyſed to the uſe of them, or any of them, and their heyres, in fee ſimple or fee taile, in any time ſithence the day of the ſaid treaſon ſuppoſed to be committed by the ſaid ſonne. Saving to all and every other perſon and perſons, bodies politique and corporate, their heyres and ſucceſſours, the heyres and ſucceſſours of eyther of them, other than the heyres of the ſaid Thomas, and the heires of his ſayd ſonne, and other than all and every other perſon and perſons clayming to the uſe of the ſaid Thomas and his heyres, or the heires male or generall of his body, or to the uſe of his ſaid ſonne and his heyres, or to the uſe of the heyres male or generall of the ſaid ſonne his body, and other than all ſuch as claim eſchete of any of the ſaid lands, all ſuch right, title, intereſt, poſſeſſion, and lawfull entree into the premiſſes, as they or any of them ſhould have had before the making of this act; this preſent act, or any article, clauſe, matter, thing or things in the ſame to the contrarie in any wiſe notwithſtanding.

A. D. 1569.

Thomas the father (knight of the Valley) found guilty of procuring the ſon to commit ſaid burning, but execution ſtayed upon a doubt of the ſtat which makes burning treaſon.

But conſidering his unlawful life, and for take of example, all his lands, &c. veſted in the Queen.

Saving right of others.

CHAP. IV.

An Act for the Preſervation of Salmon Frie and Ele Frie. Rot. Parl. cap. 13.

FORASMUCH as great hurt and hindrance doeth daily grow to the Queen's Majeſtie's ſubjects within this realm by reaſon that the inhabitants of diverſe cities and townes within this ſame adjoyning neere to rivers, that doth ebbe and flow, wherein the frye of ſalmon, ele, and other commodious fiſhes are bred and nouriſhed, doth keep herds and number of ſwine, and alſo doth uſe at the ebbe

A. D. 1569. Chap. 4.

ebbe or low water to ſuffer their ſaid ſwine to feed upon the ſtrands of the ſaid rivers, where they deſtroy great quantitie of ſalmon and ele frye, and frye of ſpaune of divers other good fiſhes, to the great hurt and hindrance of fiſhing, and to the great hindrance and damage of the common-wealth: be it therefore enacted by the authoritie of this preſent Parliament, That from the firſte day of March to the laſt day of September yearly no perſon nor perſons by himſelfe, or by his or their appointment, ſhall drive or put any ſwine, hogge, or pigge, upon any ſtrand of any river or rivers within this realm to be fed or paſtured thereupon in any place, where the ſea doth ebbe or flow within the ſaid river or rivers, nor in any other place or places where the ſea doth uſually ebbe and flow; nor that no perſon or perſons doth permit or ſuffer their ſaid ſwine to go or to be ſet to feed upon anie ſtrand within this realm, as farre as the ſea doth uſe to ebbe and flow; upon paine of forfeyture of the ſame ſwine, hogges, or pigges, and every of them, to ſuch perſon or perſons as ſhall or will ſeiſe upon the ſame hogges, ſwine, or pygges, or any of them; the one halfe thereof to be alwayes reſerved and anſwered unto the Queen's Majeſtie, her heyres and ſucceſſours, and the other halfe to be to the partie that ſhall ſeiſe on the ſame: and if any perſon or perſons ſhall withſtand or reſiſt any ſo ſeiſing the ſaid ſwine, hogges, pygges, or any one of them, that the partie ſo doing ſhall be uſed as a reſcouſſer; and that upon preſentment thereof made in any of the Queen's ordinary courts, or at any ſeſſions to be holden within this realm, or in any court of priviledged citie or borough, having juriſdiction to inquire or receive preſentments, like proceſſe ſhall be made upon ſuch preſentment as upon preſentment of reſcous, of diſtreſſe for rent at the common law; and the parties thereupon convict ſhall be committed unto the ordinary gaol of that court, where he is convicted, untill he make fine to the Queen, her heyres or ſucceſſours, for the ſaid reſcous, as ſhall be appointed by the court, where ſuch condemnation is to be had, and untill he or they pay to the Queen and ſeyſer of the ſaid hogges, ſwine, pygges, or any of them, the value and price of the ſwine ſo reſcoued; the value to be appointed by the judges before whom ſuch matter ſhall be proponed and adjudged; and ſuch condemnation thereupon to be made or had as aforeſaid: Saving always to all and ſingular bodies politique and corporate, and all lords ſpirituall and temporall, the moytie of the forfeytures, fines, and penalties, to grow by this act for any offence or offences to be committed againſt the tenour hereof, in as large and ample manner as they have or ought to have other forfeytures, fines, and penalties, by the tenours of their ſeveral charters; and the other moytie to be unto the ſeiſor or ſeiſors of ſuch ſwine, hogges, pygges, or any of them, as aforeſaid.

From 5th March, to the laſt of Sept. yearly, no ſwine ſhall be put or fed upon the ſtrand of any river or place where the ſea ebbs or flows.

On pain of forfeiture to the ſeizer; to be diuided between the Q. and him.

Againſt perſons reſiſting, like proceſs ſhall upon preſentment be made, as againſt reſcuers of diſtreſs for rent, and impriſonment upon conviction, till fine and the value of the ſwine paid.

Saving to others who by their charters have right to ſaid moiety of ſaid forfeitures.

CHAP.

CHAP. V.

A. D. 1569.

An Act againſt laying of Hemp, Flax, and lymed Hydes in any freſh Waters or Rivers. Rot. Parl. cap. 15.

PRAYEN the commons in this preſent Parliament aſſembled, that where divers perſons in this realm, rather reſpecting their private eaſe, than the common utilitie and profit, as being careleſſe of the common-wealth, doe in ſeaſon of the year, lay into rivers, ſtreams, brookes, and other freſh running waters, their hemp and flaxe to be watred, keeping the ſame there long time. And alſo, tanners and others doe lay likewiſe in the ſame waters, hydes with lyme bound up in them, by reaſon whereof the waters are ſo infected, as the fiſhes therein do die; ſuch as are forced to drink thereof, as well man as beaſt are poyſoned; and meates or drinkes made therewith, are perillouſly corrupted, to the great danger of man and beaſt; and that hitherto no puniſhment have been provided for the correction of this pernicious diſorder. That it therefore be enacted and eſtabliſhed by the Queen our Soveraign Lady, the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, that no manner of perſon or perſons, of what degree ro condition ſoever he or ſhe be, ſhall from and after the proclamation of this act be made, lay into any river, ſtream, brooke, or other freſh running water, any hemp or flaxe, or any hydes bound as aforeſaid, to be watred and ſeaſoned, upon pain to loſe and forfeit hemp, flaxe, and hyde or hydes, ſo layd as afore contrarie to this act, or of the treble value of the ſame, the one halfe of which forfeiture to be to the Queen our Soveraign Lady, her heires and ſucceſſours, and the other halfe to ſuch as ſhall find or preſent the default, and ſuch as ſhall be intitled to the ſaid forfeiture, ſhall have an action of debt or detinue for the ſame, by writ, bill, plaint, or information, in any of the Queen's courts, in which action or ſuit, no eſſoine, protection, priviledge, nor wager of law, ſhall be allowed or admitted.

33 *H.* 8. 17. ſec. 2. *Eng.* *Vide* 17 & 18 *G.* 3. *c.* 19. *ſ.* 4.

Hemp, flax, or hides with lime bound up ſhall not be watered in any running ſtream.

Forfeiture thereof, or the treble value.

II. And be it enacted that the juſtices of the peace in everie ſhire, citie and towne corporate, within limites of their commiſſion and authorities, ſhall have power and authoritie to inquire, hear, and determine everie offence, hereafter to bee done or committed contrarie to this act, as well by information, as by preſentment afore them, and to make ſuch proceſſe upon every preſentment, as they commonly doe upon indictments of treſpaſſe.

Juſtices of peace may inquire by information or preſentment, as upon indictments of treſpaſs.

III. Provided alway that this act, or any thing therein contained, be not in any wiſe hurtfull or prejudiciall to any lord or lords, or any other or others, bodies politique or incorporate, having liberty or liberties, or any of them, their heires or ſucceſſours, for or concerning

Not to prejudice the lords of liberties as to forfeitures.

A. D. 1569.

cerning any of the forfeitures expreſſed in this act, but that they and every of them ſhall have, perceive, and receive the forfeitures that ſhall happen to bee forfeited, by the penalties herein expreſſed, in the ſame ſort, manner and form, as they and every of them had, or mought have had, other forfeytures and penalties by their ſeverall charters, liberties, graunts and titles falling, or chauncing within their ſeverall authorities, franchiſes, and juriſdictions, afore the making of this preſent act; this act, or any thing in the ſame mentioned to the contrary notwithſtanding.

Proclamation once every quarter in every market, and alſo by the juſtices in circuit and ſeſſions.

IV. And to the intent that every perſon may have knowledge of this act, and avoyd the dangers and penalties of the ſame, be it enacted by the authoritie aforeſaid, that all mayors, baylifes, ſheriffes, and all other head officers, ſhall foure times in the year, that is to ſay, everie quarter once, make open proclamation of this preſent act, in every market, to be holden within their ſeveral juriſdictions and authorities: and alſo that the juſtices of gaol deliverie, aſſiſes, and juſtices of peace, doe cauſe the ſame to be proclaimed in their ſeveral circuits and ceſſions, before them holden.

CHAP. VI.

An Act authoriſing the Governor for ten Years to come, to preſent to the Dignities of Mounſter and Connaught. Rot. Parl. cap. 16.

Expired.

WHERE the right honourable Sir Henry Sidney, knight of the honourable order, now lord deputie of Ireland, hath in his late progreſſe into Mounſter and Connaught, found, amongſt other experiences, the great abuſe of the clergie there, in admitting of unworthy perſonages to eccleſiaſticall dignities, which hath neyther lawfulneſs of byrth, learning, Engliſh habit, or Engliſh language, but diſcended of unchaſte and unmarried abbots, priors, deans, chauntors, and ſuch like, getting into the ſaid dignities, eyther with force, ſymonie, friendſhip, or other corrupt meanes, to the great overthrow of God's holy church, and the evill enſample of all honeſt congregations: Be it therefore enacted by authority of this preſent Parliament, that no perſon or perſons, be from henceforth admitted or received to be dean, chauntor, chauncellor, theſaurer, or archdeacon of any cathedrall church, within Mounſter and Connaught, (the cathedrall churches of Waterford, Lymericke, Corke, and Caſhell, only excepted) but onely by the preſentation and nomination of the lord deputy, or other governor of this realm, for the time being, during the time and ſpace of ten years next enſuing.

Great abuſe of the clergy in Munſter and Connaught, in admitting unworthy perſons to eccleſiaſtical dignities.

No one to be admitted or received there as dean, &c. but by preſentation of the deputy, &c. for 10 years, who muſt be in orders, of full age, read and ſpeak Engliſh, and reſide.

II. Provided always, that no perſon or perſons, ſo to be nominated and preſented, by the ſaid lord deputie or governour, for the time being, to any of the dignities aforeſaid, ſhall be hable to take any of the ſaid dignities, except he or they be within orders, of full age, can read and ſpeak the Engliſh tongue, and ſhall reſide upon the ſame dignities. *Exp.*

A. D. 1569.

CHAP. VII.

An Act for taking away Captainſhips, and all Exactions belonging thereunto from the Lords and Great Men of this Realm. Rot. Parl. cap. 17.

WHERE moſt gracious Soveraign Lady, the lords and chiefteins of this your Majeſties realm, hath in the time of juſtice declination, by pretext of defending your Majeſties people, and their owne poſſeſſions, arrogated unto themſelves, abſolute and regall authorities within large circuites, by the diſtribution whereof each man had as much right as force will give him leave. And the ſaid lords and chieftains, in drawing to them of all other inferiour ſtates, to be of their ſeverall factions, fell to ſuch ſtrife for greatneſſe of rule and government, as thereby the fear, obedience, and attendance of your Majeſties ſubjects withall, that might bee by law acquired to your imperial crowne, in their regiment, was wholly converted from you to them, and yet they in not ſo good ſtate of life, both for honour and revenue as their anceſtors have been before that time, as appeareth by the ancient records and monuments of this realm. For remedy whereof, your ſaid faithfull ſubjects, the commons of this realm, moſt humbly beſeecheth it may be enacted by your Majeſtie, with the aſſent of the lords ſpirituall and temporall, and the commons of this preſent Parliament aſſembled, and by the authority of the ſame, that no earl, viſcount, baron, lord, or pretenced captain, dwelling within any the ſhire ground of this realm, or any of their ſervants or men, ſhall from henceforth aſſume, claym, challenge, uſe, or take upon him or them, the authoritie or name of captain or ruler of any countrey, cantrede, or territorie, being now ſhire ground, or hereafter to be made ſhire ground, except ſuch as hath, or ſhall have the ſame by letters patents from your Majeſty, or your noble progenitors, or from your heires or ſucceſſours; nor ſhall as a captain, or by the name, colour, or cuſtome, or authoritie of captainſhip, or otherwiſe take or exact, for the finding of him or them, their horſemen, footmen, galloglaſſe, kearn, hagbutters, horſes, horſeboyes, huntes, ſtodekeepers, officers, or adherents, of or upon any your Majeſties ſubjects, any kind of exaction, impoſitions, taxations, ceſſes, or ſubſidies, of what nature, qualitie, or condition ſoever they bee. Nor ſhall call, as captain, gather or aſſemble together the people of any the ſaid pretenced countries rules and captainſhips, to treat, conclude, or agree for making of warre or peace, roades, journeys, granting of ceſſes, benevolences, finding of men of warre, or otherwiſe, nor ſhall, as a captain, lead the ſaid people to do any act or acts offenſive or invaſive, without ſpeciall authoritie under the great ſeal of this realm, or warrant in writing from the lord deputie, governour, or governours of the ſame realm, for the time being,

The chieftains arrogated regal authority.

No earl, &c. ſhall without letters patent aſſume the name of captain or ruler of any ſhire ground.

Or make any exaction.

Or aſſemble or lead the people, without warrant from the governor.

A. D. 1569.

being, upon pain, to every earl, viſcount, baron, or lord of this realm, that ſhall offend in doing and committing any thing, or things contrarie to the prohibition of this ſtatute, for every time that he ſhall ſo offend, of one hundred pounds, lawfull money of Ireland. And to every pretenſed captain, and other perſon and perſons, under the degree of a baron or peere of this realm, that ſhall offend as afore, for every time that he ſhall ſo offend, of one hundred markes, lawfull money of Ireland: the two parts of which forfeitures to be to the Queen our Soveraign Lady, her heyres and ſucceſſours, and the third part to ſuch as ſhall preſent the ſame offence; and ſuch as ſhall be intituled to the ſaid forfeytures, ſhall have an action of debt for the ſame, by writ, bill, plaint, or information, in any of the Queen's courts, in which action or ſuit, no eſſoine, protection, priviledge, nor wager of law, ſhall be allowed or admitted.

Penalty upon a lord, 100l.

upon others 100 marks.

Two parts to the Queen; the third to ſuch as preſent.

II. Provided alway that this act, or any thing therein contayned, ſhall not extend, nor be conſtrued, to reſtrain purſuit for goods taken, ſo the ſame purſuite be made within ſeven days after the goods ſo taken.

Not to reſtrain purſuit for goods taken, if made within 7 days.

CHAP. VIII.

An Act that there be no Bill certified into England, for the Repeal or Suſpending of the Statute, paſt in Poynings Time, before the ſame Bill be firſt agreed on, in a Seſſion of a Parliament holden in this Realm, by the greater Number of the Lords and Commons. Rot. Parl. cap. 18.

WHERE upon experiment of the right honourable Sir Henry Sidney, knight of the noble order of the garter, lord preſident of Wales, and lord deputie of this your Majeſties realm of Ireland, his great travail and care for the advancement of the glory of God, your Majeſties honour, and the utilitie of the commonwealth of this your Highneſſe realm, and an undoubted hope, that his lordſhip would not ſeeke the paſſing of any act, but ſuch as ſhould tend to the furtherance of your Majeſties ſervice, and benefite of your Highneſſe realm. Wee your Majeſties ſubjects aſſembled in Parliament, aſſented to the repeal of a ſtatute, paſſed before Sir Edward Poynings, lord deputie of Ireland, prohibiting eyther any Parliament to be ſummoned, or any act to be treated of in Parliament, before the acts were certified under the great ſeal of this your Majeſties realm, and returned hither under the broad ſeal of England; before which ſtatute, when libertie was given to the governours under your Majeſties progenitors, to call Parliament at their pleaſure, acts paſſed as well to the diſhonour of the Prince, as to the hinderance of their ſubjects, the remembrance whereof would indeed have ſtayed us from condiſcending to the repeal of the ſaid ſtatute, were it not that

Poynings ſtat. 10 *H.* 7. 4. having been repealed, 11 *Eliz.* 1 *Seſſ.* 2. from experiment of, and confidence in Sir H. Sidney, lord deputy, that he would not ſeek to paſs any act, but ſuch as tended to benefit of the Queen and realm.

As before that ſtat. when governours had liberty to call Parliament at pleaſure, acts paſſed diſhonourable to the Prince, and to hindrance of the ſubject.

A. D. 1569.

the government of your Majeſties deputie, hath been alway, and continueth ſuch as to all your Highneſſe ſubjects, giveth juſt cauſe to reckon what proceedeth through his motion to your Highneſſe, to be ment onely for the honour of your Majeſtie, and the common benefit of this your realm, and therefore as we mought ſafely, ſo did we willingly agree to the repeal of the ſaid ſtatute; but moſt gracious Soveraign, fearing that ſome governours hereafter ſhould hap not to make anſwere unto the expectation of your Majeſtie, or your Highneſſe heyres and ſucceſſours, by whom hee ſhould be appointed governour, and not following the example of your Highneſs deputy, at theſe preſents, will upon affection, or ſome other reſpect, abuſe the like libertie given him. Wee your Majeſties ſubjects now aſſembled in Parliament, do moſt humbly beſeech your Highneſs, that it may pleaſe the ſame, that it may be enacted. And be it enacted, ordained and eſtabliſhed, by your Majeſtie, with the aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That hereafter in the government of any other deputie or governour, of this your Majeſties realm, there be no bill certified into England for the repeal, or ſuſpending of the ſaid ſtatute, paſſed when Sir Edward Poynings was lord deputie of Ireland, before the ſame bill be firſt agreed on, in a ſeſſion of Parliament to bee holden within this realm, by the more number of the lords aſſembled in parliament, and the greater number of the common houſe. And if there be that any act paſſed or to be paſſed thereupon, touching the repeal, or ſuſpending of the ſaid ſtatute, paſſed in Sir Edward Poynings government, to be utterly void, and of no effect, to all purpoſes and intents.

Leaſt governours hereafter ſhould not follow example of Sir H. Sidney, but upon affection, or other reſpect, abuſe the like liberty.

Hereafter no bill ſhall be certified to England for repeal or ſuſpending Poynings ſtat. unleſs firſt agreed to by a majority of each Houſe of Parliament.

Any act paſſed, or to be paſſed thereupon, touching the repeal of ſuſpending ſaid ſtat. ſhall be utterly void.

CHAP. IX.

An Act for turning of Countries that be not yet Shire Grounds into Shire Grounds. Rot. Parl. cap. 19.

WHERE divers and ſundrie robberies, murders, fellonies, and other haynous offences bee daily committed and done within the ſundrie countries, territories, cantreds, townes and villages of this realm, being no ſhire ground, to the great loſſe both of the Queen's Majeſties, and of divers and ſundrie her Highneſſe true ſubjects of this realm, and to the boldening and incouraging of many offendours by reaſon of the ſame countries, territories, cantredes, townes and villages, bee not made ſhire grounds, for remedie whereof, and to the intent that her Majeſties lawes may have free courſe in and through out this whole realm of Ireland; it is enacted by our ſoveraign ladie the Queen's Majeſty, with the aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie

3 and 4 *P.* and *M.* 3. *Ir.* Divers offences committed in countries not ſhire ground.

For remedy thereof, and that the laws may have free courſe thro' the whole realm.

A. D. 1569. Chap. 9.

ritie of the ſame, That after the prorogation or diſſolution of this preſent Parliament, the lord chauncellour or keeper of the great ſeal of this realm for the time being, ſhall have full power and authoritie by virtue of this Act, to award and direct the Queen's Majeſties, her heires and ſucceſſours, commiſſion or ſeverall commiſſions under her or their great ſeal of this realm, from time to time, to ſuch number of perſons as ſhall bee warrant under the lord deputie, governour or governours of this realm, his hand for the time being, bee thought moſt convenient and meet, giving thereby full power and authoritie to the ſaid commiſſioners by authoritie of the ſaid commiſſion, or ſeveral commiſſions, to view, ſurvey, and make enquirie, aſwell of all the countries, territories, cantreds, townes and villages of this realm, now being no ſhire ground, or of any part or portion of the ſame; as alſo of all ſuch territories, portions of lands, cantreds, or hundreds, as are in ſhire ground, and doubtfull of what ſhire they are parcell; or of any part or portion of the ſame: and upon view, ſurvey, and inquiry, to limit, make, nominate, devide, joyn, adde, or ſever, by certain limits and bounds, the ſame countries, territories, cantreds, portions of lands, hundreds, townes and villages, and every or any part or portion of the ſame, into ſuch, and as many ſeveral counties, ſhires and hundreds, and or with any ſhire or ſhires, countie or hundred, alreadie ſhire ground, as to the ſaid commiſſioners ſhall be thought moſt meet and convenient: and after that they have made ſuch ſurvey inquirie and deviſion of the ſaid counties, ſhires, territories, cantredes, portions of land, hundreds, townes, and villages as is aforeſaid, the ſaid commiſſioners ſhall certifie the ſame unto the ſaid lord deputie, governour or governours of this realm, for the time being, who liking the ſaid certificate, ſhall under his or their hand and ſeal, and under the hands and ſeals of the ſaid commiſſioners, return and certifie their doings therein, together with the ſaid commiſſion or commiſſions, into the high court of Chancery of this realm, before ſuch feaſt or time as by the ſaid commiſſion or commiſſions ſhall be to them limitted and appointed, to the intent the ſame may there remain of record.

The chancellor may direct commiſſions to ſuch number of perſons as the governor under warrant ſhall think fit, to ſurvey, divide, join, &c. lands, &c. not ſhire ground, or where doubtful of what ſhire they are parcel.

The commiſſioners ſhall certify the ſame to the governor, who approving thereof ſhall certify the ſame into chancery, to remain of record.

II. And be it enacted by authoritie of this preſent Parliament, That the ſame certificate ſo made ſhall be of the ſame force and effect to all intents, as if every thing therein contayned were done and made by act of Parliament. And that in every of the ſaid ſhires ſo newly to be made and certified, there ſhall be a ſheriffe, coroners, eſcheator, clerke of the market, juſtice of peace, and of gaol delivery, chief ſergeant and other officers and miniſters, according as in other ſhires have been, or is uſed and accuſtomed.

Certificate to be of ſame force as by act of Parliament. In new ſhires, there ſhall be ſuch officers as in other ſhires.

III. Provided alway, and be it enacted by authoritie aforeſaid, that this act, or any thing therein contained, ſhall not extend to be conſtrued to abridge or take away any part or parcell of the liberties of Tipperarie or Kerie, or of any of them, but that the lords

Not to prejudice the liberties of Tipperary or Kerry.

Nor the franchiſes or liberties granted to others by letters patent.

lords of the ſaid liberties, and every of them, may and ſhall have and enjoy their ſaid liberties throughout the ſaid whole ſhires of Tipperarie and Kery according to their ſeverall graunts, ſeverally made unto them of the ſame liberties; this act or any thing therein conteyned to the contrary notwithſtanding. A. D. 1569.

IV. Provided alſo, and be it enacted by the ſaid authoritie, That this act nor any thing therein ſhall not extend or be conſtrued to be prejudiciall or hurtfull to the archbiſhop of Ardmagh, or his ſucceſſours, the archbiſhop of Dublin or his ſucceſſours, or to any other lord or lords ſpirituall or temporall, or to any other perſon or perſons bodies politique or corporate, their heires or ſucceſſours, or to the heires or ſucceſſours of any of them, for any franchiſes or liberties granted unto them, or any of them, by letters patents from the Queen's Majeſtie or any of her moſt noble progenitors or predeceſſours; but that they and every of them may and ſhall have and enjoy their ſeverall liberties and franchiſes according to the tenours of their ſeverall grants; this act or any thing therein contayned to the contrarie notwithſtanding. Saving for franchiſes, &c.

CHAP. X.

An Act for the Staying of Wool, Flocks, Tallow, and other Neceſſaries within this Realm. Rot. Parl. cap. 20.

FOR that that diverſe the commodities of this realm are carried and tranſported out of the ſame by ſundrie private covetouſe perſons to the great hurt and damage thereof; and alſo for that ſuch perſons uſe, as well by ſtealing, as by open conveying of the ſame, as well by licenſe as without licenſe, to anſwer ſmall or no cuſtom at all for them, whereby the Queen's Majeſties cuſtomes and revenues are greatly leſſened and diminiſhed within this realm: and to the intent alſo, That the Queen's Majeſties cuſtomes and revenues might be increaſed and augmented, and that the ſaid commodities might bee more abundantly wrought within this realm, ere they ſhall be tranſported, then preſently they are, which ſhall ſet many now living idlie on work, to the great reliefe and commoditie of this realm: and alſo to the end that Engliſh artificers of the realm of England may be by the aboundance of the ſaid commodities within this realm allured to come into the ſame to work them within this realm, and thereby to give enſample to others to uſe that trade to the great commoditie and profit of this realm: For remedie whereof, at the humble petition of the whole commons of this realm, be it enacted by our ſoveraign lady, the Queen's Highneſſe, by the aſſent of the lords ſpirituall and temporall, and the commons in this Parliament aſſembled, and by authoritie of the ſame, that whatſoever perſon or perſons ſhall from or after the laſt day of September, which ſhall be in the year of

13 *H.* 8. 2. 28 *H.* 8. 17. 13 *Eliz.* 2.

Tranſporting the commodities of the realm to the damage thereof.

The Queen's cuſtoms and revenues leſſened.

To increaſe the ſame, and that ſaid commodities may be more abundantly wrought within the realm, and Engliſh artificers allured to come and work them.

Perſons loading any ſhip, &c. with wool, flocks, beef, &c. with intent to tranſport the ſame ſhall pay cuſtom to the Queen,

A. D. 1569. Chap. 10.

our lord God, 1569, put, carrie, or load into any ſhip, bark, pickard, boat, or other veſſell, any wooll, flockes, flaxe, linen yarne, woolen yarne, ſheepefell, calfefell, goatfell, redd deerfell, or fallow deerfell unwrought, beefe, tallow, waxe, or butter, to the intent to carrie the ſame out of this realm, ſhall pay for the ſame to the Queen's Majeſtie, her heyres and ſucceſſours, for cuſtome for the ſame as hereafter enſueth, *videlicet*, for every ſuch ſtone of wooll and flockes five ſhillings ſterling; and for every ſuch pound of flaxe, linnen yarne, and woollen yarne, twelve pence ſterling; and for everie ſuch ſheepfell, calfefell, and goatfell, foure pence ſterling; and for every redd deerfell two ſhillings ſix pence ſterling; and for every fallow deerfell twentie pence ſterling; and for every ſuch pound of beef uncaſked, or put in any other veſſell than is contayned in this act, a penny ſterling; and for every ſuch firken of beefe five ſhillings ſterling; and for every ſuch halfe barrell of beefe ten ſhillings ſterling; and for every ſuch barrell of beefe twentie ſhillings ſterling; and for every ſuch hogſhead of beefe fortie ſhillings ſterling; and for every ſuch pype of beefe four pounds ſterling; and for everie ſuch ſtone of tallow two ſhillings ſterling; and for every ſuch pound of waxe twelve pence ſterling; and for every ſuch pound of butter ſix pence ſterling: and ſhall alſo pay by way of cuſtome unto every ſuch citie or town corporate, from whence the foreſaid wares, victualles, and other things before mentioned, are to be tranſported, imbarked, and carried away as aforeſaid, to the uſe of the ſaid citie or corporate towne and corporation of the ſame, the cuſtome alſo enſuing, that is to ſay, for every ſuch ſtone of woolle and flockes, foure ſhillings currant money of England; and for every ſuch pound of flaxe, linnen yarne, and woollen yarne, eight pence ſterling money of England; and for every ſuch ſheepfell, calfefell, and goatfell four pence, currant money of England; and for every red deerfell twentie pence, currant money of England; and for every ſuch fallow deerfell eighteen pence, currant money of England; and for every ſuch pound of beefe uncaſked, or put in any other veſſell than is conteyned in this act, one penny, currant money for England; and for every ſuch firkin of beefe four ſhillings, currant money of England; and for every ſuch halfe barrel of beefe ſixe ſhillings eight pence, currant money of England; and for every ſuch barrell of beefe thirteen ſhillings four pence currant money of England; and for every ſuch hogſhead of beef ſixe and twentie ſhillings eight pence, currant money of England; and for every ſuch pipe of beefe three pounds, currant money of England; and for every ſuch ſtone of tallow eighteen pence currant money of England; and for every ſuch pound of waxe ſixe pence ſterling; and for every ſuch pound of butter four pence, currant money of England; and ſhall alſo forfeit for every ſuch ſtone of wooll or flockes five ſhillings ſterling;

And cuſtom to the city or corporate town, from whence, &c. to the uſe of the ſame.

ling; and for every ſuch pound of flaxe, lynnen yarn, and woollen yarn, twelve pence ſterling; and for every ſuch ſheepfell, calfefell, and goatfell, four pence ſterling; and for every redd deerfell two ſhillings ſix pence ſterling; and for every fallow deerfell twenty pence ſterling; and for every ſuch pound of beefe a penny ſterling; and for every ſuch firken of beefe five ſhillings ſterling; and for every ſuch halfe barrell of beefe ten ſhillings ſterling; and for every ſuch barrell of beefe twentie ſhillings ſterling; and for every ſuch hogſhead of beefe fortie ſhilling ſterling; and for every ſuch pype of beefe four pound ſterling; and for every ſuch ſtone of tallow two ſhillings ſterling; and for every ſuch pound of waxe twelve pence ſterling; and for every ſuch pound of butter ſixe pence ſterling; and for every ſuch forfeiture to be to him or them that will ſue therefore by action of debt, by writ at the common law or plaint in any court of record within this ſaid realm; or by information in the Queen's exchequer within this ſaid realm; in which action the defendant ſhall not wage his law, ne none eſſoign or protection ſhall be allowable for the defendant or defendants.

And alſo forfeit ſuch ſums &c.

The forfeiture to thoſe who will ſue.

II. And be it further enacted by authoritie aforeſaid, that if the owner, purſer, or any other officer or maſter of any ſhipp, barque, pyckard, boat, or other veſſell, in which any wooll, flockes, flaxe, lynnen yarn, wollen yarn, ſheepfell, calfefell, goatfell, redde deerfell, or fallow deerfell, unwrought, beefe, tallow, waxe, or butter ſhall be embarqued or put, doe permit or ſuffer from the laſt day of September next coming, any perſon or perſons to imbarque or put aboard or bring into any his the owners ſhipp, barque, pyckard, boat, or other veſſell, or other his the owners veſſell, any parcell pr parcells of the premiſſes before the Queen's Majeſtie, her heyres or ſucceſſours, is cuſtome for the ſame be truely anſwered and payed in this realm, and before payment and ſatisfaction of the cuſtome and cuſtomes aforeſaid due unto the ſaid citie or corporate towne and corporation aforeſaid, as in this act before is alledged, that then every ſuch ſhipp, barque, pyckard, boat, or other veſſell ſhall be forfeyted; the one halfe of the ſame to our ſoveraigne Lady the Queen's Majeſtie, her heyres and ſucceſſours, and the other halfe to ſuch perſon or perſons as ſhall preſent or informe the ſame before the barons of the Exchequer for the time being in the ſaid realm, and that within twelve weekes after the ſaid forfeyture.

The veſſel in which, &c. ſhall be forfeited: half to the Queen, half to ſuch as preſent or inform before the barons, within 12 weeks after forfeiture.

III. And it is further enacted by authoritie aforeſaid, that the ſercher, his deputie, factor, or atturney of any port, haven, or creek within this realm, where any ſuch wooll, flockes, flaxe, lynnen yarn, woollen yarn, ſheepfell, calfefell, or goatfell, red deerfell, and fallow deerfell unwrought, beef, tallow, waxe, or butter, ſhall after the ſaid firſt day of September next comming bee put, carried, or loaden in any ſhip, barke, pyckard, boate, or other

Felony in the ſearcher or his deputy, knowing and concealing the ſame twelve weeks, and ſuffer

A. D. 1569. Chap. 10.

other veſſell, knowing the ſame to be ſo put, carried, or loaden, will conceale the ſame by the ſpace of twelve weeks, next after the ſame bee put or loaden in any ſhipp, barque, pykard, boate, or other veſſell, without information thereof to the barons of the Exchequer of this realm for the time being, that the ſame concealment in the ſearcher, his deputie, factor, or atturney, and every of them that ſo will conceal the ſame, putting, carrying, or loading of any the premiſſes, ſhall be adjudged and deemed felony; for which they ſhall ſuffer pains of death, and forfeiture of goods onely.

death and forfeiture of goods only.

IV. Provided that this act extend not to any lord or lordes, prelate, or any of the Queen's Majeſties privie council, to take flocke bedes under the weight of three ſtone with them, to uſe for their eaſe in their paſſage.

Lords or any of the council, may take flock beds under 3 ſtone weight, for their paſſage.

V. Provided that this act extend not to maſter, owner, or victualler of any ſhip, barque, or any other veſſel, for ſhipping or tranſporting reaſonable beefe and butter, for their reaſonable victualling of him and the company in the ſaid ſhip, barque, or other veſſell for their preſent voyage from this realm.

Maſter of a veſſel may ſhip beef and butter for the victualling for a voyage.

VI. Provided alſo, that any offence committed or done contrarie to the tenour of this act (the cuſtomes aforeſaid onely excepted) be enformed and enquired of within nine moneths after the ſaid offence done or committed; otherwiſe the parties ſo offending not to incurre the penaltie limitted in this act concerning the ſaid offences; the matters of felony to be onely enquired of in the Queen's bench, and the bench of her heyres and ſucceſſours, and there heard and determined, or before ſuch perſons, juſtices of gaol delivery, as hereafter ſhall have authoritie by letters patents under the great ſeal of this realm to enquire, heare, and determine cauſes of felony according to the courſe of the common laws of this realm.

Offences againſt this act (ſaid cuſtoms excepted) to be informed, and inquired of within 9 months.

The felony to be heard in B. R. or before juſtices of gaol delivery.

The eleventh Year of Elizabeth. Seſſ. 4.

Stat', Ordination' & Act' in Parliamento prædicto apud Dublin præd' die Lunæ prox. poſt feſtum ſancti Franciſc' confeſſ. vz. x. die Anno undecimo Regni Reginæ præd' coram præfato deputato ſimiliter tento ædit' in hæc verba.

CHAP. I.

An Act giving Order for bringing in of Wines into this Realm, where they ſhall be diſcharged, who ſhall rate the Prices of them, and alſo for Graunt of a Cuſtom out of the ſame Wines. Rot. Parl. cap. 2.

A. D. 1569.

THE Lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, conſidering with no ſmall grief of mind the great lack of a navie in this realm, which is occaſioned by the ſluggardly idleneſſe and untowardneſs of the merchants and traffiquers thereof, and how by that default this realm is brought to be of no abilitie or ſtrength to defend it ſelf againſt the enemies, pyrats and rovers, that doe accuſtomably annoy the ſame, and alſo adviſedly calling to memorie divers intollerable enormities that have followed of the diſordered trade of aliens, to creeks and unhaunted ports and places of this realm, leaving the chief and principall cities, boroughs, townes, and ports of defence, whereby the ſame realm, hath ever been, and preſently is chiefly upholden, ſtayed and maintained to the great loſſe of the Queen's Majeſties cuſtoms due of their charge and loading, for lack of order in ſuch places for the receipt thereof; underſtanding alſo the pitifull and rufull miniſhing of the Queen's Majeſties revenues in this realm, together with the innumerable charges that her Highneſſe hath been and daily is at, by exhauſting her princely treaſure for the defence and good reduction to civilitie of this realm, and weying by long experience, how that by the ſuperfluous aboundance of wines that are yearly diſcharged within this realm, grievous decay of tyllage and huſbandrie, idleneſs the mother of all vices, rage and fury in the minds of the diſordered people, and other monſtrous enormities have been perniciouſly bread and nouriſhed, beſides the great ſpoyle of ſubjects goods that hath followed, by reaſon that no proviſion hath been hitherto made for the ſeal of the ſame wines that are ſo conveyed and brought into this realm, all which ſoares and miſchiefs doe require preſent help, remedie and due reformation to bee had with good, prudent, and carefull proviſion and foreſight: in conſideration whereof the ſaid lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, moſt humbly beſeechen the Queen's moſt royal majeſty, that it may bee enacted by her Highneſs, and by the aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authoritie of the ſame, that no manner of perſon of what degree or condition that hee bee, being ſubject, denizen or alien, ſhall diſcharge any maner wines within this realm of Ireland, but onely within the havens and ports of the cities, townes and places hereafter mentioned, *videlicet*, the cities of Dublin, Waterford, Corke and Limerick, the townes and places of Drogheda, Galway, Yoghall, Carricgfergus, Wexford, Roſſe in the countie of Wexford, Kingſale, Dongarvan, Dundalke, Carlingford, Sligo, and Dingle Huſey, otherwiſe called Dingle-Icouſh, and in no other creek, port, haven, road, or place within this realm of Ireland,

Exp. The want of a navy, from the idleneſs and untowardneſs of the merchants.

The realm weakened thereby.

Enormities following from diſordered trade.

The miſchief from ſuperfluous abundance of wines yearly diſcharged.

Enacting part.

Havens named, where only wines ſhall be diſcharged, in no other without licence,

A. D. 1569. Chap. 1.

Ireland, without the ſpecial licence of the Queen's Majeſtie, her heires or ſucceſſours, or of the lord deputie, or other governour or governours of this realm, for the time being, to bee given and made in that behalf, upon paine to forfeit the ſame wines ſo diſcharged contrarie to this act, and without licence as before is ſpecified, the one halfe thereof to the Queen's Majeſtie, her heyres and ſucceſſours, and the other halfe to him or them that ſhall ſeiſe the ſame wine.

on pain of forfeiture thereof. Half to the Queen: half to him who ſeizes, unleſs conſtrained by tempeſt or enemies, ſo that no ſale thereof made, except for victuals or neceſſary repairs.

II. Provided alwayes that this article, braunch, or clauſe of this act, ſhall not extend to any ſhip or ſhips having any ſuch wines, that ſhall bee conſtreined by tempeſt of weather, or enemies, to arrive or diſcharge in any other port or place within this realm, then is before appointed, or that hereafter ſhall, by licence as afore is ſaid, bee appointed or warranted, ſo that the owners of the ſaid wines, or any of them, or to their uſe make thereof no ſale within this realm, other than for victuales, or repairing of the ſame ſhip or ſhips, or calcking thereof, which they of neceſſitie be compelled to make.

For increaſe of the revenue, and to ſtay ſaid ſuperfluity of wines, the Queen ſhall have as cuſtom or ſubſidy, 40s. *per* tun of Spaniſh or Levant wines, imported in ſubjects veſſels.

III. And be it further enacted and eſtabliſhed by the authoritie aforeſaid, both for the better increaſe, and augmentation of her Majeſties revenues in this realm, and alſo to ſtay the ſaid ſuperfluitie of wines conveyed, that her Highneſſe, her heyres and ſucceſſours ſhall have and receive as a cuſtome or ſubſidie, of every tun of Spaniſh or Levant wines that ſhall bee brought into this realm by way of merchandiſe, in any ſhip or ſhips, or other veſſell, whereof our ſaid ſoveraigne Ladie, or any of her Highneſſe loyall and naturall ſubjects ſhall bee, at the time of ſuch conveyance and bringing into this realm, verie and true owner, poſſeſſour and proprietarie, without covin, deceipt, craft, or colluſion, the ſumme of forty ſhillings, lawful money of Ireland; and of every tunne of wine growen in Fraunce, Guyen, Gaſcoigne or Rochell, that ſhall come into this realm by way of merchandiſe, by any perſon, in any ſhip or ſhips, or other veſſell, whereof our ſaid ſoveraigne Ladie, or any of her Highneſſe loyall and natural ſubjects, ſhall be at time of ſuch conveyance and bringing into this realm, verie and true owner, poſſeſſour, and proprietarie, without covin, deceipt, craft, or colluſion, the ſumme of twenty ſixe ſhillings eight pence, lawfull money of Ireland; and of every tunne of Spaniſh or Levant wines, that ſhall be brought into this realm by way of merchandiſe, by any perſon in any ſhip or ſhips, or other veſſell, whereof our ſaid ſoveraigne Ladie, or any of her Highneſſe loyal and natural ſubjects, ſhall not bee at any time of ſuch conveyance and bringing into this realm, verie and true owner, poſſeſſour and proprietarie, without covin, decipt, craft, or colluſion, the ſumme of four markes, lawfull money of Ireland; and of every tunne of wines growen in Fraunce, Guyen, Gaſcoigne, or Rochell, that ſhall come into this realm by way of merchandiſe, being brought by any perſon in any ſhip or ſhips, or other veſſell, whereof our ſaid ſoveraign Lady, or any of her Highneſs loyall and naturall ſubjects, ſhall not bee at time of ſuch conveyance and bringing into this realm, verie and true owner, poſſeſſour and proprietarie, without covin, deceipt, craft or colluſion, the ſum of fortie ſhillings, lawful money of Ireland; to be levied, taken and perceived by the cuſtomers, collectors, and other her Highneſs officers for receiving of cuſtom in the portes, havens, or other places above limited, or hereafter to bee appointed for diſcharge in manner before recited by this act.

1l. 6s. 8d. for French wine.

4 marks for Spaniſh or Levant wine in foreign veſſels.

40s. for French.

IV. And be it further enacted by the authoritie aforeſaid, that if any wines, whereof the cuſtomes or ſubſidies aforeſaid, or any of them ſhall hereafter bee due by the tenour of this act, ſhall at any time hereafter bee diſcharged and layed on land, the cuſtomes or ſubſidies aforeſaid of the premiſes due by this act not payed, or the collector of the ſame cuſtomes or ſubſidies, or his deputie, with and by the conſent, knowledge and agreement of the controller and ſurveyor, or one of them at the leaſt not agreed with for the ſame in the cuſtom-houſe, according to the true meaning and intent of this act. That then all the ſaid wines, and every part and parcell thereof ſo layed on land, and diſcharged, ſhall bee and remain forfeit to her Majeſtie, her heires and ſucceſſours, the one moyetie or value thereof to her Highneſſe, her heires and ſucceſſours, and the other moyetie to him or them that ſhall ſeiſe the ſame, or ſue therefore in manner aforeſaid, in which ſuit no wager of law, eſſoine or protection ſhall be admitted or allowed.

If ſaid cuſtoms not paid, the wines landed, forfeited, half to the Queen, half to him who ſeizes or ſues.

Lord deputy, &c. to have yearly for proviſion of his houſe 20 tun cuſtom free.

V. Provided always, and be it enacted by the ſaid authoritie, that the lord deputie, or other governor or governors of this realm, for the time being, ſhall have yearly

yearly for the proviſion and ſtore of his or their houſe, of ſuch wines as ſhall be brought and conveyed by way of merchandiſe into this realm, the number of twentie tunns, free and diſcharged of the cuſtom or ſubſidie graunted by this act, and that the ſaid lord deputy, or other governor or governors of this realm for the time being, ſhall alſo by the ſaid authoritie have full power to grant, limit and appoint unto every peer of this realm, and unto everie of the privie councell in the ſame, at his or their diſcretion, from time to time, ſuch portion and quantitie of wines to be free and diſcharged, of and from the ſaid cuſtome or ſubſidie as he ſhall think to bee meet and competent for every of them after their degrees and callings to have: any thing in this act contained to the contrarie notwithſtanding.

And may at diſcretion limit what every peer and privy counſellor ſhall have cuſtom free.

VI. And for the better order to be henceforth obſerved and kept in the ſale of wines, by retayle or ingroſſe within this realm. Be it enacted by the authoritie of this preſent Parliament, that the lord deputie, or other governour or governours of this realm for the time being, the lord chauncellor or keeper of the great ſeal of this realm, the two chiefe juſtices of either bench in this realm, the chauncellor and chiefe baron of the Exchequer of this realm for the time being, or five, foure, or three of them, whereof the lord deputie, or other governour or governours, or the lord chauncellor or keeper of the great ſeal of this realm for the time being, to be always one, ſhall have power and authority by their diſcretions, to ſet and rate yearly the prices of all kind of wines, that is to ſay, the prices of the tunne, butte, pipe, hogſhead, puncheon, tierce or rundlets, when it ſhall be ſold in groſſe, and alſo to ſet and rate yearly, the prices of wines hereafter to be ſold by retayl any time within the Hillary term, and at no other time or times of the year, ſo that they or any of them cauſe the prices by them ſet and rated to be written, and open proclamation thereof to be made in the Queen's court of Chauncerie of this realm, openly in the terme time, and in the citie, borough, towne or place, where any ſuch wines ſhall be ſold in groſſe or by retaile.

For better order in the ſale of wines by retail or in groſs. Who ſhall rate the ſame,

Within Hilary term only.

Proclamation thereof to be made.

VII. And it is further enacted by the ſaid authoritie, that if any perſon or perſons after ſuch prices ſhall bee ſet, and put in writing by the ſaid lord deputy, or other governour or governours, lord chauncellor, or keeper of the great ſeale, the two chief juſtices, the chauncellour and chief baron of the Exchequer, or by five, foure, or three of them, and proclamation thereof made as is aforeſaid, doe ſell any wines in groſſe, or by retayl, by any fraud or covin, contrarie to the ſaid prices ſo ſetten and proclaymed, that then everie offendour in that behalfe, ſhall loſe and forfeit for every time that he ſhall ſo offend, the double value of the wines ſo ſold contrarie to the ſaid prices, the one half of all which forfeitures to be to the Queen our ſoveraign Ladie, and the other half thereof, if it bee within any citie, borough or towne corporate, to be to the mayors, ſheriffes, bayliffes, or other head rulers of ſuch citie, borough or towne corporate, to the uſe of the corporation, and if it bee without citie, borough or town corporate, then to be to ſuch of the Queen's ſubjects as will ſue for the ſame, and that every ſuch forfeyture ſhall be recovered by original writ, of debt, bill, plaint or information, in which ſute no wager of law ſhall be admitted, nor any protection or eſſoine allowed.

If wine ſold contrary to ſaid rate, forfeiture of double value, half to the Queen; half to the city, where, &c. to uſe of the corporation, if without a city, to ſuch as will ſue.

VIII. And it is alſo enacted, that the juſtices of peace in every ſhire of this realm, and all mayors, bayliffes, and other head officers in cities, boroughs, and corporate towns, that is to ſay, every of them within the limits of their commiſſions and authorities, aſwell, within franchiſes as without, ſhall have power and authoritie to examine, hear, enquire and determine the defaults of ſuch as ſhall attempt to do any thing contrary to the tenour of this act, or to any the ſeveral articles or branches of the ſame, and to puniſh the offendors, as the ſtatute doth appoint and preſcribe.

Juſtices of peace, mayors, &c. may within or without franchiſes, hear and puniſh offenders.

IX. Provided alwayes, and be it enacted by authoritie aforeſaid, that this act, nor any thing therein contayned, ſhall not extend to charge any perſon or perſons with any penaltie or forfeyture for and concerning any offence to be done contrarie to the tenour of this act, or of any the ſeverall articles or braunches of the ſame, unleſſe he or they ſo offending be ſued, indicted, impeached or preſented for the ſame, within one quarter of a year next after the ſame offence ſhall be done and committed as is aforeſaid: any thing in this act contayned to the contrary notwithſtanding.

Proſecution muſt be within one quarter of a year.

X. Provided alway, that this act ſhall not be of force and effect before that the ſame ſhall be ſolemnly proclaymed by the Queen's writ within the cities of Dublin,

This act not to be of force till proclaimed.

A. D. 1569.

To continue 20 years only.

Waterford, Cork, and Limerick, and within the townes of Drogheda, Galway, and Youghall, and that immediately from and after the ſame proclamations ſo made as afore, this act and every braunch, article and proviſion thereof, ſhall be of full force, effect, and ſtrength to all intents and purpoſes, during, and for the ſpace, terme and time of ten years then next and immediately following, fully to be compleat and ended, and for no longer time.

XI. Provided alſo, that this act ſhall not extend to any perſon or perſons that ſhall buy, or cauſe to be bought, any wines in any the havens, ports, or places before in this act appointed for diſcharge, or hereafter by licence or graunt to be appointed in manner and order beforeſaid, but that the ſame perſons, their ſervants and agents, ſhall and may convey the wines ſo bought, by water and by land to his and their houſe or dwelling place and places within this realm: any thing in this act conteyned to the contrarie notwithſtanding.

CHAP. II.

An Act for reſtoring the Earl of Kildare, his Brother and Siſters, to their Bloud. Rot. Parl. cap. 1.

Recital of the act of attainder, 28 *H.* 8. 1.

IN humble wiſe ſheweth unto your Highneſſe, your faithfull and humble ſubjects, Gerald Fitz Gerald, now earl of Kildare, Edward Fitz Gerald, brother to the ſaid earl, Margaret, Elizabeth, and Cicile, ſiſters to the ſaid earl, whereas at a Parliament holden at Dublin, the eight and twentieth year of the reigne of your noble father, King Henry the eighth, before the lord Leonard Gray, then lord deputie of this realm, it was enacted, "That Gerald Fitz Gerald, deceaſed, late earl of Kildare, father to your ſuppliants, and Thomas Fitz Gerald, ſon and heir unto the ſaid earl, and elder brother to your ſuppliants, ſhould be deemed, reputed, convicted, adjudged, and attainted traytors of high treaſon, and ſhould forfeit and loſe the title, ſtile, and name of honour of earl of Kyldare, together with all the lands and hereditaments belonging unto them," by force of which act your ſuppliants doe ſtand, and are perſons corrupted in their bloud and lynage, and thereby diſabled to take or claime any thing by diſcent from their ſaid father or brother, or from or by any other collaterall auncеſtour or couſen, or to make his or their pedegree by or through the ſaid Gerald, late earl, or the ſaid Thomas, late lord Thomas, and after the ſaid attainder, moſt excellent Soveraign, your ſuppliant the now earl, being an infant and put in fear, travayled in the countries of ſtraunge and forrein potentates, contrary to his naturall inclination, till hee was called home by the clemencie of that moſt famous prince, King Edward the ſixth, your Grace's moſt noble brother, who not onely made him his ſervant, and received him to his favour, but alſo moſt bountifully reſtored him to the greateſt part and portion of the lands belonging to his late father, and after your Grace's ſiſter, Queen Mary, did give your ſuppliant the name and title of honour of earl of Kyldare, with the ſame preheminences, place and degree, that any of his auncеſtors,

A. D. 1569. Chap. 2.

ceſtors earls had and held the ſame, together with all the lands belonging to the late earl, father to your complaynants, which he had at any time during his life, other than ſuch lands as were given away or granted by your noble father or brother, and of late your highneſſe, of your princely motion, have reſtored your ſupplyant to a portion of his living, which hitherto was thought to hang in ſome doubt; and foraſmuch as your ſupplyant is not onely reſtored to the ſtate of earl, but alſo conſidered with livings for the better maintenance of the ſame, and yet findeth in himſelf a great defect, for that he is not reſtored to his bloud: Hee moſt humbly beſeecheth your Majeſtie, that it may bee enacted, and bee it enacted by your highneſſe with the aſſent of the lords ſpirituall and temporall and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That your ſaid ſubjects and ſupplyants, the ſaid now earl, his brother, and ſiſters, and his and their heires, from henceforth ſhall be and by authoritie of this act reſtored to his and their auncient blood and lynage, enhabled to make his and their conveighaunces, pedegree, and title by diſcent lyneall or collaterall, from and by his and their ſaid father and brother, and all other his and their aunceſtors, whoſoever they be, in ſuch manner and ſort as though the ſaid attainder or attainders, corruption of blood, or any other impediments to the contrarie had never been; any law, ſtatute, record, proviſion, conviction, judgment, cauſe, or matter whatſoever to the contrarie in any wiſe notwithſtanding.

Earl of Kildare, his brother and ſiſters reſtored to their blood.

II. Provided alway, and be it enacted by authoritie aforeſaid, That this act, nor any thing therein conteyned, ſhall not extend to make voyd and fruſtrate any gift, grant, leaſe for life or years, or any other eſtate of freehold or inheritance, paſſed and granted by your highneſſe father, King Henry the eighth of famous memorie, your brother King Edward the ſixth, your ſiſter Queen Mary, Kynge Phillippe and Queen Marie, your Highneſſe, or the ſaid Geralde, now earle, and his feoffees, or the ſaid earle, or any his feoffees, or any of them: but that all ſuch grants, gifts, leaſes, and every eſtate of freehold and inheritance ſo given or made, and every of them, ſhall be and remain of ſuch force and effect in law, as they bee and were before this act, and in ſuch force and effect to all intents, purpoſes, and conſtructions, as if this act had never been had ne made; this act or any thing therein conteyned to the contrarie in any wiſe notwithſtanding.

Not to extend to avoid former grants by the King, &c.

III. Provided alway, and be it enacted by authoritie aforeſaid, That this act, nor any thing therein conteyned, be prejudicial unto her highneſſe, or in any wiſe to the diſadvantage or advantage of the foreſaid Geralde, now earle of Kildare, his brother and ſiſters, other than reſtitution of their blood and lynage, and ſuch things as be incident and appertayning to their blood.

To extend only to the blood and lineage, not to prejudice the Queen.

The second Year of Elizabeth.

CHAP. VIII.

¶ *An Acte for Proclamation to be made, that Sir Oſwald Maſſingberde, Knight, late Prior of Sainte John's Jeruſalem, ſhall make his Appearance before the Lorde Deputie and Counſaill, or els to be attainted of High Treaſon.* Rot. Parl. cap. 9.

A. D. 1560. Expired.

IN their mooſte humble wiſe beſeechen your moſte excellent Majeſtie, youre faithfull and humble ſubjects, the lordes ſpirituall and temporall and the commons of this your realme, in this preſent Parliament aſſemblid, That wheare Sir Oſwalde Maſſingberde, late prior of the late priorye or hoſpitall of Saint John's Jeruſalem in Ireland, commonlie called, the prior of Kilmayname, had latelie for weightie cauſes and reſpects ſtraite charge and commandement, by the right honourable Sir Henry Sidney, knighte, then lorde juſtice of this realm, upon his allegiaunce to your Majeſtie, that he ſhoulde frome daie to daie make his perſonall appearaunce before the ſame lorde juſtice, till he had knowen further of your Highnes pleaſure; to the performance whereof for more ſecuritie the ſame Sir Oſwald did give his faithe and othe, and notwithſtandinge hath privelie and untrulie withdrawen himſelfe out of this realme into forraine partes, (as is ſuppoſed,) by the which his diſordered and unnaturall demeanour, together with this, that in the tyme that he dud enjoye and occupie the ſaid late hoſpitall, with the lordeſhips and commaundries thereof, he was accuſtomed ſynce the death of our late ſoveraigne ladie, Queen Marie, to make ſundrie reſorts into the Iriſh countries of this realme under collour of viewinge, goinge on pilgrimage, and ſettinge and approvinge the poſſeſſions of the ſaid late hoſpitall, ſcituate in thoſe countries, there is ingendered in us your highnes lovinge ſubjects a vehemente ſuſpicion, that his ſaid reſorte and travaile were to compaſſe and practiſe ſome diſloiall confederacies to the diſturbaunce of this commen welth: in conſideration of whiche premiſſes and to the end that the ſame ſuſpicion may be amoved from our hartes, we canne noo leſſe of our bounden dutie then move your Majeſtie, and therewith mooſte humbly beſeeche the ſame, that it maie pleaſe your Highnes that it be enacted, ordeyned, eſtabliſhed, and provided by authoritie of this Parliament, That proclamation ſhall be made in ſuch place within this realm at ſuch tymes, as to your Highnes, or to the lord deputie or other governour or governours of this realme for the tyme beinge, ſhall be thought meet and conveniente, that the ſaid Sir Oſwalde Meſſingberde ſhall make his perſonall appearaunce before the lorde deputie, or other governour or governours of this realme for the tyme beinge, and the counſaill of this realme, within fortie daies next after ſuch proclamation made, to aunſwer as well to the premiſſes, as to ſouche other mattiers or things, as then ſhall be objected unto him of your Majeſties behaulfe.

II. And that it may be likewiſe enacted, ordeyned, and eſtabliſhed by the ſaid authoritie, That if the ſaid Sir Oſwalde Maſſingberde ſhall not or do not by the ende of the ſaid fortie daies make his perſonall appearance before the lorde deputie, or other governour or governours of this realme of Ireland for the tyme beinge, and the counſaile of the ſame, accordinge to the purporte and tenour of this acte, that then from and after the ſaid fortie daies the ſaid Sir Oſwalde

Meſſingberde knighte ſhall be by the order of this preſente Parliament adjudged and attaincted traytour of high treſon; and that the ſame Sir Oſwalde Meſſingberde knight ſhall have, ſuffre and ſuſteine ſuch paines of death, as in caſes of high treaſon hath been accuſtomed and uſed; and alſoo, that the ſaid Sir Oſwalde Maſſingberde knight ſhall frome and after the twentie fourthe daie of Auguſt in the firſt yere of your Majeſties reigne, forfaite and loſe to your Majeſtie, your heires and ſucceſſours, all ſuche caſtells, manours, lands, tenements meadowes, leaſues, paſturs, wods, waters, rents, revercions, ſervices, offices, fees, annuities, and all other hereditaments, as well ſpirituall as temporall, goodes, cattells and debts whatſoever, as the ſame Sir Oſwalde Maſſingberde had enjoied, or was ſeiſed or poſſeſſed of at the twentie fourth daie of Auguſt, in the ſaid firſt yere, or at any time ſince; and that alſoo ſuche caſtells, manours, lands, tenements, meadowes, leaſues, paſturs, wodds, watirs, rents, revercions, ſervices, offices, fees, annuities, and all other hereditaments, as well ſpirituall as temporall, to be by authoritie of this preſente acte, adjudged, veſted, and deemed in the actuell and reall poſſeſſion of your Hignes, from the ſaid twentie fourthe daie of Auguſt, without any office or inquiſition to be had or founde. A. D. 1560.

The eleventh Yeare of Elizabeth. Seſſ. 1.

CHAP. VI.

¶ *An Acte Prohibitinge any Iriſhe Lorde or Captayne of this Realme, to foſter to any of the Lords of the ſame Realm.* Rot. Parl. cap. 3.

BE it enacted by authoritie of this preſent Parliament, That noo lorde or captayne of the Iriſhrie of Irelande, ſhall from henceforthe foſter to any earle, vicounte, baron, or lorde of the ſaid realme; and that what Iriſhe lord or capitayne ſoever he be, that from henceforthe doethe receive or take to foſter the childe *mulier* or baſtarde of any of the ſaid earles, vicountes, barons or lordes, the ſame ſhall be deemed and adjudged highe treaſon in the taker, and alſo fynable in the giver, accordinge to the taxation and diſcrecion of the lorde deputie, governour or governours, and counſeil of this realme for the tyme beinge. A. D. 1560. Repealed 11, 12 and 13. *J.* 1. 5.

CHAP. VII.

¶ *An Act that the Acte of retayninge of Scotts ſhall not extende to the Governours of this Realme.* Rot. Parl. cap. 4.

WHEARE at a Parliament holden at Dublin in the firſt daie of June, in the thirde and fowerthe yeares of the reigns of Kynge Phillippe and your mooſt deare ſiſter Queen Marie, before their right well beloved couſen and counſeillour, Thomas earle of Suſſex, vicount Fitz Water, lord Egremont and Burnell, one of the gentlemen of their Recital of 3 and 4. *P.* and *M.* 15. and that it ſhall not extend to the chief governours or perſons licenſed by them.

A. D. 1569. Chap. 7.

their privie chamber, capitayne of all the gentlemen penſioners at armes to their Majeſties, in your realme of Englande, and then lorde deputie of this your Majeſties ſaid realm. It was enacted, that yf any perſon or perſons did procure the comynge of Scotts, beynge men of warre, into this realme, or brynge into this realm Scotts, beynge men of warre, or give any Scott or Scotts, beynge within this realme, and men of warre, any wages, bonaghts, ſoreyne, or any outher interteynement or hiere for their ſervice in warre, that then ſuche offence or offences ſhoulde be deamed and judged highe treaſon, as by the ſame acte more at lardge doeth appeare. Foraſmouche as ther ys noo excepcion made in the ſaid acte of the lorde deputie governour or governours of this realme for the time beynge; Be it therefore enacted, ordeyned and eſtabliſhed, That the ſaid acte, or any thinge therein conteyned, ſhall not extende to the lorde deputie governour or governours of this realme for the tyme beynge, nor to ſouch as he or they ſhall lycence, but that the ſame, as on reſpecte of theym, be made, pronounced, adjudged, and declared utter fruſtrate, adnichillat, voide and holden of none effecte.

Said act of *P.* and *M.* repealed 11. 12. and 13 *J.* 1. 6.

Houses of the Oireachtas

The twelfth Year of Elizabeth.

Statuta, Ordinationes, & actus in Parliamento prædicto apud Dublin, prædicto die Veneris. viz. xxvi. die Maii 1570. et anno regni prædictæ dominæ Reginæ duodecimo, coram præfato deputato ſimiliter tento edito in hæc verba.

CHAP. I.

An Act for the Erection of Free Schooles. Rot. Parl. cap. 5.

A. D. 1570.

7 *Wil* 3. 4. 12 *G.* 1. 9. 29 *G.* 2. 7.

Ignorance of the people for want of ſchool diſcipline.

FORASMUCH as the greateſt number of the people of this your Majeſtie's realm hath of long time lived in rude and barbarous ſtates, not underſtanding that Almightie God hath by his divine laws forbidden the manifold and haynous offences, which they ſpare not daily and hourely to commit and perpetrate, nor that hee hath by his holy Scriptures commanded a due and humble obedience from the people to their princes and rulers; whoſe ignorance in theſe ſo high pointes touching their damnation proceedeth only of lack of good bringing up of the youth of this realm either in publique or private ſchooles, where through good diſcipline they might be taught to avoide theſe lothſome and horrible errours: it may therefore pleaſe your moſt excellent Majeſtie, that it be enacted, and bee it enacted by your Highneſſe with the aſſent of the lords ſpirituall and temporall and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, That there ſhall be from henceforth a free ſchoole within every dioceſſe of this realm of Ireland, and that the ſchoolemaſter ſhall be an Engliſhman, or of the Engliſh birth of this realm; and that the lord archbiſhop of Armachanen, the lord archbiſhop of Dublin, the lord biſhop of Meath, and the lord biſhop of Kildare, and their ſeverall ſucceſſours for ever, ſhall have the nomination, inſtitution, and appointment of the ſchoolemaſters within their ſeverall dioceſſes from time to time for ever, that is to ſay, everie of them in his owne dioceſſe; and that the lord deputie, or other governour or governours of this realm for the time being, ſhall have the nomination, inſtitution, and appointment of all and ſingular the ſchoolemaſters in and for all and ſingular the other dioceſſes of this realm (the foure dioceſſes before named excepted) from time to time for ever. The ſchoolehouſe for every dioceſſe to be builded and erected in the principall ſhire towne of the dioceſſe, where ſchoolehouſes be not alreadie builded, at the

A free ſchool in every dioceſe.

The maſter of the Engliſh birth.

The deputy, &c. to have the nomination, except in Armagh, Dublin, Meath, and Kildare.

The ſchool houſe in the principal ſhire town, at the coſt of the whole dioceſe, without re-

A. D. 1570.

coſtes and charges of the whole dioceſſe, without reſpect of freedomes, by the deviſe and overſight of the ordinaries of the dioceſſe or of the vicars generall *(ſede vacante)* and the Shiriffe of the ſhire: and that the lord deputie, or other governour or governours of this realm for the time being, with and by the adviſe of the councell of the ſame, or more number of them, ſhall according to the qualitie and quantities of everie dioceſſe appoint to and for every ſchoolemaſter ſuch yearly pencion, ſtipend, or ſalarie, where none is alreadie appointed, as he with and by their adviſe ſhall think convenient; whereof the ordinaries of every dioceſſe ſhall beare yearly for ever the third part; and the parſons, vicars prebendaries and other eccleſiſtical perſons of the ſame dioceſſe ſhall pay yearly for ever, the other two partes by an equall contribution to bee made by the ſaid ordinaries.

ſpect of freedoms.

The overſeers.

The Deputy, &c. by advice of majority of the councill, ſhall appoint the ſalary,

whereof the ordinary to pay one third, the other two parts by the clergy of the dioceſe.

All eccleſiaſtical livings come to the crown chargeable.

II. And bee it further enacted by the authority aforeſaid, That all churches, parſonages, vicarages, and other eccleſiaſticall livings, that have come by any title, meane or conveyance to the poſſeſſion and ſeiſyn of the Queen's Majeſtie, or any of her moſt noble progenitors, ſhall bee charged to this payment and contribution, in whoſe hands or poſſeſſion ſomever the ſame are or ſhall come.

CHAP. II.

An Act that Exemplifications ſhall be of the ſame Effect and Strength, as the Record or Matter exemplified ſhould be. Rot. Parl. cap. 6.

13 *Eliz. 6. Eng.*

Records and antient muniments, by careleſs keeping, torn or impaired, to the danger of diſheriſon of ſubjects.

FORASMUCH as by the careleſs and negligent keeping of the rolles, recordes, and ancient munimentes, that did remain in the threſorie of this realm, and in offices appointed for the ſafe cuſtodie of them, the ſame rolles, recordes, and munimentes, are ſome torn and rent, ſome imbeaſeled and conſealed, and ſome ſo impaired with moyſture of ſtone walles, as they cannot bee read, to the great perill of diſheriſon of the ſubjects: and although number have of old and ancient time cauſed the exemplifications to bee made forth of them for their better aſſurance, yet the ſame do not ſo much benefite them, as they ment they ſhould, as being of no ſuch ſufficiencie in the law as the originall is: bee it for remedie herein enacted, ordeyned, and eſtabliſhed by the Queen's moſt excellent Majeſtie, the lords ſpirituall and temporall and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, that from henceforth all and all manner exemplifications to be made of any recorde, judgment, fine, proceſſe, inrolment, office, letters, patentes, or of any act, ſtatute, proviſion, or ordinance, or of other matter or thing whatſoever of recorde, and being ſealed under the Queen's Majeſtie's, her heires and ſucceſſors, great ſeal of this realm, and under the ſeals of her Majeſtie's courtes, her heires and ſucceſſours, of high bench or chiefe place, common place, and exchequer

Exemplifications of records under the great ſeal, and ſeals of B. R. C. B. and exchequer, and ſubſcribed by the chancellor and chief judges, of ſame effect as the original.

in this realm, and ſubſcribed by the lord chauncellour, both the chiefe juſtices and chiefe baron for the time being, ſhall be of the ſame force, effect, ſtrength, and validitie in law, in all things, and to all intents, conſtructions and purpoſes, and ſhall have the ſame allowance, eſtimation, credit, and faith, in all courts and places, and before all judges, officers, and miniſters of juſtice, as the originall or originalles, ſo exemplified, of what nature or kind ſoever the ſame bee, ſhould or ought to have, if the ſame were produced, exhibited, pleaded, alledged and ſhewed forth. A. D. 1570.

II. And be it further enacted by the authoritie aforeſaid, That in every exemplification to be made by vertue of this act ſhall be written and incerted, for warrant of the affixing the ſeals before ſpecified to the ſame exemplification theſe words following: *In cujus rei teſtimonium his literis noſtris patentibus tam magnum ſigillum noſtrum regni noſtri Hiberniæ quam ſigilla noſtra curiarum noſtrarum capitalis placcæ noſtræ communis banci noſtri & ſcaccarij noſtri in regno noſtro præd' apponi fecimus juxta tenorem & effectum ſtatuti in hac parte æditi.* And that upon the ſight of everie exemplification ſealed with any of the ſaid ſeals in form aforeſaid, and of the record, inrolment, or matter ſo exemplified, the Queen's Majeſtie's officers that have, or ſhall for the time have, the cuſtodie of the other ſeals before ſpecified, ſhall have full power and authoritie by vertue and warrant of this act to put to the ſeals being in their cuſtodie.

Clauſe to be inſerted in the exemplification for warrant of affixing the ſeals.

CHAP. III.

An Act for the eſtabliſhing the Standard of Meaſures for Corn within certain Shires of this Realm. Rot. Parl. cap. 7.

MOST humbly beſeechen your moſt excellent Majeſtie, the lords ſpirituall and temporall, and the commons in this your Highneſſe Parliament aſſembled, That whereas there is not, nor ever to this time hath been that any man may remember, a ſtandard for the meaſure of corn in your Majeſtie's exchequer in this realm, by the which your Highneſſe ſubjects mought be directed and ordered for their meaſures in buying and ſelling, as in your realm of England they are; by the occaſion whereof, in divers parties of this your Majeſtie's realm of Ireland, there be uſed meaſures ſome of over large quantity and ſome of over little, to the great diſturbance, vexation, and hinderance of your Highneſſe ſubjects: for remedy whereof, be it of your Majeſtie's aboundant grace, by the aſſent of the lords ſpirituall and temporall, and of the commons in this preſent Parliament aſſembled, and by authority of the ſame, enacted and eſtabliſhed, That your moſt excellent Majeſties, ſhall at your owne proper coſt and charge, doe let make, two meaſures of braſſe, one for wheat, rie, meſlon, beans and peaſe, and another for malt, oates and barley, which ſhall bee the ſtandardes for the ſhires of the citie

7 *Wil.* 3. 24. 4 *Anne* 14. 1 *G.* 2 10. Miſchief ariſing from the want of a ſtandard for meaſure of corn, as in England.

By 25 *G.* 2. 15. *which is continued ſeven years by* 31 *G.* 2. 9. *corn to be ſold by weight.*

Two meaſures of braſs, made at the Queen's coſt, ſhall be the ſtandards for

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of Dublin, the countie of Dublin, Kildare, Catherlagh, Wexford, Meth, the town of Drogheda, Weſtmeth, Louth, King's countie and Queen's countie, within this your realm, and that the ſame being marked with the crowne and letters of your Majeſtie's name, ſhall remain and bee as your Highneſſe ſtandardes for the ſhires aforeſaid, in your Majeſtie's exchequer of this realm, in the cuſtodie of the lord theſaurer of this realm, or of the undertheſaurer for the time being.

certain counties named, and remain in the exchequer with the treaſurer.

One meaſure to be by indenture delivered to each county, &c.

II. And be it alſo enacted by the ſaid authoritie, that unto the knights, citizens, and burgeſſes of every the ſhires, citie and towne before named, aſſembled in this Parliament, and to certain burgeſſes of the borough towns in the ſame ſhires, ſhall be delivered one meaſure of every ſuch meaſures, which your Majeſtie ſhall cauſe to be made according to the tenour of this act, for the common-wealth of your Highneſſe ſubjects within this your realm of Ireland, according to your Majeſtie's ſtanderd of your exchequer in this realm, by indenture thereof to be made between the lord theſaurer of this realm, or the undertheſaurer for the time being, at the coſtes and charges of the ſaid ſhire, citie, towne or borough: And that the ſaid knights, citizens and burgeſſes, to whom the ſaid meaſure ſhall be delivered as is aforeſaid, ſhall ſurely and ſafely convey, or cauſe the ſame to be conveyed by the ſaid citizens to their cities, and by the ſaid knights or burgeſſes unto ſuch borough or towne corporate, or market towne within the ſhire, for which they been elected as hereafter ſhall be appointed in this act for the good cuſtodie of the ſame meaſures with all convenient ſpeed and expedition, there to remain for ever in the keeping of the mayor, bayliff, ſoveraigne, portrief, or other head officer for the time being of the ſaid citie, borough or towne, as your Majeſtie's ſtanderdes of meaſure; and that the inhabitants of all cities, boroughs and market townes within every of the ſaid ſhires, ſhall with all convenient ſpeed, after the ſame ſtanderds ſo delivered as before is preſcribed, make, or cauſe to be made common meaſures, according to the meaſures aboveſaid, to remain within the ſaid cities, boroughs and market townes, and every of them, and the ſame meaſures to be viewed, examined, printed, ſigned, and marked by the mayor, bayliff, ſoveraign, portrief, or other head officer, in whoſe poſſeſſion the ſaid ſtandard ſhall remain, or by his officer appointed in that behalfe. And that every of the aforeſaid mayor, bailiffe, ſoveraign, portrief, or head officer, having the ſaid meaſures printed and ſigned under the ſigne and print for the ſame, with the letters of your Majeſtie's name crowned, have authoritie and power to make, ſigne and print, like meaſures unto every your Majeſtie's ſubjects, duely requiring the ſame, taking for marking of every buſhell two pence lawfull money of Ireland; and that no merchant, ne other perſon ne perſons, within any citie or market towne, in any the ſhires before ſpecified, ſhall buy, ſell, or receive

with whom to remain.

Common meaſures to be made according thereto and marked.

Two pence for marking.

any

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any grain or corn with any meaſure, except it be marked, ſigned, or printed in maner and forme aforeſaid, ne any other perſon or perſons in any the ſhires before ſpecified, out of the ſaid cities, boroughs, and market townes, except it bee like and equall with the ſtandard ordeined and made for that ſhire, precinct or place, where any ſuch perſon ſhall ſo ſell, buy, or receive the ſaid grain or corne; and that every perſon, aſwell without cities, boroughes, and market townes, as within in every of the ſhires above ſpecified, ſhall buy, ſell, and receive, and deliver with a buſhell ſealed, ſigned, or marked after the forme aforeſaid, and none otherwiſe, upon forfeiture of the grain and corn ſo ſold, bought, received, and delivered, half to your Majeſtie, your heirs and ſucceſſours, and the other halfe to the partie grieved, and will ſue for the ſame by action of debt after the courſe of the common lawes of this realm, wherein no eſſoine, protection, nor wager of law to be admitted or allowed. And that all the mayors, bayliffes, ſoveraignes, portriffes, and other head officers of every citie, borough, or market towne within every the ſhires aforeſaid, ſhall cauſe twiſe in the year, or oftener, as they ſhall think neceſſary, all meaſures within the ſaid cities, boroughs, and market townes to be brought afore them, and to bee duely viewed and examined; and ſuch, as they ſhall upon examination find defective, immediately to bee broken and brent, and the partie or parties, which in that behalf hath offended and be found defective, ſhall forfeit for the firſt time ſixe ſhillings eight pence; the forfeiture thereof to be unto the ſaid mayor, baylif, ſoveraign, portrife, or any other having juriſdiction and correction in that behalfe, and at the ſecond time the ſaid offendours likewiſe to forfeit thirteen ſhillings foure pence, and at the third time likewiſe to forfeit twentie ſhillings; the ſame forfeitures to be to the head officers as afore is ſaid; and for further puniſhment to bee ſet upon the pillory to the enſamples of other; and that the juſtices of peace in every ſhire of this realm of Ireland have full power and authoritie to enquire, hear, and determine the ſaid defaults.

Grain or corn not bought or ſold there except by marked meaſures on pain of forfeiture.

The meaſures viewed twice a year, or oftener.

Penalty if found defective.

III. Bee it alſo enacted by the authoritie aboveſaid, That the juſtices of peace aboveſaid have authoritie to make like proceſſe againſt all perſons founden, as is aboveſaid, defective, and for ſuch fines and amerciaments as upon them ſhall be aſſeſſed, as if they were indicted afore them for breaking of the Queen's peace.

Juſtices of peace may inquire of ſaid defaults.

IV. Provided alſo, that the examination of the defaults aboveſaid, and puniſhment to the offendors of every offence committed hereafter within any citie or towne corporate of this realm, that have by graunt or charter the offices of clarke of the market, or of juſtices of peace and their authorities, or that have by graunt or charter fines, amerciaments, or forfeitures growing within their citie or towne, ſhall be had, done, and minſtred by the head officers, clerke, of the market, or juſtices of peace, within the ſame cities or townes incor-

The head officers in towns corporate.

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incorporate for the time being, and by none other, the premiſſes notwithſtanding: and that the ſame mayors, bayliffes, ſoveraignes, portrifes, or other head officers and their ſucceſſours, ſhall take, have, perceive, and retain all and ſingular the fines, amerciaments, forfeitures, and penalties, to grow by any offence to be committed againſt any branch or article of this act within their ſeverall juriſdictions and authorities, in like manner as they ſhould, mought, or ought to have any forfeitures, fines, amerciaments, and penalties, within their ſeverall juriſdictions and authorities by reaſon of any graunt or charter made to them before the making of this act; this acte or any thing therein conteyned, or any law, preſcription, cuſtom, or uſage to the contrarie hereof in any wiſe notwithſtanding.

They to have the forfeitures as before this act.

V. And foraſmuch as great inconveniencies and intollerable dammages have and doth enſue by the occaſion of the diverſitie of meaſures within the ſhires above mentioned, and thereby amongſt other hatefull evills men are moved to buy in one market, and ſell the ſame graine in another, to the great ſubverſion of good orders in markets: it may therefore pleaſe your Majeſtie with the aſſent of the lords ſpirituall and temporall and the commons in this your Highneſſe Parliament, and by the authoritie of the ſame, That it be enacted and eſtabliſhed, That the ſeverall ſtandards to bee made by your Majeſtie for the ſeverall ſhires, citie, and towne before named, ſhall keep and hold the quantities hereafter following, that is to ſay, the buſhell for the wheat, rie, meſlone, beanes, and peaſe, ſhall contain ſixteen ale gallons, and the buſhell for the malte, oates, and barley, ſhall contain twentie ale gallons; and that the ſame ſtandards or meaſures ſhall be kept and remain in the townes and places hereafter appointed in this act as your Majeſtie's ſtandards for ever.

Contents of the buſhel.

Strike meaſure, on pain of forfeiture.

VI. And bee it enacted by the ſaid authoritie, That every buſhell of wheat corne ſhall bee received ſtricked without heap, and the buſhell of malt corne ſhall be layed and preſſed downe juſt with the brymm of the buſhell, after the accuſtomed manner of meaſuring malt, and not in other manner, upon forfeiture of the corne received contrarie to the tenour hereof, or of the juſt value and price thereof. Provided alway, that this eſtatute ſhall not bee of force and effect, before that the ſame ſhall be ſolemnly proclaimed in the cities, ſhire-townes, and boroughes hereafter in this act appointed for the good keeping and cuſtodie of the ſaid ſtandards and meaſures.

This ſtatute proclaimed before it takes effect.

The

The Names of the Townes limitted for the ſafe Cuſtodie of Meaſures according to the Queen's Standard appointed by this Act for the Shires in the ſame Act mentioned. A. D. 1570.

Countie of the citie of Dublin and the countie of Dublin.	The citie of Dublin.
The countie of Kildare.	The towne of Kildare.
The countie of Lowthe.	The towne of Dondalke.
The Queen's Countie.	The towne of Maryborough.
The King's Countie.	The towne of Phillipſton.
The countie of Methe.	The towne of Trymme.
The countie of Catherlagh.	The towne of Catherlagh.
The countie of Weſtmethe.	The towne of Mollingar.
The countie of the towne of Drogheda.	The towne of Drogheda.
The countie of Wexford.	The towne of Wexford.

CHAP. IV.

An Act authoriſing the Governour for the Time being by Adviſe of the more Part of the Privie Councell, and upon her Majeſtie's Pleaſure ſignified by Inſtruction or Letter, to graunt Letters Patents to the Iriſhrie and degenerated Men of Engliſh Name of their Lands, &c. yeelding to her Majeſtie, her Heyres and Succeſſours, certaine Reſervations, &c. Rot. Parl. cap. 4.

WHERE the more part of the Iriſhrie and divers diſcended of Engliſh name within this realm have made humble petition unto the lord deputie to be meane unto her Majeſtie to accept of them the ſurrender of all their lordſhips, mannors, lands, tenements, and other their poſſeſſions, to the end it might pleaſe her Highneſſe, after the ſaid ſurrender ſo made, to graunt to eyther of them the ſame their lands and poſſeſſions to holde of her Highneſſe, her heyres and ſucceſſours, by ſuch tenour, rent, ſervice, and attendance, as ſhould be thought meet and convenient, reſpecting the quantitie and qualitie of the ſaid lands, the place where it ſhould lye, and the perſon that ſhould receive the ſame: in conſideration whereof be it enacted by authoritie of this preſent Parliament, That the lord deputie, or governour of this realm for the time being, upon the offer of any the pretended lords, gentlemen, or freeholders of the Iriſhrie, or degenerated men of Engliſh name, holding their lands by Iriſh cuſtome, and not by tenure according to her Majeſtie's lawes, and inhabiting in the provinces or counties of Mounſter, Thomond, Connaght, Leynſter, Kenalyaghe, Deanlee or Dalnee Mac Coghlan, Fercall, Calry, Clyncolman, or Ulſter, except the

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countries within the ſame province, united this preſent Parliament to the crowne, to ſurrender and take their lands, and poſſeſſions to hold of our ſoveraigne lady the Queen's Majeſtie, her heyres and ſucceſſours, ſhall advertiſe the ſame to her Highneſſe, and upon her Highneſſe allowance thereof, and her pleaſure ſignified by inſtructions or letters under her Majeſties moſt gratious ſignature unto the ſaid lord deputie or governour to receive the ſame ſurrender, and make forth the ſaid letters patents, that then, after the ſaid ſurrender or ſurrenders ſo made in her Majeſtie's court of chauncerie of this realm, the ſaid lord deputie, and the more part of the privie counſell of the ſaid realm, ſhall have full power and authoritie by vertue of this act to make warrants unto the lord chauncellor, or keeper of the great ſeal of the ſaid realm for the time being, to make forth letters patents under the great ſeale unto all and every the ſaid perſon and perſons, that her Majeſtie ſhall by inſtructions or letters will and appoint letters patents to be made unto of their lands and poſſeſſions, with the appurtenances or any part thereof; to have and to hold to them for yeres, life, in taile, or fee ſimple, or with remainder or remainders to any other perſon or perſons for life, in taile, or in fee ſimple, according as ſhall be ſpecified or limited in the ſame inſtructions or letter; the ſaid patentees, their heyres and aſſignes, to hold of her Majeſtie, her heyres and ſucceſſours, by ſuch tenure, and to yeeld, beare, and pay all ſuch ſervices, rents, and to doe and accompliſh all other thing and things, according as ſhall be reſerved, expreſſed, and ſet forth in the ſaid letters patents, and that the ſaid letters patents ſhall be good and effectuall in the law according to the tenor and effect of the ſame.

Such of the Iriſhry or degenerate Engliſh, holding by Iriſh cuſtom and not by tenure according to the Queen's laws, as ſurrender their lands ſhall have letters patents to hold of the Queen by ſervices, &c.

II. Provided alway, and be it further enacted by the authoritie aforeſaid, That this act, or any thing therein conteyned, ſhall not extend or be of force to take away from any earl, viſcount, baron, or any other lord ſpirituall or temporall, or any other perſon or perſons of this realm, any right, title, entree, poſſeſſion, ſeigniorie, tenures, rents, ſervices, charges, cuſtomes, or other commodities, profites, or advantages whatſoever, which they or any of them have, had, or ought to have by due courſe of her Majeſtie's lawes in, to, upon, or of any of the lands, poſſeſſions, or hereditaments, which ſhall be ſurrendred and regiven, or retaken, by the authoritie and force of this act: but that all and every earle, viſcount, baron, and other lord ſpirituall and temporall, and other perſon and perſons, ſhall and may have all and ſingular ſuch right, title, entree, poſſeſſion, ſeigniories, tenures, commons, rents, ſervices, charges, cuſtomes, and other commodities, profites, and advantages whatſoever, as they, and every or any of them, have had, or ought to have as aforeſaid in, to, upon, or of any of the ſaid lands, poſſeſſions, and hereditaments to be ſurrendred and retaken by force of this act, in as large and ample manner to all intents, conſtructions, and purpoſes, as if this act were never had ne made; this act, ne any thing therein conteyned, to the contrarie in any wiſe notwithſtanding.

The rights of others to any of the ſurrendered lands, ſaved.

CHAP. V.

A. D. 1570.

¶ *An Acte for the Attaynder of ſuch as be or ſhall be indicted of highe Treaſon or Petie Treaſon, committed or to be committed from the firſt of Aprill, one thowſand five hundred ſixtie nyne, to the laſt of April, one thowſand five hundred ſeventie one, yf thei ſhall not yelde theire Boddies*, &c. Rot. Parl. cap. 3.

Expired.

IN theyr mooſte humble wyſe beſeechen yowr mooſte royall Majeſtie, the lordes ſpirituall and temporall, and all outher your Highnes faithefull and obedient ſubjectes, the commens of this your highe courte of Parliament aſſembled; wheare through the ineſtimable chardge beſtowed by your Highnes, the contynuall travaile of bodie and minde of your mooſt faithefull and truſtie ſervaunt, the right honorable the lorde deputie, withe the willinge readie aſſiſtaunce of the nobilitie, and your Majeſties good and faithefull ſubjects of the Engliſhe pale; all the provynces and remote partes of this realme weare reduced to that knoweledge of their dutie to your mooſte roiall Majeſtie, that as yt ſemed they nothinge more deſired, then that lawe and juſtice, with officers for execucion thereof, ſhoulde be amonge theym planted; (The countrie of Tyrone now by Parliament united to your ymperiall crowne, and uſurped by that traytor Tyrrelagh Leynaghe onelie excepted.) The whiche unwonted towardenes of the throwe and founde reformacion of this realme appearinge, and that your Majeſtie had greatlie to the encreaſynge of your growynge charge appoynted officers and miniſters to have their contynuell aboade and receancye in the provynces and territories of Mounſter, Thomonde and Connaght, to adminiſter juſtice to the inhabitaunts theare without any bourden to your people, and likewiſe your Highnes mooſte prudentlie had furniſhed all neceſſaries for the appeaſinge and throwe quieting of the tumultes of the Neyles of Tyrone, then in apparaunce the onele perturbers of this ſtate, whiche beynge atchived, the like order was loked for plantinge of juſtice in Ulſter, that was experymented in the ſaid outher provinces. This right godlie intendement of your Highneſs ſo honorablie put in execucion had noo doubte made an ende of the contynuall conſumpcion of your Majeſtie's threaſures, and diſburdened your true Engliſhe ſubjects of the greate burden they nowe beare by lodginge and victualinge of your Majeſtie's armye, and transformed this monſterous and uglie diſordred ſtate to the perfite ſhape of a happie common weale, a mooſte juſt occaſion to heape on your Highnes the everlaſtinge bleſſinge of Almightie God, for that in theſe your happie daies, a reformacion many waies before this tyme attempted, and never attchived, haithe ben by your Highnes and your godlie miniſter by lawe and juſtice (the waie warranted by the mowthe of God) deviſed, and to the comforte of all faithfull hartes eſtabliſhed, but the wicked better acquainted with darknes then lighte, have choſen to wallowe in their owne filthe and puddle of tyranny, oppreſſion, rape, raviſe and ſpoile, for as yt ys manifeſt and well known to us, the vile and ingrate traytours Mac Cartie, more latelie create earle of Clancartie; Sir Edmond Butler, Knight; Edward Butler and Piers Butler, his brethern; Piers and James Butler, ſonnes to the vicounte Mountegarret; James and John Butler, ſonnes to Piers Butler, of the Grallaghe; Walter Butler, Tibbott Butler, Piers Butler, John Butler, ſonnes to Edmond Butler, of Polleſtone; James Fitz Geralde, ſonne to Sir Moriſhe Fitz Deſmonde, the ſeneſcall of Imokillye; the White Knight; with divers outhers wicked and diſloyall traytours, againſte whoſe wicked and tyrannouſe courſe of life, the lamentable cry of many widdowes, innocent orphans, and pore oppreſſed people, reſounde before the throne of God his Majeſtie for vengeaunce, have, for the overthrowe of all thoſe your Majeſtie's mooſte godlie and princelie proceadinges, conſpired togither mooſte traitourſlie and wretchedlie, contrarie to their duetie of allegiaunce, to levie ſharpe and cruell warre againſte your Majeſtie, and your true and faithfull ſubjects of the Engliſh pale; and for the better accompliſhinge of their divelliſhe and wicked purpoſe, practiſed with the Kynge of Spayne, and the Scottes our auncient enemies, and outher forreyne princes and potentates, to invade

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this Lande, and combyned with the traytoure Tyrrelaughe Leynaghe, and all outher the Iriſhrie of Ulſter, (excepte Sir Hughe O Donell) the ſaid Sir Edmonde Butler promiſinge to the ſame Tyrrelaughe Leynaghe, that yf the lord deputie with the armye, did invade Ulſter, that then the ſaid Sir Edmonde with the reſt of the traytours of Mounſter ſhoulde invade the Engliſhe pale on the ſouthe; and yf the lord deputie ſhould turn his face to the ſouthe, that then Tirrelaughe, with the northern traytours, ſhoulde invade the Engliſh pale on the north ſide. The ſaid traytours, procured alſo all the Iriſhe of Leynſter, Mounſter and Connaght, to be of their confederacie, and to joigne with theym, in this traytorouſe and mooſte unnaturall and cauſeles rebellion, as the ſame ſir Edmonde Butler, himſelfe confeſſed, and as was teſtified to the lorde deputie and counſell, upon hym attendant, by the more parte of the ſame Iriſhrie and outher ſufficient teſtimonies; the like of whiche unnaturall, perillouſe, and univerſall rebellion and inſurrecion, as this was, hathe not ſithence the firſte conqueſte of this lande bene ſeene, or harde of againſte the crowne of Englande. The right honourable the lorde deputie, having by ſondrie intelligences occaſion to ſuſpecte intendement of ſomme greate and perillouſe exploite againſte the ſtate, by theſe nowe traytours and rebbells, like a prudent and mooſte carefull miniſter in his chardge, ſought by all meanes aad waies to prevent the ſame, and yf yt weare poſſible, to reclayme ſoo many of theym as weare not paſte all grace and due reſpecte of their allegiaunce; all whiche could not prevaile, for althoo after that the ſaid Sir Edmonde, and his brethern traytorouſelie entending this furiouſe and franticke rebellion, had robbed and ſpoyled the inhabitaunts of the countie of Kilkenny, of their armour and weapons, to the ende to furniſhe theym and their confederates, and to unarme the ſubjects, and had committed ſundrie outher haynouſe uttrages in all places wheare they came, which ſufficientlie diſſiphered their conſpiracie and rebellionſe pretence, and that they had likewiſe divers waies actuallie and manifeſtlie begoune their rebellion; yet they beinge forborne to be then preſentlie, by proclamacion, denounced rebelles and traytours, had reſpite for fifteen daies to make their apparaunce before the lorde deputie and counſell, or outherwiſe to be taken, from thenceforthe as enemyes and rebelles, whiche apparaunce they neglected to make, choſing rather to be rebells, as in verie deade they were, then to appeere and juſtifie theymſelves to be good and true ſubjects as became, then veynlie proteſtdinge they ment noo hurte when they did all the harme they coulde, ſeyeinge they weare good and true ſubjects, when they had yoined and confederate with our auncient Iriſhe enemyes, and outher foreyn power, to deſtroye all us your Majeſtie's faithfull and true ſubjects, whiche counterfaite and falſe pretence of obedience, have alwaie bene the outewarde ſhowe and publicke proclamacion of inwarde and deepe roted rebellion and treaſon; The rebelles and traytours, well knowinge that the fowle face of their courſed crafte, upon a ſodeyne ſhowe, ſhoulde be rejected, and of all faithfull ſubjects gayneſayde. The rebells perſiſting in this their wicked enterpriſe, meant to occupie all partes of the realme, with actuall warre at ones, and for the execucion of their vile purpoſe, the ſame Sir Edmonde, with banner diſplaied, invaded the counties of Catherlaghe and Kildare, and robbed, and praied, and ſpoiled the poore people of their goodes and cattell, ledd many of theym captive, and committed diverſe fowle and heynouſe factes; and Mac Cartie More, at the ſame tyme, and James Fitzmoriſhe, with a greate hoſte, invaded that parte of the countie of Corke, poſſeſſed by Sir Warham Seyntleger, and theare burned, murdered and praied the whole countrey of Kerycorre, and determyned to diſtroye the cittie of Corke. Edwarde Butler, likewiſe with a great power, invaded the countie of Waterforde, and theare burned and murdered cruellie many poore people; and after the ſame, Sir Edmonde and his ſaid brethern drew the traytours of Mounſter, with all their force, to the ſiedge of the towne of Kilkenny, the ſpoyle and ſacke whereof he promiſed to theym for their labour, aboute whiche, when they had ſpente five daies, perceivinge the ſame to be defenſible, by reaſon of certein bandes of ſouldiers, before by the lord deputie for that purpoſe theare placed, they departed, and Sir Edmond, with Cahir Mac Keadye O Moore, whom he procured to rebell, invaded your Majeſtie's countrey of Leix, and there

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burned and murdered mooſte cruellie. The rebells ſought to diſtreſſe all the corporat and walled townes in thoſe provinces, and ymploied their uttermooſte endeavour to diſtroye theym, and for the encouragement of their ungraciouſe and barbarouſe rude multitud of traytoures raſcalls, gave them to underſtand, that by the overthrowe of theiſe good townes and civill people, their devilliſhe proceadinges ſhoulde be mouche advaunced, for the ſpoile and rannſonynge of the merchaunts, their wives and children, ſhoulde be to theym verie commodiouſe; and beſide, they affirmed that the Engliſhe hereafter ſhoulde have no ſuccour or reliff in theym; ſoutche cancred hate, and ranke malice bare they to the good ſubjects, that the more any was noted to depende upon your Majeſtie, the greater tyranny and crueltie was to hym ſhowed: Engliſh habit, or any ſparke of civill or loiall behaviour, ſufficed to move their cruell indignacion, voide of all pitie and mercie, as manifeſtlie appeared by all their proceadinges, over many haynouſe, and abhomynable, to be particulerlie recited to your ſacred Majeſtie. The lorde deputie by theiſe occaſions was withdrawen, from the intended ſervice of the northe, and proclaymed a generall hoſtinge ſouthwarde, which begonne the nineteenthe of July; againſte whome the ſame traitours had fortified diverſe ſtronge holtes and caſtels, in the counties of Catherlaughe, Kilkenny and Tipperarie, as in outher the counties of Mounſter, and cauſed their confederates of Thomonde and Connaght to do the like, and determyned of newe to aſſemble, and ſeemed as they woulde (yf they durſte) to anoye the lorde deputie in his paſſage, with their traytorouſe aſſemblie and yoininge togither; being diſappointed by the preſence of the lorde deputie and his armye in thoſe partes, and divers of their holtes and caſtells mooſte valientlie wonne by force, and the traitours put to the ſworde that kept the ſame; many outher caſtells raſed to the grounde; and the more parte fearinge the like chaunce, renounced their holtes and caſtells before they weare approched: This terrour cauſed divers of the traytours confederates, to ſubmit theym-ſelves to the grace and mercye of the deputie; and notwithſtandinge, that by this honorable and valiaunte travaile of the lorde deputie, the traytours weare ſcattred, the ſaid Sir Edmonde, Edwarde, and Piers, with their rabble of traytours, weare robbinge, ſpoylinge, murdringe and prayenge in all places wheare they coulde; and in eſpeciall, at the fayre of Eneſcortie, the ſaid Sir Edmonde, with a greate hoſte aſſaulted and robbed the fayre, murdred dyvers merchaunts and poore people, cruellie took your Majeſtie's houſe of Eneſcortie, and robbed your fermour there of ——— thouſand poundes worth of goodes, and dyvers horrible deades they committed in ſondrie outher places; the traitours had their meſſingers to and fro to ſturr the people with falſe ymaginacions and fables, ſowinge in all partes ſouche malicioufe rumours and reportes, as the like was never deviſed or harde of in this lande before this tyme; by reaſon of all whiche, the lorde deputie was fayne in this ſarvice, to conteynue the ſpace of eleven weekes, wheare as he entended, nor yet was provided for hym-ſelfe and his armye, but onelie for ſixe weekes, longer than whiche yt was never before this ſeene that the governour conteynued in campe; whiche his abſence had put the pale in dangier of over ronnynge, yf his lordeſhippe had not ſoo prudentlie foreſeene the faulſgarde thereof in his abſence as hee did; and for that purpoſe, appoincted the earle of Kildare as generall, to rayſe ſutche force in the pale, as ſhoulde be thoughte conveniente to defend all eventes; whoo to withſtaunde the ſouthren traytours and rebells, marched with twoo thowſande of your Majeſtie's true and faithfull ſubjectes of the pale towardes the ſouthe, and after, with the like number, camped for a tyme in the north borders, to withſtande the traytour Tyrrelaghe Lenaghe, and the Scottes; the wages of whiche armye under the earle his conducte was mooſte willinglie borne and paied by the lordes, gentlemen, and inhabitant of the pale ratablie. The particuler of the harmes commytted by the ſaid rebells and their confederates, and trayne, partelie appearinge of recorde, by the preſentment of their owne countreye men, kynred and aliaunce, weare over lone and prolix to be ſpecified in this our humble peticion, and more fowle, horrible and haynouſe, they woulde ſeme: but mooſte pitifull of all, yt is to hiere the dolefull crye of the poore widdowes and or-

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phans, whiche with their livelie voyces teſtifie as well the cruell murders of thier huſbandes and parentes, as lamente their owne miſerie and wooful caſe, and for proof in what deteſtation wee your Majeſtie's faithefull ſubjects have the ſaid rebells, and their actes; and to the ende their ponyſhement in tyme hereafter may be aſtaye to the like. We therefore mooſte humblie from the bottome of our hartes praye as before that yt may be enacted, and be yt enacted by authoritie aforeſaid, That everie perſon or perſons which ys, or hereafter ſhall be indited of highe treaſon or pettie treaſon, commytted or done ſithens the furſte daie of Aprill, whiche was in the yere of our Lorde, a thowſande five hundred three ſcore and nyne, to the laſte daie of Aprill, whiche ſhall be in the yere of our Lorde God, a thowſande five hundred three ſcore and eleven, and ys or ſhall be thereof indited within the ſaid tyme, ſhall within fortie daies after they, and either or any of theym be willed, by open proclamacion to be made by warrant under the great ſeale of this realme, directed to ſutche perſon or perſons as the lorde deputie, or outher governour or governours of this realme, for the tyme beinge ſhall appoincte, as well in the cittie of Dublin, as alſoo in the principal cittie or towne in the ſhire, where he or they ys, or ſhall be ſuppoſed by the inditement to be, or have ben dwellinge, appeere at the caſtell of Dublin, and there yelde his or their boddie and boddies to the conſtables warde of her Majeſtie's ſaid caſtell, and ſhall not depart from thence, 'till he or they be diſcharged by order of her Majeſtie's lawes, of ſuche matters as ſhall be conteyned in the ſaid inditement or inditements, and whatſoever perſon or perſons ys, or ſhall be ſo indited, and by proclamacion willed to make his or their apparaunce in manner aforeſaid, and ſhall not accordinglie appeere within the ſaid fortie daies then next enſuynge, and remayne in the ſaid caſtell of Dublin 'till he or they be diſcharged in manner aforeſaid, ſhall be attaynted of the ſaid highe treaſon or pettie treaſon, whereof he or they ys or ſhall be indited, as effectuallie and ſufficientlie to all intents, conſtruccions and purpoſes, as yf he or they weare found giltie of the ſame by verdite of twelve men, and judged by due courſe of her Majeſtie's lawes; any cauſe or matter, thinge or thinges, to the contrarie in any wiſe notwithſtanding.

II. And be it further enacted by authoritie aforeſaid, That every perſon and perſons, whiche ſhall be attaynted by authoritie or force of this preſent acte, ſhall forfeite to your Majeſtie, your heires and ſucceſſours, all ſouche honors, manors, landes, tenements, caſtells, rents, reverſions, remaynders, ſervices, and all outher hereditaments, commodities, revenues, profittes, with their rights, members, and appourtenances, whereof they or any of theym be or weare ſeiſed lawfullie and juſtlie in fee ſimple, fee tayle, or for term of lif to their own uſe, or whereof any outher perſon or perſons be or weare ſeifed to the uſe of theym, or any of theym, in fee ſimple, fee tayle, or for term of lif, the daie of commyttinge the facte accordinge the purporte and ſuppoſall of the ſaid inditement to have ben committed; and all their goodes and chattells, realls and perſonalls, whiche they or any of theym be or weare poſſeſſed of, or whereof any other perſon or perſons be, or weare poſſeſſed, to ther uſe, or to the uſe of any of theym; and that your Majeſtie, your heires and ſucceſſours, ſhall and may, by authoritie and force of this acte be reallie and actuallie ſeiſed and poſſeſſed of all the ſaid honours, mannors, lands, tenements, caſtells, rents, reverſions, remayneders, ſervices and hereditaments, with their rights, members and appurtenances, as united to your ymperial crowne of this realme, from the tyme of the offence comytted or done by any of the ſaid parties, accordinge the purporte of his or their inditement.

Saving.

Saving, and alwaie reſarved by the authoritie of this preſent Parliament, to everie perſon or perſons, boddies pollitieque and incorporate, their heires and ſucceſſours, (outher then the ſaid perſons, and everie of them ſoo to be attaynčted by tenour of this acte, their heires and aſſignes, and the heires and aſſignes of everie of them, and all outhers claymeing to the uſe of them, and everie of them, in fee ſimple, fee tayle, or for term of lif) all ſuche right, title, intereſte, clayme, lawfull entre, leaſes for tearme of yeares, or demaunde, whiche they or any of them have in or to the ſaid honours, manours, lands, tenements, caſtells, rentes, revercions, remaynders, ſervices and hereditaments, with their members and

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appurtenance, at any time before the daie of commytinge the ſaid facte, by the ſaid inditemente ſuppoſed to be done.

III. Provided alſo, and be yt enacted by authority aforeſaid, That noo perſon or perſons be attaynted by virtue of any proclamacion to be made by force of this acte for lacke of apparaunce, unles the ſame proclamation be made as aforeſaid by the laſt daie of October next after the ſaid laſt daie of Aprill a thowſaunde five hundred three ſcore and eleven.

IV. And be yt further enacted by authoritie aforeſaid, That the warrantes for making the proclamacions in maner aforeſaid ſhall be retorned to the Queene's Majeſtie's chief place within this realm, the next terme after the ſaid proclamacion ſoo made, and that yt ſhall be theare inrolled and recorded, together with the apparaunces of everie perſon and perſons, whiche ſhall upon everie ſutche proclamacion appeere to juſtifie theymſelves.

Houses of the Oireachtas

The twelfth Year of Elizabeth. Seſſ. 2.

Statuta, Ordinationes & Act' in Parliamento predicto apud *Dublin* predict' die Lune, viz. ſexto die *Novembris*, 1570, anno regni predictæ Dominæ Reginæ duodecimo coram prefato deputato ſimiliter tent' edit. in hæc verba.

CHAP. I.

An Act for the Attayndour of Thomas Queverford, late of Balymacka.

A. D. 1570.

WHERE the juſt judgment of God hath of late cutte off from the bodie of this your Majeſtie's common wealth, by death of that unnaturall, unkind, and corrupt member, Thomas Queverford, late of Ballymacka in your county of Kilkenny, having been in his life time one of the chiefeſt and principall conſpiratours, and actuall dooers in this laſt rebellion, before he was thereof attaynted, or could be apprehended: yet conſidering, that if his moſt cruell and trayterous dooings ſhould be left uncorrected and unpuniſhed, would remain a perilous example for others hereafter to doe the like. It may therefore pleaſe your Majeſtie, that it be enacted; and be it enacted with your Highneſſe aſſent, the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That the ſaid Thomas Queverford ſhall be adjudged and attainted from the firſt day of Aprill, in the eleventh year of your Majeſtie's raign, traytor, attainted of high treaſon; and that he ſhall forfeit and looſe to your Majeſtie, your heyres and ſucceſſours, all ſuch caſtles, mannours, meſſuages, lands, tenements, meadowes, leaſues, paſtours, woods, waters, rents, reverſions, remaynders, ſervices, offices, fees, annuities, uſes, poſſeſſions, rights, commodities, conditions, and all other hereditaments, of what names, natures, or qualities ſoever, they be: and alſo all ſuch goods, chattells, and debts, which he, or any to his uſe, had enjoyed, or was ſeyſed, or poſſeſſed of the ſaid firſt day of Aprill, in the ſaid eleventh year of your Majeſtie's reign, or at any time ſince, and all ſuch rights, titles, intereſts, uſes, and poſſeſſions, which he had the ſaid firſt day of Aprill, or at any time ſithence, of, in, or to the ſaid caſtles, mannors, and other the premiſſes, or of any parte or parcell of them. And that all ſuch caſtles, mannour, meaſes, landes, tenements, meadowes, leaſes, paſtures,

Attainder of Thomas Queverford.

His lands, &c. forfeited,

paſtures, woods, waters, rents, reverſions, and other the hereditaments afore ſpecified, which was the ſayd Thomas Queverford's, ſhall be by authoritie aforeſaid adjudged, veſted, and deemed to be in the actuall and reall poſſeſſion of your Majeſtie from the ſayd firſt day of Aprill in the ſayd eleventh year of your reigne, without any office or inquiſition thereof to be taken or found according to the common or ſtatute lawes of this realme. Saving to all and every perſon or perſons, bodies politicque and corporate, and to their heyeres and aſſignes, and ſucceſſours, and to every of them, other than the ſaid Thomas Queverford, his heyers generall and ſpeciall, and all other clayming by him, all ſuch rights, titles, entries, intereſtes, rents ſervices, rents charges, rents ſecks, leaſes, fees, and all other commodities, profites, and hereditaments whatſoever, that they or any of them had, might, could, or ought to have, as if this act had never been had or made.

and veſted in the Queen without office or inquiſition.

Saving the rights of others.

II. Provided alwayes, and be it enacted by the authority aforeſaid, That this act ſhall not extend to any lands, tenements, or hereditaments with their appurtenances, that the wife of the ſaid Queverford had in her own right in uſe, poſſeſſion, reverſion, remainder, or otherwiſe, in eſtate of inheritance; or to any lands, tenements, or hereditaments with their appurtenances, that were enſured by any conveyance to his ſaid wife, or to any to her uſe, before the ſaid firſt day of Aprill; but that ſhee and her aſſignes, and all and every other perſon or perſons ſeyſed to her uſe, ſhall enjoy and have the ſame lands, tenements, and hereditaments with their appurtenances ſo enſured and conveighed; and that ſhe and her heyres generall and ſpeciall, and all and every other perſon and perſons ſeyſed to her and their uſe and uſes, ſhall have and enjoy the ſaid lands, tenements, and hereditaments with their appurtenances, that ſhe had in uſe, poſſeſſion, reverſion, remaynder, or other title in eſtate of inheritance, according to her and their title in and to the ſame, as if this act had never been had ne made; any thing in this act conteyned to the contrarie notwithſtanding.

Not to extend to the eſtate of his wife.

The thirteenth Year of Elizabeth.

Statuta, Ordinationes, & Actus, in Parliamento prædicto apud Dublin, prædicto die Martis, viz. quinto die Decembris 1570, & anno regni prædictæ dominæ Reginæ decimo tertio, coram præfato deputato similiter tento, edita in hæc verba.

CHAP. I.

An Act that ſuch Clothe and Stuffe, as ſhall be wrought of the Wooll, Flockes, Lynnen Yarne, Woollen Yarne, Sheepefell, Calfell, Goatfell, Red Deerefell, or Fallow Deerefell, within this Realm, ſhall be tranſported for Merchandiſe onely by the Merchants within everie the ſtaple Cities and townes of this Realm, and by the free Merchants of the Boroughes and priviledged Townes, and by none other. Rot. Parl. cap. 4.

A. D. 1571.

Recital of ſtat. 11 *Eliz.* 10.

WHEARE in a ſeſſion of this preſent Parliament holden at Dublin it was enacted, ordeined, and eſtabliſhed by the Queen's Majeſtie with the aſſent of the lords ſpirituall and temporall and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That whatſoever perſon or perſons ſhall from and after the laſt day of September, which ſhall be in the year of our Lord God 1569, put, carrie, or load into any ſhip, barke, pickard, boat, or other veſſell, any wooll, flockes, lynnen yarn, woollen yarn, ſheepefell, calfefell, goatefell, red deerefell, or fallow deerefell unwrought, tallow, waxe, or butter, to the intent to carrie the ſame out of this realm, ſhall pay for the ſame to the Queen's Majeſty, her heires and ſucceſſoures, for cuſtome, as by the ſame act more fully and at large appeareth; before the eſtabliſhment of which act the commodities now reſtrained were tranſported for the more part by the merchant ſtaplers within the ſtaple cities and townes of this realm, and by the merchants of the boroughes and priviledged townes of this ſame realm; whereby they were made more able to ſtore this realm with forrein commodities by their diligence in traffique; which companies of merchants experience hath taught to be the chiefe ſtay of the cities and priviledged townes and boroughes within this realm, as without whom neither the ſame cities and townes be upholden and maintained, nor yet governed and ruled, nor the ſervice of the realm in ſundry points ſo well furthered and advanced, as by them it is at this preſent: the decay of whoſe ſtate ſhall worke a grievous, yea an importable detriment to this poore common-weale,

as

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as to men of good judgement and experience in the ſtate of this realm is manifeſtly known, and by the reſtraint and ſtay of the afore ſpecified commodities to be tranſported unwrought, and libertie given to all maner of men, aſwell French, Scottiſh, Spaniſh, as other nations, forreine and ſtraungers to this realm, for the conveyance of them being wrought, theſe companies of merchants of this realm ſhall be ſhut up from trade and traffique, being then in no better accoumpt than any forreine or ſtraunger; ſo (which God forbid) ſhall in ſhort time enſue the ruine, waſte, and deſolation of the cities and priviledged townes of this poore realm, the onely defence and ſupporte of this poore iſle, now well ſtayed by theſe companies of merchants, and by them theſe hundred yeares paſſed maintained, governed, ruled, and kept in good order and civilitie, to the honour of the crowne of England, and ſafegard of the good ſubjects, yea, and to the great terrour of the rebels, and diſordered enemies of the weale publicke: and over this, where the intent of the ſaid ſtatute of reſtraint is, that the commodities ſhall be wrought, and artificers ſet on worke within this realm, there is no hope to be conceived hereof, if there be not ſome ſuch proviſion made, as the marte of thoſe commodities ſhall not be free to all men, and that every ſtranger ſhall take ſo much benefite of them, as they whoſe bodies and goods be readie to be employed in the defence of this realm; which thing in all well governed common-weales have been in all ages ſingularly reſpected and forſeene, where if the tranſporte of ſuch commodites, as ſhall be wrought of the ſaid things now reſtrained, ſhall be committed onely to the ſtaplers within the ſtaple cities and townes, and to the merchants of the boroughs and priviledged townes of the realm, they, as indeed moſt able to accompliſh it, will by all good means deviſe for the allure of good workemen, that ſhall travaile in the worke of theſe things, and will with all diligence ſtore the realm with artificers for that purpoſe aſwell for the common profit of their native country, as for the increaſe of private wealth, which muſt enſue thereby: be it therefore for remedie of the premiſſes, and for the good cauſes and conſiderations before alledged, enacted, ordeined, and eſtabliſhed by the Queen's moſt excellent Majeſtie, the lords ſpirituall and temporall, and the commons of this preſent Parliament aſſembled, and by authoritie of the ſame, that from henceforth for ever no manner perſon or perſons ſhall carrie or tranſporte, or cauſe to bee carried or tranſported, any cloth or other worke or ſtuffe that is wrought and made, or that hereafter ſhall be wrought and made, within this realm of Ireland of wooll, flockes, linnen yarn, woollen yarn, ſheepfell, calfefell, goatefell, red deerfell, or fallow deerfell, out of this realm, or ſhall imbarke or ſhip any of the ſame commodities to bee tranſported, carried, or conveyed out of this realm, but onely a merchant in one of the ſtaple cities or townes of this realm, or a merchant of one of the boroughes, or priviledged and incorporated townes of this realm, which are incorporated by charter: ſo

Enacting part.

None but merchants inhabiting ſtaple or incorporate towns, or their factors or ſervants, ſhall ſhip or tranſport cloth or ſtuff made in Ireland.

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that the ſame merchant ſhall be inhabitant and have his chief dwelling within the ſame borough or priviledged and incorporated town, or the factors or ſervants of any of the ſaid merchants.

If done by others, it may be ſeiſed;

If not ſeiſed double value forfeited; half to the Queen, half to the informer.

II. And be it further enacted, ordained, and eſtabliſhed by the authoritie aforeſaid, that every one, that ſhall be inhabitant or free within any ſtaple citie or towne, or within any other incorporate towne of this realme, which ſhall by himſelf, or by his factor or ſervant, imbarke, ſhip, carrie, load, or convey any cloth, worke, or ſtuffe before mentioned, not being at the time of ſuch imbarking, ſhipping, carriage, loading, or conveyance, a merchant in the ſame citie or towne, ſhall forfeit, for every time the whole cloth, worke, or ſtuffe ſo imbarked, ſhiped, carried, loaden, or conveyed, if the ſame be ſeiſed upon, and if the ſame may not be ſeiſed upon, that then hee ſhall forfeit the double value of the cloth, worke, or ſtuffe, ſo imbarked, ſhiped, carried, loaden, or conveyed; and that the one halfe of everie the ſaid forfeitures ſhall bee to the ſeiſer, or to the informer of the offence before the judges, hereafter to be appointed by this act, and the other half to the Queen's Majeſtie, her heirs and ſucceſſours: and that likewiſe every one, that ſhall bee inhabitant or free within any borough, or priviledged and incorporated towne of this realm, as is aforeſaid, which ſhall by himſelf or by his factour or ſervant embarque, ſhip, carrie, lode, or convey any cloth, worke, or ſtuffe, before mentioned, not being at the time of ſuch embarquing, ſhiping, carriage, loading, or conveyance, a merchant of the ſame borough, or priviledged or incorporated towne, ſhall forfeyt for everie time the whole cloth, worke, or ſtuffe ſo embarked, ſhiped, carried, loaden, or conveyed, if the ſame may be ſeiſed upon; and if the ſame may not be ſeyſed upon, that then he ſhall forfeyt the double value of the cloth, work, or ſtuff ſo embarqued, ſhiped, carried, loaden, or conveyed; and that the one halfe of every the ſaid forfeytures ſhall be to the ſeyſer or to the informer of the offence before the judges, hereafter to be appointed by this act, and the other halfe to the Queen's Majeſtie, her heyres and ſucceſſours; and that likewiſe everie one, that is not free and inhabitant of any citie, borrough, or priviledged and incorporated towne in this realm as afore, which ſhall imbarque, ſhip, carry, loade or convey, by himſelfe or by his factour or ſervant, any cloth, worke, or ſtuffe before mentioned, not being at the time of ſuch imbarquing, ſhipping, carriage, loading, or conveyance, a merchant in one of the ſame cities or townes of this realm, or merchant of one of the boroughes or priviledged and incorporated townes of this realm, in manner before appointed, ſhall forfeit for every time the whole cloth, worke, or ſtuffe ſo imbarqued, ſhipped, carried, loaden, or conveyed, if the ſame may bee ſeyſed upon; and if the ſame may not be ſeiſed upon, that then hee ſhall forfeit the treble value of the cloth, worke, or ſtuffe ſo imbarqued, ſhipped, carried, loaden, or conveyed; and that the one halfe of every the ſaid forfeitures

Treble value, if by one not free and inhabitant.

feitures ſhall be to the ſeiſor or to the informer of the offence, before the judges hereafter to bee appointed by this act, and the other halfe to the Queen's Majeſtie, her heyres and ſucceſſoures. And if the ſaid cloath, worke or ſtuffe ſhall fortune to be imbarked, ſhipped, carried, loaden or conveyed in any creek or place out of haven or port, citie or towne, then the one halfe of the forfeiture to bee to the ſeiſor or informer as before, and thother half to the Queen's Majeſtie, her heires and ſucceſſors.

So if it be ſhipped in a place out of the haven of city or town.

III. And be it further enacted by the authoritie aforeſaid, That the ſaid forfeytures and every of them ſhall bee demaunded, ſued for, and impleaded before the ordinarie judges within every citie, borough or towne priviledged, by playnt, information, bill, action, or other kind of ſuit, after the manner, order and cuſtom of the ſame citie or towne, or before any the Queen's Majeſties ordinary judges of her Highneſſe courts in this realm, at the pleaſures of the partie plaintife, purſuant or informant; any limitation of uſe of forfeyture to the corporation of the city or towne, or any other matter or cauſe to the contrary notwithſtanding. And that in any ſuch action, bill, plaint, information or ſuit, no eſſoine, protection or wager of law ſhall be admitted or allowed.

Where the forfeitures to be ſued for.

IV. And to the intent that this act may take the better and more ſure effect; be it likewiſe enacted by the ſaid authoritie, That no licence of diſpenſation to be made or graunted by the governour or governours of this realm, for the time being, under the great ſeale of this realm, or in any other manner, for diſpenſation with this act, or any braunch, clauſe or article thereof, ſhall be of any force, ſtrength or effect in the law, but ſhall bee utterly voyde to all entents, conſtructions and purpoſes; any prerogative, law, uſage, preſcription, cuſtome or matter, to the contrarie in any wiſe notwithſtanding.

No diſpenſation of this act.

V. And be it enacted by the authoritie aforeſaid, That all and ſingular perſon and perſons, that before the making of this act, were free and diſcharged of cuſtome to the Queen's Majeſtie, her heyres and ſucceſſours, or to any other corporation or perſon, by charter, graunt, incorporation, and other title whatſover, ſhall be and continue free and diſcharged of and from any cuſtom to be due of the commodities and things ſpecified in this act, as they were and ought to be before the eſtabliſhment hereof, and not otherwiſe; any thing conteyned in this act, or any other cauſe, thing or matter to the contrarie in any wiſe notwithſtanding.

Perſons diſcharged of cuſtom before, continue free.

VI. Provided alſo, and be it enacted by the ſaid authoritie, That this act, nor any braunch or article thereof, ſhall not be extended or conſtrued, to touch any Engliſh merchant or ſtraunger that ſhall bring into this realm iron, ſalt, wine, graine, or other merchandiſes, but that every ſuch merchant, their ſervants or factours, ſhall and may tranſport any of the cloath worke or ſtuffe before mentioned, which he ſhall receive as exchaunge for the wares and

Engliſh merchants or ſtrangers importing merchandiſe, may tranſport cloth or ſtuff received in exchange, and bought of a merchant

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where they diſcharge, and paying cuſtom due.

merchandizes ſo brought into this realm, and which hee ſhall buy with ſuch money, gold or bullion, as the ſame merchant or ſtranger and everie of them ſhall bring into this realm, as with the money made of ſuch his or their merchandiſes within the citie or borough, or priviledged towne where he ſhall make his diſcharge, ſo that the ſame merchant or ſtranger, his factor or ſervant, do take or buy the ſame of a merchant ſtapler, or merchant of the ſaid citie, or priviledged and incorporate town, where he doth diſcharge, paying to the Queen's Majeſtie, her heyres and ſucceſſours, all cuſtoms and duties due, and to be anſwered in and for the ſame, as have been uſed and accuſtomed for yarn, and other the wares afore ſpecified, before the making of this act, and not otherwiſe; any thing in this act to the contrary notwithſtanding.

Merchants of boroughs, &c. not being haven or port towns, may tranſport ſaid goods, paying the cuſtom.

VII. Provided alſo, and be it enacted by the authority aforeſaid, That the merchants of boroughs and priviledged and incorporated towns, not being haven or port townes, ſhall by themſelves, their factours and ſervants, have free libertie to tranſport any and every the ſaid cloath, work and ſtuffe, mentioned in this act, from time to time, in every haven and port of this realm, paying and anſwering the cuſtomes and charges due, of and for the things to be tranſported as have been accuſtomed and uſed in manner aforeſaid, without interruption, any law, cuſtom, franchiſe or other matter heretofore made and uſed, or hereafter to be made and ordained within any port or haven, citie or towne of this realm, to the contrarie hereof in any wiſe notwithſtanding.

Lords, &c. not inhibited to tranſport for their own neceſſaries, or to their friends, ſo as not uſed for trade of merchandize.

VIII. Provided alſo, and be it enacted by the ſaid authoritie, That this act, nor any braunch nor article thereof, ſhall not bee extended or conſtrued to touch any of the Lords ſpirituall or temporall of this realm, nor any of her Majeſties councell of the ſame, or gentlemen to inhibit them, or any of them to load or tranſport any of the ſayd cloath, work or ſtuffe before mentioned for his or their owne neceſſaries, or to ſend to any his or their friend from time to time, ſo as they, nor any of them, do not uſe the ſame for any accuſtomed trade of merchandize; any thing in this act conteyned to the contrarie notwithſtanding.

CHAP. II.

An Explanation of the Act made in a Ceſſion of this Parliament for the ſlaying of Wooll, Flockes, Tallow, and other Wares and Commodities mentioned in the ſaid Act, and certaine Articles aded to the ſame Act.

Recital of ſtat. 11 *Eliz.* 10.

WHERE an act paſſed in a ceſſion of this preſent Parliament, whereby it was enacted and aſtabliſhed, "That the Queen's Majeſtie, her heires and ſucceſſours, ſhould have certaine cuſtome out of wooll, flocks, flaxe, lynnen yarn, wollen yarn, ſheepfell,

calfefell, goatefull, red dearefell, fallow dearefell unwrought, beefe, tallow, waxe, and butter, that ſhould be put, carried, or loaden into any ſhip, barque, pyckard, boate, or veſſell, to the intent to carrie the ſame out of this realm; and that the cities and corporate townes, from whence the ſaid wares, victuals, and other things ſhould be tranſported, imbarqued, and carried away, ſhould alſo have certain cuſtoms therefore; and that he, that ſhould ſo put, carry, or load the ſame wares, victualls, or commodities, or any of them, into any ſhip, barque, pyckard, boate, or veſſell, to the intent to carry the ſame out of this realm, ſhould pay certain forfeytures to him or them, that would ſue therefore by action of debt by writ at the common law, playnt in any court of record within this realm, or by information in the exchequer of the ſame realm; and that the owner, purſer, or any officer or maſter of any ſhip, barque, pyckard, boate, or other veſſell, wherein any of the ſaid wares, victualls, or other the premiſſes, ſhould be ſo embarqued and put before payment and ſatisfaction made to the Queen's Majeſtie, her heyres and ſucceſſours, and alſo to the ſaid cities and incorporated townes, of the ſaid cuſtoms, ſhould forfeyt every ſuch ſhipe, barque, pyckard, boate, or other veſſel, wherein the premiſſes or any of them ſhould be ſo imbarqued, loaden, or put; the one halfe thereof to be to the Queen's Majeſtie, her heyres and ſucceſſours, and the other half to him or them that ſhall preſent, or enform the ſame before the barons of the exchequer for the time being in this realm; and that the concealing of every ſuch imbarquing, loading, or carrying out of this realm of any of the premiſſes by the ſearcher, his deputy, factour, or attourney of any port, haven, or creek within this realm, ſhould be felonie in the ſayd ſearcher, his deputy, factour, or attourney, as by the ſaid act more plainely appeareth: the meaning of which act was to ſtay the ſayd commodities to be wrought within this realm; whereby manie now living idly within the ſame realm ſhould be ſet to worke, and many Engliſh artificers allured to come to the ſame realm to worke the premiſſes, to the great commoditie, profite, and increaſe of civilitie of the ſame realm;" which good meaning of that good law, made for the common-wealth of this poore realm, was and is dayly ſithence the eſtabliſhing thereof deceyved by divers evill diſpoſed perſons, who do ſubtilly and craftily ſteal and convey the premiſſes out of this realm, without any entre made in any cuſtomers books, or cuſtome payed of or for the ſame; and ſuch wicked and malicious devices daily invented to tranſport and carrie the premiſſes out of this realm contrarie to the good meaning of the ſaid ſtatute, the hinderance of her Majeſties ſaid cuſtome, and to the utter undoing of diverſe merchants and other good members of the common-wealth of the ſame realm, who beſtowed the moſt part of their ſubſtance in buying of tools, and bringing of good civill artificers out of England and other countreyes and realms to

Meaning thereof to ſtay commodities to be wrought within the realm.

Said ſtat. evaded.

To the ruin of many merchants.

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work the ſaid commodities within this realm, as it is very like there will be more ſcarcitie of the ſaid commodities within this realm from henceforth, then there hath been before the making of the ſaid ſtatute, if ſome politique remedie be not ſpeedily provided for the ſame.

Enacting part.

II. In conſideration whereof the commons of this poore realm of Ireland moſt humbly beſeecheth your Majeſtie, that it may be it enacted, and be it enacted by your moſt excellent Majeſtie, with the aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame,

If wooll, &c. ſhipped before entry, and the cuſtoms in the Stat. 11 *Eliz.* paid, forfeiture,

That whatſoever perſon or perſons ſhall from henceforth ſhip, loade, imbarque, put, convey, or carry away in any ſhip, barque, pyckard, boat, or other veſſel whatſoever, any wooll, flockes, flaxe, lynnen yarn, woollen yarn, ſheepfell, calfefell, goatefell, red dearefell, fallow dearefell unwrought, beefe, butter, tallow, or tallow wrought in candles or otherwiſe, wax, or wax wrought in candles or otherwiſe, within any haven, creek, or place within this realm, before entrie thereof made, and all and ſingular the cuſtomes ſpecified in the ſaid former ſtatute well and truely contented, ſatisfied, and payed, according to the tenour, and effect, and meaning of the ſayd ſtatute, that all and ſinguler the ſaid wooll, flocks, flaxe, lynnen yarn, woollen yarn, ſheepfell, calfefell, goatefell, red deerefell, fallow deerefell unwrought, beefe, butter, and tallow, tallow wrought in candles or otherwiſe, wax, or wax wrought in candles or otherwiſe, ſo ſhipt, loaden, embarked, put, conveyed, or carried away in any ſhip, barke, pickard, boat, or other veſſell whatſoever, before entrie thereof made, and the ſaid cuſtomes payed and ſatisfied as aforeſaid, ſhall be forfeited; the one halfe thereof to the Queen's Majeſtie, her heyres and ſucceſſours, and the other half to him or them that ſhall find and eſpie the ſame; and that every perſon and perſons, that ſo ſhall find or eſpie the premiſes or any of them, as aforeſaid, ſhall and may lawfully take, ſeiſe, carrie away, and keep the ſame and every parcell of them, ſo found and eſpied, to the Queen's Majeſties uſe for the one moietie or halfendells, and for the other moitie or halfendell to the uſe of ſuch perſon or perſons as ſhall ſo find or eſpie the ſame.

And felony.

III. And be it further enacted by the authoritie aforeſaid, That every ſuch ſhipping, loading, embarking, and putting into any ſhip, barke, pickard, boate, or any other veſſell whatſoever, of any of the premiſes in any port, haven, harbour, or creek, within this realm, before entrie of the ſame and the cuſtomes aforeſaid well and truely ſatisfied and payed according to the tenour and effect of the ſaid former ſtatute, ſhall be adjudged and deemed feloney in all and every ſuch perſon and perſons, their ayders, conſenters, and aſſiſtants, that will ſo ſhip, load, imbarque, and put the premiſes into any ſhip, barke, pickard, boate, or other veſſell before entrie made, and the ſaid cuſtomes payed as aforeſaid; and that the

ſame

ſame perſons, their aydors, conſenters and aſſiſtauntes ſo to doe, ſhall have the ſame order of proceſſe, inquirie, triall, judgement, forfeiture, and execution, as in caſes of felonie is uſed by the common law in this realm. And that the juſtices of peace at their ſeſſions, and all and every officer and officers within cities and incorporated towns, having authoritie to bee juſtices of peace, or of gaole delivery, within the ſaid cities and incorporated towens, ſhall and may lawfully inquire, here, and determine all and ſingular the premiſſes made felony by this act.

Where the felony to be inquired.

IV. And bee it further enacted by authoritie aforeſaid, That every pack or fardell, cheſte, truncke, or other thing loaden, ſhiped, carried, ſent, or conveyed to any place within this realm, to the intent to be ſhiped or loaden, wherein any manner of yarne, woll, flockes, flax, ſheepfell, calfefell, goatefell, red deerefell, fallow deerefell unwrought, beafe, butter, tallow, or tallow wrought in candles, or otherwiſe, wax, and wax wrought in candles, or otherwiſe, ſhall be ſet, packed or encloſed, ſhall be ſeiſed and forfeited, whereof the one half to be to our ſaid ſoveraign Lady, her heyres and ſucceſſours, and the other halfe to him or them that ſhall ſo ſeiſe or take the ſame, or ſue for the ſame by action of debt, bill, plaint, information, or otherwiſe, in any of the Queen's Majeſties courts, wherein the partie defendant ſhall not wage his law, ne in the ſame any eſſoine or protection ſhall be allowed; any prerogative, law, uſage, preſcription, cuſtome, cauſe, or matter whatſoever to the contrarie in any wiſe notwithſtanding.

Every pack, &c. loaden, ſhall be ſeiſed and forfeited.

V. Provided alway, and bee it enacted by the authoritie aforeſaid, that this act, nor any thing therein conteyned, ſhall extend to take away the force, or effect of any clauſe, ſentence, article, proviſo, or ſaving compriſed in the ſaid former act, but that the ſaid former act ſhall bee, and remaine of ſuch force and effect, to all intents and purpoſes, as if this act were never had, ne made; any thing in this act conteyned to the contrarie in any wiſe notwithſtanding.

The former act to remain in force.

VI. And to the intent that this act may take the better, and more ſure effect, bee it enacted by the ſaid authoritie, that no licence, or diſpenſation, or pardon, for forfeiture of any goods and chattles, that ſhall be forfeited by this act, to bee made, or graunted by any governour, or governours of this realm, for the time being, under the great ſeale of this realm of Ireland, or in any other manner whatſoever, to be graunted by the ſaid governour, or governours, for diſpenſation with this act, or any braunch, clauſe, or article thereof, ſhall bee of any force, ſtrength, or effect in the law, but ſhall be utterly void to all intents, conſtructions and purpoſes; any prerogative, law, uſage, preſcription, cuſtome, or matter to the contrarie in any wiſe notwithſtanding.

Licence, diſpenſation, or pardon of forfeiture, by the governor void.

VII. Provided alway, and bee it further enacted by the authoritie aforeſaid, that it ſhall bee lawfull to and for any, and every

Inhabitants of the counties of Waterford, &c. may carry

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the inhabitants or dwellers within any and every of the counties of Waterford, Wexford, Catherlagh, Kildare, the King's countie, the Queen's countie, Kilkenny, Tipperarie, Corke, Limericke, Clare, and Kerry, to carrie, loade, tranſport, and convey any of the wares, merchandiſes, victualls, and other prohibited wares in this act, above ſpecified, in any ſeryboate, or other ſmall boat or veſſell, upon any of the rivers, being and running within any and every of the ſaid counties above mentioned, to and fro any and every citie or towne within the ſaid counties, or any of them, ſo as the ſame wares, merchandiſes, victualles, and other the prohibited wares, or any part or parcell of them, bee in no wiſe, nor by any manner of meanes carried, tranſported, or conveyed out of this realm; any thing in this act conteyned, to the contrary in any wiſe notwithſtanding. And alſo that it ſhall be lawfull to and for every ſubject of this realm, to ſhip, lade, tranſporte, carrie, and convey by ſea, or other water, fleſh, tallow and butter, or any of them, out of any port, haven, or creeke of this realm, onely for victualling, furniture, and proviſion of any army, campe, garriſon, or warde of her Majeſtie, her heires and ſucceſſours, being or reſiding in any place within this realm, ſo as the ſame, or any part or parcell thereof, bee not in any wiſe tranſported, carried, or conveyed out of this realm; any thing in this act conteyned to the contrarie notwithſtanding. And that it ſhall be alſo lawfull for, and to any and every ſubject of this realm to ſhip, carrie, loade, tranſporte and convey, any fleſh, tallow and butter, out of any haven, porte, or creek of this realm, having not therefore the Queen's Majeſties, her heyres and ſucceſſours, any cuſtomer, or other ordinarie officer, for the receipt of entries and cuſtomes, ſo as the ſame fleſh, tallow and butter, or any part or parcell thereof, be in no wiſe carried, or tranſported out of this realm, but diſcharged in any citie, port, or haven, within this realm, where there is, or ſhall be ſuch cuſtomer, or other ordinary officer, and therefore true entrie made of the quantity of the ſame in the ſaid cuſtomer, or other officers bookes, and that the ſame entrie truely certified by the ſaid cuſtomer, or other officer, into her Majeſties exchequer, and the exchequer of her heyres or ſucceſſoures, within twelve dayes after the beginning of every term, after ſuch entrie made with any cuſtomer, or other officer as aforeſaid. And further, that it ſhall bee alſo lawfull, to and for any and every ſubject of this realm, to loade, ſhip, tranſporte, and carrie any fleſh, tallow or butter, out of any haven, port, or creek of this realm, having any cuſtomer, or other ordinarie officer of the Queen's Majeſtie, her heyres and ſucceſſours, for receipt of entries and cuſtomes there: ſo as the ſame ſubject, from time to time, as often as he ſhall ſo ſhip, embarke, or load any fleſh, tallow, or butter, there enter in bond obligatorie to the ſaid cuſtomer, or other ordinarie officer for the time being, to the

ſaid wares in a ferryboat or ſmall veſſel upon the rivers, ſo as the ſame not tranſported.

Fleſh, tallow, or butter, may be conveyed by ſea for the proviſion of the army within the realm,

or out of any port where no cuſtomer, ſo as it be diſcharged in any port where there is a cuſtomer, and entry made, and certificate thereof into the exchequer in 12 days after the beginning of the next term:

or out of a port where there is a cuſtomer, and a bond entered into to him in double the value, to uſe of the Queen, to diſcharge ſuch goods in any city where there is a cuſtomer, ſaid bond to be certified in three months into the exchequer, if then open;

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Queen's Majeſtie, her heyres and ſucceſſours uſe, in the double value of the goods ſo ſhipped, imbarqued, and loaden, there to diſcharge and unlade the ſaid fleſh, tallow, or butter, in any citie or towne within this realm, where ſuch a cuſtomer or other ordinarie officer as aforeſaid, remaine, and is appointed: and that the ſaid bonds obligatorie ſo taken, and duely perfited, ſhall be by the ſaid cuſtomer, or other ordinary officer, certified within three months next after the taking of every ſuch bond obligatorie, into the Queen's Majeſties exchequer, and the exchequer of her heyres and ſucceſſors of this realm, if then the ſayd exchequer ſhall open; and if the ſayd exchequer ſhall not be open at or before the end of every ſuch three monthes, then the ſaid cuſtomer, and other ordinarie officer, as aforeſaid, to certifie the ſame into the exchequer, the firſt day of the next tearm then next enſuing, there to be ſued againſt the partie offending contrarie to the tenour of this act, by action of debt, bill, or information in the ſayd exchequer; and ſo that the fleſh, tallow, or butter ſo ſhipped, embarqued and laden, nor any part nor parcell thereof, bee in any wiſe tranſported, carried or conveyed out of this realm.

if not, the firſt day of the next term, there to be ſued againſt the offender.

VIII. And bee it further enacted by the authoritie aforeſaid, that all and ſingular the cuſtomer and cuſtomers, and other ordinary officer or officers, within any citie, towne, port, haven, or creek of this realm, ſhall have full power and authoritie from time to time, to receive and take the ſaid bonds to the Queen's Majeſties uſe, and to the uſe of her heyres and ſucceſſours; and that all and ſingular the ſaid bonds, ſo taken and received, ſhall ſtand in full force and effect, to charge the perſon and perſons, ſo bounden and offending, contrary to this act, to all intents, conſtructions and purpoſes; and that for making of every ſuch bond, the ſayd cuſtomer, or other ordinary officer, ſhall receive twelve pence of him or them that ſhall be bound by the ſame, and no more. And if the ſaid ſubject deliver to the barons of her Majeſties ſaid exchequer, or to the barons of the exchequer of her Highneſſe heyres and ſucceſſours, a certificat under the cuſtomer, or other ordinarie officers hand, and cocket ſeale of the port, or haven where the ſaid fleſh, tallow, or butter, or any of them hath been ſo diſcharged, and unladen within this realm, before ſuit uſed againſt him upon the ſayd bond, that then the ſayd bond to bee voyd, and of no force in law; any thing in this act conteyned to the contrary notwithſtanding.

Cuſtomers to have power to take ſuch bonds to the Queen's uſe.

and receive 12d. from obligors for making the ſame.

If before the bond ſued, a certificate under cuſtomer's hand and cocket ſeal of the port where diſcharged, is delivered to the barons, ſaid bond to be void.

IX. Provided alſo, and be it further enacted by the authoritie aforeſaid, that it ſhall bee lawfull to and for any, and every ſubject of this realm, dwelling within the iſle of Lambey, to lade, ſhip, tranſport and carry, out of any port of this realm, into the ſame iſle of Lambey, any fleſh, tallow, and butter, for the neceſſarie, and onely victualling, finding, and expences of their houſeholds there, within the ſame iſle. So as the ſame fleſh, tallow, or butter,

Inhabitants of Lambey may tranſport neceſſaries into that iſle, ſo as no part thereof conveyed to any other realm

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or any part or parcell thereof, be in no wiſe carried, tranſported or conveyed out of the ſame iſle of Lambey, to any other realm or land whatſoever, unleſs it be to ſome port of this realm, where there is ſuch cuſtomer, or other ordinarie officer for receiving of entries and cuſtomes, and a true entrie thereof made there in the ſaid cuſtomer, or other ordinary officer for the time being, his bookes, and the ſame entrie and diſcharge truly certified by the ſayd cuſtomer, or other ordinarie officer for the time being, into the exchequer of her Majeſtie, her heyres and ſucceſſours of this realm, before the end of the next tearme, after the ſaid entrie; any thing in this act conteyned, to the contrarie in any wiſe notwithſtanding.

unleſs to ſome port in Ireland, where ſuch cuſtomer is, and entry and diſcharge certified.

Forfeiture without entry.

X. And bee it further enacted, by the authoritie aforeſaid, that no ſubject dwelling within the ſayde iſle of Lambey, or elſe where, carrie, embarque, tranſporte, or loade any fleſh, tallow, or butter, into the ſaid iſle of Lambey, out of any haven, port, or creek of this realm, having any ſuch cuſtomer, or other ordinarie officer for receiving of entries and cuſtoms, before entrie made of the ſame in the ſayde cuſtomer, or other officers bookes, upon the paines and forfeitures compriſed within this act: and that the ſayd cuſtomer, or other officer, doe certifie the ſame into the exchequer of this realm, before the end of the next tearme following the ſame.

Certificate of cuſtomer, &c. ſufficient evidence to a jury againſt offenders.

And that all and ſingular the certificat and certificates of any cuſtomer, controller, or any other officer or officers, of any citie, town, port, haven, or creek, within the realm of England, or elſewhere, in writing, under his or their ſeale or ſeales of his or their office or offices, certifying the entrie and diſcharge of any of the ſaid prohibited wares, merchandiſes, victualls, and commodities, prohibited by this act, to be carried, or conveyed out of this realm, ſhall bee, from time to time, a ſufficient evidence and proof againſt any that ſhall offend contrary to this act, to be miniſtered to any jury in any action, ſuit, information, or inditement to be brought, proponed, or ſet forth againſt any ſuch offendour or offendours, for offences mentioned in this act: any law, cuſtome, preſcription, matter, or cauſe whatſoever to the contrarie in any wiſe notwithſtanding.

Cuſtomer not making certificate, to forfeit 10l. half to the Queen, half to informer.

XI. And bee it further enacted by the authoritie aforeſaid That every cuſtomer, and other ordinarie officer of any port, haven, or creek of this realm, ſhall from time to time make the certificats mentioned in this act, according to the tenour and true meaning of the ſame, upon paine of forfeiture of tenn pounds lawfull money of Ireland, for every time that any of them ſhall refuſe or neglect ſo to doe, the one half of which forfeytur to bee to the Queen's Majeſtie, her heyres and ſucceſſours, and the other half to him or them that will ſue for the ſame, by action of debt or information, before the barons of the exchequer of this realm for the time being.

XII. Provided alway, and be it enacted by authoritie aforeſaid, That this act, ne anie clauſe, article, matter, thing or things therein conteyned, ſhall not extend nor be of force to take from any lord ſpirituall or temporall, bodies politique and corporate, ne to any other perſon or perſons, their heyres, ſucceſſours and aſſignes, any right, title, or forfeiture, that to him or any of them did belong, before the making of this act. A. D. 1571. The right of others to forfeitures ſaved.

CHAP. III.

An Act for the Attainder of John Fitz Geralde, called in his life time the White Knight, otherwiſe called John Oge Fitz John Knight Fitz Gybbons.

WHERE the juſt judgment of God hath cut off from the bodie of this your Majeſties common wealth, that unnaturall, unkind and corrupt member, named John Fitz Gerald, called in his life time the White Knight, otherwiſe called John Oge Fitz John Knight Fitz Gibbons, having been ſo heynous an offendour of your Majeſtie and your lawes, as one of the principall and chiefeſt actuall doers in this laſt rebellion, as God mought not of his juſtice ſuffer him to live, to ſo extream danger of this your Majeſties realm, and of all the good members of the ſame; yet conſidering that his moſt trayterous, cruell, and ingrate doings in his life, were ſo pernicious and perilous an example, together with his continuance in his falſe and trayterous intents and purpoſes againſt your Highneſſe, and the whole eſtate of your realm, as the ſame do require extreame correction and puniſhment, to the terrour and feare of all others, which his offences neither were, ne conveniently could have been in his life time, condignly puniſhed and corrected: it may therefore pleaſe your moſt excellent Majeſtie, that it may bee enacted, and be it enacted with your Highnes aſſent, the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That the ſayd John Fitz Gerald, called in his life time, the White Knight, by whatſoever eſtate, degree, name, ſurname, or condition hee was called or knowen, for the ſaid trayterous offences, rebellion, confederacies, adherencies, and deeds by him moſt diſloyally committed and perpetrated, ſhall be by the authoritie of this preſent Parliament, adjudged and attaynted, from the firſt day of Aprill, in the eleventh yeare of your Majeſties reign, traytour of high treaſon, and that the ſame John Fitz Gerald, called, in his life time, the White Knight, ſhall forfeit and loſe to your Majeſtie, your heires and ſucceſſours, all ſuch caſtels, manors, meaſes, lands, tenements, meadowes, leaſes, paſtures, woods, waters, rents, reverſions, remaynders, ſervices, offices, fees, annuities, uſes, poſſeſſions, rights, conditions, commodities, and all other hereditaments, John Fitzgerald, or the White Knight, attainted after his death. Forfeiture of all his lands, &c.

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ments, of what names, natures, or qualities ſoever they be; and alſo all ſuch goods, cattels, and debts, which the ſame John Fitz Gerald called in his life time, the White Knight, had enjoyed, or was ſeyſed or poſſeſſed of the ſaid firſt day of April, in the ſaid eleventh year of your Majeſties raigne, or at any time ſithence, and all ſuch rights, titles, eſtates, intereſts, uſes, and poſſeſſions, which he had the ſaid firſt day of April, or at any time ſithence, of, in, or to the ſayd caſtles, mannours, and other the premiſſes, and every part and parcel of them, and that all ſuch caſtles, mannours, meaſes, lands, tenements, meadowes, leaſes, paſtures, woods, waters, rents, reverſions, remaynders, ſervices, offices, fees, annuities, uſes, poſſeſſions, tyethes, rights, intereſts, conditions, commodities, and all other hereditaments, ſhall be by the authoritie aforeſaid, adjudged, veſted, and deemed to be, in the actuall and reall poſſeſſion of your Majeſtie, from the ſaid firſt day of Aprill, in the ſaid eleventh year of your reign, without any office or inquiſition thereof to be taken or found, according to the common or ſtatute laws of this your realm.

Veſted in the Queen without any office or inquiſition.

II. Saving, and be it enacted by authoritie aforeſaid, to all and every perſon and perſons, and bodies politique and corporate, and their heyres, aſſignes, and ſucceſſours, and to everie of them, other then the ſaid John Fitz Gerald, called in his life time, the White Knight, and his heyres generall and ſpeciall, hereafter clayming the premiſſes, or part of them, as heyre, or by any conveyance to be made by or from the ſaid John Fitz Gerald, called in his life time, the White Knight, and all and every other perſon and perſons clayming by him or to his uſe, or to the uſe of any his heyres generall or ſpeciall, all ſuch rights, titles, intereſts, leaſes, fees, rents, ſervices, charges, rent ſeck, and all other commodities, profites and hereditaments whatſoever, that they or any of them had, might, could, or ought to have had, if this preſent act had never been had ne made.

Saving the rights of others.

III. Provided alwayes, and bee it enacted by the authority aforeſaid, That this act ſhall not extend to any lands, tenements, or hereditaments, with their appurtenaunces, that the wife of the ſaid John Fitz Gerald, called in his life time, the White Knight, had in her owne right, in uſe, poſſeſſion, remainder, reverſion, or otherwiſe in eſtate of inheritance, or to any lands, tenements, or hereditaments, with their appurtenances that were enſured by any conveyance to his ſaid wife, or to any to her uſe, before the ſaid firſt day of Aprill, but that ſhe and her aſſignes, and all and every other perſon or perſons ſeyſed to her uſe, ſhall enjoy and have the ſame lands, tenements, and hereditaments, with their appurtenances ſo enſured and conveyed, and that ſhee, and her heyres generall and ſpeciall, and all and every other perſon and perſons ſeiſed to her and their uſe and uſes, ſhall have and enjoy the ſaid lands, tenements, and hereditaments, with their appurtenances that ſhee had in

This act not to extend to the eſtate of his wife.

in uſe, poſſeſſion, reverſion, remaynder, or other title of eſtate in inheritance according to her and their title in and to the ſame, as if this act had never beene had ne made; any thing in this act conteyned to the contrary notwithſtanding. A. D. 1571.

CHAP. IV.

An Act authoriſing the Primat of Ardmagh to ſet his Landes and Poſſeſſions in the Iriſh Pale for Years without the Aſſent of his Chapiter. Rot. Parl. cap. 2.

HUMBLY prayeth unto the Queen's moſt excellent Majeſtie, and to the lords ſpirituall and temporall and the commons in this preſent Parliament aſſembled, Thomas, by the permiſſion of God, now archbiſhop of Ardmagh, and primat of all Ireland, That whereas the moſt part of ſuch temporall hereditaments, as to the ſee of his ſaid archbiſhoprick belongeth, lyeth in Ulſter, remote from civill inhabitaunts, and for lacke of ſuch civill inhabitaunts is partly uſurped by rebels and outlawes, people of the Iriſh nation, or elſe lyeth waſt and deſolate by reaſon of their evill neighbors, amongſt whom no civil and well diſpoſed people would be induced to inhabit, unleſs in ſuch ſufficient number as may be of ſtrength able to defend and mayntaine themſelves, and with ſuch eſtate and correſpondence of tenure and rent, as might countervayle their ſo great adventure and charges; the which to bring to paſſe and ſo to graunt lieth not in the ſaid reverend father onely, foraſmuch as any ſuch eſtate cannot extend longer than for his owne time, and with any decreaſe of rent of olde time had therefore, although not theſe many years receivable, nor at this time, with theſe difficulties aforementioned, reaſonably nor like to be taken at his hands, but with ſuch eſtate of tenure, and for ſuch rent, as may be alluring and eaſie commodities for the time, but by and with the aſſent and conſent of the deane and chapiter of the cathedrall church of Ardmagh of that his ſee, whom to congregate, being in remot places, except a verie few of them, both by nation, education, and cuſtom, Iriſh, Iriſhly affectioned, and ſmall hope of their conformities or aſſent unto any ſuch deviſes as would tend to the placing of any ſuch number of civill people there, to the diſadvantage or brydling of the Iriſh, although thereby weare to be hoped ſhould ariſe not onely to the ſaid reverend Father and his ſucceſſours reaſonable profite and revenue towards his and their better mayntenaunce, whereas theſe many years hath ariſen little or none, and to the Queen's moſt excellent Majeſtie the furtherance of her moſt godly intent in the planting of civilitie, obeyſance, and force of her good ſubjectes there, and the baniſhing of the outlawes and rebellious people, but alſo to helpe the common wealth in obedient amendement: for remedie in which behalf it may be enacted, and be it therefore enacted by her moſt excellent Majeſtie, the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, enacted, ordeyned, and eſtabliſhed, That all and ſinglar ſuch leaſes, being under the number of one hundred years, as the ſaid archbiſhopp of Ardmagh, or his ſucceſſors, ſhall make or paſſe under the ſeale of the ſaid archbiſhopricke unto any perſon or perſons born in the realm of England, or of the Engliſh and civill nation, borne in this realm of Ireland, of any whatſoever lordſhippes, mannours, lands, tenements, or hereditaments, or of any parte or parcel of them, or of anie of them, to the ſee of the ſayd archbiſhopricke belonging, and ſcituate beyond the limits of the Engliſh pale, and beyond Dondalke northwards or weſtwards, not being inhabited or ocupyed at this day by any of the Engliſh byrth and nation of this realm, or of England, but being waſt and deſolat grounds, taken up by the Iriſh, reſerving unto the ſaid archbiſhop and his ſucceſſours, archbiſhops, upon every ſuch leaſe or leaſes for and during all the terme demyſed, graunted, or paſſed by the ſame, the yearlie rent of four pence, currant money of Ireland, or more, and not under, for every acre of land of Fingall meaſure, ſo demyſed or graunted by that leaſe or graunt, ſhall be of like and in as good force and validitie in law to all purpoſes and conſtructions for and during the whole terme and years, demyſed, graunted, or paſſed by the ſame, as if the common aſſent and ſeale of the afore ſpecified deane and chapiter were affixed thereunto.

Expired.

Enacting part.

Archbiſhop of Armagh may make leaſes of lands belonging to the ſee, beyond the Engliſh pale, under 100 years, to perſons of Engliſh birth, reſerving four pence *per* acre, or more, without aſſent of the dean and chapiter.

A. D. 1571. Chap. 4.

II. Provided alway, and be it enacted, That this act, or any thing therein contayned, ſhall not extend for paſſing or leaſing of the fee, place, court or houſe of Ardmagh, or any part or parcell thereof, or of any lands or hereditaments, temporall or ſpirituall, belonging to the ſame as the demaynes thereof; but that the ſame ſhall be and remain alway to the uſe and behoofe of the ſayd archbiſhop and his ſucceſſours.

Not to extend to the demeſne.

III. Provided alſo, That this act, or any thing therein contayned, ſhall not extend to any leaſe made or to be made after the end of twelve years next enſuing the laſt day of this preſent Parliament, nor to any leaſe to be made in reverſion of and upon a leaſe in poſſeſſion.

Nor to any leaſe made after 12 years next. Nor to leaſe in reverſion.

IV. Provided alſo, That in every leaſe to be made by the force of this act the leſſee or leſſees, their executors and aſſignes, ſhall be tyed under condition of loſſe of his and their intereſt, that they, nor any of them, ſhall not depart with their intereſt, nor with any part thereof, to any perſon or perſons, that ſhall not be of the Engliſh birth and nation of this realm or of the realm of England; otherwiſe, and for default of ſuch condition, the leaſe to be of no force or effect.

Leſſees not to alien to perſons not of Engliſh birth.

Houses of the Oireachtas

The

The twenty ſeventh Year of Elizabeth.

Stat', Ordination', Acta & proviſiones ædit. in prima Seſſione Parliamenti illuſtriſſimæ Principis Dominæ noſtræ *Elizabethæ*, Dei gratia, Angliæ, Franciæ, & Hiberniæ Reginæ fidei defenſoris, &c. Virtute commiſſionis & mandati dictæ Dominæ Reginæ ſub magno Sigillo ſuo Angliæ, tent. apud Dublin, die Lunæ proximo poſt feſtum Sancti *Marci* Evangeliſtæ, videlicet viceſimo ſexto die Aprilis, Anno Regni prædictæ Dominæ Reginæ viceſimo ſeptimo coram prædilecto & fideli Conſiliario ſuo *Iohanne Perrot* milite, Deputato ſuo generali Regni ſui Hiberniæ, & ibidem continuat' vſque ad viceſ. quintum diem Maij eodem Anno.

Nec non,

Statuta, Ordinationes, Act' & proviſiones ædit. in ſecunda Seſſione Parliamenti illuſtriſſimæ Principis Dominæ noſtræ *Elizabethæ*, Dei gratia Angliæ, Franc', & Hiberniæ Reginæ, fidei defenſoris, &c. virtute commiſſionis & mandati dictæ Domin' Regniæ ſub magno Sigillo ſuo Angliæ, tent. apud Dublin ſuper diverſas prorogationes & adjornament', coram prædilecto & fideli Conſiliario ſuo *Iohanne Perrot* milite, Deputato ſuo generali Regni ſui Hiberniæ, xxvi. die Aprilis, Anno Regni dictæ Dominæ Reginæ xxviii, & ibidem continuat' vſque ad xiiii. die Maij tunc proxim' ſequentem, & eodem xiiii. die Maij diſſoluti, finiti & terminati.

CHAP. I.

An Act for the Attainder of James Euſtace, *late Viſcount of* Baltinglas, *and others.*

IN their moſt humble wiſe beſeechen your moſt excellent Majeſtie, the lords ſpirituall and temporall, and all other your loving and obedient ſubjects, the commons in this your moſt high court of Parliament aſſembled, that where James, late viſcount

A. D. 1585. James Euſtace, viſcount of Baltinglaſs.

A. D. 1585. Chap. 1.

and his brethren, attainted.

count of Baltinglas, Edmund Euſtace, Thomas Euſtace, Walter Euſtace and Richard Euſtace, brethren to the ſayd late viſcount, moſt falſly and trayterouſly, ſome of them by open rebellion in divers parts of your Majeſtie's realm of Ireland, and others by ſundry confederacies, combinations and conſpiracies, and other overt facts, have committed, perpetrated, and done many deteſtable and abominable treaſons againſt your Highneſſe, to the great perill and danger of the utter deſtruction and overthrow of the good eſtate and publique peace of this your Highneſſe ſaid realm of Ireland, if God of his infinite goodneſſe had not in due time opened and revealed to your Highneſſe their trayterous intents and purpoſes, and diſcomfited them in the ſame; of, and for which treaſons being moſt manifeſt and apparent, ſome of the ſaid traytours and offendours before named, have been and are lawfully, and by due proceſſe outlawed, and thereby juſtly attainted, and

Some of whom had been outlawed, others convicted. and ſuffered death.

ſome of them have been and are juſtly and lawfully convicted and attainted by tryall of the country, according to the laws of this your ſayd realm of Ireland, as by the records of their ſeverall indictments and attaindours more plainly it doth and may appeare, and for the which ſeveral offences, ſome of the ſayd offendors have ſuffered paynes of death according to their demerites: It may therefore pleaſe your Highneſſe of your moſt gracious and accuſtomed goodneſſe, and for the entire love, favour and heartie affection that your Majeſtie hath alwayes heretofore borne, and yet beareth to the common wealth of this your ſayd realm of Ireland, and for the good preſervation of your moſt excellent Majeſtie's government of the ſame, and of the good peace, unitie, and reſt of all us your moſt bounden and obedient ſubjects thereof, to graunt and aſſent at the humble ſuite and petition of your ſaid loving and obedient ſubjects the lords ſpirituall and temporall, and

Confirmation of ſaid attainders, &c. notwithſtanding errors.

the commons in this preſent Parliament aſſembled, that all and everie the ſaid convictions, outlawries and attaindours of all and every the ſaid offendours, may be approved and confirmed by the authoritie of this preſent Parliament. And be it enacted that the ſame convictions, outlawries, and attaindours, and every of them ſhall be and remaine ſufficient and effectuall in law to all intents, conſtructions and purpoſes; any errour, inſufficiencie, or other defect in forme or matter in them or any of them, to the contrary notwithſtanding.

Extending to others who died in their rebellion or treaſon, or executed by martial law.

II. And that it may be further enacted by the authoritie aforeſaid, That as well the ſaid James, late viſcount of Baltinglas, and all other the ſaid offendours and perſons before named, as all ſuch others who by actuall rebellion, and other trayterous practiſes moſt trayterouſly and abominably have committed like abominable and deteſtable treaſon and rebellion, and have dyed and been ſlaine in their ſaid actual rebellion and treaſons, or otherwiſe been by martiall law executed for the ſame, and every of them for their ſayd abominable and deteſtable treaſons, by them and every of them

moſt

moſt abominably and trayterouſly committed, perpetrated and done againſt your Highneſſe and this your ſaid realm of Ireland, ſhall be by authority of this preſent Parliament convicted and attainted of high treaſon. And that as many of the ſaid offendours and perſons before named, as be yet in life and not pardoned for the ſame ſhall and may, at your Highneſſe will and pleaſure, ſuffer payns of death, as in caſes of high treaſon. And that the ſaid James, late viſcount of Baltinglas, and every other of the ſaid offendours and perſons attainted before named, aſwell ſuch of them as be yet in life, as alſo ſuch of them as be put to execution for their ſayd treaſons, or otherwiſe dyed, been ſlain or executed by martiall law, as is aforeſaid, ſhall loſe and forfeyt to your Highneſſe, and to your heyres and ſucceſſours, all and every ſuch honours, caſtles, mannours, meſuages, landes, tenements, rents, reverſions, remainders, poſſeſſions, rights, conditions, intereſts, offices, fees, annuities, and all other their hereditaments, goods, cattells, debtes, and other things of whatſoever names, natures or qualities they be, which they the ſaid offendors and perſons before named, or any of them had, to their or any of their uſe or uſes, or which any other had to their or any of their uſes the day of the ſaid ſeveral treaſons by them or any of them committed, perpetrated or done, or at any time ſithence. And that all and ſingular the ſaid honors, caſtles, manors, meſuages, lands, tenements, rents, reverſions, remainders, poſſeſſions, rights, conditions, fees, annuities, and all other hereditaments, goods, chattels, debts, and other the premiſſes ſhall be deemed, veſted, and judged to be in the actual and real poſſeſſion of your Majeſtie, without any office or inquiſition thereof hereafter to be taken or found. Saving to all and every perſon and perſons, bodies politique and corporate, and to their heyres and ſucceſſours, and to the heires, ſucceſſours, and aſſigns of every of them, (other than the ſaid James, late viſcount of Baltinglaſs, and other the ſaid offendors and perſons attainted before named, and their heirs, and the heires of every of them, claiming any thing in the ſaid honours, caſtles, mannors, meſuages, landes, tenements, and other the premiſes, or any part thereof, as heir or heirs to and from them or any of them, and all and every other perſon and perſons claiming or having any thing in the ſaid honours, caſtles, mannors, meſuages, landes, tenements, and other the premiſes, or any part thereof to their uſes, or to the uſe of ſome or any of them, or to the uſe of any their ſaid heirs) all ſuch right, title, uſe, poſſeſſion, intereſt, reverſions, remainders, entre, condition, fees, offices, rents, annuities, leaſes, commons, action, ſuite, petition, execution, and all other hereditaments, and all actions and means to recover or obtain the ſame whatſover, which they or any of them had, or ought to have in the premiſes, or any part thereof, at or before the ſaid ſeveral treaſons, by the ſaid ſeveral offendors committed or done, in as large and ample manner, to all

Their lands &c. forfeited.

Veſted in the Queen without office or inquiſition.

Saving the rights of others.

A. D. 1585. Chap. 1.

intents and purpoſes, as if this act had never been had or made; any thing therein contained to the contrarie thereof notwithſtanding.

Grants and leaſes by the Queen ſince the treaſons committed ſhall not be avoided.

III. Provided alwaies, and neverthelefs be it enacted by the authoritie aforeſaid, that this act, or any thing therein contained, ſhall not in any wiſe extend to make void any graunt, gift, leaſe or demiſe made by our ſaid ſoveraign Ladie the Queen of any of the ſaid manors, landes, tenements or hereditaments, to any perſon or perſons by letters patents under the great ſeal of Ireland, at any time or times ſithence the ſaid treaſons committed, but that the ſame leſſees and patentees, their heires, executors and aſſignes, ſhall and may have, hold and enjoy all and everie the lands, tenements, hereditaments, and other things whatſoever paſt and named to be paſt in the ſaid letters patents, according to the ſeveral eſtate and eſtates limitted and ſpecified in the ſame, and under ſuch reſervations, covenants, conditions, and other limitations and articles as are in ſuch letters patents compriſed and expreſſed, as well againſt the Queen's Majeſtie, her heirs and ſucceſſours, as againſt all and every other perſon and perſons, their heirs and ſucceſſours whatſoever.

Nor any pardon granted, either by proclamation or letters patent.

IV. And be it alſo further enacted, that this act, or any thing therein contayned, ſhall not in any wiſe extend to take away or make voide any pardon heretofore made or graunted to the ſaid perſons and offendors, or any of them, before in this act mentioned, eyther by proclamation ſent from her Majeſtie out of England, according to the contents of the ſaid proclamation, or by her Highneſſe letters patents under the great ſeale of this realm, but that the ſayd perſons, and every of them, to whom any ſuch pardon is or hath been granted, ſhall and may have and take the advantage and benefit of every ſuch pardon, and all things therein contained, in as large and ample manner, as they or any of them ſhould, might, or ought to have done, if this act had never been had or made; any thing in this act contayned to the contrarie thereof in any wiſe notwithſtanding.

Againſt ſecret and fraudulent conveyances to defraud the Queen of forfeiture upon attainder.

3 *Eliz.* 2. 4. *Ir.*

28 *Eliz.* 5.

V. And where it hath been and is very much bruted and publiſhed abroad, and by ſundry perſons pretended, that divers and many of the ſaid rebels and perſons before mentioned to be attainted and named in this preſent act, and other records of the ſaid ſeverall attaindors, after they had intended and purpoſed to enter into their ungodly and diveliſh practiſe of rebellion and treaſon, did make divers ſecret and fraudulent eſtates and conveyances of their lands, tenements, uſes, and hereditaments, to the intent thereby to defraud the Queen's Majeſtie of ſuch forfeitures of their lands, tenements, uſes and hereditaments, as her Highneſſe by reaſon of their ſeveral treaſons ſhould be entitled to have; and foraſmuch as the ſaid pretended fraudulent ſtates and conveyances are yet kept ſecret and not openly publiſhed, and in time to come may be very dangerous, and likely to tend to diſinherit the Queen's Majeſtie, her heires,

heires, ſucceſſours, and aſſignes, of their eſtate and intereſt in ſuch lands, tenements, and hereditaments, as her Majeſtie and her aſſignes now have or ought to have by reaſon of the ſaid attaindors or of this preſent act, unleſſe ſome proviſion be made, that ſuch ſecret eſtates, conveyances, and aſſurances may in due and convenient time be openly publiſhed and brought to light: for remedy whereof be it enacted by authority of this preſent Parliament, That every perſon and perſons, their heires and aſſignes, which have, hath, or claimeth to have, any ſtate of inheritance, leaſe, uſe, or rent, not already entred of record, or certified in the Queen's Majeſtie's court of Exchequer in this realm of Ireland of, in, or to any mannors, landes, tenementes, uſes, or hereditaments, by any graunt, aſſurances, or conveyances whatſoever had, made, or done by any of the ſaid rebels, and perſons before in this preſent act named and mentioned to be attainted, or by any ſeiſed to any of their uſe or uſes at any time ſithence the death of Roland late viſcount of Baltinglas, and father to the ſaid James, and the reſt before named, viz. from the laſt day of March in the twentieth year of the raign of our ſaid moſt gracious ſoveraign Lady that now is, ſhall within one year next enſuing the making of this act openly ſhew and bring forth, or cauſe to be ſhewed and brought forth, into the Queen's Majeſtie's ſaid court of Exchequer, the ſame his or their graunt, conveyance, and aſſurance, which he or they have or hath, or pretendeth to have, of, in, or to any the ſaid mannours, landes, tenements, uſes, or hereditaments, and there in the term time ſhall offer and exhibit the ſaid graunt, conveyance, and aſſurance, to be entred and enrolled of record; or elſe every ſuch graunt, conveyance, and aſſurance, ſo had and made by any of the ſaid rebels and perſons before in this preſent act named and mentioned to be attainted, or by any other ſeiſed to any of their uſe or uſes, and not ſo brought into the ſaid court of Exchequer, and there exhibited within the year aforeſaid, ſhall be utterly void and of none effect to all intents and purpoſes; any thing in the ſame conveyance contained to the contrary notwithſtanding.

Claims not already entered of record, or certified into exchequer, by conveyance from ſaid rebels from March 31ſt. 20 *Eliz.* in one year brought into exchequer to be entered and inrolled,

otherwiſe void.

VI. And be it further enacted by the authority aforeſaid, That the treaſurer, chauncellor, and barons of the ſaid court of the Exchequer, or any of them, upon every ſuch offring and exhibiting of any ſuch graunt, conveyance, and aſſurance, hereafter in form aforeſaid to be made, ſhall forthwith cauſe the ſame offer to be entered of record, and ſhall likewiſe cauſe the ſame conveyance and aſſurance in the ſame court to be entered and enrolled of record, without any fee or reward to be taken or had of the partie for the doing thereof: and after ſuch offer made and recorded, it ſhall and may be lawful for everie perſon, which hereafter ſhall ſo exhibit and offer any ſuch graunt, conveyance, and aſſurance, in the ſaid court of Exchequer, at his libertie and pleaſure at all times within one year then next following, to produce and bring before the

Such conveyance entered and inrolled without fee.

And afterwards proof may be brought within one year of the ſaid conveyance, *bona fide*, and examined in the exchequer.

A. D. 1585. Chap. 1.

the ſaid treaſurer, barons, and chauncellor, ſuch teſtimonie, proofe, and witneſſes into the ſaid court of Exchequer, there to be examined, as he can for the better proofe of the ſaid graunt and aſſurance, to be made *(bona fide)* and without any fraud or covin; and yet nevertheleſs if at any time after upon any information upon that cauſe or other information to be preferred and exhibited into the ſaid court of Exchequer for and upon the behalf of our ſaid ſoveraign Ladie the Queen, her heires or ſucceſſours, or upon any action upon that cauſe or ſuit to be proſecuted by any the patentees of the Queen's Majeſtie, her heirs and ſucceſſours, or by anie the heirs or aſſignees of anie of the ſame patentees, it ſhall happen to be ſufficiently tried and proved by verdict of twelve men according to the common courſe of the laws of this realm, that anie of the ſaid eſtates, aſſurances, and conveyances, made by anie of the ſaid rebels and perſons before in this act named and mentioned to be attainted, was made upon anie fraud or covin to the intent thereby to defraud the Queen's Majeſty of ſuch forfeitures, as might have growen or commen to her Highneſs by reaſon of anie of the ſaid attaindours; that then every ſuch eſtate, conveyance, and aſſurance, ſo tried and ſufficiently proved as aforeſaid to be had and made by and upon ſuch fraud or covin, ſhall be utterly void and of none effect, to all intents, conſtructions, and purpoſes, until ſuch time as ſuch trial be lawfully undone by attaint or otherwiſe; any thing in the ſaid conveyances to the contrary thereof in anie wiſe notwithſtanding. Saving to all and everie perſon and perſons, and bodies politick and corporate, their heirs and ſucceſſours, and to the heirs and ſucceſſours of everie of them, (other then ſuch perſons and their heyres, as be or have been parties or privie to any eſtates or conveyances made by fraud or covin, as is aforeſaid, and other then ſuch as ſhall not exhibite, offer, and ſhew forth their ſaid graunts, conveyances, and aſſurances in the ſaid court of Exchequer within the time to them before in this act limitted) all ſuch eſtate, right, title, and intereſt, as they or any of them have of, in, or to any of the ſaid mannours, lands, tenements, uſes, and hereditaments, or any parcell thereof, in as large and ample maner and forme to all intents and purpoſes, as if this act had never been had or made.

Yet if afterwards upon information, &c. found, that ſuch conveyance was made upon fraud or covin to deprive the Queen of forfeiture, void.

Saving the right of others.

VII. Provided always, That this act or any thing therein conteyned ſhall not extend to any leaſe of lands, tenements, or hereditaments, moſt commonly uſed to be letten to ferme for years or lives within the ſpace of twentie yeares before the making of the ſame leaſe, and not exceeding the terme of twentie one yeares, or three lives, from the time of the making of the ſame leaſe, and whereupon the uſuall accuſtomed yearly rent or more is reſerved, nor to any eſtate by copy of any lands or tenements, made according to the cuſtome of any mannour, whereof the ſame is parcell.

Not to extend to leaſes of land, commonly let within 20 years, and not exceeding 21 years, or 3 lives, and where the uſual rent or more reſerved.

Nor to eſtate by copy according to cuſtom of the manor.

A. D. 1585. Chap. 1.

VIII. And where the ſaid James, late Viſcount of Baltinglas, or ſome or any of them, at the time of the ſaid treaſons committed and done, were and ſtood ſeiſed of any manours, landes, tenements or hereditamentes, to the uſe of any other perſon, bodies politique or corporate, not being attainted of treaſon, and not to their or any of their owne uſes or behoofe; bee it further provided and enacted by the authoritie of this preſent Parliament, that all and everie ſuch other perſon or perſons, bodies politique and corporat, to whoſe uſe or uſes the ſaid James, late Viſcount of Baltinglas, and other the perſons in or by this act before named and mentioned to be attainted, or ſome or any of them were ſo ſeiſed as is aforeſaid, the day of the ſaid ſeverall treaſons committed, or at any time ſithence, and the heyres and aſſignes of everie ſuch other perſon and perſons, ſhall and may from time to time enter into the ſame mannours, landes, tenementes and hereditamentes, and everie or any part thereof, as well upon the poſſeſſion of our ſaid ſoveraign ladie the Queen's Majeſtie, her heires and ſucceſſoures, as of any other perſon or perſons, and thereupon make and execute all and every ſuch eſtates thereof to any other perſon or perſons, and to ſuch uſes and intents, as they might have done, if the ſaid attaindour or attaindours had never been had or made. And as touching ſuch mannours, lands, tenements and hereditaments, whereof the ſaid James, late Viſcount of Baltinglas, and others the offendours and perſons before in or by this act named and mentioned to be attainted, or ſome or any of them were joyntly ſeyſed, together with any other perſon or perſons, to the uſe of any other perſon or perſons, not being attainted of treaſon the day of the ſaid ſeverall treaſons committed, or at any time ſithence, that the ſame other perſon or perſons, with whom the ſaid offendours and perſons in this act named and mentioned to be attainted, or ſome or any of them were ſo joyntly ſeiſed as is aforeſaide, ſhall ſtand and be ſeiſed of the ſame whole mannours, landes, tenementes and hereditaments, and of every part thereof, to ſuch uſes and intentes, as they were ſo joyntly ſeyſed the day of the ſayd ſeveral treaſons committed, the ſaid attaindours notwithſtanding, as though the ſaid offendours, and other the perſons in this act before named and mentioned to be attainted, or any of them, had never had any eſtate of or in the ſaid manours, lands, tenements or hereditamentes.

They to whoſe uſe ſaid rebels ſtood ſeiſed may enter, &c. as if ſaid attainders never had been.

They who were jointly ſeiſed with ſaid rebels, ſhall ſtand ſeiſed of the whole to the like uſes.

IX. And be it further enacted by the authority aforeſaid, That all and every offendour and offendours, being hereafter lawfully convict of any maner of high treaſon by any act of Parliament, preſentment, confeſſion, verdict or proces of outlawy, according to the due courſe or cuſtome of the common laws or ſtatutes of this realm, ſhall loſe and forfiet to the Queen's Majeſtie, her heyres and ſucceſſoures, as well all ſuch rights, entries and conditions, as alſo all ſuch lands, tenements and hereditaments, which any ſuch offendour

Offenders hereafter convicted of high treaſon forfeit all rights, entries, and conditions, as alſo lands, &c. ſuch attainders, according to courſe of common law or ſtatute.

A. D. 1585.

dour or offendoures ſhall have of any eſtate of inheritance in uſe or poſſeſſion by any right, title or meanes within this realm of Ireland, or elſewhere within any the dominions of the ſame realm, at the time of any ſuch treaſon committed, or at any time after; and that every ſuch attaindour, according to the courſe of the common laws or ſtatutes of this realm, ſhall be of as good force, value and effect, as if it had been done by authority of Parliament; and that the Queen's Majeſtie, her heyres and ſucceſſoures, ſhall be deemed and adjudged in actual and real poſſeſſion of all ſuch landes, tenementes, uſes, hereditamentes, goods, chattels, and all other things of the offendour and offendours ſo attainted, without any office or inquiſition to be found of the ſame; any law, ſtatute, cuſtom or uſe to the contrarie in any wiſe notwithſtanding. Saving to every perſon and perſons, their heyres and ſucceſſors (other then the offendours in any treaſons, their heyres and ſucceſſours, and ſuch perſon and perſons as claime to any of their uſes) all ſuch rights, titles, intereſts, poſſeſſions, leaſes, rents, offices and other profits, which they ſhall have at the day of the committing ſuch treaſons, hereafter to be committed, or at any time afore, in as large and ample manner, as if this act had never been had or made.

of as good force as if by Parliament.

The Queen adjudged in actual poſſeſſion without office or inquiſition. 33 *H.* 8. 20. *Eng.*

Saving right of others.

CHAP. II.

An Act for the Reſtitution in Bloud of Laurence Delahide.

Recital of ſtat. 28 *H.* 8. 9. of attainder of James Delahide.

IN moſt humble wiſe ſheweth unto your Highneſſe, your faithfull and humble ſubject Laurence Delahide of Moyglare, within the countie of Meath, gent. That whereas in a Parliament holden at Dublin, in the xxviii. year of the raign of your moſt noble father King Henry the eight, before the lord Leonard Graye, then lord deputie of this realm, it was enacted, "That James Delahide, father to your ſuppliant, and ſonne and heire apparent unto Sir Walter Delahide of Moyglare, in the countie of Meath knight, grandfather to your ſuppliant, ſhould be deemed, reputed, convicted adjudged and attainted traytor of high treaſon, and ſhould loſe and forfeite all the lands, tenements and hereditaments, that ſhould of right deſcend, remain, come or be unto him after the death of his ſaid father;" by force of which act, your ſuppliant doe ſtand and is a perſon corrupted in bloud, and thereby diſabled to take or claim any thing by diſcent from his ſaid aunceſtours, or from or by any other collaterall anceſtor or couſin, or to make his petigree by or through the ſaid James, and after the ſaid attaindour, moſt gracious Soveraign Lady, your ſuppliant was not onely graciouſly received to your highnes favour, but alſo moſt bountifully and mercifully reſtored to a portion of his ſaid lands, belonging to his ſaid late grandfather, Sir Walter Delahide, for good and reaſonable conſiderations

A. D. 1585. Chap. 2.

ſiderations and cauſes then moving your Majeſtie; and foraſmuch as your ſuppliant findeth in himſelf a great blemiſh and defect, for that he is not reſtored to his bloud, he moſt humbly beſeecheth your Majeſtie that it may be enacted, that your ſaid ſuppliant may eftſoones be reſtored in bloud unto his bloud. Wherefore be it enacted by her Majeſtie, with the aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, that the ſaid Laurence Delahide ſhall be from henceforth, by authoritie of this act, reſtored to his ancient blood and linage, enhabled to make his reſortans, conveyance, petigree, demaund, claim and title, by diſcent lineall or collaterall, from, by and under his ſaid father and grandfather, and all other his and their anceſtors, whatſoever they be, for all manner of lands, tenements and hereditaments, not now in her Majeſties hands, ſeiſin or poſſeſſion, or ought to be in her hands, ſeiſin or poſſeſſion, nor in the hands ſeiſin or poſſeſſion of any that claimeth from, by or under her Majeſtie, or any of her noble progenitors, in ſuch manner and ſort, as though the ſaid attaindor or attaindors, corruption of bloud, or any other impediment to the contrarie had never been: any law, ſtatute, record, proviſion, judgment, conviction, cauſe or matter whatſoever to the contrarie in any wiſe notwithſtanding.

Laurence Delahide reſtored in blood.

II. Provided alway, and be it enacted by authoritie aforeſaid, that this act, or any thing therein contayned, ſhall not extend to make void or fruſtrate any gift, graunt, leaſe for life or years, or any other eſtate of freehold or inheritance, paſſed and graunted by your Highneſſe father King Henry the eight, of famous memorie, your highneſſe brother King Edward the ſixt, your Highneſſe ſiſter Queen Mary, or the late King and Queen King Philip and Queen Mary, your highneſſe, or the ſaid Laurence and his aſſignes, or any of them; but that all ſuch grantes, giftes, leaſes, and everie eſtate, intereſt of freehold, inheritance and tearmes as is given and made for yeares, and every of them, ſhall be and remain of ſuch force and effect in law, as they be and were before this act, and in ſuch force and effect to all intentes, purpoſes and conſtructions, as if this act had never been had ne made: this act, nor any thing therein contayned to the contrarie in any wiſe notwithſtanding.

Not to extend to avoid giftes or leaſes by the Queen, &c.

III. Provided alwaies, and be it enacted by the authority aforeſaid, That this act nor any thing therein contained, ſhall not be in any wiſe prejudicial unto her Highneſs, nor in any wiſe further beneficial to the aforeſaid Lawrence Delahide, than his reſtitution in blood and linage, and for ſuch thinges as be incident and appertayning to his habilitie of bloud onely.

Not prejudiciall to the Queen. Nor further beneficial to Laurence Delahide than ſaid reſtitution.

The twenty eighth Year of Elizabeth.

CHAP. I.

An Act concerning Willfull Perjurie.

A. D. 1586. 5 *Eliz.* 9. *Eng.* 3 *G.* 2. 4.

FORASMUCH as this realm of Ireland is greatly troubled and hindered by reaſon of wilfull perjurie daily committed notwithſtanding that many good lawes have been made and ordeyned for redreſs thereof, and for that great dangers and perilles are daily like to fall, if ſome further remedies ſhall not be ſpeedily provided for prevention thereof; be it therefore enacted by our Sovereign Lady the Queen, with the aſſent of the lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that all and every perſon and perſons, which at any time after the end of this preſent Parliament, ſhall unlawfully or corruptly procure any witneſs or witneſſes by letters, rewardes, promiſſes, or by any other ſiniſter or unlawful labour or meanes whatſoever, to commit any wilful or corrupt perjurie, in any matter or cauſe whatſoever now depending, or that hereafter ſhall depend in ſuite and variaunce, by any writ, action, bill, complaint or information, in any wiſe concerning any lands, tenements, or hereditaments, or any goods, chattles, debts, damages, or any other cauſe of action whatſoever, in any of her Majeſties courtes of caſtle chamber, chauncerie, chief place courte of common plees, exchequer, or any other court or courts, before any judge, juſticer, preſident, governour, commiſſioners, mayor, ſheriffes, ſeneſcalles, or any other officers whatſoever, as well within liberties as without, in this realm of Ireland, or ſhall likewiſe, unlawfully or corruptly, procure or ſoborne any witneſs or witneſſes, which ſhall from and after the end of this preſent Parliament, be ſworn to teſtifie *in perpetuam rei memoriam:* that then everie ſuch offendor and offendors ſhall, for his or their ſaid offence, being thereof lawfully convicted or attainted, loſe and forfeite the ſumme of fortie poundes: and if it fortune any ſuch offendour or offendours, ſo being convicted or attainted, as aforeſaid, not to have any goods or chattels, lands or tenements, to the value of fortie pounds; that then everie ſuch perſon, ſo being convicted or attainted of any offences aforeſaid, ſhall, for his or their ſaid offence, ſuffer impriſonment by the ſpace of one half year without bayle or mayne-

Perſons procuring witneſſes to commit perjury in any ſuit by writ, action, bill, complaint or information, in any court, or who ſuborne witneſſes to teſtify *in perpetuam rei memoriam.*

After conviction forfeit 40*l.*

Or, if they have not to that value, impriſonment for ſix months, and pillory for one hour.

A. D. 1586. Chap. 1.

mayneprise, and to stand upon the pillory by the space of one whole hour, in some market towne next adjoyning to the place where the offence was committed, in open market there, or in the market towne it selfe where the offence was committed: and that no person or persons being so convicted or attainted, to be from thenceforth received as a witnesse, to be deposed or sworn in any court of record, or within any other court or courts within this realm of Ireland, untill such time as the judgment given against such person or persons shall be reversed by attaint or otherwise. And that upon every such reversall, the parties grieved, to recover his or their damages against all and every such person and persons, as did procure the sayd judgment, so reversed, to be first given against them or any of them, by action or actions, to be sued upon his or their case or cases, according to the course of the common lawes of this realm.

And not to be received as witnesses in any courts till judgment reversed.

Upon reversal, to recover damages against the persons procuring said judgment by action on the case.

II. And be it further enacted by the authoritie aforesaid, that if any person or persons, after the end of this Parliament, either by the subornation, unlawfull procurement, sinister perswasion or means of any others, or by their owne act, consent or agreement, willfully or corruptly commit any manner of willfull perjurie, by his or their deposition in any the courts before mentioned, or before any the judges, commissioners, or officers before mentioned, or being examined *ad perpetuam rei memoriam:* that then every person and persons so offending, and being thereof duely convicted or attainted, by the laws of this realm, shall for his or their offence loose and forfeit twenty pounds, and to have imprisonment by the space of six months, without baile or mainprise, and the oath of such person or persons so offending, from thenceforth, not to be received in any court of record within this realm, untill such time as the judgment given against the said person or persons shall be reversed by attaint or otherwise. And that upon every such reversall, the parties grieved to recover his or their damages against all and every such person or persons, as did procure the said judgment, so reversed, to be given against them, and every of them, by action or actions, to be sued upon his or their case or cases, according to the course of the common lawes of this realm. And if it happen the said offendor or offendours, so offending, not to have any goods or chattels to the value of xx. li. that then he or they to be set upon the pillorie in some market place within the county, city or borough, where the said offences shall be committed, by the sheriffe or his minister, if it shall fortune to be without any citie or towne corporate; and if it happen to be within any such citie or towne corporate, then by the said head officer or officers of such citie or towne corporate, or by his or their ministers, and there to have both his ears nailed, and from thenceforth to be discredited and dishabled for ever to be sworn in any of the courts of record aforesaid, until such time as the judgment shall be reversed, and thereupon to recover his damages

The persons committing perjury, and convicted, forfeit 20l. and imprisoned 6 months.

their oath not to be received in any court of record till judgment reversed.

Upon reversal, damages against the person procuring the judgment by action on the case.

If offender has not 20l. to be set in pillory by the sheriff or head officer,

to have his ears nailed, disabled to be sworn till judgment reversed,

thereupon to recover damages as before.

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damages in maner and forme aforeſaid: the one moyetie of all which ſummes of money, goods and chattels, to be forfeited in manner and forme before mentioned, to be to the Queen our ſoveraign lady, her heires and ſucceſſors, and the other moietie to ſuch perſon or perſons as ſhall be grieved, hindred or moleſted, by reaſon of any the offence or offences before mentioned, that will ſue for the ſame by action of debt, bill, plaint, information or otherwiſe in any of her Majeſtie's courts of record; in which no wager of law, eſſoine, protection, injunction, or any other commaundement to be allowed.

One moiety of all ſaid forfeitures to the Queen: the other to ſuch perſon grieved who will ſue.

III. And be it alſo enacted by the authority aforeſaid, that aſwell the judge and judges of every ſuch of the ſaid courts where any ſuch ſuite is or ſhall be, and whereupon any ſuch perjurie is or ſhall happen to be committed, as alſo the juſtices of aſſiſe and gaole deliverie, in their ſeveral circuites, and the juſtice of peace in every county within this realm, at their quarter ſeſſions, both within liberties and without, ſhall have full power and authoritie, by vertue hereof, to inquire of all and every the defaults and offences perpetrated, committed or done, contrarie to this act, by inquiſition, preſentment, bill, or information before them exhibited, or otherwiſe lawfully to heare and determine the ſame; and thereupon to give judgment, award proceſſe and execution of the ſame, according to the courſe of the lawes of this realm.

Who ſhall hear and determine ſaid offences.

IV. And be it further enacted by the authoritie aforeſaid, that the juſtices of aſſiſe of every circuite within this realm, ſhall in everie countie within their circuites, two times in the yeare, that is to ſay, in time of their ſittings, make open proclamation of this ſtatute, or the effect thereof, to the intent no perſon or perſons ſhall be ignorant or miſconuſant of the penalties herein contayned.

This Stat. or the effect thereof, to be proclaimed at every aſſizes.

V. Provided alſo and be it enacted, that this act, nor any thing therein contayned, ſhall not extend to any ſpirituall or eccleſiaſticall court or courts within this realm; but that all and every ſuch offendor and offendors, as ſhall offend in forme aforeſaid, ſhall be puniſhed by ſuch uſuall and ordinarie lawes as heretofore have been, and yet are uſed and frequented in the ſaid eccleſiaſticall courts; any thing in this preſent act contayned to the contrarie notwithſtanding.

Not to extend to eccleſiaſtical courts, which may puniſh as uſual.

VI. Provided alwayes that this act, or any thing therein contayned, ſhall not extend in any wiſe to reſtraine the power and authoritie given by act of Parliament, heretofore made to the lord chauncellor of Ireland, and others of the King's counſell for the time being, to examine and puniſh ryots, routes, heynous perjuries, and other offences and miſdemeanors which the lord chauncellor, and other ſithence the making of the ſaid act, have moſt commonly uſed to heare and determine in the court, at the caſtle of Dublin, commonly called the court of caſtle chamber, nor to reſtraine the power or authoritie of the lord preſident and counſaile, that is or ſhall be in Mounſter, Conaght and Ulſter, nor of any other judge having abſolute

Nor to reſtrain the authority of any judge having abſolute power to puniſh perjury before this Stat. ſo that a leſs puniſhment than in this act contained is not ſet upon the offenders.

abſolute power to puniſh perjurie before the making of this ſtatute, but that they, and every of them, ſhall and may proceed in the puniſhment of all offences heretofore puniſhable, in ſuch wiſe as they might have, and uſed to do before the making of this act to all purpoſes, ſo they ſet not upon the offendor or offendors leſs puniſhment then is contayned in this act: This act to continue for ever. A. D. 1586.

Perpetual.

CHAP. II.

An Act againſt Witchcraft and Sorcerie.

WHERE at this preſent there is no ordinarie ne condigne puniſhment provided againſt the practiſes of the wicked offences of conjurations and invocations of evill ſpirites, and of ſorceries, enchauntments, charms and witchcrafts, whereby mainie fantaſticall and deviliſh perſons have deviſed and practiſed invocations and conjurations of evill and wicked ſpirites, and have uſed and practiſed witchcrafts, enchauntments, charms and ſorceries, to the deſtruction of the perſons and goods of their neighbours, and other ſubjects of this realm, and for other lewde and evill intents and purpoſes, contrarie to the lawes of Almighty God, to the perill of their owne ſoules, and to the great infamie and diſquietneſſe of this realm. For reformation whereof, be it enacted by the Queen's Majeſtie, with the aſſent of the lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, That if any perſon or perſons after the end of three moneths next, and immediately after the end of the laſt ſeſſion of this preſent Parliament, uſe, practiſe or exerciſe, any invocation, or conjurations of evill and wicked ſpirites, to or for any intent or purpoſe: or elſe if any perſon or perſons, after the ſayd three monethes expired, next after the end of the laſt ſeſſion of this preſent Parliament, ſhall uſe, practiſe, or exerciſe any witchcraft, enchauntment, charme or ſorcerie, whereby any perſon ſhall happen to be killed or deſtroied: that then aſwell every ſuch offendor or offendors, in invocations or conjurations, as is aforeſaid, their aydors, and councelors, and alſo every ſuch offendor or offendors in witchcraft, enchauntment, charm or ſorcerie, whereby the death of any perſon doth enſue, their aydours and counſellours being of the ſaid offences lawfully convicted and attainted, ſhall ſuffer paines of death, as a felon or felons, and ſhall loſe the priviledge and benefite of clergie and ſanctuarie: ſaving to the wife of ſuch perſon, her title of dower, and alſo the heires and ſucceſſoures of ſuch perſon, and all other perſon and perſons, their heires and ſucceſſors, all titles, rights, ſeigniories, uſes, profites,

1 *Ja.* 1. 12. *Eng.*

No condign puniſhment provided againſt conjuration, &c.

Miſchief thereof.

Perſons uſing invocation of evil ſpirits to any purpoſe, or witchcraft, &c. whereby any one killed or deſtroyed, their aiders, &c. guilty of felony without clergy.

Saving dower, inheritance and rights of others.

A. D. 1586. Chap. 2.

eſcheates and hereditamentes whatſoever, of any eſtate of inheritance, and otherwiſe, as though no ſuch attayndour had been had or made.

Uſing witchcraft, &c. whereby any one waſted or lamed, or goods deſtoyed, for firſt offence one year's impriſonment, and pillory 6 hours once a quarter.

II. And be it further enacted by the authority aforeſaid, that if any perſon or perſons, after the ſaid end of three moneths next enſuing the end of the laſt ſeſſion of this preſent Parliament, ſhall uſe, practiſe, or exerciſe any witchcraft, enchantment, charme or ſorcerie, whereby any perſon or perſons ſhall happen to be waſted, conſumed or lamed in his or their bodie or member, or whereby any goods or cattels of any perſon ſhall be deſtroyed, waſted or impaired; then every ſuch offendor or offendors, their counſellours and aydours, being thereof lawfully convicted, ſhall for his or their firſt offence or offences, ſuffer impriſonment by the ſpace of one whole yeare without bayle or mainepriſe, and once in every quarter of the ſaid yeare, ſhall in ſome market towne, upon the market day, or at ſuch time as any faire ſhall be kept there, ſtand openly upon the pillorie by the ſpace of ſixe houres, and there ſhall openly confeſſe his or their errour and offence, and for the ſecond offence, being as is aforeſaid lawfully convicted or attainted, ſhall ſuffer death as a felon, and ſhall loſe the priviledge of clergie and ſanctuarie: Saving to the wife of ſuch perſon, her title of dower, and alſo to the heir and ſucceſſours of ſuch perſon; and likewiſe ſaving to all other perſon and perſons, their heires and ſucceſſours, all and ſingular his and their rightes, titles, eſcheates, uſes, profites and hereditamentes whatſoever, of any eſtate of inheritance and otherwiſe, as though no ſuch attaindour had been had or made.

Second offence felony and the like ſaving as above.

A peer to be tried by his peers.

III. Provided alwayes, that if the offendour in any of the caſes aforeſaid, for which the pains of death ſhall enſue, ſhall happen to be a peere of this realm; then his triall therein to be had by his peeres, as it is uſed in caſes of felonie or treaſon, and not otherwiſe.

Perſons taking upon them to diſcover hidden treaſure, by witchcraft, or ſtolen goods, or to provoke unlawful love, &c. firſt offence one year's impriſonment,

IV. And further, to the intent that all manner of practiſe, uſe or exerciſe of witchcraft and enchauntment, charme, or ſorcerie, ſhould be from henceforth utterly avoid, aboliſhed and taken away; be it enacted by the authority of this preſent Parliament, that if any perſon or perſons ſhall, from and after the ſaide end of three monethes next immediately enſuing the end of the laſt ſeſſion of this preſent Parliament, take upon him or them by witchcraft, enchauntment, charme or ſorcerie, to tell or declare in what place any treaſure of gold or ſilver ſhould, or might be found or had, in the earth or other ſecret places, or where goods or things loſt or ſtollen ſhould be found or become, or ſhall uſe or practiſe any ſorcerie, enchauntment, charme or witchcraft, to the intent to provoke any perſon to unlawful love, or to hurt or deſtroy any perſon in his or her body, member, goodes or chattels, that then every ſuch perſon or perſons ſo offending, and being thereof lawfully convicted,

A. D. 1586.

ſhall for the ſaid offence ſuffer impriſonment by the ſpace of one whole yeare, without bayle or mainepriſe, and once in every quarter of the ſaid yeare, ſhall, in ſome market towne, upon the market day, or at ſuch time as any faire ſhall be kept there, ſtand openly upon the pillorie by the ſpace of ſixe houres, and there ſhall openly confeſſe his or her errour and offence. And if any perſon or perſons being once convicted of the ſame offence as is aforeſaid, doe eftſoones perpetrate and commit the like offence, being thereof the ſecond time convicted as is aforeſaid, ſhall forfeit unto the Queen's Majeſtie, her heyres and ſucceſſoures, all his goods and chattels, and ſuffer impriſonment during life.

Second offence forfeiture of goods and chattels to the Queen, and impriſonment for life.

CHAP. III.

An Act againſt Forging of Evidences, &c.

FORASMUCH as the wicked, pernicious and daungerous practice of making, forging and publiſhing of falſe and untrue chartours, evidences, deedes and and writings, hath of late time been verie much more practiſed, uſed, and put in ure in all parts of this realm, than in times paſſed, not onely to the high diſpleaſure of God, but alſo to the great injury, wrong, hurt, damage, diſheriſon and utter undoing of diverſe the Queen's Majeſties ſubjects of this realm, and to the great ſubverſion of juſtice and truth, which ſeemeth to have grown and happened, chiefly by reaſon that the paynes and puniſhments limitted for ſuch great and notable offences by the lawes and ſtatutes of this realm, before this time have been, and yet are ſo ſmall, milde and eaſie, that ſuch evil people have not been, ne yet are affrayde to enterpriſe the practiſing and doing of ſuch offences. Be it therefore enacted by the Queen's moſt excellent Majeſtie, with the aſſent of the lordes ſpiritual and temporall, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That if any perſon or perſons whatſoever, after the laſt day of this preſent Parliament, upon his or their owne head or imagination, or by falſe conſpiracie and fraud with others, ſhall wittingly, ſubtilly and falſely forge or make, or ſubtilly cauſe, or wittingly aſſent to be forged or made, any falſe deede, chartour or writing ſealed, court roll, or the will of anie perſon or perſons in writing, to the intent that the ſtate of freehold or inheritance of any perſon or perſons, of, in, or to any lands, tenements, or hereditaments, freehold, or copyhold, or the right, title or intereſt of any perſon or perſons, of, in or to the ſame, or any of them, ſhall be or may be moleſted, troubled, defeated, recovered or charged, or after the laſt day of this Parliament, ſhall pronounce, publiſh, or ſhew forth in evidence, any ſuch falſe or forged deede, chartour, writing, court roll

5 *Eliz.* 14 *Eng.* 3 *G.* 2. 4. made perpetual by 17 & 18 *G.* 3. c. 36. 17 *G.* 2. 11. continued to 25th March, 1790, by do.

Forgery of late more practiſed than formerly, from the mildneſs of the puniſhment limited.

Penalty for forging or publiſhing after laſt day of this Parliament, a falſe deed or will, whereby the freehold, *&c.* of another ſhall be troubled.

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roll or will as true, knowing the ſame to be falſe and forged as is aforeſaid, to the intent above remembred, and ſhall be thereof convicted, either upon action or actions of forgerie of falſe deedes, to be founded upon this ſtatute at the ſuite of the partie grieved, or otherwiſe, according to the order and due courſe of the lawes of this realm, or upon bill or information to be exhibited unto the court of caſtle chamber, according to the order and uſe of the court, ſhall pay unto the partie grieved, his double coſts and damages, to be found or aſſeſſed in that court where ſuch conviction ſhall be, and alſo ſhall be ſet upon the pillory in ſome open market towne, or other open place, and there to have both his ears cut off, and alſo his noſtrils to be ſlit and cut, and ſeared with an hott yron, ſo as they may remaine for a perpetuall note or marke of his falſhood, and ſhall forfeit to the Queen our ſoveraign Lady, her heirs and ſucceſſors, the whole iſſues and profits of his lands and tenements, during his life, and alſo have perpetuall impriſonment during his life: The ſaid damages and coſts to be recovered at the ſuit of the partie grieved as is aforeſaid, to be firſt payed and levied of the goods and chattels of the offendor, and of the iſſues and profits of the ſaid lands, tenements and hereditaments, of ſuch partie convicted, or of one or both of them, the ſaid title of our ſoveraign lady the Queen, her heires and ſucceſſours to the ſame notwithſtanding.

double coſts and damages to the party grieved.

Pillory, ears cut off, and noſtrils ſlit and ſeared, as a perpetual note of falſehood.

Forfeiture to the Queen of profits of lands for life.

perpetual impriſonment,

Said coſts and damages to be firſt levied.

II. And be it further enacted by the authoritie aforeſaid, that if any perſon or perſons, after the ſaid laſt day of this preſent Parliament, upon his or their owne head or imagination, or by falſe conſpiration or fraud, had with any other, ſhall willingly, ſubtilly and falſly forge or make, or wittingly, ſubtilly, and falſly cauſe or aſſent to be made and forged, any falſe charter, deed or writing, to the intent that any perſon or perſons, ſhall or may have or claime any eſtate or intereſt for term of years, of, in or to any mannors, lands, tenements, or hereditaments, not being copyhold, or any annuity in fee ſimple, fee taile, for term of life, lives or years, or after the ſaid day ſhall, as is aforeſaid, forge, make, or cauſe or aſſent to be made or forged, any obligation or bill obligatory, or any acquittance, releaſe or other diſcharge of any debt, accompt, action, ſuite, demand, or other thing perſonall; or if any perſon or perſons, after the ſaid laſt day of this preſent Parliament, ſhall pronounce, publiſh or give in evidence any ſuch falſe or forged charter deed, writing, obligation, bill obligatory, acquitance, releaſe or diſcharge as true, knowing the ſame to be falſe and forged, and ſhall be thereof convicted by any the wayes or means aforeſaid; that then he ſhall pay unto the partie grieved, his double coſts and damages to be found and aſſeſſed in ſuch court, where the ſaid conviction ſhall be had, and alſo ſhall be ſet upon the pillory in ſome open market towne,

Forging a deed whereby a leaſe or annuity may be claimed,

or an obligation, acquittance, releaſe, &c.

or publiſhing or giving it in evidence, knowing it falſe.

Penalty, double coſts and damages to party grieved pillery, one ear cut off, and one year's impriſonment.

or other open place, and there to have one of his eares cutt off, and alſo ſhall have and ſuffer impriſonment, by the ſpace of one whole yeare without bayle or mainprife.

The ſeveral remedies for party grieved, Action of forgery on this ſtatute, by original writ, with like proceſs as in treſpaſs at common law, or by bill in *B. R.* or exchequer.

III. And be it further enacted by authoritie aforeſaid, that the partie and parties grieved, by reaſon of any the offences aforeſaid, ſhall and may at his and their pleaſure, have and ſue his action of forgerie of falſe deeds upon this ſtatute, againſt any of the offendors in the ſame, by originall writ out of the Queen's Highneſſe court of chauncerie, and ſhall and may have like proceſſe upon the ſame as in caſes of treſpaſſe at the common law, or may at his pleaſure take his ſuit againſt any ſuch offendors in any the premiſes, by bill, before the Queen's Highneſſe, her heires and ſucceſſours, in the court, commonly called the King's bench or in the court of the exchequer, in which ſuits no eſſoine, injunction, commaundement or protection, ſhall be allowed for the partie defendant.

He that is once puniſhed, not to be impeached for ſame offence.

IV. And be it further enacted by the authoritie aforeſaid, that if the party defendant, ſhall be convicted for any of the offences aforeſaid, according to the order and forme above limitted, and ſhall have received thereupon puniſhment corporall, according to this act; that then he ſhall not eftſoons be impeached for the ſame offence.

The plaintifs releaſe ſhall diſcharge only his own coſts and damages,

V. And be it further enacted by the authoritie aforeſaid, that although the partie or parties, plaintife in any ſuch action or bill, to be ſued as aforeſaid, ſhall after verdict paſt againſt the defendant or defendants, happen to releaſe or diſcharge the judgment or execution upon the ſame, or otherwiſe ſuffer the ſame to be diſcontinued; that yet nevertheleſſe, the ſame releaſe, diſcharge or diſcontinuance, ſhall extend onely to diſcharge ſuch coſts and damages as the ſame plaintife ſhould have had againſt the defendant: and that the judges before whom the ſayd action or ſuit ſhall be taken, ſhall and may proceed to judgment, of and upon the reſidue of the ſayd penalties and forfeytures, and to commaund execution upon the ſame, the ſaid releaſe, diſcontinuance or other diſcharge had, made, done or ſuffered by the partie plaintife in any wiſe notwithſtanding; this act, or any thing therein contayned, to the contrary in any wiſe notwithſtanding.

and the court may proceed to judgment upon the reſidue of the ſaid penalties.

Second offence felony without clergy.

VI. And be it further enacted by the authoritie aforeſaid, that if any perſon or perſons, being hereafter convicted or condemned of any of the offences aforeſaid, by any the wayes or means above limitted, ſhall after his or their conviction, or condemnation, eftſoones commit or perpetrate any of the ſaid offences in forme aforeſaid, that then every ſuch ſecond offence or offences, ſhall be adjudged felonie; and the parties being thereof convicted or attainted, according to the lawes of this realm, ſhall ſuffer ſuch paines of death, loſſe and forfeiture of their goods, cattels, lands

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and tenements, as in caſes of ſelony, by the common laws of this realm, ought to be loſt or forfeited, without haveing any advantage or beneſit of clergie or ſanctuarie: Saving to everie perſon and perſons, bodies politique and corporate, their heyres and ſucceſſours, (other then the ſaid offendours, and ſuch as claime to their uſes) all ſuch rightes, titles, intereſts, poſſeſſions, liberties of diſtreſſes, leaſes, rentes, reverſions, offices, and other profites and advantages, which they or any of them ſhall have at the time of ſuch conviction or attaindours, of, in or to any the landes, tenements or hereditaments, of any ſuch perſon ſo as is aforeſaid convicted or attainted, or at any time before, in as large and ample manner to all intents and purpoſes, as if this act had never beene had or made.

Saving rights of others.

VII. Provided alwayes, and be it enacted by the authority aforeſaid, that any ſuch conviction or attayndour of felony, as is aforeſaid, or any forfeitures by reaſon of the ſame, ſhall not in any wiſe extend to take away the dower of the wife of any ſuch perſon attainted, nor to the corruption of bloud, or diſheriſon of any the heir or heires of any ſuch perſon or perſons ſo attainted; this act, or any thing therein contayned, or any other ſtatute, lawe, uſage, cuſtom, or thing heretofore uſe to the contrary in any wiſe notwithſtanding.

No forfeiture of dower, or corruption of blood.

VIII. Provided alſo and be it further enacted by the authoritie aforeſaid, that this act, or any thing therein contayned, ſhall not extend to charge any ordinarie, or any their commiſſaries, officials, regiſters, or any other their officers or miniſters, with any the offences aforeſaid, for putting their ſeale of office to any will to be exhibited unto them, not knowing the ſame to be falſe or forged, or for writing of the ſaid will or probat of the ſame; this act, or any thing therein contained to the contrarie notwithſtanding.

Not to extend to ordinaries or the officers, &c. ſealing or writing a will, not knowing it falſe or forged.

IX. And be it further enacted by the authority aforeſaid, that all and every juſtice of oyer and terminer, and juſtices of aſſiſe in their circuites, and every of them, ſhall have full power and authoritie in every of their open and generall ſeſſions, to inquire, hear and determine all and every the offences aforeſaid committed or done within the limits of their commiſſion, and to make proceſſe for the execution of the ſame, as they may do againſt any perſon being indicted before them of treſpaſſe, or lawfully convicted thereof.

Juſtices of aſſize, &c. to hear and determine ſaid offence.

X. And be it further enacted by the authority aforeſaid, that all other ſtatutes heretofore made and provided for forgerie of falſe deeds, charters, monuments or writings, and all and every penaltie appointed by the ſame, ſhall from and after the ſaid laſt day of this preſent Parliament be voyd and of none effect in law; any ſuch ſtatute or thing therein contayned to the contrarie in any wiſe notwithſtanding.

Repeal of all other ſtatutes againſt forgery.

XI. Provided

XI. Provided alwaies, that this act or any thing therein contained, shall not extend or be hurtfull in any wise to any proctor, advocate or register, of any ecclesiastical court within this realm, for the writing, setting forth, or pleading of any proxee made according to the ecclesiasticall laws or customs heretofore used and allowed by the ecclesiastical courts, for the apparance of any person or persons, being cited to appear in any of the said courts ecclesiasticall, nor to any archdeacon or officiall, for putting their authenticke seal to the said proxes or proxee, neither yet to any judge ecclesiasticall for admitting the same; but that they and every of them may hereafter doe in all points concerning the same, as they and every of them, might lawfully have done, before the making of this act; any thing in this act to the contrarie notwithstanding.

Not to extend to proctors, &c. of ecclesiasticall court, who may proceed as heretofore.

XII. Provided alwayes, and be it further enacted by the authority aforesaid, that if any person or persons whatsoever, that hath of his or their owne head, or by false conspiracie and fraud with any other, wittingly, subtily and falsly forged or made, or shall before the said last day of this present Parliament forge and make any false deed, charter or writing sealed, or the will of any person in writing, or any court roll, to the intent that the estate of freehold or inheritance, or the right, title or interest of inheritance or freehold of any person or persons, of, in or to any manours, lands, tenements or hereditaments, being freehold or copyhold, by any such forged deed, charter, court rolle or writing, before the said last day of this present Parliament, shall or may be molested, troubled, or defeated of the said estates of any lands, tenements or hereditaments, being freehold or copyhold: or if any person or persons have heretofore published or shewed forth in evidence, or before the said last day, shall publish or shew in evidence for the proof of any title, any false or forged deed, charter, writing, will or court roll as true, knowing the same to be false and forged as is aforesaid, to the intent above remembred, and shall be thereof attainted or convicted according to the order of the lawes of this realm, either in action of forgerie of false suits, or in action upon the case, at the suit of the partie grieved, his heyres, executors and assignes; that then the partie so convicted, shall pay and yeeld damages and costes of suit to the plaintife, as shall be assessed according to the order of the lawes of this realm, in any such like action or suit, and shall suffer imprisonment, and pay fine and ransom at the pleasure of the Queen's Majestie, her heires and successours. And if any person or persons shall, after the said last day of this present Parliament, plead, publish or shew forth in evidence or otherwise, for the proof of any title any false or forged deed, charter, writing, will, or court roll heretofore falsely made and forged, or to be falsly

Forging, or publishing or shewing in evidence as above, before the last day of this Parliament.

Penalty, costs and damages to be assessed to party grieved, imprisonment, fine and ransom.

Pleading or publishing after the last day of this Parliament deeds, &c. forged before, knowing and to the intent as above.

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falſly made and forged, before the ſaid laſt day of this preſent Parliament, as true, knowing the ſame to be falſe and forged, to the intent to have or claim thereby any eſtate of inheritance, freehold, or leaſe for years, in or to any mannors, lands, tenements, uſes, rents, or hereditaments, or any annuitie of rent or profite forth of any mannors, lands, tenements or hereditaments, or to the intent to alter, defeate, moleſt, trouble, charge, or recover the ſtate of inheritance, freehold, or for years, of any perſon or perſons, in any mannours, lands, tenements or hereditaments: That then every perſon and perſons, that ſhall offend, and ſhall be thereof convicted in forme firſt above remembred, ſhall pay unto the partie grieved, double coſts and damages, and ſhall have impriſonment, loſe of eares, ſliting and ſearing of noſe, and forfeiture of lands, in the ſame mannear and forme as above is limited, for any perſon that ſhall offend by forging and publiſhing of any falſe deed or writing, as is aforeſaid, after the foreſaid laſt day of this preſent Parliament.

Penalty as above for forgery after laſt day of this parliament.

XIII. Provided alwayes, and be it enacted by the authority aforeſaid, that this act, nor any pain, forfeiture, or any thing therein contayned, ſhall extend to any atturney, lawyer, counſellor that ſhall for his client plead, ſhew forth or give evidence, any falſe and forged deed, charter, will, court-roll, or other writing, for true or good, being not partie or privie to the forging of the ſame, for the pleading, ſhewing forth or giving in evidence of the ſame; any thing in this act to the contrarie notwithſtanding.

Not to extend to attorney or lawyer pleading a forged deed, not privy to the forging.

XIV. Provided alwayes, and be it enacted by the authority aforeſaid, that this act, or any thing therein contayned, ſhall not extend to any perſon or perſons that ſhall plead or ſhew forth any deed or writing exemplified under the great ſeal of England, or under the ſeal of any other authenticke court of this realm, nor ſhall extend to any judge or juſtices, or other perſon that ſhall cauſe any ſeal of any court to be ſet to any ſuch deed, charter or writing enrolled, not knowing the ſame to be falſe or forged; any thing in this act to the contrary notwithſtanding.

Nor to the pleading a writing exemplified; or ſetting a ſeal thereto, not knowing it forged.

CHAP. IV.

*An Act of Impoſt and Cuſtomes of Wines.**

11 *Eliz.* ſeſſ. 4. cap. 1. Importation of wines: their prices, cuſtoms, and place of diſcharge.

THE lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, conſidering with no ſmall grief of mind, the great lacke of a navie within this realm, which is occaſioned by the ſluggardie, idleneſs and untowardneſs of the merchants and traffiquers thereof, and how by that default this realm is brought to be of no abilitie or ſtrength to defend it ſelfe againſt the enemies, pirates and robbers, that do accuſtomably annoy the ſame: and alſo adviſedly calling to memorie divers intollerable enormities that have followed, of the diſordered trade of aliens

The want of a navy, thro' the idleneſs of merchants.

5 to

* This act in part expired, and in part altered by the duties granted by ſubſequent ſtatutes.

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to creekes and unhaunted portes and places of this realm, leaving the chiefe and principall cities, boroughes, townes and portes of defence, whereby the ſame realm hath ever been, and preſently is chiefly upholden, ſtaied and maintained, to the great loſſe of the Queene's Majeſties cuſtomes due of their charge and loading, for lacke of order in ſuch places for the receit thereof: Underſtanding alſo the pitiful and rufull miniſhing of the Queene's Majeſties revenues in this realm, together with the innumerable charges that her Highneſſe hath been and daily is at, by exhauſting her princely treaſure, for the defence and good reduction to civilitie of this realm: and weighing by long experience, how that by the ſuperfluous abundance of wines that are yearely diſcharged within this realm, grievous decay of tillage and huſbandrie, idleneſs the mother of all vices, rage and furie in the mindes of the diſordered people, and other monſtrous enormities hath been perniciouſly bred and nouriſhed, beſide the great ſpoile of ſubjects goods that followed, by reaſon that no proviſion hath been hitherto made for the ſale of the ſame wines that are ſo conveyed and brought into this realme, all which ſores and miſchiefes doe require preſent help, remedie and due reformation to be had, with good, prudent, and carefull proviſion and foreſight: In conſideration whereof, the ſaid lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, moſt humbly beſeechen the Queene's royal Majeſtie, that it may be enacted by her Highneſs, with the aſſent of the lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that no manner perſon of what degree or condition that he be, being ſubject, denizen or alien, ſhall diſcharge any manner of wines within this realm of Ireland, but onely within the havens and portes, of the cities, townes and places hereafter mentioned, *viz.* The city of Dublin, Waterford, Corke and Limmericke; the townes and places of Drogheda, Galway, Yoghell, Carrigfergus, Wexford, Roſſe in the county of Wexford, Kingſale, Dungarvan, Dundalke, Carlingford, Slygo, and Dingle Icouſh, otherwiſe called Dinglenehuſſie, and in no other porte, creeke, haven, road, or places within this realm of Ireland, without the ſpecial licence of the Queene's Majeſtie, her Highneſs heyres or ſucceſſours, or of the lord deputy or other governor or governors of this realm for the time being, to be given or made in that behalfe, upon pain to forfeit the ſame wines ſo diſcharged contrary to this act, without licence as before is ſpecified, the one halfe thereof to the Queene's Majeſtie, her heires and ſucceſſours, and the other halfe to him or them that ſhall ſeiſe the ſame wines.

Diſordered trade of aliens to unfrequented places.

Loſs of cuſtoms thereby.

Idleneſs and many enormities from the abundance of wines imported.

Enacting part.

In what havens only wines ſhall be diſcharged.

If in other place, without licence, forfeiture thereof,

Half to the Queen, half to the ſeiſor.

II. Provided alwayes, that this article, braunch or clauſe of this act, ſhall not extend to any ſhip or ſhips having any ſuch wines, that ſhall be conſtrained by tempeſt of weather, or enemies, to arrive or diſcharge in any other porte or place in this realm then is before appointed, or that hereafter ſhall by licence as aforeſaid, be ap-

Unleſs conſtrained by tempeſt or enemies.

But no ſale thereof to be made, ſave for

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victuals or neceſſary repairs of the ſhip.

pointed or warranted, ſo that the owners of the ſaid wines, or any for them, or to their uſe, make thereof no ſale within this realm, other then for victualls or repayring of the ſame ſhip or ſhips, or calking thereof, which they of neceſſity be compelled to make.

Expired for increaſe of the revenue, and to ſtay the ſuperfluity of wines, the Queen ſhall for 10 years have as a cuſtom, 40s. *per* tun of Spaniſh, or Levant, or Canary wines.

III. And be it further enacted and eſtabliſhed by the authority aforeſaid, both for the better increaſe and augmentation of her Majeſties revenues in this realm, and alſo to ſtay the ſuperfluitie of wines conveyed, that her Highneſſe, her heires and ſucceſſors, ſhall have and receive for the ſpace of ten years next enſuing this preſent Parliament, as a cuſtom or ſubſidie of every tunne of Spaniſh, Levant, or Canare wines, that ſhall be brought into this realm by way of merchandiſe, in any ſhip or ſhips, or other veſſell, whereof our ſaid ſoveraigne Lady, or any of her Highneſſe loyall and naturall ſubjects ſhall be, at any time of ſuch conveyance and bringing into this realm, verie and true owner, poſſeſſor and propriatorie, without coven, deceit, craft or colluſion, the ſumme of forty ſhillings lawfull money of Ireland; and of every tunne of wine growing in Fraunce, Guyen,

For French wines, 11. 6s. 8d.

Gaſcoigne or Rochelle, that ſhall come into this realm by way of merchandiſe, by any perſon, in any ſhip or ſhipps, or other veſſell, whereof our ſaid ſoveraign Lady, or any of her Highneſſe loyall and naturall ſubjects ſhall be at any time of ſuch conveyance, and bringing into this realm verie and true owner, poſſeſſour and propriatorie, without covin, deceit, craft, or colluſion, the ſumme of twentie ſix ſhillinges eight pence lawfull money of Ireland; and of every tunne of Spaniſh, Levant, or Canare wines, that ſhall be brought into this realm by way of merchandiſe, by any perſon, in any ſhip or ſhippes,

But if imported in foreign veſſels, 21. 13s. 4d. for Spaniſh, &c.

or other veſſell, whereof our ſaid ſoveraigne Lady, or any of her Highneſſe loyal and naturall ſubjects, ſhall not be at any time of ſuch conveyance and bringing into this realm verie true owner, poſſeſſour, or propriatorie, without covin, deceite, craft or colluſion, the ſumme of fiftie three ſhillings four pence, currant money of Ireland; and

40s. for French.

of every tunne of wines growing in Fraunce, Guyen, Gaſcoigne, or Rochell, that ſhall come into this realm by way of merchandiſe, being brought by any perſon in any ſhippe or ſhippes, or other veſſel, whereof our ſaid ſoveraign Lady, or any of her Highneſſe loyall and naturall ſubjects, ſhall not be at any time of ſuch conveyance, and bringing into this realm, very true owner, poſſeſſor and propriatorie, without covin, deceit, craft or colluſion, the ſumme of fortie ſhillings

To be levied by the cuſtomers, &c.

lawfull money of Ireland, to be levied, taken, and perceived by the cuſtomers, collectors, and other her Highneſſe officers for receiving of the cuſtome in the ports, havens, or other places above limitted, or hereafter to be appointed for diſcharge, in manner before recited in this act.

Wines landed before the cuſtom paid or agreed for, forfeited.

IV. And further be it enacted by the authoritie aforeſaid, That if any wines, whereof the cuſtomes or ſubſidies aforeſaid, or any of them, ſhall hereafter be due by the tenor of this act, ſhall at any time

time hereafter be diſcharged and laid on land, the cuſtomes or ſubſidies of the premiſſes due by this act not payd, or the collectors of the ſame cuſtomes or ſubſidies, or his deputie, with and by the conſent, knowledge and agreement of the comptrollor or ſurveior, or one of them at the leaſt, not agreed with for the ſame in the cuſtome houſe, according to the true meaning and intent of this act; then all the ſaid wines, and every part and parcell thereof ſo laid on land and diſcharged, ſhall be and remaine forfeyt to her Majeſtie, her heyres and ſucceſſours, the one moietie or value thereof to her Highneſſe, her heires and ſucceſſours, and the other moitie to him or them that ſhall ſeiſe the ſame, or ſue therefore in manner aforeſaid, in which ſuit no wager of law, eſſoine or protection ſhall be admitted or allowed.

Half to the Queen, half to the ſeiſor.

V. Provided alway, and be it enacted by the ſaid authoritie, That the lord deputie, or other governor or governors of this realm for the time, ſhall have yearely for the proviſion and ſtore of his houſe, of ſuch wines as ſhall be brought and conveyed by way of merchandiſe into this realm, the number of twentie tunnes, free and diſcharged of the cuſtome or ſubſidie graunted by this act: and that the ſaid lord deputie, or other governor or governours of this realm for the time being, ſhall alſo by the ſaid authority, have full power to graunt, limit and appoint, unto every peere of this realm, and to every of the privie counſell in the ſame, and the Queen's learned counſell for the time being, at his or their diſcretion from time to time, ſuch portion and quantitie of wines to be free and diſcharged of and from the ſaid cuſtom and ſubſidie, as he ſhall thinke to be meete and competent for every of them after their degrees and callings to have; any thing in this act contayned to the contrary notwithſtanding.

The governor to have 20 tun cuſtom free yearly.

And may limit what quantity peers, privy counſellors, and Queen's council ſhall have cuſtom free.

VI. And for the better order to be from henceforth obſerved and kept in the ſale of wines, by retayle or in groſſe, within this realm; be it enacted by the authority of this preſent Parliament, That the lord deputie, or other governour or governours of this realm for the time being, the lord chauncellor or keeper of the great ſeal of this realm, the two chief juſtices of eyther bench in this realm, the chauncellour and chief baron of the Exchequer of this realm for the time being, or five, foure, or three of them, whereof the lord deputie or other governour or governours, or the lord chauncellor or keeper of the great ſeal in this realm for the time being, to be always one, ſhall have power and authoritie by their diſcretions to ſet and rate yearely the prices of all kind of wines, that is to ſay, the prices of tunn, butte, pype, hogſhead, puncion, tierſe or rundlets, when it ſhall be ſold in groſſe, and alſo to ſet and rate yearely, the prices of wines hereafter to be ſold by retayle, any time within the Hillarie term, and at no other time or times of the yeare, ſo that they or any of them cauſe the prices by them ſet downe and rated at be written, and open proclamation thereof to be made in the Queen's court

For better order in the ſale of wines by retail or in groſs.

Who ſhall rate the ſame.

Within Hilary term only.

Proclamation thereof to be made.

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court of chancery of this realm, openly in the term time, or within forty dayes after in the city, borough, towne or place, where any ſuch wines ſhall be ſold in groſſe or by retayle.

If wine ſold contrary to ſaid rate, forfeiture of double value.

VII. And it is further enacted by the ſaid authority, That if any perſon or perſons, after ſuch prices ſhall be ſet and put in writing by the ſaid lord deputie, or other governor or governors, lord chauncellor or keeper of the great ſeal, the two chief juſtices, the chauncellor and chief baron of the Exchequer, or five, foure, or three of them, and proclamation thereof made as is aforeſaid, do ſell any wines in groſſe or by retaile, by any fraud or covin, contrarie to the ſaid prices ſo ſet and proclaymed; that then everie offendour in that behalfe, ſhall loſe and forfeit for every time that he ſhall offend, the double value of the wines ſo ſolde contrarie to the ſaid prices; the one halfe of all which forfeytures to be to the Queen our ſoveraigne lady, her heirs and ſucceſſors; and the other halfe, if it be within any city, borough or towne corporate, to be to the mayor, ſheriffes, bayliffes, or other head rulers of ſuch city, borough, or towne corporate, to the uſe of the corporation. And if it be without city, borough, or towne corporate, then to be to ſuch of the Queen's ſubjects as will ſue for the ſame: and that every ſuch forfeyture ſhall be recovered by original write of debt, bill, plaint or information, in which ſuit no wager of law ſhall be admitted, nor any protection or eſſoyne allowed.

Half to the Queen, half to the city or town where, &c. to uſe of the corporation: if without a city, &c. to ſuch as will ſue.

VIII. And it is alſo enacted, That the juſtices of peace of every ſhire of this realm, and all mayors, bailifes, and other head officers in city, borough, and corporate townes, that is to ſay, every of them within the limits of their commiſſions and authoritie, as well within franchiſes as without, ſhall have power and authority to examine, heare, enquire, and determine the faults of ſuch as ſhall attempt to doe any thing contrary to the tenour of this act, or to any the ſeveral articles or braunches of the ſame, and to puniſh the offendors as the ſtatute doth appoynt and preſcribe.

Juſtices of peace, mayors, &c. may, within or without franchiſes, hear and puniſh offenders.

IX. Provided alwayes, and be it enacted by the authority aforeſaid, That this act, or any therein contained, ſhall not extend to charge any perſon or perſons with any penaltie or forfeiture for, and concerning any offence to be done contrary to the tenor of this act, or of any the ſeveral articles or branches of the ſame, unleſſe he or they ſo offending be ſued, indicted, impeached, or preſented for the ſame, within one halfe year next after the ſaid offence ſhall be done and committed, as is aforeſaid; any thing in this act contayned to the contrarie notwithſtanding.

Proſecution muſt be within one half year after offence.

X. Provided alway, that this act ſhall not extend to any perſon or perſons that ſhall buy or cauſe to be bought any wines in any the ports, havens, or places before in this act appointed for diſcharge, or hereafter by licence or graunt to be appointed in maner and order aforeſaid, but that the ſame perſons, their ſervants and agents, ſhall and may convey the wines ſo bought, by water and by land, to his

Not to extend to thoſe who buy wines in ſaid havens, &c. who may convey the ſame to their dwellings.

and

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and their houſe and dwelling place and places within this realm; any thing within this act to the contrarie notwithſtanding.

XI. Provided alway, and be it enacted by the authority aforeſaid, That this act, nor any thing therein contained, ſhall not be prejudiciall or hurtfull to any patentee or patentees of any the office or offices of collectorſhip, receivorſhip, or comptrollerſhip, of the ſaid impoſt or ſubſidie upon wines, or of the butlerſhip or price wines, but that every of the ſaid pantentee or patentees, ſhall enjoy the benefit of their patent or patents, according to the intent and true meaning of the ſame, as though one former ſtatute, entituled, *An act giving order for bringing in of wines into this realm, where they ſhall be diſcharged, who ſhall rate the prices of them, and alſo for graunting of our cuſtome out of the ſame wines;* made in the eleventh year of the raigne of the Queen's moſt excellent Majeſtie, and now expired, were ſtill in force and perpetuall continuance; any thing in this preſent act contayned to the contrarie notwithſtanding.

Nor prejudicial to collectors, &c. who ſhall enjoy the benefit of their patents, as though the ſtat. 11 *Eliz.* ſeſſ. 4. cap. 1. (now expired) was ſtill in force.

XII. Provided alway, that this act, or any thing therein contayned, ſhall not be prejudiciall to a leaſe made by the Queen's Majeſtie, to Henry Bronckard, Eſq; for term of years yet unexpired, of the cuſtome and ſubſidies of wines due to her Majeſtie before the makeing hereof, but that the ſame ſhall ſtand in full force and effect, according to the contents thereof; any thing in this act to the contrary notwithſtanding.

Nor prejudicial to a leaſe of cuſtoms to Hen. Bronckard.

XIII. And be it further enacted by the authoritie aforeſaid, that everie ſuch merchant or merchants, bringing wines to any port or haven within this realm, in manner and form aforeſaid, ſhall have the time and ſpace of foure moneths next after the entry made of the ſhip and wines ſo brought into this ſaid realm, for the payment of ſuch impoſt as ſhall be due for the ſame unto her Majeſtie, upon ſufficient bond and ſuretie to be taken by the collector, comptroler, or leſſee of the ſaid impoſt, for the time being, for the true payment thereof, at the times and days expreſſed.

Merchants to have 4 months time after entry of the ſhip and wines, for payment of the impoſt, upon ſufficient bond and ſurety.

XIV. Provided alſo, that this act, nor any thing therein contayned, ſhall not be prejudiciall or hurtfull to a leaſe made by the Queen's Majeſtie, to Sir Nicholas Bagnall Knight, for divers years yet unexpired, of the cuſtome and ſubſidie of wines due to her Majeſtie within the port of Carlingford, but that the ſaid Sir Nicholas and his aſſigns, may enjoy the benefite of the ſaid leaſe; any thing in this preſent act contayned to the contrarie notwithſtanding.

Not to prejudice a leaſe of cuſtoms in Carlingford, to Sir Nich. Bagnall.

CHAP. V.

¶ *An Act concerning the avoyding of fraudulent Conveyances, made by the late Rebels in Ireland.* Rot. Parl. cap. 6.

27 *Eliz.* 1. Secret and fraudulent conveyances by rebels, to defraud the Queen of forfeiture.

WHERE it hath been, and is very much bruted and publiſhed abroad, and by ſundry perſons pretended, that divers and many of the rebels and perſons in and by this preſent Parliament, and in this ſeſſion of the ſame Parliament attainted of treaſon, after they had intended and purpoſed to enter into

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their ungodly and deviliſh practices of rebellion and treaſon, did make and cauſe to be made diverſe ſecret and fraudulent eſtates and conveyances of their lands, tenements, uſes and hereditaments, to the intent thereby to defraude the Queen's Majeſty of ſuch forfeytures of their lands, tenements, uſes, and hereditaments, as her Highneſs, by reaſon of their ſeveral treaſons, ſhould be intituled to have: and for as much as the ſaid pretended fraudulent eſtates and conveyances are yet kept ſecret, and not openly publiſhed, and in time to come may be very dangerous and likely to tend to diſherite the Queen's Majeſtie, her heyres, ſucceſſors and aſſignes of their eſtate and intereſt in ſuch lands, tenements and hereditaments, as her Majeſtie and her aſſigns now have and ought to have, by reaſon of the ſaid attaindours, unleſſe ſome proviſion be made, that ſuch ſecret eſtates, conveyances and aſſurances, may in ſome due and convenient time, be openly publiſhed and brought to light: For remedie whereof, be it enacted by authoritie of this preſent Parliament, that every perſon and perſons, boddies politique and corporate, their heyres, ſucceſſours or aſſignes, which have, hath, or claymeth to have any eſtate of inheritance, leaſe, uſe, rent, common, or other profite, not already entred of record, or certified into the Queen's Majeſtie's court of Exchequer, in this realm of Ireland, of in or to any honours, caſtles, mannors, landes tenements, uſes or hereditaments, by any graunt, aſſurances, or conveyances whatſoever, had made, or done by any of the ſaid rebels and perſons attainted as aforeſaid, or by any ſeyſed to any of their uſe or uſes, at any time within thirteene yeares next before the beginning of this preſent ſeſſion of Parliament, ſhall within one yeare next enſuing the making of this act, openly ſhew and bring forth, or cauſe to be ſhewed and brought forth unto the Queen's Majeſtie's ſaid court of Exchequer, the ſame his or their graunt, conveyance and aſſurance, which he or they have, or hath, or pretended to have of in or to any the ſaid honors, caſtles, mannors, lands, tenements, uſes or hereditaments, and there in the terme time ſhall offer and exhibit the ſame graunt, conveyance and aſſurance, to be entred and enrolled of record, or elſe every ſuch graunt, conveyance and aſſurance ſo had and made by any of the ſaid rebels and perſons attainted as aforeſaid, or by any other ſeiſed to any their uſe or uſes, and not ſo brought into the ſaid court of Exchequer, and there exhibited within the yeare aforeſaid, ſhall be utterly voyde and of none effect to all intents and purpoſes; any thing in the ſame conveyance contayned to the contrarie notwithſtanding.

Enacting part.

Perſons claiming by conveyances from rebels and perſons attainted, within 13 years before this ſeſſion, ſhall within one year openly bring into the exchequer and exhibit the ſame to be entered and enrolled of record.

Otherwiſe void.

II. And be it further enacted by the authoritie aforeſaid, that the treaſorer, chauncellor and barons of the ſaid court of the Exchequer, or any of them, upon every ſuch offring and exhibiting of any ſuch graunt, conveyance and aſſurance, hereafter in forme aforeſaid to be made, ſhall forthwith cauſe the ſame offer to be entred of record, and ſhall likewiſe cauſe the ſame conveyance and aſſurance in the ſame court, to be entred and enrolled of record, without any fee or reward to be taken or had of the partie for the doing thereof: and after ſuch offer made and recorded, it ſhall and may be lawfull for every perſon which hereafter ſhall ſo exhibit and offer any ſuch graunt, conveyance and aſſurance, into the ſaid court of exchequer, at his libertie and pleaſure, at all times within one year then next following, to produce and bring ſuch teſtimony, proofes and witneſſes into the ſaid court of exchequer, there to be examined, as he can for the better proofe of the ſaid grant and aſſurance to be made *(bona fide)* and without any fraud or covin: and yet nevertheleſs, if at any time after upon any information upon that caſe, or other information to be preferred and exhibited into the ſaid court of exchequer, for, and on the behalfe of our ſaid ſoveraign Lady the Queen, her heyres or ſucceſſors, or upon any action upon that caſe or ſuite, to be proſecuted by any the patentees of the Queen's Majeſtie, her heires or ſucceſſours, or by any the heires or aſſignes of any of the ſame patentees, it ſhall happen to be ſufficiently tryed and proved by verdict of twelve men, according to the common courſe of the lawes of this realm, that any of the ſaid eſtates, aſſurances and conveyances made by any of the ſaid rebels and perſons attainted as aforeſaid, was made upon any fraud or covin, to the intent thereby to defraud the Queen's Majeſtie of ſuch forfeitures as might have grown or commen to her Highneſſe by reaſon of any of the ſaid attaindours; that then every ſuch eſtate, conveyance and aſſurance ſo

Such offer ſhall be entered of record in the exchequer, and alſo ſuch conveyance inrolled, without fee.

And afterwards witneſſes may within one year be produced and examined in the exchequer, of ſuch conveyance made *bona fide*, and without fraud or covin.

Yet if at any time afer upon information, &c. it ſhall be tried and proved by verdict, that ſuch conveyance was made upon fraud or covin to defraud the Q. of forfeiture, it ſhall be void, until ſuch verdict ſet aſide.

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tryed and sufficiently proved as aforesaid, to be had and made by and upon such fraud or covin, shall be utterly void and of none effect, to all intents, constructions and purposes, untill such time as such triall by verdict shall be lawfully undone by attaint or otherwise, any thing in the said conveyances to the contrarie thereof in any wise notwithstanding. Saving to all and every person and persons, and bodies politique and corporate, their heires and successours, and to the heirs and successors of every of them (other then the said rebels and persons attainted as aforesaid, and their heires, and the heires of everie of them, and all and every other person and persons, having or clayming any thing in the said honors, castels, manors, lands, tenements, and other the premisses or any part thereof, to their uses, or to the use of some or any of them, or to the use of any their said heires, as heires to them, or any of them, and other then such persons and their heires as be or have been parties, or privie to any estates or conveyances made by fraude, or covin, as is aforesaid, and other then such as shall not exhibite and shew forth their said graunts, conveyances and assurances, in the said court of exchequer, within the time to them before in this act limitted) all such estate, right, title and interest, as they or any of them have, of, in, or to any of the said honours, manours, landes, tenements, uses and hereditaments, or any parcell thereof, in as large and ample manner and form, to all intents and purposes, as if this act had never been had or made.

Saving the right of others.

III. Provided alwayes, that this act, or any thing therein contained, shall not extend to any lease for life, lives or years, made before the severall treasons aforesaid committed, of any lands, tenements or hereditaments, most commonly used to be letten to farm within the space of twenty years before the making of the same lease, so as the same lease exceed not the terme of one and twentie yeares, or three lieves, from the time of the making of the same lease, and that thereupon the said accustomed yearly rent or more be reserved, nor shall extend to any estate by copy of any lands or tenements, made according to the custome of any mannor, whereof the same is parcel, at any time before the said severall treasons committed.

Not to extend to leases of land usually let within 20 years before, not exceeding 21 years or 3 lives, and where the accustomed rent or more reserved.

Nor to estates by copy.

CHAP. VI.

An Act against Forging and Counterfeyting of forrein Coyne, &c. Rot. Parl. cap. 8.

FORASMUCH as by the lawes or statutes of this realm, small or no condigne punishment is at this time provided for such evil disposed persons, as shall counterfit or forge such kind of gold or silver of other realms, as is not the proper coyne of this realm, nor currant in payment within this realm, by reason whereof, divers evill disposed persons, as well without this realm, as within, are encouraged and boldened daily to counterfeyte or forge such kind of gold and silver, and utter the same in this realm, in great decay of her Majesties subjects: be it enacted by our soveraigne lady the Queen's Majestie, the lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authority of the same, That if any person or persons hereafter falsly forge or counterfeyt any such kind of coyne of gold or silver, as is not the proper coyne of this realme, nor permitted to be current within this realme, that every such offence shall be deemed and adjudged misprision of high treason, and the offendors therein, their procurers, aydors and abettors, being convicted, according to the lawes of this realme of such offences, shall be imprisoned, and forfeit such lands,

14. *Eliz.* 3. *Eng. Vide* 23 & 24 *G.* 3. *c.* 50.

Counterfeiting foreign coin of gold or silver, not current in this realm, misprision of high treason.

Penalty.

A. D. 1586. goods and chattels, as in caſes of miſpriſion of treaſon, or concealement of high treaſon.

CHAP. VII.

An Act for the Attaindor of the late Earl of Deſmond, and others mentioned in this Act. Rot. Parl. cap. 4.

The earl of Deſmond, and others attainted of high treaſon.

IN their moſt humble wiſe beſeechen your moſt excellent Majeſtie, the lords ſpirituall and temporall, and all other your loving and obedient ſubjects, the commons of this your moſt high court of Parliament aſſembled, That whereas Gerrot Fitz Gerrold, late earle of Deſmond; Sir John Fitz Gerrold, knight, *alias* Sir John of Deſmond, knight; Sir James Fitz Gerrold, knight, *alias* James ne Dynnoll, *alias* Sir James of Deſmond, knight; James Fitz Morice of Deſmond, *alias* James Fitz Morice, gentleman; James Fitz John Fitz John of Deſmond, of the Currens in the countie of Kerie, gent. Thomas Fitz John Fitz John of Deſmond, of the Currens aforeſaid, gent. Teige Mac Dermot, Mac Cormack, Mac Cartie of Mollaeffe in the ſaid county of Kerie, gent. Rory Odonagh, gent. *alias* Odonogh Moore of Roſſidonogho in Deſmond in the ſaid countie of Kerie, gent. Nicholas Mac Shane Piers, gent. *alias* Mac Shane, of Clanary in the ſame countie of Kerie, gent. Thomas Browne, of the new towne in Clanmonulbe in the ſame countie of Kerie, gent. Finin Mac Cormock, of the ſept of Claudermot in Deſmond in the ſame countie of Kerie, gent. Thomas Fitz David Gerrold, of Ardengragh in the ſame countie of Kerie, gent. Richard Fitz Thomas, gent. *alias* Mac Thomas, of the Palace in the countie of Limericke, gent. David Fitz Gerrold, of the Great Woode, gent. *alias* David Encorige, in the ſame countie of Limericke, gent. Morogh O Brian, of Aherlogh in the ſame countie of Limmericke, gent. Hugh Wale, gent. *alias* Faltagh Odon Moylen, in the ſame countie of Limmericke, gent. Nicholas Fitz Williams, of Courtmatraſkie in the ſame countie of of Limmericke, gent. Thomas Cam, gentleman, *alias* Thomas Mac Shane, of Balletabred, *alias* Gortenetibord, in the ſame countie of Limmericke, gent. and lord of Clevliſh; Thomas Mac Gybbon, of Mahawnagh in the ſame countie of Limmericke, gentleman; John Supple, of Kilmako, in the ſame countie of Limmericke, gent. Cormock Downe Mac Cartie, of Glaucrime in the countie of Corke, gent. Conocor Omahonye, of Kivelmeake in the ſame countie of Corke, gentleman; Gibbon Roe Mac Shane, of the great Wood in the ſame countie of Corke, gent. Morice Fitz Gerrot, of the Shian in the ſame countie of Corke, gent. James Fitz Morice, of the Shian aforeſaid, in the ſame countie of Corke, gent. Donnel Mac Connor Omahowne, of Roſebryne in the ſame countie of Corke gent. James Mac Shane Mac Gerrot, gent. *alias*

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James Fitz John Gerrot, of Strenecally in the countie of Waterford, gent. Morice Mac Gerrot Mac En Earle, of Shian in the ſame countie of Waterford, gent. Richard Fitz John Fitz Morice, of Knockmean of the ſame countie of Waterford, gent. Morice Fitz John, of Knockmean aforeſaid, in the ſame countie of Waterford, gent. Gerrot Brack, of Melcope, in the ſame countie of Waterford, gent. Brian O Brian ne Carrege, of Kilcomerie, *alias* Comeragh in the ſame countie of Waterford, gent. Moroh O Brian, of Dongrotte in the countie of Tipperary, gent. Walter Fitz John Bourke of Knockneden, *alias* of the Cappagh in Muſkery Curke, in the ſame countie of Tipperarie, gent. John Fitz Walter Bourke, of Ballingurtin, in the ſame countie of Tipperary, gentleman; Geffry Burke, of Kilenkaſkie in the ſame countie of Tipperary; Thomas Fitz John Bourk, of Cowley in the ſame countie of Tipperary, gent. John Mac William Mac Tibbot Bourk, of Clanwilliam Coſhury in the ſame countie of Tipperary, gent. moſt falſly and trayterouſly, ſome of them by open rebellion in divers parts of your Majeſties realm of Ireland, and the others, by ſundrie confederacies and conſpiracies, and other overt facts, have committed, perpetrated, and done many deteſtable and abominable treaſons againſt your Highneſſe, to the great perill and daunger of the utter deſtruction and overthrow of the good eſtate and publicque peace of this your ſaid realme of Ireland, if God of his infinite goodneſſe had not in due time opened and revealed to your Highneſſe their trayterous intents and purpoſes, and diſcomfited them in the ſame: It may pleaſe your Highneſſe, of your moſt gracious and accuſtomed goodneſſe, and for the entire love, favour, and heartie affection that your Majeſtie hath alwayes heretofore borne, and yet beareth to the common wealth of this your ſaid realm of Ireland, and for the good preſervation of your moſt excellent Majeſties government of the ſame, and of the good peace, unitie, and reſt of all us your moſt bounden and obedient ſubjects thereof, to graunt and aſſent, at the humble ſuit and petition of your ſaid loving and obedient ſubjects, the lords ſpirituall and temporall, and the commons in this preſent parliament aſſembled, that it may be enacted by the authoritie of this preſent Parliament, That the ſaid Gerrot Fitz Gerrold, late earle of Deſmond, Sir John Fitz Gerrold, knight, Sir James Fitz Gerrold, knight, James Fitz Morice of Deſmond, James Fitz John Fitz John of Deſmond, Thomas Fitz John Fitz John of Deſmond, Teige Mac Dermot, Mac Cormock Mac Cartie, Rorey Odonoghe, Nicholas Mac Shane Piers, Thomas Browne, Fynine Mac Cormacke, Thomas Fitz David Gerrold, Richard Fitz Thomas, David Fitz Gerrold, Morogh O Brian, Hugh Wale, Nicholas Fitz William, Thomas Cam, Thomas Mac Gibbon, John Supple, Cormocke Downe Mac Cartie, Conocor Omahony, Gybbon Roe Mac Shane, Morice Fitz Gerrot, James Fitz Morice of the Shian, Donell Mac Conor Omahowne, James Mac Shane Mac Gerrot, Morice

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Mac Gerrot Mac En Earle of Shian, Richard Fitz John Fitz Morice, Morice Fitz John, Gerrot Bracke, Brian O Brian ne Carege, Morogh O Brian, Walter Fitz John Bourk, John Fitz Walter Bourke, Geffrey Bourke, Thomas Fitz John Bourke, and John Mac William Mac Tibbot Bourke, and all and every of them, for their ſaid abominable and deteſtable treaſons by them, and every of them, moſt abominably and trayterouſly committed, perpetrated, and done againſt your Highneſſe, and this your ſaid realme of Ireland, be, and ſhall be by authoritie of this preſent act, convicted and attainted of high treaſon: and that as many of the ſaid offendors, and perſons before named, as be yet in life, and not pardoned for the ſame offences, ſhall and may, at your Highneſſe will and pleaſure, ſuffer paines of death, as in caſes of high treaſon. And that the ſaid earle of Deſmond, and all and every of the ſaid offendors, and perſons by this preſent act attainted, for their ſaid treaſons ſhall loſe and forfeit to your Highneſſe, and to your heires and ſucceſſors, all and every ſuch honnors, caſtles, mannors, meſſuages, lands, tenements, rents, reverſions, remainders, poſſeſſions, rights, conditions, intereſts, offices, fees, annuities, and all other their hereditaments, goods, chattels, debts, and other things, of whatſoever names, natures, or qualities they be, which they, or any of them, had to their or any of their uſe or uſes, or which they, or any of them, with any other, had to their or any of their uſes, or which any other had to their or any of their uſes, on any the daies of their ſaid ſeverall treaſons committed, perpetrated, or done, or at any time ſithence. And that all and ſingular the ſaid honors, caſtles, mannors, meſſuages, lands, tenements, rents, reverſions, remainders, poſſeſſions, rights, conditions, fees, annuities, and all other hereditaments, goods, cattels, debtes, and other the premiſſes by this acte be, and ſhall be deemed, veſted, and judged to be in the actuall and reall poſſeſſion of your Majeſtie, without any office or inquiſition thereof hereafter to be taken or found. And that concerning ſuch and ſo many of the offendors aforeſaid, as before this act were attainted of treaſon, for any of their ſaid offences, either by outlawry, or by verdict and judgment thereupon given by the laws of this realme of Ireland, every of the ſame their outlawries and attaindours be and ſhall be approved and confirmed by authoritie of this preſent act. Saving to all, and every perſon and perſons, bodies politique and corporate, and to their heires, ſucceſſours, and aſſignes, and every of them (other then the ſaid earle of Deſmond, and other the ſaid offendors, and their heires, and the heires of every of them, clayming any thing in the ſaid honors, caſtles, mannors, meſſuages, lands, tenements, and other the premiſſes, or any part thereof, as heire or heires to and from them, or any of them, and all and every other perſon and perſons clayming, or having any thing in the ſayde honors, caſtels, mannors, meſſuages, lands, tenements, and other the premiſſes, or any part thereof

The forfeitures.

Their lands, &c. veſted in the Queen without office or inquiſition.

Confirmation of attainders of treaſon by outlawry or verdict and judgment.

Saving the right of others.

thereof to their uſes, or to the uſe of ſome or any of them, or to the uſe of any of their ſaid heires as heires to them or any of them) all ſuch right, title, uſe, poſſeſſion, intereſt, reverſions, remainder, entrie, condition, fees, offices, rents, annuities, leaſes, commons, action, ſuit, petition, execution, and all other hereditaments, and all actions and means to recover or obtaine the ſame whatſoever, which they, or any of them, had or ought to have in the premiſſes, or any part thereof, before the ſaid ſeverall treaſons by the ſaid ſeverall offendours committed or done, in as large and ample maner, to all intents and purpoſes, as if this act had never been had or made; any thing therein contayned to the contrarie thereof notwithſtanding.

Grants or leaſes by the Queen by letters patent, ſince the treaſons committed ſtand in force.

II. Provided alwayes, and nevertheleſs be it enacted by the authority aforeſaid, That this act, or any thing therein contained, ſhall not in ani wiſe extend to make voyde any grant, gift, leaſe, or demiſe, made by our ſoveraigne lady the Queen, of any of the ſaid honours, caſtles, mannours, lands, tenements, or hereditaments, to any perſon or perſons, by letters pattents under the great ſeal of Ireland, at any time or times, ſithence the ſaid treaſons committed, but that the ſame gifts, grants, and leaſes, and every of them, ſhall ſtand, and be of ſuch like force and effect in the law, to all intents and purpoſes, and of none other or better force, but as if this act had never been had or made; any thing in this act contained to the contrary thereof notwithſtanding.

And alſo pardons under the great ſeal.

III. And be it alſo further enacted, That this act, or any thing therein contayned, ſhall not in any wiſe extend to take away, or make voyd any pardon heretofore made under the great ſeal of Ireland, to any of the ſaid perſons and offendours by this act attainted, but that the ſaid perſons, and every of them to whom any ſuch pardon is or hath been graunted, ſhall and may have and take the advantage and benefit of every ſuch pardon, and of all things therein contained, in as large and ample manner, as they, or any of them, ſhould, might, or ought to have done, if this act had never beene had or made; any thing in this act contained to the contrarie thereof in any wiſe notwithſtanding.

They to whoſe uſe the perſons attainted ſtood ſeiſed may enter, &c. as if ſaid attainders never had been.

IV. And whereas the ſaid earl of Deſmond, and other the ſaid rebels and perſons by this act attainted, or ſome or any of them, at the time of their ſaid treaſons committed and done, were and ſtood ſeiſed of any mannours, lands, tenements, and hereditaments, to the uſe of any other perſon or perſons, bodies politique or corporate, not being attainted of treaſon, and not to their, or any of their own uſe and behoof; be it further provided and enacted by the authoritie of this preſent Parliament, That all and everie ſuch other perſon and perſons, bodies politicque and corporate, not being attainted, to whoſe uſe or uſes the ſaid earl of Deſmond, and other the perſons by this act attainted, or ſome or any of them, were ſo ſeiſed as is aforeſaid, the day of their ſaid ſeveral treaſons committed,

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mitted, or at any time ſithence, and the heires and aſſigns of every ſuch other perſon or perſons, ſhall and may, from time to time, enter into the ſame mannours, lands, tenements, and hereditaments, and every or any part thereof, aſwell upon the poſſeſſion of our ſaid ſoveraign lady the Queen's Majeſtie, her heirs and ſucceſſours, as of any other perſon or perſons, and thereupon make and execute all and every ſuch eſtates thereof to any other perſon or perſons, and to ſuch uſes and intents, as they might have done, if the ſame attaindour or attaindours had never been had or made. And as touching ſuch mannours, lands, tenements, and hereditaments, whereof the ſaid earl of Deſmond, and other the offendours and perſons by this act attainted, or ſome or any of them the day of their ſaid ſeverall treaſons committed, or at any time ſithence, were joyntly ſeiſed, together with any other perſon or perſons, to the uſe of any perſon or perſons, not being attainted of treaſon, that the ſame other perſon and perſons, with whom the ſaid offendours and perſons by this act attainted, or ſome or any of them, were ſo joyntly ſeiſed as is aforeſaid, ſhall ſtand and be ſeiſed of the ſame whole mannours, lands, tenementes, and heraditamentes, and of every part thereof, to ſuch uſes and intentes, as they were ſo joyntly ſeiſed the day of the ſaid ſeverall treaſons committed, the ſaid attaindours, or any of them notwithſtanding, as though the ſaid offendours, and perſons by this act attainted, or any of them, had never had any eſtate of, or in the ſaid mannours, lands, tenementes or hereditamentes.

Jointenants with ſaid rebels to uſes, to ſtand ſeiſed of the whole to like uſes.

CHAP. VIII.

An Act for the Attaindor of John Browne of Knockmonhie, and others mentioned in this Act. Rot. Parl. cap. 5.

John Browne and others attainted.

IN their moſt humble wiſe beſeechen your moſt excellent Majeſtie, the lords ſpirituall and temporall, and all other your loving ſubjectes, the commons in this your moſt high court of Parliament aſſembled, That whereas John Browne of Knockmonhie, in the ſame countie of Limmericke, gentl. John Bradagh Caſy of Kilderry, in the ſame countie, gent. Morogh Obrian of Aherlo, in the ſame countie, gentleman; Mahon Mac Moragh Obrian of Kiluehume, in the ſame countie, gentleman; Thomas Browne of Kilkellan, in the ſame countie, gent. David Mac Gibbon, gent. *alias* David Mac Shane, *alias* David Engroig, late of Kilmore, in the ſame countie, gent. James Wale, and Stephen Wale of Clomſtrotchan, in the ſame countie, gent. Pierce Wale, *alias* Peter Wale of Balleigny, in the ſame countie, gent. Redmond Wale of Adare, in the ſame countie, gent. Robert Oge Cuſſhane of Liſnecorie, in the ſame countie, gent. Gerald Fitz Thomas of Kilſinny, in the ſame countie, gent. Walter Leo, *alias* Leogh of

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Donkepe in the ſame countie, gent. Owen Mac Edmond Mac Shehy of Ballynoe, in the ſame countie, gent. John London of Kilcoſgraw, in the ſame countie, gent. Donogh Moyle Mac William of Dromlare, in the ſame countie, gent. Edmond Oge Lacy of Ballyneglochye, in the ſame countie, gent. Gerald Duffe of Rathphrille, in the ſame countie, gent. James Fitz David Oge Crone of Rathphrile aforeſaid, in the ſame countie, gent. Patricke Wolfe of Balliwilliam, in the ſame countie, gent. Gerald Fitz-Edmond of Glanehagilſly, in Clangibbon in the ſame countie, gent. Brian Roe of Cahirduffe, in the ſame countie, gentleman; Cormocke Oge Hallynan of Boheronce, in the ſame countie, gent. James Reogh Lacy of Liſmakerry in the ſame countie, gent. Gerrard Balliffe of Ballinfriorie, in the ſame countie, gent. Thomas Wale of Boherbradagh, in the ſame countie. gent. Morierto Mereagh of Kilduffe, in the ſame countie, gent. Moryegh Mac Brian of the Grange, in the ſame countie, gent. Thomas Hurly of Ballynathie, in the ſame countie, gent. William Mac Phillipe of Ballyany, in the ſame countie, gent. Ulliake Backagh Mac Thomas of Claſhonye, in the ſame countie, gent. Ullicke Fitz Thomas Burk of Lyſmoland, in the ſame countie, gent. Owen Mac Brien Mac Rory of Karwhydore, *alias* Garryduffe, in the ſame countie, gent. John Ocahiffy of Kilderry, in the ſame countie, gent. Morogh Mac Teige O Brian of Killury in the ſame countie, gent. Morice Fitz John Gerrold of Kilnenagh, in the ſame countie of Kerry, gent. Conohor Odaly of Kilterchan, in the ſame countie, gent. John Oge Fitz John Fitz Morice of Killenoragh, in the ſame countie, gent. Morice Mac Shane Huſſey, *alias* Huſſey of Glangartenkarrene, in the ſame countie, gent. John Huſſey of Ballicurty, in the ſame countie, gent. John Mac Edmond Mac Ullicke of Ballenata, in the ſame countie, gent. James Huſſy of Dinglecuſhe, in the ſame countie, gent. James Ruſſell, in the ſame countie, merchant; Dominicke Roe Fitz Morice of the ſame countie, merchant; Thomas Fitz William Boy, of the ſame countie, gentleman; David Duffe of Kilkuſney, in the ſame countie, gent. Teige O Loigh Dermod Beare, of the ſame countie, gentleman; John Fitz James Fitz Edmond of Tymackmaw, in the ſame countie, gent. John Fitz Redmond of Ballycoynan, in the countie of Corke, gent. Piers Condon of Manoge in Condons countrey, in the ſame countie, gent. Morice Mac Edmond of Rathegorffe, in the ſame countie of Corke, gent. James Fitz John of Polloghkyry, in the ſame countie, gent. John Mac Garret, Mac Shane of the Great Woods, in the ſame countie, gent. Richard Fitz Piers Condon ny Cahareagh of Cahirdronny, in the ſame countie, gentleman; Richard Riogh Barret of Burdenſton, in the ſame countie, gent. Mahown Mac Moragh of Kildeheny, in the ſame countie, gent. John Omollownow, *alias* Shane Omolan of Temple Jogan, in the ſame countie, gent. John Piggot of Dyrrenywrange, *alias* Dyrrewylane, in the ſame countie, gentleman; Phillipe Roche

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Fitz Edmond, *alias* Mac Vildon, *alias* Villon of Carriclymlere, in the ſame countie, gentleman; Thomas Oge Mac Thomas Fitz Gerald of Kilmocke, in the ſame countie, gentleman; William Encorrigge of Kerylarry, in the ſame countie, gentleman; Thomas Niſkartie of Killane in the ſame countie, gentleman; John Moyle of Ballygoran, in the ſame countie, gentleman; David Fitz Edmond Roche of Killoughtermoy, in the ſame countie, gentleman; Morice Fitz John of Knockmore, in the ſame countie, gentleman; Morice Fitz William Fitz David of Ballynatra, in the ſame countie, gentleman; Garrat Fitz James, ſonne to James Fitz John of Stroncally, in the countie of Waterford, gentleman; John Fitz-James, gentleman, brother to the ſame Garret; Morice Fitz John of Knockmohan, in the ſame countie, gentleman; Thomas Fitz John Fitz Morice of Knockemohan aforeſaid, gentleman; Henry Fitz Garret, of the ſame countie, gentleman, brother to the viſcount Decies; Edmond Roche Pore of Killnecarrigge, in the ſame countie, gentleman; Edmond Fitz Theobald, *alias* Rabbin of Ballibegge, in the ſame countie, gentleman; John Fitz-Tybald of Ballibegge aforeſaid, gentleman, brother to the ſaid Edmond Fitz Theobald; William Duffe Fitz James Roche of Ballymodagh, in the ſame countie, gentleman; Edmond Fitz John of Croſhe, in the ſame countie, gentleman; Rorie Fitz Thomas, in the ſame countie, gent. brother to Thomas Oge; James Leigh Roch of Fortelentehy, in the ſame countie, gent. Mauritius Fitz John of Kilmallow, in the ſame countie, gent. John Oge Mac Thomas of Clony, in the ſame countie, gent. John Fitz Maurice of Tynnekelly, in the ſame countie, gent. James Fitz Morice Fitz-Garret of Ballymowtie, in the ſame countie, gent. John Roe Fitz-Edmond of Caſclereogh, in the ſame countie gent. Morice Fitz-John Bourke of Balligwiry, in the ſame countie, gent. James Fitz-Maurice of Shehan, in the ſame countie, gent. William O Maugher Mac Dermot, of the ſame countie, gentleman; Peter Grace of Ballynecurre, in the countie of Tipperarie, gentleman; *alias* Pierce Grace of Ballynecurre aforeſaid, gentleman; Mellaghlen Roe O-carran of Ballynolan in the ſame countie, gent. Edmond Hedan of Ballymore, in the ſame countie, gent. John Bourk, *alias* Rich Mac John Bourke of Ballymore, aforeſaid, gent. William Fitz-Edmond Bourke of Kilualagher, in the ſame countie, gent. John Fitz Walter Bourke of Drourgan, in the ſame countie gent. Conogher Yckoem Mac Brian Ogonagh, gent. Morertogh Mac Brien of Tireboy, gent. Morogh Mac Brian of Tireboy aforeſaid, gent. Teige O Nulrian of Bealrughim, in Onhy, gentleman; Kenedy Mac Brien of the countrey of Ogonagh, gentleman; Conoghor Mac Conghor Mac Brien of the ſame countrey of Ogonagh, gentleman; Teige Roe of the Sept of Clandonell Roe of Bantry, gent. Teige Roe Mac Fyning Mac Dermond, of the ſame Sept, gent. Conogher Mac Donell Mac Rory of the ſame Sept,

Sept, Gentleman; moſt falſely and trayterouſly, ſome of them by open rebellion in divers parts of your Majeſties realm of Ireland, and the others by ſundrie confederacies, and conſpiracies and other overt-facts, have committed, perpetrated, and done many deteſtable and abominable treaſons againſt your highneſſe, to the great perill and danger of the utter deſtruction and overthrow of the good eſtate and publike peace of this your ſaid realm of Ireland, if God of his infinite goodneſs, had not in due time opened and revealed to your Highnes, their traiterous intents and purpoſes, and diſcomfited them in the ſame: And where alſo divers others by actuall rebellion, and other traiterous actions and practiſes, moſt traiterouſly and abominably have joined and combined themſelves with many of the ſaid offendors, in their ſaid rebellions and treaſons, or have ayded or aſſiſted them in the ſame, and have died and been ſlaine in their actuall rebellion and treaſons, or otherwiſe have been by martiall law executed for the ſame: It may pleaſe your Highneſs of your moſt gratious and accuſtomed goodneſs, and for the entire love, favour and heartie affection that your Majeſtie hath always heretofore borne, and yet beareth to the common-wealth of this your ſaid realm of Ireland, and for the good preſervation of your moſt excellent Majeſties government of the ſame, and of the good peace, unity and reſt, of all us your moſt bounden and obedient ſubjects thereof, to graunt and aſſent at the humble ſuit and petition of your ſaid loving and obedient ſubjects, the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, That it may be enacted by the authority of this preſent Parliament, that aſwell the ſaid John Brown, John Bradah Caſi, Morogh Obrian, Mahown Mac Morogh Obrian, Thomas Brown, David Mac Gibbon, James Wale, Stephen Wale, Pierce Wale, Redmond Wale, Robert Oge Cuſhan, Gerard Fitz Thomas, Walter Leo, Owen Mac Edmond Mac Shehy, John London, Donagh Moyle Mac William, Edmond Oge Lacy, Gerald Duffe, James Fitz David, Oge Crone, Patrick Wolf, Gerald Fitz-Edmond, Brian Ro, Cormick Oge Ohallinan, James Reogh Lacy, Gerald Baliffe, Thomas Wale, Morierto Mergagh Moriegh Mac Brien, Thomas Hurly, William Mac Philip, Ullick Bachach Mac Thomas, Ullick Fitz Thomas Burk, Owen Mac Brian Mac Rory, John Occahiſſy, Moroh Mac Teige Obrien, Morice Fitz John Gerald, Conoghor Odaly, John Oge Fitz John Fitz Maurice, Morice Mac Shane Huſſey, John Huſſey, John Mac Edmond Mac Ullick, James Huſſey, James Ruſſell, Dominick Ro Fitz Morice, Thomas Fitz William Boy, David Duff, Teigh Oloigh Dermot Beare, John Fitz James Fitz Edmond, John Fitz Redmond, Pierce Condon, Morice Mac Edmond, James Fitz John, John Mac Garret Mac Shane, Richard Fitz Pierce Condon ny Caharagh, Richard Riogh Barret, Mahown Mac Morogh, John Omullownow, John Piggot, Philippe Roch, Fitz Edmond, Thomas Oge Mac Thomas

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Enacting part.

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Fitz Gerald, William Encorrigge, Thomas Niſkarty, John Moyle, David Fitz Edmond Roch, Morice Fitz John, Morice Fitz William Fitz David, Garret Fitz James, John Fitz James, Thomas Fitz James, Morice Fitz John, Thomas Fitz John Fitz Morice, Henry Fitz Garret, Edmond Roch Pore, Edmond Fitz Theobald, John Fitz Tybald, William Duffe Fitz James Roch, Edmond Fitz John, Rory Fitz Thomas, James Leigh Roch, Mauritius Fitz John, John Oge Mac Thomas, John Fitz Morice, James Fitz Morice Fitz Garret, John Roe Fitz Edmond, Morice Fitz John Bourke, James Fitz Morice, William O Magher Mac Dermot, Peter Grace, Mallaghlen Roe O Carien, Edmond Heddan, John Bourk, William Fitz Edmond Bourk, John Fitz Walter Bourk, Conogher Yckoem Mac Brian Ogonoghe, Morierto Mac Brian, Morghe Mac Brian, Teig O Mulryan, Kenedy Mac Brien, Conogher Mac Conogher Mac Brian, Teige Roe, Teige Roe Mac Fyning Mac Dermond, Conogher Mac Donill Mac Rory, and every of them, as alſo all other which by actuall rebellion, and other trayterous actions and practiſes, have trayterouſly joyned or combined themſelves with the foreſaid offendors, or any of them, in their ſaid rebellions or treaſons, or have aided or aſſiſted them, or any of them, in any the ſaid rebellions and treaſons, and have died or been ſlaine in the ſame their actuall rebellion or treaſons, or have been by martiall law executed for the ſame, for their ſaid abominable and deteſtable treaſons by them and every of them, moſt abominably and trayterouſly committed, perpetrated and done againſt your Highneſſe, and this your ſaid realm of Ireland, be, and ſhall be by authority of this preſent act convicted and attainted of high treaſon: and that as many of the ſaid offendors and perſons before named, as be yet in life, and not pardoned for the ſame offences ſhall and may, at your Highneſs will and pleaſure, ſuffer paines of death as in caſes of high treaſon. And that all and every the ſaid offendors by this preſent act attainted for their ſaid treaſons, ſhall loſe and forfeit to your Highneſſe, and to your heires and ſucceſſors, all and every ſuch honors, caſtels, mannours, meſſuages, lands, tenements, rentes, reverſions, remainders, poſſeſſions, rights, conditions, intereſts, offices, fees, annuities, and all other their hereditaments, goods, chattles, debts, and other things of whatſoever names, natures or qualitities they be, which they or any of them had to their, or any of their uſe or uſes, or which they or any of them, with any other had to their or any of their uſes, or which any other had to their or any of their uſes, on any the dayes of their ſaid ſeveral treaſons committed, perpetrated or done, or at any time ſithence. And that all and ſingular the ſaid honours, caſtles, mannors, meſſuages, lands, tenements, rents, reverſions, remainders, poſſeſſions, rights, conditions, fees, annuities, and all other hereditaments, goods, cattles, debts, and other the premiſſes, by this act be, and ſhall be deemed, veſted and adjudged to

and thoſe that aſſiſted ſaid offendors, and died in rebellion, or executed by martial law.

Their lands &c. forfeited,

veſted in the Queen without office or inquiſition.

A. D. 1586. Chap. 8.

be in the actuall and reall poſſeſſion of your Majeſtie, without any office or inquiſition thereof, hereafter to be taken or found: and that concerning ſuch and ſo many of the offendours aforeſaid, as before this act were attainted of treaſon for any of their ſaid offences, either by outlawrie, or by verdict and judgment thereupon given by the lawes of this realm of Ireland, every of the ſame their outlawries and attaindours be, and ſhall be approved and confirmed by authoritie of this preſent act. Saving to all and every perſon and perſons, bodies politique and corporate, and to their heires, ſucceſſours and aſſigns, and every of them, (other then the ſaid offendours, by this act attainted, and their heirs, and the heires of every of them, claiming any thing in the ſaid honors, caſtles, mannors, meſſuages, lands, tenements, and other the premiſſes, or any part thereof, as heire or heires to and from them, or any of them, and all and every other perſon and perſons claiming or having any thing in the ſaid honors, caſtles, mannors, meſſuages, lands, tenements, and other the premiſſes, or any part thereof to their uſes or to the uſe of ſome or any of them, or to the uſe of any their ſaid heires, as heires to them or any of them) all ſuch right, title, uſe, poſſeſſion, intereſt, reverſion, remainder, entrie, condition, fees, offices, rents, annuities, leaſes, commons, action, ſuit, petition, execution, and all other hereditaments, and all actions and means to recover or obtain the ſame whatſoever, which they or any of them, had, or ought to have in the premiſſes, or any part thereof, before the ſaid ſeverall treaſons by the ſaid ſeverall offendours committed or done, in as large and ample manner to all intents and purpoſes, as if this act had never been had or made; any thing herein conteyned to the contrarie thereof notwithſtanding.

Confirmation of attainder by outlawry or verdict.

Saving the right of others.

II. Provided alwayes, and nevertheleſſe be it enacted by the authoritie aforeſaid, That this act, or any thing therein contayned, ſhall not in any wiſe extend to make voyde any graunt, gift, leaſe or demiſe, made by our ſoveraigne Ladie the Queen, of any the ſaid honors, caſtles, mannours, meſſuages, lands, tenements or hereditaments, to any perſon or perſons by letters patents under the great ſeale of Ireland, at any time or times ſithence the ſaid treaſons committed, but that the ſame giftes, grauntes and leaſes, and everie of them, ſhall ſtand and be of ſuch like force and effect in the law to all intents and purpoſes, and of none other or better force, but as if this act had never beene had or made; any thing in this act contayned to the contrarie thereof notwithſtanding.

Grants or leaſes by the Queen by letters patent, ſince the treaſons committed remain in force.

III. And bee it alſo further enacted, that this act, or any thing therein contained, ſhall not in any wiſe extend to take away, or make voyd any pardon heretofore made under the great ſeale of Ireland to any of the ſaid perſons and offendors by this act attainted, but that the ſaid perſons and every of them, to whom any ſuch pardon is or hath been granted, ſhall and may have and take the advantage

Former pardons not made void.

A. D. 1586. Chap. 8.

and benefite of every ſuch pardon, and of all things therein contained in as large and ample manner as they or any of them ſhould, might or ought to have done, if this act had never been had or made: any thing in this act contayned to the contrarie in any wiſe notwithſtanding.

They, to whoſe uſe ſaid rebels ſeiſed, may enter, &c. as if ſaid attainders never had been.

IV. And whereas the ſaid rebells and perſons by this act attainted, or ſome, or any of them, at the time of their ſaid treaſons committed and done, were and ſtood ſeiſed of any mannors, lands, tenements and hereditaments, to the uſe of any other perſon or perſons, bodies politique or corporate, not being attainted of treaſon, and not to their or any of their owne uſe and behoofe: Be it further provided and enacted by the authoritie of this preſent Parliament, that all and every ſuch other perſon and perſons, bodies politique and corporate not being attainted, to whoſe uſe or uſes the ſaid perſons by this act attainted, or ſome or any of them were ſo ſeiſed as is aforeſaid, the day of their ſaid ſeverall treaſons committed, or at any time ſithence, and the heires and aſſignes of every ſuch other perſon and perſons, ſhall and may from time to time enter into the ſame mannours, lands, tenements, and hereditaments and every or any part thereof, aſwell upon the poſſeſſion of our ſaid ſoveraigne Ladie the Queene's Majeſtie, her heires and ſucceſſours, as of any other perſon or perſons: and thereupon make and execute all and every ſuch eſtates thereof, to any other perſon or perſons, and to ſuch uſes and intents as they might have done, if the ſaid attaindour or attaindours had never been had or made. And as touching ſuch manors, lands, tenements, and hereditaments, whereof the ſaid offendors and perſons by this act attainted, or ſome or any of them, the day of their ſaid ſeverall treaſons committed, or at any time ſithence, were jointly ſeiſed together with any other perſon or perſons to the uſe of any other perſons, not being attainted of treaſons, that the ſame other perſon and perſons with whom the ſaid offendours and perſons by this act attainted, or ſome or any of them were ſo joyntly ſeiſed as is aforeſaid, ſhall ſtand and be ſeiſed of the ſame whole mannors, lands, tenements, and hereditaments, and of every part thereof, to ſuch uſes and intents, as they were ſo joyntly ſeiſed the day of their ſaid ſeverall treaſons committed, the ſaid attaindours, or any of them notwithſtanding, as though the ſaid offendours and perſons by this act attainted, or any of them, had never had any eſtate of, or in the ſaid mannours, lands, tenements or hereditaments.

Jointenants with ſaid rebels to uſes ſtand ſeiſed of the whole to like uſes.

CHAP.

CHAP. IX.

A. D. 1586.

An Act for the Reſtitution in Bloud of Taffe's Wife. Rot. Parl. cap. 3.

IN moſt humble wiſe ſheweth unto your Highneſſe, your faithfull and humble ſubjects, Nicholas Taffe of Atheclare, in the countie of Lowth, in your realm of Ireland, gentleman, and Jane his wife; that where in a Parliament holden at Dublin the eight and twentieth yeare of the raigne of your moſt noble father, of famous memorie, King Henry the eight, before the Lorde Leonarde Graye, then lord deputie of this realm, it was recited, that Chriſtopher Euſtace of Ballyculland, father unto the ſaid Jane, had committed treaſon, and being thought that the ſayd recitall was not ſufficient to attaint the ſayd Chriſtopher, therefore in a Parliament in the eleventh year of your Majeſtie's reign, holden before the right honourable Sir Henry Sidney, knight of the moſt noble order, then lord deputie of the ſaid realm, it was enacted that the ſaid Chriſtopher Euſtace ſhould be deemed, reputed and adjudged as a traytor, and a perſon attainted of high treaſon, and ſhould loſe and forfeit all his lands, tenements and hereditaments; by force of which act the ſayd Jane doth ſtand, and is a perſon corrupted in blood, and thereby diſabled to take or clayme any thing by diſcent from her ſayd aunceſtor, or from or by any other collaterall aunceſtor or couſen, or make her pedigree by the ſaid Chriſtopher her father: and foraſmuch as the ſayd Jane, your Highneſſe ſupplyant, findeth in her ſelfe a great blemiſh and defect, for that ſhe is not reſtored to her blood: your ſupplyants moſt humbly beſeech your Majeſtie that it may be enacted, that the ſaid Jane your ſupplyant may be reſtored in blood, and to her blood. May it therefore pleaſe your Highneſſe, upon the humble ſuit of your ſaid ſubjects, to graunt that it may be enacted by your Majeſtie, with the aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authority of the ſame, that immediately from henceforth your ſaid humble ſubject, Jane Euſtace, ſhall and may be reſtored and enabled in blood and name to inherite as heyre to any of her aunceſtors lineall or collaterall: and that ſhe from henceforth ſhall and may be enabled, as heyre in blood, to demaunde, aſke, clayme, and have all and ſingular mannours, lands, tenements and hereditaments, with their appurtenances whatſoever, which at any time hereafter ſhall diſcend, come or revert to her or her heyres, from any her or their lineall or collaterall aunceſtor or aunceſtors: and that ſhe and her heyres may make her and their pedigree and conveyance as heyres in blood unto her ſaid late father, or any other her aunceſtor or aunceſtors lineall or collaterall to all reſpects and purpoſes, in as large and ample manner, as though the ſaid Chriſtopher Euſtace had never been

Nicholas Taffe's wife, daughter of Chriſtopher Euſtace, (who was attainted, 28 *H.* 8. and 11 *Eliz.* 3. *ſeſſ.* 1.) reſtored in blood.

A. D. 1586. Chap. 9.

been attainted, and as though the ſaid judgement and attaindor had never been. Saving to your Highneſſe, your heyres and ſucceſſours, and unto all and every other perſon and perſons, bodies politike and corporate, their heyres, ſucceſſours and aſſignes, and to the heyres, ſucceſſors and aſſignes of every of them, all ſuch eſtate, right, title, intereſt, remainder, uſe, poſſeſſion and demaund, as your Highneſſe, or any other perſon and perſons, bodies politike and corporate, or any of them have, or ought to have of, in, or to any mannors, lands, tenements, and hereditaments with the appurtenances, in as large and ample manner and forme, as though this act had never been had or made; any thing therein contayned to the contrarie thereof in any wiſe notwithſtanding.

Saving to the Queen, and others all right, &c.

II. Provided alway, and be it enacted by the authoritie aforeſaid, that this act, nor any thing therein contayned, ſhall not extend to make voyd or fruſtrate any gift, graunt, leaſe for life or yeares, or any other eſtate of freehold or inheritance paſſed and graunted by your Highneſſe father, King Henry the eight, of famous memorie, your Highneſſe brother, King Edward the ſixt, your Highneſſe ſiſter, Queen Mary, or the late King and Queen, Philip and Queen Mary, your Highneſſe, or the ſaid Jane and her aſſignes, or any of them, but that all ſuch graunts, gifts, leaſes, and every eſtate, intereſt, freehold, inheritance and term, as is given and made for years, and every of them, ſhall be and remaine of ſuch force and effect in law, as they be and were before this act, and in ſuch force and effect to all intents, purpoſes and conſtructions, as if this act had never been had ne made; this act, or any thing therein contayned in any wiſe notwithſtanding.

Not to make void former grants or leaſes.

III. Provided alway, and be it enacted by the authority aforeſaid, that this act, or any thing therein contayned, ſhall not in any wiſe be prejudiciall unto her Highneſſe, nor in any wiſe further beneficiall to the foreſaid Jane Euſtace and her heires, other then her or their reſtitution in blood and lineage, and for ſuch things as be incident and appertayning to her, and their abilitie of blood only. And your ſaid humble ſubject ſhall daily pray to God for your moſt excellent Majeſtie, in health and great proſperitie long to reigne over us.

To extend to the reſtitution in blood only.

THE

THE

Eleventh, Twelfth, and Thirteenth Years

OF

JAMES I.

Statuta, Ordin' Actus et Proviſiones Ædit' In Quodam Parliamento Illuſtriſſimi ac invictiſſimi Principis domini noſtri *Jacobi* Dei gratia Angliæ, Scotiæ, Franciæ & Hiberniæ Regis, fidei defenſoris, &c. Virtute Commiſſionis & mandati dict' domini regis ſub magno ſigillo ſuo Angliæ apud Caſtrum *Dublin*, die Martis, viz. decimo octavo die Maij ann. regni dicti domini regis Angliæ, Franciæ, & Hibern' undecimo & Scotiæ quadrageſimo ſexto, coram predilecto & fideli conſiliario ſuo *Arthuro* domino *Chicheſter* de Belfaſt, Deputato ſuo generali regni ſui Hiberniæ tento & ibm' contin' uſq; ad decimum ſeptimum diem Iunij tunc proxime ſequent'. Et ibm' prorogat abinde uſq; ad decimum quintum diem Iulij tunc proxime ſequent'. Et ibm' prorogat' abinde uſq; ad quintum diem Octobris tunc prox. ſequent. Et ibm' prorogat' abinde uſq; ad tertium diem Novemb. tunc prox. ſequent. Et ibm' prorogat' abinde uſq; ad tertium die Maij anno regni dicti domini regis Angl'. Franciæ & Hibern' duodec' & Scoti' quadrageſſ. ſeptimo. Et ibm' prorogat' abinde uſq; ad quart' diem Julij tunc prox. ſeq. Et ibm' ulterius prorog. abinde uſq;

ad undecimum diem Octob. tunc prox. ſeq. Et eod' undec' die Octob. ibm' tent' & cont' vſque ad viceſ. nonum diem Novemb. tunc prox. ſeq. Et ibm' eod. viceſ. nono die Novemb. prorog. abinde uſq; ult. diem Januarij tunc prox. ſeq. Et ibm' eod. ultimo die Januar. ulterius prorog. abinde uſq; ad decimum octavum diem April' anno regni dicti dom. regis Angl. Franciæ & Hiberniæ, tertio decimo, & Scotiæ quadrageſ. octavo. Et eod. decim' octavo die Aprilis ibm' tent. & continuat. uſq; ad decimum ſextum diem Maij tunc prox. ſequent. Et ibm' prorogat. abinde uſq; ad viceſimum quartum diem Octobris tunc prox. ſeq. Et eodem viceſimo quarto die Octobris diſſolut. & determinat' ædita in hæc verba.

CHAP. I.

A moſt joyful and juſt Recognition of his Majeſtie's lawfull, undoubted, and abſolute Right and Title to the Crown of Ireland.

A. D. 1612. Chap. 1.

2 *J.* 1. 1. *Eng.*

THE rolls and records of former Parliaments holden in this kingdome (moſt dread and gracious Sovereigne) doe containe many grievous complaints of the miſeries and calamities of this land and people, being ſubject for many ages together to continuall rebellions, rapines and oppreſſions; but now within theſe few yeares paſt, by the goodneſs of the Almighty God, and by your Majeſtie's gracious and happy government, ſo many bleſſings and benefits have been poured upon this realm, as we your Highneſs loyal ſubjects, aſſembled in this preſent Parliament, have more juſt cauſe to record our joy and comfort, then our predeceſſors ever had to expreſs their grievances; for, as by the ſingular providence of God, even at this very time, when the crown of this realm deſcended unto your Majeſtie, the moſt dangerous and univerſal rebellion, that ever was raiſed in this kingdom, was quenched and appeaſed; in the ſuppreſſing whereof, the unreformed parts of this land, which being ruled onely by Iriſh lords and cuſtoms, had never before received the lawes and civill government of England, were ſo broken and reduced to obedience, as that all the inhabitants thereof did gladly ſubmit themſelves to your Highneſs ordinary lawes and magiſtrates, which gave unto your Majeſtie a more entire, abſolute and actual poſſeſſion of this whole realm, then ever any of your noble progenitors had before you; ſo hath your Majeſtie's princely wiſedom ever ſithence more and more eſtabliſhed your throne and ſoveraignety

Miſeries of this kingdom, contained in the rolls of former Parliaments, from continual rebellions, &c.

Benefits of his Majeſty's reign.

By ſuppreſſing the late rebellion, the unreformed parts of this land reduced to obedience.

The King thereby gained a more intire poſſeſſion of the whole realm than his predeceſſors.

A. D. 1612. Chap. 1.

raignety in the hearts of this your people, by uſing all gracious demonſtrations and means that might procure their peace and welfare; for firſt, by that general act of oblivion, which did bury and extinguiſh all offences againſt the crown, and all treſpaſſes between ſubject and ſubject, committed before the beginning of your Majeſtie's raign; next, by the ſpeciall charters of pardon freely granted to many thouſands of your ſubjects, by particular names; then by remitting of many great arreares of rents and other debts and forfeytures, growing due to the crown, during the late general rebellion and before; and laſtly, by ſtrengthening of many defective titles, and accepting ſurrenders, and regranting eſtates unto many of the meere Iriſh and others, who could derive no other title to their lands, then a long continuance of poſſeſſions, your Majeſtie hath ſecured the lives, lands, and goods of the greateſt part of your ſubjects, to their unſpeakable comfort, whereupon hath enſued that univerſal peace and obedience, as the like thereof in any former age hath not beene ſeene in Ireland. And for the further eſtabliſhment and continuance of this peace and ſecurity, your Majeſtie hath taken ſuch ſpeciall care for the adminiſtration of the publique juſtice, as that of your royall bounty, you have erected within the citty of Dublin new and coſtly ſtructures, for the holding of your high courts of law and juſtice, and to the great increaſe of your Highneſſe charge, encreaſed the number of your judges upon every bench, who, according to your Majeſtie's direction, doe twice every year, derive the ſtreams of your juſtice into all the parts of this kingdom. And whereas the Divine juſtice hath lately caſt out of the province of Ulſter, divers wicked and ungratefull traytors, who practiſed to interrupt thoſe bleſſed courſes, begun and continued by your Majeſtie, for the general good of this whole realm, by whoſe defection and attainder, great ſcopes of land in thoſe parts have been reduced to your Majeſtie's hands and poſſeſſion, your Majeſtie's gracious care hath been ſuch, for the civill plantation of thoſe eſcheated lands, as that you have not ſpared your own royal paynes in laying downe the project thereof, ſo as it is happily begune, and in good forwardneſſe, with God's bleſſing, ſo to ſucceed and take effect, though with your Majeſtie's exceeding charges and expence of treaſure, and diminution of your revenues, as that it ſhall reform and aſſure thoſe countries which have beene heretofore the neaſts of rebellion and barbariſm, and by conſequence ſettle the peace of the whole realm for many ages to come. In contemplation whereof, Wee, your Majeſtie's moſt humble and loyall ſubjects, the lords ſpirituall and temporal, and the commons in this preſent Parliament aſſembled, do, from the bottom of our hearts, yeeld to the Divine Majeſtie all humble thanks and praiſes, not onely for the ſaid unſpeakable and uneſtimable beneſites before expreſſed,

Several cauſes binding all ſubjects to the love and obedience of the King.

The general act of oblivion.

Special charters of pardon.

Remitting arrears of rents, debts and forfeitures.

Strengthening defective titles, accepting ſurrenders, regranting eſtates.

Care for the adminiſtration of juſtice by erecting new courts in Dublin.

The number of judges increaſed.

Care taken for the civil plantation of great ſcopes of land eſcheated in Ulſter by attainder of traitors.

A. D. 1612. Chap. 1.

but alſo for the aſſured hope we have conceived, that the ſame ſhall be made perpetuall unto us, by that moſt royall progenie of rare and excellent gifts and forwardneſſe, wherewith Almighty God hath enriched your Highneſſe, and in his goodneſſe is like to encreaſe the number of them, and in moſt humble and lowly manner do beſeech your moſt excellent Majeſtie, that as a memoriall to all poſterities amongſt the records of your high court of Parliament, for ever to endure of our thankfulneſſe, loyaltie and obedience, it may be publiſhed and declared in this high court of Parliament, and enacted by authoritie of the ſame,

Recognition of the King's title.

that we being bound thereunto by the lawes of God and man, doe recognize and acknowledge, and thereby expreſſe our unſpeakable joyes, That immediately upon the diſſolution and deceaſe of Elizabeth, late Queen of England, the crowne and kingdom of Ireland, and all titles, ſtiles, royalties, juriſdictions, prerogatives and rights thereunto belonging, did by inherent birthright and lawfull and undoubted ſucceſſion, intirely and abſolutely deſcend and come to your moſt excellent Majeſtie, as being lineally, juſtly and lawfully next and ſole heire of the blood royall of the Kings and Queens of England, Fraunce and Ireland, in that your moſt royall perſon is lineally rightfully and lawfully deſcended of the bodie of the moſt excellent Ladie Margaret, eldeſt daughter of the moſt renouned King Henry the ſeventh, and the high and noble Princeſſe Queen Elizabeth his wife, eldeſt daughter of King Edward the fourth, the ſaid Lady Margaret being eldeſt ſiſter of King Henry the eighth, father of the high and mighty Princeſſe of famous memorie, Elizabeth, late Queen of England, and that by the goodneſſe of God Almighty, and lawfull right of deſcent under one imperiall crowne, your Majeſtie is of the realms of England, Scotland, Fraunce and Ireland, the moſt potent and mighty King, and by God's favour, more able to protect and governe us, your loving ſubjects, in all peace and plentie, then any of your moſt noble progenitors: and thereunto we moſt humbly and faithfully doe ſubmit and oblige us, our heyres and poſterities for ever, untill the laſt drop of our blood be ſpent, and doe beſeech your Majeſtie to accept the ſame, as the firſt fruits in this high court of Parliament, of our loyalty and faith to your Majeſtie and your royall progenie and poſteritie for ever; which if your Majeſtie ſhall be pleaſed, as an argument of your gracious acceptation, to ratifie with your royall aſſent, without which it can neyther be compleate and perfect, nor remaine to poſteritie according to our humble deſire, as a memorial of your princely affection towards us, we ſhall adde this alſo to the reſt of your Majeſtie's unſpeakable and uneſtimable beneſits.

The crown deſcended to him immediately upon the death of Elizabeth, as lineally deſcended from Margaret eldeſt ſiſter of King Henry 8.

CHAP.

CHAP. II.

An Act for punishing of Pirats and Robbers on the Sea.

A. D. 1612.

WHEREAS traytors, pirates, theeves, robbers, murderers, and confederators upon the sea, many times escape unpunished, becaus the triall of their offences hath heretofore been ordered, judged and determined before the admirall, or his lieutenant, or commissarie, after the course of the civill lawes; the nature whereof is, that before any judgment of death can be given against the offendors, either they must plainely confesse their offences, which they will never doe without torture or paines, or else their offences be so plainly and directly proved by witnesses indifferent, such as saw their offences committed, which can seldome be gotten but by chance, becaus such offendours commit their offences upon the sea, and many times murder and kill such persons, being in the shippe or boate where they commit their offences, which should witnesse against them in that behalfe; and also such as should beare witnesse be commonly marrinors and shipmen, which becaus of their often voyages and passages on the seas, are uncertain to be found when their testimonies should be had and used in such cases; for reformation whereof, be it enacted by the King's most excellent Majestie, and by the lords spirituall and temporall, and the commons in this present Parliament assembled, and by authority of the same, That all treasons, felonies, robberies, murders and confederacies hereafter to be committed in or upon the sea, or in any other haven, river, creek or place where the admiral or admirals have or pretend to have power, authority or jurisdiction, shall be inquired, tryed, heard, determined and judged in such shires and places in this realm, as shall be limitted by the King's commission, or commissions, to be directed for the same, in like forme and condition, as if any such offence or offences had been committed or done in or upon the land, and such commissions shall be had under the King's great seal of this realm, directed to the admirall or admiralls, or to his or their lieutenant general, deputie, or deputies, and to three or four such other substantiall persons as shall be nominated or appointed by the lord chancellor of Ireland, for the time being, from time to time, and as often as need shall require, to heare and determine such offences, after the course of the common lawes of this realm, used for treasons, fellonies, robberies, murders and confederacies done and committed upon the land within this realm.

28 *H.* 8. 15. *Eng.*

11 and 12 *Wil.* 3. 7. *Eng.* 4 *G.* 1. 11. *Eng.* 8 *G.* 1. 24. *Eng.* 18 *G.* 2. 30. *Eng.*

Inconvenience of trial of piracy by course of the civill law, from the difficulty of proving the offences.

Trial of offences on the sea, or within the admiral's jurisdiction, by the King's commission as if done on land.

To whom such commission to be directed,

directed to admiralty judge by 23 & 24 *G.* 3 *c.* 14. *s.* 4.

by the lord chancellor.

II. And be it further enacted by the authority aforesaid, That such persons to whom such commission or commissions shall be directed, or four of them at the least, shall have full power

Commissioners authority.

A. D. 1612. Chap. 2.

Trial by twelve men of the ſhire limitted in the commiſſion.

and authority to enquire of ſuch offences, and of every of them, by the oathes of twelve good and lawfull inhabitants in the ſhire limitted by their commiſſion, in ſuch like manner and forme, as if ſuch offences had beene committed upon the land within the ſame ſhire; and that every indictment found and preſented before ſuch commiſſioners of any treaſon, fellonies, robberies, murders, manſlaughters, or ſuch other offences committed or done in or upon the ſeas, or in or upon any haven, river or creek, as aforeſaid, ſhall be good and effectual in the law; and if any perſon or perſons happen to be indicted for any ſuch offence done, or hereafter to bee done upon the ſeas, or in any other places above limitted, that then ſuch order, proceſſe, judgment and execution ſhall be uſed, had or done, and made to and againſt every ſuch perſon and perſons, ſo being indicted, as againſt traytors, felons and murderers for treaſon, felonie, robberie, murder, or other ſuch offences done upon the land, as by the lawes of the realm is accuſtomed, and that the triall of ſuch offence or offences, if it be denied by the offendour or offendours, ſhall be had by twelve lawfull men inhabiting in the ſhire limitted with ſuch commiſſion, which ſhall be directed as aforeſaid, and no challenge or challenges to be had for the hundred; and ſuch as ſhall be convict of any ſuch offence or offences by verdict, confeſſion or proceſſe, by authority of any ſuch commiſſion, ſhall have and ſuffer ſuch pains of death, loſſes of lands, goods and chattles, as if they had been attainted and convicted of any treaſon, felonies, robberies, or other the ſaid offences done upon the land.

No challenge for the hundred.

Puniſhment of offenders.

Benefit of clergy excluded.

III. And be it further enacted by the authority aforeſaid, That for treaſons, robberies, felonies, murders and confederacies done upon the ſea or ſeas, or in any place above rehearſed, the offendors ſhall not be admitted to have the benefit of his or their clergie, but be utterly excluded thereof and from the ſame, and alſo of and from the privilege of any ſanctuary.

Not to prejudice perſons taking victuals, &c. that may be ſpared, compelled by neceſſity, ſo as they pay the value, or give an obligation payable in four months, if on this ſide the ſtraits of Morocco; if beyond, within twelve.

IV. Provided alway, that this act extend not to be prejudiciall or hurtfull to any perſon or perſons for the taking any victualls, cables, ropes, anchors or ſails, which any ſuch perſon or perſons, compelled by neceſſity, ſhall take of, or in any ſhippe which may conveniently ſpare the ſame; ſo as the ſame perſon or perſons pay out of hand for the ſame victuals, cables, ropes, anchors, or ſayles, money or money worth, to the value of the thing ſo taken, or doe deliver for the ſame a ſufficient bill obligatorie to be payed in forme following, that is to ſay; if the taking of the ſame things be on this ſide of the ſtreights of Morocco, then to be payed within foure moneths, and if it be beyond the ſtreights of Morocco, then to be payed within twelve moneths next enſuing the making of ſuch bills; and that the makers of ſuch bills well and truely pay the ſame debt at the

the day to be limitted within the ſaid bills; any thing in this preſent act to the contrarie notwithſtanding. A. D. 1612.

CHAP. III.

An Act for the taking away of Clergie in certain Caſes of Felonie, and for deliverie of Clerakes convict without Purgation.

FOR that many wicked and diſſolute perſons have been greatly emboldened without remorſe to commit moſt wicked and felonious rapes and raviſhments of women, maydes, wives, and damoſels, and felonious burglaries, robberies, and ſtealths, preſuming upon the benefit and allowance of their clergie for to eſcape the judgment and execution of the law; for the repreſſing of the ſaid wicked rapes, burglaries, robberies, and ſtealths, be it enacted by the King's moſt excellent Majeſtie, and by the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, That if any perſon or perſons ſhall at any time after the end of this preſent ſeſſion of Parliament commit any felonious rape or raviſhment of any mayde, wife, widow, or damoſell, or any felonious burglarie, or ſhall robbe any perſon or perſons in their dwelling-houſe or place, the owner or dweller in the ſaid houſe or place, his wife, children, or ſervants then being in or aboute the ſaid dwelling houſe or place; or ſhall robbe any perſon or perſons in any booth or tent in any faire or market, the owner, his wife, child, or ſervant then being within the ſame booth or tent; or ſhall robbe any perſon or perſons in or neer any higway, path, or paſſage; or ſhall robbe any church or chappell; or ſhall ſteal any horſe, gelding, mare, or garran; and being indicted or appealed of any of the ſaid felonies, and thereupon found guilty by verdict of twelve men, or ſhall confeſſe the ſame upon his, her, or their arraignment, or will not anſwere directly, according to the lawes of this realm, or ſhall wilfully or of malice ſtand mute, or ſhall peremptorily challenge above the number of twentie jurors, or ſhall be outlawed upon the ſame indictment, ſhall receive judgement and ſuffer pains of death, without any allowance of the priviledge or benefit of clergie; any lawe, cuſtome, or uſage to the contrarie notwithſtanding.

Offences committed from preſumption of allowance of clergy.

Clergy taken away in rape, burglary, robbery in dwelling-houſe, tent, high-way, church or chappel, ſtealing horſes. 9. *Wil.* 3. 6. 18 *El.* 7. *Sec.* 1. *Eng.* 5 & 6 *E.* 6. 9 *Sec.* 4 & 5. *Eng.* 23 *H.* 8. 1. *Sec.* 3 *Eng.* 1 *E.* 6. 12. *Sec.* 10 *Eng.* 37 *H.* 8. 8. *Sec.* 2. *Eng.* 2 & 3. *E.* 6. 33. *Eng.* 25 *H.* 8. 3. *Eng.*

II. And be it further enacted by the authoritie aforeſaid, That every perſon and perſons, which at any time after the end of this preſent ſeſſion of Parliament ſhall be admitted and allowed to have the benefit or priviledge of clergie, ſhall not thereupon be delivered to the ordinarie, as hath been accuſtomed; but after ſuch clergie allowed, and burning in the hand, ſhall forthwith be inlarged and delivered out of priſon by the juſtices or other magiſtrate, before whom ſuch clergie ſhall be graunted, that cauſe notwithſtanding; ſaving that the ſame juſtice or magiſtrate ſhall and may for the further correction of

After clergy allowed, and burning in the hand, the perſon not delivered to the ordinary, as uſual, but enlarged, 18 *Eliz.* 7. *Eng Sec.* 2.

A. D. 1612.

But the justices may at discretion detain him in prison not exceeding one year.

such persons, to whom clergie shall be allowed, detaine and keepe them in prison for such convenient time, as the same justice or magistrate in their discretion shall think fit, so as the same doe not exceed one years imprisonment; any law, usage, or custom to the contrary notwithstanding.

CHAP. IV.

An Act for the Attaindor of Hugh, late Earl of Tyrone; Rory late Earle of Tyrconnell; Sir Cahir O Dogherty, knight, and others.

Earl of Tyrone, and others attainted.

IN most humble manner beseechen your most excellent Majestie, your most loyall, faithfull, and true hearted subjects, the lords spirituall and temporall, and the commons of this present Parliament assembled, That whereas Hugh, late earle of Tirone; Rory late earle of Tyreconnel; Hugh Oneyle, late Baron of Dungannon, and eldest sonne of the said earle of Tyrone; Henry Oneyle, second soone of the said earle of Tyrone; Sir Cahir Odogherty, late of Birtecastle in the county of Dunnegall, knight; Coconnaught Maguyre, late of Innisskilling in the county of Fermanagh, esquire; Oghy Oge Ohanlon, eldest sonne of Sir Oghy Ohanlon, knight, late of Tovergy in the county of Armagh, esquire; Caffer Odonnell, brother to the late earle of Tireconnell, late of Caffersconse in the said county of Dunnegall, esquire; Caffer Oge Odonnell, late of Starfolis in the said countie of Dunnegall, esquier; Donnell Oge Odonnel, late of Dunnegall in the said county of Dunnegall, esquire; Brian Oge Mac Mahowne, *alias* Brian ne Sawagh Mac Mahown, late of Clonleege in the Upper-trough, in the county of Monaghan, gentleman; Art Oge Mac Cormocke Oneyle, late of Clogher in the county of Tyrone, esquier; Henry Hovendon, late of Dungannon in the countie of Tyrone, gentleman; Mortogh Oquyn, late of the same, gentleman; Richard Weston, late of Dundalke in the countie of Lowth, merchant, John Bath, late of Donalonge in the countie of Tyrone, merchant; Christopher Pluncket, late of Dungannon in the said countie of Tyrone, gentleman, John Opanty Ohagan, late of the same, gentleman; John Rath, late of Drogheda, merchant; Hugh Mac Donell Ogallachor, late of Dunnegall in the said county of Dunnegall, gentleman; Terrelagh Garragh Ogallochor, late of the same, gentleman, Phelim Reagh Mac David, late of Eloagh in the said county of Dunnegall, gentleman, John Crone Mac David, late of the same, gentleman, Edmond Grome Mac David, late of the same, gentleman, Matthew Oge Omultully, late of Dunnegall in the said county of Dunnagall, gent. Donough Mac Mahowne Obrian, late of Rathumlin in the said county of Dunnegall, gentleman, Teige Okennan, late of the same, gentleman, Henry Ohagan, late of Dungannon in the said countie of Tyrone, gentleman, Teige Ohagan, late of the same, gent. and Teige Modder, Oquine, late of the same, gentleman, most falsely and traiterously, as well by open

rebellion in divers partes of this your Majeſties realm of Ireland, as by ſundrie treacherous confederacies and conſpiracies have committed, perpetrated and done many deteſtable and abominable treaſons againſt your Majeſtie, tending to the utter ſubverſion and ruine of the ſtate and common-wealth of this kingdom; of which treaſons, the ſaid Hugh, late earle of Tyrone, Rory, late earle of Tireconnell, Hugh Oneyle, late baron of Dungannan, Henry Oneyle, Coconnaught Maguire, Oghie Oge Ohanlon, Caffer Odonnell, Donell Oge Odonnell, Art Oge Mac Cormocke Oneyle, Henry Hovendon, Mortagh Oquine, Richard Weſton, John Bath, Chriſtopher Plunket, John Opanty Ohagan, Hugh Mac Donell Ogallachor, Terrelogh Carragh Ogalaghor, Phelim Reagh Mac David, John Crone Mac David, Edmond Crone Mac David, John Rath, Matthew Oge O Multully, Donogh Mac Mahown Obrian, Teige Okenan, Henry Ohagan, Teige Ohagan, and Teige Modder Oquin, have been indicted, and by proceſſe of outlawrie attainted, according to the courſe of the common lawes of this realm; and the ſaid Sir Cahir Odogherty, and Brian ne Sawagh Mac Mahown, have been ſlaine, being in actual rebellion againſt your Majeſtie; and whereas Sir Hugh Maguire, late of Iniſkillin in the countie of Farmanagh, knight; Sir John Oreilly, late of the Cavan in the county of Cavan, knight, Philippe Oreilly late of the ſame, eſquier; and Edmond Oreilly, late of the ſame, eſquier; being in open action of Rebellion againſt the late Queene Elizabeth, of famous memorie, the ſaid Sir Hugh Maguire, Philip Oreilly, and Edmond Oreilly were ſlaine in their ſaid action of rebellion, and the ſaid Sir John Oreilly, adhering to the ſaid traytour, late earle of Tyrone, died in rebellion againſt the ſaid late Queen Elizabeth, as by ſundrie inquiſitions remayning of record, in your Highneſſe court of chauncerie in this your realm of Ireland, doth and may appeare. It may pleaſe your moſt excellent Majeſtie, of your gracious diſpoſition, which your Highneſſe doth beare towards the ſettling of this unreformed kingdome, and aſwell for the comfort of your true and loyall ſubjects, as for an example and terrour to all rebellious and trayterous perſons, that all and every the attaindours of the perſons above named, bee approved and confirmed by the authoritie of this preſent Parliament.

Confirmation of attainders.

II. And be it further enacted by the authoritie aforeſaid, That aſwell the ſaid Hugh, late earl of Tyrone, Rory late earl of Tyrconnell, Hugh Oneile, late baron of Dungannan, Henry Oneile, Coconnaugh Maguire, Oghie Oge Ohanlon, Caffer Odonell, Donell Odonnoll, Art Oge Mac Cormocke Oneile, Henry Hovenden, Mortagh Oquine, Richard Weſton, John Bath, Chriſtopher Pluncket, John Opanty Ohagan, Hugh Mac Donell Ogallachor, Phelim Reagh Mac David, John Crone Mac David, Terrelagh Carragh Ogallachor, Edm. Crone Mac David, John Rath, Matthew Oge O Multully, Donogh Obrian Mac Mahown, Teige Okenan, Henry

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Ohagan, Teige Ohagan, and Teige Modder Oquin, as alſo the ſaid Cahir Odogherty knight, Sir Hugh Maguire knight, Sir John Oreilly, Philipe Oreilly, Edmond Oreilly, and Brian ne Sawagh Mac Mahown, and every of them, ſtand and be adjudged perſons convicted and attainted of high treaſon; and that as many of the ſaid offendors, and perſons before named, as be yet in life, and not pardoned for the ſame offences, ſhall and may at your Highneſs will and pleaſure, ſuffer paines of death, as in caſes of high treaſon; and that all and every the ſaid offendors, by this preſent act attainted for their ſaid treaſons, ſhall be declared and adjudged to have loſt and forfeited to your Highneſs, and to your heires and ſucceſſours, from the time of their ſeverall treaſons committed, all and every ſuch honours, territories, countries, caſtles, manors, meſſuages, lands, tenements, rents, reverſions, remainders, poſſeſſions, rights, conditions, intereſts, offices, fees, annuities, and all other their hereditaments, goods, chattles, debts, and other things of whatſoever names, maners, or qualities they be, which they, or any of them, had to their or any of their uſes, or which any other had to their or any of their uſes, on any the days of their ſaid ſeverall treaſons committed, perpetrated or done, or at any time ſithence.

Forfeiture.

Not to prejudice grants or leaſes by the King, ſince ſaid treaſons under great ſeal of England or Ireland.

III. Provided always, and nevertheleſs, be it enacted by the authority aforeſaid, That this act, or any thing therein contained, ſhall not in any wiſe extend to make voyd any graunt, gift, leaſe, or demiſe, made by our ſovcraign lord the King, of any of the ſaid honors, countries, territories, caſtles, mannours, meſſuages, lands, tenements, or hereditaments, to any perſon or perſons, by letters patents under the great ſeal of Ireland, or under the great ſeal of England, at any time or times ſithence the ſaid treaſons committed; but that the ſame gifts, graunts, and leaſes, and every of them, ſhall ſtand and be of force and effect in the law, to all intents and purpoſes; any thing in this act contained to the contrary thereof notwithſtanding.

Letters pat. to the Earl of Tyrone, &c. made void.

IV. Provided nevertheleſs, that this act ſhall not extend to ratifie, confirm, or make good any letters patents heretofore made to the ſaid Hugh, late earl of Tyrone; Rory, late earl of Tyrconnell; Coconaght Maguire, deceaſed, father of the ſaid Coconnaght Maguire above mentioned; the ſaid Sir Cahir Odogherty, knight, and the ſaid Brian ne Sawagh Mac Mahown, or to either or any of them, or to any perſon or perſons to whom any eſtate is limitted in and by the ſaid letters patents; but be it enacted by the authority of this preſent Parliament, That all letters patents heretofore made unto the ſaid Hugh, late earl of Tyrone; Rory, late earl of Tyrconnell; Coconnaght Maguire, deceaſed, father of the ſaid Coconnaght Maguire firſt above mentioned in this act; Sir Cahir Odogherty, and the ſaid Brian ne Sawagh Mac Mahown, or to any or either of them; and all eſtates, gifts, or graunts in uſe, poſſeſſion, reverſion, or remainder, graunted, limitted, or mentioned to be graunted or limitted

limitted to any perſon or perſons whatſoever, in and by any letters patents made unto the ſaid Hugh late earl of Tyrone, Rory late earl of Tyrconnell, Connaght Maguire the father, Sir Cahir Odogherty knight, and Brian ne Sawagh Mac Mahown, or any or either of them, be utterly repealed, and from henceforth deemed and adjudged void, to all intents, conſtructions and purpoſes; any thing in this preſent act contained to the contrary notwithſtanding. A. D. 1612.

CHAP. V.

An Act of Repeale of diverſe Statutes concerning the Natives of this Kingdom of Ireland.

WHEREAS in former times, after the conqueſt of this realm by his Majeſtie's moſt royal progenitors, Kings of England, the natives of this realme of Iriſh bloud, being deſcended of thoſe that did inhabite and poſſeſſe this land before the ſaid conqueſt, were for the moſt part in continuall hoſtility with the Engliſh, and with thoſe that did deſcend of the Engliſh, and therefore the ſaid Iriſh were held and accompted, and in divers ſtatutes and records were termed and called Iriſh enemies: And whereas, in a Parliament holden at Dublin, in the tenth year of the raign of King Henry the ſixt, an act was made, intituled, *An Act, that no perſon, liege nor alien, ſhall take merchandize or things to be ſold, to faire, market or other place, amongſt the Iriſh enemies*, &c. whereby it was enacted, "That no merchant nor other perſon, liege nor alien, ſhould uſe, in time of peace nor warre, to any manner of faire, market, or other place amongſt the Iriſh enemies, with merchandize or things to be ſold, nor ſend them to them, if it were not to acquite any priſoner of them that were the King's liege men, and if any liege man did the contrary, he ſhould be holden and adjudged a felon, and that it ſhould be lawfull for every liege man to arreſt and take ſuch merchants and perſons, with their merchandize and things, and to ſend them to the next gaole, there to remain until they ſhould be delivered as law requireth, and the King to have one halfe of the ſaid goods, and he or they that ſhould take them the other halfe," as by the ſaid act more at large appeareth.

The natives of Ireland, after conqueſt thereof, in continual hoſtility with the Engliſh.

The following ſtatutes repealed.

10 *H.* 6. that none ſhould take merchandiſe to be ſold amongſt Iriſh enemies.

II. And whereas alſo, at the ſame Parliament, another act was made, intituled, *An Act, that every liege man ſhall take the Iriſh converſant as eſpialls amongſt the Engliſh, and make of them as of the King's enemies*; whereby it was enacted, "That it ſhould be lawfull for every liege man, to take all manner of Iriſh enemies, which in time of peace and truce ſhould come and converſe amongſt the Engliſh lieges, to ſpie their ſecreſies, force, wayes and ſubtilties, and to make of them as of the King's enemies," with divers

10 *H.* 6. that liege men ſhall take the Iriſh converſant as eſpials amongſt the Engliſh, and make of them as of the King's enemies.

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ſavings and other clauſes in the ſame act conteyned, as by the ſame act more fully and at large appeareth.

28 *H* 8. 28. againſt marrying or foſtering with Iriſhmen.

III. And whereas alſo, at a Parliament begun at Dublin the firſt day of May, in the eight and twentieth year of the raigne of King Henry the eight, and afterwards holden and continued by diverſe adjournments and prorogations, untill the thirtieth day of October, in the nine and twentieth year of the raign of the ſaid King Henry the eight, an act was made, entituled, *An Act againſt marrying or foſtering with or to Iriſhmen.*

11 *Eliz.* 6. prohibiting Iriſh lords to foſter to any lords of the ſame realm.

IV. And furthermore, whereas at a Parliament holden in the eleventh year of the raign of Queen Elizabeth, an act was made, entituled, *An Act prohibiting any Iriſh lord or captaine of this realm, to foſter to any of the lords of the ſame realm*, whereby it was enacted, " That no lord nor captaine of the Iriſh of Ireland, ſhould from henceforth foſter to any earl, viſcount, baron or lord of the ſame realm, and that what Iriſh lord or captain ſoever, that from thenceforth ſhould receive or take to foſter the child *mulier*, or baſtard of any of the ſaid earls, viſcounts, barons, or lords, the ſame ſhould be deemed and adjudged high treaſon in the taker, and alſo felony in the giver, according to the taxation and diſcretion of the lord deputie, governour, or governours, and councell of this realm for the time being," as by the ſame act appeareth.

Reaſons of ſaid repeal. The cauſe of making ſaid ſtats. ceaſing.

All ſubjects of this realm taken into his Majeſty's protection without diſtinction.

Liberty of commerce and marriage, that they may grow into one nation.

V. Foraſmuch as the cauſe of the ſaid difference, and of making the ſaid lawes and ſtatutes, doth now ceaſe, in that all the natives and inhabitants of this kingdome, without difference and diſtinction, are taken into his Majeſtie's gratious protection, and doe now live under one law as dutiful ſubjects of our Soveraigne Lord and Monarch, by means whereof, a perfect agreement is and ought to be ſetled betwixt all his Majeſtie's ſubjects in this realm. And for as much as there is no better means to ſettle peace and tranquilitie in this kingdome, being now inhabited with many worthy perſons borne in his Majeſtie's ſaid ſeveral kingdoms, then by aboliſhing and abrogating of the ſaid ſeveral lawes, and by giving them free libertie to commerce and match together, that ſo they may grow into one nation, whereby they may be an utter oblivion and extinguiſhment of all former differences and diſcorde betwixt them: Be it enacted by the King's moſt excellent Majeſtie, the lords ſpirituall and temporall, and commons in this preſent Parliament aſſembled, and by the authority of the ſame, That all the ſaid acts and ſtatutes, and every clauſe and ſentence in them and every of them conteyned, ſhall, from the end of this preſent ſeſſion of Parliament, for ever be utterly and thoroughly repealed, fruſtrated, adnihilated, and made void to all intents and purpoſes.

CHAP.

A. D. 1612.

CHAP. VI.

An Act for Repeale of one Statute made againſt bringing in of Scotts, retayning of them, and marrying with them.

Repeal of ſtat. 3 and 4 *P. & M.* 15. againſt bringing in, retaining of, or marrying with Scots.

WHEREAS by an act of Parliament, made in the third and fourth years of the raigns of the late King Philip and Queen Mary, entituled, *An Act againſt bringing in of Scotts, retaining of them, and marrying with them*, it is ordeyned, "That if any perſon or perſons, at any time after the end of that Parliament, do procure the comming of Scotts, being men of warr, into this realm of Ireland, or do bring into this realm any Scotts being men of warr, or do give any Scot or Scots, being within this realm, and men of warr, any wages, bonaghts, ſoreive, or any other intertainment, or hyre for ſervice in war, that every ſuch offence and offences ſhall be adjudged high treaſon, and the offender or offenders therein, their procurers, abbettors and counſaylors, and every of them, being thereof convicted or attainted, according to the lawes and ſtatutes of this realm, ſhall be deemed and adjudged high traytors, and that if any perſon or perſons, born within this realm of Ireland, doe, without the licence of the lord deputie of this realm, ſealed with the great ſeal of this realm, contract matrimonie, or marrie with any Scottiſhman, woman, or maiden, that then every ſuch offence or offences ſhall be deemed and adjudged felonie, and the offendor or offendors therein, their abbettors, procurers and counſaylors, being thereof convicted and attainted, according to the laws and ſtatutes of this realm, ſhall be deemed and adjudged felons," as by the ſaid act more at large appeareth. Foraſmuch as the cauſe of the makeing of the ſaid act is utterly taken away by the happy uniting of the kingdoms of England, Scotland and Ireland under one imperiall crown. Be it enacted by the authority of this preſent Parliament, That the ſaid act againſt bringing in of Scotts, retaining of them, and marrying with them, and all and every branch, clauſe and article therein contained, be repealed and made utterly voyde and of none effect, to all intents and purpoſes.

The cauſe of making the ſame ceaſing, from the union of the three kingdoms.

A. D. 1612.

CHAP. VII.

An Act for repayring and amending of High-ways and Cashes, and cutting or clearing of Paces.

2 and 3 *P.* & *M.* 8. *Eng.* 4 *Anne* 6. 9 *Anne* 9. 1 *G.* 2. 13. 13 *G.* 2. 10. 33 *G.* 2. 8.

For repair of highways, chusing surveyors.

FORASMUCH as the high-ways and cashes, and paces and passages throughout the woods of this kingdom, are in many places both very noysom and tedious to travel in, and dangerous to all passengers and carriages: Be it enacted by the authority of this present Parliament, That constables and church-wardens of every parish within this realm, shall yearly, upon the Tuesday and Wednesday in Easter week, call together a number of the parishioners, and shall then elect and chuse two honest persons of the parish, to be surveyors and orderers of the works for the amendment of the high ways, cashes, and paces in their parish, leading to any market town, the which persons shall have authority by vertue of this act, to order and direct the persons and carriages that shall be appointed for those works by their discretions, and the said persons so named, shall take upon them the execution of their said offices, upon pain every of them making default to forfeit tenn pounds; and the said constables and church-wardens shall also then name and appoint six days for the amendment and clearing of the said high wayes, cashes and paces in the sai' severall parishes before the feast of Saint John Baptist then next following, and shall openly in the church the next Sunday after Easter, give notice of the same six days, and upon the said days the parishioners shall endeavour themselves to the amendment and cleering of the said wayes, cashes and paces, and shall be chargeable thereunto as followeth, that is to say, all and every person or persons for every plow land in tillage or pasture, that hee, shee, or they shall occupie in the same parish, and all and every other person or persons keeping therein a draught or plow, shall finde and send at every day and place to be appointed for the amendment of the high ways in that parish, as is aforesaid, one wayne or cart, furnished after the custom of the country with oxen, horses, or other cattell, and all other necessaries meet to carry things convenient for that purpose, and also two able men with the same, upon pain of every draught making default, twentie shillings; and at every day and place to be appointed for the mending of the cashes and clearing of the said paces, two able persons furnished with necessarie tools for that purpose, upon paine of every default tenne shillings; and every housholder, and every cottier and labourer of that parish able to laboure, and being noe hired servant by the yeare, shall by themselves, or one sufficient labourer for every of them, upon every

who shall act on pain of 10l.

Notice of days for labour.

Parishioners chargeable thereto,

Rates.

every of the ſaid ſix daies worke and travell in the amendment of the ſaid highwayes, cauſhes or paces, upon paine of every perſon making default to loſe for everie day two ſhillings. And if the carriages of the pariſh or any of them ſhall not be thought needful by the ſuperviſors, to be occupied upon any of the ſaid dayes for the amendment of the ſaid high wayes, that then every ſuch perſon that ſhould have ſent any ſuch carriage, ſhall ſend to the ſaid worke for every carriage ſo ſpared two able men, there to labour for that day, upon paine to loſe for every man not ſo ſent to the ſaid worke, two ſhillings; and every perſon and carriage aboveſaid, ſhall bring with them ſuch ſhovels, ſpades, pickaxes, mattockes, axes and other tooles and inſtruments as ſhall be neceſſarie for the ſaid worke; and all and every the ſaid perſons and carriages ſhall doe, and keepe their worke as they ſhall be appointed by the ſaid ſuperviſors or one of them eight hours of every the ſaid dayes, unleſs they ſhall be otherwiſe licenced by the ſuperviſors or one of them.

ſend a labourer, on pain of 2s.

if carriages not neceſſary, two men in their room, on pain of 2s. each.

neceſſary tools to be brought, to work eight hours each day.

II. And be it further enacted by the authoritie aforeſaid, That from henceforth it ſhall and may be lawfull to all and ſingular ſuperviſor and ſuperviſors and orderers of the ſaid worke for the time being for the amendment of the ſaid highwayes and cauſhes, thereunto elected and appointed as aforeſaid, for the better repayring and amendment of the highways and making of cauſhes in their ſeverall pariſhes and limittes where they ſhall be ſo made ſuperviſors, if it ſhall ſo to them be thought neceſſarie, to take and carrie away of the rubliſh or ſmall broken ſtones of any quarrie or quarries, and to cut and carry away any underwoode, growing, lying or being within the pariſh where they ſhall be ſuperviſors, without licence, controlment or impeachment of the owners or owner, ſo much as by their diſcretion ſhall be deemed and adjudged neceſſary to the amendment of the ſayd waies and cauſhes, the owners of the ſaid under woods notwithſtanding to be payed for the ſame by the pariſhes as the ſame ſhall be valued by the ſaid ſuperviſors, and that for default of any quarry or quarries not being within their ſaid pariſh or limits, or in default of rubliſh not to be found in any ſuch quarry or quarries, it ſhall and may be lawfull to any ſuch ſuperviſors or ſuperviſor, for the uſe aforeſaid, in the ſeverall groundes of any perſon or perſons being within the pariſh and limittes where they ſhall be ſuperviſors, and nigh adjoyning to the way or waies wherein ſuch reparations ſhall be thought neceſſary to be made, where gravel ſand or ſinders is likely to be found, to digge or cauſe to be digged for gravel, ſand, or ſinders, and likewiſe to gather ſtones lying upon any lands or grounds within the pariſh, and meete to be uſed to ſuch ſervices and purpoſes, and thereof to take and carry away ſo much as, by the diſcretion

Superviſors may take rubliſh out of quarries, or underwood, the pariſh paying the owners. 5 *Eliz.* 13. *Eng.*

If no quarry in the pariſh, or rubliſh, they may dig inground near the ways for gravel or ſand

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diſcretion of the ſaid ſupervisors ſhall be thought neceſſary to be applied in the amendment of the ſaid highwaies.

But not to dig rubliſh out of any quarry.

III. Provided alwayes, That it ſhall not bee lawfull to any ſuch ſupervisor or ſupervisors, by vertue of this act, to cauſe any rubliſh to be digged out of any quarry or quarries, but onely ſhall extend to ſuch rubliſh as ſhall be found there ready digged by the owner or owners of the ſaid quarry or quarries or otherwiſe by his or their licence and commandement, nor ſhall not extend to give authoritie to any ſupervisor or ſupervisors to digge or cauſe to be digged any gravel, ſand, or ſinder in the houſe, garden, orchard or meadow of any perſon or perſons, nor that it ſhall be lawfull by this act to any ſuch ſupervisor or ſupervisors, to cauſe any more pits to be digged for gravel in any ſeveral or incloſed ground, then one onely, and that the ſame pit or hole ſo digged for gravel as aforeſaid, ſhall not bee in any way or breadth and length above ten yards at the moſt, and every ſuch ſupervisor as ſhall cauſe any ſuch pit to bee made and digged for gravel ſand or ſinder as aforeſaid, ſhall within one moneth next after any ſuch digging or pit made, cauſe the ſame to bee filled and ſtopped up with earth at the coſtes and charges of the pariſhioners, upon paine to forfeit to the owner or owners of the ſoile where any ſuch pit ſhall be made and digged, for every default five pounds, to be recovered by action of debt, as in other like caſes of debt have been accuſtomed.

nor for ſand or gravel in a houſe, garden, orchard or meadow, nor more than one pit in any incloſure, and that not above ten yards any way, and to be ſtopped up in one month, on pain of 5l. to owner of the ſoil.

May make caſhes of bogs, and turn water into ditches of adjoining grounds.

IV. And foraſmuch as the highways in ſundry places of this realm are full of bogges continuall ſprings or water courſes, by continual increaſe and ſinking whereof into the ground, the ſaid wayes are not onely verie deepe and dangerous, but alſo for the moſt part impoſſible to be amended and repaired in any good and ſufficient manner, without ſome remedie provided for the ſame; bee it enacted therefore, That from henceforth every ſuch ſupervisor or ſupervisors, ſhall by force of this act, within the pariſh or limittes where he or they ſhall be ſupervisors, have full power and authoritie to make caſhes of ſuch bogges, and to turn any ſuch courſe or ſpring of water being in any of the ſaid highwayes, into any ditch or ditches of the ſeverall ground or ſoyle of any perſon or perſons whatſoever, next adjoining to the ſaid wayes, in ſuch manner and forme, as by the diſcretions of the ſaid ſupervisors ſhall be thought meeteſt and moſt convenient.

Fences and ditches adjoining, ſhall be kept ſcoured and cut by owners of the ſoil, on pain of 20l.

V. And be it further enacted by the authoritie aforeſaid, That the hayes, fences, ditches, or hedges next adjoyning on either ſide to any high or common or fairing way, ſhall from time to time be ditched, ſcoured, repaired and kept low, and all trees and buſhes growing in the highwayes or paces, cut downe by the owner or owners of the ground or ſoyle which ſhall be incloſed with the ſaid hayes, fences, ditches or hedges aforeſaid, whereby the ſaid wayes may be open and the people have more ready and eaſie paſſage in

A. D. 1612. Chap. 7. 18 *Eliz.* 10. *Eng.*

the ſame, upon paine that all and every perſon or perſons makeing default therein ſhall forfeit and looſe twentie pounds.

A perſon occupying a plowland in ſeveral pariſhes, chargeable only where he dwells.

VI. And be it further enacted by the authority aforeſaid, That all and every perſon or perſons that hereafter ſhall occupie or plow land in tillage or paſture, lying or being in ſeverall pariſhes, ſhall be chargeable to the making of the highwayes and caſhes, and cutting or cleering of paces within the pariſhes where he dwelleth, as farre forth and in ſuch manner and forme, as any perſon having a plowland in any pariſh ought to be chargeable by this act as aforeſaid; and that everie perſon or perſons occupying or keeping in his or their hand or poſſeſſion ſeverall or divers plowlands as aforeſaid, in ſeverall or divers pariſhes, ſhall be charged to find in each pariſh, where the plowlands being in his occupying doe lie, one cart, wayne, tumbrell, dung-pott or courtſlad, carrs or dregs furniſhed, and two men and other things as before, for the amendment and repairing of the highwayes, making of caſhes and clearing of paces within the ſeveral pariſhes where the ſaid plowlands doe lie, in ſuch manner and forme as if he or they were a pariſhioner, dwelling within the pariſhes where the ſame ſeverall plowlands doe lye.

Several plowlands in ſeveral pariſhes, chargeable in each.

VII. And for the better keeping of the highwayes paſſable for his Majeſties ſubjects; be it enacted by the authority aforeſaid, That no perſon or perſons having any ground by leaſe or otherwiſe, adjoyning to any highway or common fayring way, leading to any market towne, ſhall caſt or ſcoure any ditch, and throw and lay the ſoyle thereof into the highway, and ſuffer it to lye there by the ſpace of ſix moneths, to the annoyance of the ſaid highway, or common fayring way, upon payne of forfeyture for every load of ſoyle ſo caſt into the highway or common fayring way, in ditching or ſcouring twelve pence; and where any heretofore have been ſo caſt into the highwayes or common ſpring way, that there is a banke between the ſaid way and ditch, that it ſhall be lawfull for the ſupervisors and workmen, appointed for the amendment of the ſaid highwayes, to make ſluices or other deviſes, by their diſcretions, to convey the water out of the ſaid way into the ditch; any law, right, intereſt, cuſtom, or uſage notwithſtanding.

Perſons ſcouring ditches, and caſting the ſoil in the highway, and ſuffering it to lye ſix months, penalty 12d. *per* load.

Supervisors to make ſluices to convey water into the ditch.

VIII. And be it further enacted by the authoritie aforeſaid, That all and every juſtices of aſſize, juſtices of oyer and terminer, and juſtices of the peace in their ſeſſions, and ſtewards of leetes and law dayes, in their leettes and law dayes, ſhall enquire of, and heare and determine all and every offence, matter and cauſe, that ſhall grow, come or ariſe by reaſon of this ſtatute, and to aſſeſs ſuch reaſonable fines and amerciaments for the ſame as by them ſhall be thought meet; and that all and every penaltie, ſumme or ſumms of money forfeyted, or to be impoſed for any cauſe within this ſtatute, ſhall be levied in every pariſh by the ſurveyors of the wayes within that pariſh, for the time being, by diſtreſſe and ſale of diſtreſſes, in manner and

Who may determine offences againſt this act.

And aſſeſs fines.

To be levied by diſtreſs and ſale.

A. D. 1612.

forme as fines and amerciaments in leetes have been uſed, and the money ſo levied, to be employed upon the high-way, or common fayring way where the offence was committed, within one yeare; and the ſaid ſurveyors ſhall at leaſt once every yeare, at the quarter ſeſſions to be holden for the ſaid countie, make a true accompt before the juſtices of the peace there, or any two of them, whereof one to be of the *quorum*, and ſhall make payment of all ſuch ſumes of money to the ſurveyors, to be appointed for the yeare next following, as he or they ſhall have collected upon the eſtreates thereof to be made unto them, upon paine to forfeit for every time he ſhall not ſo doe, forty ſhillings *ſterl.* and to be committed untill they make paiment thereof, and the clerke of the crowne or of the peace, and the ſteward of every leete ſhall make eſtreates indented, of all the fines, forfeitures, and amerciaments upon the ſayd defaultes, and ſhall deliver the one part thereof to the ſurveyors of every pariſh, where the ſaid offence was committed, yearely within ſix weekes after the feaſt of Saint Michael the archangell, and the ſaid ſurveyors upon their accompt ſhall have allowed for every pound he ſhall collect and pay, eight pence for his own paynes, and xii. d. Engliſh for the fees of the clerke of the crowne, clerke of the peace, or ſteward of the leet for the eſtreates indented of every ſeverall pariſh, that they ſhall deliver as is aforeſaid.

And employed on the highways within one year.

Surveyors to account once every year at quarter ſeſſions,

And pay to their ſucceſſors on pain of 40s. and commitment.

Clerk of the crown, &c. to make eſtreats, and deliver one part to ſurveyors in ſix weeks after Michaelmas.

Surveyors allowed 8d. *per* pound,

Fees of clerk of crown, &c. 12d. Engliſh.

CHAP. VIII.

An Act for the avoyding of privie and ſecret Outlawries of his Majeſties Subjects in perſonall Actions.

31 *Eliz.* 3. *Eng.* 6 *Anne* 15.

WHEREAS before this time, divers of his Majeſties ſubjects of this his Highneſſe realm of Ireland, have been grievouſly troubled and dampnified by reaſon of outlawries had againſt them, in ſundry actions perſonall in forein counties, at the ſuit of divers perſons, who many times have attempted ſuch actions perſonall more for malice then for any juſt cauſe of action they have againſt the parties defendants, named in the ſame, and ſometimes their attourney, of purpoſe for lucre of fees, have layed the ſaid actions in foreine counties, and of which outlawries ſo had in foreine counties, the parties defendants, named in ſuch foreine actions, had never knowledge nor monition, untill ſuch time as the outlawries were had againſt them and certified, and ſome of them never came within the countie where ſuch actions were againſt them ſued, nor never were dwelling nor converſant within the ſaid countie; yet nevertheleſſe the parties ſo outlawed in foreine counties, have thereby been much moleſted and troubled to their great charge, and loſt their goods and ſubſtance to their utter undoing. Wherefore for avoyding of ſuch outlawries upon ſuch ſuits hereafter to be ſued,

Outlawries in actions perſonal in foreign counties, thro' malice.

Of which defendants never had knowledge or monition.

Remedy.

A. D. 1612. Chap. 7.

ſued, the King our Soveraign Lord, gratiouſly intending the peace and good of his ſaid ſubjects, and that indifferent juſtice ſhould be adminiſtred unto every perſon, and that every perſon ſhould have lawfull knowledge and monition of ſuch actions, as hereafter be to be attempted and ſued againſt him in any of the King's courts, have by the aſſent of the lords ſpirituall and temporall, and the commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, ordeyned, eſtabliſhed and enacted; and be it enacted, That from and after the end of the term next enſuing the end of this preſent ſeſſion of Parliament, in every action perſonall, wherein any writ of exigent ſhall be awarded out of any court, one writ of proclamation ſhall be awarded and made out of the ſame court, having day of *teſte* and retourne as the ſaid writ of exigent ſhall have, directed and delivered of record unto the ſheriffe of the countie where the defendant, at the time of the exigent ſo awarded, ſhall be dwelling, which writ of proclamation ſhall conteyne the effect of the ſame action, and that the ſheriffe of the countie, unto whom any ſuch writ of proclamation ſhall be directed, ſhall make three proclamations in this forme following, and not otherwiſe, that is to ſay, one of the ſaid proclamations in the open court, and another of the ſame proclamations to be made at the generall quarter ſeſſions of the peace in thoſe parts, where the partie defendant, at the time of the exigent awarded, ſhall be dwelling; and one other of the ſaid proclamations, to be made one month at the leaſt before the *quintus exactus*, by vertue of the ſaid writ of exigent, at or neer to the moſt uſuall doore of the church or chappell, or in caſe there be no church or chappell, in the church-yard of that towne or pariſh where the defendant ſhall be dwelling at the time of the ſaid exigent ſo awarded; and if the defendant ſhall be dwelling out of any pariſh, then in ſuch place as aforeſaid, of the pariſh in the ſaid countie, and next adjoyning to the place of the defendant's dwelling, and upon a Sunday; and that all outlawries had and pronounced after the end of the term next enſuing the end of this preſent ſeſſion of Parliament; and no writ of proclamations awarded and retorned according to the forme of this ſtatute, ſhall be utterly voyd and of none effect; and that the officer in whoſe office the ſaid writs of exigents and proclamations ſhall be made, ſhall take no more for the making of any ſuch writs or proclamations, or the entring of the ſame of record, but ſixe pence ſterling; and that the ſheriffe for makeing of the ſaid proclamation at or neere to the church or chappel door as aforeſaid, ſhall have twelve pence ſterling and no more.

Where exigent awarded.

Teſte and return.

Proclamations.

Officer's fees, 6d.

II. And be it further enacted by the authority aforeſaid, That before the allowance of any writ of errour, or reverſing of any outlawrie be had by plea or otherwiſe, through or for want of any proclamation to be had or made, according to the forme of this ſtatute, after the end of this preſent ſeſſion of Parliament, the defendant

Before writ of error allowed, defendant muſt give bail to appear, &c.

A. D. 1612.

fendant and defendants in the originall actions ſhall put in good and ſufficient bayle, not onely to appeare and anſwere to the plaintants in the former ſuits, in a new action to be commenced by the ſaid plaintiffe in the cauſe mentioned in the firſt action, but alſo to ſatisfie the condempnation, if the plaintife ſhall begin his ſuite within two termes next after the allowing of the writ of errour, or otherwiſe avoyding of the ſaid outlawries.

Penalty 40s. upon attorney not iſſuing the proclamation,

III. And it is further enacted by the authority aforeſaid, That if any attorney or attorneys, ſhall iſſue and make forth any writ or writs of exigent, after the end of the term next enſuing the end of this preſent ſeſſion of Parliament, without making and iſſuing one writ of proclamation in manner aforeſaid, together with the ſaid writ of exigent, ſhall forfeyt and loſe fortie ſhillings ſterling for every ſuch writ of exigent ſo iſſued, without one ſuch other writ of proclamation; the one moyetie of the ſaid forfeiture to be to the partie grieved that will ſue for the ſame, by bill or playnt in the ſame court out of which ſuch writ of exigent ſhall iſſue, and the other moyetie to the poor, to be diſtributed and diſpoſed of by the diſcretion of the judges of the ſame court.

half to the party grieved,

half to the poor.

CHAP. IX.

An Act for the King's Majeſtie's moſt gracious, general and free Pardon.

The cauſes and ends of this pardon.

THE King's Majeſtie moſt graciouſly conſidering the good will and faithfull hearts of his moſt loving ſubjects, which as at all times, ſo at this preſent eſpecially, they having with moſt dutifull affection ſhewed towards his Highneſſe; and underſtanding that the ſame his loving ſubjects have many and ſundry wayes, by the lawes and ſtatutes of this realme, fallen into the danger of diverſe great penalties and forfeytures, is of his princely and merciful diſpoſition, moſt graciouſly inclined by his liberall and free pardon to diſcharge ſome part of thoſe great paynes, forfeytures and penalties, wherewith his ſaid ſubjects ſtand now burdened and charged, truſting they will be thereby the rather moved and induced from henceforth more carefully to obſerve his Highneſs lawes and ſtatutes, and to continue in their loyal and due obedience to his Majeſtie: and therefore his Majeſtie is well pleaſed and contented, that it be enacted by the authority of this preſent Parliament, in manner and form following, (that is to ſay) That all and every the ſaid ſubjects, aſwell ſpirituall as temporal, of this his Highneſſe realm of Ireland, the heyres, ſucceſſours, executors and adminiſtrators of them, and every of them, and all and ſingular bodies corporate, cities, boroughes, ſhires, hundreds, baronies, townes, villages, hamlets, and tythings, and every of them, and the ſucceſſor and ſucceſſors of every of them,

The general pardon.

ſhall

ſhall be by the authoritie of this preſent parliament acquitted, pardoned and releaſed, and diſcharged againſt the King's Majeſtie, his heires and ſucceſſors, and every of them, of all manner of treaſons, felonies, offences, contempts, treſpaſſes, entrees, wrongs, deceipts, miſdemeanors, forfeytures, penalties, and ſummes of money, paynes of death, paynes corporall and pecuniarie, and generally of all other things, cauſes, quarrels, ſuites, judgements and executions, in this preſent act hereafter not excepted nor forepriſed, which may be, or can be by his Highneſſe in any wiſe, or by any meanes pardoned before, and unto the firſt day of this ſeſſion of Parliament, to every or any of his ſaid ſubjects, bodies corporate, cities, boroughs, ſhires, baronies, hundreds, townes, villages and tythings, or any of them. And alſo the King's Majeſtie is contented that it be enacted by the authoritie of this preſent Parliament, That his free pardon ſhall be as good and effectuall in the law to every of his ſaid ſubjects, bodies corporate, and others before rehearſed, in, for, or againſt all things which be not hereafter in this preſent act excepted and forepriſed, as the ſame pardon ſhould have bin, if all offences, contempts, forfeitures, cauſes, matters, ſuites, quarrels, judgments, executions, penalties, and all other things not hereafter in this preſent act excepted and forepriſed, had bin particularly, ſingularly, ſpecially and plainly named, rehearſed, and ſpecified, and alſo pardoned by proper and expreſſe words and names, in their kindes, natures and qualities, by words and termes thereunto requiſite to have been put in, and expreſſed in this preſent act of free pardon. And that his ſaid ſubects, nor any of them, nor their executors or adminiſtrators of any of them, nor the ſaid bodies corporate, and other before named and rehearſed, nor any of them be, nor ſhall be ſued, vexed or inquieted in their bodies, goods, chattels, lands, or tenements, for any manner of matter, cauſe, contempts, miſdemeanors, forfeitures, treſpaſſe, offence, or any other thing ſuffered, done, or committed before the ſaid firſt day of this preſent ſeſſion of Parliament, againſt his Highneſſe, his crowne, dignitie, prerogative, lawes or ſtatutes, but only for ſuch matters, cauſes, and offences as be rehearſed, mentioned, or in ſome wiſe touched in the exceptions of this preſent act, hereafter mentioned to be forepriſed and excepted, and for none other: any ſtatute or ſtatutes, lawes, cuſtomes, or uſages, heretofore had, made or uſed, to the contrary in any wiſe notwithſtanding. And the King's Highneſſe, of his bounteous liberality, by the authority of this preſent Parliament, graunteth and freely giveth to every of his ſaid ſubjects, and to every of the ſaid bodies corporate, and other before rehearſed, and every of them, all goods, chattels, debts, fines, iſſues, profites, amerciaments, forfeytures, and ſummes of money, by any of them forfeited, which to his Highneſſe doe or ſhould belong or appertaine, by reaſon of any offence, contempt, treſpaſſe, miſdemeanor, entry, matter, cauſe, or quarrel, done or committed by them, or any of them, before the ſaid firſt day of this

All things not excepted pardoned, as if particularly named.

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preſent ſeſſion of Parliament, which be not hereafter in this preſent act forepriſed and excepted.

II. And be it enacted nevertheleſſe, that all grants thereof made by any ſuch as have ſo forfeited the ſame, and are hereby reſtored as aforeſaid, and all executions thereof, or of any part thereof had againſt any ſuch, after ſuch forfeiture thereof had, committed or made, ſhall be of ſuch force and effect, as if no ſuch forfeiture thereof had beene had or made, and of no other: the ſame forfeyture, or any thing before in this act to the contrary notwithſtanding.

This act may be pleaded.

And that all and every the King's ſaid ſubjects, and all and ſingular bodies corporate and others before rehearſed, may by him or themſelves, or by his or their deputy or deputies, or by his or their attourney or attourneys, according to the lawes of this realme, pleade and miniſter this preſent act of free pardon for his or their diſcharge, of and for any thing that is by virtue of this preſent act pardoned, diſcharged, given or graunted, without any fee or other thing in any wiſe, paying to any perſon or perſons for writing or entry of the judgements, or other cauſe concerning ſuch plea, writing or entry, but onely ſixteen pence to be paied to the officer or clerke that ſhall enter ſuch plea, matter or judgment, for the parties diſcharged in that behalfe: any law, ſtatute, uſage or cuſtome, to the contrary notwithſtanding.

Paying only 16d. to the clerk entering ſuch plea.

To be expounded in all courts moſt beneficially for the ſubject.

III. And furthermore the King's Highneſſe is contented and pleaſed, that it be enacted by the authority of this preſent Parliament, that his ſaid free pardon, by the generall wordes, clauſes and ſentences before rehearſed, ſhall be reputed, deemed and adjudged, expounded, allowed, and taken in all manner of courts of his Highneſſe, and elſewhere, moſt beneficiall and available to all and ſingular his ſaid ſubjects, bodies corporate, and others before rehearſed, and to every of them in all things not in this preſent act excepted or forepriſed, without any ambiguity, queſtion, or other delay whatſoever, that ſhall be to be made, pleaded, objected, or alleadged by the King our ſoveraigne Lord, his heyres or ſucceſſours, or by his, or any of their generall attorney or attourneys, or by any perſon or perſons, for his Highneſſe, or any of his heyres or ſucceſſours.

Penalty upon any officer making out writs, or diſturbing perſons pardoned.

IV. And furthermore it is enacted by the King our ſoveraigne Lord, by the authority of this preſent Parliament, That if any officer or clearke of any his Highneſſe courtes, commonly called the chauncery, King's bench and common place, or of his exchequer, or any other officer or clearke of any other his Highneſſe courtes within this realme, at any time after the laſt day of this preſent ſeſſion of Parliament, make out, or write out any manner of writs, proceſſe, ſummons, or other precepts, whereby any of the ſaid ſubjects, or any of the ſaid bodies corporate, or others before rehearſed, or any of them, ſhall be in any wiſe arreſted, attached, diſtrained, ſummoned, or otherwiſe vexed, inquieted or grieved, in his or their

bodies, lands, tenements, goods or chattels, or in any of them, for or becauſe of any manner or thing pardoned or diſcharged by virtue of this act of free pardon; or if any ſherife or eſcheator, or any of their deputy or deputies, or any bayliffe or other officer whatſoever, by colour of his or their office or otherwiſe, after the ſaid laſt day of this preſent ſeſſion of Parliament, doe levye, receive, take or withhold, of or from any perſon or perſons, any thing pardoned or diſcharged by this act, that then every ſuch perſon ſo offending, and thereof lawfully convicted or condemned by any ſufficient teſtimony, witneſſe or proofe, ſhall yeeld and pay for recompence thereof, to the party ſo grieved or offended thereby, his or their treble damages, beſides all coſtes of the ſuite, and ſhall alſo forfeite and looſe to the King's Majeſtie, for every ſuch default ten poundes; and nevertheleſſe all and ſingular ſuch writs, proceſſe and precepts ſo to be made for, or upon any manner of thing pardoned or diſcharged by this preſent act of free pardon, ſhall be utterly void and of none effect. Except and alwayes forepriſed out of this generall and free pardon, all and all manner of high treaſons, and other offences committed or done by any perſon or perſons, againſt the King's moſt royal perſon, and all conſpiracies and confederacies trayterouſly had, committed, or done by any perſon or perſons againſt the King's Majeſties royal perſon, and all, and all manner of levying of warre, and all rebellions and inſurrections whatſoever had, made, or committed, or done, at any time ſithence the beginning of his Majeſties raigne; and alſo excepted all and every manner of treaſons committed or done by any perſon or perſons, in the parts beyond the ſeas, or in any other place out of the King's dominions, ſithence the beginning of his Majeſties raigne; and alſo all ſuites, puniſhments, executions, paynes of death, forfeitures and penalties, for, or by reaſon or occaſion of any the treaſons and offences before rehearſed. And alſo excepted out of this pardon, all offences of forging and falſe counterfeyting the King's Majeſty his great or privy ſeal, ſigne manuall, or privy ſignet, or of any the monies currant within this realm, and alſo all offences of unlawfull diminiſhing of any the ſaid monies, by any wayes or meanes whatſoever, contrary to the lawes and ſtatutes of this realm, at any time ſithence the beginning of his Majeſties raigne; and alſo all miſpriſions and concealments of any the high treaſons aforeſaid, and alſo all abetting, ayding, comforting, or procuring of the ſame offences, or any of the ſaid treaſons committed or done ſithence the beginning of his Majeſties raigne. And alſo excepted out of this pardon, all manner of voluntary murders, petit treaſons, and wilfull poyſonings done or committed by any perſon or perſons ſithence the beginning of his Majeſties raigne; and all and every the acceſſaries to the ſaid offences or any of them, before the ſaid offences committed. And alſo excepted and forepriſed out of this generall pardon, all and every offences of pyracy, and robbery done upon the ſeas ſithence the beginning of his Majeſties raigne. And alſo excepted out of this

Treble damages, beſides coſts. and 10l. to the King.

Offences excepted.

High treaſon and other offences againſt the King's perſon.

Rebellions, &c. ſince beginning of his reign.

Counterfeiting the great or privy ſeal, &c. or current money, or diminiſhing the ſame.

Miſpriſion of high treaſons aforeſaid. Aiders and abettors.

Voluntary murders, poiſonings, petit treaſons,

piracy.

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pardon, all burglaries, committed or done in any dwelling houſe or houſes, and all acceſſaries to any the ſaid burglaries, before the ſaid burglary committed, within one year before the beginning of this preſent ſeſſion of Parliament. And alſo excepted, all robberies done upon or to any mans or womans perſon in the high way, or elſewhere, and all and ſingularly acceſſaries of, or to any ſuch robberies before the ſaid robberies committed, within one year before the firſt day of this preſent ſeſſion of Parliament. And alſo excepted, the felonious ſtealing of any horſe, gelding, garran, or mare, and all acceſſaries thereunto before the ſame felony committed, and all judgements and executions of and for the ſame, within one yeare next before the beginning of this preſent ſeſſion of Parliament: and alſo all wilful burnings of any dwelling houſe or houſes, or any barne or barnes, wherein any corne was, committed or done at any time ſithence the beginning of his Majeſties raigne. And alſo excepted, all rapes and carnal raviſhments of women, and alſo raviſhmentes and wilful taking away, or marrying any mayde, widdowe or damoſel, againſt her will, or without the aſſent or agreement of her parents, or of ſuch as then had her in cuſtodie, committed or done within one yeare before the beginning of this preſent ſeſſion of Parliament. And alſo all offences of ayding, comforting, procuring or abetting of any ſuch raviſhment, wilful taking or marrying, had, committed or done. And alſo excepted out of this pardon, all perſons now attainted or outlawed of or for any treaſon, petit treaſon, murder, wilfull poyſoning, burglary or robbery, and all executions of, and for the ſame. And alſo excepted, all offences of invocations, conjurations, witchcraftes, ſorceries, inchantmentes and charmes, and all offences of procuring, abetting or comforting of the ſame; and all perſons now attainted and convicted of any the ſaid offences, at any time ſithence the beginning of his Majeſties raigne. And alſo excepted, all and every manner of taking from the King's Majeſty of any the goods or chattels, or the iſſues, rents, revenues, or profites of any mannors, landes, tenementes and hereditaments, which were of any traytor, murderer, felon, clerke or clerkes, attainted, or fugitives, or any of them. And alſo excepted, all goods and chattels in any wiſe forfeited to the King's Majeſty, by reaſon of any treaſon, petit treaſon, murder or felony, heretofore committed or done. And alſo excepted, all offences of or in making, writing, printing, or publiſhing, or in conſenting to the making, writing, printing, or publiſhing of any falſe, ſeditious, or ſlanderous booke or bookes, libell or libells, in any wiſe, againſt the King's Majeſty, or the preſent government of this realm, in caſes either eccleſiaſticall or temporall, or againſt any perſon or perſons whatſoever. And alſo excepted out of this pardon, all intruſions had, or made, or done, by any perſon or perſons, in or upon any of the mannours, lands, tenementes, or other hereditamentes of our ſaid ſoveraigne lord the King, and all waſtes done, committed or ſuffered upon any ſuch

burglaries, robberies,

ſtealing horſes,

wilfull burnings.

Rapes, taking and marrying women againſt conſent.

Perſons now attainted or outlawed for treaſon, &c.

Witchcraft.

Taking from the King goods or revenues of traitors, &c.

Making ſeditious books or libels.

Intruſions upon waſtes, and wrongful taking the profits of King's lands.

landes, tenements, or hereditaments, and the wrongfull taking of any the rents, iſſues, and profits of the ſame mannours, lands, tenements, or hereditaments of our ſaid ſoveraign lord the King at any time ſithence the beginning of his Majeſties raign; and alſo all ſuits, accompts, and impetitions, of and for the ſame: and alſo excepted out of this pardon all alienations of any lands, tenements, or hereditaments, without licence, and all fines, iſſues, and profits, that may or ought to grow or come to the King's Majeſty by reaſon of any ſuch alienations without licence at any time ſithence the beginning of his Majeſties raign. And alſo excepted out of this pardon all waſtes committed or done in any of the King's wards lands, or in the wards lands of any of the King's committees; and alſo all and every fine and fines for the ſingle and double value of the marriage or marriages of all and every ward or wards, at any time heretofore growen to the King's Majeſty, ſithence the beginning of his Majeſties raigne: and alſo excepted concealed wards, and the lands of ſuch wards concealed, and all liveries and primer ſeiſins, and ouſterlemains, that ought to be had, done, or ſued for the ſame ſithence the beginning of his Majeſties raign: and alſo excepted out of this general pardon all raviſhments, and wrongfull taking or withholding of any the King's ward or wards lands, or the rents and profits of the ſame, at any time comming or growen to the King's hands ſithence the beginning of his Majeſties raign; and every thing that by reaſon of any ſuch ward or wards lands, and for default of ſuing or proſecuting of any livery for any ſuch wards lands, ought to come or be to the King's Majeſty, and which as yet is not diſcharged: and alſo excepted all fines that ſhould or ought to grow to the King's Majeſty of any his widows, that have married without licence ſithence the beginning of his Majeſties raign.

Alienations without licence.

Waſte in the lands of wards of the King, and fines for value of the marriage.

Concealed wards.

Raviſhment of ſaid wards, or wrongful taking profits of their lands.

Fines of widows married without licenſe.

V. Provided alwayes, and be it enacted by the authority of this preſent Parliament, That the King's Majeſty, his heyres and ſucceſſours, ſhall have and enjoy the full and whole intereſt, benefit, profit, and advantage of all wardſhips, liveries, primer ſeiſins, and ouſterlemains of lands, tenements, and hereditaments, and all mean iſſues and profits, for not proſecuting or not ſuing of any livery or ouſterlemain, happening, growing, or accruing ſithence the beginning of his Majeſties raign, as if this act had never been had or made; and that all and every perſon and perſons which have tendered or ought to ſue his, her, or their, or any of their liveries or ouſterlemains for any mannors, lands, tenements, or hereditaments, whatſoever they be, ſhall ſue his, her, or their livery and liveries and ouſterlemains out of our ſaid ſoveraign lord the King's hands, and ſhall anſwer and pay the fines, iſſues, and mean profites, for his or their mannours, lands, tenements, and hereditaments, which have growen or accrued ſince the beginning of his Majeſties raign, in like manner and form to every reſpect as they and every of them ſhould or ought to have done, if this act had never been had ne made,

Provided that livery and ouſterlemaine ſued, and fines and meſne profits paid to the King, tho' no office found.

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made, notwithſtanding the not finding of any office or offices, or any other matter whatſoever; any article, thing or things, in this preſent act of general pardon compriſed and ſpecifiied to the contrary notwithſtanding: and alſo excepted and forepriſed out of this pardon all ſuch perſons as the laſt day of this preſent ſeſſion of Parliament be in priſon within the caſtle of Dublin, or in the priſon of Marſhalſie, or otherwiſe reſtrained of liberty by expreſſe commandement of the lord deputy, or by the commandement or direction of any of his Majeſties privy council.

Perſons fled for treaſon, &c.

VI. And alſo excepted out of this pardon all and every ſuch perſon and perſons, which at any time ſithence the beginning of the King's Majeſties raigne, have fled out of this realm of Ireland or any other the King's dominions for any offence of high treaſon, petit treaſon, or miſpriſion of treaſon: and alſo excepted all ſuch perſons as be gone or fled out of this realm for any cauſe contrarie to the laws and ſtatutes of this realm without the King's Majeſties licence: and alſo excepted all ſuch perſons, as have obtained and had licence to depart this realme for certaine time, and now doe abide out of this realm without any lawfull excuſe, after the time of their licence expired: and alſo excepted out of this pardon all and every concealments or wrongfull detainments of any cuſtom or ſubſidie due to the King's Majeſtie ſithence the beginning of his Majeſties raigne, and all corruptions and miſdemeanors of any officer or miniſter of or concerning any cuſtome or ſubſidie, and all accompts, impetitions, and ſuites to be had, made, or done for the ſame: and alſo excepted all and ſingular accounts of all and every collector and collectors of any ſubſidie, cuſtome, impoſition, compoſition, or other thing, and all accounts of every other perſon whatſoever that ought to be accomptant to the King's Highneſſe, and the heyres, executors, and adminiſtrators of every ſuch perſon, that ought to accompt for all things touching onely the ſame accompts, and all and ſingular arrerages of accompts, and all untrue accompts, and all petitions, charges, and ſeiſures, ſuites, demaunds, and executions, which may or can be had of or for any accompts, or any arrerages of the ſame: and alſo excepted all titles and actions of *quare impedit*, and all homages, reliefe and reliefes, heriots, rentes ſervices, rent charges, rent ſeckes, and the arrerages of the ſame, not done or payed to the King's highneſſe: and alſo excepted all conditions and covenants, and all penalties, titles, and forfeytures of condition or conditions, covenant or covenants, accrewed or growen to the King's Majeſtie by reaſon of the breach and not performing of any covenant or conditions: and alſo excepted all ſummes of money graunted by the King's Majeſtie, or any his noble progenitors; and all concealments, fraudes, and offences, by which his Majeſtie hath been deceyved, or not truely anſwered of or for the ſame: and alſo excepted out of this pardon all debtes, which were or be due to our ſoveraign lord

or ſtaying after licence expired.

Concealment, &c. of cuſtom or ſubſidy, and accomptants to the King.

Quare impedit, rents, &c.

Breach of conditions and covenants.

Concealments, deceits.

What debts to the King are excepted.

lord the King, or to the moſt noble Queen Elizabeth of famous memorie, or to any perſon or perſons for or to any of their uſes by any condempnation, recogniſance, obligation, or otherwiſe, other then ſuch debts as are due upon any obligation or recogniſance, forfeyted before the firſt day of this preſent ſeſſion of Parliament, for not appearance in any court or other place whatſoever, or for not keeping of the peace, or not being of good behaviour, which debts growen and accrued upon theſe caſes, by this free pardon be, and ſhall be freely pardoned and diſcharged: and alſo excepted, and forepriſed out of this pardon, all and ſingular penalties, forfeitures, and ſumms of money being due, and accrued to our ſoveraign lord the King, by reaſon of any act, ſtatute or ſtatutes; which forfeitures, penalties, and ſumms of money be converted into the nature of debts by any judgement, order or decree, or by the agreement of the offendour or offendours, ſithence the beginning of the reign of the late Queen Elizabeth. And alſo excepted all forfeytures of leaſes, eſtates or intereſts of any lands, tenements, or hereditaments, holden of our ſoveraign lord the King's Majeſtie by knight ſervice, or in ſocage in capite, or otherwiſe by knights ſervice made in one or ſeverall aſſurances or leaſes, for any term or terms of yeares, whereupon the old and accuſtomed rent, or more is not reſerved. And alſo excepted, all firſt fruites at this preſent being due, to be paid to his Majeſtie by force of any act or ſtatute or otherwiſe: and alſo excepted, all penalties and forfeitures whereof there is any verdict in any ſuit given or paſt for the King's Majeſtie: and alſo excepted, all forfeitures and other penalties, and profits now due, accrued and grown, or which ſhall or may be due, accrewed, or growing to the King's Majeſtie, by reaſon of any offence, miſdemeanor, or contempt, or other act or deed ſuffered, had, committed, or done contrarie to any act, ſtatute or ſtatutes, or contrarie to the common laws of this realm, and whereof, or for the which any action, bill, playnt or information, at any time within eight years next before the laſt day of this preſent ſeſſion of Parliament, hath been or ſhall be exhibited, commenced, or ſued in the Courts of Caſtle-chamber, or in any the King's Majeſties courts at Dublin, and now is, or the ſaid laſt day of this ſeſſion of Parliament ſhall be there depending, and remayning to be proſecuted, or whereof the King's Majeſty by his bill aſſigned, hath heretofore made any gift or aſſignment to any perſon or perſons. And alſo excepted out of this generall and free pardon, all offences, contempts, diſorders, covens, frauds, deceipts and miſdemeanors whatſoever heretofore committed or done by any perſon or perſons, and whereof or for the which any ſuit by bill, playnt or information, at any time within four years next before the laſt day of this ſeſſion of Parliament, is or ſhall be commenced or exhibited in the court of Caſtle-chamber, and ſhall bee there the ſame laſt day of this ſeſſion of Parliament depending, or whereupon any ſentence, or decree is

Penalties by ſtatutes.

converted into debts by judgment, &c.

Forfeitures of land held by knight ſervice, &c.

Firſt fruits.

Forfeitures upon verdict, or for which information, &c. ſued in 8 years before the laſt day of the ſeſſion, or aſſignment made.

Offences ſued for within 4 years.

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given or entered. And alſo excepted out of this pardon, all offences of perjuries and ſubornations of witneſſes, and offences of forging and counterfeyting of any falſe deeds, eſcriptes or writings, and all procuring and counſelling of any ſuch counterfeyting or forging to be had or made. And alſo excepted out of this pardon all offences of inceſt, adultery, fornication and ſimony, and all ſuch uſury for which any intereſt hath been received or taken ſince the firſt day of this preſent ſeſſion of Parliament, and all miſdemeanours and diſturbances committed or made in any church or chappell in the time of common prayer, preaching or divine ſervice there uſed, to the diſturbance thereof, and all outlawries and proſecutions upon the ſame. And alſo excepted, all offences whereby any perſon may be charged with the penaltie and daunger of premunire, and of the which offence or offences any perſon ſtandeth alreadie indicted, or otherwiſe lawfully condempned or convicted. And alſo excepted, all dilapidations for which any ſuit is, or before the end of this ſeſſion of Parliament ſhall be depending. And alſo excepted, all offences in taking away, imbeaſeling or purloyning any the King's Majeſties goods, mony, chattles, jewels, armour, munition, ordnance, or other habiliments of war. And alſo excepted out of this pardon, all manner of extortions whatſoever; and alſo excepted all covines, frauds, decipts, and other diſorders and miſdemeanours whatſoever heretofore committed, or done by any ſteward of his Majeſties mannours or courts, underſheriffe, or by any officer or miniſter in any of his Highneſs courts, in or by reaſon or colour of any of their offices or places, or any their deputies or clerks, and all offences of ayding, comforting, aſſiſting or procuring of any underſherife, or any ſuch officer, miniſter, or clerke, in continuing doing or executing any ſuch extortion, exaction, covin, fraude, deceipt, diſorder, or miſdemeanor. And alſo excepted out of this pardon, all iſſues, fines, amerciaments being totted, levied or received by any ſherife, underſherife, baylife, miniſter, or other officer to or for the King's Majeſties uſe or behoofe, before the laſt day of this preſent ſeſſion of Parliament, and all iſſues, fines and amerciaments afferred, taxed, ſet, eſtreated or entred ſeverally, or particularly touching or concerning any one perſon, or more perſons, jointly or ſeverally, above the ſumme of ſix pounds. And alſo excepted, all iſſues, fines and amerciaments afferred, taxed, ſet, or entred ſeverally or particularly in any court of record at Dublin, at any time ſithence the feaſt of Saint Bartholomew laſt paſt; and yet nevertheleſſe all other fines, as well *finis pro licentia concordandi*, as other ſet, taxed, eſtreated or entred afore the ſaid feaſt of Saint Bartholomew; and alſo all iſſues and amerciaments, as well real as others, within any liberties or without, being ſet, taxed, eſtreated or entred afore the ſaid feaſt of Saint Bartholomew, and which ſeverally or particularly extend to, or under the ſumme of ſix pounds, and not above, whether they be

Perjury and ſubornation, Forgery, Adultery, &c.

Simony, Uſury, Diſturbances at Church,

Where a Premunire,

Suit for dilapidations,

Imbezzling the King's goods.

Extortion, covin, &c. by officers or their clerks.

What fines and amerciements excepted.

be eſtreated or not eſtreated, or whether they be turned into debt, or not turned into debt, and not being totted, levied or recovered by any ſheriffe, underſheriffe, miniſter, or other officer to or for the King's Majeſties uſe or behoof, before the laſt day of this preſent ſeſſion of Parliament, ſhall be freely, cleerly and plainly pardoned and diſcharged againſt the King's Majeſty, his heyres and ſucceſſours for ever, by force of this preſent act of free pardon; and yet nevertheleſs all eſtreates of ſuch fines, iſſues and amerciaments, as be now pardoned by this act, and which be already eſtreated forth of the court of Exchequer, and be remaining in the hand of the ſheriff, under-ſheriff, or bayliff, for collecting of the ſame fines, iſſues and amerciaments, ſhall upon the return of the ſame eſtreats be orderly charged and delivered by ſcrowls into the office of the pipe in the court of Exchequer, as heretofore hath been accuſtomed, to the intent that thereupon order may be taken, that his Majeſty may be truly anſwered of all ſuch fines, iſſues and amerciaments not by this act pardoned, and which any ſheriff, underſheriff, bayliff, or other officer or miniſter hath received, or ought to anſwer by force or colour of any ſuch eſtreate, proceſſe or precept, to him or them made for the levying thereof: and yet notwithſtanding all and every ſheriff and ſheriffs, and other accomptants, upon his or their petition or petitions to be made for the allowance of any ſuch fines, iſſues and amerciaments, as by this act pardoned, ſhall have all and every ſuch his and their petition allowed in his or their accompt and accompts, without paying any fee or reward to any officer, clerk or other miniſter, for the making, entring and allowing of any ſuch petition or petitions; any uſage or cuſtome to the contrary notwithſtanding. And alſo excepted out of this pardon, all goods, chattels, debts, actions and ſuits already forfeited, or whereof any right or title is accrued and growen to the King's Majeſty by reaſon of any outlawry, and whereof the King's Majeſty by his Highneſſe letters patents hath, before the laſt day of this preſent ſeſſion of Parliament made any grant, covenant or proviſo to any perſon or perſons. And alſo excepted out of this pardon all ſuch perſons as be and remain ſtill attainted or condempned, and not already pardoned, of or for any rebellion or levying of warre, or of or for any conſpiracy of any rebellion or levying of warre within this realm, or in any other the King's dominions. And alſo excepted, all falſe forging and counterfeiting of any commiſſion or commiſſions, to enquire of any lands, tenements, or hereditaments: and alſo all falſe forging and counterfeiting of any untrue certificate, or return of any commiſſion or commiſſions obtained or gotten of any court or courts, to enquire of any lands, tenements, or other things whatſoever, and all, and all manner of falſifying of any particular, or of any bill or bills ſigned by his Majeſty after the ingroſſing thereof, and before the paſſing of the ſame unto the great ſeal.

Eſtreats of ſuch fines as are pardoned, ſhall yet be delivered into Exchequer as heretofore.

Accomptants upon petition ſhall without fee be allowed in their accounts ſuch fines as are pardoned.

Forfeitures upon outlawry, granted by the King, excepted.

Thoſe attainted for rebellion, &c. and not already pardoned,

Forging commiſſions of inquiry, and certificates or returns thereof.

Falſifying bills.

A. D. 1612.

Writs of *Capias utlegatum* may be awarded to compel anſwer, and *Scire facias* ſhall be ſued by thoſe outlawed.

VII. Provided alway, and be it enacted by the authority aforeſaid, that it ſhall and may be lawfull to all and every clerk and other officers of the King's courts to award and make writs of *Capias utlegatum* at the ſuit of the party plaintiffe againſt ſuch perſons outlawed, as be pardoned by this act, to the intent to compell the defendant and defendants to make anſwer to the plaintiffe and plaintiffes, at whoſe ſuit he or they were outlawed; and that every perſon ſo outlawed ſhall ſue a writ of *Scire facias* againſt the party and parties, at whoſe ſuit he or they were ſo outlawed before this pardon, in that behalf ſhall be allowed to him or them that is ſo outlawed.

Pardon not to extend to outlaws, till they ſatisfy or agree with the party at whoſe ſuit.

VIII. Provided alſo, and be it enacted by the authority of this preſent Parliament, That this act of general pardon ſhall not in any wiſe extend to any perſon outlawed upon any writ of *Capias ad ſatisfaciendum*, until ſuch time as the perſon ſo outlawed ſhall ſatisfie, or otherwiſe agree with the party at whoſe ſuit the ſame perſon was ſo outlawed or condemned.

CHAP. X.

¶ *An Acte for the grauntinge of one entire Subſidie by the Temporaltye.* Rot. Parl. cap. 5.

THIS your Majeſties realme of Ireland, moſt dread and gratious ſoveraigne hath in former tymes been ſubject to ſo many miſeries, as that yt hath been a continuall burthen to the crowne of Englande, without yielding any retribucion, or returninge of any commodety or proffit to the ſame; and albeyt infinite treaſures have been from tyme to tyme expended in and uppon this kingdom, yet did yt never thereby becomme more rich and wealthie, but continued in want and penurye as yt was before; the true cauſe whereof did ariſe, from the great and long diſcention and troubles which did waſte and depopulate the wholle lande, made all poſſeſſions uncertaine, and diſhabled the ſubject to ymprove the commodities of the ſame. But foraſmuch as ſince the begininge of your Majeſties moſt happie raigne, all the cauſes of warre, diſcention and diſcontentment are taken awaye by the rootinge out of many wicked and ungratefull traytours, by receivinge all the Iriſhrye into your gratious protection, by ſetlinge of your ſubjects eſtates in their landes by your commiſſions for ſurrenders and defective titles, by ſecurynge their lieves as well by generall as particular pardones, by remitting many great arreares of rents, many profits and forfeitures, by confirminge and enlarginge the privileges of your cittyes and townes corporate, by eſtabliſhinge the circuites and viſitacions of juſtice throughout the kingdome, and laſtelie, by the plantacion of Ulſter with Brittiſhe colonies; your Majeſtie nowe beinge in the abſolute and peaceable poſſeſſion of this your vineyard, and haveinge cleered yt from the thornes and briers of rebellion, fenced yt as well with the lawe, as with the ſworde, and planted yt with ſo many civill ſubjects of England and Scotland, maye nowe juſtelye expect ſomme fruite thereof; and therefore we your Majeſties moſt loyall and lovinge ſubjects aſſembled in this preſent Parliament, moſt gratefully acknowledging that they have received from your Majeſtie theiſe ineſtimable benefites before expreſſed, doe with all dutye and humble affeccion preſent unto your Highnes one entire ſubſidye, moſt humblye beſeechinge your Majeſtie to accept thereof, as the firſt fruites of this your poore kingdome of Irelande; and to that ende we humblie beſeeche your Majeſtie, that yt may be enacted, and be yt enacted by the lordes ſpirituall and temporall, and the commons in this preſent Parliament aſ-

Enacting part.

ſembled

ſembled, and by the aucthoritie of the ſame, That your Highneſs your heires and ſucceſſors, ſhall have and receive one entier ſubſidy, to be rated, taxed, levied and paied at twoe ſeverall and equall payments, of every perſon ſpirituall and temporall, of what eſtate or degree he or they be accordinge to the tenor of this act, in maner and forme followinge, that is to ſaye, as well that everye perſon borne within this realme, or other his Majeſties dominions, as all and everye fraternetye, guilde, corporacion, miſterye, brotherhood and communaltye, corporated or not corporated within this realme, or other his Majeſties dominions, beinge woorth three poundes for everye pounde, as well in coyne, and the value of everye pounde that everye ſuch perſon, fraternitye, guilde, corporacion, miſterie, brotherhood and comunaltye corporate or not corporate, hath of his or their owne or any other to his or their uſe. as alſo plate, ſtock of merchandize, all maner of corne and graine, howſeholde ſtuffe, and of all other goodes moveable, as well within this realme, as without, and of all ſuch ſommes of money as to him or theym is or ſhall be owinge, whereof he or they truſte in his or theire conſcience ſuerlye to be paid, except and oute of the premiſſes deducted ſuch ſommes of money as he or they owe, and in his or their conſciences intendeth truely to paye, and excepte alſo the apparell of every ſuch perſon, their wieves and children, belonging to their owne boddies, ſavinge jewels, goulde, ſilver, ſtone and pearle, ſhall pay to and for the ſaid ſubſidye, in twoe ſeverall payments, twoe ſhillings eight pence of every pounde, that is to ſaye, ſixteene pence of every pounde, at everye of the ſaid payments, and alſo everye alyen and ſtranger, borne out of the Kinge's obeiſans, as well deniſens, as others inhabiting within this realme, of every pounde that he or they ſhall have in coyne, and the valewe, of everye pounde in plate corne, or graine, merchandize, howſeholde ſtuffe, or other goods, jewels, chattels, moveable or unmoveable as is aforeſaid, as well within this realme as without, and of all ſommes of money to him or them owinge, whereof, he or they truſte in his or their conſciences to be paid, except and out of the ſame premiſſes, deducted every ſuch ſomme or ſommes of money which he or they doe owe, and in his or their conſcience or conſciences intende trulye to paye, ſhall paye to and for the ſaid ſubſidie, in twoe ſeverall payments, five ſhillings and foure pence of everye pounde, that is to ſaye, twoe ſhillings eight pence of every pounde at everye of the ſaid payments; and alſo that everye alyen, ſtranger borne out of the Kinge's dominions, beinge denizen or not denizen, not beinge contributarie to any the rates aforeſaid, and beinge of the age of ſeaven yeres or above, ſhall paye to and for the ſaid ſubſidye, eight pence for everye polle, at twoe ſeverall payments, that is to ſaye, foure pence for everye polle, at everye of the ſaid payments, and the maſter, or he or ſhe, with whome the ſaid alien is or ſhall be abidinge at the tyme of the taxacion or taxacions thereof, to be charged with the ſame, for lacke of payment thereof.

II. And be yt further enacted by the auctoritye aforeſaid, That every perſon, borne under the Kinge's obeiſance, and everye corporation, fraternitye, guilde, miſterye, brotherhood and communaltye, corporate or not corporate, for everye pounde that everye of the ſame perſons, and everye corporacion, fraternetye, guilde, miſterye, brotherhood and comunaltye, corporate or not corporate, or any other to his or theire uſe, hath in fee ſimple, fee tayle, for terme of liefe, terme of yeares by execucion, wardeſhippe, or by coppie of courte rolle of and in anye honors, caſtles, manors, landes, tenements, rents, ſervices, hereditaments, annuities, fees, corrodyes, or other yearlye profites, of the yearlye value of twentie ſhillings, as well within auncient demeaſnes and other places priviledged, as elſwheare, and ſo upwarde ſhall paie to and for the ſaid ſubſidye, at twoe ſeverall payments, foure ſhillings of and for everie pounde, and everie alien, denizen or not denizen, borne out of his Majeſties obeyſance, in ſuch caſe to paye to and for the ſaid ſubſidye, at twoe ſeverall equall payments, eight ſhillings of everie pounde, and that all ſommes to be preſented and chargeable by this acte, eyther for goods and debtes, or either of them, or for landes and tenements, and other the premiſſes, as is in this act conteyned, ſhall be at everye of the ſaid payments, ſet and taxed after the rate and proporcion accordinge to the true meaninge of this act, landes

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and tenements chargeable to the twentieth parte of the clergie, and yerelye wages due to ſervantes for their yearelye ſerviſes, other then the Kinge's ſervantes taking yearlye wages of five poundes or above, onelie excepted and forepriſed; and that all plate, coyne, jewels, goods, debts, chattells perſonall, and all landes, tenements, and other the premiſſes as aforeſaide, beinge in the rule and cuſtodie of any perſon or perſons to the uſe of any corporacion, fraternetye, guilde, myſterye, brotherhood, or any cominaltye, beinge corporate or not corporate, be and ſhall be rated ſett and chardged, by reaſon of this act, at the value certefied by the preſenters of that certificate, of everye pounde, in goods and debts, as is aforeſaid, and for everye pounde in landes, tenements, annuityes, fees, corrodyes, and other yerely profites as is aforeſaid, and the ſommes that are above rehearſed, ſet and taxed to be levyed, and taxed of them that ſhall have ſuche goods in cuſtodye or otherwiſe chardged for landes as is before expreſſed; and the ſame perſon or perſons, and bodye corporate by aucthoritye of this acte, ſhall be diſcharged againſt him or them that ſhall or ought to have the ſame, at the tyme of the payment or deliverye thereof, or at his otherwiſe departure from the cuſtodie or poſſeſſion of the ſame; except and alwaies forepriſed from the chardge and aſſeſſment of this ſubſidye, all goods, chattells, jewells and ornaments of churches or chappells which have been ordeyned and uſed in churches or chappels for the honour and ſervice of Almightye God; and the firſt payment of the ſaid ſubſidye, ſhall be by aucthoritye aforeſayd taxed, ſeſſed and rated, accordinge to this act, in everye countie, baronye, cantred, cittie, borough, towne, and everie other place within this realme of Ireland, before the firſt daie of September next cominge, whiche ſhall be in the yere of our Lorde God, one thouſande ſixe hundreth and fifteene, and the ſeconde payment of the ſaide ſubſidye ſhall be by the authoritie aforeſaid, taxed, ſeſſed and rated, accordinge to this act, in everye countye, baronye, cantred, citye, boroughe, towne, and everye other place within this realme of Irelande, before the firſt daie of Marche, whiche ſhall be in the ſaide yeare of our Lorde God, one thouſande ſixe hundreth and fifteene, and the particuler ſummes of everye countie, baronye, cantred, cittie, boroughe, towne or other places aforeſaid, with the particuler names of ſuch as are, or ſhall be chargeable for, and to the firſte payment of the ſaide ſubſidye, to be taxed and ſett by the commiſſioners for the ſame to be limmitted, or two of them at the leaſt, with the names of the high collectors, and in the ſame forme ſhall be certified into the Kinge's Exchequer, before the firſt daye of October, whiche ſhall be in the yeare of our Lorde God, one thouſande ſixe hundreth and fifteene, and the particuler ſommes of everye countye, baronye, cantred, cittye, boroughe, towne or other places aforeſaid, with the particuler names of ſuch as are, or ſhall be chargeable for, and to the ſecond payment of the ſaid ſubſidye to be taxed and ſet by the commiſſioners for the ſame, to be limitted or twoe of them at the leaſt, with the names of the high collectors, and in the ſame fourme ſhall be certefied into the Kinge's Exchequer, before the firſt dai of Aprill, whiche ſhall be in the yeare of our Lorde God, one thouſande ſixe hundred and ſixteene; and the ſaid ſommes in forme aforeſaid, to be taxed to and for the firſt payment of the ſaid ſubſidye, ſhall be paied in one entire ſomme into the Kinge's receit of his exchequer aforeſaid, to the uſe of our ſaid ſoveraigne Lord, at or before the firſt daye of December, whiche ſhall be in the ſaid yere of our Lord God, one thouſande ſixe hundreth and fifteene; and the ſaid ſommes in maner and fourme aforeſaid, to be taxed to and for the ſecond payment of the ſaid ſubſidye, ſhall be paied in one entire ſomme into the receipt aforeſaid, to the uſe aforeſaid, at or before the firſte daie of June which ſhall be in the yeare of our Lorde God, one thouſande ſixe hundred and ſixteene, and the ſommes aforeſaid, of and for the ſaid ſubſidye ſhall be taxed, ſett, aſked and demaunded, taken, gathered, levyed, and paied to the uſe of our ſaid ſoveraine Lord, his heires and ſucceſſors in fourme aforeſaid, as well within the liberties, franchefies, ſanctuaries, auncient demeſnes, and other whatſoever places exempt or not exempt, as without any graunte, chartor, preſcription, uſe, libertye or freedome by any letters patents or other priviledges, preſcription, or allowance of the ſame, or whatſoever other matter of diſcharge to the contrary heretofore made, uſed, graunted or obteined notwithſtandinge.

III. And

III. And yt is further enacted by the' auctho̅ritye of this preſent Parliament, That everye ſuch perſon, as well ſuch as be borne under the Kinge's obeyſance, as everye other perſonſtranger borne, denizen or not denizen, inhabitinge within this realme, which at the tyme of the ſaid aſſeſſinge or taxacions, or of everye of them to be had or made, ſhall be out of this realme, and have goods, chattells, landes or tenementes, fees or annuityes, or other proffites within this realme, ſhall be chardged and chargeable for the ſame, by the certificate of the inhabitants of the place wheare ſuch goods, chattells, landes, tenements, or other the premiſſes then ſhall be, or in ſuch other place wheare ſuch perſon or perſons, or his or theire factors, deputye or attorney, ſhall have theire moſt reſorte unto, within this realme, in like maner as yf the ſaid perſon weare or had ben at the tyme of the ſaid aſſeſſinge within this realme, and that everye perſon abidinge or dwellinge within this realme, or without this realme, ſhall be chardged or chargable to the ſame ſubſidye granted by this act, accordinge and after the rate of ſuch yerelye ſubſtance, or value of landes or tenements, goods, chattells, and other the premiſſes, as everye perſon ſo to be charged, ſhall be ſet at the tyme of the ſaid aſſeſſinge or taxacion upon him to be made, and none otherwiſe.

IV. And be yt further enacted by the auctho̅retye aforeſaid, That for the aſſeſſinge, and orderinge, of the ſaid ſubſidie to be dulye had, the lorde deputye, or other cheefe governour of this realme for the tyme beinge, with the advice of the lord chauncellor, vicethrefurer, the lord cheefe juſtice of his Majeſties cheefe place, the lord cheefe juſtice of his Majeſties courte of common pleas, the lord cheefe baron of his Majeſties court of exchequer, the maſter of the rolles for the tyme being, or any twoe or more of them, ſhall or may name or appoint, of and for everye countye or ſhire within this realme, and alſo of and for everye cittye and towne, beinge a countye of yt ſelfe, ſuch and ſo many perſons as they ſhall thinke convenient, to be commiſſioners of and in the ſaid ſeverall countyes, cityes or townes, and alſo the ſaid lord deputye, or other cheefe governor, with the advice aforeſaid, in like maner may name and appointe of everye other ſouch boroughe, and towne corporate within this realme, as they ſhall think requiſite, ſixe, five, fowre, three or two of the head officers, and other honeſt inhabitaunts of everye the ſaid cityes, boroughes, and townes corporate, accordinge to the number and multitude of the people beinge in the ſame, the which perſons yf anye ſuch be thereunto named of the ſaid inhabitaunts, of the ſaid boroughes, and townes corporate, not beinge countyes of themſelves, ſhall be joyned and put in as commiſſioners with the ſaid perſons named for everye ſuch countye or counties, as the ſaid boroughes, and townes corporate, not beinge countyes, by reaſon of their dwellinges in the ſame, ſhall not take uppon them, nor none of them to put any parte of theire commiſſion in execucion for the premiſſes out of the ſaid cittyes, boroughes and townes corporate wherein they be ſo named onelye, nor to execute the ſaid commiſſion within the cittye, boroughe or towne corporate where they be ſo dwellinge, but at ſuch daies and tymes as the ſaid other commiſſioners for the ſame ſhier or countye, ſhall thereunto limitt and appointe within the ſaid cittyes, boroughes or towne corporate, not beinge a countye whereof they be ſo named, and not out of ſuch citye, boroughe or towne, and in that maner to be aidinge and aſſiſtinge with the ſaid other commiſſioners, in and for the good execution of the effect of the ſaid commiſſion, upon payne of every of the ſaid commiſſioners ſo named for everye ſuch citye, boroughe and town corporate, not beinge a countie, to make ſuch fyne, as the ſaid other commiſſioners in the commiſſion of and for the ſame ſhire or countie ſo named, or three of them at the leaſt, ſhall by theire diſcretions ſet and certifye into the Kinge's exchequer, there to be levied to the uſe of the Kinge's Majeſtie, in like manner as yf ſuch and like ſummes had been ſet and rated upon everye ſuch perſon for the ſaid ſubſidye, the which commiſſioners ſo named, of, and for the ſaid cityes, boroughes and townes not beinge counties, and onelie put into the ſaid commiſſion by reaſon of their dwellinge in the ſame, ſhall not have any parte of the portion of the fees and rewardes of the commiſſioners, and theire clerkes, in this act after ſpecified and allowed; and the ſaid lord chauncellor of this realme for the tyme beinge, ſhall make and direct out of

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the court of chauncery under the greate ſeale, ſeverall commiſſions, that is to ſaye, for everye ſhire or countye, and for eche cittye, towne and boroughe unto ſuch perſon and perſons as by his diſcretion, or any of the other with him before named and appointed, as is before rehearſed ſhall be thought ſufficient for the ſeſſinge and levyinge of the ſaid ſubſidye in all ſhiers and places, accordinge to the true meaninge of this acte, which commiſſions, for the firſt payment of the ſaid ſubſidye, ſhall be directed and delivered to the ſaid commiſſioners or to one of them, before the firſt daye of July, which ſhall be in the yere of our Lord God, one thouſande ſixe hundred and fifteene, and the commiſſions for the ſecond payment of the ſaid ſubſidie, ſhall be directed and delivered to the ſaid commiſſioners, or to one of them, before the firſt daie of Januarye then next following, which ſhall be in the ſaid yere of our Lord God, one thouſand ſixe hundred and fifteene, and to everye of the ſaid commiſſions tenn ſhedules, conteyninge in them the tenor of this act, ſhall be affiled, by the which commiſſion, the commiſſioners in everye ſuch commiſſion named accordinge to this act, and as manye of them as ſhall be appointed by the ſaid ſeverall commiſſions, ſhall have full power and auctoretye to put the effect of the ſame commiſſion in execution; and that by auctoretye of this act, after ſuch commiſſion to them directed, they may by theire aſſents and agreements ſever themſelves for the execution of their commiſſion, in ſeverall baronies, cantreds, hundreds, townes, pariſhes, and other places within the limittes of the ſaid commiſſion, in ſuch form as to them ſhall ſeem expedient to be ordered, and betweene them to be communed and agreed uppon accordinge to the tenor and effect of the commiſſion to them therein directed.

V. And be yt alſo enacted by the auctthoretye of this preſent Parliament, That the commiſſioners, and every of them, which ſhall be named, limmitted, and appointed accordinge to this acte, to be commiſſioners in everye ſuch ſhier or countie, cittye, towne or boroughe, or any other place, and no other, ſhall truelye, effectuallye and diligentlie for their parte execute the effect of this preſent act, accordinge to the tenor thereof in everie behalfe, and no otherwiſe by any other meanes, without omiſſion, favour, dreade, malice or any other thinge to be attempted or done by them or any of them to the contrarie thereof, and the ſayd commiſſioners, or as many of them as ſhall be appointed by the ſaid commiſſion, and none other for the execution of the ſayd commiſſion and act, ſhall for the taxacion of the firſt payment of the ſaid ſubſidye, before the tenthe daie of Auguſt, which ſhall be in the yeare of our Lord God, one thouſande ſixe hundred and fifteene, and for the taxacion of the ſaid ſecond payment of the ſaid ſubſidye, ſhall be before the tenth daie of Februarye, which ſhall be in the ſaid yeare of our Lord God, one thouſande ſixe hundredth and fifteene, by vertue of the ſame commiſſion, delivered unto them in forme aforeſaid, direct theire ſeverall joynt precept or precepts unto eight, ſeaven, ſixe, five, foure, three or two as for the number of the inhabitants ſhall be requiſite, of the moſte ſubſtanciall, diſcreete and honeſt perſons inhabitants to be named by the ſaid commiſſioners, or by as manye of them as ſhall be appointed by the ſaid commiſſion, of and in the baronies, cantreds, hundreds, wardes, pariſhes, townes and other places, as well within libertyes, franchefies and places exempted as without, within the limittes of the ſhires, counties, cittyes, townes, boroughes, and other places within the limites of theire commiſſion, and to the conſtables, ſubconſtables, bayliffes, and other like officers and miniſters of everye of the ſaid baronies, cantreds, hundreds, townes, wardes, pariſhes and other places aforeſaid, as to the ſaid commiſſioners and everye number of them, or unto three or two of them, by there diſcretions in diviſion ſhall ſeeme expedient, ſtraightlie by the ſaid precept, charging and commandinge the ſaid inhabitaunts, conſtables and other officers aforeſaid, to whom ſuch precept ſhall be ſo directed, to appeare in theire proper perſons before the ſaid commiſſioners, or ſuch number of them as they ſhall devide themſelves accordinge the tenor of the ſaid commiſſion, at certayne dayes and places by the ſaid commiſſioners or any number of them as is aforeſaid, within cities, boroughes or townes corporate, or without in anye other places as is aforeſaid, by their diſcretions ſhall be limitted thereunto, to doe and accompliſhe all that to them on the parte of the Kinge's

Majeſtie ſhall be enjoyned touchinge this act, commaundinge further by the ſaid precept, that he to whoſe handes ſuche precept ſhall comme, ſhall have and deliver the ſame to the other inhabitaunts or officers named in the ſame precept, and that none of them faile to accompliſhe the ſame, upon payne of fortye ſhillinges to be forfeited to the Kinge's Majeſtie. A. D. 1612. Chap. 10.

VI. And yt is further ordeyned by the auᵭhoretye of this preſent Parliament, That at the ſame daie and place prefixed and limitted in the ſaid precept, everie of the ſaid commiſſioners then beinge within this realme, and having no ſufficient excuſe for his abſence at the daie and place prefixed, for that parte whereunto he was limitted, ſhall appeare in his proper perſon, and theare the ſaid commiſſioners beinge preſent, or as manye of them as ſhall be appointed by the Kinge's Majeſties commiſſion, ſhall call or cauſe to be called before the ſaid inhabitaunts and officers, to whom they have direᵭed theire ſaid precepts, and which had in commaundement theare to appeare by vertue of the ſaid precept; and yf anye perſon ſo warned, make defaulte, unles he then be letted by ſicknes or lawfull excuſe, and that lett then be witneſſed by the oathes of two credible perſons, or yf any appearinge refuſe to ſerve in forme followinge, then everie ſuch perſon ſo makinge defaulte, or refuſing to ſerve, ſhall forfeit to the King's Majeſtie fortye ſhillings, and ſo at everye tyme appointed by the ſaid commiſſioners for the ſame taxacion, untill ſuch tyme the number of everie ſuch perſons have appeared and certefied in forme underwritten, everie of them ſo makinge default or refuſing to ſerve, ſhall forfeit to the Kinge's Majeſtye fortye ſhillinges; and upon the ſame apparance had, they ſhall be charged before the commiſſioners by all convenient waies and means, other than by corporal oath, to enquier of the beſt and moſte value, of the ſubſtance of everye perſon, dwellinge and abidinge within the lymittes of the places that they ſhall be charged with, and of other which ſhall have his or their moſt reſorte unto any of the ſaid places, and chargeable with any ſumme of money by this aᵭ of the ſaid ſubſidye, and of all other things requiſite, touchinge the ſaid aᵭ, and accordinge to the intent of the ſame, and thereupon as neere as yt may be or ſhall comme to their knowledg, truelye to preſent and certifye before the ſaid commiſſioners, the names and ſirnames and the beſt and uttermoſt ſubſtaunce and values of everye of them, as well of landes, tenements and other hereditaments, poſſeſſions and proffits, as of goods, chattels, debts, and other thinges chargeable by the ſame aᵭ, without any concealment, love, favor, affeccion, dread, or malice, uppon payne of forfeᵭure of five pounds or more, to be taxed, extreated, and leavyed in forme, as hereafter in this preſent aᵭ ſhall be lymitted and appointed; and thereupon the ſaid commiſſioners ſhall openlye there reade or cauſe to be read unto them, the ſaid rates in this aᵭ mentioned, and openlye declare the effeᵭe of theire charge unto them, in what maner and fourme they ought, and ſhall make their certificate accordinge to the rates and ſummes thereof aforeſaid, and of all maner of perſons, as well of aliens and ſtrangers, denizens, or not denizens, inhabitinge within this realme, as if ſuch perſons be borne under the Kinge's obeiſance, chargeable to this aᵭ, and of the poſſeſſions, goods, and chattels of fraternetyes, guildes, corporacions, brotherhoods, miſteries, cominalties, and other as is aboveſaid, and of perſons beinge in the partes beyond the ſeas, havinge goods and chattels, landes or tenements within this realme, as is aforeſaid, and of all goodes, beinge in the cuſtodie of any perſon or perſons, to the uſe of any other as is aboveſaid, by the which information, and ſhewinge the ſaid perſons ſhoulde have ſuch playne knowledg of the true intent of this preſent aᵭ, and of the maner of theire certificate, that the ſame perſons ſhall have no reaſonable cauſe to excuſe them by ignorance; and after ſuch charge, and the ſtatute of the ſaid ſubſidye, and the maner of the ſaid certificate to be made in writinge, conteyninge the names and ſirnames of everye perſon, and whether he be born without the Kinge's obeiſance or within, and the beſt value of everye perſon in every degre, as well of the yerelye value of landes and tenements, and of ſuch like poſſeſſions and proffites, as of the value of goods and chattels, debts, and everye thinge to theire certificate requiſite and neceſſarie to them declared; the ſaid commiſſioners there beinge, ſhall by their diſcretions appointe and limitt unto the ſaid perſons, another daie and place to appeare before the ſaid commiſſioners, and charginge the ſaid perſons, that they, in the meane tyme, ſhall make diligent inquirye, by all wayes and meanes, of the premiſſes, and then and there, everye of them, uppon paine of forfeᵭure of

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fortie ſhillings to the Kinge's Majeſtie, to appeare at the newe prefixed daie and place, theare to certefye unto the ſaid commiſſioners in writinge, accordinge to their ſaid charge, and accordinge to the true intent of the ſaid graunt of this preſent ſubſidye, and as to them, in maner aforeſaid, hath been declared and ſhewed by the commiſſioners; at which daie and place, ſo to them prefixed, yf any of the ſaid perſons make defalte, or appeare and refuſe to make the ſaid certificate, that then, everye of them, ſo offending, to forfect to the Kinge's Majeſtie fortye ſhillinges, except there be a reaſonable excuſe of his defalte, by reaſon of ſickneſs or otherwiſe, by the oathes of twoe credible perſons there witneſſed, and of ſuch as appeare ready to make certificate as aforeſaid, the ſaid commiſſioners there beinge ſhall take and receive the ſame certificate and everye parte thereof, and the names, values, and ſubſtance of everye perſon ſo certified, and yf the ſaid commiſſioners ſee cauſe reaſonable, they ſhall examine the ſaid preſentors thereof, and thereupon, the ſaid commiſſioners at the ſaid daies and place, by theire agreement amongeſt themſelves, ſhall, from tyme to tyme, there openlye prefixe a daye, at a certain place or places, within the limitts of theire commiſſions, by their diſcrecion, for their further proceedinge to the ſaid aſſeſſinge of the ſame ſubſidye; and thereupon, at the ſaid daie of the ſaid certificate, as is aforeſaid taken, the ſame commiſſioners ſhall make theire precept or precepts to the ſherriffes, under-ſherriffes, conſtables, ſub-conſtables, bayliffes, or other officers of ſuch ſhiers, baronyes, cantreds, hundreds, towns, or other places aforeſaid, as the ſame commiſſioners ſhall be of, compriſeing and conteyning in the ſaid precept, the names and ſirnames of all perſons preſented before them in the ſaid certificate, of whom, yf the ſaid commiſſioners, or as manye of them as ſhall be thereunto appointed by the Kinge's commiſſion, ſhall then have vehement ſuſpect to be of more greater value or ſubſtance in lands, goods, chattles or ſummes of money owing unto them, or other ſubſtance beforeſaid, then uppon ſuch perſon or perſons ſo certefied and ſpecified as aforeſaid, the ſame commiſſioners ſhall make their precept or precepts directed to the ſherriffes, under-ſherriffes, conſtables, bayliffes, or other officers, commaunding the ſame ſheriffes, under-ſherriffes, conſtables, bayliffes, or other officers, to whom ſuch precepts ſhall be directed, to warne ſuch perſons whoſe names ſhall be compriſed in the ſaid precepts, at their mancions, or to theire perſons, that the ſame perſons, ſo named in ſuch precepts, and everye of them, ſhall perſonallie appeare before the ſaid commiſſioners, at the ſame new prefixed daye and place, theare to be examined by all waies and means (other then by corporall oath) by the ſaid commiſſioners, of their greateſt ſubſtance and beſt value, of all and everye ſumme and ſummes of money owing to them, and other whatſoever matter concerninge the premiſſes or anye of them, accordinge to this act, at which daye and place ſo prefixed, the ſaid commiſſioners then and there beinge, or as manye of them as ſhall be thereunto appointed by the Kinge's commiſſion, ſhall cauſe to be called the ſaid perſons, whoſe names ſhall be compriſed in the ſaid precepts, as is aforeſaid, for theire examinacion; and yf anye of thoſe perſons which ſhall be warned as is aforeſaid to be examined, which at anye tyme after the warning and before the prefixed daie, ſhall be within ſuch place where he may have knowledg of his ſaid apparance to be made, make defalte and appeare not, unleſs a reaſonable cauſe, or ells a reaſonable excuſe, by the oath of two credible perſons before the ſaid commiſſioners be truellie alledged for his diſcharge, that then everye of them ſo makinge defalte, to be taxed and chardged to the Kinge's Majeſtie, with and at the double ſumme of the rate that he ſhoulde or ought to have been ſett at, for and after the beſt value of his landes or ſubſtance uppon him certified, yf he had appeared by the diſcrecion of the ſaid commiſſioners there beinge, which commiſſioners ſhall travell with everye of the other perſons then and theare appearing, whoſe names ſhall be expreſſed in the ſaid precept or precepts, and in whom anye vehement ſuſpect was or ſhall be had in forme aforeſaid, by all ſuch wayes and means as they can (other than by corporall oath) for the better knowledg of their beſt value, either in hereditaments or poſſeſſions, or ells in goods and debts, and thereupon ſhall have power and auctthoritye by vertue of this act, accordinge to their diſcrecion, to inlarge and increaſe the taxacions of ſuch perſons as they ſhall ſo finde, by due examinacion to be of greater value or ſubſtance in landes or goods, then they weare preſented at; and that everye ſpirituall perſon at everye of the ſaid taxacions of the ſaid ſubſidy, ſhall be rated and ſett accordinge to the rule aboveſaid, of and for everye pounde

that

that the ſame ſpiritual perſon, or any other to his uſe, hath by diſcent, bargaine, purchaſe in fee ſimple, fee tayle, terme of liefe, terme of yeres, by execucion, by wardeſhippe, or by coppie of courte rolle in any manors, landes, tenements, rents, ſervices, offices, fees, corrodies or hereditaments, after the true, juſt, and yerelie value thereof, and accordinge as other the Kinge's Majeſties ſubjects borne within this realme be charged in forme above remembred, ſo that yt extende to the yerelye value of twentye ſhillinges or above.

VII. And yt is further enacted, that yf the ſayd taxors or aſſeſſors ſhall undulye behave themſelves in their inquirye, taxacion, aſſeſſment or certificate, but ſhall affectionatlye, corruptelye, or partiallye demeane themſelves in that behalfe, in ſuch wiſe that the commiſſioners ſhall by their conſideracions deeme them offendors worthie of puniſhment for not doeing theire duties therein, that then foure or more of the commiſſioners in that countie for the ſame ſubſidye, ſhall have power and auctoritye by theire diſcrecions, either to charge the ſaid aſſeſſors upon theire corporall oathes for the better ſervice aforeſaid in that behalfe, or ells by their diſcrecions to taxe and ſett upon everye of the ſaid aſſeſſors, for theire miſdemeanors in that behalfe, ſuch a fyne or payne as they ſhall thinke good, ſo that it exceede not the ſomme of tenne poundes, and the ſame fyne or payne at their diſcrecions to eſtreat into the courte of Exchequer; everye which fine ſo taxed and ſet by foure of the ſaid commiſſioners or more, being eſtreated with the ſchedule and bookes of that lymitt, ſhall be levied and anſwered to the Kinge's uſe, in like maner and fourme to all intents and purpoſes as any other ſummes that ſhall be taxed and becomme due by vertue of this ſtatute and act of ſubſidie, and not in anye other wiſe or maner, and yf any perſon certified or rated by vertue of this act, whether he be a commiſſioner or other, to any maner of value doe finde himſelfe greeved with the ſame preſentment, ſeſſinge or ratinge, and thereuppon complaine to the commiſſioners, before whom he ſhall be called, ſeſſed or taxed, or before two of them, before the ſame taxacion be certefied into the court of Exchequer, that the ſaid commiſſioners, or two of them, ſhall by all waies and meanes examine particularly and diſtinctelye the perſon ſo complayning uppon his oathe, and other his neighbours by their diſcrecions, of everye his landes and tenements above ſpecified, and of everye his goods and chattels, and debtes above mencioned; and after due examinacion and perfect knowledge thereof had and perceived by the ſaid commiſſioners, or two of them, which ſhall have power by auctoretye aforeſaid, the ſaid commiſſioners, or two of them, to whom any ſuch complaint ſhall be made by their diſcrecions uppon the oath of the ſaid perſon ſo complayninge may abate, defalke, increaſe or inlarge the ſame aſſeſſment accordinge as it ſhall appear to them juſt uppon the ſame examinacion, and the ſame ſummes ſo abated, defalked, increaſed or inlarged, ſhall be by them eſtreated in fourme as hereafter inſueth; and yf yt be proved by witneſſes, or by the partyes owne confeſſion, or other lawefull wayes or meanes within a year after ſuch oath made, that the ſame perſon ſo rated or ſworne was of anye better or greater value in landes, goodes, or other thinges above ſpecified at the tyme of his ſaid oath, then the ſame perſons ſo ſworne did declare uppon his ſaid oath, that then everye perſon ſo offending, ſhall looſe and forfeit to his Majeſtie ſo much lawfull money of Englande, as he the ſaid perſon ſo ſworne was ſett at or taxed to paye.

VIII. And alſo yt ys enacted by the ſame auctoritye, that every perſon to be rated and taxed as is aforeſaid, ſhall be rated and ſett, and the ſumme on him ſett to be levied, at ſuch place, wheare he and his familie were reſident for the moſt parte of the yere next before the ſame preſentment and taxacion made, and no wheare ells, and that no commiſſioner for this ſubſidye ſhall be rated or taxed for his goodes and landes, but in the countye or other place wheare he ſhall be commiſſioner; and yf any ſuch perſon chargeable to this act, at the tyme of the ſaid aſſeſſing, happen to be out of this realme, or furre from the place wheare he ſhall be knowen, then he to be ſett wheare he was laſt abydinge in this realme, and after the ſubſtance, value, and other proffites of everye perſon, to be knowen by examinacion, certificate, or other maner of wiſe as is aforeſaid; and that the ſaid commiſſioners, or as many of them as ſhall be appointed by the Kinge's Majeſties commiſſion or commiſſions, ſhall after the rate and rates aforeſaid, cawſe everye perſon ſo to be ſet, rated and taxed accordinge to the rate of the ſubſtance and value of his landes, goodes, chatteles,

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and other proffites chargeable by this act, whereby the greateſt or moſte beſt ſumme or ſummes accordinge to his moſt ſubſtance, by reaſon of this act might or may be ſet or taxed; and that everye perſon taxed in anye countye or place or other then where he and his famelye weare reſident for the moſt part of the yere then next before, or in any countye or place, other then where he is a commiſſioner for the ſubſidye, yf he be a commiſſioner uppon certificate made to the ſaid courte of Exchequer, under the handes and ſeales of twoe commiſſioners for the ſame ſubſidye in the ſame countye or place where ſuch perſon and his famelye weare reſident for the moſt parte of the yere next before, or wheare he is a commiſſioner for the taxacion and payment of the ſame ſubſidye, teſtifying his moſt reſiancye, havinge a famelye, or beinge a commiſſioner, ſhall be a ſufficient diſcharge for the taxacion of that perſon in all other places, and of and for all other ſummes of money uppon ſuch perſons ſo ſett and taxed, ſave onelie the taxacion made in that countye or place from whence ſuch certificate ſhall be made as is aforeſaid, and for the ſumme of money uppon ſuch perſons theare aſſeſſed and taxed, and that ſuch certificate without anye plea or other circumſtance, ſhall be a ſufficient warrante, as well to the barons and auditor and auditors of the ſaid courte of exchequer, and to all and everye other officers to whome the allowance thereof ſhall appertaine, payinge for ſuch diſcharge and allowance onelie ſix pence and no more.

IX. Provided alwayes, that everye ſuch perſon which ſhall be rated or taxed accordinge to the intent and true meaninge of this act for payment of and to this ſubſidye, for and after the yerelie value of his landes, tenements and other reall poſſeſſions or proffites at any of the ſaid taxacions, ſhall not after be ſett and rated for his goods and chattels, or other moveable ſubſtance, at the ſame taxacion; and that he that ſhall be ſet, charged or taxed for the ſame ſubſidye, for his goods, chattles, and other moveables at anye of the ſaid taxacions, accordinge to the true meaninge of this act, ſhall not after be charged, taxed, or chargeable for his landes, or other reall poſſeſſions and proffites aboveſaid, at the ſame taxacions, or any of them; nor that any perſon by any taxacion be double charged for the ſaid ſubſidye, nor ſet or taxed at ſeverall places by reaſon of this act; but yf any perſon happen to be double ſet, taxed or charged, eyther in any place or at ſeverall places, then he to be diſcharged of the one taxacion, and charged with the other, accordinge to the meaninge and intent of this act; any thinge conteyned in this preſent act to the contrarie notwithſtandinge.

X. And that yt be ordeined and enacted by the ſaid auctoretie of this preſent Parliament, that no perſon having twoe manſions, or twoe places to reſorte unto, or calling himſelfe howſeholde ſervant, or waytinge ſervant to the lord deputye, or other lord or ladye, maiſter or miſtreſs, to be excuſed upon his ſayinge from the taxes of the ſaid ſubſidye, in neither of the places wheare he may be ſet or taxed, unleſſe he bringe a certificate in writinge from the commiſſioners wheare that he is ſo ſet or taxed in deede at one place, and yf any perſon that ought to be ſet and taxed to this preſent ſubſidye, by reaſon of his removinge or reſortinge to two places, or by reaſon of his ſayinge that he elſewheare was taxed, or by reaſon of any priviledg of his dwellinge or abydinge in any place, not being forepriſed in this act, or otherwiſe, by his covyn or crafte, or by any wordes or ſayinges, or otherwiſe, or yf any that ys a commiſſioner or aſſeſſor of others happen to eſcape from the ſaid taxacion for the payment of this ſubſidye, and be not ſet and taxed accordinge to the true intent of this acte, and that proved by preſentment, examinacion, informacion or otherwiſe, before the ſaid commiſſioners, or two of them, or before the barons of the Kinge's Majeſties Exchequer, or two juſtices of the peace of the countye wheare ſuch perſons dwelleth, then everye ſuch perſon that by ſuch meanes or otherwiſe, willinglie by covin or without juſte cauſe, ſhall happpen to eſcape from the ſaid taxacions or payments aforeſaid, or anye of them, and ſhall not be rated, taxed, and ſet, ſhall be charged uppon the knowledg and proofe thereof, with and at the double value of ſo muche as he ſhoulde, might, or ought to have ben ſet and taxed at by vertue of this act, and the ſame double value to be gathered, leavied, and paied of his goodes and chattels, landes and tenements towardes the ſaid ſubſidye, and further to be puniſhed accordinge to the diſcrecion of the barons, juſtices, and

commiſſioners, before whom he ſhall be convicted for his offence and deceipt in that behalfe.

XI. And be yt further enacted by the auctharitye aforeſaid, that the ſaid commiſſioners in everye commiſſion that ſhall be, or inhabite in any countye or place within the limits of theire commiſſion, or the more parte of them, ſhall have full power and auctharitye by this act to ſet, taxe and aſſeſſe everye other commiſſioner joyned with them in everye ſuch commiſſion; and the ſaid commiſſioners within everye diviſion, ſhall alſo aſſeſſe every aſſeſſor within his or theire diviſion for his or theire goods, landes, and other the premiſſes as is aboveſaid, by the which ſaid commiſſion, the commiſſioners to whom yt ſhall appertaine, ſhall indifferentlye ſet, taxe and aſſeſſe themſelves and the ſaid aſſeſſors, and that as well the ſummes upon everye of the ſaid commiſſioners and aſſeſſors ſo ſeſſed, rated and taxed, as the ſummes made and preſented by the preſentors as is aforeſaid, ſhall be written, certified, ſet and eſtreated, and the eſtreats thereof to be made with the other inhabitants of that parte, and within the limites of the ſame commiſſion and diviſion ſo to be gathered and leavyed, in like maner as yt ought or ſhoulde have been, if the ſaid commiſſioners had not been in the ſaid commiſſion; and that all perſons of the eſtate of a baron or barons, and everye eſtate above ſhall be charged with theire freeholde and value as aforeſaid, by the lorde deputye, or other cheefe governor of this realme, with the advice aforeſaid, and they to be charged for the ſaid ſeverall payments of the ſaid ſubſidye, after the fourme of the ſaid graunt, accordinge to the taxacion aforeſaid, and the ſomme of and upon them to be ſet and taxed with the names of the collectors appointed for the gatheringe and payinge of the ſame, to be eſtreated, delivered and certified at dayes and places above ſpecified by the lord deputie and other cheefe governour of the ſayd realme, for the tyme being, together with other ſuch perſons as thereunto ſhall be named as is aforeſaid.

XII. And be yt further enacted by the auctharity aforeſaid, That after the taxes and aſſeſſes of the ſaid ſommes uppon and by the ſayd aſſeſſinge and certificate as is aforeſaid made, the ſayd commiſſioners, or as many of them as ſhall be thereunto appointed, and have auctharitye by the Kinge's Majeſtie's commiſſion, ſhall with all ſpeede and without delaye, by their writinge, eſtreat the ſayd taxes thereof, under their ſeales and ſignes manuell of the ſayd commiſſioners, or as manye of them as ſhall be appointed at the leaſt, and the ſame ſhall be delivered unto ſufficient and ſubſtantiall inhabitants, ſheriffes, under-ſheriffes, conſtables, ſub-conſtables, bayliffes, and other officers, joyntelye of barronyes, cantreds, hundreds, townes, pariſhes, and other places aforeſayd within their limites, and other ſufficient perſons, inhabitants of the ſame, onelye by the diſcretion of the ſayd commiſſioners, with the aſſent of the highe collector, and as the place and parties ſhall requier, as well the particuler names and ſirnames, as the remembrance of all ſummes of money taxed and ſett, of and uppon everie perſon as well man as woman, chargeable to this act, howſeholders and other inhabitants, and dwellers within the ſaid pariſhes, townes and places contributarie to this act of ſubſidie, by auctharetye of whiche writinge and eſtreat ſo delivered, the ſame officers and other perſons ſo named and deputed ſeverallye, ſhall have full power and auctharetye by vertue of this act, ymmediatelye after the deliverye of the ſayd writinge or eſtreat, to demaunde, leavye, and gather of everie perſon therein ſpecified, the ſumme and ſummes in the ſame writinge or eſtreat compriſed, and for not payment thereof to diſtraine the ſame perſon or perſons ſo beinge behinde by theire goodes and chattels, and the diſtreſſe ſo taken, to keepe by the ſpace of eight dayes, at the coſtes and chardges of the owner thereof; and yf the ſaid owner doe not pay ſuche ſommes of money as ſhall be leavied by auctharetye of this act within the ſayd eight dayes, then the ſame diſtreſſe to be appreyſed by foure, three, or two of the inhabitantes wheare ſuch diſtreſſe is taken; and alſo then to be follde by the conſtable, or other collector for the payment of the ſayd money, and the overplus cominge of the ſale and keepinge thereof, yf any be, to be ymmediately reſtored to the owner of the ſame diſtreſſe, which ſayd officers and other perſons ſo deputed to aske, take, gather and leavye the ſayd ſummes, ſhall anſweare and be chardged for the portion onelye to them aſſigned and limitted to be gathered, leavied, and compriſed in the ſayd writinge of eſtreate, ſo to them as is aforeſayd delivered, to the uſe of our ſoveraigne lord the Kinge's Majeſtie, and his heires and ſucceſſors, and the

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ſumme in that writinge or eſtreat compriſed to paye unto the highe collector or collectors of that place, for the collection of the ſame, in maner and fourme under written, theareunto to be named and deputed; and the ſame inhabitantes and officers foe gatheringe the ſame particuler ſummes for their collection, thereof ſhall retayne for everie twentie ſhillinges ſo by them received and paid, two pence, and that to be allowed at the payment of theire collection, by them to be made by the high collector or collectors.

XIII. And further be yt enacted by the ſayd auctoretye, That the ſayd commiſſioners, or the more parte of them as ſhall take upon them the execution and buſineſs of the ſaid commiſſion, ſhall for everye of the ſayd payments of the ſayd ſubſidye, name ſuch ſufficient and able perſons which then ſhall have and poſſeſs landes and other hereditaments, in theire owne right of the cleere yerelie value of twentie poundes, or goodes to the value of foure hundreth poundes at the leaſt, as he ſhall be taxed in the ſubſidye booke, yf any ſuch be in the ſaid lymites, and for want of ſuche ſo aſſeſſed, then thoſe to be appointed collectors that then ſhall be ſufficient in landes or goodes, neareſt to the values aforeſayd, as by their diſcretion ſhall be thought good in the ſeverall counties, ſhires, cittyes, townes corporate, and other whatſoever places, as well within places priviledged as withoute, not beinge forepriſed within this act, to be high collectors, and to have the collection and receipt of the ſaid ſummes ſett and levyable within the precinctes, lymites and boundes, wheare they ſhall be ſo lymitted and appointed to be high collectors, and to everie of the ſayd collectors ſo ſeverallye named, the ſayd commiſſioners, or two of them at the leaſt, with all ſpeede and without delaye, after the whole ſumme of any payment of the ſayd ſubſidye be ſett, by all the lymitts of the ſame, theire commiſſion, or in ſuch lymitts as the highe collectors ſhall be ſo ſeverallye aſſigned, ſhall under their ſeals and ſignes manuel, deliver one eſtreat indented in parchment, compriſing in yt the names of all ſuch perſons as weare aſſigned to levye the ſaid particuler ſummes; and the ſummes of everye baronye, cantred, hundred, cittie, towne, and other place aforeſaid, with the names and firnames of the ſaid perſons ſo chargeable, according to the eſtreats thereof, made and delivered as is aforeſaid; and the collectors to be aſſigned ſhall be charged to anſweare the whole ſumme compriſed in the ſaid eſtreat limitted to his collection as is aforeſaid.

XIV. Provided alwayes, and be yt enacted by the auctoretye aforeſayd, That the ſayd commiſſioners havinge auctoretye by this act, to name and nominate the ſaid high collectors of the ſayd ſubſidye, ſhall ymmediatelye upon nominacion and election, take by auctoretye of this preſent Parliament, ſufficient recognizances or obligations withoute anye fee or rewarde, to be paied therefore of everie perſon ſo by them to be named to be high collectors, to be bounde to the Kinge's Majeſtye, in the double ſumme of the ſummes of his collection, and to be endorſed and made uppon ſuch condition, that is to ſaye, for the collection of the ſayd firſt payment of the ſayd ſubſidye, that yf the ſayd collector, his heires or executors, doe truelye content and paye to the uſe of the King's Majeſtie, his heires and ſucceſſors, into the receipt of the ſayd exchequer, at or before the ſayd firſt daie of December, which ſhall be in the ſayd yeare of our lord God, one thouſande ſix hundreth and fifteene, ſo much of the ſayd ſumme of money allotted and appointed to his collection, as he ſhall collect and gather, and content and paye the reſidue of his collection and charge, within one moneth next after ſuch tyme as he hath gathered and collected the ſame reſidue, that then the ſayd recognizances or obligations to be voyde, or ells to ſtande in full ſtrength and vertue; And for the collection of the ſayd ſeconde payment of the ſayd ſubſidye, upon condition that yf the ſayd collector, his heires or executors, doe trulye content or paye to the uſe of the Kinge's Majeſtie, his heires and ſucceſſors, in his highnes courte of exchequer, at or before the ſaid firſt daie of June, which ſhall be in the ſayd yeare of our Lord God, one thouſande ſix hundreth and ſixteene, ſo much of the ſayd ſumme of money allotted and appointed to his collection, as he ſhall collect and gather, and content and paye the reſidue of his collection and charge, within one moneth next after ſuch tyme as he hath collected and gathered the ſaid reſidue, that then the ſaid recogniſances or obligations to be voyde, or ells to ſtande in full ſtrength and vertue, which ſaid recogniſances or obligations ſo taken, the ſayd commiſſioners ſhall ſeverallye certefye and deliver into the Kinge's Majeſtie's exchequer, with the ſeverall certificates of the

the ſaid taxations and rates of the payements of the ſayd ſubſidye, at and by the tyme to them preſcribed and appointed by this act, for the ſayd certificate of the ſaid ſeverall taxations of the ſaid ſubſidye, upon paine of forfecture of tenne poundes to the King's Majeſtie, for every ſuche recogniſance or obligacion not ſo certified; and that everye ſuch collector, ſo elected, named and choſen, uppon requeſt to him made, ſhall knowledg and make the ſayd recogniſance or obligation uppon payne of forfecture of twentye poundes to the Kinge' Majeſtie for the refuſall thereof, and that the vice-threſurer and barons of the exchequer for the tyme beinge, upon payment of the ſeverall collections of the ſayde ſubſidye, at the dayes and tymes therein lymitted for the payment thereof, ſhall cancell and deliver the ſayd recogniſance or obligations for the payment thereof to the collector or collectors, without anye other warrante, and withoute anye fee or rewarde to be paied for the ſame to anye perſon, and everie collector ſo deputed, havinge the ſayd eſtreat in parchment as is aforeſayd, ſhall have auctoretye by this act to appoint dayes and places within the circuite of his collection, for the payment of the ſaid ſubſidye to him to be made, and thereof to give warning by proclamation or otherwiſe, to all the conſtables and other perſons or inhabitants, havinge the charge of the particuler collections within the baronies, cantreds, hundreds, pariſhes, townes, or other places by him or them limitted to make payment for the ſayd particuler collection of everie ſumme, as to theym ſhall appertayne. And yf at the ſame daye and place, ſo lymitted and prefixed by the ſaid high collector, the ſayd conſtables, officers, and other perſons or inhabitants, as is aforeſaid, for the ſayd particuler collection, aſſigned and appointed within ſuch baronies, cantreds, hundreds, cittye, towne, or other place, doth not paye unto the ſayd high collector, the ſumme within their ſeverall baronies, cantreds, hundreds, townes, pariſhes, and other places, due and compriſed within the ſayd eſtreat thereof, to them delivered by the ſayd commiſſioners or ſome of them, as is aforeſaid, or ſo much thereof as they have by any meanes receaved (twoe pence for everye pounde for the ſayd particuler collection, as is aforeſaid, allwayes thereof to be allowed, excepted and abated) that then it ſhall be lawfull to the ſayd high collectors and every of them, and to their aſſignes, to diſtreine everye of the ſaid conſtables, officers, and other inhabitants for the ſayd ſeverall and particuler collection of the ſayd ſummes compriſed in the ſaid eſtreat and writing thereof, to them and everie of them, as is before expreſſed, delivered, or for ſo much of the ſame ſumme as ſo then ſhall happen to be gathered and levied, and be behinde and unpaid, by the goods and chattels of everie of them ſo beinge behinde and unpayed, and the diſtreſſe ſo taken, to be kept and appreiſed and ſolde, as is aforeſaid, and thereof to taxe and leavy the ſummes ſo then beinge behinde and unpaied, and the overplus cominge of the ſayd diſtreſſe (yf anye be) to be reſtored and delivered unto the owner, in fourme above remembred.

XV. Provided allwayes, and be yt enacted by the authoretye aforeſaid, That no perſon or perſons ſhall be nominated or appointed to be high collector or collectors, for the ſeconde payment of the ſaid ſubſidye graunted by this act, which before that tyme hath been a collector or collectors, for the firſt payment of anye parte of the ſame ſubſidye, unleſſe ſuch perſon or perſons ſo to be nominated and appointed to be high collector or collectors, for the ſayd ſeconde payment, doe firſt ſhewe forth before him or them, by whom he ſhall be ſo nominated and appointed, his *quietus eſt*, for his diſcharge of his collection, before appointed to his charge, uppon payne of one hundreth pounde, to be paid and forfected by him or them, that ſo ſhall nominate and appointe any ſuch collector contrarie to this preſent act.

XVI. And yt is alſo by the ſaid auctoretye enacted, That yf anye inhabitants or officers, or whatſoever perſon or perſons chardged to and for the collection and receipt of anye parte or porcion of the ſaid ſubſidye, by anye maner of meanes, accordinge to this act, or anye perſon or perſons for themſelves, or as keeper, guardian, deputye, factor or attorney, of or for any perſon or perſons, of any goods or chatteles of the owner thereof, at the tyme of the ſayd aſſeſſinge to be payd, beinge out of this realme, or in anye other partes not knowen, or of and for the goodes and chattels of any other perſon or perſons, of anie corporacion, fraternetye, miſterie, or other whatſoever cominaltye, beinge corporate or not corporate, and all perſons havinge in their rule, governmente and cuſtodye, any goodes or chattells, at the time of the ſayd aſſeſſinge, or anye of them, to be made, or which for anie cauſe, for and by collection, or for

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himſelfe, or for anye other, or by reaſon that he hath the rule, government or cuſtody of anye goodes or chattels of anye other perſon or perſons, corporacions, comminaltye, fraternetye, guilde or miſterye, or anye ſuch other like, or as factor, debitor or attorneye of or for any perſon, ſhall be taxed, valued, rated and ſett to anye ſumme or ſummes, by reaſon of this act, and after the taxation and aſſeſſinge, uppon anye ſuch perſon or perſons as ſhall be chardged with the receipt of the ſame, happen to dye or departe from the place wheare he was ſo taxed and ſett, or his goodes and chattels be ſo eſloyned, or in ſuch privie or covert maner kept, as the ſaid perſon or perſons charged with the ſame, by the eſtreates or other writinges from the ſayd commiſſioners, or as manye of them as ſhall be thereunto appointed by the ſaid commiſſion, as is aforeſaid, can or maye leavye the ſame ſumme or ſummes compriſed within the ſaid eſtreats, by diſtreſſe, within the lymittes of their collection, as is aforeſaid, or cannot ſell ſuch diſtreſſe or diſtreſſes as be taken for anye of the ſayd payments before the tyme lymitted by the highe collector, for the payment to be made in the Kinge's Majeſtie's receipt, then uppon the relation thereof, the due examination by the oath, or examination of ſuch perſon or perſons as ſhall be charged with and for the receipt and collection of the ſame, before the ſayd commiſſioners, or as manye of them as by the ſayd commiſſion ſhall be thereunto appointed, wheare ſuch perſon or perſons or other as is aforeſaid, theire goodes and chattels weare ſet and taxed, and upon playne certificate thereof made into Kinge's Majeſty's exchequer, by the ſame commiſſioners as well of the dwellinge place, names and ſummes of the ſayd perſons, of whom the ſayd ſummes cannot be leavied and had as is aforeſaid, then as well the conſtables and other inhabitants appointed for the ſame particuler collection againſt the high collectors, as the highe collector uppon his accompte, and within the ſaid Exchequer, to be diſcharged thereof, and proces to be made for the King's Majeſtie out of the ſaid Exchequer, by the diſcretions of the barons of the ſame Exchequer, againſt ſuch perſon, his heires or executors ſo being behind with his payment, and over that the ſame commiſſioners to whom anye ſuch declaration of the premiſſes ſhall be made in forme aforeſaid, from tyme to time, ſhall have full power and authoretye to direct theire precept or precepts, to the ſayd perſon or perſons charged with any ſumme of, for and uppon any ſuch perſon and perſons, or other as is aforeſaid, or to anye ſheriffe, ſteward, bailiffe, or other whatſoever officer or miniſter, perſon or perſons of ſuch place or places, wheare anye ſuch perſon or perſons ſo owinge any ſuche ſumme or ſummes ſhall have landes and tenementes, and other hereditaments or reall poſſeſſions, goods and chattels, whereeby any ſuch perſon or perſons ſoe indepted his heires, executors or aſſignes or other havinge the cuſtodye, governance or diſpoſition of any goodes, chatteles, landes, tenements, or other hereditaments, which ought or may by this act lawfullye be diſtreyned or taken for the ſame, hath and ſhall prove goodes, chattels, landes, tenements, or other poſſeſſions wheareof ſuch ſumme and ſummes, which by anye ſuch perſon or perſons may, or ought to be leavied, be yt within the limittes of ſuch commiſſion wheare ſuch perſon or perſons was or weare taxed, or without in any places within this realme of Irelande, by which precept, as well ſuch perſon or perſons ſhall be chardged to leavye ſuch money, as the officer of the place or places wheare ſuch diſtreſſe may be taken, ſhall have full power and authoretye, to diſtreyne everye ſuch perſon indebted, chardged or chargeable by this act, or his executors or adminiſtrators of his goodes and chattels, his gardians, factors, deputies, leſſees, fermors and aſſignees, and all other perſons by whoſe handes, or out of whoſe landes any ſuch perſon ſhoulde have fee, rent, annuitye or other profit, or which at the tyme of the ſaid aſſeſſinge, ſhall have goodes and chattels, or anye other thinge moveable of anye ſuch perſon or perſons beinge indebted, or owing ſuch ſumme, and the diſtreſſes to be taken, cauſe to [be] kept and appreiſed and ſollde in like maner and fourme as is aforeſaid, for the diſtreſſe to be taken uppon ſuch perſons to be taxed to the ſaid ſubſidie, and beinge ſufficient to diſtreyne within the lymittes of the ſaid collectors, inhabitants, or other officers, chardged with or for the ſayd ſummes ſo uppon them to be taxed, and yf anye ſuche diſtreſſe for non payment, happen to be taken out of the lymitts of the ſaid perſons chardged and

assigned to levye the same, the person so chardged for the leavyinge of anye such summes by distresse, shall perceive and take of the same distress, for the labour of every such person goinge for the execution thereof, for everie myle that anye such person so labowreth for the same, two pence; and everye fermor, tennant, gardian, factor, or other whatsoever person beinge distreyned or otherwise chardged for payment of anye such summe or summes, or anye other summe by reason of this act, shall be of such summe or summes of him or them so levyed and taken, acquitted and discharged at his next daye of payment of the same, or at the deliverye of such goodes and chattels, as he that is so distreyned had in his custodye or governance againste him or them that shall be so taxed and sett; anye graunt or writinge, obligatorie or otherwise, whatsoever matter to the contrarye made heretofore notwithstandinge. And if anye such person that should be so distreyned have no landes or tenements sufficient, whereby he and his tenants and fermors may be distreyned or have aliened, eloyned or hid his goodes and chattells, whereby he shoulde or might be distreyned in such maner, that such goodes and chattells shoulde not be knowen or founde, so that the summe of or by him to be paied in the said forme, shall not, ne can be conveniently levyed, then upon relation thereof to the commissioners, or to as manye of them as by the said commission shall be thereunto appointed, wheare such person or persons weare taxed and sett by the oathes of him or them that shall be chardged with the leavyinge and payment of the summe or summes, the same commissioners shall make a precept in such manner as is aforesayd, for to attache, take and arreste the bodye of such person or persons that ought to paye the said summes, and by this act shall be chardged with, and for the said summe or summes, and them so taken safely to keepe in prison, within the countye or other place wheare anye such person or person shall be taken and attached, theare to remayne without bayle or maineprise, untill he hath payed the said summe or summes that such person for himselfe, or for anye other by this act shall be chargeable, or ought to be chardged withall, and also for the fees; everye such arreast to him or them that shall execute such precept, twentye pence, and that everie officer to whom such precept shall be directed, doe his due diligence, and execute the same uppon every person so beinge indebted, uppon payne to forfeit to the Kinge's Majestye for every defalte in that behalfe, twentie shillinges; and that no keeper of any gaole from his gaole suffer anye such person to goe at large, by lettinge to bayle or otherwise to departe oute of his prison, before he hath payed his sayed debt, and the sayd twentye pence for the said arreste, upon payne to forfect to the Kinge's Majestye fortye shillinges, and the same gaoler to paye to the Kinge's Majestye, the double value, as well of the rate which the said person so imprisoned was taxed at, as of the sayd twentie pence for the fees, and like proces and remedye in lyke forme shall be graunted by the sayd commissioners, or as manye of them, as by the sayd commission shall be theareunto appointed, at like informacion of everye person or persons, beinge chardged with anye summe of moneye for anye other person or persons, by reason of the sayed subsidye, and not thereof payed, but willfullye withdrawen, nor the same levyable within the lymmittes wheare such persons weare thereunto taxed, and yf the summe or summes beinge behinde and unpaied by anye person or persons as is aforesaid, to be leavied and gathered by force of the sayed proceese to be made by the said commissioners, or yf in defalte, or for lacke of payment thereof, the person or persons so oweinge the said summes of money, by proceese of the same commissioners, to be made as is aforesaid, be committed to prison in forme above sayd, that then the sayd commissioners which shall awarde such proceese, shall make certificate thereof in the said exchequer, of that shall be done in the premisses, in the tearme next followinge, after such summe or summes so beinge behinde shall be leavied and gathered, or such person or persons for non payment of the same, committed to prison; and yf yt happen anye of the sayd collectors to be assigned, or any mayors, sherriffes, stewardes, constables, bayliffes, or any other officer or minister, or other whatsoever person or persons to disobey the sayd commissioners, or anye of them, in the reasonable requeste to them made by the sayd commissioners, for the execution of

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the ſayd commiſſion, or yf any of the officers or other perſons doe refuſe that to them ſhall apperteine or belonge to doe by reaſon of anye precept, to him or them to be directed, or any reaſonable commaundement, inſtance, or requeſt towtchinge the premiſſes or other defalte in any apparance or collection to make, or yf anye perſon being ſuſpected not to be indifferentlie taxed as is aforeſaid, doe refuſe to be examined accordinge to the tenor of this acte, before the ſayd commiſſioners, or as manye of them as ſhall be theareunto aſſigned as is aforeſaid, or will not appeare before the ſame commiſſioners upon warninge to him made, or ellſe make reſiſtance or refuſe uppon anye diſtreſſe, uppon him to be taken for anye parcell of the ſayd ſubſidye, or committ anye miſbehaviour in any maner of wiſe contrarie to this acte, or committ anye willfull omiſſion, or other whatſoever willfull doinge or miſdoinge, contrarie to the tenor of this acte; or graunt the ſame commiſſioners, and everie number of them above remembred, or twoe of them at the leaſt, uppon probable knowledge of anye ſuch miſdemeanours, had by informacion or examinacion, ſhall and may ſett upon everie ſuch offenders, for everie ſuch offence in the name of a fine by the ſame offendors to be forfeited fortye ſhillinges, or under, by the diſcretion of the ſame commiſſioners: and further the ſaid commiſſioners, and everye number of them, or two of them at the leaſt, ſhall have auᵗhoretye by this preſent acte to puniſhe everie ſuch offendors by impriſonment, theare to remayne and to be delivered by their diſcretion as ſhall ſeem to them convenient, the ſaid fynes yf anye ſuch be to be certefied by the ſaid commiſſioners, that ſo aſſeſſed the ſame, unto the ſayd Kinge's Majeſtye's Exchequer, theare to be leavied and paied by the collectors of that part of the ſaid ſubſidie, retourned into the ſayd Exchequer, to be thearewith charged with the payment of the ſaid ſubſidye, in ſuch manner as yf the ſaid fines had been ſett and taxed upon the ſaid offendors for the ſaid ſubſidye.

XVII. And yt ys alſo enacted by the ſaid auᵗhoretye of this preſent Parliament, That everye of the ſaid highe collectors, which ſhall accompte for any parte of the ſayd ſubſidye in the ſaid Exchequer, upon their ſeverall accomptes to be yeelded, ſhall be allowed at every of the ſaid payments of the ſaid ſubſidye, for everie pounde limitted to his collection, whereof any ſuch collector ſhall be chardged, and yeelde accompte ſixpence, as parcell of his or theire charge, that is to ſaye, of everie pounde theareof, of ſuch perſons as then have had the particuler collection of the townes and other places as is aforeſayd ſpecified in his collection, two pence, and other two pence of everie pounde thereof, everie of the ſayd cheeſe collectors or theire accomptants to retayne to theire owne uſe for theire laboure and charge in and abowte the premiſſes, and two pence of everye pounde reſidue to be delivered, allowed, and payed by the ſayd collectors ſo beinge thereof allowed to ſuch of the commiſſioners as ſhall take upon them the buſines and laboure, for and aboute the premiſſes, that is to ſaye, everye collector to paye that commiſſioner or commiſſioners which had the orderinge of the writinges, of and for the ſayd ſubſidye, wheare the ſayd collector or collectors had their collection, for the expences of the ſaid commiſſioners ſo takinge uppon them the ſayd buſines and laboure of theire clerkes writtinges of the ſaid preceptes and extractes of the ſaid collections; the ſame laſt two pence of everie pounde to be devided amongſt the ſayd commiſſioners, havinge regarde to theire laboure and buſineſs taken by them, and theire ſaid clerkes in and aboute the premiſſes, for which parte ſo to the ſayd commiſſioners appertayning, the ſaid commiſſioners, fixe, five, foure, three or two, or as manye of them as ſhall be thereunto appointed by the Kinge's Majeſties commiſſion, and everie of them, jointelye and ſeverallye for his and theire ſayd parte, maye have his remedye againſt the ſaid collector or collectors, which thereof been, or might have been allowed by action of debte, in the which the defendant ſhall not wage his lawe, neither protection, neither injunction or eſſoyne ſhall be allowed; and that no perſon nowe beinge of the number of the companye of this preſent Parliament, nor anye commiſſioner ſhall be named nor aſſigned to be anye collector or ſubcollector or preſenter of the ſaid ſubſidyes or anye parte thereof, nor anye commiſſioners ſhall be compelled to make any preſentment or certificate, other then into the Kinge's Majeſties ſayd Exchequer, of, for or concerning the ſaid ſubſidye or any parte or parcell thereof, and likewiſe that no other perſon that ſhall be named and aſſigned, to be commiſſioner in anye place to and for the execution of this acte of ſubſidye, be or ſhall be aſſigned or named head collector of anye

of

of the payments of the ſaid ſubſidye, neyther of anye parte thereof; and that everie ſuch perſon or perſons which ſhall be named and appointed as is aforeſaid, to be head collector of and for the firſte payment of the ſaid ſubſidye and collection thereof, or of any part thereof, ſhall not be compelled to be collector for the ſeconde payment of the ſaid ſubſidye, nor for anye parte thereof; and the ſaid collectors, which ſhall be aſſigned for the collection of the ſaid ſubſidye, or anye parte theareof, and everye of them, be and ſhall be acquitted and diſcharged of all maner fees, rewardes, and everie other charges in the Kinge's Majeſties exchequer, or elſewheare, of them or any of them, by reaſon of that collection, payments or accomptes, or anye thinge concerninge the ſame to be aſked; and that yf anye perſon receive or take any fees, rewardes, or pleiſures of anye ſuch accomptant, or uſe anye unneceſſary delaye in theire accompte, that then he ſhall forfeit to the Kinge's Majeſtie for everie pennye, or value of everie pennye or pennyeworth ſo taken, five ſhillings, and five poundes to the partie greeved for everye ſuch delaye, and ſuffer impriſonment at the Kinge's Majeſties pleiſure; and aftereverye takinge and aſſeſſinge of the ſaid ſubſidie as is aforeſaid had or made, and the ſaid eſtreates thereof in parchment unto the collector, in maner and fourme before rehearſed, delivered, the ſayd commiſſioners which ſhall take uppon them the execution of this acte, within the lymites of theire commiſſion, by theire agreements, ſhall have meetinges together, at which meeting everye of the ſaid commiſſioners which then ſhall have taken upon them the execution of any parte of the ſayd commiſſion, ſhall by himſelfe, or his ſufficient deputye, truelye certefye and bring forth unto the ſaid commiſſioners named in the ſaid commiſſions, and the certificate and preſentment made before him, and ſuch other commiſſioners as weare lymitted with him in one lymitt, ſo that the ſayd certificate may be accompted and caſt with the other certificates of the other lymitts within the ſame commiſſion, and then the ſaid commiſſioners, and everie number of them, unto two at the leaſt, as is aforeſaid, yf any be in liefe or theire executors or adminiſtrators of their goodes, yf they then be dead, ſhall joyntelye and ſeverallye, as they were devided in theire lymitts, under their ſeales by theire diſcretion make one or ſeveral writinges indented, contayninge in yt, as well the names of the ſaid collectors, by the commiſſioners for ſuch collection and accomptes in the exchequer, and payments in the ſame receipt deputed and aſſigned, as the groſſe and ſeverall ſummes written unto everie ſuch collectors, to receive the ſaid ſubſidye, and alſo all fines, amerciaments, and other forfeitures, yf anye ſuch, by reaſon of this acte, happen to be within the precincte and lymitt of theire commiſſion, to be certefyed into the Kinge's Majeſties ſaid Exchequer by the ſaid commiſſioners, in which writinge or writinges indented, ſo be certefyed, ſhall be playnelye declared and expreſſed the wholle and entire ſumme and ſummes of the ſayd ſubſidies, ſeverallye limmitted by the collection of the ſaid collectors ſeverallye deputed and aſſigned to the collection of the ſayd ſummes, ſo that none of the ſayd collectors ſo certefyed in the ſaid Exchequer, ſhall be compelled theare to accompte or to be charged but onelie to and for the ſummes lymitted to his collection and not to and for any ſumme limmitted to the collection of his fellowes, but everie of them ſhall be ſeverally charged for theire parte lymitted to theire collection: and yf the ſaid commiſſioners joined in one commiſſion amongſt themſelves in that matter cannot agree, or yf any of them be not readye, or refuſe to make certificate with other of the ſame commiſſioners, that then the ſaid commiſſioners may make ſeverall indentures in forme aforeſaid, of their ſeverall limitts or ſeperations of collectors within the lymitts of their commiſſion uppon and in the baronies, cantreds, or other like diviſions, within the ſayd ſeverall lymitts of theire commiſſion, as the places theare ſhall requier to be ſevered and devided, and as to the ſame commiſſioners ſhall ſeem good to make diviſions of theire lymitts or collections for the ſeveral charges of the ſame collectors, ſo that alwaye one collector ſhall be charged, and accompte for his parte to him to be limitted onelye by himſelf, and not for anye ſumme limitted to the parte of anye of his fellowes, and the charges of everye of the collectors to be ſett and certefyed ſeverallye uppon them; and everie ſuch collector uppon his accompte and payment of the ſumme of money lymitted within his collection, to be ſeverallye by himſelfe acquitted and diſcharged in the ſaid exchequer, without payeing anye maner fees or rewardes to anye perſon or perſons for the ſame, uppon payne and penaltye laſt aboveſayd, and not to be charged for any porcion of any other collector; and yf anye commiſſioner after he hath taken certificate of them, that is

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aforeſayd, ſhall be before any ſuch commiſſioners examined, and the ſummes rated and ſett, and the bookes and writtinges thereof beinge in his handes, or yf any collector or other perſon charged with anye receipt of anye parte of the ſayd ſubſidye, or anye other perſon taxed, or otherwiſe by this acte charged with or for anye parcell of the ſaid ſubſidye, or with anye other ſumme, fine, amerciament, penaltie, or other forfeiture, happen to dye before the commiſſioners, collectors, or other whatſoever perſon or perſons have executed, accompliſhed, ſatiſfied, or ſufficientlye diſcharged that which to every ſuch perſon ſhall appertaine or belonge, to doe accordinge to this acte; then the executors and heires of everie ſuch perſon, and all other ſeiſed of anye landes and tenements that anye ſuch perſon, beinge charged by this acte, and deceaſinge before he be diſcharged thereof, or anye other to his uſe, onelye had of the eſtate of inheritance at the tyme that anye ſuch perſon was named commiſſioner, collector, or otherwiſe charged with or for anye maner of thinge to be done, ſatiſfied, or paid by reaſon of this acte; and all thoſe that have in theire poſſeſſions or handes, anye goods, chattels, leaſes, or other thinges that weare to anye ſuch perſon or perſons at the time of his death, or anye landes or tenements that weare the ſame perſons at the tyme he was, as is aforeſaid, charged by this acte, ſhall be by the ſame compelled and charged to doe and accompliſhe in everie caſe, as the ſame perſon ſo beinge charged ſhould have done, or might have been compelled to doe yf he had been in plaine liefe, after ſuch rate, of the landes and goodes of the ſaid commiſſioner or collector as the partie ſhall have in his handes; and yf the ſaid commiſſioners for cauſes reaſonable then moveinge, ſhall thinke it not convenient to joyne in one certificate as is aforeſaid, then the ſaid perſon or perſons that ſhall firſt joyne together, and he that ſhall firſte certefye the ſaid writinge, indented as is aforeſaid, ſhall certifye all the names of the commiſſioners of that commiſſion, whereuppon ſuch writing ſhall be theare, then to be certefyed with the deviſion of the baronies, cantreds, hundreds, tythinges, and other places to and amonge ſuch commiſſioners of the ſame commiſſion, with the names of the ſaid commiſſioners where ſuch ſeparacions and deviſions ſhall be, with the groſſe ſommes of money as well of and for the ſaid ſubſidye, taxed or ſett of or within the ſaid baronies, cantreds, hundreds, tythinges, or other places to him or them devided or aſſigned, that ſhall ſo certefye the ſaid firſte writinge, as of the fines, amerciaments, penaltyes, and other forfeitures, yf anie happen to be within the ſame lymitts whereof the ſame writinges ſhall be certifyed, and after ſuch writinge indented, which as ys aforeſaid, ſhall be certefied and not conteine in yt the wholle and full ſummes ſett and taxed within the lymitts of the ſame commiſſion, the other commiſſioners of the ſame before the daye of payment of the ſayd ſubſidie, ſhall certifye into the ſaid exchequer by theire writinge or writinges indented, to be made as is aforeſaid, the groſſe and ſeverall ſummes ſett and taxed within the places to them limitted for the ſaid ſubſidye, and other fines, amerciaments, penalties and forfectures, with the names of the baronies, cantreds, hundreds, tythinges, and other places to them aſſigned, or elſe by theire ſaid writinges indented, to certifye at the ſame place before the ſame daye of payment, ſuch reaſonable cauſes for theire excuſes, whie they may not make ſuch certificate of and for the ſaid ſubſidies, fines, amerciaments, and other cauſes growinge or ſet, by reaſon of the cauſes of their lettes, or of their not certefying as is aforeſaid, or elſe in defaulte thereof, proceſſe to be made out of the King's Majeſties ſaid exchequer againſt the ſaid commiſſioners and everie of them, not making certificate as is aforeſayd, by the diſcretion of the threſurer and barons of the ſaid exchequer.

XVIII. Provided allwayes and be yt further enacted by the auchoretye aforeſaid, That all and everie perſon and perſons havinge manors, landes, tenementes, and other hereditaments chargeable to the payment of the ſayd ſubſidye graunted to the Kinge's Majeſtie by this acte, and alſo havinge ſpirituall poſſeſſions chargeable to his ſayd Majeſtie by the graunte made by the clergie of this realme in their convocation, and over this havinge ſubſtance in goodes and chattels chargeable by this acte, that then yf any of the ſayd perſon or perſons be hereafter charged, aſſeſſed, and taxed for the ſayd manors, landes, tenements and ſpiritual poſſeſſions, and alſo aſſeſſed, charged, and taxed for his and their goodes and chattels, that then he or theye ſhall be onelie chargeable by vertue of this acte for his and theire ſaid manors,

landes, tenements, hereditaments, and ſpirituall poſſeſſions, or onelye for his ſayd goodes and chattels, the beſt thereof to be taken for the Kinge's Majeſtie, and not to be charged for boath, or double charged for anye of them; anye thinge in this acte conteyned to the contrarie in anye wiſe notwithſtanding.

XIX. Provided allwayes, That this graunte of ſubſidye or any thinge therein conteined, in anye wiſe extend not to charge the provoſte, fellowes, and ſchollers of the college of the Holeye Trinitye neere Dublin, nor anye manors, landes, tenements, and other poſſeſſions, goodes, chattels, or other moveable ſubſtance which the ſayd provoſt, fellowes, and ſchollers, or anye others to theire uſe, have within this realme of Irelande; anye thinge in this preſent acte to the contrarie in any wiſe notwithſtandinge.

XX. Provided allwaies and be yt enacted by the auctoretye aforeſayd, That no orphane or infante within the age of twentye and one yeares, borne within anye of the Kinge's Majeſties dominions, ſhall be chardged to anye payment of this ſubſidye, for his or her goodes and chattels to him or her lefte or bequeathed; any thinge in this acte conteined to the contrarie notwithſtandinge.

XXI. Provided neverthelefſe and be yt enacted by the auctoretye aforeſayd, That yf anye alien or ſtranger borne deniſen or not deniſen, and dwellinge or inhabitinge within this realme of Ireland, ſhall aſſigne or convey over unto anye his or theire childe or children borne within this ſaid realme of Irelande, anye his or theire landes, tenements, goodes and chattels, to the intent theareby to defraude the Kinge's Majeſtie of his ſayd ſubſidye of or for the ſame; that then all and everye ſuche childe and children ſo beinge ſeiſed of any ſuch landes and tenements, or poſſeſſed of any ſouche goods or chattels, ſhall be charged and chargeable to and with the payment of double the ſaid ſubſidye for the ſame landes, tenements, goodes and chattels, at the ſayd rates and values, as aliens and ſtrangers, denizens or not denizens, are before lymitted and appointed to paye.

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The End of the First Volume.

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