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THE  
STATUTES  
OF  
THE REALM.

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PRINTED BY COMMAND  
OF HIS MAJESTY  
KING GEORGE THE THIRD.

IN PURSUANCE OF AN ADDRESS OF  
THE HOUSE OF COMMONS  
OF GREAT BRITAIN.

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*From Original Records and Authentic Manuscripts.*

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VOLUME THE SIXTH.

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MDCCCXIX.

## CHAPTER XIV.

AN ACT for preventing Doubts and Questions concerning the Collecting the Publique Revenue.

Rot Parl pt. 5.  
nu 11

FOR the preventing all Disputes and Questions concerning the collecting levying and answering of the Publique Revenue due and payable in the Reigns of the late Kings Charles the Second and James the Second whilst the better setting of the same is under the Consideration of this present Parliament Bee it enacted by the King and Queenes most excellent Majestyes by and with the advice and consent of the Lords Spirituall and Temporall and Commons in Parliament assembled and by authoritie of the same That the Subsidie of Tonnage and Poundage and other Summes of Money payable upon Merchandize Exported and Imported and the severall Impositions Duties and Charges upon Liquors Manufactures and other things and all and singular the Revenue and Revenues whatsoever except the Duties arising by Fire-hearths and Stoves other then such as are or shall be incurred at or before the five and twentieth day of March one thousand six hundred eighty nine given granted and payable to or lawfully enjoyed by the said late Kings or either of them which remained and had continuance on the fifth day of November last and all Arrears of the same shall be raised levied collected answered and paid to their Majestyes unntill the twenty fifth day of December which shall be in the year of our Lord one thousand six hundred eighty and nine in the same manner and forme according to such Rates and Orders and by such Rules Meanes and Wayes and under such Penalties and Forfeitures as are mentioned expressed and appointed in the Statutes made in the Reigns of the said late Kings or either of them concerning the same respectively and as by Law the same might or ought to have bene during the said Reigns And that all and singular Acts of Parliament made during the Reigns of either of the said late Kings for the granting setting raising levying collecting answering and paying the same or for preventing Frauds or Concealments or regulating Abuses therein or for the better ordering or recovering the same and all Powers Provisions Penalties Articles Clauses and Things contained in the said Acts or any of them be and are hereby continued and confirmed and shall stand and be in force and be applied practiced executed and putt in use for the raising levying collecting paying and answering the said Subsidie Summes of Money Impositions Duties and Revenues to their Majestyes according to the tenour and intent of this present Act And alsoe that an Order of the Commons in Parliament assembled made in pursuance of the Rules and Orders annexed to the Act of Parliament made in the twelfth yeare of the Raigne of the [said] late King Charles the Second Entituled A Subsidie granted to the King of Tonnage and Poundage and other Summes of Money payable upon Merchandize Exported and Imported for setting of Officers Fees dated the seventeenth day of May one thousand six hundred sixty two and signed by Sir Edward Turner then Speaker shall be of full force and effect untill the said five and twentieth day of December one thousand six hundred eighty nine as if the same were particularly and at large recited in this Act

All the Revenue payable to the Two late Kings shall be paid to their present Majesties till December next

All Acts concerning the Revenue in force.

Orders about Fees continued.

Stat 22 Car. II.  
c 4<sup>r</sup>

AND bee it further enacted by the authoritie aforesaid That all and every person and persons that have received or collected the said Subsidy Summs of Money Impositions Dunes or any other publique Revenue or any part or parcel thereof since the said fifth day of November shall and are hereby indemnified against all persons from whome he or they levied received or collected the same to be answerable neverthelesse to their Majestyes for what he or they have soe received or collected

II.  
Persons who have received Subsidy indemnified, but answerable to their Majesties

AND bee it farther enacted by the authoritie aforesaid That all Seisures and Distresses made or to be made by any Officer or Officers of the Customs or Excise or any person or persons thereunto lawfully authorized and all Forfeitures and Penalties for any Offence against any Law concerning the Customs or Excise or relating to the Transportation of Woole or Importation or Exportation of Prohibited Goods incurred since the eleventh day of December and before the thirteenth day of February one thousand six hundred eighty eight shall be prosecuted and sued and all Recoveries Judgments and Proceedings thereupon shall and may be had and prosecuted as well by any Informer suing and prosecuting for the Kings and Queens Majestyes and himselfe as by their Majestyes Attourney Generall for their Majestyes in the same manner and forme as if such Seisures Distresses and Offences had bene made and committed after the said thirteenth day of February.

III.  
Seisures and Forfeitures betwixt December and February valid.

## CHAPTER XV.

AN ACT for the better securing the Government by disarming Papists and reputed Papists.

Rot Parl. pt 5.  
nu 12

FOR the better securing of the Government against Papists and reputed Papists bee it enacted by the King and Queens most excellent Majestyes by and with the advice and consent of the Lords Spirituall and Temporall and Commons in this present Parliament assembled and by authoritie of the same That it shall and may be lawfull for any two or more Justices of the Peace who shall know or suspect any person to be a Papist or shall be informed that any person is or is suspected to be a Papist to tender and they are hereby authorized and required forthwith to tender to such person soe knowne or suspected to be a Papist the Declaration sett downe and expressed in an Act of Parliament made in the thirtyeth yeare of the Raigne of the late King Charles the Second Intituled An Act for the more effectuall Preserving the Kings Person and Government by disabling Papists from sitting in either

Two Justices of Peace may tender Declaration of 30 Car II to Papist, &amp;c

30 Car II. st 2

Such Persons refusing.	House of Parlyament to be hy him made repeated and subhscribed And if such person soe required shall refuse to make repeate and subscribe the said Declaration or shall not make repeate and subscribe the said Declaration or shall refuse or forbear to appeare before the said Justices for the makeing repeating and subscribing the said Declaration upon notice to him given or left at his usuall place of abode by any person authorized in that behalfe by Warrant under the Hands and Seales of the said two Justices such person from thenceforth shall be taken to be and is hereby declared to be lyable and subject to all and every the Penalties Forfeitures and Disahilities hereafter in this Act mentioned
Penalty.	
II Justices of Peace to certify Subscribers and Refusers to the Sessions	AND bee it hereby further enacted That the said Justices of the Peace shall certifie the Name Surname and usuall place of abode of every person who being required shall refuse or neglect to make repeate and subscribe the said Declaration or to appeare before them for the makeing repeating and subscribing the said Declaration As alsoe of every person who shall make repeate and subscribe the said Declaration at the next Generall Quarter Sessions to be holden for the Shire Rideing Division or Liberty for which they shall be Justices of the Peace to be there recorded by the Clerke of the Peace or Towne-Clerke and kept amongst the Records of the said Sessions
III Refuser to keep his Arms	AND for the better securing their Majestyes Persons and Government Bee it further enacted and declared That noe Papist or reputed Papist soe refusing or making default as aforesaid shall or may have or keepe in his House or elsewhere or in the Possession of any other person to his use or at his disposition any Arms Weapons Gunpowder or Ammunition (other then such necessary Weapons as shall be allowed to him by Order of the Justices of the Peace at their Generall Quarter Sessions for the defence of his House or person) And that any two or more Justices of the Peace from time to time by Warrant under their Hands and Seales may authorize and empower any person or persons in the day time with the assistance of the Constable or his Deputy or the Tythingman or Headhurrough where the Search shall be (who are hereby required to be aiding and assisting herein) to search for all Arms Weapons Gunpowder or Ammunition which shall be in the House Custodie or Possession of any such Papist or reputed Papist and seize the same for the use of their Majestyes and their Successors which said Justices of the Peace shall from time to time at the next Generall Quarter Sessions to be held for the County Rideing Division or Liberty where such Seizure shall be made deliver the said Arms Weapons Gunpowder and Ammunition in open Court for the use aforesaid
Two Justices of Peace may seize Arms.	
IV Refuser not discovering or hindereng the Search for his Arms.	AND bee it further enacted That every Papist or reputed Papist who shall not within the space of ten dayes after such refusall or making default as aforesaid discover and deliver or cause to be delivered to some of their Majestyes Justices of the Peace all Arms Weapons Gunpowder or Ammunition whatsoever which he shall have in his House or elsewhere or which shall be in the possession of any person to his use or at his disposition or shall hinder or disturbe any person or persons authorized by Warrant under the Hands and Seales of any two Justices of the peace to search for and seize the same that every such person soe offending contrary to the Statute in this behalf made shall be committed to the Common Gaole of the County or Place where he shall commit such Offence by Warrant under the Hands and Seals of any two Justices of the Peace there to remaine without Baile or Mainprize for the space of three months and shall alsoe forfeit and lose the said Arms and pay treble the value of them to the use of their Majestyes and their Successors to be apprazed by the Justices of the Peace at the next generall Quarter Sessions to be held for the said County Rideing or Division to their Majesties and their Successors
Imprisonment	
Penalty	
V Concealing Arms.	AND bee it further enacted That every person who shall conceale or be privy or aiding or assisting to the concealing or who knowing thereof shall not discover or declare to some of their Majesties Justices of the Peace the Arms Weapons Gunpowder or Ammunition of any person soe refusing or making default as aforesaid or shall hinder or disturbe any person or persons authorized as aforesaid in searching for taking and seizing the same shall be committed to the Common Gaole of the County or place where he shall commit such Offence by Warrant under the Hands and Seals of any two Justices of the Peace there to remaine without Baile or Mainprize for the space of three Months and shall alsoe forfeit and lose treble the value of the said Arms to their Majesties and their Successors
Imprisonment	
Penalty	
VI. Persons discovering Arms.	AND bee it further enacted That if any person or persons shall discover any concealed Arms Weapons Ammunition or Gunpowder belonging to any refusing or making default as aforesaid soe as the same may be seized as aforesaid for the use of their Majesties and their Successors the Justices of the Peace upon delivery of the same at the generall Quarter Sessions as aforesaid shall have power and they are hereby required as a Reward for such a discovery by Order of Sessions to allow to him or them a Summe of Money amounting to the full value of the Arms Weapons Ammunition or Gunpowder soe discovered the said Summe to be assessed by the Judgment of the said Justices at their said Sessions and to be levied by distresse and sale of the Goods of the person offending against this Act rendring the Overplus which shall arise by such sale above the said summe soe allowed and above the necessary Charges of taking such distresse to the Owner Provided alwayes That if any person who shall have refused or made default as aforesaid shall desire to submit and conforme and for that purpose shall present himselfe before the Justices of Peace at the Generall Quarter Sessions to be holden for the County Rideing Division or Liberty where his refusall or making default as aforesaid shall be certified as aforesaid and shall there in open Court make repeate and subscribe the said Declaration contained in the said Act made in the said thirtieth yeare of the Raigne of the said late King Charles the Second and take the severall Oathes contained in an Act made in this present Parlyament Intituled An Act for Removing and Preventing all Questions and Disputes concerning the assembling and sitting of this present Parlyament He shall from thenceforth be discharged of and from all disabilities and forfeitures which he might or should be lyable to for the future by reason of his refusall or default as aforesaid
Reward	
Refusers taking the Declaration, Penalty discharged	

AND bee it further enacted That noe Papist or reputed Papist soe refusing or making default as aforesaid at any time after the fifteenth day of May in the year of our Lord one thousand six hundred eighty nine shall or may have or keepe in his owne possession or in the possession of any other person to his use or at his disposition any Horse or Horses which shall be above the value of five pounds to be sold and that any two or more Justices of the Peace from time to time by Warrant under their Hands and Seals may and shall authorize any person or persons with the assistance of the Constable or his Deputie or the Tythingman or Headburrough when the Search shall be (who are hereby required to be aiding and assisting therein) to search for and seize for the use of their Majesties and their Successors all such Horses which Horses are hereby declared to be forfeited to their Majesties and their Successors

VII  
Papists Horses  
above 5<sup>s</sup> Value  
forfeited

AND bee it further enacted That if any person shall conceale or be aiding or assisting in the concealing any such Horse or Horses belonging to any Papist or reputed soe refusing or making default as aforesaid after the said fifteenth day of May such person shall be committed to prison by such Warrant as aforesaid there to remaine without Baile or Mainprise by the space of three months and shall alsoe forfeit and lose to their Majesties and their Successors treble the value of such Horse or Horses which value is to be settled as aforesaid.

VIII  
Concealing  
Papists Horses.

Penalty.

#### CHAPTER XVI

AN ACT that the Simoniackall Promotion of one Person may not prejudice another.

WHEREAS it hath often happened that persons Simoniack or Simoniackally promoted to Benefices or Ecclesiasticall Livings have enjoyed the benefit of such Livings many yeares and some times all their Life-time by reason of the secret carriage of such Simoniackall dealing and after the death of such Simoniack person another person innocent of such Crime and worthy of such Preferment being presented or promoted by another Patron innocent alsoe of that Simoniackall Contract have bene troubled and removed upon pretence of Lapse (or otherwise) to the prejudice of the innocent Patron in Reversion and of his Clerke whereby the Guilty goe away with profit of his Crime and the innocent succeeding Patron and his Clerke are punished contrary to all reason and good Conscience For prevention whereof Bee it enacted by the King and Queens most excellent Majesties by and with the advice and consent of the Lords Spirituall and Temporall and Comons in this present Parliament assembled and by the authoritie of the same That after the death of the person soe Simoniackally promoted the Offence or Contract of Simony shall neither by way of Title in Pleading or in Evidence to a Jury or otherwise hereafter be alledged or pleaded to the prejudice of any other Patron innocent of Simony or of his Clerke by him presented or promoted upon pretence of Lapse to the Crowne Metropolitan or otherwise unlesse the person Simoniack or Simoniackally presented or his Patron was convicted of such Offence at the Common Law or some Ecclesiasticall Court in the Life time of the person Simoniack or Simoniackally promoted or presented any Law or Statute to the contrary notwithstanding

Ret Parl pt 5  
nu 13

Simoniackall Contract  
where it shall not  
prejudice

[AND bee it alsoe provided enacted and declared by the authoritie aforesaid That noe Lease or Leases really and bona fide made or hereafter to be made by any such person as aforesaid Simoniack or Simoniackally promoted to any Deanry Prebend or Parsonage or other Ecclesiasticall Benefice or Dignity for good and valuable consideration to any Tennant or person not being privy unto or having notice of such Simony shall be impeached or avoided for or by reason of such Simony but shall be good and effectuell in Law the said Simony notwithstanding.]

II.  
Lease made bona  
fide by Simoniack,  
good.

#### CHAPTER XVII.

AN ACT for rectifying a Mistake in a certaine Act of this present Parliament For the amoveing Papists from the Cities of London and Westminster.

Ret Parl pt 5  
nu 14

WHEREAS in an Act of this present Parliament intituled An Act for the amoveing Papists and reputed Papists from the Cities of London and Westminster and ten miles distance from the same the County of Sussex is by mistake in the said Act inserted for the County of Essex Bee it enacted by the King and Queens most excellent Majesties with the advice and consent of the Lords Spirituall and Temporall and Commons in this present Parliament assembled and by the authoritie of the same That all and every the Powers and Authorities by the said recited Act given to the Justices of the Peace for the County of Sussex be and are hereby declared and enacted to extend to the County of Essex and the Justices of Peace of the said County of Essex and Limits thereof.

Sussex changed  
into Essex.

<sup>1</sup> annexed to the Original Act in a separate Schedule