ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

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C A P. LXVIII.

An Act for the better Regulation of Eccleſiaſtical Courts in *Ireland*; and for the more eaſy Recovery of Church Rates and Tithes. [17th *June* 1814.]

WHEREAS it is expedient that Excommunication, together with all Proceedings following thereupon, ſhould in certain Caſes be diſcontinued, and that other Proceedings ſhould be ſubſtituted in lieu thereof; and that certain other Regulations ſhould be made in the Proceedings of the Eccleſiaſtical Courts; and that more convenient Modes of recovering Tithes and Church Rates, in certain Caſes, ſhould be provided; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, Excommunication, together with all Proceedings following thereupon, ſhall in all Caſes, ſave thoſe hereafter to be ſpecified, be diſcontinued throughout that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*; and that in all Cauſes, which according to the Laws of this Realm are cognizable in the Eccleſiaſtical Courts, when any Perſon or Perſons having been duly cited to appear in any Eccleſiaſtical Court, or required to comply with the lawful Orders or Decrees, as well final as interlocutory, of any ſuch Court, ſhall neglect or refuſe to appear, or neglect or refuſe to pay Obedience to ſuch lawful Orders or Decrees;

Excommunication in certain Caſes to be diſcontinued.

or

or when any Perſon or Perſons ſhall commit a Contempt in the Face of ſuch Court, no Sentence of Excommunication ſhall be given or pronounced, ſaving in the particular Caſes hereafter to be ſpecified; but inſtead thereof it ſhall be lawful for the Judges or Judge who iſſued out the Citation, or whoſe lawful Orders or Decrees have not been obeyed, or before whom ſuch Contempt in the Face of the Court ſhall have been committed, to pronounce ſuch Perſon or Perſons Contumacious and in Contempt, and within Ten Days to ſignify the ſame, in the Form to this Act annexed, to His Majeſty in Chancery, as hath heretofore been done in ſignifying Excommunications; and thereupon a Writ *de Contumace Capiendo*, in the Form to this Act annexed, ſhall iſſue from the Court of Chancery, directed to the ſame Perſons to whom the Writs *de Excommunicato Capiendo* have heretofore been directed; and the ſame ſhall be returnable in like Manner as the Writ *de Excommunicato Capiendo* hath been by Law returnable heretofore, and ſhall have the ſame force and effect as the ſaid Writ; and all Rules and Regulations not hereby altered, now by Law applying to the ſaid Writ, and the Proceedings following thereupon, ſhall extend and be applied to the ſaid Writ *de Contumace Capiendo* and the Proceedings following thereupon, as if the ſame were herein particularly repeated and enacted; and the proper Officers of the ſaid Court of Chancery are hereby authorized and required to iſſue ſuch Writ *de Contumace Capiendo* accordingly; and all Sheriffs, Gaolers and other Officers, are hereby authorized and required to execute the ſame, by taking and detaining the Body of the Perſon againſt whom the ſaid Writ ſhall be directed to be executed; and upon the due Appearance of the Party ſo cited and not having appeared as aforeſaid, or the Obedience of the Party ſo cited and not having obeyed as aforeſaid, or the due Submiſſion of the Party ſo having committed a Contempt in the Face of the Court, the Judges or Judge of ſuch Eccleſiaſtical Court ſhall pronounce ſuch Party abſolved from the Contumacy and Contempt aforeſaid, and ſhall forthwith make an Order upon the Sheriff, Gaoler, or other Officer in whoſe Cuſtody he ſhall be, in the Form to this Act annexed, for diſcharging ſuch Party out of Cuſtody; and ſuch Sheriff, Gaoler, or other Officer ſhall, on the ſaid Order being ſhewn to him, ſo ſoon as ſuch Party ſhall have diſcharged the Coſts lawfully incurred by reaſon of ſuch Cuſtody and Contempt, forthwith diſcharge him.

Not to prevent Eccleſiaſtical Courts from paſſing, in certain Caſes, Excommunication.

II. Provided always, and be it further enacted, That nothing in this Act contained ſhall prevent any Eccleſiaſtical Court from pronouncing or declaring Perſons to be Excommunicate in definitive Sentences, or in interlocutory Decrees having the force and effect of definitive Sentences, ſuch Sentences or Decrees being pronounced as Spiritual Cenſures for Offences of Eccleſiaſtical cognizance, in the ſame Manner as ſuch Court might lawfully have pronounced or declared the ſame, had this Act not been paſſed.

Puniſhment by Impriſonment.

III. And be it further enacted, That no Perſon who ſhall be ſo pronounced or declared Excommunicate, ſhall incur any Civil Penalty or Incapacity whatever, in conſequence of ſuch Excommunication, ſave ſuch Impriſonment, not exceeding Six Months as the Court pronouncing or declaring ſuch Perſon Excommunicate, ſhall direct; and in ſuch Caſe the ſaid Excommunication and the Term of ſuch Impriſonment ſhall be ſignified to His Majeſty in Chancery, in the ſame Manner as Excommunications have

have been heretofore ſignified; and thereupon the Writ *de Excommunicato Capiendo* ſhall iſſue, and the uſual Proceeding ſhall be had, and the Party being taken into Cuſtody ſhall remain therein for the Term ſo directed, or until he ſhall be abſolved by ſuch Eccleſiaſtical Court.

Juſtices empowered to determine Tithe Cauſes, where the Amount exceeds not 10l.

IV. And whereas in the Firſt Year of King *George* the Second, an Act was made and paſſed in that Part of the United Kingdom of *Great Britain* and *Ireland*, called *Ireland*, intituled *An Act for the more eaſy Recovery of Tithes, and other Eccleſiaſtical Dues of Small Value*; which Act was at firſt temporary, but was by ſeveral ſubſequent Acts of Parliament in *Ireland* from Time to Time continued, and was at length made perpetual by an Act of Parliament made and paſſed in *Ireland*, in the Thirteenth and Fourteenth Years of the Reign of His preſent Majeſty, whereby amongſt other Things therein enacted, Two or more of His Majeſty's Juſtices of the Peace are authorized and required to hear and determine Complaints concerning Tithes, Offerings, Eccleſiaſtical Dues or Compoſitions, ſubſtracted or withdrawn, not exceeding Forty Shillings: And whereas it has become expedient to enlarge ſuch Amount, and alſo to extend the ſaid Act to all Tithes whatſoever, of a certain limited Amount; be it enacted, That ſuch Juſtices of the Peace ſhall, from and after the paſſing of this Act, be authorized and required to hear and determine all Complaints concerning Tithes, Offerings, Eccleſiaſtical Dues or Compoſitions, ſubſtracted or withdrawn, where the ſame ſhall not exceed Ten Pounds in Amount from any One Perſon, in all ſuch Caſes, and by all ſuch Means, and ſubject to all ſuch Proviſions and Remedies, by Appeal or otherwiſe, as contained in the ſaid Act of King *George* the Second, concerning Tithes, Offerings, Eccleſiaſtical Dues or Compoſitions, not exceeding Forty Shillings: Provided always nevertheleſs, that from and after the paſſing of this Act, One Juſtice of the Peace ſhall be competent to receive the original Complaint, and to ſummon the Parties to appear before Two or more Juſtices of the Peace, as in the ſaid Act is ſet forth.

Limitation of Actions.

V. And be it further enacted, That from and after the paſſing of this Act, no Action ſhall be brought for the Recovery of any Penalty for the not ſetting out of Tithes, nor any Suit inſtituted in any Court of Equity, or in any Eccleſiaſtical Court, to recover the Value of any Tithes, unleſs ſuch Action ſhall be brought, or ſuch Suit commenced within Six Years from the Time when ſuch Tithes became due.

Extending Iriſh Act 7 G. 3. reſpecting Quakers.

VI. And whereas in the Seventh Year of the Reign of His preſent Majeſty King *George* the Third, an Act was made and paſſed, in *Ireland*, intituled *An Act to continue and amend an Act, paſſed in the Third Year of His Majeſty's Reign, intituled* ‘ *An Act to amend and explain an Act, made* ‘ *in the Thirty-third Year of the Reign of* Henry *the Eighth, intituled* “ *An* “ *Act for Tithes, and for other Purpoſes therein mentioned;*” which Act of the Seventh Year of the Reign of His preſent Majeſty was at firſt temporary, but was afterwards from Time to Time continued by ſubſequent Acts of Parliament, and at length made perpetual by an Act paſſed in *Ireland*, in the Eleventh and Twelfth Years of the Reign of His preſent Majeſty, intituled *An Act for reviving and continuing ſeveral temporary Statutes that have lately expired, and for continuing others that are near expiring*; by which ſaid Act of the Seventh Year of the Reign of His preſent Majeſty, it is enacted, That where any Quaker ſhall refuſe to

pay,

pay, compound for, or ſet out his Great or Small Tithes, or pay any Cuſtomary or other Rights or Dues belonging to any Church or Chapel, which by Law or Cuſtom ought to be paid, Two or more of His Majeſty's Juſtices of the Peace are authorized to hear and determine the ſame, not exceeding the Value of Ten Pounds: And whereas it is become expedient to enlarge the ſaid Sum; be it enacted, That from and after the paſſing of this Act all the Proviſions of the ſaid Act of the Seventh Year of His preſent Majeſty, touching Quakers, ſhall be deemed and taken to extend to any Value not exceeding Fifty Pounds: Provided always nevertheleſs, that from and after the paſſing of this Act One Juſtice of the Peace ſhall be competent to receive the original Complaint, and to ſummon the Parties to appear before Two or more Juſtices of the Peace, as in the ſaid Act is ſet forth.

Church Rates and Pariſh Ceſſes.

VII. And whereas it is expedient that Church Rates or Pariſh Ceſſes of limited Amount unduly refuſed or withheld, ſhould in certain Caſes be more eaſily and ſpeedily recovered; be it enacted, That from and after the paſſing of this Act if any one duly rated to a Church Rate or Pariſh Ceſs, the Validity whereof has not been queſtioned in any Eccleſiaſtical Court, ſhall refuſe or neglect to pay the ſame Sum at which he is ſo rated, it ſhall and may be lawful for any One Juſtice of the Peace of the ſame County, County of a City, or Town Corporate, where the Church is ſituated, in reſpect whereof ſuch Rate or Pariſh Ceſs ſhall have been made, upon the Complaint of any Churchwarden or Churchwardens who ought to receive and collect the ſame, by Warrant under the Hand and Seal of ſuch Juſtice, to convene before any Two or more of ſuch Juſtices of the Peace, any Perſon ſo refuſing or neglecting to pay ſuch Rate or Pariſh Ceſs, and to examine upon Oath (which Oath the ſaid Juſtices are hereby empowered to adminiſter) into the Merits of the ſaid Complaint, and by Order under their Hands and Seals to direct the Payment of what is due and payable in reſpect of ſuch Rate or Ceſs, ſo as the Sum ordered and directed to be paid as aforeſaid do not exceed Ten Pounds over and above the reaſonable Coſts and Charges to be aſcertained by ſuch Juſtices; and upon Refuſal or Neglect of ſuch Party to pay according to ſuch Order, it ſhall and may be lawful for any One of ſuch Juſtices, by Warrant under his Hand and Seal, to levy the Money thereby ordered to be paid, together with the Amount of ſuch Coſts and Charges, by Diſtreſs and Sale of the Goods of ſuch Offender, his Executors or Adminiſtrators, rendering only the Overplus to him or her, the neceſſary Charges of diſtraining being thereout firſt deducted and allowed by the ſaid Juſtices; and any Perſon finding him or herſelf aggrieved by any Judgment given by Two or more ſuch Juſtices, may appeal to the next General Quarter Seſſions to be held for the County, County of a City, or Town Corporate, wherein the Church is ſituated, in reſpect whereof ſuch Rate or Ceſs ſhall have been made; and the Juſtices of the Peace then preſent, or the major Part of them, ſhall proceed finally to hear and determine the Matter, and to reverſe the ſaid Judgment if they ſhall ſee Cauſe; and if the Juſtices then preſent, or the major Part of them, ſhall find Cauſe to affirm the Judgment given by the Firſt Two or more Juſtices, the ſame ſhall be decreed by Order of Seſſions, with Coſts, againſt the Appellant, to be levied by Diſtreſs and Sale of the Goods and Chattels of the ſaid Party Appellant: Provided always, that in caſe any ſuch Appeal be made as aforeſaid, no Warrant of Diſtreſs ſhall be granted until after ſuch Appeal be determined:

mined: Provided alſo, that nothing herein contained ſhall extend to alter or interfere with the Juriſdiction of the Eccleſiaſtical Courts to hear and determine Cauſes touching the Validity of any Church Rate or Ceſs, or from proceeding to enforce the Payment of any ſuch Rate or Ceſs, if the ſame ſhall exceed the Sum of Ten Pounds from the Party proceeded againſt: Provided likewiſe, that if the Validity of ſuch Rate or Ceſs, or the Liability of the Perſon from whom it is demanded to pay the ſame be diſputed, and the Party diſputing the ſame give Notice thereof to the Juſtices, the Juſtices ſhall forbear giving Judgment thereupon; and the Perſon or Perſons demanding the ſame may then proceed to the Recovery of their Demand, according to the Courſe of Law as heretofore uſed and accuſtomed: Provided alſo, that nothing herein contained ſhall extend to alter, change, or make void any Clauſe, Matter, or Thing, reſpecting the rebuilding and repairing of Churches, contained in a certain Act of Parliament made and paſſed in *Ireland*, in the Twelfth Year of the Reign of King *George* the Firſt, intituled *An Act for the more effectual erecting and better regulating of Free Schools, and for rebuilding and repairing of Churches.*

Extending the Amount of Decrees on Monitions by the Chairman of Dublin.

VIII. And whereas by the aforeſaid in part recited Act, paſſed in *Ireland* in the Seventh Year of the Reign of His preſent Majeſty, it is enacted, That where any Perſon or Perſons are condemned in any Sum or Sums of Money for Predial Tithes or Coſts of Suit, in any ſuch Cauſe (as in the Act mentioned) and the Party ſo condemned ſhall refuſe or neglect, after Service of a Monition for that Purpoſe from the Court where ſuch Sentence is or ſhall be given, and Proof made upon Oath of the due Service thereof, by the Space of Fifteen Days after ſuch Service, to ſatisfy and pay to the Party obtaining ſuch Sentence, ſuch Sum or Sums as ſhall be ſo decreed, it ſhall and may be lawful for the Perſon or Perſons ſo obtaining ſuch Sentence or Sentences, their Executors or Adminiſtrators, to ſue for the Money ſo decreed, by Civil Bills, before the next going Judges of Aſſize for the County where the Parties againſt whom ſuch Sentence was pronounced ſhall reſide, or in any other Court where Civil Bills are or ſhall be allowed to be brought, in ſuch Manner as Suits by Civil Bills are now allowed to be brought, ſo as the ſame do not exceed the Sum of Twenty Pounds: And whereas an Act was made and paſſed, in *Ireland*, in the Twenty-ſeventh Year of the Reign of His preſent Majeſty, intituled *An Act for the better Execution of the Law and Preſervation of the Peace within Counties at large;* by virtue of which Act, a Barriſter at Law, of Six Years ſtanding at leaſt, was appointed to act as a conſtant Aſſiſtant to the Juſtices at every Seſſion of the Peace in each County in *Ireland*: And whereas an Act was made and paſſed, in *Ireland*, in the Thirty-ſixth Year of the Reign of His preſent Majeſty, intituled *An Act for the better and more convenient Adminiſtration of Juſtice, and for the Recovery of Small Debts in a ſummary Way, at the Seſſions of the Peace of the ſeveral Counties at large within this Kingdom* (*except the County of* Dublin) *and for continuing and amending an Act, intituled* '*An Act for the better Execution of the Law,* '*and Preſervation of the Peace within the Counties at large;*' and it is by ſaid Act enacted, That the aforeſaid Aſſiſtant Barriſters be authorized and empowered, at the General Seſſions or Quarter Seſſions of the Peace in their reſpective Counties, to hear and determine in a ſummary Way, by *Engliſh* Bill or Paper Petition uſually called a Civil Bill, among other Actions therein recited, all Actions on Monitions iſſuing from Eccleſiaſtical

Courts, for Non-payment of Sums in which the Parties ſhall have been condemned in ſuch Eccleſiaſtical Courts for Predial Tithes or Coſts of Suit, according to the Proviſions of the herein-before in part recited Act of the Seventh Year of the Reign of His preſent Majeſty; and that the ſaid Aſſiſtant Barriſters ſhall reſpectively be the ſole and excluſive Judges in ſuch Courts of General and Quarter Seſſions of the Peace, for hearing and determining in a ſummary Way by *Engliſh* Bill or Paper Petition uſually called a Civil Bill, ſuch Cauſes as they are empowered as aforeſaid to hear and determine, in like Manner as the Chairman of the County of *Dublin* now is: And whereas an Act was made and paſſed, in *Ireland*, in the Thirty-ninth Year of the Reign of His preſent Majeſty, intituled *An Act for the further Amendment of an Act paſſed in the Thirty-ſixth Year of the Reign of His Majeſty King* George *the Third, intituled* '*An Act for* '*the better and more convenient Adminiſtration of Juſtice, and for the Reco-*'*very of Small Debts in a ſummary Way, at the Seſſions of the Peace within* '*this Kingdom* (*except the County of* Dublin) *and for continuing and* '*amending an Act for the better Execution of the Law and Preſervation of* '*the Peace within Counties at large*;' by which Act it is enacted, That it ſhall and may be lawful for the aforeſaid Aſſiſtant Barriſters, at all Times hereafter, to make Decrees on all Monitions iſſuing out of Eccleſiaſtical Courts, without any Limitation on account of the Sum therein contained: And whereas the Chairman of the County of *Dublin* is always One of His Majeſty's Judges or Counſel learned in the Law, who, with the Juſtices of the Peace for the County of *Dublin*, holds the General Quarter Seſſions of the Peace for the ſaid County; and the ſaid Chairman of the County of *Dublin* is, by an Act of Parliament made and paſſed in *Ireland*, in the Second Year of the Reign of King *George* the Firſt, intituled *An Act for reviving and amending an Act, intituled* '*An Act for recovering* '*of Small Debts in a ſummary Way, before the Judges of Aſſize*,' authorized and empowered to exerciſe a full Civil Bill Juriſdiction, at the General Quarter Seſſions for the ſaid County, but he cannot make a Decree for any greater Sum on a Monition iſſuing out of an Eccleſiaſtical Court than the Sum of Twenty Pounds; and it is expedient that he ſhould have the ſame Power and Authority to make Decrees on Monitions iſſuing out of the Metropolitical and Conſiſtorial Court of the Dioceſe of *Dublin*, within the County of *Dublin*, as the aforeſaid Aſſiſtant Barriſters are inveſted with, in the Manner before mentioned, in their reſpective Counties; be it therefore enacted, That it ſhall and may be lawful for the Chairman of the Seſſions of the Peace for the County of *Dublin*, and he is hereby authorized and empowered, to hear and determine in a ſummary Way, by *Engliſh* Bill or Paper Petition uſually called a Civil Bill, all Actions on Monitions iſſuing from the Metropolitical and Conſiſtorial Court of the Dioceſe of *Dublin*, for Non-payment of Sums in which the Parties ſhall have been condemned in the ſaid Eccleſiaſtical Court, for Predial Tithes iſſuing, growing, and increaſing within the ſaid County of *Dublin*, and Coſts of Suit, according to the Proviſions of the herein-before in part recited Act of the Seventh Year of the Reign of His preſent Majeſty, without any Limitation reſpecting the Amount of the Sum therein contained.

Regulation for Proctors.

IX. And be it further enacted, That, from and after the paſſing of this Act, if any Proctor of His Majeſty's Court of Prerogative in *Ireland*, or of the Conſiſtorial and Metropolitical Courts of *Armagh* and *Dublin*, or of

of any other Eccleſiaſtical Court or Courts in *Ireland*, in which he ſhall be entitled to act as Proctor, ſhall act as ſuch, or permit and ſuffer his Name to be in any Manner uſed in any Suit, the Proſecution or Defence whereof ſhall appertain to the Office of a Proctor, or in obtaining Probates of Wills, Letters of Adminiſtration, or Marriage Licences, to or for or on account or for the Profit and Benefit of any Perſon or Perſons not entitled to act as a Proctor, or ſhall permit or ſuffer any ſuch Perſon or Perſons to demand or participate in ſuch Profit and Benefit, and Complaint thereof ſhall be made in the Court or Courts wherein ſuch Proctor hath been admitted and enrolled, and Proof given to the Satisfaction of the ſaid Court or Courts that ſuch Proctor hath offended therein as aforeſaid; then and in ſuch Caſe every ſuch Proctor ſo offending, ſhall be ſtruck off the Roll of Proctors, and be for ever after diſabled from practiſing as a Proctor, or be ſuſpended from the Office, Functions, and Practice of a Proctor, in all and every the ſaid Court or Courts, for ſo long a Period as the Judge or Judges of the ſaid Court or Courts may deem fit; ſave and except as to any Allowance or Allowances, Sum or Sums of Money that are or ſhall be agreed to be made to the Widows or Children of any deceaſed Proctor or Proctors, by any ſurviving Partner or Partners of ſuch deceaſed Proctor or Proctors; and alſo ſave and except as to any Agreement made or underſtood to have been made between Proctors and articled Clerks, whoſe Articles have been executed prior to the paſſing of this Act.

Penalty.

X. And be it further enacted, That from and after the paſſing of this Act, in caſe any Perſon or Perſons ſhall, in his or in their own Name, or in the Name of any other Perſon or Perſons, make, do, act, exerciſe, or perform any Act, Matter, or Thing whatſoever, in any Way appertaining or belonging to the Office, Function, or Practice of a Proctor, for or in Conſideration of any Gain, Fee, or Reward, or with a View to participate in the Benefit to be derived from the Office, Functions, or Practice of a Proctor, without being admitted and enrolled, every ſuch Perſon for every ſuch Offence ſhall forfeit and pay the Sum of Fifty Pounds, to be ſued for and recovered in Manner herein-after mentioned.

Clerks.

XI. Provided always, and be it further enacted, That nothing herein contained ſhall extend or be conſtrued to extend to any Salary which ſhall be agreed to be paid by a Proctor, his Partner or Succeſſor, to a Clerk really and *bonâ fide* ſerving in his Office, at the Time of the paſſing of this Act, and who ſhall have been *bonâ fide* ſerving in the Office of any Proctor or Proctors, for Seven Years next before the paſſing of the ſame.

Recovery of Penalties.

XII. And be it further enacted, That all pecuniary Forfeitures and Penalties, impoſed on any Perſon or Perſons, for Offences committed againſt this Act, ſhall and may be ſued for and recovered in any of His Majeſty's Four Courts in the City of *Dublin*, by Action of Debt, Bill, Plaint, or Information; wherein no Eſſoign, Protection, Privilege, Wager of Law or more than One Imparlance ſhall be allowed; and wherein the Plaintiff, if he or ſhe ſhall recover any Penalty or Penalties, ſhall receive the ſame for his or her own Uſe, with full Coſts of Suit.

XIII. And

Limitation of Actions.

XIII. And be it further enacted, That if any Action or Suit ſhall be brought or commenced for any Thing done in purſuance of this Act, every ſuch Action or Suit ſhall be commenced within Three Calendar Months next after the Fact committed, and not afterwards; and ſhall be laid and tried in the City or County wherein the Cauſe of Action ſhall have ariſen, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance or by the Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if any Action or Suit ſhall be brought after the Time limited for bringing the ſame, or ſhall be laid in any other City, County, or Place than as aforeſaid, then the Judge ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or ſuffer a Diſcontinuance of their Action or Suit, after the Defendant or Defendants ſhall have appeared; or if upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in any other Caſe by Law.

Act to extend to Ireland only.

XIV. Provided always, that nothing in this Act contained ſhall extend or be conſtrued to extend to any Part of the United Kingdom, except *Ireland*.

SCHEDULES

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Significavit Party being Contumacious and in Contempt.

TO His moſt Excellent Majeſty and Our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, by Divine Providence [*or*, Permiſſion, *as the Caſe may be*] Health in him by whom Kings and Princes rule and govern; We hereby notify and ſignify unto Your Majeſty, That one in the County of hath been duly pronounced guilty of manifeſt Contumacy and Contempt of the Law and Juriſdiction Eccleſiaſtical, in not [*as the Caſe may be*] appearing before [*here ſet out the Style of the Eccleſiaſtical Judge, or his Repreſentative*] *or*, in not obeying the lawful Commands [*here ſet out the Commands*] of [*ſuch Judge or Repreſentative*] *or*, in having committed a Contempt in the Face of the Court of [*ſuch Judge or Repreſentative*] lawfully authorized by [*here ſet out the Nature and Manner of ſuch Contempt*] on a Day and Hour now long paſt, in a certain Cauſe of [*here ſet out the Nature of the Cauſe, and the Names of the Parties to the ſame*] We therefore humbly implore and entreat Your ſaid moſt Excellent Majeſty would vouchſafe to command the Body of the ſaid to be taken and impriſoned for ſuch Contumacy and Contempt.

Given under the Seal of Our Courts, the Day of

A. B. Regiſtrar, *or* Deputy Regiſtrar [*as the Caſe may be.*]

SCHEDULE (B.)

Writ de Contumace Capiendo.

GEORGE, &c. To the Sheriff Greeting: The hath ſignified, to us, that of in your County of is manifeſtly Contumacious, and contemns the Juriſdiction and Authority of [*here fully ſtate the Non-appearance, Diſobedience, together with the Commands diſobeyed*, or, *the Contempt in the Face of the Court, as the Caſe may be*] nor will he ſubmit to the Eccleſiaſtical Juriſdiction; but foraſmuch as the Royal Power ought not to be wanting to enforce ſuch Juriſdiction, We command you, that you attach the ſaid by his Body, until he ſhall have made Satisfaction for the ſaid Contempt: And how you ſhall execute this Our Precept, notify unto and in nowiſe omit this; and leave you there this Writ.

Witneſs Day of in the Year of Our Reign.

SCHEDULE (C.)

Writ of Deliverance.

WHEREAS of in your County of whom lately at the denouncing of for Contumacy, and by Writ iſſued thereupon, you attached by his Body, until he ſhould have made Satisfaction for the Contempt; Now he having ſubmitted himſelf and ſatisfied the ſaid Contempt, We hereby empower and command you that without Delay you cauſe the ſaid to be delivered out of the Priſon in which he is ſo detained, if upon that Occaſion, and no other, he ſhall be detained therein.

Given under our Seal of Our of

A. B. Regiſtrar [*or*, Deputy Regiſtrar, *as the Caſe may be.*]

Extracted by *E. F.*
Proctor.

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