

Justices of
both benches.

V. Provided always, That this act, nor any thing therein contained, shall be prejudicial to any justice or justices of the one bench or the other, for taking, hearing or determining assises in the said courts, in the one bench or the other, nor to any justice that shall take any assise by or upon adjournment for difficulty of the same.

No clerk of assise shall be of counsel with any person in that circuit.

VI. Provided alway, and be it enacted, That any clerk of assise during the only time of the session of or for any assise or assises, or of or for any *nisi prius*, shall not be of counsel with any person or persons within any circuit whereof he shall be clerk of assise, otherwise than to that office only appertaineth, (2) upon pain to forfeit for every time offending contrary to this statute, ten pounds; the one moiety thereof to be to the King our sovereign lord, and the other moiety to the party grieved, to be sued in any of the King's courts of record, by action of debt, bill, plaint, information or otherwise, in which suit no essoin, protection, wager of law, or other dilatory plea, shall be admitted or allowed.

The justices, justice clerks, and clerks of assise in the county of Lancaster.

VII. Provided also, and be it enacted by the authority aforesaid, That this act or any thing therein contained, extend not unto the justices, justice clerks, or clerk of assises, within our sovereign lord the King's duchy and county palatine of *Lancaster*, nor to any of them that now be, or hereafter shall be; but that the same justices, justice clerks, and clerk, and every of them, shall and may execute their offices, and every of them, in such manner and form as they, or any of them, have used to do before the making of this present act; this act or any thing therein contained to the contrary thereof notwithstanding.

CAP. XXV.

The children of *Thomas Points*, *William Castelin* and *John Dimmock*, born beyond the sea, shall be reputed natural subjects, and enabled to enjoy land by descent or purchase, to sue and be sued.

CAP. XXVI.

A repeal of certain fraudulent deeds, estates, wills and conveyances made by Sir *John Shelton*, of lands in *Norfolk* and *Sussex*, to defeat the King and others of wardship, primer seisin, relief, &c. and he adjudged to die seised of such estate in those lands, as he was before the said conveyances made.

CAP. XXVII.

The bill for leases of hospitals, colleges, and other corporations.

Leases of hospitals, &c. good with consent of the more part.
Dyer 247.

ALBEIT that by the common laws of this realm of England, all assents, elections, grants and leases had, made and granted by the dean, warden, provost, master, president, or other governor of any cathedral church, hospital, college or other corporation, by whatsoever name they be incorporate or founded, with the assent and consent of

of the more or greater part of their chapter, fellows or brethren of such corporation, having voices of assent thereunto, be as good and effectual in the law to the grantees and lessees of the same, as if the residue or the whole number of such chapter, fellows and brethren of such corporation, having voices of assent, had thereunto consented and agreed: (2) yet the said common laws notwithstanding, divers founders of such deanries, hospitals, colleges and corporations within the said realm, have upon the foundation and establishment of the same deanries, hospitals, colleges and other corporations, established and made, amongst other their peculiar acts, local statutes and ordinances, that if any one of such corporation, having power or authority to assent or disassent, should and would deny any such grant or grants, that then no such lease, election or grant should be had, granted or leased; and for the performance of the same, every person having power of assent to the same, have been and be daily thereunto sworn, and so the residue may not proceed to the perfection of such elections, grants and leases, according to the course of the common laws of this realm, unless they should incur the danger of perjury: (3) For the avoiding whereof, and for the due execution of the common law universally within this realm, and every place, in one conformity of reason to be used; be it ordained, established and enacted, by the authority of this present parliament, That all and every peculiar act, order, rule and estatute heretofore made or hereafter to be made by any founder or founders of any hospital, college, deanry or other corporation, at or upon the foundation of any such hospital, college, deanry or corporation, whereby the grant, lease, gift or election of the governor or ruler of such hospital, college, deanry or other corporation, with the assent of the more part of such of the same hospital, college, deanry or corporation, as have or shall have voice of assent to the same, at the time of such grant, lease, gift, or election hereafter to be made, should be in any wise hindred or let by any one or mo, being the lesser number of such corporation, contrary to the form, order and course of the common law of this realm of *England*, shall be from henceforth clearly frustrate, void and of none effect; (4) and that all oaths heretofore taken by any person or persons of such hospital, college, deanry and other corporation, shall be, for and concerning the observance of any such order, estatute or rule, deemed void and of none effect; (5) and that from henceforth no manner person or persons of any such hospital, college, deanry or other corporation, shall be in any wise compelled to take any oath for the observing of any such order, estatute or rule, (6) upon the pain of every person so giving such oath, to forfeit for every time so offending, five pounds; the one moiety thereof to be to the use of our sovereign lord the King, and the other moiety thereof to any of the King's subjects which will sue for the same in any the King's courts of record, by action of debt, bill, plaint, information or otherwise; wherein the defendant shall not be admitted to wage his law, nor any protection nor essoin, or any other dilatory plea admitted or allowed.

In corporations none shall have a negative voice.

An oath shall not be observed, which is taken contrary to this statute.