

good proof before the court of justice in which he sued, and likewise to declare, upon oath, that he had done duty in his parish church, that is, some part of the duty, for forty Sundays in the year in which he claims his tithes to have become due ; or, if he has done duty seldomer than forty times, then to swear and bring good proof that he has done duty that lesser number of times. And, if he has done duty for forty Sundays, he shall recover his whole tithe ; and, if he has done duty on a Sunday seldomer than forty times, he shall recover only so many fortieth parts of his tithes as there are Sundays on which he has done duty.

This, I imagine, would be a very useful regulation. For it has been observed of late years, that many Clergymen, who have but one living, decline their residence upon it, and keep a curate to do the duty of it, while they, themselves, go and reside at some great town where there is a good deal of company and amusement. This
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