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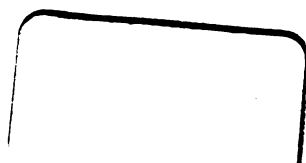
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THE
STATUTES AT LARGE,
OF
ENGLAND
AND OF
GREAT-BRITAIN:

FROM MAGNA CARTA
TO THE UNION OF THE KINGDOMS OF
GREAT BRITAIN AND IRELAND.

In Twenty Volumes.

VOL. II.

From 1 Ric. II. A.D. 1377.—To 19 Hen. VII. A.D. 1504.

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T A B L E

OF

THE STATUTES,

From the First Year of King RICHARD II.

To the End of the Reign of King HENRY VII.

1 Rich. II.—A. D. 1377.

In the Parliament holden at *Westminster*, in 15 Days of *Michaelmas*.
(13 October)

Cap.

1. A Confirmation of the Liberties of the Church, and of all Statutes not repealed. Page 4
2. The Peace shall be kept, and Justice shall be done to all Persons. ib.
3. For regulating Purveyance. 5
4. The Penalties for Maintenance by the King's Officers and Servants and all others. ib.
5. The Punishment of a Clerk of the Exchequer, making Process for a Debt paid. 6
6. For punishing the Misbehaviour of Villains, and Land Tenants in Villenage. ib.
7. Against Maintenance by giving of Liveries. 8
8. In what Case a Protection *Cum clausula Volumus* is not allowable. 9
9. Against Feoffments of Lands, and Gifts of Goods made by Fraud or for Maintenance. ib.
10. A Confirmation of the Pardon granted by King Edward III. in the 51st Year of his Reign. 12
11. None that hath been Sheriff shall be so again within Three Years. ib.
12. Penalty on Warden of the Fleet, for suffering Prisoners in Execution to go at large; and on Parties confessing Debts to the King, to delay their Debtors of Execution. ib.
13. Ecclesiastical Judges and others shall not be vexed for Suits in Spiritual Courts. 12
14. Of Actions against the Clergy for taking of Tithes. 13
15. The Penalty for arresting Priests during Divine Service. 14

2 Rich. II.—A.D. 1378, 1379.

Statute I.

In the Parliament holden at *Gloucester*, on *Wednesday* next after the Feast of *St. Luke* the Evangelist, (20 October) A.D. 1378.

1. All Merchants may buy and sell within the Realm without Disturbance. - Page 18
2. Confirmation of the Statute of 25 Edw. 3. Stat. 4. Cap. 3. against Forefallers. - 22
3. Merchants of the West may buy Staple Merchandizes, so that they find Sureties to carry them to the West, or to Calais. *ib.*
4. The Penalty of Mariners retained to serve the King on the Sea, which do depart without Licence - 23
5. The Penalty for telling slanderous Lies of the great Men of the Realm. - 24
6. For Punishment of Rioters. - 25
7. Urban was duly chosen Pope, and so ought to be accepted and obeyed. *ib.*
8. The Statute of 23 Edw. 3. and all other Statutes of Labourers, &c. confirmed. - 27

Statute II.

In the Parliament holden at *Westminster*, in 15 Days of *Easter*, (25 April) A.D. 1379.

1. A Confirmation of the Liberties of the Church - 28
2. A Repeal of the Statute of 2 Ric. 1. Stat. 1. Cap. 6. touching Riots. *ib.*
3. For Relief of Creditors against fraudulent Deeds made by Debtors - 29

3 Rich. II.—A.D. 1379-80.

In the Parliament holden at *Westminster*, on *Monday* next after the Feast of *St. Hilary*, (16 Jan.) 30

1. A Confirmation of the Liberties of the Church, and of the Laws and Statutes of the Realm. - 33
2. For regulating the Sale of Cloths. *ib.*
3. The farming of Benefices in *England* belonging to Aliens, and the sending the Profits thereof to such Aliens, prohibited under Penalty of *Premunire*. *ib.*

4 Rich. II.—A.D. 1380.

In the Parliament holden at *Northampton*, on *Monday* next after the Feast of *All Saints*, (5 Nov.) 37

1. All Vessels of Wine, Honey, Oil and other Liquors brought into the Realm shall be gauged. - 38
2. The King's Pardon. - 39

5 Rich. II.—A.D. 1381, 1382.

Statute I.

At the Parliament holden at *Westminster*, on the Morrow of *All Souls*, A.D. 1381. 40

1. A Confirmation of the Liberties of the Church, and of all Statutes made and not repealed. - 42
2. None

TABLE of the STATUTES, 5^o, 6^o Rich. II.

Cap.

2. None shall export Gold or Silver, nor depart out of the Fealm, without Licence. Page 43
3. Subjects shall export or import Merchandizes in *English* Ships only. 45
4. The several Prices of several Sorts of Wines to be sold in Grois or by Retail. 46
5. Sweet Wines and Claret shall not be sold by Retail in *England*. *ib.*
6. Pardon and Indemnity to those that repressed or punished Rebels. *ib.*
7. Manumissions, Releases, Bonds, Feoffments, &c. late made by Compulsion shall be void.—It shall be Treason to begin a Riot, Rout or Rumour. 47
8. The Penalty where any doth enter into Lands where it is not lawful, or with Force. 48
9. They whose Writings were lost in the late Insurrection, shall petition the King and Council, who shall provide Remedy accordingly. 49
10. For enabling Defendants in the Exchequer to plead their Discharge. *ib.*
11. For regulating in the Exchequer, the Accounts of Persons retained to serve the King. 50
12. For shortning Accompts in Exchequer. 51
13. For assigning Two Clerks, to make Parcels of Accompts in the Exchequer. 52
14. For preventing and regulating Accompts of Nichil in the Exchequer. *ib.*
15. For regulating the Entry of all Discharges in the Exchequer. *ib.*
16. For regulating Discharges in the Exchequer, on Judgment for Livery of Lands. 53
17. The Fees of the Exchequer Clerks, for making Commissions or Records of *Nisi Prius*. 54

Statute II.

At the Parliament holden at *Westminster*, on the Morrow of *St. John* Port Latin, (7 May) A.D. 1382. 55

1. Merchant Strangers may freely come into, continue and depart forth of the Realm. *ib.*
2. For regulating the Exportation of Wool, and the Duties thereon. 50
3. A Subsidy of Tonnage and Poundage, granted to the King for a limited Time, to be employed upon the Keeping of the Sea. *ib.*
4. Every one to whom it belongeth shall upon Summons come to the Parliament. 57
5. For the Arresting and Apprehension of erroneous and heretical Preachers. 58

6 Rich. II.—A.D. 1382 & 1383.

Statute I.

In the Parliament holden at *Westminster*, on Monday in Eight Days of *Michaelmas*, A.D. 1382. 60

1. A Confirmation of the Liberties of the Church, and of all Statutes not repealed. 62
2. Write

Cap.		
2.	Writs of Debt, Accompt, &c. shall be commenced in the Counties where the Contracts were made.	Page 62
3.	How Writs of Nulance, called <i>Vicentids</i> , shall be pursued.	63
4.	Exemplifications of Instruments of Deeds (destroyed in the late Infurrection,) shall be of like Force as the original Deeds.	<i>ib.</i>
5.	Justices of Assize, &c. shall hold their Sessions in principal Towns.	64
6.	Punishment of Ravishers; and Women who consent after Rape.	<i>ib.</i>
7.	The Sale of Sweet Wines allowed; viz. at the same Price as Gascony and Rhenish Wines under 5 Ric. 2. Stat. 1. c. 4.	65
8.	For explaining the Statute 5 Ric. 2. Stat. 1. c. 3. concerning Shipping.	<i>ib.</i>
9.	No Victuallers shall execute a judicial Place in a City or Town Corporate.	66
10.	Aliens being in Amity with the King may bring in Victuals and sell them.	<i>ib.</i>
11.	For regulating the Sale of Fish.	67
12.	The Mayor of London, and Chief Officers of Towns Corporate, shall be sworn to observe the foregoing Ordinance touching Fishmongers and Victuallers.	<i>ib.</i>
13.	The King's Pardon.	<i>ib.</i>

Statute II.

In the Parliament holden at *Westminster*, on *Monday* in the Third Week of *Lent*, (23 Feb.) A.D. 1382, 3. 70

7 Ric. II.—A.D. 1383.

	In the Parliament holden at <i>Westminster</i> , on the <i>Monday</i> next before the Feast of <i>All Saints</i> , (26 Oct.)	71
1.	A Confirmation of the Liberties of the Church.	73
2.	A Confirmation of all former Statutes in force.	<i>ib.</i>
3.	A Jury for a Trespass within the Forest shall give their Verdict where they received their Charge.	<i>ib.</i>
4.	None shall be taken or imprisoned by the Officers of the Forest, without Indictment.	<i>ib.</i>
5.	For Punishment of Vagabonds.	74
6.	For Confirmation and Proclamation of the Statute of Winchester.	75
7.	In Default of the Parties a Nisi-Prius may be granted at the Suit of any of the Jurors.	<i>ib.</i>
8.	Confirmation of Stat. 36 E. 3. St. 1. c. 6. against Purveyance by Subjects.	76
9.	A Confirmation of all former Statutes concerning Cloths.	<i>ib.</i>
10.	Assize for Rents issuing out of Lands in divers Counties, shall be taken on the Confinces of the Counties.	<i>ib.</i>
11.	A Repeal of the Statutes, 5 Ric. 2. c. 4, 5. and 6 Ric. 2. c. 7, 11; 12. concerning Fishmongers, Victuallers and Vintners.	77
12.	For confirming and amending the Statute, 3 Ric. 2. c. 3. respecting the Benefices of Aliens.	78
13.	No Man shall ride in Harness within the Realm nor with Launcegays.	79
14.	For allowing Defendants to make Attornies in Writs of <i>Procurator facias</i> .	<i>ib.</i>
	15. Confirmation	

TABLE of the STATUTES, 7°—11° Ric. II.

Cap.

15. Confirmation of Statutes against Maintenance and Champerty, Page 80
16. No Armour, Victual, or other Refreshment shall be sent into Scotland, without the King's Licence. - ib.
17. Mainpernors shall satisfy the Plaintiff for his Delay, where the Defendant keepeth not his Day. - ib.

8 Ric. II.—A.D. 1384.

In the Parliament holden at *Westminster*, on the Morrow of *St. Martin*, (11 Nov.) 81

1. A Confirmation of the Liberties of the Church, and of all Statutes not repealed. - 82
2. No Man of Law shall be Justice of Assize, or Give Delivery, in his own Country. - ib.
3. Duty of the Judges and Barons of the Exchequer. 83
4. For preventing the false Entries of Pleas, raising Rolls, and changing of Verdicts. - 84
5. What Suit shall be discussed before the Constable and Marshal of England. - ib.

9 Ric. II.—A.D. 1385.

In the Parliament holden at *Westminster*, on Friday next after the Feast of *St. Luke the Evangelist*, (18 Oct.) 85

1. A Confirmation of all Statutes not repealed, except the Statute of 8 Ric. 2. c. 3. - 87
2. Villains flying into Cities, and suing their Lords, shall not be thereby enfranchised. - ib.
3. A Writ of Error or Attainal may be maintained by Parties in Reversion. - 88
4. On a Question arising in a Suit whether a Prior be denotive and removable, or perpetual, the Trial shall be by the Ordinary. 89
5. The Fees of Priests and Clergy taken into the Marshalsey of the King's House. - 90

10 Ric. II.—A.D. 1386.

In the Parliament holden at *Westminster*, (1 Oct.) 90

11 Ric. II.—A.D. 1387-8.

In the Parliament holden at *Westminster* on Monday the Morrow of the Purification. 95

1. For Confirmation of certain Attainders or Judgements for Treason given in Parliament, and for indemnity to all Parties concerned. 104
2. All the Castles, Lordships, Reversions, Lands and Tenements, Goods, and Chattels belonging to certain Persons, or held by any to their Use, shall be forfeited to the King. 107
3. All the Castles, Lordships, Reversions, Lands, Tenements, Goods and Chattels belonging to certain other Persons, or held by any to their Use, shall be forfeited to the King. - ib.

- Cap.
 4. Persons having any Goods or Chattels of the Persons attainted in Parliament, shall discover the same. Page 107
 5. Proviso for saving the Rights of Lords of Franchises and others in the forfeited Estates. *ib.*
 6. All the foregoing Forfeitures of Lands, Goods and Chattels shall remain in the King's Hands during the Wars. *ib.*
 7. Confirmation of the Statutes, 9 E. 3. St. 1. c. 1. and 25 E. 3. St. 4. c. 2. respecting Merchants. 108
 8. Annuities granted to the King, his Father and Grandfather, with the Clause *Quæque pro Statu suo alibi duxerimus ordinandum*, shall become void, if the Grantee have accepted any Thing afterwards from the King. 109
 9. No Imposition shall be set on Staple Merchandizes, without Assent of Parliament. *ib.*
 10. The King's Signet or Privy Seal shall not be sent in Disturbance of the Law. *ib.*
 11. For amending Stat. 6 Ric. 2. c. 5. concerning the Assises of Justices. *ib.*

12 Ric. II.—A.D. 1388.

- In the Parliament holden at *Cambridge*, on the Morrow of the Nativity of our Lady, (9 Sept.) 110
 1. A Confirmation of the Liberties of the Church, and of the Charters, and all former Statutes not repealed, 111
 2. For the due Appointment of Justices of the Peace and other Officers. *ib.*
 3—9. For the Regulation of Servants, Labourers, Beggars and Vagabonds. 112
 10. For appointing and regulating Justices of Peace, their Sessions and Wages. 118
 11. For punishing Reporters of Lies, against Peers and great Officers, 119
 12. For levying the Expences of the Knights of Parliament. *ib.*
 13. For punishing Nuisances which cause Corruption of the Air, near Cities and great Towns. 120
 14. For regulating the Length and Breadth of Cloths. 121
 15. For punishing Provisors of Benefices from Rome. *ib.*
 16. The Staple removed from Middleburgh to Calais. 122

13 Ric. II.—A.D. 1389-90.

In the Parliament holden at *Westminster*, on Monday next after the Feast of *Saint Hilary*, (17 Jan.) 123

Statute I.

1. For confirming and amending Stat. 25 E. 3. St. 3. c. 3. respecting Presentations to Benefices by the King. 125
 2. For ascertaining the Jurisdiction of the Court of the Constable and Marshal of *England*. 126
 3. The Limits of the Steward's and Marshal's Court of the King's House. 127
 4. The Duty of a Clerk of a Market of the King's House. 128
 5. For ascertaining the Jurisdiction of the Admiral and his Deputy. *ib.*
 6. For

Cap.

- | | |
|--|----------|
| 6. For regulating the Number and Authority of Serjeants at Arms. | Page 129 |
| 7. For regulating the Appointment and Duty of Justices of Peace. | ib. |
| 8. For regulating the Rates of Labourers Wages, and the Gains of Victuallers. | 130 |
| 9. For regulating Weights and Measures. | 132 |
| 10. The Length and Breadth of <i>Cogware</i> and <i>Kendal</i> Cloth. | 133 |
| 11. For preventing the Exportation of imperfect Cloth. | ib. |
| 12. No Shoemaker shall be a Tanner; nor Tanner a Shoe-maker. | 134 |
| 13. For preventing the unlawful Destruction of Game. | ib. |
| 14. There shall be no Bonds of the Double made in the Exchequer for the King's Debt. | 135 |
| 15. The King's Castles and Gaols shall be rejoined to the Bodies of Counties. | 136 |
| 16. For regulating Protections <i>Quia professurus</i> and <i>Quia mortuus.</i> | ib. |
| 17. Reversioners shall be received to defend their Title in Suits commenced against particular Tenants. | 137 |
| 18. Attaints for false Verdicts given in the City of <i>Lincoln</i> , shall be tried in the County of <i>Lincoln</i> . | 138 |
| 19. A Confirmation of Cap. 47. of Stat. Westm. 2. (13 Edw. 1.) touching taking of Salmon. | ib. |
| 20. At what Ports Persons going beyond Sea, shall embark. | 139 |

Statute II.

- | | |
|--|-----|
| 1. Respecting Pardons. | 140 |
| 2, 3. For confirming and amending the Statute of Provisors 25 Edw. 3. St. 6. | 142 |

14 Rich. II.—A. D. 1390.

In the Parliament holden at *Westminster*, on the Morrow of *Saint Martin*, (12 Nov.)

- | | |
|---|-----|
| 1. The Staple removed from <i>Calais</i> into <i>England</i> .—Regulations for Alien Merchants. | 148 |
| 2. Exchanges by Aliens shall be expended in the Staple Commodities of the Realm. | ib. |
| 3. Officers of the Staple shall be first sworn to the King, and then to the Staple. | 149 |
| 4. For regulating the Purchase of Wools by Denizens. | ib. |
| 5. No Denizen shall export any Staple Merchandize. | ib. |
| 6. <i>English</i> Merchants shall freight only in <i>English</i> Ships. | 150 |
| 7. Tin shall be exported only from <i>Dartmouth</i> . | ib. |
| 8. No Person shall be impeached for not gauging of <i>Rhenish</i> Wine. | ib. |
| 9. Merchant Strangers resorting into this Realm shall be well used. | ib. |
| 10. For regulating Customers, Comptrollers and other Officers. | 151 |
| 11. For regulating Justices of Peace. | ib. |
| 12. The Value of <i>Scottish</i> Money of several Sorts. | 152 |

TABLE of the STATUTES, 15th—17th RICH. II.

15 Rich. II.—A. D. 1391.

In the Parliament holden at *Westminster*, on the Morrow of *All Saints*, (3 Nov.) 153

Cap.

1. A Confirmation of all former good Statutes not repealed. 154
2. For confirming and amending the former Statutes respecting Riots and forcible Entries. *ib.*
3. In what Places the Admiral's Jurisdiction doth lie. 155
4. There shall be but Eight Bushels of Corn stricken to the Quarter. 157
5. For explaining and amending the Statute of Mortmain. (7 *Edw.* 1. St. 2.) 158
6. In Appropriation of Benefices, Provision shall be made for the Poor and the Vicar. 159
7. For amending Stat. 7 Ric. 2. c. 16. respecting *Scotland*. 160
8. For regulating the Export of Tin. *ib.*
9. For confirming Stat. 27 *Edw.* 3. St. 2. c. 9. respecting Recognizances of the Staple. *ib.*
10. None shall buy *Gulford* Cloths before they be fulled. 161
11. Respecting Girdlers. *ib.*
12. No Man shall be compelled to answer before the Council of any Lord, respecting Matters determinable at the Common Law. *ib.*

16 Rich. II.—A. D. 1392-3.

In the Parliament holden at *Westminster*, in Eight Days of *St. Hilary*. 162

1. For confirming and amending former Statutes relating to Merchants. 163
2. For confirming and amending Statute 15 Ric. 2. c. 12. 164
3. The Clerk of the Market shall carry with him all his Weights and Measures signed. *ib.*
4. Concerning Liveries. 165
5. The Statute of Provision and *Premunire*. *ib.*
6. For amending Cap. 1. of Stat. 13 Ric. 2. St. 2. respecting Pardons. 170

17 Rich II.—A. D. 1393-4.

In the Parliament holden at *Westminster*, in Fifteen Days of *Saint Hilary*. 171

1. For preventing the melting of *English* Money.—And the Currency of Foreign Money. 173
2. Every Person may make Kerseys or other Cloths of what Length and Breadth he will. *ib.*
3. Concerning the Exportation of Cloths, called Single Worstedes or Bolts. 174
4. Malt sold to *London* shall be cleansed from the Dust. *ib.*
5. For regulating the Tenure of certain Offices of the Customs. *ib.*
6. Upon untrue Suggestions before the Council or in Chancery, Damages may be awarded. 175
- For regulating the Exportation of Corn. *ib.*
8. For

TABLE of the STATUTES, 17^o — 21^o Rich. II.

- Cap.
- | | |
|--|----------|
| 8. For suppressing Riots and Tumults. | Page 175 |
| 9. Justices of the Peace in their Counties, and the Mayor of London in the Thames, shall be Conservators of the Statutes made touching Salmon. | 177 |
| 10. Two Men of Law shall be in Commission of Gaol Delivery. | 178 |
| 11, 12, 13. [See Notes at the Head of this Year, from printed Rot. Parl. No. 25, 26, 27.] | |

18 Rich. II.—A. D. 1394-5.

In the Parliament holden at *Westminster*, in Fifteen Days of *Saint Hilary*. 179 n.

20 Rich. II.—A. D. 1396-7.

In the Parliament holden at *Westminster*, on Monday the Feast of *Saint Vincent*. (22 Jan.) 180

- | | |
|---|-----|
| 1. For confirming and amending the Statutes respecting unlawful Armour and Liveries. | 181 |
| 2. For restraining Liveries. | ib. |
| 3. No Man shall sit on the Bench with the Justice of Assize. | 182 |
| 4. Confirmation of 28 E. 3. c. 13. § 3. touching Merchant Strangers. | ib. |
| 5. Penalty on Persons, taking Horses for the King's Services without sufficient Warrant. | ib. |
| 6. Licence granted to Belknap, Holt and Burgh, to return into England, notwithstanding the Statute 11 Ric. 2. | 183 |

21 Rich. II.—A. D. 1397-8.

In the Parliament begun at *Westminster*, on Monday next after the Feast of the Exaltation of the Holy Cross, (i. e. 17th Sept. the Feast being the 14th) A. D. 1397; and thence adjourned to *Sbrewsbury*, in Fifteen Days of *St. Hilary* 28 Jan. 1397-8. 183

- | | |
|---|-----|
| 1. A Confirmation of Liberties. | 189 |
| 2. The Commission and Statute made Anno 10 Ric. 2. declared traitorous and illegal. | ib. |
| 3. Four Offences against the King declared High Treason. | 191 |
| 4. Penalty of High Treason on attempting to repeal any Judgements or Statutes made in this Parliament. | 192 |
| 5. The Oaths and Fealty of the Lords Spiritual and Temporal, shall be enrolled in Parliament and in Chancery | ib. |
| 6. The Issue Male of Traitors attainted in this Parliament disabled from sitting in Parliament. | ib. |
| 7. A Repeal of all Annuities, Fees, Corrodies, and Charge granted by Traitors attainted in this Parliament. | ib. |
| 8. The King shall have the Presentation to all Benefices forfeited by Traitors attainted in this Parliament. | ib. |
| 9. The County of <i>Chester</i> made a Principality. | ib. |
| 10. The Castles and Rights of the Earl of <i>Warwick</i> , vested in the King. | 193 |
| 11. The Rights belonging to the Duke of <i>Gloucester</i> , in the County of <i>Essen</i> , vested in the King. | ib. |
| 12. For | |

TABLE of the STATUTES, 21^o RICH. II.—1^o HEN. IV.

Cap.

12. For approving the Opinions of certain Judges concerning the Statute and Commission, 10 Ric. 2. and for repealing all Proceedings in the Parliament, 11 Ric. 2. - Page 193
13. Reversal of the Judgement in Parliament, 10 Ric. 2. against *Michael de la Pole*, late Earl of *Suffolk*. - 199
14. All Personal Actions for Robberies, Thefts, Felonies, Trespases, Outrages and Riots, committed at *Radcot Bridge*, by the Adherents of the Duke of *Gloucester*, in 10 Ric. 2. shall be extinct and annulled. - *ib.*
15. The King's Pardon to all his Subjects. - *ib.*
16. Statute 13 Ric. 2. c. 12. confirmed. - *ib.*
17. No Licences shall be granted to Ship Merchandizes of the Staple, to any other Place but to *Calais*. - 201
18. For the Maintenance of the Harbour and Fortifications of *Calais*. - *ib.*
19. A Confirmation of former Statutes against unlawful Wears. *ib.*
20. Whoever shall attempt to repeal any of the Statutes made in this Parliament, by virtue of the Authority given to the Commissioners, shall be liable to the Penalties of Treason, as if the Statutes had been made in full Parliament. - *ib. n.*

1 *Henrici IV.*—A.D. 1399.

In the Parliament holden at *Westminster*, on Monday the Feast of *Saint Faith* the Virgin, (6 Oct.) 202

1. Confirmation of Liberties and Statutes. - 207
2. None shall be impeached that took Part with King *Henry 4.* against *Rich. 2.* or his Adherents. - 208
3. A Repeal of all Proceedings in the Parliament 21 Ric. 2. 209
4. A Confirmation of the Parliament holden 11 Ric. 2. 209
5. A Restitution of the Inheritances of those or their Heirs, who were attainted at the Parliament holden 21 Ric. 2. *ib.*
6. For regulating Grants by the King, of Lands, Offices, &c. *ib.*
7. Concerning giving of Liveries. - 210
8. Assise maintainable by the Disseisee against the King's Patentee of Lands. - 211
9. A Confirmation to the Purchasers of forfeited Lands sold under the Power given by Stat. 11 R. 2. c. 6. - 212
10. Nothing shall be adjudged Treason otherwise than is ordained by Stat. 25 E. 3. - *ib.*
11. For Relief of Sheriffs in their Accounts; and for preventing Extortion by them. - *ib.*
12. A Confirmation of former Statutes, touching pulling down of Wears. - 213
13. For confirming and amending Stat. 17 Ric. 2. c. 5. respecting Officers of the Customs. - 215
14. Where Criminal Appeals shall be tried and determined *ib.*
15. For amending Stat. 28 E. 3. c. 10. respecting the Redress of Errors and Misprisions in the City of *London*. - *ib.*
16. Respecting the Packing of Cloths in *London*. - 216
17. Confirmation of Stat. 6 R. 2. c. 10. respecting the Sale of Fish and Victuals by Aliens. - *ib.*
18. For

- Cap.
18. For regulating Proceſs into the County of *Cheſter*, and Out-
lawry and Forfeiture thereon, in caſe of Offences committed in
other Shires, by Inhabitants of that County. Page 217
19. For Three Years, no Cloth whereof the Dozen exceedeth
not 13s. 4d. ſhall be charged with any Subſidy, nor ſhall be
ſealed. 218
20. The King's Pardon. - - - - - ib.

2 Hen. IV.—A.D. 1400-1,

In the Parliament holden at *Weſtmiſter* in Eight Days of *St. Hilary*,
(20th Jan.) - - - - - 219

1. Confirmation of Liberties and Statutes. - - - - - 222
2. For amending the Stat. 1. Hen. 4. c. 6. reſpecting Grants of
the King. - - - - - ib.
3. The Statute of Proviſors (13 Ric. 2. ſt. 2. c. 2. &c.) extended
to certain other Proviſions of the Pope. - - - - - 223
4. The Statute of Proviſors (13 Ric. 2. ſt. 2. c. 2. &c.) extended
to Bulls to be diſcharged of Tithes. - - - - - ib.
5. For amending the Statute (5 Ric. 2. ſt. 1. c. 2.) reſpecting the
exporting of Gold and Silver. - - - - - 224
6. Againſt bringing in of Coin of *Flanders*, *Scotland*, and other
Foreign Coin. - - - - - 225
7. In what Caſe the Plaintiff ſhall not be nonſuit if the Verdict
paſs againſt him. - - - - - 226
8. The Fee of the Cyrographer of the Common Pleas for a Fine
levied. - - - - - ib.
9. For Relief of certain Commiſſioners. - - - - - 227
10. For regulating the Fee of the Clerk of the Crown of the
King's Bench on Indictment. - - - - - ib.
11. For confirming and amending Stat. 13 Ric. 2. ſt. 1. c. 5. re-
ſpecting the Jurisdiction of the Admiral. - - - - - 228
12. Certain Reſtraints on wholly born *Welſhmen*. - - - - - ib.
13. The Effect of the Pardon granted by ſtat. 21 R. 2. c. 15. re-
heard and confirmed. - - - - - 229
14. For confirming former Statutes concerning Purveyors. - - - - - ib.
15. For repreſſing of Hereſies, and Punishment of Hereticks. - - - - - ib.
- 16—20. Concerning *Welſhmen*. - - - - - 230
21. For confirming and amending ſtat. 1 H. 4. c. 7. concerning
giving of Liveries. - - - - - 231
22. For repealing the Penalty of Treason in Stat. 11 R. 2. c. 1.
- - - - - ib.
23. The Fees of the Maſhal of the Maſhallſea of the King's
Houſe. - - - - - ib.
24. For Relief of Perſons ſerving with the Duke of *Tork* in
Anno 23 Ric. 2. - - - - - 233

3 Hen. IV.—A.D. 1401. & 1402.

233 n.

4 Hen. IV.—A.D. 1402.

In the Parliament holden at *Westminster*, on the Morrow of St. Michael, (30th Sept.) 233 n.

1. A Confirmation of the Liberties of the Church, and of all Corporations and Persons; and of the Charters and Statutes in force. 236
2. For confirming Stat. 25 E. 3. st. 3. for the Clergy, and for prohibiting Indisements with the Words *Infidelitatem viarum; et depulatores agrorum*. 237
3. For confirming the Liberties of the Church and Clergy. 238
4. For restraining Grants by the King. *ib.*
5. Sheriffs shall not let their Bailiwicks to farm. 239
6. A Seal of Lead shall be provided to seal Cloths wrought in London, and the Suburbs. *ib.*
7. For amending the Statute (1 Ric. 2. c. 9.) against fraudulent Feoffments. 240
8. A special Assize shall be maintainable against a Disseisor with force. 241
9. The Chancellor empowered to provide a Remedy for discharging Commissioners distrained to return Commissions of which they had no Notice. 242
10. For regulating the Coin. *ib.*
11. For confirming former Statutes against Wears. *ib.*
12. For confirming and amending the Statute 15 Ric. 2. c. 6. respecting Appropriations of Benefices. 243
13. A Confirmation of former Statutes touching Service in War. 244
14. Concerning Labourers. 246
15. Merchants shall bestow their Money received upon other Merchandises of this Realm. *ib.*
16. For confirming former Statutes against exporting Gold or Silver. *ib.*
17. Children shall not be received into the Orders of Friars without the Consent of their Parents, Friends, or Guardians. *ib.*
18. For Regulation of Attornies. 248
19. No Officer of a Lord of a Franchise shall be Attorney in the same. 249
20. For regulating Customers, Controllers, and other Officers of the Customs. *ib.*
21. For regulating Searchers of the Customs. 250
22. For amending the Statute 13 Ric. 2. st. 1. c. 1. respecting Presentations to Benefices by the King. 251
23. Judgments given shall continue until reversed by Attaint or Errour. 252
24. For permitting the Aulnage of Cloths to be farmed. *ib.*
25. For confirming of Stat. 13 Ric. 2. st. 1. c. 8. concerning Victuallers and Hostlers. *ib.*
- 26—34. Concerning *Wolffmen*. 253
35. For amending 13 Ric. 2. st. 1. c. 12. *ib.*

TABLE of the STATUTES, 5^o—7^o HEN. IV.

233

5 Hen. IV.—A.D. 1403-4.

In the Parliament holden at *Westminster*, on the Morrow of *St. Hilary*, (14th Jan.)

Cap.		254
1. Concerning the Forfeitures of certain Traitors.		256
2. For regulating the Pardons of Approvers.		<i>ib.</i>
3. Watches shall be made upon the Coasts as they were wont to be.		257
4. It shall be Felony to use the Craft of Multiplication of Gold or Silver.		<i>ib.</i>
5. Punishment of certain Mayhems.		<i>ib.</i>
6. For the Protection of the Servants of Members of Parliament.		258
7. For regulating Alien Merchants.		<i>ib.</i>
8. For Relief of Defendants in Actions of Debt on Accounts stated.		<i>ib.</i>
9. For regulating Alien Merchants.		259
10. Justices of Peace shall imprison none but in the Common Gaol.		260
11. How Farmers of Aliens' Possessions shall pay their Tithes.		<i>ib.</i>
12. For regulating Executions upon Statutes Merchant.		<i>ib.</i>
13. What Things may be plated with Gold or Silver, and what not.		261
14. For recording the Proceedings on Fines in the Common Pleas.		262
15. The King's Pardon.		263

6 Hen. IV.—A.D. 1404.

In the Parliament holden at *Coventry*, 6 Oct.

1. For preventing the Payment to the Court of <i>Rome</i> of excessive Sums for the First Fruits of Archbishopricks or Bishopricks.		264
2. For amending the Statute 1 H. 4. c. 6. respecting Grants of the King.		267
3. For compelling Sheriffs and other Officers to account duly for their Receipts.		268
4. For regulating Alien Merchants.		269

7 Hen. IV.—A.D. 1405-6.

In the Parliament holden at *Westminster*, 1st March, 7 H. 4. A.D. 1405-6. and ended there, 22d Dec. 8 H. 4. A.D. 1406.

1. Confirmation of Liberties and Statutes.		273
2. The Realms of <i>England</i> and <i>France</i> entailed to the King and his Four Sons.		274
3. For preventing Abuses in the levying of Fines, Issues, and Amerciaments.		275
4. No Protection allowable in Actions for Escape against a Gaoler.		276
5. Concerning the Forfeitures of certain Traitors.		277
6. For amending Stat. 2 H. 4. c. 4. concerning Bulls to be discharged of Tithes.		<i>ib.</i>
7. For regulating the making of Arrow Heads.		278
8. No		

Cap.		
8.	No Provision or Licence shall be granted for a Benefice full of an Incumbent.	Page 278
9.	For regulating Merchants in <i>London</i> .	279
10.	The Length and Breadth of Cloth of Ray and Colour.	280
11.	For relieving Commissioners in certain Cases.	<i>ib.</i>
12.	Concerning the Forfeitures of Traitors.	281
13.	Concerning Reversal of Outlawries in certain Cases.	<i>ib.</i>
14.	For confirming and amending Stat. 1 H. 4. c. 7. and 1 R. 2. c. 7. concerning Liveries.	282
15.	The Manner of the Election of Knights of Shires for Parliament.	<i>ib.</i>
16.	The Payment of Persons having Grants from the Crown, according to Priority of their Grants.	283
17.	For confirming and amending former Statutes respecting Labourers; and for regulating Apprentices.	285
18.	For indemnifying Persons concerned in repressing Insurrection.	<i>ib.</i>

9 Hen. IV.—A.D. 1407.

In the Parliament holden at <i>Gloucester</i> , <i>Thursday</i> , 20th October.	285
1. Confirmation of all Liberties and Statutes, except to the Scholars of <i>Oxford</i> .	287
2. <i>Kendal</i> Cloth, not exceeding in Price 6s. 8d. the Dozen, shall not be sealed, nor Aulnage paid for it.	<i>ib.</i>
3, 4. Concerning Felonies and Robberies in <i>Wales</i> .	<i>ib.</i>
5. Against depriving Corporations and Lords in ancient Demefne of their Franchises by Collusion.	288
6. For repealing Stat. 7 H. 4. c. 10. respecting the Length and Breadth of Cloth of Ray.	289
7. For rating Foreigners to the Fifteenths and other Taxes.	<i>ib.</i>
8—10. Against Provisors.	<i>ib.</i>

11 Hen. IV.—A.D. 1409-10.

In the Parliament holden at <i>Westminster</i> , in Fifteen Days of <i>St. Hilary</i> , (<i>January</i> 27.)	290
1. For amending Stat. 7 H. 4. c. 15. respecting the Election of Knights of Shires for Parliament.	292
2. No common Hostler shall be a Customer, Comptroller, Weigher, or Searcher.	293
3. Records of Justices of Assise shall be returned into the Treasury, and there kept without Alteration.	<i>ib.</i>
4. For confirming and amending Stat. 12 Ric. 2. c. 6.	294
5. Against Gally Halfpence and Foreign Coin.	<i>ib.</i>
6. Cloths shall not be tacked and plaited together before the Aulneger hath set his Seal to them.	<i>ib.</i>
7. For regulating the Payment of Customs by Alien Merchants.	<i>ib.</i>
8. For enforcing Stat. 14 Ric. 2. c. 2. respecting Exchanges.	<i>ib.</i>
9. Jurors in Indictments shall be duly returned by the Sheriffs or Officers of Franchises without Nomination of any.	295

13 Hen. IV.—A.D. 1411.

In the Parliament holden at *Westminster*, on *Tuesday* the *Morrow* of
All Souls, (3d Nov.) - - - 296

Cap.

1. Confirmation of all Liberties and Statutes. - 298
2. For confirming and explaining the Statute, 8 Ric. 2. c. 2. concerning Justices of Assize. - - - *ib.*
3. For confirming former Statutes concerning Liveries. - *ib.*
4. For confirming Stats. 7 H. 4. c. 10.—11 H. 4. c. 6. respecting Woollen Cloths. - - - *ib.*
5. For confirming and amending former Statutes for the Residence of Officers of the Customs. - - - 299
6. Against Gally Halfpence and Foreign Coin. - *ib.*
7. For suppressing Riots, Routs and unlawful Assemblies. *ib.*

14 Hen. IV.—A.D. 1412-13. - - - 301 A.

1 Hen. V.—A.D. 1413.

In the Parliament holden at *Westminster*, in *Three Weeks* of *Easter*,
 (15th May.) - - - 302

1. An Act for choosing of the Knights of the Shire, and Burgeses and Citizens. - - - 304
2. An Act concerning raising of Mills, Stanks, &c. to the Nuisance of the King's People. - - - *ib.*
3. An Act against such as forge and publish false Deeds of other Men's Tenements. - - - *ib.*
4. An Act against the Extortion of Bailiffs, Under Sheriffs, &c. *ib.*
5. An Act that in every original Writ in which an Exigent should be awarded shall be-written certain Additions. - 305
6. An Act concerning the Rebellion in *Wales*. - 306
7. An Act that Alien Strangers shall not enjoy any Benefice within this Realm. - - - 307
8. An Act that all *Irijb* and *Irijb* Clerks shall avoid the Realm. 308
9. An Act for disannulling of all Letters Patents granted forth of the Town or Marshes of *Calais*. - - - *ib.*
10. An Act concerning the true Measure of Corn. 309

2 Hen. V.—A.D. 1414.

Statute I.

In the Parliament holden at *Leicester*, on the last Day of *April*. 311

1. Ordinaries shall inquire of, and reform the Estates of Hospitals. 314
2. For preventing Prisoners in Execution from being enlarged without due Satisfaction made to their Creditors. 315
3. A Copy of the Libel in a Suit in the Spiritual Court shall be delivered to the Party requiring the same. - 317
4. For enforcing the Execution of the Statutes of Labourers by Justices of the Peace; and for regulating the Quarter Sessions of such Justices. - - - 318
5. For

Cap.

5. For regulating Proceſs againſt Felons dwelling within the Franchiſes of *Tyndal* or *Exhamptſhire*, in *Northumberland*. Page 320
6. For puniſhing Breakers of Truces and ſafe Conduſts; and for appointing Conſervators thereof in every Port. - *ib.*
7. For the Suppreſſion of Hereſy and Lollardy. - 326
8. For amending Stat. 13 H. 4. c. 7. for ſuppreſſing Riots, Routſ and unlawful Aſſemblies. - *ib.*
9. For the Apprehenſion and Puniſhment of Fugitive Felons. 330

Statute II.

In the Parliament holden at *Weſtmiſter*, on the *Monday* next after the Oſtave of *St. Martin*, (11th Nov.) - 330 n.

1. For the chooſing of Juſtices of the Peace. - *ib.*
2. For the Wages of Chaplains. - 331
3. For regulating the Qualifications of Jurors. - *ib.*
4. Concerning Goldſmiths. - 332
5. Concerning the Rebels in *Wales*. - *ib.*
6. Concerning the Staple at *Calais*. - *ib.*

3 Hen. V.—A.D. 1415. & 1416.

Statute I.

In the Parliament holden at *Weſtmiſter*, on the *Monday* next after the Feaſt of All Saints, (1 Nov.) A.D. 1415. - 335

1. For ſuppreſſing Gally Halfpence, *Scotch* Money, and other illegal Coin. - *ib.*

Statute II.

In the Parliament holden at *Weſtmiſter*, on the 16th March, A.D. 1415-16. - 336 n.

1. Confirmation of Liberties and Franchiſes. - *ib.*
2. For empowering certain Religious Perſons to make Attornies in Hundred Courts. - 337
3. All Bretons not made *Dénizens* ſhall depart the Realm. *ib.*
4. No Proviſion or Licence ſhall be granted for Benefices full of an Incumbent, on Penalty of *Premunire*. - *ib.*
5. Attaints for falſe Verdicts given in the County of the City of *Lincoln*, ſhall be tried in the County of *Lincoln*. - 339
6. It ſhall be Treason to clip, waſh or file Money of the Realm. 341
7. What Juſtices ſhall have Authority to hear and determine the Offences of falſifying of Money. - *ib.*
8. For regulating the Expence of proving Testaments. 342

4 Hen. V.—A.D. 1416.

In the Parliament holden at *Weſtmiſter* 19th October. 343

1. A Confirmation of all former Statutes not repealed. *ib.*
2. Sheriffs ſhall have Allowance upon their Accompts of Things casual. - *ib.*
3. None ſhall make Pattens or Clogs of Aſp. - 344
4. For amending Statute 12 R. 2. c. 4. - *ib.*

5. For

Cap.

5. For regulating Alien Merchants.	-	Page 344
6. Against <i>Irishmen</i> holding Ecclesiastical Dignities or Benefices in <i>Ireland</i> , and favouring the Rebel <i>Irish</i> .	-	345
7. For regulating the granting of Letters of Marque.	-	347
8. The King's Pardon.	-	349

5 Hen. V.—A.D. 1417.

In the Parliament holden at *Westminster* on the 16th Nov. *ib.*

7 Hen. V.—A.D. 1419.

In the Parliament holden at *Westminster*, on the 16th October. 350

1. Against malicious Appeals and Indictments in the County of <i>Lancaster</i> .	-	351
2. For regulating Process against Forgers of Deeds.	-	<i>ib.</i>

8 Hen. V.—A.D. 1420.

In the Parliament holden at *Westminster*, 2d December. 355

1. Concerning the Dissolution of Parliament.	-	356
2. Gold or Silver shall be brought to the Mint in Proportion to Wool or Tin exported.	-	<i>ib.</i>
3. What Things only may be plated with Gold or Silver, and what not.	-	357

9 Hen. V.—A.D. 1421.

Statute I.

In the Parliament holden at *Westminster*, on the 2d of May. 357

1. Against false Appeals and Indictments.	-	360
2. Concerning Forfeitures on Outlawries in the County of <i>Lancaster</i> .	-	<i>ib.</i>
3. Concerning Protections of Persons in the King's Service in War.	-	361
4. For amending Defects in Records by Misprision of Clerks.	-	362
5. Concerning the Appointment of Sheriffs and Escheators.	-	<i>ib.</i>
6. A Mint shall be established at <i>Calais</i> during the King's Pleasure.	-	<i>ib.</i>
7. The Statute 2 H. 5. st. 1. c. 5. respecting Offenders in <i>Tyndal</i> and <i>Examsbire</i> extended to like Offenders in <i>Rydesdale</i> .	-	<i>ib.</i>
8. For regulating Criminal Proceedings against certain Scholars of <i>Oxford</i> .	-	364
9. No Abbot or Prior shall be appointed by any Bishop to collect Dimes or Subsidies out of the County where he dwelleth.	-	365
10. Keels that carry Sea Coals in the Port of <i>Newcastle</i> shall be measured and marked.	-	<i>ib.</i>
11. No <i>English</i> Gold Money shall be received in Payment but by the King's Weight.	-	366
12. Writs purchased by the Wardens of <i>Rochester</i> Bridge, or against them, shall not abate by their Death or Removal.	-	367

Statute II.

In the Parliament holden at *Westminster* on 1st Dec. Page 367 n.
Cap.

- 8—9. For regulating Money and Exchanges. - *ib.*
10. For Relief of Collectors of Tenths and Fifteenths. 368
11. Certain Roads and Bridges near *Abingdon* declared to be public Roads and Bridges. - *ib.*

1 Hen. VI.—A.D. 1422.

In the Parliament holden at *Westminster*, on Monday next after the Feast of *St. Martin*, (11th Nov.). - 370

1. The King's Council may assign Money to be coined in as many Places as they will. - 372
2. All Statutes concerning Purveyors shall be proclaimed in every County Four Times in the Year. - *ib.*
3. Respecting Irishmen residing in *England*. - *ib.*
4. For regulating the Mint and Coinage. - 374
5. An Allowance to be made to Captains and others retained to serve King *Henry V.* in his Wars, out of the Ransom of Prisoners, &c. Provision for the Redemption of the Jewels mortgaged by King *Henry V.* - *ib.*
6. For continuing Stat. 9 H. 5. ft. 1. c. 9. concerning Exchanges, till the next Parliament. - *ib.*

2 Hen. VI.—A.D. 1423.

In the Parliament holden at *Westminster*, October 20th. 375

1. A Confirmation of Liberties. - 377
2. A Remedy for the Hospital of *St. Leonard* in *York*, to recover a Thrave of Corn due to them. - *ib.*
3. *John* Duke of *Bedford*, being in the King's Service in *France*, allowed to appear by Attorney in all Suits. - 378
4. Concerning the Staple at *Calais*. - 379
5. For regulating the Exportation of Wools. - *ib.*
6. For regulating the Exportation of Gold and Silver. - *ib.*
7. For regulating Cordwayners and Tanners. 381
8. For amending Stat. 1 H. 6. c. 3. respecting Irishmen residing in *England*. - *ib.*
9. For suppressing the Money called Blanks. - *ib.*
For regulating the Embroiderers of *London*. -
Concerning Outlawries against Persons in the King's Service. - *ib. n.*
For removing Wears in the *Thames*. -
10. For regulating the Appointment of inferior Officers in the King's Court. - *ib.*
11. The several Measures of Vessels of Wine, Eels, Herrings and Salmon. - 382
12. The Office and Duty of the King's Assayer, Controllour and Master of the Mint. - 383
13. The Price of a Pound of Silver. - 385
14. For regulating and ascertaining the Fineness of Silver Work. 386
15. No Man shall fasten Nets to any Thing over Rivers. 387

3 Hen. VI.—A. D. 1425.

In the Parliament holden at *Westminster*, 30th April, A. D. 1425.
Page 389

Cap.

1. Masons shall not confederate themselves in Chapters and Assemblies. 396
2. For preventing the Exportation of Live Sheep. 391
3. The Penalty of a Customer, &c. concealing the King's Custom, *ib.*
4. Licences may be granted for exporting Butter and Cheese. 392
5. For Preservation of the River *Lea*. *ib.*

4 Hen. VI.—A. D. 1425-6.

In the Parliament holden at *Leicester*, the 18th Day of February. 392

1. Concerning Sheriffs. 394
2. Concerning Protection for Persons in the Wars. *ib.*
3. For confirming and enlarging former Acts as to amending Defects in Records by Misprision of Clerks. *ib.*
4. Writs, Suits and Processes depending against or at the Suit of Persons made Knights during this Parliament, shall not abate for that Cause. 396
5. For regulating the Exportation of Corn. *ib.*

6 Hen. VI.—A. D. 1427.

In the Parliament holden at *Westminster*, in Fifteen Days of *St. Michael*. 396

1. For regulating Process of *Capias*, Exigend, and Outlawry, in Indictments. 398
2. For regulating the Array and Copies of Panels of Juries in special Assises. 399
3. For regulating the Rates of Labourers Wages. 400
4. For amending former Acts respecting the Return of Knights of Shires for Parliament. 401
5. For granting Commissions of Sewers. *ib.*
6. For making *Melcombe* a Port of the Staple. 402

8 Hen. VI.—A. D. 1429.

In the Parliament holden at *Westminster*, on the Morrow of *St. Matthew* the Apostle, (22d Sept.) 403

1. The Clergy of the Convocation shall have the same Liberties and Immunities as the Lords and Commons of Parliament. 405
2. For regulating the Trade with *Denmark*. 406
3. Commissioners of Sewers empowered to execute the Statute, 6 H. 6. c. 5. *ib.*
4. For confirming former Statutes against Maintenance by giving of Liveries. 407
5. For confirming and amending former Statutes concerning Weights and Measures; and requiring common Balances and Weights to be kept in all Cities, Boroughs, and Towns. *ib.*
6. Against malicious burning of Houses. 410
7. What Sort of Men shall be choosers; and who shall be chosen Knights of the Parliament. *ib.*

Cap.		
8.	For continuing Stat. 6 Hen. 6. c. 3. concerning Labourers Wages.	Page 412
9.	For confirming and amending former Statutes respecting forcible Entries.	ib.
10.	For regulating Proceſs of <i>Capias</i> , Exigend and Outlawry, on Indictments and Appeals againſt Perſons not dwelling in the Counties where the Indictment or Appeal is found.	416
11.	Concerning Apprentices in <i>London</i> .	419
12.	What Defects in Records and Proceſs may be amended by the Judges, and what not.—Puniſhment for ſtealing of Records.	ib.
13.	Concerning Protections.	422
14.	For the Apprehenſion and Puniſhment of fugitive Felons.	ib.
15.	For amending Errors in Records and Proceſs by Miſpriſion of Clerks.	425
16.	For regulating Inqueſts of Office by Eſcheators; and Grants of Land ſeized thereon.	426
17.	Concerning the Staple at <i>Calais</i> .	428
18.	Ordinances for the Maintenance of the Staple and Mint at <i>Calais</i> .	ib.
19.	Againſt illegal Exportation of Staple Merchandizes.	ib.
20.	No Merchant reſident in <i>Calais</i> ſhall buy Staple Merchandize there.	429
21.	For repealing Licences granted to Men of <i>Newcaſtle</i> and <i>Berwick</i> , to export Staple Merchandizes except to <i>Calais</i> ; and for preventing Staple Merchandize being carried into <i>Scotland</i> .	ib.
22.	Againſt Deceits for forcing and clacking of Wool, and in packing and winding thereof.	ib.
23.	No Thrums of Woollen Yarn ſhall be exported.	ib.
24.	For regulating the Trade in <i>England</i> , with Alien Merchants.	430
25.	The preſent Mayor of the Staple of <i>Calais</i> ſhall continue Two Years in his Office.	431
26.	Againſt depriving Corporations and Lords in ancient Demefne of their Franchiſes by Colluſion.	ib.
27.	A Remedy for the Inhabitants of <i>Tewkeſbury</i> in the County of <i>Glouceſter</i> , againſt the Commonalty of the Foreſt of <i>Dean</i> , for certain Robberies and Injuries on the <i>Severn</i> .	433
28.	For building a Bridge over the Water of <i>Burford</i> , and another over the Water of <i>Culhamford</i> in the County of <i>Oxford</i> .	ib.
29.	For confirming ſo much of Stat. 28 E. 3. c. 13. as relates to Inqueſts <i>De medietate lingue</i> .	ib.

9 Hen. VI.—A.D. 1430-31.

- In the Parliament holden at *Weſtmiſter*, on the *Friday* next before the Feaſt of *St. Hilary*, (12 Jan.) 435
1. All Aſſiſes and *Niſi Prius* ſhall be adjourned during Parliament, until certain Days. 437
 2. For amending Statute 8 H. 6. c. 24. reſpecting the Trade in *England*, with Alien Merchants. 438
 3. For confirming all former Proceedings againſt *Owen Glendour*. *ib.*
 4. A Writ of *Idemitate nominis* ſhall be maintainable by Executors, to reverſe the Outlawry of their Teſtator. *ib.*
5. All

5.	All Men shall have free Passage in <i>Severn</i> , with Goods, Chai- tels, &c.	Page 440
6.	For explaining Stat. 8 H. 6. c. 5. concerning Weights and Measures, so far as relates to the Burgesses of <i>Dorchester</i> :	441
7.	For restraining Extortions by the Sheriff of the County of <i>Hereford</i> .	ib.
8.	The Weight of a Wey of Cheesc.	ib.
9.	For Preservation of the River <i>Ley</i> .	442
10.	For continuing Stat. 3 H. 5. c. 2. empowering certain Re- ligious Persons to make Attornies.	ib.
11.	Proclamations before a Writ be awarded to the Bishop to certify Bastardy.	ib.

10 Hen. VI.—A. D. 1432.

In the Parliament holden at <i>Westminster</i> , on Monday 12th May.	448
1. Recognizances taken before the Mayor and Constable of the Staple of <i>Calais</i> , shall be as effectual as any taken in <i>England</i> .	450
2. For amending Stat. 8 H. 6. c. 7. respecting electors of Knights of Parliament.	ib.
3. For providing Remedy to the King's Subjects, having Goods taken from them by Subjects of <i>Denmark</i> .	451
4. For preventing false Entries of the Appearance of the Plain- tiff in certain Suits.	ib.
5. For reviving the Stat. 21 R. 2. c. 18. for the Maintenance of the Harbour and Fortifications of <i>Calais</i> .	452
6. For extending Stat. 8 H. 6. c. 10. to Process on Indictments removed into the King's Bench.	ib.
7. For regulating the Exportation of Wool.	454

11 Hen. VI.—A. D. 1433.

In the Parliament holden at <i>Westminster</i> , on July 8.	455
1. They that dwell at the Stews in <i>Southwark</i> , shall not be im- pannelled in Juries, nor keep any Inn or Tavern except there.	457
2. Sheriffs shall not be fraudulently named Disseisors in Assises of Novel Disseisin.	ib.
3. For amending the Statute (4 H. 4. c. 7.) against fraudulent Feoffments.	458
4. For punishing False Pleas in Writs of Attaint against Ju- rors.	459
5. For Remedy in Cases of Waste, where Tenants assign their Estate but take the Profits.	460
6. No Suit pending before any Justices of Peace shall be discon- tinued by a new Commission.	461
7. For restraining Extortions by the Sheriff of the County of <i>Hereford</i> .	463
8. For confirming and amending former Statutes concerning Weights and Measures.	ib.
9. For regulating Cloths called Streits.	465
10. For regulating Proceedings on Writs of <i>Scire facias</i> , to defeat Executions on Statutes Staple.	ib.
11. For the Protection of Lords and Members of Parliament.	467
12. Concerning Wax Chandlers, the Price of Candles, and other Things wrought of Wax.	468
13. For	

Cap.

13. For continuing the Ordinances for Maintenance of the Staple at *Calais*. - - - Page 468
14. For regulating the Exportation of Staple Merchandizes. *ib.*
15. Customers shall give Warrants of Discharge to Merchants having paid their Custom. - - - 469
16. To prevent Frauds in the Customs. - - - 470

14 Hen. VI.—A. D. 1435.

In the Parliament holden at *Westminster*, on the 10th Day of *October*. 470

1. Justices of *Nisi Prius* empowered to give Judgment, and award Execution, in Cases of Felony and Treason. 471
2. For the Maintenance of the Staple at *Calais*. 472
3. Where the Justices of Assize of *Cumberland*, shall hold their Sessions. - - - *ib.*
4. For regulating the Sessions of the Justices of the Peace in *Middlesex*. - - - *ib.*
5. For regulating the Exportation of Staple Merchandizes. 474
6. For confirming and amending Stat. 6 R. 2. c. 10. respecting the Sale of Fish and Victuals by Aliens. - - - *ib.*
7. Merchandizes taken in Enemies Ships may be retained, though belonging to Foreigners in Amity. - - - 475
- ✓ 8. The Statute of 2 Hen. 2. st 1. c. 6. concerning Breakers of Truces and Safe-Conducts, suspended for Seven Years. 476

15 Hen. VI.—A. D. 1436-7.

In the Parliament holden at *Westminster* the 21st *January*. 477

1. In a Suit before the Marshal, the Defendant may plead, that the Plaintiff or he are not of the King's Household. 478
2. For regulating the Exportation of Corn. - - - 479
- ✓ 3. For regulating the Form of a Safe-Conduct. 480
4. None shall sue a *Subpoena*, until he find Surety to satisfy the Defendant his Damages, if he do not verify his Bill. 481
5. For regulating Proceedings in Writs of Attaint. 482
6. For the Regulation of the Ordinances of Guilds, Fraternities and Companies. - - - 485
7. All Persons, Religious and Secular, may make their general Attornies to sue or plead for them in every Hundred and Wapentake. - - - 486
8. For regulating the Exportation of Staple Merchandizes. 487

18 Hen. VI.—A. D. 1439.

In the Parliament holden at *Westminster*, on the Morrow of *St. Martin*, (12 Nov.) 488

1. For regulating Grants by the King. - - - 491
2. For amending Statute 15 H. 6. c. 5. respecting the Qualification of Jurors in Attaints. - - - 492
3. Butter and Cheese may be exported without Licence. 493
4. For regulating Alien Merchants. - - - *ib.*
5. Respecting Collectors of Subsidies. - - - 495
6. No

Cap.

6. No Lands shall be granted by Letters Patents, until the King's Title be found by Inquisition.	Page 495
7. For amending Statute 8 H. 6. c. 16. respecting Offices of Escheators.	497
8. For the further Regulation of Safe-Conducts.	ib.
9. For confirming and amending Stat. 10 H. 6. c. 4. against false Entries of the Appearance of the Plaintiff in certain Suits.	499
10. For granting Commissions of Sewers.	500
11. The Qualification for a Justice of Peace.	ib.
12. Against false Appeals or Indictments.	501
13. For confirming the Stat. 9 Hen. 5. c. 2. concerning Forfeitures on Outlawries in the County of Lancaster.	502
14. The Penalty for taking Bribes for the Arraying of a Jury.	ib.
15. For preventing the illegal Exportation of Wool.	504
16. For regulating the Measure of Woolen Cloth.	505
17. Vessels of Wine, Oyl and Honey shall be gauged.	ib.
18. For Punishment of Captains detaining any Part of their Soldiers Wages.	506
19. For Punishment of Soldiers not going with, or departing from their Captains without Licence.	ib.

20 Hen. VI.—A.D. 1441-2.

In the Parliament holden at *Westminster*, on the Conversion of
St. Paul, (25 Jan.) 509

1. All Letters of Safe-Conduct shall be inrolled in Chancery.	511
2. Concerning Forfeitures on Outlawries in the County of Lancaster.	513
3. Concerning <i>Welshmen</i> .	ib.
4. For regulating the Customs on the Exportation of Staple Merchandizes.	514
5. For preventing Officers of the Customs from being concerned in Merchandize.	ib.
6. For regulating the Exportation of Corn.	516
7. Concerning Importation and Exportation in <i>Wales</i> .	ib.
8. For regulating Purveyance.	ib.
9. Noble Ladies shall be tried by Peers.	ib.
10. For regulating the Worsted Weavers of <i>Norwich</i> .	517
11. For amending the Statute 2 Hen. 5. ft. 1. c. 6. concerning Truces and Safe Conducts.	ib.
12. For the better Disposal of Wools at the Staple at <i>Calais</i> .	518

23 Hen. VI.—A.D. 1444-5.

In the Parliament holden at *Westminster*, on the 25th Day of
February. 518

1. For confirming and amending former Statutes concerning Purveyors.	520
2. For preventing the Exportation of Thrums and Threads of Wool.	ib.
3. For regulating the Worsted Weavers of <i>Norwich</i> .	521
4. Concerning <i>Welshmen</i> .	ib.
5. For regulating the Exportation of Corn.	ib.
6. The gathering of Head Pence by the Sheriff of <i>Northumberland</i> shall cease.	ib.

Cap.		
7.	No Man shall be Sheriff, Under-Sheriff or Sheriff's Clerk, above a Year.	Page 522
8.	For granting Commissions of Sewers.	525
9.	For regulating the Office of Sheriffs, Bailiffs and others.	ib.
10.	The Order of levying the Wages of the Knights of the Parliament.	528
11.	For preventing vexatious Pleas.	531
12.	For regulating Labourers, Husbandmen and Artificers.	ib.
13.	For preventing Purveyance by Subjects.	532
14.	Who shall be Knights for the Parliament.—The Manner of their Election.—The Remedy where one is chosen and another returned.	ib.
15.	The Duty of a Gauger, and when he shall have his Gauge Penny.	537
16.	When and where an Escheator shall take his Inquest of Office, and his Fee.	538
17.	For Protection of Merchants trading to <i>Gascoyn</i> and <i>Guyen</i> .	539

25 Hen. VI.—A.D. 1446-7.

In the Parliament holden at *Bury St. Edmonds*, on the Feast of *St. Scolastica*, (10 Feb.) 539 n.

27 Hen. VI.—A.D. 1448-9.

	In the Parliament holden at <i>Westminster</i> , on the 12th Day of <i>February</i> .	540
1.	For regulating the Trade with <i>Brabant</i> , <i>Holland</i> and <i>Zealand</i> .	542
2.	For restoring the Staple at <i>Calais</i> .	ib.
3.	For preventing the Exporting of Gold and Silver by Alien Merchants.	ib.
4.	Concerning <i>Welshmen</i> .	ib.
5.	Certain Days wherein Fairs and Markets ought not to be kept.	543
6.	The King's Pardon to the Clergy.	544

28 Hen. VI.—A.D. 1449.

	In the Parliament holden at <i>Westminster</i> , on <i>Thursday</i> 6th Nov.	545
1.	To continue the Statute 27 H. 6. c. 1. for regulating the Trade to <i>Brabant</i> , <i>Holland</i> and <i>Zealand</i> .	547
2.	For preventing Abuses in Purveyance of Horses and Carts.	ib.
3.	The King's Pardon to Sheriffs, &c. for holding their Offices above one Year.	ib.
4.	For preventing undue Distresses in <i>Wales</i> and <i>Lancashire</i> .	ib.
5.	For punishing Extortion by Officers of the Customs.	ib.

29 Hen. VI.—A.D. 1450.

	In the Parliament holden at <i>Westminster</i> , on the Feast of <i>St. Leonard</i> , (6 Nov.)	550
1.	<i>John Cade</i> attainted of Treason, his Lands and Tenements declared forfeited to the King, and his Blood corrupt.	551
2.	For	

Cap.

2. For confirming and amending Stat. 2 H. 5. ft. 1. c. 6. against Breakers of Truces and Safe Conducts. - Page 552
3. All Letters Patents granted to the Citizens of *York*, to exempt them from certain Offices shall be void. - 554

31 Hen. VI.—A.D. 1452-3.

In the Parliament holden at *Reading*, on the 6th Day of *March*.

1. All Indictments and Acts done during the Rebellion of the Traitor *John Cade*, and during future Rebellions, declared void. - 556
2. For compelling Obedience to the King's Writs, &c. against Rioters and others. - 559
3. *Marek* Law shall not be used out of the Circuit of the Counties of *Northumberland*, *Cumberland* and *Westmorland*, and the Town of *Newcastle*. - 561
4. For providing Redress for Aliens injured in breach of Amity, Truce or Safe Conduct. - 561
5. For confirming and amending Stat. 17 R. 2. c. 5. respecting the Tenure of certain Offices of the Customs. - 563
6. The Stat. 20 Hen. 6. c. 2. concerning Forfeitures on Out-laws in the County of *Lancaster* made perpetual. - 564
7. For exempting Fees, Wages and Profits of the King's Officers, from the Effect of certain Acts of Resumption. - 564
8. For exempting Natives from a Portion of certain Subsidies. - 564
9. For providing a Remedy for Women inforced to be bound by Obligation, - 565

33 Hen. VI.—A.D. 1455.

In the Parliament holden at *Westminster*, on *Wednesday* the 9th Day of *July*.

1. A Remedy for Executors against Servants that imbezzle their Master's Goods after his Death. - 570
2. For repealing former Acts concerning Forfeitures on Out-laws in the County of *Lancaster*. - 572
3. For remedying several Extortions, committed by the Officers of the Exchequer. - 577
4. For preventing Brewers in *Kent* from being Maisters. - 577
5. For the Encouragement of Silkwomen and Throwsters. - 577
6. Certain Privileges granted to the Abbot of *Fountain* in the County of *York*. - 577
7. For regulating the Number of Attornies in *Norfolk*, *Suffolk* and *Norwich*. - 577

38 Hen. VI.—A.D. 1459.

In the Parliament holden at *Coventry* on *Tuesday* 20th Nov. 578 n.

39 Hen. VI.—A.D. 1460.

In the Parliament holden at *Westminster*, on *Tuesday* 7th Oct. 579

1. The Parliament holden at *Coventry*, Anno 38 H. 6. repealed; and all Statutes and Ordinances made by the Authority of the same reversed. - 581
2. A

Cap.

- ✓ 2. A Woman being 14 Years of Age at the Death of her Ancestor, shall have Livery of her Land. - Page 583

1 Edw. IV.—A.D. 1461.

In the Parliament holden at *Westminster*, on *Wednesday* 4th Nov.

1. What Acts done by or during the Reigns of King Henry IV. King Henry V. and King Henry VI. shall continue valid. 584
 2. Justices of Peace in Sessions shall try and determine Indictments taken in Sheriffs Tourns. - - 603

3 & 4 Edw. IV.—A.D. 1463, 4, 5. 608 n.

In the Parliament holden at *Westminster*, on the 29th Day of April, 3 Edw. IV. A.D. 1463. 610

1. For regulating the Exportation of Wool, and the Freighting of Foreign Ships. - - ib.
 2. An Act for Grain or Corn not to be brought into this Land. 611
 3. For preventing the Importation of Silk Manufactures. ib.
 4. For preventing certain Merchandizes from being brought ready wrought into this Realm. - - ib.
 5. For regulating Apparel. - - 616

In the Parliament holden at *Westminster*, on the First Day of January, 4 Edw. IV.—A.D. 1464-5. 618 n.

1. For improving the Manufacture of Cloths; and preventing the Importation thereof. - - 618
 2. For compelling the Exportation of *English* Wools to the Staple at *Calais*. - - 622
 3. For regulating the Exportation of Wools from *Newcastle*. ib.
 4. For preventing the Buying of Wools unshorn. ib.
 5. For prohibiting the Importation of Merchandizes from the Duke of *Burgundies* Countries, while *English* wrought Cloth is prohibited there. - - 623
 6. For amending Stat. 5 Hen. 4. c. 5. for regulating Alien Merchants. - - ib.
 7 For regulating the Shoemakers in *London*, and within Three Miles thereof. - - ib.
 8. For prohibiting Strangers from buying *English* Horns unwrought, and giving certain Powers to the Wardens of the Horners of *London*. - - 624
 9. For amending the Stat. 4 Hen. 5. c. 3. respecting Pattens. ib.
 10. For compelling Persons to take Passage and land at *Dover* in *Kent*. - - ib.

7 & 8 Edw. IV.—A.D. 1467-8. 625 n.

In the Parliament holden at *Westminster*, on the Third Day of June, A.D. 1467.—7 Edw. IV. A.D. 1467.

1. For regulating the making of Worstedes in *Norwich* and *Norfolk*. - - 626
 2. For

Cap.

2. For amending the Act 4 E. 4. c. 1. relating to Manufacture of Cloths. - Page 627
3. For preventing the Exportation of Woollen Yarn and Cloths unfulled. - ib.
4. An Act for Grants made by the King, since the First Year of his Reign. - 628
5. An Act for reviving the Seignories of attainted Lands. ib.

In the Parliament holden at *Westminster*, on the 12th Day of *May*,
8 Edw. IV.—A.D. 1468. - 625 n.

1. An Act concerning set Cloths. - 629
2. An Act for Liveries of Companies. - ib.
3. An Act for Jurors in *Middlesex*. - 630
4. For Sheriffs. - 632

10 Edw. IV.—(vel Anno 40 Hen. VI.) A.D. 1470. 632 n.

12, 13, 14 & 15 Edw. IV.—A.D. 1472, 3, 4 & 5. }
In the Parliament holden at *Westminster*, on *Tuesday* 633
6th Oct. 12 E. 4. A.D. 1472, continued till the 23d Jan. to
14 E. 4. and dissolved on the 14th March 15 E. 4. A.D. 640 n.
1474-5. }

In the Parliament holden at *Westminster*, on the Sixth Day of
October, 12 Edw. IV.—A.D. 1472.

1. For Returns of Sheriffs. - 640
2. An Act for Bowstaves. - 642
3. An Act for the Subsidies. - 643
4. For Liveries to be given by the Prince. - 644
5. For shipping of Wools. - ib.
6. For Sewers. - ib.
7. An Act for Wears and Fishgarbes. - ib.
8. An Act for annulling of Letters Patents, made to Searchers and Surveyors of Viuals. - 648
9. An Act for Escheators. - 649

In the Parliament holden at *Westminster*, on the 23d Day of
January, 14 Edw. IV.—A.D. 1474-5.

1. For the King's Tenants going in his Wars. - 652
2. An Act touching Protections for such as go in the King's Wars. - 657
3. An Act for shipping of Wools and Fells. - ib.
4. An Act for Confirmation of Statutes made for breaking of Truce. - ib.

17 Edw. IV.—A.D. 1477-8.

In the Parliament holden at *Westminster*, on *Friday* the 16th
January. - 659

1. An Act for Money. - 661
2. For the Trial of Matters in Courts of Piepowder at Fairs. 664
3. For prohibiting unlawful Games. - 667
4. An Act for making of Tile. - 668
5. An Act for sealing of Cloths. - 672
6. A Repeal of the Parliament holden the Ninth Year of King
Edward IV. - ib.
7. An Act for Sheriffs Returns. - 673.

22 Edw.

22 Edw. IV.—A. D. 1482-3.

In the Parliament holden at *Westminster*, on *Monday* 20th
January. 675

Cap.

- | | |
|--|------------|
| 1. An Act of Apparel. | 677 |
| 2. An Act for packing of barrell'd Fish. | <i>ib.</i> |
| 3. For preventing the Importation of Silk Manufactures. | 681 |
| 4. An Act for the Price of Bows. | <i>ib.</i> |
| 5. For Tulling of Hats and Caps. | <i>ib.</i> |
| 6. An Act for Swans. | 682 |
| 7. An Act for inclosing of Woods in the Forests, Chafes and Par-
lieus. | 683 |
| 8. An Act for the Town of <i>Berwick</i> . | 684 |

1 Rich. III.—A. D. 1483-4.

In the Parliament holden at *Westminster*, on *Friday* 23d Jan. 688

- | | |
|--|------------|
| 1. An Act againſt privy and unknown Feoffments. | 692 |
| 2. An Act to free the Subject from Benevolences. | 693 |
| 3. An Act for bailing of Persons ſuſpected of Felony. | 694 |
| 4. An Act for returning of ſufficient Jurors. | 695 |
| 5. An Act touching Feoffments made to the King [and] to the
Uſe of others. | 697 |
| 6. An Act for the Trial of Matters in Courts of Piepowder in
Fairs. | <i>ib.</i> |
| 7. An Act for Proclamations upon Fines levied. | 701 |
| 8. An Act touching the Order of dying Wool and Cloths. | <i>ib.</i> |
| 9. An Act touching the Merchants of <i>Italy</i> . | 702 |
| 10. An Act touching the bringing of Silk Laces, Ribbands, &c. | 705 |
| 11. An Act touching Bowſtaves. | <i>ib.</i> |
| 12. An Act againſt Strangers Artificers. | 706 |
| 13. An Act to aſcertain the Contents of Veſſels of Wine and
Oil. | 707 |
| 14. An Act concerning Diſmes granted by the Clergy. | 711 |
| 15. An Act for annulling Letters Patents made to <i>Elizabeth</i> , late
Wife of Sir <i>John Grey</i> . | 712 |

1 Hen. VII.—A. D. 1485-6.

In the Parliament ſummoned at *Westminster*, on the 12th Nov. 1485,
and holden there on the 23d January 1485-6. 713

- | | |
|--|------------|
| 1. An Act that the Demandant in a <i>Formedon</i> , ſhall have his
Action againſt the Pernor of the Profits, &c. | 718 |
| 2. An Act that Denizens ſhall pay Cuſtom and Subſidy. | <i>ib.</i> |
| 3. An Act that no Protection ſhall be allowed before the Mayor
of the Staple of <i>Calais</i> , &c. | 719 |
| 4. An Act for Biſhops to puniſh Priests, and other Religious
Men, for diſhoneſt Life, &c. | <i>ib.</i> |
| 5. An Act concerning Cordwainers, Tanners and Curriers. | <i>ib.</i> |
| 6. An Act that certain Persons within Sanctuary ſhall not have
any Actions brought againſt them, &c. | 720 |
| 7. An Act againſt unlawful Hunting in Forests and Parks. | <i>ib.</i> |
| 8. An Act againſt bringing in of <i>Gascoigne</i> Wine, except in
<i>Engliſh</i> , <i>Iriſh</i> or <i>Welſhmen</i> Ships. | 721 |
| 9. An | |

Cap.

9. An Act against Merchant Strangers for bringing into this Realm, Girdles, Ribonds and Laces, &c. Page 721
 10. For Revocation of the Penalties of King Richard's Act against *Italians*. - - - *ib.*

3 Hen. VII.—A.D. 1487.

In the Parliament holden at *Westminster* on the 9th November. 723

1. An Act giving the Court of Star-Chamber, Authority to punish divers Misdemeanors. - - - 725
2. An Act against taking away of Women against their Wills. 728
3. An Act that Justices of the Peace may take Bail. 729
4. An Act against fraudulent Deeds of Gift. - - - 730
5. An Act against Usury and unlawful Bargains. *ib.*
6. An Act against Exchange and Rechange without the King's Licence. - - - *ib.*
7. An Act against Merchants carrying of Goods from one Port to another, without a Certificate from the Custom where the Goods were first entered. - - - *ib.*
8. An Act for Confirmation of the Statute made in the 17th Year of *Edw. 4.* against carrying out of this Realm Money for Wares brought into the same. - - - 731
9. An Act that the Citizens of *London* may carry all Manner of Wares to Foreign Markets. - - - 732
10. An Act against delay of Execution upon Writs of Error: and to give Costs. - - - 733
11. An Act that no Stranger or Denizen shall carry any Woollen Cloths out of this Realm before they be barbed, rowed and thorn. - - - 734
12. An Act against the retaining any of the King's Tenants. 735
13. An Act against the excessive Price of long Bows. *ib.*
14. An Act that the Steward, Treasurer and Comptroller of the King's House shall enquire of Offences done within the same. *ib.*

4 & 5 Hen. VII.—A.D. 1488-9.

In the Parliament holden at *Westminster*, on Tuesday the 13th January. - - - 736

1. An Act for the granting forth of the Commissions of Sewers. 740
2. An Act for Fyners of Gold and Silver. - - - *ib.*
3. An Act that no Butcher slea any Manner of Beast within the Walls of *London*. - - - 742
4. An Act that all Persons serving the King beyond the Sea in *Bryttayne* may have their Protections as Profectur and Moratur'. 743
5. An Act to make void Letters Patents to Abbots, Priors and others, for gathering and paying Dismes. - - - *ib.*
6. An Act that the Office of Steward, Forester and Keeper of the Forest of *Inglewood*, shall be void. - - - *ib.*
7. An Act that the Yeoman and Grooms of the King's Chamber give their Attendance to the King. - - - 744
8. An Act touching Woollen Cloths. - - - *ib.*
9. An Act touching Hats and Caps. - - - *ib.*
10. An

TABLE of the STATUTES, 5^o—11^o HEN. VII.

10. An Act against bringing into this Realm, Wines in foreign Bottoms.	-	-	Page 744
11. An Act for the Maintenance of Drapery, and making of Cloth.	-	-	745
12. An Act for the Justices of Peace, for the due Execution of their Commissions.	-	-	<i>ib.</i>
13. An Act for to take the Benefit of the Clergy from certain Persons.	-	-	747
14. An Act touching the passing of Feoffments and other Grants of any Lands under the Special Seal of the Earldom of the Marches and the Abuse thereof.	-	-	748
15. An Act that the Mayor of London shall have the Rule of the River Thames, from Staines to Yenlade.	-	-	<i>ib.</i>
16. An Act concerning the Isle of Wight.	-	-	749
17. An Act against fraudulent Feoffments tending to defraud the King of his Wards.	-	-	750
18. An Act against counterfeiting foreign Coin.	-	-	<i>ib.</i>
19. An Act against pulling down of Towns and Houses.	-	-	<i>ib.</i>
20. An Act against Collusions and feigned Actions.	-	-	750
21. An Act for the Preservation of the Fry of Fish.	-	-	752
22. An Act against the deceitful Weight and working of the Gold of Venice, Florence and Jeane.	-	-	<i>ib.</i>
23. An Act against carrying away of Coin, Plate, Vessel or Jewels out of this Realm.	-	-	<i>ib.</i>
24. An Act for Proclamation to be made upon Fines.	-	-	<i>ib.</i>

7 Hen. VII.—A.D. 1491.

In the Parliament holden at *Westminster*, on *Monday* 17th Oct. 755

1. An Act against Captains for not paying Soldiers their Wages and against Soldiers going from their Captains, without Licence. 757
- 2—3. An Act for divers Privileges to be granted to Persons being in the King's Wars. *ib.*
4. An Act for Weights and Measures. *ib.*
5. [4] An Act that the Challenge called, *Riens deyns le gard* be no Challenge. 758
6. [5] An Act that Abbots and Priors shall pay such Quinzeime and Disme, as they ought to pay by the Act in the Time of King *Edward* IV. *ib.*
7. [6] An Act touching the Banishment of *Scots* out of *England* by a certain Day, upon Loss and Seizure of their Goods. *ib.*
8. [7] An Act to pay Custom for every Butt of *Malmsey*. 759

11 Hen. VII.—A.D. 1495.

In the Parliament holden at *Westminster*, on *Wednesday* 14th *October*. 759

1. An Act that no Person going with the King to the Wars shall be attaint of Treason. 763
2. An Act against Vagabonds and Beggars. *ib.*
3. An Act against unlawful Assemblies and other Offences contrary to former Statutes. 764
4. An

Cap.		
4.	An Act for Weights and Measures.	Page 764
5.	An Act for the pulling down of Wears and Engines.	767
6.	An Act for the Payment of the Custom for Woollen Cloth transported.	ib.
7.	An Act against Riots and unlawful Assemblies.	768
8.	An Act against Usury.	ib.
9.	An Act to make the Lordship of <i>North Tyndall</i> and <i>South Tyndall</i> to be within the County of <i>Northumberland</i> .	ib.
10.	An Act for a Benevolence.	ib.
11.	An Act against such Shearers of Worsted as have not been Apprentices to that Trade.	769
12.	An Act to admit such Persons as are poor to sue in <i>Forma Pauperis</i> .	ib.
13.	An Act against transporting of Horses and Mares beyond the Seas.	770
14.	An Act that all Strangers [and] Denizens shall pay Custom.	771
15.	An Act against Sheriffs and Under Sheriffs.	ib.
16.	An Act relating to the Town of <i>Calais</i> .	773
17.	An Act against taking of Feasaunts and Partridges.	774
18.	An Act that the Master of the Rolls and other Officers of the Chancery shall not go to the War.	ib.
19.	An Act against Upholsters.	776
20.	An Act against Recoveries and Discontinuances made by Tenants in Dower.	ib.
21.	An Act against Perjury.	778
22.	An Act for Servants Wages.	782
23.	An Act against Merchant Strangers for selling of Salmon and other Fish.	ib.
24.	An Act for Writs of Attaint to be brought against Jurors for untrue Verdicts.	783
25.	An Act against Perjury, unlawful Maintenance and Corruption in Officers.	ib.
26.	An Act that Sheriffs shall return sufficient Jurors.	ib.
27.	An Act against unlawful and deceitful making of Fustians.	784

12 Hen. VII.—A.D. 1496-7.

In the Parliament holden at *Westminster*, on *Monday* 16th *January*.

1.	An Act for taking of Apprentices to make Worsted in the County of <i>Norfolk</i> .	785
2.	An Act for Confirmation of divers Statutes formerly made against Riots, Perjury and other Offences.	786
3.	An Act for making void of a Statute concerning Artificers and poor Labourers.	ib.
4.	An Act for the making of Woollen Cloths.	ib.
5.	An Act for Weights and Measures.	787
6.	An Act for Merchants Adventurers.	788
7.	An Act for making some Offences Petty Treason.	790

19 Hen. VII.—A.D. 1503-4.

In the Parliament holden at *Westminster*, on *Tuesday* 25th *January*.

1.	For Attendance upon the King in his Wars.	791
2.	An Act for the Encouragement of bringing Bow Staves into this Kingdom.	794
3.	For	795

Cap.		
3.	For continuing 11 Hen. 7. c. 24. respecting Attaints until the next Parliament.	Page 795
4.	An Act against Shooting in Long Bows.	ib.
5.	Coin.	796
6.	An Act against Pewterers Walking.	ib.
7.	An Act against making private and unlawful Statutes by Corporations.	799
8.	An Act concerning Skavage or Skewage.	800
9.	An Act for Process upon Actions on the Case	801
10.	An Act against wilful and negligent Escapes.	ib.
11.	For Deers-hays and Buck-stalls	803
12.	An Act relating to Vagabonds and Beggars.	804
13.	An Act for suppressing of Riots.	ib.
14.	An Act against unlawful Detentions.	805
15.	An Act giving Execution against Feoffees.	ib.
16.	An Act for regulating the Return of Jurors of the Sheriffs Turns in the Counties of <i>Southampton</i> , <i>Surrey</i> and <i>Suffen</i> .	806
17.	An Act relating to Shearers of Worsted.	ib.
18.	An Act concerning the River <i>Severn</i> .	807
19.	An Act concerning Curriers, Tanners and Cordwainers.	ib.
20.	An Act for Costs upon Writs of Errors.	ib.
21.	An Act for Silk Women.	ib.
22.	An Act for Attornies and Factors at <i>Calais</i> .	ib.
23.	An Act for the <i>Hanse</i> Merchants.	808
24.	An Act for holding the Sheriffs Tourn at <i>Chichester</i> and <i>Lewes</i> alternately.	ib.

THE STATUTES AT LARGE.

Anno primo RICARDI II.

*In the Parliament holden at Westminster in 15 Days of Michaelmas (Tuesday 13th October *) A.D. 1377.* *Printed Rot. Parl.

From the Copy given by Hawkins, Gay, &c. as "Ex Rot. in Turr. Lond. m. 52." [query 25] compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iii. p.1. &c.

Chapter of Statute.	No. in printed Roll.	
1	—	44, 45.
2	—	45.
4	—	49. 64.
5	—	63.
6	—	88.
7	—	92.
8	—	97.
9	—	83.
10	—	103.
11	—	104.
12	—	107.
3	—	116.
13	—	118.
14	—	121.
15	—	125.

*On Petitions of the Commons,
and the Answers thereto.*

*On Petitions of the Clergy,
and Answers thereto.*

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further Printed Rot. Parl. iii.

Page 6, No. 21—24. A Council of Nine Bishops, Lords, and Commons, elected; and appointed to assist the usual Officers of the King in the Administration of Government.

Page 7,	No. 27,	Grant of a Subsidy of Two Fifteenths, and Persons appointed for Receipt thereof.
10,	—	36, Merchandizes may be exported to Brest, and elsewhere, notwithstanding the Staple at Calais.
—	—	37, The Staple removed from Queensboro' to Sandwich.
13, } 14, }	— —	41, } Proceedings against Alice Perres, and 43, } Sentence of Banishment and Forfeiture against her, for Breach of the Ordinance made in the last Parliament, which is here further explained, and declared to have the Force of a Statute. See ante, note sub an. 50, 51 E. 3. (50 E. 3. No. 45.) See also post sub an. 8 Ric. 2.

On Petitions of the Commons,

15,	—	47, That no Counsellors shall take any Gift of Land, Rent, Escheat, &c. without Consent of the whole Council. This is assented to with a Saving of the King's Prerogative.
16,	—	50, That the Chancellor, Treasurer, Justices, &c. should be appointed by the Lords in Parliament, or the Council, during the King's Minority.
—	—	56, To a Petition that all Petitions made in 50 E. 3. to which the Answer of "Le Roi le voet" was given in Parliament should be affirmed as Statutes, or Ordinances, explicitly: it is answered, That it was in Part so done; and that, as to the Remainder, the King, by Advice of his Great Council, would do as should appear reasonable.
—	—	58, Regulation of Aliens and Reprisals.
20,	—	76, That all Persons shall contribute to repairing the Walls, &c. in Cities.
21,	—	87, That all Complaints shall be determined at Common Law, and not before the Council, "Sil ne soit tiele querelle et encontre si grande personne q' homme ne suppose ailleurs d'avoir droit."
22,	—	91, For the Removal of Aliens in general out of the Kingdom, and regulating such Alien Ecclesiastics as were allowed to stay during War.

Page 24, No. 99, *A Confirmation of the Pardon granted by the King to the Bishop of Winchester, notwithstanding the Exception in the Pardon of 51 E. 3. See two Pardons to the Bishop (from Rot. Pat. 1 Ric. 2. p. 2. m. 2.) in printed Rot. Parl. iii. Appendix, p. 387—390. Both these Pardons are dated December 4, and end—"Per ipsum Regem et petitionem in parlamento."*

— — 102, *The Clergy shall pay Taxes on all Possessions to which they became intituled after 20 E. 1. (In future Grants of Subsidies, &c. such Possessions are accordingly charged.)*

25, — 111, *No Member of Parliament shall be compelled to be Collector of the Aids granted.*

On Petitions of the Clergy,

26, — 120, *Prohibitions to Ecclesiastical Courts (by which, the Petition states the Judges of Holy Church and the Parties "soient souvent fois dampnablement destourbes,") shall issue only in Manner formerly used.*

— — 124, *The Privilege of Sanctuary regulated.*

On Petitions from the City of London,

27, — 126, *&c. Confirmation of the Charters and Customs of the City, and in particular four free Customs, viz. 1. That no Stranger to the Freedom of the City shall buy or sell of any other Stranger within the City. 2. That the Citizens shall hold immediately of the King, and not be answerable to any other Lord or Officer. 3. That all Customs, Impositions, Usages, &c. arising within their Liberties shall be enquired of by themselves. 4. That the Mayor and Chamberlain shall have the Ward of all Orphans within the said City. A Petition respecting Protections is provided for by Cap. 8. of the Statute; and see No. 134. (and Cap. 12. of the Statute) as to the King's Debtors confined in the City Gaels for private Debts.*

29, — 139, *The Parliament ended the 28th Day of November.*

31, — 5, *Confirmation of a Grant of the "Domus Conversorum" to the Master of the Rolls for the Time being—on a private Petition.*

RICHARD, *by the Grace of God, King of England and of France, and Lord of Ireland, to the Sheriff of Middlesex, Greeting.*

Know thou, that to the Honour of God and Reverence of Holy Church, for to nourish Peace, Unity, and Concord in all the Parts within our Realm of *England*, (which we do most entirely desire) with the Assent of the Prelates, Dukes, Earls, and Barons of this our Realm, at the Instance and especial Request of the Commons of our Realm aforesaid, assembled at our Parliament holden at *Westminster* in Fifteen Days of *St. Michael*, in the First Year of our Reign, We have caused to be ordained and established certain Statutes in Amendment and Relief of this our said Realm, in Form following.

RICHARD *par la grace de Dieu Roi d'Engleterre et de Fraunce et Seigneur d'Irland a nostre viscont de [Midd' ¹] salut.*

Sachez qal honour de Dieu et reverence de Seinte Eglise pur nurrir paix unite et concorde, toutz partz deinz nostre roialme d'Engleterre, le quele nous desirons moult entierment, del assent des prelates ducs contes et barons de mesme nostre roialme, al instance et especial request des communes de nostre roialme avantdit, assemblez a nostre parlement tenuz a Westm' a la quinzsein de Seint [Michel ²] lan de nostre regne primer, avons fait ordeigner et establir certains estatutz, en amendement et relievement de mesme nostre roialme en la forme qe sensuit.

¹ Northampton, P.

² Hiller, P.

C A P. I.

A Confirmation of the Liberties of the Church, and of all Statutes not repealed.

The Great
Charter read in
Parliament.

FIRST it is assented and established, That Holy Church shall have and enjoy all her Rights, Liberties, and Franchises wholly and without Blemish; and that the Great Charter, which at the Request of the said Commons was read in the said Parliament, and also the Charter of the Forest, and all the other good Ordinances and Statutes made in the Time of the Progenitors of our Lord the King that now is, and not repealed, shall be observed and firmly kept in all Points.

PRIMEREMENT est assentuz et establiz qe Seint-Eglise eit et enjoise toutes ses droitures libertes et fraunchises, entierment et sanz emblemissment: Et qe la Grande Chartre, quel a la requeste de la dite commune estoit lu en dit parlement, et auxint la Chartre de la Forest et toutes les autres bones ordenances et estatutz, faitz en temps des progeniteurs nostre Seignour le Roi qore est, et nient repellez, soient tenuz et fermement gardez en touz poyntz.

C A P. II.

The Peace shall be kept, and Justice shall be done to all Persons.

ALSO our Lord the King, greatly desiring the Tranquillity and Quietness of his People, willeth and straitly commandeth, That the Peace within his Realm of *England* be surely observed and

and kept, so that all his lawful Subjects may from henceforth safely and peaceably go, come, and dwell according to the Laws and Usages of the Realm; and that Justice and Right be indifferently ministered to every Person.

ITEM nostre Seignour le Roi, desirant souverainement la tranquillite et quiete de son poeple, voet et comande estroitement qe la paix deinz son roialme dEngleterre soit fermement tenuz et gardez, issint qe touz sez loialx. subgitz purront desore sauvement et paisiblement aler venir et demorer, solonc les loys et usages du roialme; et qe bone justice et owel droit soit fait a chescun.

C A P. III.

For regulating Purveyance.

THE Clergy, in as much as they cannot proceed criminally against Purveyors and Buyers (*See 36 E. 3. c. 2.*) shall have their Actions of Trespass, against them, and recover Treble Damages, in case of any Offence."

3 E. 1. c. 1.
14 E. 3. st. 4. c. 1.
18 E. 3. st. 3. c. 4.

C A P. IV.

The Penalties for Maintenance by the King's Officers and Servants, and all others.

[Confirmed
7 R. 2. c. 15.]

ALSO it is ordained and established, and the King our Lord straitly enjoineth, That none of his Counsellors, Officers, or Servants, nor any other Person within the Realm of *England*, of whatsoever Estate or Condition they be, shall from henceforth undertake or sustain any Suit by Maintenance, in the Country, nor elsewhere, upon grievous Pain, that is to say; the said Counsellors and the King's great Officers, upon a Pain which shall be ordained by the King himself, with the Advice of the Lords of the Realm; and the other less Officers and Servants of the King, as well in the Exchequer, and all his other Courts and Places, as of his own *Meyny*, upon Pain to lose their Offices and Services, and to be imprisoned, and then to be ransomed at the King's Will, every of them according to their Degree, Estate, and Desert: And all other Persons throughout the Realm upon the said Pain of Imprisonment, and to be ransomed as the others aforesaid.

ITEM ordeine est et establi, et le Roi nostre Seignour defend estroitement qe nul conseilier officer ou servant nautre ovesqe lui, nascun autre persone du roialme dEngleterre, de quel estat ou condition qils soient, nenpriengent desore ou susteignent ascun querel par mayntenance, en pais ou aillours, sur grevouise peyne, cest assavoir; les ditz conseiliers et grantz officers du Roi sur peyne qe serra ordeigne par le Roi mesmes, del avys des seignours de roialme; et les autres meyndres officers et servantz le Roi, sibien en leschequer et en toutes ses autres courtes et places, come de sa propre meignee, sur peine de perdre leur offices et services, et estre emprisonnez, et dilloeques estre reintz a la volente le Roi, chescun de eux solonc sez degre estat et desert: Et toutz autres personnes parmy le roialme sur la dite peyne denprisonement et estre reintz, come les autres desus ditz,

C A P. V.

[See Stat.
37 E. 3. c. 4.]

The Punishment of a Clerk of the Exchequer making Proceſs for a Debt paid.

ALSO it is ordained, That all Statutes and Ordinances made before this Time of Officers of the Exchequer, be holden and firmly kept in all Points. And moreover it is ordained and established, that whenever any Debts be once paid, and the Tallies thereof made, rejoined, and allowed in the said Exchequer, that such Debt shall never come in Demand. And if it so happen, that after such Allowance made there, any Clerk of the said Exchequer do make any Writ or Proceſs to levy the same Debt anew, and that duly proved, such Clerk shall lose his Office, and have Imprisonment till he hath made Satisfaction to the Party thereby endamaged, if any will sue, by the Discretion of the Treasurer and the Barons of the said Exchequer.

ITEM ordeigne est qe toutz estatutz et ordeignances faitz avant ces heures des officers del Eschequer soient tenuz, et fermement gardez en toutz poyntz. Et outre ce ordeigne est et establiz qe a quel heyre qalcuns dettes soient un foitz paieez, et les tailles ent faitz rejoinctz et allowez en dite eschequer, qe cel dette ny cource jamais en demande. Et sil aveigne ensi qapres tiel allowance fait illoques, ascun clerc du dit eschequer face brief ou proces pur lever mesme le dette de novel, et ce duement provez, qe mesme le clerc perde son office et eit la prison tanqe il avera fait gree a la partie par tant en damage, si ascuny vorra suy par la discretion des trezorier et barons du dit eschequer.

C A P. VI.

[See also Stat.
2 R. 2. c. 2.]

For punishing the Misbehaviour of Villains and Land-Tenants in Villenage.

ALSO, at the grievous Complaint of the Lords and Commons of the Realm, as well Men of Holy Church as others, made in Parliament, of that that in many Signories and Parts of the Realm of *England* the Villains and Land-tenants in Villenage, who owe Services and Customs to their Lords, have now newly withdrawn, and do daily withdraw their Customs and Services due to their said Lords, by Comfort and Procurement of others their Counsellors, Maintainers, and Abettors in the Country, which have taken hire and Profit of the said Villains and Land-tenants, by colour of certain Exemplifications made out of the Book of Domesday, of the Manors and Towns within which they are dwelling, and by virtue of such Exemplifications, and their evil Interpretation of the same, they affirm themselves to be quit and utterly discharged of all Manner of Servage, due as well of their Bodies as of their Tenures aforesaid, and will not suffer any Distress or other Justice, to be made upon them, but do menace the Officers of their Lords of Life and Member, and (which more is) they gather themselves together to great Routs, and agree by such Confederacy, that every one shall aid other to resist their Lords with strong Hand; and many other Evils they do in sundry Manner, to the great Damage of their said Lords, and evil Example

to others to begin such Riots; so that if due Remedy be not most speedily provided upon the same Rebels, greater Mischiefe (which God forbid) may thereof spring through the Realm: It is ordained and established, That the Lords which feel themselves grieved, shall have special Commissions under the Great Seal to the Justices of Peace, or to other sufficient Persons, to enquire of such Rebels, and of their Offences, and their Counsellors, [Procurers,] Maintainers, and Abettors, and to cause to be imprisoned all those that thereof shall be indicted before them, as well for the Time past, as for the Time to come, without delivering them out of Prison by Mainprise, Bail, nor otherwise, without the Assent of their Lords, till they thereof be attainted or acquitted; and that the same Justices have therein Power to hear and determine as well at the King's Suit as at the Suit of the Party. Provided always, that if the said Villains or Land-tenants, Rebels, be thereof attainted at the Suit of the said Lords, they shall in no wise be delivered, till they have made Fine to the King, and also have the Assent of their Lords aforesaid. And as to the said Counsellors, Procurers, Maintainers, and Abettors, such Process and in like Manner shall be made of them, which thereof shall be attainted, so that they be in no wise delivered from Prison, till they have made Fine to the King, and Satisfaction to the Lords so grieved, according as their Estates and the Quantity of their Offence do require, if the same Lords will sue against them by Writ or by Bill; saving always, as to the said Fines, the Franchises and Liberties of the Lords, which have Fines and Amercements of their Tenants.

And as to the said Exemplifications made and purchased as afore is said, which were brought before Parliament, it is declared in the said Parliament, that the same cannot nor ought not to avail or hold place to the said Villains and Landtenants, as to the Franchise of their Bodies, nor to change the Condition of their Tenure and Customs of old Time due, nor to cause any Prejudice to the said Lords, to have their Services and Customs as they were wont of old Time. And it is ordained, that upon this Declaration, the said Lords shall have Letters Patents under the Great Seal, so many and such as they shall need, if they the same require.

Commissions shall be granted to Justices of Peace, to enquire of Villains refusing their Services, &c. who shall be imprisoned and fined;

as also their Abettors.

Declaration of Parliament as to Exemplifications from Doomday Book, respecting Villains.

ITEM a la grevouise pleint des seignours et communes de roialme, sibien gentz de Seinte Eglise come autres, fait en parlement, de ceo qe en plusours seignories et parties du roialme dEngleterre les villeyns et terretenantz en villenage, qi deyvent services et custumes a lour seignours, ount ore novelment retret, et retriennent de jour en autre, lour custumes et services duez a lour ditz seignours, par confort et procurement dautres, leurs conseilours meynutenours et abettours en pair, qont pris louer et profit des dites villeyns et terretenantz, par colour des certains exemplifications saiz hors de livre de Domelday, des manoirs et villes deinz queux ils sont demorantz, et par vertue dicelles exemplifications et lour male enterpretation dicelles, ils safferment deestre quites et outrement deschargez de tout manere de servage, due sibien de lour corps come de lour tenures avantditz, et ne voillent foetter aucun destresse ou autre justice estre fait sur eux, einz manassent les ministres de leurs seignours de vie et de membre, et qe plus est ils se coillient ensemble a grant routes et sentrelient par nuel confederacie qe chef-

cun aidra autre, a contrefler leurs seignours a fort mayn; et moutz dautres malx y font en diverses maneres, a grant damage de leur ditz seignours et male ensemple as autres de comencer tieux riotes; issint qe si due remedié ny soit mys le plus en hast sur les ditz rebelx greynour meschief, qe Dieu ne voille, ent purroit soudre parmy le roialme: Ordeigne est et estably qe les seignours qe se sentent grevez eient especials commissions, soutez le grande seal, as justices de la paix, ou as autres persones suffisantz, denquer de tieux rebelx et de leur malfaitz, conseilours (1) meyntenours et abettours; et de faire emprisonner toutz ceux queux ent ferront enditez devant eux, sibien pur le temps passe come pur le temps avenir, sanz les delivrer hors de prison par maynpris baill nautrement, sanz lassent de leur seignours, tanqils ent soient atteintz ou acquitez; et qe mesmes les justice y eient poair doier et terminer, sibien a la fuyte le Roi come a la fuyte de partie. Purvez toutz soitz qe si les ditz villeyns ou terre-tenants rebealx ent soient atteintz a la fuyte des ditz seignours, ne soient ils acunement delivrez tanqe ils eient fait fin a Roi, et avec ceo ils eient lassent de leurs dites seignours. Et quant as dites conseilours procureurs meyntenours et abettours, soit autiel proces et sembleablement fait de eux qi ent ferront atteintz, issint qils ne soient acunement delivrez du prison, tanqe ils averont fait fin au Roi, et gree as seignours issint grevez, selonc ceo qe leur estates et la quantite de leur malfait demandent, si mesmes les seignours veullent luyr envers eux par brief ou par bill; savant tout diz, quant as ditz fines, les franchises et libertes des seignours qont fines et amerciementz de leur tenantz.

Et quant a les dites exemplifications faitz et purchacez, come desus eit dit, les quelx fuerent faitz venir en parlement, est declare en dit parlement qe celles ne poient ne deyyent valier ou lieu tenir as ditz villeyns et terre-tenantz, quant a la fraunchise de leur corps, ne a chaunger la condition de leur tenure et custumes aunciennement duez, ne faire prejudice as ditz seignours, davoir leur services et custumes come ils soleient dancien temps. Et ordeigne estqe, sur cest declaration, les ditz seignours averont lettres patentes foubz le grande seal, tantz et tieux come leur ent busoignera, fils les vorront demander.

^v procureurs, *Rot. Parl.*

C A P. VII.

Against Maintenance by giving of Liveries.

[*Confirmed*
7 R. 2. c. 15.
20 R. 2. c. 1.]

ALSO, because that divers People of small Revenue of Land, Rent, or other Possessions, do make great Retinue of People, as well of Esquires as of others, in many Parts of the Realm, giving to them [Hats¹] and other Livery, of one Suit by Year, taking of them again the Value of the same Livery, or percase the double Value, by such Covenant and Assurance, that every of them shall maintain other in all Suits, be they reasonable or unreasonable, to the great Mischief and Oppression of the People; It is ordained and assented, That the Statutes and Ordinances made in such Case before this Time, be kept and duly executed. And moreover the King doth straitly defend, that from henceforth no

Former Statutes
against Maintenance affirmed.

¹ Query "Hoods."—See *Rass.* 1591. Tit. "Liveries of Companies."

such Livery be given to any Man for Maintenance of Suits, nor other Confederacies, upon Pain of Imprisonment and grievous Forfeiture to the King: And the Justices of Assises shall diligently enquire of all them that gather together in Fraternities by such Livery to do Maintenance; and they which thereof shall be found guilty, shall be duly punished, every Man after the Quantity of his Desert.

Penalty on giving Liveries for Maintenance; Fine and Imprisonment. Justices of Assise shall enquire of such Offense.

ITEM pur ce qe plusieurs gentz, de petit garison de terre rent ou dautres possessions, sont grantz retenez des gentz, sibien desquiers come dautres en plusieurs parties del roialme, donantz a eux chaperons et autre livre dun suyte par an, repreignantz vers eux la value de cel livre, ou par cas la double value, par tiel covenant et assurance qe chescun de eux mayntiendra autre en toutz querelles, soient eles resonables ou non resonables, a grant meschicief et oppression du poeple: Ordeigne est et assentuz, qe les estatutz et ordenances faites en tieu cas avant ses heures soient gardez et dument executz. Et outre ce le Roi defend estreitement qe, desormais, nul tiel livre ne soit done a nully pur mayntenance des quels nautre confederacie, sur peyne denprisonement et grevouise forfaiture au Roi. Et enquerger diligement les justices des assises des touz ceux qi se coillent ensemble en fraternitez. par tiel livre, affaire meyntenance; et ceux qi ent ferreront trovez coupablez soient dument punys chescun solonc la quantite de sa desert.

C A P. VIII.

In what Case a Protection *cum clausula Volumus* is not allowable.

[See also Stat. 13 R. 2. §. 2. c. 16.]

ALSO it is assented, That from henceforth no Protection with the Clause of *Volumus* be allowed before any Judge for Vic-tuals taken or bought upon the Voyage or Service whereof the Protection maketh mention; nor also in Pleas of Trespasse, or of other Contract, made or perpetrate after the Date of such Protection.

ITEM est assentuz qe desore nul protection, ove clause de *Volumus*, soit allowe devant ascun juge pur vitailles pris ou achatez sur le viage ou service dont la protection fait mention; nauxint en ples de trespas ou dautre contracte fait ou perpetrez puis la date de mesme la protection.

C A P. IX.

Against Feoffments of Lands and Gifts of Goods made by Fraud or for Maintenance.

[See further 4 H. 4. c. 7.]

ALSO, because it is complained to the King, that many People of the said Realm, as well great as small, having right and true Title as well to Lands, Tenements, and Rents, as in other Actions personal, be wrongfully delayed of their Right and Actions, by means that the Occupiers or Defendants, to be maintained and sustained in their Wrong, do commonly make Gifts and Feoffments of their Lands and Tenements which be in Debate, and of their other Goods and Chattels, to Lords and other great Men of the Realm, against whom the said Pursuants, for great Menace that is made to them, cannot nor dare not make their Pursuits; and also on the other Part Complaint is made, that oftentimes

many

Gifts of Lands,
Goods, &c. in
Fraud or
Maintenance
declared void.
Disseisees may
recover against
the original
Disseisors (if
they take the
Profits) without
Regard to any
Alienation by
them.

many People do disseise others of their Tenements, and anon after the Disseisin done, they make divers Alienations and Feoffments, sometime to Lords and Great Men of the Realm, to have Maintenance, and sometime to many Persons of whose Names the Disseisees can have no Knowledge, to the Intent to defer and delay by such Frauds the said Disseisees, and the other Demandants and their Heirs, of their Recovery, to the great Hindrance and Oppression of the People: It is ordained and established, That from henceforth no Gift or Feoffment of Lands, Tenements, or Goods be made by such Fraud or Maintenance; and if any be in such wise made, they shall be holden for none and of no Value; and the Disseisees shall from henceforth have their Recovery against the first Disseisors, as well of the Lands and Tenements, as of their double Damages, without having Regard to such Alienations, so that the Disseisees commence their Suits within the Year next after the Disseisin done.* And it is ordained and assented, That this same Statute shall hold Place, in every other Action in Plea of Land where such Feoffments be made by Fraud or Collusion, to have their Recovery against such first Feoffor. And it is to wit, that this Statute ought to be understood where such Feoffors thereof take the Profits.

* during the Disseisor's Life. 4 H. 4. c. 7.

ITEM pur ceo qe pleint est fait a Roi qe plusieurs gentz de dito roialme, sibien greyndres come meyndres, eiantz droit et verrois titles sibien as terres tenementz et rentz, come en autres actions personels, sont toreenusement delaiez de leur droit et actions, parmy ceo qe les occupiours ou defendantz, pur estre sustenuz et mayntenez en leur tort, sont communement donnees et feoffementz de leur terres et tenementz qe sont en debate, et de leurs autres biens et chateux, as seignurs et autres grantz du roialme, vers queux les ditz pursuantz, pur grant manace qe leur est faite, ne poient ne ne osent faire leur pursuytes; Et auxint dautre part plainte est fait qe meyntfoitz plusieurs gentz disseisent autres de leur tenementz, et tantost apres la disseisine fait, sont diverses alienations et feoffementz, ascunfoitz as seignurs et grantz de roialme, pur meytenance avoir, et ascunfoitz as plusieurs persones de qi nouns les disseisees ne poient avoir conissance, au fin dalloigner et delaier, par tieux fraudes, les ditz disseisees et les autres demandantz et leur heirs de leur recoverer, a grant anientissement et oppression du poeple; Ordeigne est et estably qe desormes nulle don ou feoffement, des terres tenementz ou biens, soit fait par tiel fraude ou mayntenance; et si ascuns soient faitz tielment soient tenuz par nulles et de nulle value; et eient desore les disseisees leur recoverir vers les primers disseiseours, sibien des terres et tenementz, come de leur doubles damages, sanz avoir regard as tielx alienations, parissint qe les disseisees comencent leur suytes deinz lan prochein apres la disseisine faite. Et est ordeigne et assentuz qe meisme cest estatut teigne lieu en chescun autre action [ou] ple de terre, ou tielx feoffementz sont faitz par fraude ou collusion, davoir leur recoverer vers le premier tiel feffor. Et est assavoir qe cest estatut doit estre entenduz, la ou tielx feffors ent preignent les profitz.

en, P.—*Rot. Parl.* reads "action de terre."

C A P. X.

“A Confirmation of the Pardon granted by King *Edward III.* in the Fifty-first Year of his Reign.”

C A P. XI.

None that hath been Sheriff shall be so again within Three Years.

[See further
23 H. 6.
c. 7. (or 8.)

ALSO it is ordained, That none who hath been Sheriff of any County by an whole Year, shall be within Three Years next ensuing chosen again, or replaced in the said Office of Sheriff, if there be other in the said County of sufficient Possessions and Goods to answer to the King and the People.

ITEM ordeigne est ce nully qad este viscont dune conte, par un an entier, ne soit deinz les trois anz profcheins ensuantz reuelluz, ou remys en dite office de viscont; si y soit autre susfisant en dite contee des possessions et biens pur respondre a Roi et a poeple.

C A P. XII.

Penalty on Warden of the *Fleet* for suffering Prisoners in Execution to go at large; and on Parties confessing Debts to the King to delay their Debtors of Execution.

ALSO whereas divers People, at the Suit of Parties committed to the Prison of the *Fleet*, by Judgement given in the Courts of our said Lord the King, be oftentimes suffered to go at large by the Warden of the said Prison, sometime by Mainprise or by Bail, and sometimes without any Mainprise with a [Baston*] of the *Fleet*, and go from thence into the Country about their Merchandizes and other their Busines, and be there a long Time out of Prison Nights and Days, without the Assent of those at whose Suit they be adjudged, and without Satisfaction to them thereof made, whereby a Man can never come to recover his Right against such Prisoners, to the great Mischief and undoing of many People: It is ordained and assented, That from henceforth no Warden of the said Prison of the *Fleet* shall suffer any Prisoner there being, by Judgement at the Suit of any Party, to go out of Prison by Mainprise, Bail, nor by [Baston,*] without making Satisfaction to the said Parties of that whereof they were judged, unless it be by Writ or other Commandment of the King, upon Pain to lose his Office, and the keeping of the said Prison. And moreover, if any such Warden from henceforth be attainted by due Process, that he hath suffered or let such Prisoner to go at large against this Ordinance, then the Plaintiffs shall have their Recovery against the said Wardens by Writ of Debt.

And also it is ordained, That if any at the Suit of a Party adjudged to any other Prison for Debt, Trespass, or other Suit, will confess himself voluntarily, and by a feigned Cause, Debtor to the King, and by that Means to be judged to the said Prison of the *Fleet*, there to have greater [Sweet¹] of Prison than elsewhere,

* i. e. an Officer.

¹ Liberty, *Rast.* 1591.

If the Warden of the *Fleet* suffer Prisoners in Execution to go at large, he shall forfeit his Office, and pay the Debt. [See 7 H. 4. c. 4. that no Protection shall be allowed in such Action.]

Penalty on a Party in Execution for a private Debt acknowledging a feigned Debt to the King, to delay the private Debtor.

and

and so to delay the Party of his Recovery; such Recognisance shall be there received, and if he be not otherwise Debtor to the King of Record, his Body shall incontinently be remanded to the Prison where he was before; there to remain till he hath made Satisfaction to the said Party, and such Satisfaction made, he shall be immediately remanded to the Fleet, there to abide, till he hath made Satisfaction to the King of his Recognisance aforesaid.

ITEM pur ce que diversez gentz, a fuyte de partie, comandez a la prisonne de Flete, par jugement renduz en les courtes nostre dit Seigneur le Roi, sont plusieurs soitz soeffertz aler a large par le gardein de la dite prisonne, aleloit par maynpris ou baill, et aleloit sanz aucun maynpris, avec une balton de Flete, et sen vont en pais entour lour marchandise et autres lour bosoignes, et y sont longement hors du prison noetz et jourz, sanz lassent de ceux a qi fuyte ils y sont ajugez, et sanz lour gree ent faire, par ont homme ne poet jamais venir a son droit recoverer devers tieux enprisonnez, a grant meschief et anientissement de plusieurs gentz: Ordeigne est et assentuz qe desormes nul gardein de la dit prisonne de Flete soeffre aucun prisoner, illoeqs esteantz par jugement al fuyte de partie, aler hors du prisonne par maynpris baill ne par balton, sanz gree faire as-ditz parties de ceo pur quoi ils y estoient ajugez, si ne soit par brief on autre mandement du Roi, sur peyne de perdre son office et la garde de dite prisonne. Et enoutre si nul tiel gardein soit desore atteint par due proces, qil avera soeffert ou lessetz tiel prison aler a large, encontre cest ordeinance, adonques y eient les pleintifs lour recoverer vers mesmes les gardeins par brief de dette.

Et auxint est ordeine qe si nully a fuyte du partie, ajugez a autre prison, pur dette trespass ou autre querelle, se voille conuistre, volontrement et par feynt cause, dettour a Roi, et par tant estre ajugez a la dite prisonne de Flete, pur greynour [suete¹] y avoir de prisonne qe aillours, et issint delaier la partie de son recoverer, soit cell reconissance rescue illoeqs, et sil ne soit autre part dettour a Roi de recorde, soit son corps tantost remandez a la prisonne ou il estoit devant; a y demurer tanqil avera fait gree a la dite partie; et cell gree fait soit immediat remandez a Flete pur y demurer, tanqil avera fait gree a Roi de sa reconissance avantdite.

¹ suite, *Rot. Parl. P.*

C A P. XIII.

Ecclesiastical Judges and others shall not be vexed for Suits in Spiritual Courts.

ALSO the Prelates and Clergy of the said Realm do greatly complain, for that the People of Holy Church, pursuing in the Spiritual Court for their Tithes, and other Things, which of Right ought, and of old Times were wont to pertain to the same Spiritual Court, and that the Judges of Holy Church, having Cognisance in such Causes, and other Persons therein concerned according to the Law, be maliciously and unduly for this Cause indicted, imprisoned, and by Secular Power horribly oppressed, and also enforced with Violence by Oaths and grievous Obligations, and
by

by many other Means unduly compelled, to desist and cease utterly in the Things aforesaid, against the Liberties and Franchises of Holy Church: Wherefore it is assented, That all such Obligations made or to be made by Duress or Violence, shall be of no Value. And as to those who by Malice do procure such Indictments, and also as to such Indictors, after that the said Indictees be so acquit, such Procurers and Indictors shall have and incur the same Pain as is contained in the Statute of *Westminster* the Second, of those which procure false Appeals to be made. And the Justices of Assises, or other Justices, before whom such Indictees shall be acquitted, shall have Power to inquire of such Procurers and Indictors, and duly to punish them, each according to their Desert.

All Obligations to desist from Suits in Spiritual Courts shall be void. Persons falsely indicting others for prosecuting in Spiritual Courts shall suffer as false Appellors under Stat. *Westm.* 2. (13 E. 1.) c. 12.

ITEM les Prelatz et le Clergie de dit roialme se pleignent grandement, de ce qe les gentz de Seint Eglise, pursuaintz en court chrestienne pur lour dismes, et autres choses quele de droit deyvent et de aunciente soleient appartenere a mesme la court chrestienne, et les juges de Seint Eglise conissantz en tiels causes, et autres perones soy ent entremettantz solonc la leye, sont malicioussment et nondument par celle cause enditez enprisonnez, et par seculer poair oriblement oppressez, et auxint efforcez ove violence par sermentz et grevousses obligations, et moutz dautres maners non duement compulseez, a desister et cesser outrement es choses desusdites, encontre les libertees et fraunchises de Seint Eglise.; Par quoy est assentuz qe touz tielx obligations faitz ou affaires par durece et violence ne soient jammes dascun value. Et quant a ceux qi procurent par malice tiex enditementz, et destre mesmes des enditours apres ceo qe les enditez ent sont aquitez, eient et encourgent tiex procurours et enditours mesme la peyne qest contenue en lestatut de *Westm* seconde de ceux qi procurent faux appellees estre faitz. Et eient les justices des assises, ou autres justices devant queux tiex enditez serront aquitez, poair denquerre de tiex procurours et enditours, et de les punir duement chefcun solonc son desert.

C A P. XIV.

Of Actions against the Clergy for taking of Tithes.

ALSO it is accorded, That whenever any Person of Holy Church be drawn into Plea in the Secular Court, for his own Tithes taken, by the Name of Goods taken away, and he which is so drawn in Plea maketh an Exception, or alledgeth, that the Substance and Source of the Business is only upon Tithes due of Right and by Possession of his Church, or other his Benefice, that in such Case a general Averment shall not be taken, without shewing the special Matter how the same was Lay chattel.

ITEM est assentuz qe a quel heure qe ascun persone de Seint Eglise soit treet en plee en court seculer, pur ses propres dismes prisez, par noun des bienz enportez, et celui qe enli ent est treet en plee face exception, ou allegge, qe la substance et source de la besoigne, soit seulement sur dismes duez de droit et possession de sa eglise, ou a autre son benefice, qe en tieu cas general averement ne soit jammes pris, sanz monstrier matier especial coment ceo fuist lay chattell.

[See printed Rot. Parl. p. 27. No. 121.]

Action shall not be maintained by Laity for Tithes taken, under a general Description of Goods.

[See ante,
50 E. 3. c. 5.]

C A P. XV.

The Penalty for arresting Priests during Divine Service.

ALSO, because that the Prelates do complain, that as well People of Holy Church beneficed, as other, be arrested and drawn out as well from Cathedral Churches, as from other Churches and their Chur-byards, and sometime whiles they be attending on Divine Service, and also in other Places, although they be bearing the Body of our Lord Jesus Christ to sick Persons, and being so arrested and drawn out, be bound and carried to Prison against the Liberty of Holy Church: It is ordained, That if any Minister of the King, or other, do cause any Person of Holy Church to be arrested in such Manner, and thereof be duly convicted, he shall have Imprisonment, and shall therefore be fined at the King's Will, and make Satisfaction to the Parties so arrested; Provided always, that the said People of Holy Church shall not keep themselves within the Churches or Sanctuaries by Fraud or Collusion in any Manner.

ITEM pur ce qe les prelatz se font pleindre qe sibien gentz de Seint Eglise beneficiez, come autres, sont arestuz et horstreez sibien des esglises cathedrales come des autres esglises, et lour cimiers, et tant come ils sont alesoitz entendantz a divines services, et auxint en autres lieux tout soient ils portanz le corps nostre seigneur Jesu Christ as malades et issint arestuz et forstretz, sont liez et menez en prisone encontre la fraunchise de Seinte Eglise; Ordeigne est qe si nulle ministre du Roi, ou autre, face arester aucun persone de Seint Eglise par tiel manere, et ent soit duement convict, eit la prisone, et ent soit reint al volunte le Roi, et face gree as parties issint arestuz; Purveue toutfoitz qe les dites gentz de Seint Eglise ne se tiegnent deinz les eglises ou sanctuaries par fraude ou collusion en aucun manere.

AND therefore we command you, That you do cause all the said Statutes to be proclaimed and published, and firmly kept through your Bailiwick, according to the Form and Tenour thereof, and that do not omit in any wise. Given under the Testimony of our Great Seal the First Day of February, in the First Year of our Reign.

ET pur ce vous mandons qe toutes les dites estatutz, facez crier et publier et fermement tenir parmy vostre bailly, selonc la forme et tenure dicelles; et ce ne lesses en aucun manere. Don^e par tesmoignance de nostre grande seal a Westm^r le primer jour de Fevrier lan de nostre regne primer.

Consimiles litera diriguatur singulis vicecomitibus per Angliam sub eadem data.

ANNO secundo RICARDI II.

Two Parliaments were held in this Year, viz.

1. At Gloucester, on Wednesday next after the Feast of Saint Luke the Evangelist (20th October *) A.D. 1378; Statute 1. * Printed
2. At Westminster in Fifteen Days of Easter (25th April *) Rot. Parl. A.D. 1379; Statute 2.

Both Statutes are here reprinted from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 24." (Stat. 1.) and m. 23. (Stat. 2.) compared with Pynson, &c.

The several Chapters of the Statutes are founded on the following Articles in printed Rot. Parl. iii. p. 32, &c. and p. 55, &c.

Chap. of Stat. No. in printed Roll.

Stat. 1.—1,	—	74*	} On Petitions of the Commons and Answers thereto.
2,	—	75*	
3,	—	76*	
4,	—	77	
5,	—	†	
6,	—	44	
7,	—	71*, 78*	
8,	—	60, 69	}

* Imperfect in the printed Roll.

† Respecting this Chapter (*De Scandalis Magnatum*) nothing appears on the printed Roll of this Parliament; but see 1 Ric. 2. No. 14. Coke (4 Infl. 51.) notices it as not of Record.

Stat. 2.—1,	—	27	
2,	—	46	
3,	—	[Respecting this nothing appears. Coke, 4 Infl. 51, notices it as not of Record.]	

Besides the foregoing, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iii. (In the First Parliament.)

Page 37, No. 29, The Subsidy on Wools, &c. exported, granted in 50 E. 3. continued till the Easter Twelvemonth. Also an additional Subsidy of Thirteen Shillings and four-pence per Sack for a Year from the Easter next ensuing "in Defence of the Realm."

30, Grant of Poundage of Sixpence on all Merchandise exported and imported (except Wools, &c. and Wines) for the like Defence till the ensuing Michaelmas.

Page

Page 40, No. 36, *Proceedings towards Reversal of the Sentence against Alice Perrers in 1 Ric. 2.*
See No. 41—43 of that Year.

41, — 38, *For Government of the City of Norwich.*

44, — 49, *Jurisdiction of the Council.*

51, *The Judges shall not cease to do law for any Writ or Letter of the Great or Privy Seal, or of the Secret Seal, or other Command whatever, against the Laws and Statutes, nor at the Prayer of any.*

53, *Patents of Farms confirmed.*

54, *Exporting of certain small Merchandize of the Staple.*

45, — 62, *Wages granted to Justices of the Peace for a Year.*

46, — 65, *Wears in the Severn, &c. prohibited.*

66, *No Patents shall be granted to oust Men of their Freehold on Suggestion, without Inquest for the King, &c.*

48, — 79, *The Clergy, Lords, Justices, King's Sergeants, and others, not continually being in London or other Towns, shall not be charged during their Abode there to the Fifteenth.*

49, — 80, *Regulation of the Herring Fair at Yarmouth.*

52, — 6, [Private Petitions.] *Confirmation by Parliament of Charter to Merchants of the Hanse.*

7, *As No. 79, ante.*

11, *The City of Canterbury empowered to levy a Tax (Murage) for repairing the Walls; on Corn, Fish, and Merchandize sold within the City.*

In the Second Parliament.

57, — 12, *Certain Prelates and Lords assigned, on Request of the Commons, to examine into the Revenues and Expenditure of the King.*

13, *Upon the King's releasing the Subsidy of Thirteen Shillings and four-pence per Sack of Wool and Sixpence in the Pound on Merchandize, granted him in the preceding Parliament, (see ante, 29, 30,) a Poll Tax is granted, payable by all Persons in the Realm, according to their several Ranks; from Ten Marks down to Four-pence.*

58, — 18,

Page 61, No. 28, *Bills and Petitions delivered in Parliament respecting Matters which cannot be determined elsewhere, shall be answered before the Departure of the Parliament.*

62, — 30, *Persons shall be permitted to excuse themselves from making Loans to the King, on Letters of Credence under the Privy Seal.*

63, — 37, *For raising a Subsidy of Sixpence per Ton on certain Ships, and applying it in Defence of the Northern Coasts.*

64, — 41, *Sheriffs shall not be Justices of the Peace.*

65, — 48, *Appointment and Wages of Justices of Peace.*

66, — 51, *Members of Parliament shall not be Collectors of the Aids.*

53, *The Treasurer of England and Chamberlain of the Exchequer shall receive all Money granted for the Wars.*

54, *Alien Merchants shall bring Money into the Realm in proportion to their Merchandizes. To endure till next Parliament. [And see Appendix, p. 392, n. 8.]*

56, *Goldsmiths shall have each his own Mark. (Till next Parliament.)*

67, — 57, *Regulations respecting the Staple, &c. at Calais.*

2 RIC. II. STATUTE I.

[OUR Lord the King, at his Parliament¹] holden at Gloucester the Wednesday next after the Feast of Saint Luke, [the Second Year of his Reign,²] amongst other Things there assented and accorded, [hath made³] certain Statutes and Ordinances, as well for the common Profit of the Realm, as for the Maintenance of the Peace [of his⁴] said Realm, in Form following:

1233 See the Variations in the French Text.

[LE Roi a viscont de Kent salut. Savoir vous faceons qe a nostre parlement¹] tenuz a Gloucestre, le Meskerdy prochein apres le fest de Seint Luk [darrein passe²] entre autres choses illoques assentuz et acordez [estoint faitz³] certains estatutz et ordinaunces sibien pur commune profit⁴) come pur maintenance de la paix [deins nostre⁵] dit roialme en la forme qensuyt.

¹ Nostre Seigneur le Roy a son p^rlement, P.

² ad fait

³ de roialme

⁴ lan de son regne second

⁵ de son

C A P. I.

[See further
11 R. 2. c. 7.
16 R. 2. c. 1.]

All Merchants may buy and sell within the Realm without Disturbance.

[See Stats.
9 R. 3. p. 1. c. 1.
25 E. 3. p. 4. c. 2.]

Inconveniences
of restraining
Alien
Merchants.

FIRST, because that before this Time, in the Time of the noble King *Edward*, Grandfather to our Lord the King that now is, in his Parliaments holden at *York* and *Westminster*, and also to our Lord the King that now is, in this present Parliament, great Complaint hath been made, for that in many Cities, Boroughs, Ports of the Sea, and other Places within the Realm of *England*, great Damages and outrageous Grievances have been, and yet be done to the King, and to all his Realm, by the Citizens, Burgessees, and other People of Cities, Boroughs, and other Towns and Places aforesaid, which have not suffered, nor yet do suffer Merchants Strangers, nor other (that do bring, carry, or convey by Sea or by Land Wines, Goods, Provisions, Victuals, and other Things for Sale, profitable, and necessary, as well for the King, the Prelates, and Lords, as for all the Commonalty of his Land), to sell or deliver the said Wines, Provisions, Victuals, nor other Things vendible, to any other than to those of such Cities, Boroughs, Ports of the Sea, and other Places to which such Wines, Provisions, Victuals, or other Things for Sale were and be brought, carried, and conveyed; and thereby those Things have been, and yet be sold and set to the King, to his Lords, and to all his People, in and by the Hands of the Citizens, Burgessees, and other People Denizens, to a great and excessive Price over what they would have been, if the Merchants Strangers and other which bring such Things into the Realm, might freely have sold them to whom they would; and also would not, nor yet will suffer the Merchants Strangers that do come, and would come within the Realm, in order to buy Wools and other Merchandises produced within the Realm, to go, traffick, merchandize, or abide freely as they were wont to do; to the great Damage of the King, of the Prelates, of the Lords, and of all the Realm, and against the common Profit, and against the Statutes and Ordinances thereof made in Times past in the said Two Parliaments: Our Lord the King, considering clearly the coming of Merchants Strangers within the Realm to be very profitable for many Causes to all the said Realm, with the Assent of the Prelates, Dukes, Earls, Barons, and of the Commons of his Realm, hath ordained and established, That all Merchants Aliens, from whatever Realms, Countries, or Seignories they come, which be of the Amity of our Lord the King, and of his Realm, may from henceforth safely and surely come within the Realm of *England*; and abide in all Cities, Boroughs, Ports of the Sea, Fairs, Markets, or other Places within the Realm, within Franchise and without, with their Goods and Merchandises whatever, under the Safeguard and Protection of our Lord the King, as long as shall please them, without Disturbance or Denial of any Person whatever. And that as well such Merchants Aliens, as any Denizens whatever, and every of them, who will buy or sell Corn, Flesh, Fish, and all Manner other Victuals and Provisions, and also all Manner of Spiceries, Fruit, Fur, and all Manner of small Wares, as Silk, Gold Wire, or Silver Wire, Coverchiefs,

Alien Merchants
may freely come
and abide in
the Realm under
the King's
Protection.

Freedom of
Merchandize
between Aliens
and Denizens in
Gross and by
Retail as to
Provisions and
small Wares.

verchiefs, and other such small Ware, may from henceforth freely and without Denial or any Disturbance whatever, as well in the City of *London*, as in all the other Cities Boroughs, Ports of the Sea, Fairs, Markets, and other Places within the Realm, sell and buy in Gros and by Parcels, to whom and of whom they please, foreign or denizens, except our Lord the King's Enemies; and except that all Manner of Wines, as well sweet as other, shall be there sold by the said Strangers in Gros, by whole Vessels, as they be brought into the Realm, and not at Retail by any in the said Cities, Boroughs, and other Towns franchised, but only by the Inhabitants and Freemen in the same. And as to all other great Wares, as Cloth of Gold and Silver, Silk, Sendal, Napery, Linen Cloth, Canvas, and other such great Wares, and also all Manuer of other great Merchandises not above expressed, whatsoever they be, from henceforth Aliens as well as Denizens, (as well in the City of *London*, as in other Cities, Boroughs, Ports of the Sea, Towns, Fairs, Markets, and elsewhere through the said Realm, within Franchise and without,) may sell the same, in Gros only, freely and without Denial, to every Person, foreign or denizen, that will buy the same (except to the Enemies of the King and the Realm,) as by the Bale, Cloth, or whole Piece at their Pleasure, and not at Retail, upon Pain of Forfeiture of such Merchandises; Except only the Citizens and Burgeffes in their own Cities and Boroughs, and other good Towns enfranchised, to whom (and to none other Merchant a Stranger to their Franchise) it shall be lawful, and they may without Impeachment unfold, divide, and cut in such their proper Cities and Boroughs, the great Merchandises, and other great Wares afore said; and as well the same, as Wines and other Merchandises whatsoever, there sell in Gros and at Retail at their Pleasure, paying always the Customs and Subsidies due, notwithstanding any Statutes, Ordinances, Charters, Judgements, Allowances, Customs, and Usages made or suffered to the contrary; which Charters and Franchises, if any there be, they shall be utterly repealed and adnulled, as a Thing done, used, or granted against the common Profit, in Oppression of the People: Saving always to Prelates and Lords of the Realm wholly their Liberties and Franchises, that they may make their Purveyances and Buyings of Victuals, and of other their Necessaries, as they were wont to do in old Time; and saving that the Ordinances made before this Time of the Staple of *Calais* be holden in their Force and Virtue. And it is not the Mind of our Lord the King, that Merchants Strangers or Denizens, who will buy or sell Wools, Woollens, Mercery Cloths, Iron, and other Merchandises, at Fairs and Markets in the Country, should there be restrained or disturbed by this Statute, to sell and buy freely in Gros or at Retail, as they were wont to do heretofore.

And if it so happen, that from henceforth Disturbance be done to any Merchant Alien or Denizen, or other, upon the sale of such Things in City, Borough, Town, Port of the Sea, or other Place that hath Franchise, against the Form of this Ordinance, and the Mayor, Bailiffs, or other that have the keeping of such Franchise, being required by the said Merchants, or other in their Name, thereof to make Remedy, do not do the same, and thereof be attainted, the Franchise shall be seized into the King's Hand;

Aliens must sell their Wines in Gros only.

Great Wares shall be sold by Aliens in Gros only.

Such great Wares may be sold by Retail by native Citizens, &c. and by none else, in Cities and Towns,

notwithstanding any Franchises.

Saving the Franchises of Lords: and the Staple of *Calais*.

Merchants may buy and sell by Retail at Fairs as heretofore.

The Penalty of such as do disturb Merchants to buy and sell Wares at their Pleasures, and of chief Officers not punishing these Disturbers.

and nevertheless, they that have caused such Disturbance against this Statute, shall be bound to render and restore to the Plaintiff Double the Damages that he shall have suffered by such Occasion. And if such Disturbance be done to such Merchants or to other in Towns and Places where no Franchise is, and the Lord, if he be present, or his Bailiff, Constable, or other Warden of the Towns and Places, in Absence of the Lords thereof, being required to do Right therein, do not do so, and thereof be duly attainted, they shall yield to the Plaintiff his Double Damages, as afore is said, and the Disturbers in both Cases, as well within Franchises as without, if they be attainted, shall have One Year's Imprisonment, and be therefore ransomed at the King's Will. And also it is ordained and established, That the Chancellor, Treasurer, and Justices assigned to hold Pleas of the King, in the Places where they come, shall inquire of such Disturbances and Grievances, and do Punishment according as afore is ordained. And nevertheless, the King shall assign by Commission certain People, where and when shall please him, to inquire of such Disturbances and Grievances, and to punish the Offenders in this Behalf, as before is said.

PRIMEREMENT, pur ce qe avant ces heures, en temps le noble Roy E. aiel nostre Seignur le Roi qore est, en ses parlementz tenuz a Everwyk et Westm' et auxint a nostre Seignur le Roi qore est, en cest present parlement, grante pleinte ad este faite, de ceo qe en plusieurs citees burghs portz de meer et autres lieux deinz le roialme d'Engleterre, grauntes damages et outrageouses dureces estoient et unqore sont faitz au Roi et a tout son roialme, par les citeins burgeys et autres gentz des citees burghs et dautres villes et lieux dessusdites, qi navoient soeffert ne unqore soeffrent marchantz estranges nautres qi amefnent carient ou portent par meer et par terre vynes avoir de pois, vivres vitailles et autres choses vendables, necessaires et profitables sibi en pur le Roi les prelatz et seignurs come pur tout la commune de la terre, vendre ou bailler les diuz vynes vivres vitailles ne les autres choses vendables as autres, qe a eux mesmes des citees burghs portz de meer et les autres lieux as queux yceux vins vitailles ou autres choses vendables furent et sont amefnez cariez ou portez, et par tant si eient este et unqore sont mesmes les choses mises et venduz, au Roi as seignurs et a son dit poeple, [en et¹] par les mains des citeins burgeis et autres gentz deinz, a trop grant et excessive chierce, outre ce qils eussent este si les marchantz estranges, et autres qe sount venir tiels choses deins le roialme, les purroient franchement avoir venduz a qi qils voussissent : naxint ont volue soeffrer ne unqore soeffrent les marchantz estranges queux vieignent et vorroient venir deinz le roialme, pur acheter des leyns et dautres marchandises cressantz deinz mesmes le roialme aler converser merchander ou demorer franchement, come ils soloient faire ; a grant damage de Roi des prelatz des seignurs et de tout le roialme, et encontre commune profit, et encontre les estatutz et ordinnances ent faitz avant ces heures, en les deux parlementz avantdites : Nostre Seignour le Roi, considerant clerement la venue des marchantz estranges deinz le roialme estre bien [et²] profitable par moelt des causes a tout le roialme avantdiz, del assent dez

¹ P. omitt.² P. omitt.

prelatz ducs countes barons et de la commune de son roialme, ad ordeigne et establi, qe touz marchantz aliens, de queleconques roialmes pais ou seignouries qils veignent, qi soient del amistee nostre Seignour le Roi et de son roialme, puissent desore sauvement et seurement venir deinz le roialme d'Engleterre, et en queconques citees burghs portz de meer feires merches ou autres lieux deinz mesme le roialme deinz franchises et dehors demorer, ovesque lour biens et merchandises queconques, souz le saufe garde et protection nostre Seignour le Roi, tant si longement come lour plerra sanz desturbance ou contredit de persone queconque. Et qe sibien yceux marchantz aliens, come denzeins queconques et chescun de eux, qi achatre ou vendre voillent bledz chare pesson et totes maneres dautres vivres et vitailz, et auxint totes maneres des spice-ries de fruit de pellure et des menues ou petites merceries, come soy file dore et dargent coverchiefs et autres tiels petites merceries, les puissent desore franchement et sanz contredit, ou desturbance queconque sibien en la cite de Londres come en touz les autres citees burghs portz de meer feires merches et autres lieux deinz le roialme, vendre et achatre, en groos et par parcelles, a qi et de qi qe lour pleist forein et deinzin, horspris les enemys nostre Seignour le Roi, et horspris qe toutes maneres de vins, sibien douces come autres, y ferront venduz par les ditz estrangers en groos, par les vesselx entiers sicome ils sont amesnez deinz le roialme, et nemye a retaille par nully es dites citees burghs et autres bones villes enfranchises, sinon soulement par les [enheritanz³] et enfranchises en ycelles. Et quant a tous les autres grosses merceries, come draps dore dargent de soye de fendale de naperie de linge teal de canevace, et dautres tielx grosses merceries, et auxint totes maneres dautres grosses merchandises nient expresses pardeffus queconques qe celles soient, les puissent desore, sibien aliens come denzeins tant en la dite citee de Londres come es autres citees burghs portz villes feires marchees et aillours parmy le roialme avantdit, deinz franchises et dehors, a queconque persone forein ou deinzin qi achatre les vorra, horspris les enemys du Roi et de son roialme, franchementz et sanz contredit queconque vendre en groos tant soulement, come par bale drap ou par la piece entier a lour pleisir, et noun pas a retaille sur peine de forfaiture de ycelles merchandises; forsque soulement les citeins et burgeis en lour propres citees et burghs et autres bones villes enfranchises, as queux, et a nul autre estrange merchant de lour franchise, bien life et purront ils sanz empeschement de peser tailler et trencher, en yceux leurs propres citees et burghs, les grosses merceries et autres grosses merchandises avantdites; et sibien ycelles come vins et autres merchandises quelconques illoques vendre en groos et a retail, a lour plesance, payantz toutes voies les custumes et subsides duez; nient contrestantz estatutz ordeignaunces chartres juggementz allouances custumes et usages faitz ou suffertz au contraire, les queux chartres et franchises, si nulles y soient, sont oultrement repellez et adnulliez, come chose faite use ou grante encontre commune profit en oppression de poeple. Salvant toutdys as prelatz et seignours du roialme entierment lour libertees et franchises, qils purront faire lour purvoiances et achatz des vitails, et dautres lour necessairs, come ils solcient faire dauncien temps; et salvant qe les ordi-

³ inhabitants, P.

nances faitz avant ces heures de lestaple de Caleys soient tenuz en lour force et vertu. Et nest my lentention du Roi nostre Seignour que les merchantz, estranges ou deinzains, qe vorront achatre ou vendre leyns peaux lanutz mercerie draps feer et autres marchandises, es seires et marcheas en païs, y soient par ceste estatut restraintz ou destourbez de vendre et achatre franchement en gros ou a retail, come ils soleient faire dauncientee.

Et si ensy aviegne qe desore desturbaunce soit fait a nul merchant, alien ou denzein ou autre, sur la vente des tieles choses en citee burgh ville port de meer ou autre lieu qait fraunchises, encountre la fourme de ceste ordinance, et les mair baillifs, ou autres qe ont garde de la dite fraunchise, requiz par les dites merchantz ou autre en lour noun de ent faire rewedie et ils nel font mye et de ce soient atteintz, soit la fraunchise pris en la main le Roi; et nientmeins soient ceux, qaveront fait celle desturbaunce contre cest estatut, tenuz de rendre et restorer au pleintif ses damages qil avera soefert par celle encheson au double. Et si tiele desturbaunce soit fait as tieux merchauntz ou as autres es villes et lieux ou fraunchise nest my, et le seignour fil soit present, ou son baillif constable ou autre gardein des dites villes et lieax en absence des seignours, ent requis de faire droit et nel facent et de ceo soient atteintz, rendent les damages au pleintif au double auxi come dessus est dit, et les destourbours en lun cas et en lautre, auxibien deinz fraunchises come dehors, sils soient atteintz eient la prisone dun an et ent soient reintz a la volente le Roi. Et auxint est ordeigne et establi qe le chaunceller tresorer et justices assignez a tenir les ples le Roi, es lieux ou ils viegnent, enquerrent des iels destourbaunces et grevaunces et facent punissement selonc ce qe par desus est ordeigne. Et nientmeins qe le Roi face assigner par commission certains gentz, ou et quant lui plerra, denquerre de tielles destourbaunces et grevances, et de faire punissement de trespasours en celle partie come dessus est dit.

C A P. II.

“Confirmation of the Statute of 25 *Edw. 3.* (*Stat. 4. Cap. 3.*) against Foresters.”

C A P. III.

Merchants of the West may buy Staple Merchandises, so that they find Sureties to carry them to the West, or to *Calais*.

ALSO it is ordained and assented, That all Merchants of *Genou, Venice, Catalonia, Arragon*, and other Realms, Lands, and Countries towards the West, being of our Lord the King's Amity, who will bring to *Hampton* or elsewhere within the Realm Carracks, Ships, Gallies, or other Vessels laden or unladen, may there freely sell their Merchandises to whom they please, in Manner as afore is said *, and there re-lade their said Vessels with Wools, Leather, Woolfels, Lead, Tin, and other Merchandises of the Staple, and freely carry them into their Countries towards the West; paying at the Ports where they lade them, all Manner of Customs, Subsidies, and other Duties of *Calais*, as much as they would pay if they had carried such Merchandizes to the Staple of *Calais*;

* See *Cap. 1.*

Caleis; so that they find sufficient Surety, that they shall carry the same towards the West, and to no Place elsewhere towards the East, but to the Staple of Caleis, if percase they will go there, upon Pain of the Forfeiture heretofore ordained.

ITEM ordene est et assentuz qe touz marchantz, de jene Venice Catilaigne Aragon et dautres roialmes et terres et pais vers le West, ekeantz del amistee nostre Seignur le Roi, qi vorront amefner a Hampton op aillours deinz le roialme carraks niels galeys ou autres vesseulx, chargez ou dischargez, y puissent fraunchement vendre leurs merchandises a qi leur plect per manere qe dessus est dit, et illoques recharger leur ditz vesseulx, des leynes quirs peaux lautz plumb esteyn et dautres merchandises de lestaple, et fraunchement les amefner en leur pais vers le West; paiantz es portz ou ils les chargeront toutes maneres des custumes subsidies et autres devoirs de Caleys, auxi avant come eut paiement sils amefnaissent mesmes les merchandises a lestaple de Caleys; parissint qils troessent seurete suffisante qils les amefneront illint devers le West, et nulle part aillours devers le Est, sinon qe a lestaple de Caleys, si par cas ils y vorront aler, sur la peine de forsaiture devant ces heures ordene.

C A P. IV.

The Penalty of Mariners retained to serve the King on the Sea, which do depart without Licence.

[See also Stat. 18 H. 6. c. 19. § El. c. 5. § 27. as to Soldiers and Mariners.]

ALSO, because that divers Mariners, after that they be arrested and retained for the King's Service upon the Sea, in Defence of the Realm, and thereof have received their Wages pertaining, do flee out of the said Service without Licence of the Admirals, or of their Lieutenants, to the great Damage of our Lord the King and his Realm, and Hinderance of their said Voyages: It is ordained and established, That all these Mariners, which from henceforth shall do in such Manner, and that truly found and proved before the Admiral, or his Lieutenant, shall be bound to restore to our said Lord the King, the double of that which they have taken for their Wages; and nevertheless shall have One Year's Imprisonment, without being thereof delivered by Mainprize, Bail, or by other Way. And the King willeth and commandeth to all Sheriffs, Mayors, and Bailiffs, within Franchises and without, That on the Certificate of the said Admirals, or their Lieutenants, by their Letters thereof to be made, testifying the said Proof, they shall incontinent, without waiting for any other Commandment of our Lord the King, cause to be taken and attached all such fugitive Mariners by their Bodies, within their Bailiwicks, within Franchises and without, and put them in Prison, there to abide in good and sure keeping, till they have made Satisfaction to the King as afore is said, and they thereof have a special Commandment of our Sovereign Lord the King for their Deliverance. And like Punishment shall be made of Serjeants of Arms, Masters of Ships, and all others, who shall be attainted by Enquiry before the Admiral, or his Lieutenant aforesaid, that they have any Thing taken from the said Mariners, for to suffer them to go at large out of the said Service, after that they have been arrested for such Service.

Mariners leaving the Service shall forfeit Double Wages, and be imprisoned One Year.

ITEM pur ceo qe plusieurs mariners, apres ce qils font arestuz et retenuz pur service du Roi sur la meer, en defence de roialme, et ent ont rescuez leurs gages appartenantz, sensuent hors du dit service sanz conge des admiralx ou de leur lieutenantz, a grant damage du Roi nostre Seignur et du roialme et arreisement de ses viages avaunt ditz; Ordene est et establi qe touz ceux mariners queux desore ferront en tielle manere, et cela trovez et provez veritablement devant le admiral ou son lieutenant, soient tenuz de restorer a nostre Seignur le Roi le double de ce qils averont pris pur leur gages, nientmeins eient la prisone dun an sanz ent estre deliverez par mainprise baille ou par autre voie. Et le Roi voet et comande a touz viscontz mairs et bailifs, deinz franchises et dehors, qe a la certification des ditz admiralx ou leur lieutenantz par leurs leitres ent affaires tesmoignantes la dite proove, facent tantost, sanz attendre autre mandement de Roi nostre Seignur, prendre et attacher touz ceux mariners futsis par leur corps, deinz leur bailles deinz franchises et dehors, et les mettre en prisone, illoques a demurer en bon et seure garde tanqe ils averont fait gree au Roi come desus est dit, et ent eient special mandement de Roi nostre Seignur de leur delivrance. Et autiel punissement soit fait des sergeantz darmes maistres des niefs et touz autres, qe seront atteintz, par enquerre devant ladmiral ou son lieutenant avantdit, qils eient rienz pris des ditz mariners, pur leur soefrer aler a leur large, hors del service avantdit, apres ceo qils eient este arestuz pur mesme le service.

C A P. V.

The Penalty for telling slanderous Lies of the great Men of the Realm.

[See Note, p. 15.
and further
12 R. 2 c. 11.
1 & 2 P. & M.
c. 3.]

ALSO, of Devisors of false News and [Relators'] of horrible and false Lies, of the Prelates, Dukes, Earls, Barons, and other Nobles and great Men of the Realm, and also of the Chancellor, Treasurer, Clerk of the Privy Seal, Steward of our Lord the King's House, Justices of the one Bench and of the other, and of other great Officers of the Realm, concerning Things which by the said Prelates, Lords, Nobles, and Officers afore said, were never spoken, touched, nor thought, in great Slander of the said Prelates, Lords, Nobles, and Officers, whereby Debates and Discords might arise betwixt the said Lords, and between the Lords and the Commons (which God forbid) and whereof great Peril and Mischief might come to all the Realm, and quick Subversion and Destruction of the said Realm, if due Remedy be not therein provided: It is straitly forbidden, and upon grievous Pain, for to eschew the said Damages and Perils, that from henceforth none be so hardy to contrive, speak, or tell any false News, Lies, or other such false Things, of the Prelates, Lords, and others afore said, whereby Discord or any Slander might rise within the said Realm; and he that so doth shall incur and have the Pain heretofore ordained thereof by the Statute of *Westminster* the First; which willet, that he be taken and imprisoned till he have found him [which was the first Author of the Tale.²]

[See *Westm.* 1.
3 E. 1. c. 34.]

¹ All Translations omit this Word.

² "which did speak the same."—*Stat.* 1, 2 P & M. c. 3. and *Raft.* 1591.

ITEM

ITEM de controours de faux novels, et [countours¹] des horribles et fauxes menfonges; des prelatz ducs countes barons et autres nobles et grantz de roialme, et auxint del chaunceller tresorer clerk de prive scal fenefchal del hostel nostre Seigneur le Roi justices del un bank et del autre et dautres grantz officers du roialme, des choses qe par les ditz prelatz seignurs [et officers ne furent unques parlez touchez ou pensez, en grant esclaundre des prelatz seignurs²] nobles et officers avantditz, par ont debatz et descordes purroient soudre parentre les ditz seignurs, ou parentre les seignurs et communes, qe Dieu ne veulle, et dont grant peril et meschief purroit avenir a tout le roialme, et legerement subversion et destruction del roialme avantdit, si due remede ny fuisse mys; Est defenduz estreitement et sur grief peine, pur eschuer les damages et perils avantdit, qe desore nul soit si hardi de controverdire ou counter aucune fauxe nouvelle, menfonge, ou autre tiel fauxe chose, des prelatz seignurs et les autres desussditz, dont descord ou esclaundre aucune puisse soudre deinz mesme le roialme; et qi le fra, eit et encourge la peine autrefsoitz ent ordenez par estatut de Westm' primer, qe voet qil soit pris et emprisonnez jeques a tant qil eit trovez celluy, dont la parole serra moevee.

¹ controours, P.² P. omits this Sentence, but it is in *Rest.* 1557, &c.

C A P. VI.

For Punishment of Rioters.

THIS Chapter begins, 'Item pur ceo qe nostre Seigneur le Roi ad entenduz,' &c.—It recites certain Confederacies in *Wales, Hereford, and Chester*, among Persons claiming Titles to Lands, &c. and that they had been guilty of Riots in consequence. It therefore enacts, 'by Assent of all the Lords and Peers in Parliament, 'qe nully soit dehors si hardy de faire rien que soit en affray du poeple ou coudre le paix.'—That the Statute of *Northampton* (2 E. 3. c. 3.) shall be observed; and that certain Lords and others shall be commissioned in every County with Power, whenever they know, or are credibly certified, of any Assemblies, Routs, or Ridings of evil Doers, Barretors, or other such Rioters, in Affray of the People, and against the Peace, to arrest such Offenders forthwith, without waiting for Indictment or other Process of Law, and imprison them without Bail till the arriving of the Justices. All the Lords promise to assist the Commissioners so to be appointed: and the King requires the Justices to punish Persons attainted of such Riots, as the Case requires, and so that their Punishment may be an Example to others."—See Stat. 2 R. 2. Stat. 2. Cap. 2. repealing this Chapter.

C A P. VII.

Urban was duly chosen Pope, and so ought to be accepted and obeyed.

[In the Translation of the Statutes printed by Berthelet 1543, this Chapter is not inserted or noticed. In "The Great Bole of Statutes," printed by Middleton (without Date, but apparently in Parts at Various Times between 1541 & 1548), a Translation is

is inserted, using the Term "*Bishop of Rome*," instead of "*Pope*," with some other Variations; caused probably (as the Omission was by Berthelet) by a Dread of the AEs then newly made against owning the Power of the Pope. All other Translations previous to Pult. 1618. omit this Chapter. Pulton introduced the Head or Title only; but neither he nor any subsequent Editor printed the Translation.)

ALSO, whereas our Lord the King hath understood, as well by certain Letters Patent, lately come from certain Cardinals, Rebels against our Holy Father *Urban*, now Pope, as otherwise by common Report, that there was Division and Discord between our said Holy Father and the said Cardinals, who attempted with all their Power to depose our said Holy Father from the Estate of Pope, and to excite and move, by their untrue Suggestions, the Kings, Princes, and People of *Christendom* against him, to the great Peril of their Souls, and evil Example; Our said Lord the King caused the said Letters to be shown to the Prelates, Lords, and other great Men and Sages of his Realm being at the said Parliament; which Letters aforesaid being seen and heard, and full Deliberation had on the Matter, it was by the said Prelates pronounced and published, for many great and notable Reasons there showed in full Parliament, as well for the Matter found in the said Letters as otherwise, that the said *Urban* was duly elected to be Pope, and so he is and ought to be very Pope, and he, as Pope and Chief of Holy Church, ought to be accepted and obeyed, and so to do all the Prelates, Lords, and Commons [did accord¹] in the Parliament aforesaid. And moreover it is assented, that all the Benefices and other Possessions which the said rebellious Cardinals, and all other their Coadjutors, Favourers, Adherents, or any other Enemies of our said Lord the King and his Realm, have within the Power of our said Lord the King, shall be seized into the Hands of the same our Lord the King, and that our Lord the King be answered of the Fruits and Profits of the same Benefices and Possessions, so long as they shall remain in his Hands for the Cause aforesaid. And also it is ordained, that if any of the King's Lieges, or other under his Power, do purchase any Provision, Benefice, or other Favour from any other under Name of Pope, than of our said Holy Father *Urban*, or be obedient to any other Person as Pope, he shall be put out of the Protection of our said Lord the King, and his Goods and Chattels seized as forfeit.

¹ "de record," *Middleton*.—See Note at the Head of the Chapter.

ITEM pur ceo qe nostre Seignur le Roi ad entenduz, sibien par certains lettres patentes nouvellement venuz de certains cardinalz rebealx cointre nostre seint pier Urban a ore Pape, come autrement par commune fame, qe division et discord estoit parentre nostre dit seint pier et les ditz cardinalz, les queux s'efforcent a tout hour poair a deposer nostre dit seint pier de lestat de Pape, et de exciter et commover par leurs meins vraies suggestions les Rois Princes et le poeple Cristien encontre luy, a grant peril de leurs almes et a trefmal exemple; Nostre dit Seignur le Roi fist mountrer les dites lettres as prelatz Seignurs et autres grantz et sages de

Parliamentary
Acknowledgement of
Pope *Urban*.

All Benefices
held by Persons
Rebels to Pope
Urban forfeited
to the King.

Penalty on the
King's Subjects
obeying any
other Pope.

de son roialme, esteantz au dit parlement; et veues et entenduz les lettres avantdites, et eu meure deliberation sur la matire, estoit par les ditz prelatz prouoncez et publiez, pur plursours grandes et notables resons illoeqes monstre en plein parlement, sibien par matire trove es dites lettres come autrement, qe le dit Urban estoit duement esluz en Pape, et qe ensy est il et doit estre verrai Pape, et li come Pape et chief de Seinte Eglise len doit accepter et obeir; et a ceo faire saccorderent toutz les prelatz seignurs et communes en le parlement avantditz. Et en oultre est assentuz qe touz les benefices et autres possessions qe les ditz cardinalz rebelantz et touz autres leurs coadjutors fautours adherentz, ou aucuns autres enemys de nostre dit Seigneur le Roi et de son roialme, ont deinz le poair nostre dit Seigneur le Roi, soient sefiz es mains de mesme nostre Seigneur le Roi, et qe nostre Seigneur le Roi soit responduz des fruitz et profitz de mesmes les benefices et possessions, tant come ils demorront en ses mains par la cause avantdite. Et auxint est ordenez, qe si aucun lige du Roi, ou autre deinz son poair, purchase provision benefice ou autre grace daucun autre par noun de Pape, qe del dit nostre seint pier Urban, ou soit obeissant a aucun autre persone come a Pape, soit mys hors de la protection nostre Seigneur le Roi et ses biens et chateux sefiz come forfaites.

C A P. VIII.

The Statute of 23 *Edw. 3.* and all other Statutes of Labourers, &c. confirme.d.

ALSO, concerning Labourers and Servants, it is ordained and established, That the Ordinance thereof made in the Time of the said Grandfather, which beginneth, *Because a great Part of the People*, be affirmed and holden for a Statute: And that as well this Statute, as all other Statutes and Ordinances made of Artificers, Servants and Labourers before this Time, be firmly kept and put in due Execution.

[See Stat.
23 *E. 3.* and
Note there.]

ITEM des laborers et servantz est ordenez et establi qe lordinance en faite en temps le dit aiel qe comence *Quia magna pars populi* soit affermez et tenuz pur estatut: Et qe sibien celle estatut come touz autres estatutz et ordinnances faites de artificers servantz et laborers avant ces heurs soient fermement gardez et misez en due execution.

[*ET par ceo vous mandons qe les ditz estatutz et ordinnances fotez overtement et disinctement crier et publier en touz les lieux notables deinz vostre baillie ou mestier serra et fermement les y tenir et faire tenir et garder selonc la fourme et teneur dyceus. Don' par tesmoignance de nostre grant seal a nostre palais de Westm' le xxviij. jour de Novembre lan de nostre regne secont.*

Per ipsum Regem et Consilium.

Consimiles littere diriguntur singulis vicecomitibus per Angliam sub eadem data.']

3 P. omits.

[See Note,
p. 15, 16.]

2 RIC. II. STAT. 2. (A.D. 1379.)

TO the Honour of God and of Holy Church, and for the common Profit of the Realm of *England*, our Lord King *Richard*, at his Parliament holden at *Westminster* in Fifteen Days of *Easter*, the second Year of his Reign, with the Assent of the Prelates, Dukes, Earls, Barons, and other great Men, and the Commons of his said Realm of *England*, summoned to the said Parliament, hath ordained and established in the same Parliament, for the Quiet of his People, the Statutes and Ordinances following, perpetually to endure in his said Realm.

AL honneur de Dieu et de Seintè Eglise, et pur commune profit du roialme d'Engleterre, nostre Seigneur le Roi Richard, a son parlement tenuz a Westm' en la quinszeine de Pasqe, lan de son regne second, del assent des prelatz ducs contes barons et dautres grantz et communes de son dit roialme d'Engleterre, au dit parlement somonez, ad ordenez et establi, en meisme le parlement, pur quiete de son poeple, les estatutz et establissementz qe sensuent, perpetuellement adurers en son roialme avantdit.

C A P. I.

A Confirmation of the Liberties of the Church.

FIRST, That Holy Church have and enjoy her Franchises and Liberties in all Points, in as ample Manner as she them had in the Time of his noble Progenitors Kings of *England*; And that the Great Charter, and the Charter of the Forest, and the good Laws of the Lands, be firmly holden and kept, and put in due Execution.

PRIMEREMENT qe Seinte Eglise eit et enjoise ses franchises et libertees en touz pointz (*), si avant come ele les avoit en temps de ses nobles progenitours Rois d'Engleterre: Et qe la Grand Chartre et la Chartre de la Foreste, et les bones loys de la terre, soient fermement tenuz et gardez et mises en due execution.

* Sauve au Roi sa regaltee, et la comune loy de la terre, Rot. Parl. See 4 Inst. 51.

C A P. II.

A Repeal of the Statute of 2 Ric. 2. Stat. 1. Cap. 6. touching Riots.

ALSO it is assented, That the Article comprised in the Statute late made at *Gloucester*, concerning Assemblies, Ridings, and Routs of Offenders in the Country, which beginneth, "*Item, &c.*" which Article seemed to the Commons too grievous, be at the Prayer of the said Commons utterly repealed and annulled; the Statute of *Northampton* * being always in Force. And it is assented, that they who are taken and imprisoned by Virtue of any Words contained in the said Article, without other Indictment, be utterly delivered.

* 2. E. 3. c. 3.

ITEM

ITEM est assentuz qe l'article comprise en lestatut darreinement fait a Gloucestr^e, des assemblees chivachees et routes des malfeisours en pais, qe comence *Item pur ceo qe nostre Seigneur le Roi ad entenduz par moltz des plaintes*, &c. quele article sembloit as ditz communes trop grevouise *, a la prier de messime la commune, soit outrement repellez et adnullez; lestatut de Norhampton esteant toutes voies en sa force. Et est assentuz qe ceux qi sont pris et imprisonez, par vertu daucuns parols comprizez en dit article, sanz autre enditement, soient outrement deliverez.

* See the very forcible Terms in which the Act here repealed is reprobated by the Commons, printed *Rot. Parl. 2 R. 2. par. ii. n. 46.* and see also *2 R. 2. p. 1. n. 44.* on which the repealed Act was founded.

C A P. III.

For Relief of Creditors against fraudulent Deeds made by Debtors.

[See also Stat. 50 E. 3. c. 6. 3 H. 7. c. 4. 13 Eliz. c. 5.]

ALSO, in Case of Debt, where the Debtors make feigned Gifts and Feoffments of their Lands and Goods to their Friends and others, and after withdraw themselves, and flee into Places of Holy Church privileged, and there keep themselves a long Time, and take the Profit of their said Lands and Goods so given by Fraud and Collusion, whereby their Creditors have long been and yet be delayed of their Debts and Recovery, wrongfully and against good Faith and Reason: It is ordained and established, That after the said Creditors have thereof brought their Writs of Debt and thereupon a *Capias* awarded, and the Sheriff make his Return, that he hath not taken the said Persons because of such Places privileged, in which they be or shall be entered, then after such Return made, another Writ shall be granted and made to the Sheriff, in which Writ shall be comprised, that Proclamation be made openly at the Gate of the Place so privileged, where such Persons be entered, for Five ensuing Weeks, every Week once, that the said Person be at a certain Day, comprised in the said Writ, before the King's Justices, there to answer to the Plaintiff of his Demand; and upon this Writ being returned by the said Sheriffs, that Proclamation was made in the said Form, and the said Persons called come not in proper Person nor by Attorney, Judgement shall be given against them upon the principal Writ for their Default; and upon such Judgement Execution shall be made of their Lands and Goods, being out of the Place so privileged; as well, that is to say, of those Lands and Goods so given by Collusion, as of any other whatever out of the said Franchise, after that such Collusion or Fraud be duly found; in the same Manner as it ought to have been made, if no [Device¹] had been thereof made, notwithstanding such [Device¹]. But it is not the King's Mind, that by Virtue of this Statute any Man be barred of his Suit against such Debtors by the common Course of Law, before this present Statute used.

If Debtors flee to Sanctuary, and do not, on Proclamation, appear at the Creditors' Suit, Judgement and Execution may be had against their Lands and Goods, &c.

¹ The old Translations read "Demise."

ITEM en cas de dette, ou les dettours sont douns et seoffementz seintz de lour terres et biens, a leurs amys et autres, et puis se retrient et fuoqt as lieux de Saint Esglise privilegez, et illoeqes se tiegnent longement, et preignent les profitz le leurs ditz terres et biens, issint donez par fraude et collusion, paront leur creanceours ont esse longement et encoire sont delaiez de leur dettes et recovrit, atort et encontre bon foy et reson; Ordeignez est et establi qe, apres ceo qe les ditz creanceours ent eient portez leur briefs de dette et sur ceo *capias* agardez, le visconts face son retorn qil nad my pris les dites persones a cause des tieux lieux privilegez, en quelles ils sont ou seront entrez, adonques apres tiel retour fait soit autre brief grantez et fait al viscont, en quel brief soit compris qe proclamation se face overtement a la port del lieu issint privilegez, ou tielles persones sont entrez, par cyak semaines continuelles chescun semaine un foiz, qe meisme la persone soit au certain jour, compris en meisme le brief, devant les justices le Roi pur y respondre au pleintif de sa demande; et celle brief retournez par le viscont qe proclamation est faite en la dite forme, et les dites persones appelez ne vieghent my en propre person ne per attourne, soit jugement renduz envers eux sur le principal par leur defaute, et hors dycell jugement soit execution faite de leurs terres et biens, esteantz hors del lieu issint privilegez; sibien cestassavoir de ceux terres et biens issint donez par collusion come dautres quelconques, par dehors meisme la franchise, apres ce qe tielle collusion ou fraude soit duement trevez, en meisme la manere come ceo deust avoir este fait, si null [devise¹] ent eust este fait, nient contresteaunt meisme la [devise¹]. Mais nest my lentention du Roi, qe par vertu de cest estatut, nully soit forclos de la suite envers tieux dettours par commune cours de loy, devant cest present estatutz usez.

¹ dymise, P.

Anno tertio RICARDI II.

In the Parliament held at Westminster on Monday next after the Feast of Saint Hillary (16th January) A.D. 1379-80.*

*Printed
Rot. Parl.

From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 23." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iii. p. 71, &c.

Chapter of Statute.	Number in printed Roll.	
1, - - - - -	26	} On Petitions of the Commons.
2, - - - - -	32	
3, - - - - -	37	

Besides

Besides the foregoing, and also several Articles for the Confirmation of existing Statutes, see further
Printed Rot. Parl. iii.

Page 73, No. 11,

15,

The Standing Council (appointed in
1 Ric. 2.) discontinued, and a Commission granted to several Bishops, Peers, &c. to examine the State of the King's Revenues and Expenditure.

15. - 16. Grant of a Fifteenth and a Half, and a Tenth and a Half.

17. The existing Subsidies on Wools, &c. continued for a Year.

18. Recital of the Statute of Treasons (25 E. 3. R. 5. c. 2.); and of an Indictment for the Murder of one Jan Imperial, a Genoese, being in England under the King's safe Conduct, on a Treaty of Alliance to be made between the King and the Duke and People of Genoa; which Case being examined and discussed between the Lords and Commons, and then shewed to the King in Parliament, it was there before the King declared, determined, and assented, that such Fact and Murder was Treason, "et crime du roial Magesse blamee," without Benefit of Clergy. A Memorandum is added, "That this last Act was so made by the Justices in the Presence of the King, and the Lords Temporal in Parliament, and then delivered in Writing to the Clerk of the Parliament to be enrolled of Record in the Rolls of this Parliament."

20. - 27. Commanders shall be answerable for Mischiefs done by their Soldiers.

28. Lords of Fortresses, Castles, &c. on the Marches of Scotland, and the Coasts of the Sea, shall be resident in their Castles.

28. - 29. Welchmen shall not purchase Land in the Counties of Hereford, Gloucester, Worcester, Salop, or Stafford beyond the Severn (i. e. on the Welch Side), except they can give Surety for their good Behaviour. Inhabitants of the Counties of Hereford and other Counties adjoining to Wales, shall not abet Riots and Assemblies of the Welch in those Counties.

[And see
Appendix,

p. 391, n. 7.]

- Page 81, No. 32, *Regulations for the Sale and Measurement of Cloths.*
- 83, - 38, *The Power of Justices of Peace enlarged, on Petition of the Commons, and by Assent of the Lords Temporal, with a Protestation of the Clergy that "Extortions" (of which the Justices are empowered to enquire) shall not extend to Fees taken by Ordinaries. The King replies, that for any Protestation he shall not decline appointing Justices in all Cases as he used, and is bound to do by his Coronation Oath.*
- 39, *Wages and Sessions of Justices of the Peace. (See 4 Inst. 51.)*
- 84, 85, - 40, 41, *Form of the Commission to Justices of the Peace, and of their Oaths.*
- 85, - 42, *An Ordinance for Ireland; requiring Subjects having Rents and Lands there, to reside and repair their Castles; and granting Liberty of Mining and Coinage, and of Trade with Portugal and Lisbon.*
- 44,
- 86, - 45, *An Agreement between Edward III. and Pope Gregory confirmed, respecting Revocation of Provisions by the Pope.*
- 46, *The Ordinance in the last Parliament (See No. 79.) against taxing the Clergy and Lawyers, &c. to the Fifteenth in London, &c. shall be affirmed for a Statute.*
- 47, *For making Satisfaction for Ships arrested in Time of War.*
- 87, - 48, *Regulations for Calais.*
- 50, *An Ordinance 43 E. 3. (No. 25.) that all Persons making Conquests in France should enjoy them to them and their Heirs (with certain Exceptions) affirmed for a Statute.*

[A]T the Parliament holden at Westminster on the Monday next after the Feast of Saint Hillary, in the Third Year of King Richard the Second after the Conquest,¹² with the Assent of the Lords and others in the said Parliament, [our said Lord hath caused⁴] to be made certain Statutes and Ordinances in Form following.

[L] E Roi as viscontes 'de Londres salut. Sâchez qe a nostre darrein parlement¹] tenuz a Westm' (²) del assent des seignurs et [autres³] en dit parlement [avons fait faire⁴] certains estatutz et ordenances en la fourme qe sensuit.

¹ Au parlement, P.

² le Lundy prochain apres le feste de Seynt Hiller lan de son reigie n're Seignour le Roy Richard le sec'de apres le conquest tierce, P.

³ See Cap. 3. and Note at Head of this Year.

⁴ nostre dit Seigneur ad fait faire, P.

C A P. I.

A Confirmation of the Liberties of the Church, and of the Laws and Statutes of the Realm.

FIRST it is ordained and established, That Holy Church have and wholly enjoy her Franchises and Liberties, in such Manner as she hath had and enjoyed them in the Times of our Lord the King's noble Progenitors: And that the good Laws and Customs of the Realm, and the Statutes made before this Time, and not repealed, be holden and firmly kept and put in due Execution.

PRIMEREMENT ordeignez est et establiz qe Seinte Eglise eit et enjoie entierment ses franchises et libertees, par manere qe les eit euz et enjoiez en temps des nobles progenitours nostre Seigneur le Roi desusdit; Et qe les bones leys et custumes du roialme, et les estatutz faitz devant ceste heure et nient repellez, soient tenuz et fermement gardez et mysez en due execution.

C A P. II.

For regulating the Sale of Cloths.

"FORMER Statutes as to the Affize of Cloths (See 2 E. 3. c. 14: " 25 E. 3. §. 4. c. 1.) confirmed. If the Aulneger put his " Seal to faulty Cloths, the Cloth shall be forfeited, and the Aul- " neger shall lose his Office, and suffer One Year's Imprison- " ment, &c."—See 11, 12 W. 3. c. 20. § 2. which takes away *Alnage Duties*.

C A P. III.

The Farming of Benefices in *England* belonging to Aliens, and the sending the Profits thereof to such Aliens, prohibited under Penalty of *Premunire*.

ALSO, because that our Lord the King hath perceived, as well [Confirmed 7 Ric. 2. c. 12.] by the Complaints of his faithful Lieges, and by the Clamour of his People by divers their Petitions thereof delivered in divers Parliaments before this Time, as otherwise by the Notoriety of the Thing and Experience of the Fact, how the Churches Cathedral and Collegiate, Abbeys, Priories, and other Benefices of his Realm, which were heretofore founded, and richly endowed by his noble Progenitors, in which divers Dignities, Offices, Parsonages, Chanonries, Prebends, and other Benefices, were solemnly and devoutly ordained and established, with the Assent of the foresaid Progenitors of the King, and other their noble Founders, who did give to the said Pastors of the said Churches, Abbeys, Priories, and

The Causes why
Advowsons of
Benefices were
given to
Spiritual Persons.

The Inconveni-
ences which
have ensued by
giving of
Benefices to
Aliens.

[See Stat.
25 E. 3. ff. 6.]

None shall
administer or
farm Benefices
in England for
Aliens, without
the King's
Licence.

of other great Places aforesaid, the Advowsons of the said Benefices, to the Intent that the said Benefices should be given to honest and meet Persons of the said Realm, to serve and honour God the more diligently, and also to keep Hospitality, and to inform and teach the People, and to do other worthy Things pertaining to the Cure of Souls, according to the Estate and Quality of the said Benefices: And so was it done in all Times past from the Foundation of the same, till now a little Time past, that by the Informations, Inligations, and Procurements of some of our Lord the King's liege People, the said Benefices have been given, against the Will of the Founders, to many divers People of another Language, and of strange Lands and Nations, and sometime to the very Enemies of the King and of his Realm, who never made Residence in the same, nor cannot, may not, nor will not in any wise bear nor perform the Charges of the said Benefices, as in hearing Confessions, preaching, or teaching the People, keeping Hospitality, or accomplishing the other Things necessary to the Governance of the said Benefices; but only thereof seek and take the Emoluments and Temporal Profits, not having Regard to the Spiritual Cure, nor to the other Charges to the same Benefices pertaining or incumbent, but manifestly suffer the noble Buildings in old Times there made, when the same Benefices were occupied by *Englishmen*, wholly to fall to Decay; whereby Divine Service is greatly diminished, the Cure of Souls neglected and left, the Clergy enfeebled, the Treasure of the said Realm carried to the Hands of Aliens, and the whole Estate of Holy Church brought to less Reverence than before it was wont to be: And although that in the Time of the said Grandfather certain Ordinances, Statutes, and Compositions were made and affirmed, wholly to put out, or at least to restrain the said Mischiefs in Part; nevertheless the said Aliens, not having Regard to the same, do not refrain to take and receive such Benefices within the said Realm; but by the Comfort, Aid, and great Succour which they have of our Lord the King's liege People, who be their Fermors, Procurators, and Attornies in this Behalf, in every Part of the said Realm, do enforce themselves from Day to Day more and more in accepting and having the greatest Dignities and Benefices within the said Realm, and by divers [cautalous¹] Manners, very prejudicial to the said Realm if the same were suffered whereby the said Mischiefs do daily outrageously increase, and more will increase, if due Remedy be not therein speedily provided:

Our Lord the King, by the Advice and common Assent of all the Lords Temporal* being in this Parliament, hath ordained and established, That none of the King's liege People, nor other Person, of whatsoever Estate or Condition he be, shall take nor receive within the same Realm of *England*, Procuracy, Letter of Attorney, nor Ferm, nor other Administration, by Indenture, nor in any other Manner whatsoever, from any Person in the World, of any Benefice within the said Realm, but only of our Lord the King's liege People of the same Realm, without the special and express Licence of our Lord the King, by the Advice of his Council. And if any before this Time have accepted from any Aliens such Procuracies, Fermes, or Administration, that they shall utterly leave them within Forty Days after Publication of this Ordinance. And that.

that none of the said liege People, nor other that may be found in the said Realm, shall convey by virtue of such Procuracy, Ferm, or Administration, Gold, Silver, nor other Treasure nor Commodity out of the said Realm, by Letter of Exchange, by Merchandise, nor in any other Manner whatever, to the Profit of the said Aliens, without like Licence of the King by the Advice of his said Council; and if any do the contrary in any Point contained in this Ordinance, he shall incur the Pain and Punishment contained in the Statute of Provisors, made in the Time of the King's Grandfather, the Seven-and-Twentieth Year of his Reign, by the same Process comprised in the said Statute, and by Warning to be made to them in their Benefices, or other their Possessions within the Realm; and if they be out of the said Realm, and have not Benefice, nor Possessions within the same Realm, where they may be warned, then a Writ shall be made in the Chancery grounded upon this Ordinance to the Sheriff of London, or to the Sheriff of the County in which they were or shall be born, at the King's Suit, returnable in the one Bench or the other; by which Writ it shall be commanded, that Proclamation be made openly, that they appear before the Justices in the Bench where the Writ is returnable, at a certain Day comprised in the same Writ, containing the Space of half a Year, to answer upon the Matters comprised in the said Writ; and after this Writ returned, the Justices shall proceed against them according to the Form above ordained. And it is forbidden by the King in the same Parliament, with the Assent aforesaid, That no Bishop, nor other Person of Holy Church throughout the Realm, shall meddle, by Way of Sequestration, nor in any other Manner whatever, with the Fruits of such Benefices given or to be given to the said Aliens, to the Profit of such Aliens, upon the Peril that belongeth. Dated, &c.

None shall send Money to Aliens out of such Benefices by Bill of Exchange or otherwise,

under Penalties in Stat.
27 E. 3. ff. 1. c. 1.

If Offenders are out of the Realm, Process shall be made against them to appear in half a Year.

No Bishop, &c. shall meddle by Sequestration, or otherwise, with Benefices given to Aliens.

* The Circumstance of the Assent of the Lords Spiritual being wanting to this Act is noticed in "The old Abridgement." See printed Rot. Parl. 3 R. 2. n. 37. and Stat. 7 R. 2. c. 12.

ITEM pur ce qe le Roi nostre Seignur ad entenduz, sibien par les plaintes de sez foialx liges, et par le clamour de son poeple par lours diverses petitions ent baillez avant en diverses parlemantz devant ceste heure, come autrement par la notoritee de la chose et experience de fait, coment les eglises cathedraux collegialx abbeies priories et autres benefices de son roialme, qe furent jadis founduz et richement doweiz par ses nobles progenitours, en les quelles diverses dignitees offices parsonies chanonies prebendes et autres benefices estoient solempnement et devoutement ordeinez et establiz, del assent des ditz progenitours le Roi, et dautres lours nobles foundours, qi donerent as pastours de mesmes les eglises abbeies priories et dautres grantz lieux avantditz, ladvouefons de mesmes les benefices al entente qe mesmes les benefices serroient donez a perlonnes honestes et covenables du dit roialme, pur Dieu servir et honurer pluis diligealment, et auxint pur lospitalitee tenir, et pur enformer et enseigner le poeple, et faire les autres nobles choses appartenantz a la cure des almes, selonc lestat et qualitee des ditz benefices; et ensi estoit fait de tout temps passe puis la fundation dycelle, tanqe a un poie de temps passe, qe parmy les informations intigations et procurement dascuns des liges nostre dit Seignur le

Roi, mesmes les benefices aient este donnez, encontre la volente des foundours, as plusours diverses persones d'autri lange et destranges terres et nations, et a la foitz as vrais enemys du Roi et de son roialme, les queux ne fesoient unques residence en ycelles, ne ne scieient ne poient ne veullient nullement porter ne faire les charges des ditz benefices, come en oier les confessions prescher ne enseigner le poeple, hospitalitee tenir ne accomplir les autres choses necessaires au gouvernement de mesmes les benefices; mais soulement ent querent et preignent les emolumentz et temporeles profitz, nient eiantz regard a la cure espirituele, ne as autres charges de mesmes les benefices appartenantz ou incumbentz, einz soeffrent notoirement les nobles edifices, auncienement fait illoeqes, quant mesmes les benefices estoient occupiez par les Engleis de tout ehier a ruine; par ont le divin service est tresgrantement diminue, la cure des almes negligez et lessz, et le clerge enseblez, le tresor du dit roialme emportez as mains des aliens, et tout lestate de Seint Eglise meinez a meindre reverence qe devant ne soleit estre: Et coment qe en temps le dit Aiel certains ordinaunces, estatutz et compositions y fussent faitz et affermez, pur ouster de tout, ou a meins pur restreindre les ditz meschiefs en partie, nientmeins les ditz aliens, nient eiantz regard a cella, ne se abstiegnent mye de prendre et recevoir tieux benefices deinz le dit roialme, einz parmy le confort eide et grant socour qils ont des liges nostre dit Seigneur le Roi, qi sont lour fermiers procuratours et attornes en ycelle partie, en cheunc partie del dit roialme, safforcent de jour en autre plus et puis, de accepter et avoir les greindres dignites et benefices deinz le roialme avantdite, et par diverse ⁽¹⁾ manere, molt prejudiciele a mesme le roialme, si ceo fust soefferte; paront les ditz meschiefs encrefcent de jour en autre moltz outrageusement, et puis encrefceront, si due remede ne soit purvez le puis en haste:

Nostre Seigneur le Roi, par ladvis et commune assent de touz les Seignurs temporels esteantz en ce parlement, ad ordeinez et establiz, qe nul homme des liges le Roi nautre persone quelconqe de quel estat ou condition qil soit, ne preigne ne receive deinz le roialme d'Engleterre procuracie lettre dattourne ne ferme nautre administration, par endenture ne en autre manere quelconqe, de nul persone du monde dascun benefice deinz le dit roialme, forsque tantseulement des liges de nostre Seigneur le Roi de mesme le roialme, sanz especial ⁽²⁾ et expresse congie de nostre dit Seigneur le Roi, par ladvis de son conseil. Et si ascuns devant cest heure eient acceptez dascuns aliens tielx procuracies fermes ou administration, qils les lessent outrement deinz xl. jours apres la publication de ceste ordinaunce. Et qe nul des ditz liges nautre qe purra estre trovez en dit roialme, nenvoie, par vertue de tiele procuracie ferme ou administration, or argent nautre tresor ne commodite hors du dit roialme, par lettre deschange, par merchandie, nen autre manere quelconqe, au profit des ditz aliens, sanz semblable congie du Roi par ladvis de son dit conseil; et si ascun face le contraire, en ascun point contenuz en cest ordinaunce, encourage la peine et punissement contenuz en lestatut des proviseurs fait en temps le dit aiel, lan de son regne xxviii^{me} par mesme le proces compris en dit estatut, et par garnissement affaire a eux, en lour benefices ou autres leurs possessions deinz le roialme; et s'ils soient pardhors le dit roialme, et naient

¹ cauclose, P.² grace, P. but Rot. Parl. as Text.

benefices ne possessions deinz mesme le roialme, ou ils purront estre garniz; adonques soit brief fait en la chancellerie, fondez sur ceste ordinance, as viscontz de Londres, ou al viscont del contee en quel ils furent ou seront neez, a la suite le Roi retournable en lun bank ou en lautre; par quel brief soit comande proclamation estre fait overtement qils soient devant les justices, en le bank ou le brief est retournable, a certain jour compris en mesme le brief, contenant l'espace de demy an, pur respondre sur les matires compris en le dit brief; et cel brief retournez delors procedent les justices envers eux selonc la forme desus ordeine. Et est [defenduz³] depar le Roi en dit parlement, del assent avantdit, qe nul évesqe nautre persone de Seinte Eglise par my le roialme, ne se medle par voie de sequestration nen autre manere quelconqe des fruitz de tieux benefices donez ou adoners as ditz aliens, au profit de mesmes les aliens sur le peril qappent.

* assensus, P.

[ET pur ce vous mandons qe les ditz estatutz faciez duement proclamer et publier es lieux notables deinz vostre baillie et les sermenient tenir et garder selonc la fourme discelles. Don' par tesmoignance de nostre grant seal a Westm' le xii. jour de Marz lan de nostre regne tierce.*]

* Done, &c. P.

Anno quarto RICARDI II.

In the Parliament held at Northampton on Monday next after the Feast of All Saints (5 Nov.) A.D. 1380.*

*Printed
Rot. Parl.

From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond³ m. 22." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iii. p. 88, &c.

<i>Chapter of Statute.</i>	<i>Number in printed Roll.</i>	
1, - - - - -	51	} On Petitions of the Commons.
2, - - - - -	49	

Beside the above, and also several Articles for the Confirmation of existing Statutes, see further

Printed Rot. Parl. iii.

Page 90, No. 15, Grant of a Poll Tax, i. e. of Three Groats for every Person, male and female, above the Age of Fifteen, except very Beggars. The Rich to aid the Poor, so that none pay more than Sixty Groats for himself and his Wife, and none less than One Grout. The Subsidy on Wools continued till the Feast of St. Martin ensuing.

Page 93, No. 28, *The Execution of the Commission granted in the preceding Parliament (3 Ric. 2. No. 11—15.) enforced.*

94, - 31, *For taxing Places not comprised in the general Grant, viz. Chester, Durham, the Cinque Ports, &c.*

32, *For coining Halfpence and Farthings.*

39, *For regulating the Fisbery at Yarmouth.*

95, - 40, *For the free Exportation of Butter and Cheese.*

41, *For regulating the Bounds of Kesteven and Holland, in the County of Lincoln.*

44, *For restraining the Pope's Collectors.*

96, - 50, *For rectifying some Disturbances in the Corporation of York.*

C A P. I.

[See also Stats.
18 H. 6. c. 17.

1 R. 3. c. 13.

28 H. 8. c. 14.]

All Vessels of Wine, Honey, Oil, and other Liquors brought into the Realm, shall be gauged.

[RICHARD by the Grace of God, &c. to the Sheriff of Nottingham,]¹ Greeting.

The Commons of our Realm of England have prayed us, by their Petition delivered to us at our present Parliament holden at Northampton, containing how many Wines of divers Sorts be oftentimes brought within the Realm, which do often pass without gauging, because that the Statutes thereupon made in the Time of our Grandfather (whom God pardon) do not make expresse Mention of all Manner of Wines, and of other Liquors, to the great Damage of the Lords and Commons of the said Realm, who be oftentimes deceived in their buying, because they cannot without Gauge have rightful Knowledge how much the Vessels contain, That it may please us, for the Profit of us and our Realm more plainly to declare the same Statutes, in such Manner, that all Manner of Wines, and other Liquors gaugeable brought within the Realm, may be comprised in the said Statutes: We considering the said Supplication to be profitable for us, and the Lords and Commons of the same Realm, will and grant with the Assent of the Prelates and Lords aforesaid, that the Statutes thereupon made (as is said), be holden, kept, and put in due Execution. And moreover we declare, and, with the Assent aforesaid, will and grant, that as well all Manner of Vessels of sweet Wines, of the Rhine,* and of other Wines whatever, as other Vessels of Vinegar, Oil, Honey, and all other Liquors gaugeable, which from henceforth shall come into the Realm of England, or into our Lands of Ireland and Wales, shall be well and lawfully gauged by our Gaugers thereto assigned, or their Deputies. And if any cause Debate or Disturbance, and will not suffer his Wines or other Liquors aforesaid to be gauged, he shall incur the Pain ordained by the said other Statutes. And in the same Manner the said Gaugers shall incur the Pain comprised in the said Statutes, if Default be from henceforth found in them, or in their Deputies in this Behalf.

[See Stats.

27 E. 3. pt. 1. c. 8.

31 E. 3. pt. 1. c. 5]

* See Stat.

14 Ric. 2. c. 8.

[*LE Roi a viscont de Kent*¹] *Siluz.*

Supplie nous est par la communalte de nostre roialme d'Engleterre, par lour petition a nous baillie a nostre present parlement tenuz a Northampton, contenant coment plusieurs vins de diverses maneres sont sovent amefnez deinz la terre, queux passent sovent sanz gauge. par cause qe les estatutz sur ce faitz en temps de nostre aiell (qⁱ Dieux assoille) ne sont mie expresse mention de touz maneres vins, et des autres licours, a grantz damages des seignurs et communes de mesme le roialme, qⁱ sovent sont deceuz en lour achatz, a cause qils ne poent sanz gauge avoir droite conifance combien les vesseulx contignent, qe pierroit, pur profit de nous et de nostre roialme, pluis overtement declarer mesmes lestatutz, en tiell manere qe touz maneres des vins et autres licours gaugeables, amefnez deinz le roialme, soient comprises en mesmes les estatutz; Nous entendantz la dite supplication estre profitable pur nous les seignurs et communes de mesme le roialme, volons et grantons de lassent des prelatz et seignurs avaunt ditz, qe lestatutz sur ce faitz, come dit est, soient tenuz et gardez et myses en execution. Et enoultre declarons et, de lassent avaunt ditz, volons et grantons, qe sibien toutz maneres vesseulx des vins douces Ryneys et dautres vins quelconques, come autres vesseulx de vinegre oille, meel, et de touz autres licours gaugeables qe desore ve droit deinz le roialme d'Engleterre, ou deinz noz terres d'Irlande et Gales, soient bien et loialment gaugiez par nous gaugeours a ce assignez ou lours deputez. Et si aucun mette debatte ou destourbanee et ne voile soffrir les vins ou autres licours susditz estre gaugiez, encourage la peine ordegee par les ditz autres estatutz. Et en mesme la manere encourage les ditz gaugeours la peine compris en mesmes les estatutz, si defaut soit desore trevez en eux ou lour deputez en celle partie.

¹ Richard par la grace de Dieu, &c. al viscont de Notyngh^h, P.

C A P. II.

The King's Pardon.

"THIS Pardon extends to the Clergy and Commons for Escapes of Felons, as well of Clerks convict as others; provided such Escapes were not fraudulent, and that Charters of Pardon be sued out of Chancery in due Form."

ET par ce nous mandons qe sibien le dit estatut de Gauge come la dit Grace et Pardoun deschapes es lieux notables deinz vostre baillie deinz fraunchise et dehors facez proclamer et publier et le dit estatut de Gauge duement tenir et garer selonc la forme dycelles. Don souz nostre grant seal a Northampton le quart^e jour de Novembr^e lan de nostre regne quart.

[*Consilia brevita diriguntur singulis vicecomitibus per Angliam mutatis mutandis sub eadem data.*]

* P. agrees with this Date; but query? See Note at the Head of this Year.

Anno quinto RICARDI II. A.D. 1381 & 1382,

Two Parliaments were held this Year at Westminster, viz.

1. On the Morrow of All Souls (but which met the Day after, being Monday 4th November*), A.D. 1381. See Statute 1.

2. On the Morrow of Saint John Port Latin (being Wednesday 7th May*), A.D. 1382. See Statute 2.

Statute 1 is here printed from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 22." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of this Statute are founded on the following Articles in printed Rot. Parl. iii. p. 98, &c.

Chapter of Statute.		Number in printed Roll.	
1,	—	73,	} On Petitions of the Commons and Answers thereto.
2,		{ 107,	
3,			
4,	—		
5,			
6,	—	31,	} On other Proceedings in Parliament.
7,		{ 12, 13,	
8,	—		
9,	—	471,	
10,	—	72,	
11,	—	97,	} On Petitions of the Commons and Answers thereto.
12,	—	98,	
13,	—	99,	
14,	—	100,	
15,	—	101,	
16,	—	102,	
17,	—	103,	
		104,	

Statute 2 is printed from the Copy given by Cay, &c. as "Ex Rot. in Turr. Lond. m. 21." with the following Title:

"Ordinationes et Concordie facte in Parlamento tento apud Westm' in crastino Sancti Johannis ante Portam Latinam Anno quinto."

This has been compared with printed Rot. Parl. iii. p. 123, n. 13—17, where the Whole of the Statute is entered at Length. The Form of the Writ to the Sheriff (with which the Copy given as from the Tower Roll begins and ends), is not noticed in printed Rot. Parl. nor in Pynson, or any Edition previous to Hawkins.

Besides

Besides the foregoing, and also several Articles for the Confirmation of existing Statutes, see further
Printed Rot. Parl. iii. (In the First Parliament.)

<i>Page</i> 100, No.	17,	{	For appointing Commissioners to survey and examine the Estate and Government of the King's Person and Household.	
101, —	18,			
103, —	32,	{	Form of Pardon of the Rebels.	} See Stat. 6 R. 2. c. 13.
	33,		General Pardon.	
104, —	40,		The existing Subsidies on Wool (in Addition to the old Customs), which were to expire at the succeeding Christmas, are continued from the Feast of the Circumcision till Candlemas. So that between Christmas and the Circumcision such Subsidies should be discontinued; which Interruption is made to shew that the King had the said Subsidies not as of Right or Custom, but by Grant of the Commons.	
106, —	45,	{	Proceedings against the Corporation of Cambridge; Part of their	
108, —	60,		Franchises granted to the Chancellor, &c. of the University.	
111, —	63,		Names of Rebels excepted from the King's Pardon. See Stat. 6 R. 2. c. 13.	
113, —	64,		Parliament adjourned by Assent of the King, Lords, and Commons, to the Friday next before the Conversion of Saint Paul.	
114, —	67,	{	The additional Subsidies on Wools (see ante, No. 40), further continued till the ensuing Midsummer, and thence for Four Years; to be employed in Defence of the Realm.	
	69,			
	68,		The King and Council empowered to permit the Exportation of Wool elsewhere than to Calais.	
115, —	78—81,		For Relief of Sheriffs, Collectors of Taxes, &c. in their Accounts.	
116, —	82,		That no Money ('somme d'apprest') be charged on any Person at the Exchequer, unless he be present in Person or by his Attorney of Record.	

Page

Page 116, No. 83, *Allowances to Sheriffs in their Account for Profits granted by the King to Persons in Fee Farm.*

89, *Repeal of a Charter to Great Yarmouth.*
(See Stat. 31 E. 3. Æ. 2. and Note there.)

117, — 92, *For regulating the Purchase of Lands in Mortmain by religious Houses.*

119, — 105, *None shall be appointed a Baron of the Exchequer, Clerk of the Pipe, Remembrancer, &c. nor other Chief Minister in the Exchequer, unless he be learned in the Common Law, or otherwise learned in the Laws, Course, and Usages of the Exchequer.*

5 RIC. II. STAT. I.

[*RICHARD by the Grace of God King of England and France, and Lord of Ireland, to our Sheriff of Kent, Greeting.*¹]

Know thou, That in Reverence of God and of Holy Church, and for to nourish Peace, Unity, Quiet and good Accord in all Parts of our Realm of England, and especially for the good Governance of the same Realm (which we do chiefly desire) with the Assent of the Prelates, Lords, and Commons assembled at our Parliament, holden at *Westminster* the Morrow after *All Souls* last past, we have caused to be made certain Ordinances and Establishments, as well for the Amendment of the said Governance, as for the common Profit of the Realm, in Form following :

[*RICHARD par la grace de Dieu Roi d'Engleterre et de France et Seigneur d'Irlande a nostre viscont de Kent, Saluz.*¹]

Sachez qe a la reverence de Dieux et de Seinte Esglise, et pur nurrir paix unitee quiete et bone acord touz partz deinz nostre roialme d'Engleterre, et par especial par le bon gouvernement de mesme le roialme, le quel nous desirons souverainement, de lassent des prelatz seignurs et communes assemblez a nostre parlement, tenuz a *Westm^r* lendemain des almes darrein passez, avons fait faire certaines ordenances et establissemantz, sibien pur amendement de dit governaill, come pur le comune profit du roialme en la forme qe sensuyt.

¹ Richard, &c. a viscont de Notingh^r salut, P.

C A P. I.

A Confirmation of the Liberties of the Church, and of all Statutes made and not repealed.

FIRST it is assented and accorded, That Holy Church have and enjoy all her Liberties and Franchises wholly. And that the Great Charter and the Charter of the Forest, and all other good Statutes and Ordinances made before this Time, and not repealed, and especially the Statutes of Purveyors late made in the Time of the noble King *Edward*, Grandfather of our Lord the King that

now is (whom God pardon). be holden, kept, and put in due Execution after the Form and Effect of the same.

PRIMEREMENT est assentuz et accordez qe Seinte Esglise eit et enjoise toutes les libertees et franchises entierement. Et qe la Grand Chartre et la Chartre de la Foreste, et touz les autres bones estatutz et ordinaunces faitz avant ces heures et aient repellez, et par especial lestatutz des purveours nadgairs faitz en temps du noble Roi E. aiel nostre Seignur le Roi qoreft, qi Dieux assoill, bient tenz gardez et mises en due execution, selonc la forme et leffect dicell.

C A P. II.

None shall export Gold or Silver, nor depart out of the Realm, without Licence.

ALSO, for the great Mischiefe which the Realm suffereth, and long hath done, for that Gold and Silver, as well in Money, Vessel, Plate, and Jewels, as otherwise by Exchanges made in divers Manners, is carried out of the said Realm, so that in Effect there is scarce any thereof left, which Thing if it should longer be suffered, would shortly be the Destruction of the same Realm, which God forbid; It is assented and accorded, and the King enjoineth all Manner of People, Merchants, Clerks, and other, as well Strangers as Denizens, of what Estate or Condition they be, upon Pain of as much as they may forfeit, that none of them upon the said Pain privily nor openly do send nor carry, nor cause to be sent or carried out of the said Realm, any Gold or Silver in Money, Bullion, Plate, or Vessel, nor by Exchanges to be made, nor in any other Manner whatever; except the Wages of Calais, and of other the King's Fortresses beyond the Sea; and especially excepted the Prelates, Lords, and others of the same Realm, to whom sometimes it behoveth necessarily to make Payments beyond the Sea; that of such Payments only they may make Exchange in England, by good and sufficient Merchants to pay beyond the Sea, special Leave and Licence being therefore first had of our Lord the King, as well for the Exchangers as for the Person which ought to make the Payment, containing expressly the Sum which shall be so exchanged. And it is assented, that the Merchants who so shall make the said Exchanges, shall be diligently examined and sworn in their proper Persons, as often as they shall have the said Licence, that they will not send beyond the Sea any Manner of Gold nor Silver under the Colour of the same Exchange. And if after Proclamation of this Ordinance any Person be from henceforth duly attainted, that he hath caused to be sent or carried beyond the Sea any Gold or Silver against this Restraint and Ordinance, he shall forfeit to the King the same Sum so carried or sent.

II. And the King our Lord of his Royal Majesty forbiddeth the Passage utterly of all Manner of People, as well Clerks as other, in every Port and other Town and Place upon the Coast of the Sea, upon Pain of Forfeiture of all their Goods; except only the Lords and other Great Men of the Realm, and true and notable Merchants, and the King's Soldiers. And every Person, other than is before excepted, which after Publication of this Ordinance made, shall pass out of the said Realm without the King's special

Exportation of Gold and Silver prohibited, except for Payment of the King's Fort beyond Sea; and under the King's special Licence. [See also Stat. 2 H. 4. c. 5.]

None shall depart the Kingdom without the King's Licence. [Repealed by 4 Jac. I. c. 14 § 22.]

Licence

Licence (which Licence the King willeth and commandeth that it be not from henceforth made, but only in one of the Ports underwritten, that is to say; *London, Sandwich, Dover, Southampton, Plimouth, Dertmouth, Brissow, Farmouth, St. Botolph, Kingston-upon-Hull, Newcastle-upon-Tine*, and the other Ports and Passages towards *Ireland*, and the Isles pertaining to the Realm of *England*), shall forfeit to the King as much as he hath in Goods, as above is said; and moreover, the Master or Mariner of the Ship, or other Vessel, in which he shall have carried beyond the Sea any Person, except such only as be before excepted, without the said Licence, and thereof be convict duly, shall forfeit the said Vessel to the King.

Wardens and Searchers in Ports shall see to the Execution of the whole of this Act.

III. And the King commandeth all Wardens and Searchers of the Ports and Passages throughout *England*, that they shall from henceforth diligently use their Office, and make good and strict Search. And if any Searcher or Warden of the Ports and Passages through the said Realm, by Negligence or in other Manner do or suffer wittingly to be done, in any Point, the contrary of the said Two Articles touching Money, Gold and Silver, and the said Passage of People, and thereof be duly convict, he shall forfeit to the King his said Office and all his Goods, and his Body shall be committed to Prison, there to abide for One whole Year without Redemption. And thereupon whosoever shall espy and duly prove, that any Thing be done against the Intent of the said Two last Articles, whereby the said Forfeiture ought to fall upon any Person, he shall have Half of the same Forfeiture for his Labour of the King's Gift.

Half the Penalty to Informers.

ITEM pur le grevoufe meschief qe le roialme soeffre, et longement ad fait, de ce qe or et argent, sibien en monoie vessel plate et joiaux, come autrement par eschaunges faitz en diverse manere, est emportez hors de mesme le Roialme, issint qapeine ent nost ores en effect rienx remys, quele chose si plus longement fuisse soeffert cherroit legierement en destruction dicell roialme, qe Dieux ne veulle; Est assentuz et accordez, et le Roi defende a toutes manere des gentz marchantz clerks et autres, sibien eschaunges oome denzeins, de quelconque estat ou condition qils soient, sur paine de quanqe ils purront forfaire, qe nully de eux sur la dite paine en prive ne en appert envoie pameisme, ou face envoier ou ameiser, hors del roialme avandit, or ou argent aucun en monoie bullion plate vessel ne par eschaunges affaires ne en autre manere quelconque; exceptes les gages de Caley et dautres fortresses du Roi depar dela; et exceptes par especial les prelatz seignurs et autres de mesme le roialme, a les queux coviendra aucunes soitz necessairement faire paiementz depar dela, qe de celles paiementz tantsolement purront ils faire eschaunge en Engleterre, par bona et suffisantz marchantz, pur paier depar dela, (¹) eue primerement sur ce especial congie et licence de nostre Seigneur le Roi, sibien pur leschangeours come pur la persone qi devra faire la paiement, conteignante la somme en expres qe serra issint eschaungez. Et est assentuz qe les marchantz qi ensi ferront les ditz eschaunges soient diligement examinez et jures en leurs propres personnes, a tantz des soitz come ils averont la dite licence, qils nenvoieront depar dela aucune manere dor ne dargent souz colour de mesme leschaunge. Et si, apres la proclamation de ceste ordinance, aucune

personne soit desore dument atteint qil avra fait envoyer ou emporter de par dela or ou argent aucun, encontre seestes defens et ordonnance, forface devers le Roi mesme la somme issint emportez ou envoiez.

II. Et le Roi nostre Seigneur de sa roiale majestee defende la passage oultrement a toutes maneres des gentz, sibien clerks come autres, en chescun port et autre ville et lieu sur la couste del mee, sur paine de forfaiture de toutz leurs biens; horspris tantseulement a les seignurs et autres grantz persones de roialme et verrois et notables marchantz et les soldeours le Roi. Et quelconque persone, autre qe dessus ne sont exceptz, apres la publication de ceste ordonnance faite, passe hors del dit roialme sanz especial congie le Roi (quele licence le Roy voet et comande qe ne soit fait desore, sinoun tantseulement en un des portz dessoutz escriptz, cestassavoir Londres Sandewiz Dovorr Southampton Plymmuth Dertemuth Bristuiz Jernemuth Seint Bothulph Kyngeston sur Hull Noef Chastell sur Tyne, et les autres portz et passages vers Irlande et les isles appartenantz al roialme d'Engleterre) forface devers le Roi quanqe il ad en biens, come dessus est dit; et jademeins le maistre ou marinier de la nief ou dautre vessel, en quele il avra amefnez de par dela aucuns persone, forsqe ceux seulement qe par-dessus sont exceptz, sanz la dite licence dont il soit convict dument forface devers le Roi le dit vessel.

III. Et si comande le Roi as touz gardeins et sercheours de les portz et passages parmy Engleterre qils usent desore diligeaument leurs offices et facent bone serche et estroit. Et si nully sercheour ou gardein des portz et passages parmy le dit roialme, par negligence ou en autre manere, face ou souffre scientement estre fait en aucun point le contraire de les ditz deux articles, touchantz la monoie or et argent et le dit passage des gentz, et de ce il soit convict dument, forface devers le Roy son dit office et toutz ses biens aveise, et soit son corps commis a la prisonne a y demorer par un an entier sanz redemption. Et sur ce quelconque persone qi espiera, et prouvera dument, qe rienz soit fait contre l'entention des ditz deux derrains articles, par ont la dite forfaiture devra eschere d'aucune persone, eit il la moitee dicell forfaiture pur son travail, del doun le Roi.

* et, P.

C A P. III.

Subjects shall export or import Merchandizes in *English* Ships only.

ALSO, to increase the Navy of *England*, which is now greatly diminished: It is assented and accorded, That none of our Lord the King's liege People do from henceforth cause to be shipped any Manner of Merchandize going out of or coming into the Realm of *England*, in any Part, but only in Ships of our Lord the King's Liegance. And every Person of the said Liegance, who after the Feast of *Easter* next ensuing (at which Feast this Ordinance shall first begin to hold place), do cause to be shipped any Merchandize in any other Ships or Vessels upon the Sea, than of the said Liegance, shall forfeit to the King all his Merchandizes shipped in other Vessels, wheresoever they be found hereafter, or the

[Explained
6 R. 2. f. 1. c. 8.
14 R. 2. c. 6.
confirmed
23 H. 8. c. 7.
but repealed and
other Provisions
made 1 El. c. 13.]
No Subject shall
export or import
Goods but in
Subjects' Ships.

the Value of the same: of which Forfeitures the King willeth and granteth, that he that shall duly espy and duly prove that any Person hath any Thing forfeited against this Ordinance, shall have the Third Part thereof for his Labour of the King's Gift.

ITEM pur encrecer la navie d'Engleterre quel est ore moelt grandement amenuisez, est assentuz et accordez qe nul lige persone del Roi nostre Seignur face desore eskipper aucunes maneres des merchandises, en alantz hors ou venantz dedeinz le roialme d'Engleterre, aucune part, forske soulement en niefs de la ligeance nostre Seignur le Roy: Et quelconque persone de la dite ligeance apres la feste de Paske prochein venant, a quele feste comencera primerement ceste ordinance tenir lieu, face eskipper merchandises en autres niefs ou vesselx sur la meer, qe de la dite ligeance, forface devers le Roy toutes ses merchandises es autry vesselx eskippez, en quelconque place qe celles ferreront en apres trovez, ou la value dicelles; des quelles forfaitures le Roi voet et grante qe cellui qui espiera et duement prouvera quaucune persone avera encontre ceste ordinance rienz forfait, ent eit la tierce partie pur son travaill del doun le Roi.

C A P. IV.

“The several Prices of several Sorts of Wines to be sold in Gros or by Retail, viz. the best Wine of *Gascony, Osey,* and *Spain*, One hundred Shillings the Tun, and by Retail at Sixpence the Gallon; and other Wines in proportion.”

[*Repealed by 7 Ric. 2. c. 11.*]

C A P. V.

“Sweet Wines and Claret shall not be sold by Retail in *England.*”

[*Repealed 6 R. 2. c. 7. and see 7 R. 2. c. 11.*]

C A P. VI. [or V.*]

Pardon and Indemnity to those that repressed or punished Rebels.

ALSO our Sovereign Lord the King, perceiving that many Lords and Gentlemen of his Realm, and other with them (in the Rumour and Insurrection of the Villeins, and of other Offenders, who now of late did traiterously rise by Assemblies in outrageous Number, in divers Parts of the Realm, against God, good Faith, and Reason, and against the Dignity of our Sovereign Lord the King and his Crown, and the Laws of his Land), did make divers Punishments upon the said Villeins and other Traitors without due Process of Law, and otherwise than the Laws and Usages of the Realm required, although they did this of no Malice premeditated, but only to withstand them, and appease and cease the apparent Mischief; and considering the great Diligence and Loyalty of the said Lords and Gentlemen in this Behalf, which were not learned in the said Laws and Usages, and though they had so been, none could at that Time, upon those Punishments have tarried

[In several Editions this makes Part of Cap. 4.]

* See Note to preceding Chapter.

ried the Proceſs of the Law; and that they acted with good Intent of their beſt Advice and Diſcretion; and willing therefore to do them Grace, according as they have the ſame greatly deſerved, with the Aſſent aforeſaid, he hath pardoned and releaſed to the ſaid Lords, Gentlemen, and to all others whatever being in their Aid at ſuch Deed, and to every of them, as much as to him thereof pertaineth, or to him and to his Heirs may pertain; ſo that hereafter for whatſoever Thing done by them upon the ſaid Punishments in Reſiſtance, they ſhall never be impeached nor grieved in Body, Goods, nor in their Heritages and Poſſeſſions, by any Way by our Sovereign Lord the King, his Heirs or Miniſters, nor any other whatever in Time to come, but utterly ſhall be thereof quit for ever by this Grant and Statute, without having thereof other Special Charter or Pardon.

ITEM noſtre Seigneur le Roi, entendant qe pluſours ſeignurs et gentils de ſon roialme, et autres avec eux (en les rumour et inſurrection des villeins et dautres malſaiſours qore tard ſe leverent traiterouſement par aſſemblees et outrageouſe nombrer en diverſes parties du roialme, contre Dieu bone foi et reſon et contre la dignitee noſtre Seigneur le Roi et ſa corone et les loyes de ſa terre), firent diverſes puniſſementz ſur les ditz villeins et autres traitours ſanz due proces de loye, et autrement qe les loys et uſages de la terre demandent, combien qe ce firent ils nounpas de malice purpenſez, einz ſoulement pur leur contreeſter, et appaiſſer et ceſſer le meſchief apparant, et conſiderant les grantz diligence et loialtee des ditz ſeignurs et gentils en celle partie, qe ne furent mye apprises des ditz loys et uſages, et meſqe ils fuſſent, a cell ſoitz leu ne poaiſt ſur les ditz puniſſementz avoir attendu proces de loy, et qe ce firent ils a bone entente de lours avis et bones diſcretions, et veullant par tant leur faire grace ſicome moelt grantement lout deſerviz, de laſſent avantdit, ad pardonez et releſſez as ditz ſeignurs gentils, et as autres quelconques en leur eide eſteantz a cell fait, et a cheſcun de eux, quanqe a luy ent appartient, ou a lui et ſes heirs purra appartiegner; iſſint qe en temps avenir pur choſe quelconqe ce ſoit fait par eux, ſur les ditz puniſſementz en reſiſtence ils ne ſoient jamais empeschez ne grevez, en corps biens ne en leur heritages et poſſeſſions, par aucune voie, par noſtre Seigneur le Roi ſes heirs ou miniſtres, nautres quelconques, en temps avenir, mais oultrement ent ſoient quitz a touz jours par ceſt grant et eſtatut, ſanz autre pardon ou chartre ent avoir en eſpecial.

C A P. VII.

Manumiſſions, Releaſes, Bonds, Feoffments, &c. late made by Compulſion, ſhall be void. It ſhall be Treason to begin a Riot, Rout, or Rumour.

ALſO it is ordained, That all Manner of Manumiſſions, Obligations, Releaſes, and other Bonds made by Compulſion, Duress, and Menace, in the Time of the late Rumour and Riot againſt the Laws of the Land, and good Faith, ſhall be wholly quaſhed, annulled, and holden for void; and they who have cauſed to be made, or do yet retain ſuch Manumiſſions, Obligations, Re-

[The Treason created by this Act is repealed by the general Words of Stat. 1 E. 6. c. 12. As to Riots, ſee alſo 7 R. 2. c. 8. &c. and now 1 G. 1. ff. 2. c. 5.]

leases, Bonds, and other Deeds, so made by Duresa, shall be sent before the King and his Council, thereof to answer there of their Deed; and further shall be compelled to make Delivery and Restitution of the said Deeds to those who made the same against their good Will, with the Copies of the same, if percase they have hereof heretofore made any, in order hereafter to use or renew the effect of the same if they may. And likewise it is accorded, that all Entries made in Lands or Tenements, and also all Feoffments made in the Time of the same Rumour by Compulsion and Menace, or otherwise by Force of People against the Law, shall be void and holden for none. And the King straitly forbiddeth to all Manner of People, upon Pain of as much as they may forfeit to him in Body and Goods, that none from henceforth make nor begin again any Manner of Riot and Rumour, nor other like. And if any so do, and that duly proved, it shall be done of him as of a Traitor to the King and to his said Realm.

ITEM est ordenez et assentuz qe toutes maneres de manumissions obligations relesee et dautres liens, faitz par compulsion duretee et manace, en temps de celles derrain rumour et ryot, encontre les loys de la terre, et bone foy, soient de tout cassez irritez et tenuz pur voides; et ceux qi ont fait faire ou detiegnent encores tielles manumissions obligations releesses liens et autres faitz, issint par duresce faitz, soient envoies devant le Roi et son conseil pur ent respondre illoeqes de leur fait; et oultre soient compellez de faire delivrance et restitution de lez faitz avantditz, as ceux qi les firent encontre leur bon gree, avec les copies dicelles, si nulles par cas ent averont faitz, par devant pur autre soitz user ou renouveller leffet dicelz ils poissent. Et semblablement est accordez qe toutz entrees faitz es terres ou tenementz, et auxint toutz feoffementz faitz en temps du dit rumour, par compulsion et manace, ou autrement a force des gentz encontre la loy, soient voides et tenuz pur nulles. Et le Roi defende estroitement a toutes maneres des gentz, sur peine de quanqe ils purront forfaire devers luy en corps et en biens, qe nully desore face ne recomence par voie quelconque celles riot et rumour nautres semblables. Et si nully le face et ce provez ducement soit fait de luy come de traître au Roi et a son dit roialme.

C A P. VIII.

[See also Stat.
15 R. 2. c. 2.
23 H. 5. c. 14.]

The Penalty where any doth enter into Lands where it is not lawful, or with Force.

AND also the King enjoineth, That none from henceforth make Entry into any Lands and Tenements, but in Case where Entry is given by the Law; and in such Case not with Strong Hand, nor with Multitude of People, but only in lawful, [peaceable,] and easy Manner. And if any Man from henceforth do to the contrary, and thereof be duly convicted, he shall be punished by Imprisonment of his Body, and thereof ransomed at the King's Will.

ET auxint le Roi defende qe nully desore face entree en aucunes terres et tenementz, sinoun en cas ou entree est done par la loy; et en cell cas nemye a forte main, ne a multitude des gentz,
cinz

cinz tantfoulement en [lifible¹] et aisee manere: Et si nully desore face a contraire, et ent soit conviēt duement, soit puniz par emprisonnement de son corps et dilloeqes reint a la voluntee le Roi.

¹ *peasible, P.—Rot. Parl. reads "en lifible, aisee et peasible manere."*

C A P. IX.

"They whose Writings were destroyed in the late Insurrection, shall petition the King and Council, who shall provide Remedy accordingly."—*See 6 R. 2. ff. 1. c. 4.*

C A P. X.

For enabling Defendants in the Exchequer to plead their Discharge.

ALSO, because that grievous Complaint hath oftentimes been made of the Officers of the Exchequer, for that the Heirs, Executors, Occupiers of Goods, and Land-Tenants of divers Persons, who have been impeached in the said Exchequer, of Debts, Accompts, and other Demands, and who although they have offered themselves there to shew, or plead for their Discharge from such Impeachments according to the Law, have not been always thereunto received heretofore, without having expresse Commandment by Writ, or Letter of the Great or Privy Seal, to the great Disquietness, Mischief, and Delay of the said Persons impeached, and no Advantage to the King; It is ordained and assented, That the Barons of the said Exchequer shall from henceforth have full Power to hear every Answer of every Demand made in the said Exchequer; so that every Person that is there impeached or impeachable for any Cause, by himself or by any other Person, shall be from henceforth received in the said Exchequer to plead, sue, and have his reasonable Discharge in this Behalf, without tarrying or suing any Writ, or other Commandment whatsoever.

Defendants in the Exchequer may plead their Discharge without any special Writ for the Purpose.

ITEM par ce qe grevousse plainte ad este sovent fait des officers de leschequier, de ce qe les heirs executours occupiours des biens et terre-tenantz de diverses persones, qont este empeschez en dit eschequier des dettes accompts et autres demandes, et les queux combien qils se ont offertz illoeqes a monstrier ou pleder pur leurs descharges de ceux empeschementz selonc la loy, toutes voies ils nont mye elle a ce resceux devant ces heures, sanz avoir expres comandement par brief ou lettre de grant ou prive seal, a grant disaise meschief et delay des ditz empeschez et nul avantage au Roi; Si est ordenez et assentuz qe les barons del dit eschequier aient desore plein poair doier chescun response de quelconque demande fait en mesme leschequier; issint qe chescune persone qe y soit empeschez ou empescheable de quelconque cause, par lui mesmes ou par autre persone, soit desore resceuz en dit eschequier a pleder fuer et avoir son descharge resonable en cell part, sanz attendre ou fuer brief lettre ou autre mandement quelconque.

C A P. XI.

For regulating in the Exchequer the Accounts of Persons retained to serve the King.

ALSO, because that great Mischiefs have heretofore happened to divers Persons, as well to Lords of the Realm, as others, who were retained or assigned to serve our Lord the King, by Indentures or without Indentures, in his Wars and his Messages, or in other Manner, and for such Causes received certain Sums of Money at the Receipt of the said Exchequer, or elsewhere by Assignment; which Sums have been charged upon them in the Rolls of the said Exchequer, as Money received [by Way of Loan,³] and therefore such Sums have run in Demand upon them at the Exchequer as a clear Debt: and although the said Persons so retained, their Heirs, Executors, Occupiers of their Goods, or Land-Tenants, after their Death, have required to be admitted to Accompt of the Sums received, yet this hath not been granted to them, but they have been constrained to sue out a Warrant of the Great or Privy Seal directed to the Treasurer and Barons there, whereby it was commanded to the Treasurer and Barons to accompt with them in this Behalf; which Warrants oftentimes have been denied, because that the King's Officers newly made percase had no Knowledge of such Retaining made before their Time; and sometimes such Warrants have been granted, but not so fully as Reason and the Case required, for as much as such Warrant directed that the Accompt should be received only of the Sum so received [by Loan,³] whereas a greater Sum percase was reasonably due to them; to the great Mischief and Hinderance of the said Persons; It is ordained and assented, That of all People who from henceforth shall be retained or assigned to serve our Lord the King, their Covenants shall be put in Writing, and sent to the Exchequer, there to remain of Record; so that whenever any Person so retained, his Heirs or Executors, or the Occupiers of his Goods, or his Land-Tenants, come to accompt thereof at the Exchequer, they shall be thereto received, and shall have due Allowance in their Accompt, according to the Content of their Covenant; and if percase any Repeal or Countermand be made of such Retainer of any Person, after that his Covenants be put in Writing, and sent to the said Exchequer as is aforesaid, such Repeal shall likewise be put in Writing, and sent to the said Exchequer; so that on View of such Repeal, and of the Covenants before sent there, the Barons of the said Exchequer may do Right to the Party according as Law and Reason require. And if any Thing be due unto them by the said Accompts, that thereof by Certificate of the same Exchequer, the Treasurer and the Chamberlains shall make Payment or Assignment to them, without waiting for or suing other Warrant or Commandment of the Great or Privy Seal in this Behalf.

The Covenants of all Persons retained to serve the King, and all Countermands of their Retainer, shall be inrolled in the Exchequer; and the Parties shall receive their Allowance, and Payment in the Exchequer accordingly.

³ Query, "by Way of Imprest."

ITEM pur ce qe grantz meschiefs ont escheux devant ces heures a diverses persones, sibien a les Seignurs du roialme come as autres, qe furent retenus ou assignez de servir a nostre Seigneur le Roi,

Roi, par endentures ou sanz endentures, en ses guerres ses messageries ou en autre manere, et par celles causes rescévrent certains sommes de deniers a la rescéite del dit eschequier, ou aillours, par assignement; les quelles sommes aient esté mises sur eux es rolles del dit eschequier, come deniers rescéux par voie d'appest et par tant celles sommes current en demande sur eux a l'eschequier come dette cler; Et combien qe les dites personnes ensi retenuz, leurs heirs executours occupiours des biens ou terre-tenantz apres leur mort, aient demandez pur estre rescéuz dacompter de les sommes rescéuz, ne pur quant ce nad mye esté a eux grantez, einz ont esté constreintz de [pursuer leur garant¹] de grant ou prive seal, direct as tresorer et barons illoques, par quel fust commandez as tresorer et barons dacompter avec eux en celle partie; les queux garantz meintfoitz ont esté deniez, a cause qe les officers du Roi nouvellement creéz, par cas navoient conissance de tielx retenüz faitz devant leurs temps; et ascun foitz ont esté grantez mais noun pas si pleinement come reson et le cas demandoient, pur tant qe cel garant voloit qe l'acompte ne deust estre rescéux forsque seulement de la somme ensi rescéue d'appest, la ou greindre somme par cas leur fust due de reson; a grant meschief et anientissement des ditz personnes: Est ordenez et assentuz qe de toutz gentz qi desore seront retenuz ou assignez de servir a nostre Seigneur le Roi, soient les [covenances²] mises en escrit et envoieez en l'eschequier a y demorer de record; issint qe a quele heure qe persone ensi retenue, ses heirs executours occupiours des biens ou terre-tenantz viegne ou vieignent dacompter de ce en l'eschequier, soient ils a ce rescéuz et aient due allowance en leur accompte selonc la contenue de leur covenant; et si par cas ascun repell on contremandement soit fait de tiel retenue daucune persone, apres qe ses [covenances²] soient mises en escrit et envoieez al dit eschequier, come dessus est dit, soit mesme le repell semblablement mis en escrit et envoieez al eschequier avantdit; issint qe, par la vüe de cell repell et des [covenances²] devant illoques envoieez, les barons del dit eschequier facent droit a la partie selonc ce qe la loy et reson demandent. Et si rienz leurs soit due par mesmes les accompts, qe de ce, par certification de mesme l'eschequier, les tresorer et chamberlains leur facent paiement ou assignement, sanz attendre ou fuer autre garant ou mandement du grant ou prive seal en celle partie.

¹ pursuir leur grant, P.—suer garant, *Roi. Parl.* ² covenantz, *Roi. Parl. P.*

C A P. XII.

For shortering Accompts in the Exchequer.

ALSO it is ordained and assented, That the Accompts in the Exchequer shall be more shortly heard, made, and ingrossed, than they were wont heretofore; saving always, that the Parcels of the same Accompts be made as fully as they were wont in Times past, and that by Ordinance to be made by the Barons of the said Exchequer, there to endure of Record for ever,

ITEM est ordenez et assentuz qe les accomptes en l'eschequier soient plus briefment oiez faitz et engrossiez, qils ne soloient pardevant; save toutes voies qe les parcelles de mesmes les accomptes

soient faitz auxi pleinement come ils soleient estre faitz en temps passe, et ce par ordonnance affaire par les barons del dit eschequier, a y durer de record pur tout temps avenir.

C A P. XIII.

For assigning Two Clerks to make Parcels of Accompts in the Exchequer.

ALSO it is ordained and assented, That Two Clerks shall be assigned to make Parcels of Accompts in the said Exchequer to them that will demand the same; and they shall be sworn that they shall commit no Falsehood in their Office, and shall take for their Labour of them whom they serve reasonably, according to the Ordinance of the Barons of the said Exchequer.

ITEM est ordenez et assentuz qe deux clerks soient assignez pur faire parcelles dacomptes en mesme leschequier, a ceux qe les veullent demander; et soient ils jurez qils ne ferront nulle fauxine en leur office, et prendront pur leur travail de ceux as queux ils serveront reisonablement, selonc lordinance des barons del dit eschequier.

C A P. XIV.

For preventing and regulating Accompts of *Nichil* in the Exchequer.

ALSO it is ordained and assented, That the Accompts of *Nichil* in the Exchequer shall be wholly put out; or if any such Accompts ought there to remain, the Accountants, presently after their Oath made in the said Exchequer, shall be examined by the Barons there, if they should or ought to answer the King of any Thing in this Behalf. And if it be found by their said Oath, that they ought not, then by their said Oath they shall be discharged from yielding any other Accompt before any Auditor; the King's Right always saved.

ITEM est ordenez et assentuz qe les accomptes de nichil en eschequier soient de tout oustez; ou si aucuns tielx accomptz y deivent demorer, soient les accomptantz, maintenant apres leur serement fait en le dit eschequier, examinez par les barons illoques s'ils y purront ou deivent de rienz respondre au Roi en celle partie. Et si trovez soit par leur dit serement qe noun, adonques par mesme leur serement soient ils deschargez dautre accompte rendre devant aucun auditour; toutdys le droit le Roi salvez.

C A P. XV.

For regulating the Entry of all Discharges in the Exchequer.

ALSO it is accorded and assented, That the Clerk of the Pipe and the Remembrancers of the Exchequer shall be sworn, that from Term to Term they shall see (while the said Exchequer shall be open) all the Writs of the Great Seal, and Letters of the Privy Seal, which shall be sent to the said Exchequer the same Term, for the final Discharge of any Person of the Realm, from any

Clerk of the
Pipe and
Remembrancers
shall be
respectively
sworn to execute
Writs for

any Demand current at the said Exchequer; and that every of them, to whom it pertaineth, shall make due Execution of the said Commandment. And also it is ordained and assented, That the said two Remembrancers shall be sworn on their Part, that every Term from henceforth they shall make a Schedule of all the Persons that shall be discharged in their Offices, by Judgement, or in other Manner, in the same Term, from any Demands in the said Exchequer; containing the Manner of such Discharges; and shall cause such Schedule to be delivered to the said Clerk of the Pipe, the same Term, to the Intent that the said Clerk of the Pipe shall thereof cause the said Parties to be discharged in the great Roll. And also the said Clerk of the Pipe shall be sworn, that he from Term to Term shall require such Schedules, and the said Schedules being by him so received, he shall discharge the said Parties in Manner aforesaid. And in the same Manner, the said Clerk of the Pipe for his Part shall cause to be certified in Writing to the said Remembrancers all such Discharges as shall be made in his Office, to the Intent that a Man discharged in one Place, be discharged in all other Places of the said Exchequer.

Discharges in the Exchequer; and shall regularly enter and certify all Discharges.

ITEM est accordez et assentuz qe le clerc le pipe, et les remembrancers del eschequier, soient jurrez qe de terme en terme ils verront, tant come le dit eschequier serra overt, toutz les [brieves de grant seal et lettres de prive seal¹] qe serront mandez al dit eschequier mesme le terme, pur final descharge daucune persone du roialme, daucun demande curant al dit eschequier; et qe chescun de eux a qi il appartient serra due execution du dit mandement. Et est auxint ordenez et assentuz qe les ditz deux remembrancers soient jurrez, de leur part, qe chescun terme de cy en avant ils feroient une cedula de toutes les persones qi serront deschargez en leur offices, par jugement ou en autre manere en mesme le terme, daucuns demandes en dit eschequier, contenant la manere de mesmes les descharges; et [de faire²] liverer celle cedula al dit clerc du pipe, mesme le terme, au syn qe mesme le clerc de pipe face ent descharger les ditz parties en le grant rolle. Et auxint soit le dit clerc du pipe jurrez qe il, de terme en terme, demandera les ditz cedules et mesmes les cedules par lui issint rescueuz il deschargera les dites parties en manere suisdite. Et en mesme la manere face le clerc du pipe, pur sa partie, certifier en escritz as ditz remembrancers, de touz tielx descharges qe serront faitz en son office; au syn qe homme deschargez en une place soit deschargez en toutes autres places del dit eschequier.

¹ Pres de grande seal ou prive seal, P.

² facc, Rot. Parl.

C A P. XVI.

For regulating Discharges in the Exchequer on Judgement for Livery of Lands.

ALSO, though that many Times heretofore divers Persons have had Livery of their Lands and Tenements out of the King's Hands, by Judgement given for them in the King's Bench; or elsewhere, and of such Judgements have afterwards procured the Tenor of the Records and Proseses, thereof made by Writ of *Mis-*

When Judgement given in K. B. &c for Livery of Lands, is transmitted to the Exchequer, the Party shall be discharged there without further Suit.

timus to be sent into the said Exchequer, to the Intent for to discharge them of the Accompts demanded of them, upon such Tenements: nevertheless the Officers of the said Exchequer would not heretofore cause the said Persons to be discharged thereof, before that such Records and Proseses were Word for Word newly entered in the Exchequer, and thereupon new Proses made, and new Judgements there again given; to the great Damage and Delay of the Parties, without Profit to the King: It is ordained and assented, That, from henceforth, after that such Record, [or the Tenor thereof,] shall come into the said Exchequer by the King's Commandment (as aforesaid), that the Remembrancer, in whose Office such Accompts shall be demanded, shall presently cause the Suit to cease in that Behalf, (by Words to be entered upon the Back of the Writ, vouching the Tenor of the Record of the said Judgement,) without making new Judgement, or Proses further in this Behalf.

ITEM coment qe plusours soitz devant ces heures diverses personnes ont euez liverie de leurs terres et tenementz hors de main le Roi, par jugement renduz pur eux en bank le Roi, ou aillours, et dyceux juggedmentz aient enapres fait procurer denvoyer les tenures des recordz et proces ent faitz par brief de *Mittimus*, en leschequier avantdit, al entente pur eux descharger des accomptes de eux demandez, sur mesmes les tenementz; nientmeins les officers de mesme leschequier nont mye volu devant ceste heure ent faire descharger les dites personnes, devant qe mesmes les recordz et proces fuissent de parole en parole nouvellement entrez en leschequier, et sur ce novel proces fait et novel juggedment illoeqs autre soitz renduz; a grant damage et delay des parties sanz profit au Roi: Est ordeigne et assentuz qe desore apres qe tiel record, [ove¹] le tenure dycelle, sera venuz en dit eschequier par mandement le Roi, come dit est, qe le remembrancer en qi office tiela accomptes seront demandez, maintenant face cesser la suite en celle partie, par paroles a entreres sur l'endossement [del²] brief, vouchant le tenure del record del dit juggedment, sanz novel juggedment ou proces faire en celle partie plus avant.

¹ ou, P.—*Rot. Parl.* reads "tiel record est venu en leschequier."

² de son, *Rot. Parl.*

C A P. XVII.

The Fees of the Exchequer Clerks for making Commissions, or Records of *Nisi prius*.

ALSO it is assented, and the King straitly enjoineeth, That from henceforth nothing shall be given for making a Commission in the said Exchequer for the Fee of the Clerk who shall make the same, above Two Shillings only; nor for the Record of *Nisi prius* with the Writ, but Two Shillings only, as afore this Time was wont to be done and used.

ET auxi est assentuz, et le Roi defende estreitement, qe desore ne soit rienz donez, pur une commission affaire en le dit eschequer, pur le fee de clerc qi le fera loutre deux soldz tantseulement; ne pur le record de nisi prius avec la brief, si noute qe deux soldz seulement, come devant ces heures y soloit estre fait et usez.

ET

ET par ce vous mandons qe les ditz establissemantz et ordinaances facez dueument crier et publier es citees burghs villes feires marchees et autres lieux notables deinz vostre baillie deinz franchises et dehors et dueument les gardir et faire tenir selonc le tenour et forme dicelles. Don par tesmoignance de nostre grant seal a Westm' le xviii. jour de May lan de nostre regne quint.

*Consimilia mandata diriguntur singulis vicecomitibus per Angliam *.*

* P. omits.

5 RIC. II. STAT. 2. (A.D. 1382.)

[See Note,
p. 40, 41.]

REX vicecomiti Cornubie salutem. Cum de communi assensu nostro, ac procerum magnatum et communitatum regni nostri Anglie nobis in ultimo parlamento nostro assistentium, pro securiori regimine et melioratione regni predicti nostri et mercandisarum ejusdem, quodam concordie sive ordinationes facte fuissent inter alia sub hac forma:

FOR the common Profit of the Realm of England, certain Ordinances and Establishments have been made by our Lord the King, the Prelates, Lords, and Commons of the said Realm, being in this Parliament holden at Westminster [on the Morrow¹] of St. John Portlatine, the Fifth Year of the Reign of our Lord King Richard; in Form following.

PUR commune profit du roialme dEngleterre, aient este faitz par nostre Seigneur le Roy, les prelatz seignurs et communes du dit roialme, effeantz en cest parlement tenuz a Westm' [lendemain¹] de seint Johan Portlatyn, lan du regne nostre Seigneur le Roi Richard quint, certaines ordinaances et establissemantz, en la forme qe sensuit.

¹ le Mardy p'schein ap's le feste, P. with which former Translations agree.— See Note, p. 40.

C A P. I.

Merchant Strangers may freely come into, continue, and depart forth of the Realm.

FIRST it is accorded and assented in Parliamēt, That all Manner of Merchants Strangers, of whatsoever Nation or Country they be, being of the Amity of our Lord the King and of his Realm, shall be welcome, and freely may come into the Realm of England, and elsewhere within the King's Power, as well within Franchise as without, and there be conversant, merchandise, and tarry as long as them liketh, as those whom our said Lord the King by the Tenour hereof altogether taketh into his Protection and Safeguard, with their Goods, Merchandises, and all their Servants whomsoever. And therefore the King willeth and commandeth, That they and every of them be well, friendly, and merchant-like intreated and demeaned, in all Parts within his said Realm and Power, with their Merchandises and Goods whatsoever, and suffered to go and come, and into their own Countries peaceably to return, without Disturbance or Impeachment of any.

PRIMEREMENT est assentuz et accordez, en parlement, que toutes maneres desfraunges marchantz, de quelconque nation ou pais qils soient, esteantz del amistee nostre Seignur le Roi et de son roialme, soient bien venuz et franchement venir purront deinz le roialme dEngleterre, et aillours en le poair nostre dit Seignur, sibien deinz franchise come dehors, et illoeqes converser merchander et demorer, si longement come bon leur semblera, come ceux les queux trestouz nostre Seignur le Roi, par le tenour dicelles, prent en la protection et salve garde, avec leur biens merchandises et familiers quelconques. Et par tant voet le Roi et commande, qils et chescun de eux soit et soient bien amiablement et merchandablement tretez et demesnez, toutes partez deinz les ditz roialme et poair, avec leurs merchandises et biens quelconques; et soeffiertz daler venir, et en leurs propres pais peisiblement retourner, sanz destourbanche ou empeschement de nully.

C A P. II.

For regulating the Exportation of Wool, and the Duties thereon.

“**W**OOLS, Leather, and Woolfels, may be carried by Aliens or Denizens, paying the Customs, Subsidies, and Duties thereon, into any Country, except the Realm of *France*, until *Michaelmas* come Twelvemonth. To such as will pay the Customs and Subsidies before the Feast of *St. Martin* next after the *Act*, an Abatement shall be allowed of a Mark in every Sack of Wool, &c. The Subsidy on Wools, &c. granted in the preceding Parliament, shall be applied in the Defence of *England*, and the Guard and Government of Towns and Fortresses beyond Sea.”—See printed Rot. Parl. iii. p. 123. No. 12.

C A P. III.

A Subsidy of Tonnage and Poundage granted to the King for a limited Time, to be employed upon the Keeping of the Sea,

Grant of
Tonnage on
Wine imported,
2s. per Tun;
and Poundage
on all
Merchandise
imported and
exported,
(except Wool,
&c.) 6d.

Application
thereof.

Receivers.

ALSO, upon the Proffer which hath been made in Parliament by the Mariners of the West, to make an Army upon the Sea, to endure from this Time till the Feast of *St. Michael* next coming in Two Years, the Lords and Commons being in this Parliament, have granted to our Lord the King a Subsidy of Two Shillings to be taken of every Tun of Wine, and of a less Vessel in Proportion, brought into the Realm of *England*; and also Sixpence in the Pound, to be taken and received of all Manner of other Merchandises to be carried out of and coming into the Realm aforesaid; as well (that is to say) of all Manner of Woollen Cloths, as of any other Merchandises whatever, (except Wools, Leather, and Woolfels,) over the Customs and Subsidies thereof due before this Grant; from the Twenty first Day of *May* this present Year, till the Feast of *St. Michael* next coming, and from the same Feast of *St. Michael*, by Two whole Years next ensuing: So always that the Money thereof coming be wholly applied upon the safe Keeping of the Sea, and no Part elsewhere. And at the Request of the Commons, the King willet, that Sir *John Philpot*, Knight,

Knight, be Receiver and Keeper of the Money arising from the said Subsidy, from the Town of *Southampton* towards the North; and that *John Polymond* and *Thomas Beaupyne* be Receivers and Keepers of the said Subsidy in the said Town of *Southampton*, and from thence towards the West; by the King's Letters Patents thereof to be made to the said Persons in due Form. And also certain sufficient Persons shall be assigned by the King to be Comptrollers to the said Collectors. And the People being in the said Army, shall have wholly all their Gains and Profits, to be divided betwixt them during the Army aforesaid: And the Admirals and others being in the said Army, shall be assured to preserve the King's Friends and Allies, without doing any Damage to them or to any of them by any Way; and if they do, and that be duly proved, they shall bind themselves, upon a grievous Pain, thereof duly to make Amends.

Controllers.

The Mariners shall divide all Gains.

The King's Friends shall be saved harmless.

ITEM sur le profre qad este fait en parlement, par les mariniers del West, pur faire une armee sur la mer adurer decy tanqe a la Seint Michel proschein venant en deux ans, les Seignurs et Communes, esteantz en cest parlement, ont grantez a nostre Seignur le Roi un subsidie de deux fol'z a prendre de cheescun tonel de vin, et de meindre vessel selonc lasserant, amefnez deins le roialme d'Engleterre: et auxint vi. l. al livre a prendre et recevoir de toutes maueres dautre merchandises a amefners hors et venantz deinz le roialme avantdit, sibien cestassavoir des toutes maneres des draps de leyne come dautres merchandises quelconques, horspris leynes quirs et peaux lanutz, oultre les custumes et subsidies ent duez, pardevant cest grant; del xxi. jour de Maie lan present tanqe al feste de seint Michel proschein venant, et de mesme la seile de seint Michel par deux ans entiers proscheinement ensuantz: issint toutes voies qe les deniers ent provenantz soient entierement appliez sur la salve garde de la mer et nul part ailleurs. Et a la requeste de la commune, le Roi voet qe monsieur Johan Philepot chivalier soit reseceivour et gardeyn de les deniers sordantz del dit subsidie, de la ville de *Southampton* vers le North; et Johan Polymond et Thomas Beaupyne soient reseceivours et gardeins del dit subsidie en la dite ville de *Southampton*, et dilloques vers le West; par patentes du Roi ent affairs as dites persones en due forme: Et seront auxi assignez certains suffisantz persones depar le Roi deslire contrerollours as coillours avantditz. Et averont les ditz gentz esteantz en dite armee entierement toutz leur gaignes et profitz, a departir entre eux durante larmee desuissdite. Et seront les admirals, et autres esteantz en dite armee, assurez de salver les amys et allies du Roi nostre Seignur sanz dampnage faire a eux ou a nul de eux par ascune voie; et s'ils facent et ceo soit duement provez ils se obligeront sur grief peyne dent faire duement les amendes.

C A P. IV.

Every one to whom it belongeth, shall upon Summons come to the Parliament.

ALSO the King doth will and command, and it is assented in Parliament, by the Prelates, Lords, and Commons, That all and singular Persons and Commonalties, which from henceforth shall

shall have the Summons of Parliament, shall come from henceforth to the Parliaments in Manner as they are bound to do, and hath been accustomed within the Realm of *England* of old Times. And whatever Person of the same Realm, who henceforth shall have such Summons (be he Archbishop, Bishop, Abbot, Prior, Duke, Earl, Baron, Banneret, Knight of the Shire, Citizen of City, Burghs of Borough, or other singular Person, or Commonalty whatever) doth absent himself, and cometh not at the said Summons (if he cannot reasonably and honestly excuse himself thereof to our said Lord the King,) shall be amerced, and otherwise punished, according as of old Times hath been used [to be done²] within the said Realm in the said Case. And if any Sheriff of the Realm be henceforth negligent in making his Returns of Writs of the Parliament; or that he cause to be left out of the said Returns any Cities or Burroughs, which be bound, and of old Time were wont to come to Parliament, he shall be punished * in Manner as was accustomed to be done in such Case in Times past.

The Punishment
of a Sheriff
neglecting
Returns of Writs
to Parliament.

* Pulton and subsequent Translations read " amerced or otherwise punished."

ITEM voel le Roi et comande, et est assentuz en parlement, par les prelatz seignurs et communes, qe toutes singulieres personnes et communaltes qaveront desore la somonce de parlement, vieignent de cy en avant as parlements, par manere come ils sont tenuz de faire et a este acustumez deinz le roialme dEngleterre dauncienete. Et quelconque persone de mesme le roialme qavera desore la dite somonce (soit il ercevesqe evesqe abbe priour duc cont baron banneret, chivaler de contee citezein de citee burgeis de burgh ou autres singuliere persone ou communaltee quelconque) soi absente, [ou¹] ne veigne mye a la dite somonce, sil ne se purra resonablement et honestement ent excuser devers le Roi nostre Seigneur, soit amerciez et autrement puni, selonc ce qe auncienement a este usez⁽²⁾ deinz le roialme avantdit en dit cas. Et si ascun viscont du roialme soit desore negligent en feisant ses retournes des briefs du parlement, ou qil face entredeffer hors des ditz retournes aucuns citees ou burghs, queux sont tenuz et dauncien temps soleient venir a parlement, soit puniz en manere qestoit acustumez destrre fait en le cas, dauncienete.

¹ et, P.

² de faire, P.

C A P. V.

For the Arresting and Apprehension of erroneous and heretical Preachers.

[See printed Rot. Parl. iii. 141. 6 R. 2. nu. 53. that this *Act*, having been put in the Statute without the Assent of the Commons, was annulled; see also 3 Inst. 40, &c.; yet it was expressly confirmed as an existing Statute by St. 25 H. 8. c. 14. It was repealed by St. 1 E. 6. c. 12. § 3. and afterwards recited at Length and revived (with other *Acts* against Heresy) by 1 & 2 Phil. & Mary, c. 6.; but which latter *Act* was repealed by 1 Eliz. c. 1. § 15.

ALSO, forasmuch as it is openly known, that there be divers evil Persons within the Realm, going from County to County, and from Town to Town, in certain Habits under Dissimulation of

of great Holiness, and without the Licence of [our Holy Father the Pope or ¹] the Ordinaries of the Places or other sufficient Authority, preaching daily, not only in Churches and Churchyards, but also in Markets, Fairs, and other open Places, where a great Congregation of People is, divers Sermons containing Heresies and notorious Errors, to the great imblemishing of the Christian Faith, and Destruction of the Laws, and of the Estate of Holy Church, to the great Peril of the Souls of the People, and of all the Realm of *England*, as more fully is found and sufficiently proved before the Reverend Father in God, the Archbishop of *Canterbury*, and the Bishops and other Prelates and Masters of Divinity, and Doctors of Canon and of Civil Law, and a great Part of the Clergy of the said Realm specially assembled for this Cause: and which Persons do also preach divers Matters of Slander, to engender Discord and Dissention betwixt divers Estates of the said Realm as well temporal as spiritual, in exciting of the People, to the great Peril of all the Realm; which Preachers cited or summoned before the Ordinaries of the Places, there to answer of that wherof they be impeached, will not obey to their Summons and Commandments, nor care not for their Monitions nor Censures of Holy Church, but expressly despise them; and moreover by their subtle and ingenious Words do draw and entice the People to hear their Sermons, and to maintain them in their Errors by strong Hand and by great Routs: It is ordained [and assented ²] in this present Parliament, That the King's Commissions be made and directed to the Sheriffs and other Ministers of our Sovereign Lord the King, or other sufficient Persons [learned, ⁴] and according to the Certifications of the Prelates thereof to be made into Chancery from Time to Time, to arrest all such Preachers, and also their Fautors, Maintainors, and Abettors, and to hold them in Arrest and strong Prison, till they will justify themselves according to the Law and Reason of Holy Church. And the King willeth and commandeth, That the Chancellor make such Commissions at all Times, that he by the Prelates or any of them shall be certified and thereof required, as is afore said.

Mischiefa
resulting from
unlicensed
Preachers of
erroneous
Doctrines.

The Sheriffs
empowered by
Commissions
out of Chancery,
on Certificate
of the Prelates,
to arrest such
Preachers.

¹ omitted in all Translations; and also in the Recital of the Tenor of this Act in Sr. 1 & 2 P. & M. c. 6. for reviving it. ² So all Translations read.

⁴ So all Translations read, as if the French had been "appris."

ITEM pur ceo qe notorie chose est coment y a plusours malveies persones deinz le dit roialme, alantz de countee en countee et de ville a ville en certains habitz, souz dissimulation de grant sainttee, et sans licence [de seint piere le Pape ou ¹] des ordinairs des lieux ou autre auctorite suffisante, prechent de jour en autre, aemye soulement es esglises et eimitoirs elnz es marches feires et autres lieux publiques, ou greindre congregation du poeple y est, diverses predications conteignant heresyas et erreurs notories, a grant emblemissment de la foy, et destruction de loyes et de lestat de Seint Esglise, a grant peril des almes du ppeple et de tout le roialme dEngleterre, come plus pleinement est trovez et suffisamment provez devant le reverent pere en Dieu lercevesqe de *Canterburs*, et les evesques et autres prelatz et maistres de divinite et doctours de canoun et de civile, et grant partie del clergie del dit roialme especialment pur celle cause assemblez; et les queles persones prechent auxint diverses matiers desclaundre, pur discord

cord et dissention faire entre diverses estatz du dit roialme, sibien temporelx come espiritelx, en commotion du peuple a grand peril de tout le roialme; les queles prechantz, citez ou somonez devant les ordinairs des lieux pur y respondre dont ils sont empeschez, ne veullant obeire a lour somons et mandementz, ne leurs monitions ne les censures de Seinte Esglise charge point, einz les despisent expressement; et enoultre par leurs subtiles paroles attracent et engyent le poeple doier lour farmons et de les maintenir en lour erreurs par forte main et par grantz routes: Ordene est ⁽²⁾ en cest parlement qe commissiōns du Roi soient ⁽³⁾ directz as viscontz [affaires⁴]. en la chancellerie de temps en temps, darestier touz tieux prechours, et lour sautours maintenours et abettours, et de les tenir en arest et forte prisone tanqe ils se veullent justifier selonc reson et la ley de Seinte Esglise. Et le Roi voet et comande qe le Chanceller face tieles commissiōns a touz les foitz q'il serra par les prelatz ou ascun de eux certifie et ent requis come dessus est dit.

² et assentus, P.—but *Rot. Parl.* omite.

³ faites et, P.

⁴ "et autres ministres du Roi, ou as autres suffisantz perſones, apres et selonc les certifications des prelatz ent a faire," *Rot. Parl.* and P. with which all *Translations* agree.

NOS volentes dictas concordias sive ordinationes in omnibus et singulis suis articulis inviolabiliter observari tibi precipimus ad predictas concordias sive ordinationes in locis infra ballivam tuam ubi melius expedire videris tam infra libertates quam extra publice proclamari et teneri facias juxta formam prenotatam.

T. R. apud Westm' xxvi. die Mail.

Consimilia mandata diriguntur singulis vicecomitibus per Angliam.

Anno sexto RICARDI II. A.D. 1382 & 1383.

Two Parliaments were held in this Year both at Westminster.

1. On Monday in Eight Days of Michaelmas, A.D. 1382.—Stat. 1.

2. On Monday in the Third Week of Lent (23^d Feb. *) A.D. 1382-3.—Stat. 2.

The several Chapters of Stat. 1. are founded on the following Articles in printed Rot. Parl. iii. p. 134, &c.

Chap. of Stat. No. in printed Roll.

1,	-	-	24,
2,	-	-	25,
3,	-	-	26,
4,	-	-	34,
5,	-	-	40,
6,	-	-	45,
7,	-	-	32,
8,	-	-	27,
9,	-	-	54, 55,
10,	-	-	54, 56,
11,	-	-	54, 57,
12,	-	-	54, 59,
13,	-	-	43, 49,

On Petitions of the Commons.

Although

Although the Statute is drawn up in Latin, the Petitions and Answers are (as usual) in French. It is here reprinted from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 20." compared with Pynson, which omits the Form of the Writ of Proclamation given by Hawkins and subsequent Editors.

STATUTE II. made in the second Parliament of this Year was in like Manner drawn up in Latin from the Petitions and Answers of the Commons in French. It was given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond' m. 19." and divided (as the former Copies in Pynson, &c. had been) into Chapters, of which the following is an Abstract. Cap. 1. The Liberties of the Church, and the two Charters, confirmed. Cap. 2. The Statutes respecting Purveyors confirmed. Cap. 3. The Pardon granted in the preceding Parliament (Stat. 1. of this Year, c. 13.) was extended to all Persons whatever, except such as had been specially excepted by Name in the Parliament of 5 R. 2. Cap. 4. directed that Actions for Trespasses done during the Rebellion should be brought before the Expiration of Fifteen Days from the Feast of St. John the Baptist then next ensuing; and Cap. 5. provided, that in case, in any such Action, the Defendants could prove by Three or Four good Men and true, that the Fact for which the Action was brought was done merely by the Compulsion of others, such Defendants should go quit. See No. 12, 15, and 17. of printed Rot. Parl. of this Session.

Besides the above, and also several Articles for the Confirmation of existing Statutes, see further

(In the First Parliament.)

Printed Rot. Parl. iii.

Page 134, No. 15, Grant of one Fifteenth and Tenth for Defence of the Realm.

136, - 22, The King and Council empowered to remove the Staple from Calais to any Place in Flanders, and to regulate it accordingly.

138, - 35, Commissions of Eyre and Trailbaston discontinued; the former for Two Years, and the latter for One Year.

141, - 51, For granting Prohibitions, in case of Demands of First Fruits by the Pope's Collectors, for Benefices granted "by special Expectation," &c.

53, Repeal of 5 Ric. 2. st. 2. c. 5. (respecting Heretics) as not assented to by the Commons.

54, For regulating Exportation of Corn.

(In the Second Parliament.)

147, - 19, The City of London restored to all its Franchises.

REX vicecomiti Kancie salutem. Scias nos quedam statuta ordinationes et remissiones in ultimo parlamento nostro apud Westm' tento pro communi utilitate regni nostri Anglie fieri fecisse in hec verba :

TO the Laud and Honour of Almighty God, and of our Holy Mother the Church, and to the Commodity of the Realm of *England*, and Profit of the Commonweal, our Lord *Richard*, by the Grace of God King of *England* and of *France*, and Lord of *Ireland*, with the Assent of the Prelates, Dukes, Earls, Barons, and Commons of the said Realm of *England*, in his Parliament holden at *Westminster* the *Monday* in the *Octave* of *St. Michael*, in the Sixth Year of his Reign, hath caused to be made and established certain Statutes, Ordinances, Remissions, and Pardons, in Form following :

AD laudem et honorem omnipotentis Dei, et sancte matris Ecclesie, commodumque regni Anglie et utilitatem reipublice, dominus Ricardus Dei gratia Rex Anglie et Francie et Dominus Hibernie, de assensu prelatorum ducum comitum baronum et communium dicti regni Anglie, in parlamento suo, apud Westm' die Lune in octabis sancti Michaelis, anno regni sui Anglie sexto, convocato, statuta quedam, ordinationes remissiones et pardonationes, fieri fecit et stabiliri in forma subsequenti :

C A P. I.

A Confirmation of the Liberties of the Church, and of all Statutes not repealed.

FIRST it is ordained and accorded, That our Holy Mother the Church of *England* have all her Liberties whole and inviolate, and the same fully enjoy and use : and that the Great Charter, and the Charter of the Forest, and the Statutes made concerning Purveyors for the House of our Lord the King, and of others, and all other Statutes and Ordinances before this Time made, and not yet repealed, be firmly observed in all their Articles, and put in due Execution according to the Effect of the same.

IN primis ordinatum est et concordatum, quod sancta mater Ecclesia Anglicana habeat omnes libertates suas integras et illesas, ac eisdem plene gaudeat et utatur : Et quod Magna Carta et Carta de Foresta, statutaque facta de Provisoribus pro hospitio domini Regis et aliorum, ac omnia alia statuta et ordinationes ante hec tempora facta, et nondum revocata, in omnibus suis articulis firmiter observentur, et executioni debite juxta effectum eorundem demandentur.

C A P. II.

Writs of Debt, Accompt, &c. shall be commenced in the Counties where the Contracts were made.

ALSO, to the Intent that Writs of Debt and Accompt, and all other such Actions, be from henceforth taken in their Counties, and directed to the Sheriffs of the Counties where the Contracts of such Actions did arise ; it is ordained and accorded,

That

That if from henceforth in Suits upon such Writs it shall be declared, That the Contract thereof was made in another County than is contained in the original Writ, that then incontinently the same Writ shall be utterly abated.

ITEM ut brevia de debito et computo aliisque hujusmodi actionibus, quecumque de cetero capiantur in com' et dirigantur vicecomitibus com' ubi contractus actionum earundem emerferint, ordinatum est et concordatum quod (1) decetero in placitis super brevibus illis, narratum fuerit contractum inde fore factum in alio comitatu, quam in brevi originali continetur, quod tunc incontraenti breve illud penitus cassetur.

¹ si, P.

C A P. III.

How Writs of Nufance, called *Vicontiels*, shall be pursued.

ALSO it is ordained and accorded, That all Writs of Nufances, commonly called *Vicontiels*, shall be from henceforth made at the Election of the Plaintiff, in the Nature of old Times used, or else in the Nature of Assises determinable before our Lord the King's Justices of the one Bench or the other, or before the Justices of Assises to be taken in the County of the Place, assigned or to be assigned.

ITEM ordinatum est et concordatum quod omnia brevia de nocumentis, vicecomitalia vulgariter nuncupata, fiant decetero ad electionem querentis, in natura antiquitus usitata, vel etiam in natura assisarum terminabilium coram iustitiariis domini Regis de uno banco vel altero, seu iustitiar' assisarum in comitat' loci capiend' assignat' et assignand'.

C A P. IV.

Exemplifications of Instruments of Deeds (destroyed in the late Insurrection,) shall be of like Force as the original Deeds.

ALSO it is ordained and accorded, That all Inrollments of Deeds, and other Muniments, heretofore enrolled in the Rolls of the Chancery, of either Bench, and the Exchequer, of our Lord the King, and afterwards by Traitors to the King and his Realm, in the Insurrection late seditiously raised within the same Realm, torn, or otherwise imbezelled, shall be in due Form exemplified under the King's great Seal, without Fee of the Seal thereof to be paid; and that such Exemplifications so had, shall be of the same Effect and Strength in all Things, as the Deeds and Muniments themselves would have been, if they had remained whole and unhurt.

ITEM ordinatum est et concordatum quod omnia irrotulamenta, factorum ceterorumque munimentorum in rotulis cancellarie utriusque bancorum et scaccarii Regis, ante hec tempora irrotulorum, et postmodum per proditores domini Regis et regni, in insurrectione nuper infra idem regnum seditiose suborta, dilaceratorum,

torum, seu alias elongatorum, sub magno sigillo domini Regis, absque feodo sigilli inde solvendo, forma debita exemplificentur; quodque exemplificationes ille sic habite, ejusdem sint vigoris et effectus in omnibus, sicut facta et munimenta illa forent, si integra et illesa habita fuissent.

C A P. V.

[*But see Stat.
11 R. 2. c. 11.*]

Justices of Assise, &c. shall hold their Sessions in principal Towns.

ALSO it is ordained and accorded, That the Justices assigned and to be assigned to take Assises and deliver Gaols, shall from henceforth hold their Sessions in the principal and chief Towns of every of the Counties; that is to say, where the Shire Courts of the same Counties be holden, or hereafter shall be holden.

ITEM ordiuatum est et concordatum quod justitarii, ad assisas capiendas et gaolas deliberandas assignati et assignandi, decetero teneant sessiones suas in principalibus et capitalibus villis singulorum comitatum, ubi videlicet comitatus eorundem comitatum tenentur vel imposseium tenebuntur.

C A P. VI.

Punishment of Ravishers; and of Women who consent after Rape.

Where, after Rape, the Woman consents, both Parties shall be disabled to take by Inheritance, Dower, or Jointure.

The Husbands, or next of Blood may prosecute for the Rape.

Defendants denied the Wager of Battle. Saving of Escheats.

ALSO, against Offenders and Ravishers of Ladies, and of Daughters of Noblemen, and of other Women in almost every Part of the said Realm, in these Days offending more violently, and much more than they were wont; it is ordained and enacted, That wherefoever and whensoever such Ladies, Daughters, and other Women aforesaid be hereafter ravished, and after such Rape do consent to such Ravishers, that as well the Ravishers, as they that be ravished, and every of them, be from thenceforth disabled, and be in Fact unable to have or challenge all Inheritance, Dower, or Jointure after the Death of their Husbands and Ancestors. And that incontinently in this Case the next of the Blood of such Ravishers and ravished, to whom such Inheritance, Dower, or Jointure ought to descend, revert, remain, or fall after the Death of the Ravisher or ravished, shall have Title immediately, that is to say, directly after the Rape, to enter upon the Ravisher or ravished, and their Assigns, and Land-Tenants in the same Inheritance, Dower, or Jointure, and the same to hold in State of Inheritance. And that the Husbands of such Women, if they have Husbands, or if they have no Husbands alive, that then the Fathers, or other next of their Blood, have from henceforth the Suit to pursue, and may sue against such Offenders and Ravishers in this Behalf, and to have them thereof convict of Life, and of Member, although the said Women after such Rape did consent to the said Ravishers. And further it is accorded, That the Defendant in this Case shall not be received to wage Battle, but that the Truth of the Matter be thereof tried by Inquisition of the Country; Saving always to our Lord the King, and to other Lords of the said Realm, all their Escheats of the said Ravishers, if peradventure they be thereof convict.

ITEM

ITEM contra malefactores et raptores dominarum, et filiarum nobilium, aliarumque mulierum, violentius et plus solito hiis diebus, quasi in omni parte regni predicti, invalescentes; ordinatum est et statutum quod ubicunque et quandocunque huiusmodi domine, filie et alie mulieres predictae, decetero rapiantur, et post huiusmodi raptum huiusmodi raptoribus consenserint, quod tam raptores sive rapientes quam rapte, et eorum quilibet de cetero inhabilitentur, et inhabiles fiat ipso facto, ad omnem hereditatem dotem sive [conjunctum seoffamentum,¹] post mortem virorum et antecessorum suorum habend' et vendicand'. Et quod statim in hoc casu proximus de sanguine eorundem rapientium et raptarum, cui hereditas dos seu [conjunctum seoffamentum¹] descendere reverti remanere vel accidere deberet, post mortem rapientis vel rapte, habeat titulum immediate, statim scilicet post raptum, intrandi super rapientem vel raptam, ac eorum assignatos et terre tenentes, in eisdem hereditate dote seu [conjuncto seoffamento¹] et illa hereditarie tenend'. Et quod viri huiusmodi mulierum, si viros habuerint, vel si viros non habuerint superstites quod tunc patres vel alii de sanguine eorundem propinquiore, decetero habeant sectam prosequendi et sequi poterunt versus eosdem malefactores et raptores in hac parte, et illos inde, quamvis eodem mulieres post huiusmodi raptum dictis raptoribus consenserint, de vita et membro convincendi. Et ulterius concordatum est, quod defendens in hoc casu ad duellum vadiandum minime recipiatur; immo rei veritas inde per inquisitionem patrie trietur: Salvis semper Domino Regi et ceteris dominis regni predicti, de raptoribus illis, si fortassis inde convincantur, in omnibus elcaetis suis.

¹ joynture, *Rot. Parl.*

C A P. VII.

"The Sale of sweet Wines allowed; viz. at the same Price as Gascony and Rhenish Wines under 5 Ric. 2. Stat. 1. c. 4."

[See 5 Ric. 2. ff. 1. c. 5.]

C A P. VIII.

For explaining the Statute 5 Ric. 2. Stat. 1. c. 3. concerning Shipping.

ALSO, although in the said Parliament it was ordained, That none of the King's liege People, after the Feast of *Easter* then next coming, should in anywise ship any Merchandises or Goods, to be carried out of the Realm of *England*, or to be brought into the same Realm, in any Ships, upon Pain of Forfeiture of the said Goods and Merchandises, or the Value of the same, except in Ships of the King's Ligeance: yet with the Assent aforesaid, it is ordained and granted, That the said Ordinances shall only have place so long as Ships of the Ligeance of our said Lord the King, in the Parts where the said Merchants shall happen to dwell, be found able and sufficient: so that then they shall be bound to freight such Ships of the King's Ligeance, with their Merchandises, upon the Pain aforesaid, before all other Ships; but otherwise it shall be lawful to the aforesaid Merchants to hire other

[See Stat. 5 Ric. 2. ff. 1. c. 3.]
Where no English Ships are to be had, Subjects may import or export Merchandises in other Ships.

Ships convenient, and there to freight them with their Goods and Merchandises, the said first Statute notwithstanding.

ITEM licet in eodem parlamento * alias ordinatum fuisset quod nullus ligeus domini Regis, post festum Pasche proximo futurum, aliqua mercandisia seu bona, extra regnum Anglie educenda, sue infra idem regnum adducenda, in aliquibus navibus, sub pena forisfacture bonorum et mercandiarum predictorum vel valoris eorundem, preterquam in navibus de ligeantia Regis predicti, aliquantisper eskipparet; de assensu tamen predicto ordinatum est et concessum, quod quamdiu naves de ligeantia ejusdem domini Regis, in partibus ubi eosdem mercatores conversari contigerit habiles et sufficientes inveniantur, quod dicta ordinatio tantum locum habeat; sic quod tunc easdem naves, de ligeantia Regis, sub pena predicta, pre aliis omnibus navibus, de mercandisiis suis frettare teneantur; Alioquin vero liceat prefatis mercatoribus alias naves competentes conducere, et ibidem de bonis et mercandisiis suis frettare, dicto priori statuto non obstante.

* i. e. 5 Ric. 2. recited in the preceding Chapter.

C A P. IX.

No Victualler shall execute a Judicial Place in a City or Town Corporate.

[Query if
repealed by
7 R. 2. c. 11.
and see
3 H. 8. c. 8.]

ALSO it is ordained and enacted, That neither in the City of London, nor in other Cities, Boroughs, Towns, or Ports of the Sea, throughout the Realm aforesaid, any Victualler shall hereafter have, exercise, nor in any wise occupy any judicial Office, except in Towns where any other Person sufficient cannot be found to hold such Office; and in such Case the said Judge, for the Time that he shall continue in the said Office, shall utterly omit and abstain himself and his from the exercise of victualling, upon Pain of Forfeiture of his Victuals so sold.

ITEM ordinatum est et statutum quod nec in civitate London, nec in aliis civitatibus burgis villis vel portibus maris, per totum regnum predictum, aliquis vitallarius officium judiciale decetero habeat exerceat neque occupet quovismodo, nisi in villis ubi alia persona sufficiens ad hujusmodi statum habendum reperiri non poterit; in quo tamen casu idem iudex, pro tempore quo in officio illo steterit, ab exercitio vitallarie, sub pena forisfacture victualium suorum sic venditorum, penitus cesset, et se abstineat per se et suos omnino ab eodem.

C A P. X.

Aliens being in Amity with the King, may bring in Victuals, and sell them.

[Query if
repealed by Stat.
7 R. 2. c. 11.
But see
1 H. 4. c. 17.
24 H. 6. c. 6.
by which it is
expressly
confirmed.]

ALSO it is ordained and accorded, That all Manner of Foreigners and Aliens being of the Amity of the King, and of his Realm, and coming within the said City of London, and other Cities, Boroughs, and Towns within the said Realm, as well within Liberties as without, with Fish and all Manner of other Victuals, in their tarrying there and going again to their own Countries,

Countries, shall from henceforth be under the Safeguard and special Protection of our said Lord the King; and there it shall be lawful to them and every of them, and by Force of these presents they may from henceforth cut their Fishes and Victuals aforesaid, without Impeachment or Denial of any Man, in Pieces, and in Part, or in all, by Retail, or in Gross, as to them best shall seem, to sell and make their Profit thereof; any Statutes, Charters, Ordinances, Privileges, or Customs made or had to the contrary notwithstanding.

ITEM ordinatum est et concordatum quod quicunque forinseci et alienegene, de amicitia Regis et regni existentes, venientesque infra dictam civitatem London' et alias civitates burgos et villas infra regnum predictum, tam infra libertates quam extra, cum piscibus et aliis victualibus quibuscunque, ibidem morando et ad propria redeundo sint decetero sub salva garda et speciali protectione domini Regis predicti; et ibidem liceat eis et eorum cuilibet, ac vigore presentium de cetero poterunt, pisces et victualia predicta, absque impedimento et contradictione cujuscunque, scindere per pecias talliare, ac in parte vel in toto et ad retalliam sive in grosso, prout sibi melius placuerit, vendere atque commodum suum inde facere quibuscunque statutis cartis ordinationibus privilegiis seu consuetudinibus factis vel habitis in contrarium non obstantibus.

C A P. XI.

For regulating the Sale of Fish.

HOSTS in London and other Cities, Towns, &c. on the Sea Coasts, shall not forestall Fish or other Victuals. Fishmongers of London may not buy fresh Fish to sell again, except Eels, &c."

[Repealed 7 Ric. 2. c. 11.]

C A P. XII.

"The Mayor of London and chief Officers of Towns Corporate shall be sworn to observe the foregoing Ordinance touching Fishmongers and Victuallers."

[Repealed 7 Ric. 2. c. 11.]

C A P. XIII.

The King's Pardon.

[See printed Rot. Parl. 5 R. 2. n. 32, 95, 106; 6 R. 2. n. 43, 49; and, for the Names of Persons excepted, 5 R. 2. n. 63, and 6 R. 2. n. 16, 43. By Stat. 6 R. 2. ft. 2. c. 3. this Pardon was extended to all except those specially excepted by Name in Rot. Parl. 5 Ric. 2. n. 63.—See Note ante, p. 61.]

ALSO, at the Supplication and Instance of the Commons of the said Realm, our said Sovereign Lord the King of his special Grace, and with the Assent aforesaid, and to the Intent that the said Commonalty from henceforth may the more fervently abide in the Faith, Love, and Obedience of our said Sovereign

Pardon of all Offenders in the late Insurrection, with certain Exceptions. See Note above.

Lord the King and of his Heirs, and peaceably bear themselves in all Parts through the said Realm, hath pardoned and remitted to all and singular his liege People and Subjects, of what Estate, Degree, or Condition they be—(Except all those whose Names heretofore in the Parliaments of our said Lord the King, in the Fifth and Sixth Years of his Reign, were delivered to be excepted from all Grace then granted by our said Lord the King, such as of the principal Beginners, Abettors, and Procurers of the Insurrection late traiterously arisen within this Realm, whereof they be arraigned; and also other Three Persons, Citizens of *London*, which now in Parliament be in especial arraigned for this, that is to say, that One of the said Citizens did first and principally prevent *William Walworth*, late Mayor of *London*, and certain other the King's faithful People, from shutting the Gates of the said City against the Communalities of *Kent* and *Essex*, then traiterously assembled in the said Insurrection, that they might not have Entry into the said City, and to defend the same City from the said Traitors; and the other Two of the said Three Citizens of *London* were arraigned, that they were to have been the first and chief Counsellors of the said Traitors, that they might come and enter the said City, and Leaders of the said Traitors within the said City: and all other fully being in the same Case of the Three Citizens, or any of them; and also all and singular Persons of the Town of *Saint Edmondsbury*, in like Manner excepted,)—the Suit of his Peace, and whatever to him pertaineth or may pertain for all Manner of Treasons and Felonies in the said Insurrections, that is to say, betwixt the First Day of *May*, in the Fourth Year of our Lord the King's Reign, and the Feast of the Nativity of *Saint John the Baptist* then next following, in any Manner of wise done or committed, whereof they were indicted, arraigned, or appealed; and also the Outlawries, if any against them, or any of them were on such Occasions promulgated; and by the Tenor of these Presents hath granted to them and every of them his firm Peace, and the same by these Presents doth grant: So nevertheless, that they stand to Right in the King's Court, if any against them, or any of them will complain concerning the Premises, or any of them. Also our said Sovereign Lord the King hath pardoned and remitted to the Commonalty of his said Realm, and to every singular Person of the said Realm (except before excepted) whatever to him pertaineth or may pertain, for all Trespasses in any Manner of wise done or committed in the same Realm before the Twenty-fourth Day of *October* in this present Year: (all Trespasses by any Officers whatever of our Lord the King, and of other Lords and Great Men of the Realm, and also by all Maintainers of Quarrels, and Jurors, and also Trespasses any way concerning Lands and Tenements, committed before the said Twenty-fourth Day of *October*, specially excepted): And moreover it is ordained by our said Sovereign Lord the King, and graciously granted, that the Grace, Remissions, and Pardons aforesaid shall be available to every of the King's liege People (except before excepted), as though every of them hereupon had or should obtain thereof the King's special Charter.

Pardon of all
Trespases.

Exceptions.

No special
Charter need
be sued out.

ITEM,

ITEM, ad instantem supplicationem communis regni predicti, idem dominus noster Rex de gratia sua speciali, et de assensu predicto, et ut eadem communis de cetero in fide dilectione et obedientia ipsius domini Regis et heredum suorum serventis permaneat, ac pacifice ubique in regno predicto se gerat, pardonavit et remisit omnibus et singulis ligens et regnicolis suis, cujuscunque status gradus seu conditionis fuerint—(Exceptis illis omnibus quorum nomina alias, in parlamento ipsius domini Regis, annis regni ejusdem Regis quinto et sexto, ab omni gratia per ipsum regem tunc facta excipienda, liberata fuerunt, tanquam videlicet principalium inceptorum abattatorum et procuratorum insurrectionis, nuper infra regnum predictum proditorie suborte, unde reſtati sunt; nec non tribus aliis personis, civibus London, qui jam in parlamento, de eo videlicet, quod unus eorundem civium, Willielmum de Wallworth nuper majorem London, ac quosdam alios fideles ipsius regis, quo minus ipsi portas dicte civitatis, contra communitates Kancie et Essexie, in dicta insurrectione proditorie tunc congregatas, ut in eandem civitatem ingressum non habuissent, claudere, et ab eisdem proditoribus defendere potuerunt, primo et principaliter impedivisse debuit; ceteri vero duo eorundem trium civium, de eo quod ipsi, primi et principales consilarii eorundem proditorum, ut ad dictam civitatem accederent et eam ingrederentur, ac duces eorundem proditorum infra civitatem illam, extitisse debuerunt, in speciali etiam reſtati sunt; ac omnibus aliis, in eodem casu dictorum trium civium vel alicujus eorundem plene existentibus, ac etiam omnibus et singulis personis ville de Bury Sancti Edmundi, similiter exceptis)—ſectam pacis sue, et quicquid ad ipsam pertinet vel pertinere poterit, pro omnimodis proditoriis et felonis in dicta insurrectione, inter videlicet primum diem Maii anno regni domini Regis quarto, et festum Nativitatis sancti Johannis Baptiste extunc prox' sequens, qualitercunque factis live perpetratis, unde indictati reſtati vel appellati fuerint; Ac etiam utlagar' si que in ipsos seu eorum aliquem hiis occasionibus fuerint promulgate; et firmam pacem suam tenore presentium eis et eorum cuilibet inde concessit, et concedit per presentes; ita tamen quod sient reſcto in curia regis, si quis vel qui inde versus eos seu eorum aliquem loqui voluerint vel voluerit, de premissis seu aliquo premissorum. Pardonavit insuper et remisit idem Dominus Rex communitati regni sui predicti, et cuilibet singulari persone ejusdem regni, exceptis preexceptis, quicquid ad eum pertinet vel pertinere poterit pro omnibus transgressionibus, in eodem regno ante vicessimum quartum diem Octobr' anno presenti, qualitercunque factis live perpetratis: transgressionibus tamen omnibus, per quoscumque officarios domini Regis et aliorum dominorum et magnatum regni, necnon per manutentores querelarum et juratores omnes, ac etiam transgressionibus terras et tenementa qualitercunque concernentibus, ante dictum vicessimum quartum diem factis, specialiter exceptis. Et ulterius ordinatum est per Dominum Regem predictum, et gratioſe concessum, quod gratia remissiones et pardonationes predictae valeant cuicunque ligo Regis predicti, exceptis preexceptis, ac si inde cartam ipsius Regis in speciali quisquis eorum super hoc penes se haberet vel etiam obtineret.

[*Et ideo tibi precipimus quod statuta ordinationes gratiam pardonationes et remissiones predicta in locis infra ballivam tuam ubi melius expedire videris, infra libertates et extra, publice ex parte nostra proclamari, distaque statuta et ordinationes in omnibus firmiter teneri, facias juxta tenorem et effectum eorundem.*]

T. R. apud Westm' xxiii. die Octobr' anno sexto.

Consimilia mandata diriguntur singulis vicecomitibus per Angliam sub eadem data.

6 RIC. II. STAT. 2. (A.D. 1382-3.)

REX vicecomitibus London et Middlesexie salutem. Sciatis quod in parlamento nostro apud Westm' ultimo tento quedam statuta pardonationes et ordinationes fieri fecimus in hec verba :
 " In parlamento tento apud Westm' die Lune in tertia septimana
 " Quadagesime, anno regni Regis Ricardi secundi post conquestum sexto, Dominus noster Rex, de assensu prelatorum procerum et magnatum sibi in eodem parlamento assistentium,
 " statuta quedam remissiones et ordinationes fieri fecit, ad laudem
 " et honorem omnipotentis Dei et pro quiete populi sui in forma
 " subsequenti :"

[*For the Contents of the Statute, see Note ante, p. 61.*]

Vobis precipimus quod statuta ordinationes et pardonationes predicta infra ballivam vestram publice proclamari et firmiter teneri facias juxta effectum et tenorem eorundem.

T. R. apud Westm' xvij. die Maii anno regni nostri sexto.

Consimilia mandata diriguntur vicecomitibus subscriptis sub eadem data videlicet

Vic' Norff' et Suff'

Vic' Essex' et Herif'

Vic' Lincoln'

Vic' Ebor'

Vic' Kanc'

Vic' Surr' et Suffex'

Vic' Somers' et Dors'

Vic' Cornub'

Vic' Devon'

Vic' Cantabr' et Hunt'

Vic' Bed' et Buk'

Vic' Northampt'

Vic' Glouc'

Vic' Suthampt'

Vic' Wiltes.

Anno septimo RICARDI II.

In the Parliament held at Westminster on the Monday next before the Feast of All Saints, (26th October *) * Printed Rot. Parl.
A.D. 1383.

From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 19." compared with Pynson and printed Rot. Parl.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. p. 149, &c.

Chapter of Statute.	Number in printed Roll.
1 } —	{ 26, 40.
2 }	
3 } — —	{ 60.
4 }	
5 — —	28.
6 — —	29.
7 — —	38.
8 — —	30.
9 — —	32.
10 — —	41.
11 — —	37, 45, 47.
12 — —	49, 54.
13 — —	56.
14 — —	33.
15 — —	—
16 — —	59.
17 — —	48.

Besides the above, and also several Articles for the Confirmation of existing Statutes, see further
Printed Rot. Parl. iii.

Page 151, No. 12, 13,
and see
160, No. 36,

Grant of a Fifteenth by Two Moieties payable, one at the Octaves of Saint Hillary, and the other at the Feast of Pentecost (if the War continued); and the Subsidy of Poundage [Sixpence per Pound] on Merchandize, and Tonnage [Two Shillings per Tun] on Wine continued till the ensuing Michaelmas; as a special Aid for guarding the Sea, and on the Conditions mentioned in the Act.

- Printed Rot. Parl. iii.* { *Proceedings against the Bishop of Nor-*
Page 152, No. 15, wick and others by Impeachment and
 158, — 25, { *Judgement in Parliament.*
 159, — 31, *For fixing the Staple at Calais in case of*
 Peace.
 35, *For regulating a Duty on Wool exported*
 elsewhere than to Calais.
 160, — 39, *That Officers in the King's Courts con-*
 victed of Falsity, &c. should never be
 restored to their Offices.
 161, — 42, *For fortifying, &c. Castles on the Marches*
 of Scotland.
 44, *For making Allowances to Sheriffs in their*
 Accounts.
 162, — 50, *That none shall be disturbed in their Pos-*
 sessions by Commissions out of Chancery
 without due Process and Answer. That
 all Petitions and Bills in Parliament
 shall be determined ["exploitez"] in
 Parliament when requisite, and such as
 can be determined by the Council shall be
 sent there; and such Bills as ar' of
 Favour ["de Grace"] shall be deli-
 vered to the King.
 164, — 57, *For amending a Record erased, and pu-*
 nishing the Person erasing.
 62, *For permitting the Town of Guildford to*
 renew their Charters, destroyed in the
 Riots, from the Enrolment.

A Parliament was also held at Salisbury on the Friday next after the Feast of St. Mark the Evangelist (29th April, 1384. See printed Rot. Parl. iii. p. 166, &c. In this Parliament the last Moiety of the Fifteenth granted in the preceding Parliament was regranted without any Condition, and also an additional Half-fifteenth granted. See also

Page 173, No. 23, For regulating the Election of Aldermen in the City of London.

174, — 26, *Confirmation of the Statute 6 R. 2. c. 6.*

175, — 1, *That Persons who were slain in the late Insurrections shall be held as Felons convicted, and their Lands forfeited accordingly.*

[*RICHARD by the Grace of God, &c. to the Sheriff of York, Granting.*]

Know thou, that at our Parliament holden at Westminster the Monday next before the Feast of All Saints last past, to the Honour
 of

of God and of Holy Chureh, and for the common Profit of the Realm, with the Assent of the Prelates, Lords, and Commons being at the said Parliament, we have caused to be made certain Statutes and Ordinances in Form following.

[*LE Roi a nostre visconte de Kent, Saluz.*]

Sachez qe nostre Parlement, tenuz a Westm' le Lundy prochein devant le feste de Toutz Seintz darrein passe, al honour de Dieu et de Sainte Eglise, et pur commune profit du roialme, de lassent des Prelatz Seignurs et Communes esteantz el dit parkement, avom fait faire certains estatutz et ordinances en la fourme qe sensuit.

Richard, &c. a vise' d'Everwyk, Saluz. P.

C A P. I.

“ A Confirmation of the Liberties of the Church.”

C A P. II.

“ A Confirmation of all former Statutes in Forcé.”

C A P. III.

A Jury for a Trespass within the Forest shall give their Verdict where they received their Charge.

ALSO, at the grievous Complaint which is now made of the Officers of the Forest, it is assented and accorded, That no Manner of Jury shall be from henceforth compelled by any Officer of the Forest or other Person whatsoever, to travel from Place to Place out of the Places where their Charge is given to them, against their Will; nor by Malice, or by Menace, or other Duress, constrained to give their Verdict of a Trespass done in the Forest, otherwise than their Conscience will clearly inform them; but they shall give their Verdicts upon their Charge, in the Places where such Charge is given them, as above is said.

ITEM, a la grevouise plainte qest ore faite des ministres de la foreste, est assentuz et accorde qe nulle manere de juree soit desore artez, par aucun ministre de la foreste nautre persone quelconque, de travailler de lieu en lieu, hors des lieux ou leur charge lour est donez, contre lour gree, ne par malice ou par manace ou autre duretee, constreinte de dire lour veredit de trespas fait en foreste autrement qe leur conscience ne lour ent vortra clerement ensourmer: einz dientils lour vereditz sur leur charge es lieux ou celle charge lour est donez come cdefus est dit.

C A P. IV.

None shall be taken or imprisoned by the Officers of the Forest without Indictment.

[See Stat.
1 E. 3. f. 1. c. 8.]

ALSO it is assented That no Man be taken nor imprisoned by an Officer of the Forest without due Indictment, or being taken with the Manner, or trespassing in the Forest; nor shall be constrained to make any Obligation or Ransom to any Officer of the Forest in any Sort against their Agreement and the Assise of the Forest. And if any do against this Ordinance in any Point,
and

and thereof be attained, he shall pay to the Parties damnified their double Damages, and Fine and Ransom to the King for his Offence.

ET est assentuz qe null homme soit pris nenprisonnez par ministre de foreste, sanz due enditement ou ⁽¹⁾ mainoeuvre ou trespassant en la foreste; ne constreint de faire obligation ou redemption a aucun ministre du foreste, par queconque manere, encontre leur gree et lassise de foreste. Et si aucun face encontre ceste ordinance en aucun point, et de ce soit atteint paie as parties endamagenez leurs doubles damages, et fyn et ranceon au Roy pur son malefait.

¹ per, P.

[Repealed Stat.
21 Jac. 1. c. 28.
§ 11.]

Confirmation of
5 E. 3. c. 14, &c.

Justices of Assize
&c. may inquire
of Vagabonds,
and take Surety
for their good
Behaviour, or in
Default commit
them to Gaol;
&c.

C A P. V.

For Punishment of Vagabonds.

ALSO it is ordained and assented, That the Statutes made in the Time of King *Edward*, Grandfather to our Sovereign Lord the King that now is, of Roberdsmen and Drawlatches be firmly holden and kept. And moreover it is ordained and assented, to restrain the Malice of divers People, [Faitors¹] and Wanderers from Place to Place, now running about the Country more abundantly than they were wont in Times past, that from henceforth the Justices of Assizes in their Sessions, the Justices of Peace, and the Sheriffs in every County shall have Power to inquire of all such Vagabonds and Faitors and of their Offences, and upon them to do as the Law demandeth. And that as well the said Justices and Sheriffs, as the Mayors, Bailiffs, Constables, and other Governors of Towns and Places, where such Faitors and Vagabonds shall come, shall from henceforth have Power to examine them diligently, and to compel them to find Surety for their good Behaviour, by sufficient Mainpernors, of such as be distrainable, if any Default be afterwards found in such Faitors and Vagabonds: and if they cannot find such Surety, they shall be sent to the next Gaol, there to abide till the Coming of the Justices assigned for the Deliverance of the Gaols, who in such Case shall have Power to do upon such Faitors and Vagabonds so imprisoned, that which thereof to them best shall seem to be done by Law.

¹ i. e. "idlers."

ITEM ordeignez est et assentuz qe lestatutz faitz en temps le noble Roy Edward, aiel nostre Seigneur le Roi qore est, de roberdesmen et drawlatches soient fermement tenuz et gardez. Et outre ce est ordeignez et assentuz, pur restreindre la malice des diverses gentz faitours et vagerantz de lieu en lieu, curreantz de present par pais plus habundamment qe ne soloient avant ces heures, qe desore les justices des assises en leur sessions, les justices de la paix et les viscontz en chescun countee, aient poair denquere de toutz tielx vagerantz et faitours et de leurs malfaitz, et sur eux faire ce que la ley demande. Et qe siben les ditz justices et viscontz, come les mairs bailiffs constables et autres gouvernours de villes et lieux, ou tielx faitours et vagerantz vendront, aient desore poair de leur examiner diligement, et compeller de trover seurtee de leur bon port, par sufficiantz mainparnours des tielx qe soient destrein-

destreinales, si aucune defaute feusse deslors trovez en mesmes les faitours et vagerantz; et s'ils ne poient tielle seurtee trouver soient mandez al proscheine gaole, pur y demorer tanqe a la venue des justices assignez pur deliverance des gaoles, les queux en tiel cas aient poair de faire sur les ditz vagerantz et faitours issint emprisonnez ceo qe leur ent semblera mieultz affaire par la ley.

C A P. VI.

For Confirmation and Proclamation of the Statute of
Winchester.

AL SO, for the grievous Mischiefs and Complaints that do daily happen by Robberies, Thefts, Manslaughters, Burning of Houses, and Ridings in Routs and great Companies in every Part of the Realm; it is ordained and assented, That the Statute of *Winchester*, the Tenour whereof was sent by our Lord the King, in the Year last past into every County of *England*, to be there proclaimed, be holden and kept in all Points, and put in good and speedy Execution, at the Complaint and Pursuit of every Man that shall feel himself grieved against the Tenour of the same. And to the Intent that no Man may excuse himself by Ignorance of the same Statute, it is also assented, That every Sheriff of *England* shall be bound henceforth in proper Person to make Proclamation of the same Statute four Times in the Year in every Hundred of his Bailiwick, and by his Bailiffs in every Market-town, as well within Liberties as without.

[See printed
Rot. Parl. iii.
p. 158. No. 29.
as to Recovery
by the Party
robbed.]

Stat Wym.
13 E 1 c. 2.
continued.

Sheriffs shall
proclaim the said
Statute four
Times in a Year,
&c.

ITEM sur les grevous meschies et compleintz qe aveignent, de jour en autre, des roberies larcins homicides arsures des maisons, et chivachees es routes et grandes compaignies chescune part du roialme, ordeigne est et assentuz qe lestatut de Wyncestre, dont le tenour estoit envoiez par nostre Seignur le Roi en lan prochein passez en chescun countee d'Engleterre pur y estre proclamez, soit tenuz et gardez en toutz pointz et mys eu bon et hastive execution, a la plaint et poursuite de chescun qi se sentera grevez encontre le tenour dicelle. Et au syn qe homme ne se purra desore excuser par ignorance de mesme lestatut, est auxint assentuz qe chescun viscount d'Engleterre soit tenuz, de cy en avant, en propre persone de faire proclamation de mesme lestatut quatre foitz lan, en chescun hundred de sa baillie, et par ses bailifs en chescune ville marchee, sibien deinz franchises come dehors.

C A P. VII.

In Default of the Parties a *Nisi Prius* may be granted at the Suit of any of the Jurors.

AL SO, against the Mischief that happeneth to divers People of the Realm, who are impanelled and returned before the Justices and Barons of the Exchequer; in which Case, because that the Inquest is not pursued to the End by those that be Parties, but put in Delay from Year to Year, the Jurors do greatly lose, and some much more than the Value of their Land is by Year, to their great Impoverishing and Destruction: It is accorded and assented, That from henceforth in all Manner of Pleas in which

which the Writ of *Nisi prius* is grantable of Course, after the great Distress Three Times served and returned before the Justices against the Jurors, and thereupon the Parties demanded, if none of the said Parties will pursue, or if the Parties refuse to have the Writ of *Nisi prius* in the Case, then at the Suit of any of such Jurors who shall be present, the Writ of *Nisi prius* shall be made and granted, and that as well in the Exchequer as elsewhere, and thereupon the Suit shall be put an End to without Delay, according as the Case requireth, and the Law demandeth.

ITEM rencontre le meschief q'vient as diverses gentz du roialme, queux sont empanellez et retournent devant les Justices et Barons de leschequir, en quel cas par cause qe lenqueste nest mye pursuee au syn par ceux q' sont parties, einz mys en delay dan en an, les jurours y perdent grandement, et ascuns plus qe la value de leur terre est par an, a lour tresgrant empoverissement et destruction : Est accordez et assentuz qe desore en avant en toutes maneres des places, en queux brief de nisi prius est grantable doffice, apres le grande destresse trois soitz serviz et retournent devant les juges devers la juree, et sur ce les parties demandez, si nulle des dites parties veuille poursuivre, ou si les parties refussent d'avoir brief de Nisi prius en le cas, adonques a la poursuite daucun diceux jurours q' soit present soit brief de Nisi prius fait et grantez, et ce auxibien en leschequir come ailleurs, et sur ce la querelle mysse au syn sanz delay, selonc ce qe le cas requiert et la ley demande.

C A P. VIII.

“ Confirmation of Stat. 36 E. 3. §. 1. c. 6. against Purveyance by Subjects.”

C A P. IX.

A Confirmation of all former Statutes concerning Cloths.

“ **F**ORMER Statutes for the Assise of Cloths, and respecting the Duty of Aulnegers and Collectors confirmed.—One third of the Cloth forfeited given to the Informer.” [See Stat. 5 & 6 E. 6. c. 6. § 50.]

C A P. X.

Assise for Rents issuing out of Lands in divers Counties, shall be taken on the Confines of the Counties.

ALSO it is ordained and assented, That an Assise of *Novel disseisin* shall be from henceforth granted and made of Rent behind due for Tenements being in divers Counties, to be holden in the Confine of the Counties, within which the Tenements be ; and thereupon the Assise taken and tried by People of the said Counties, in the same Manner as is done of Common of Pasture being in one County, and appendant to Tenements in another County ; and that as well of Disseisins done in Times past, as of Disseisins yet to be done ; and that Writs thereupon at the Suit of the Plaintiffs be made from henceforth in the Chancery without any Manner of Contradiction, in due Form.

ITEM

ITEM est ordeignez et assentuz qassise de novele disseisine soit desore grante et fait de rent aderiere due des tenementz esteantz es diverses countees, a tenir en la confyne des countees deinz queux les enementz sont; et sur ce lassise prise et trie par gentz des ditz countees, en mesme la manere come est fait du commune de pasture esteantz en un countee et appendante as tenementz en autre countee; et ce auxi avant des disseines faites devant ceste heure, come de disseines unqore affaires; et qe briefs sur ceo a la pursuite des plaintifs soient desore faitz en la chauncellarie sanz nulle manere de contradiccion en due forme.

C A P. XI.

A Repeal of the Statutes 5 Ric. 2. (c. 4, 5.), and 6 Ric. 2. (c. 7, 11, 12.) concerning Fishmongers, Victuallers, and Vintners.

ALSO, whereas late in divers Parliaments holden at *Westminster*, in the Fifth and Sixth Years of our said Lord the King, divers Ordinances and Statutes were made concerning Fishmongers of *London* and other Victuallers, and also of Vintners, and of the Sale of Wines; and thereupon the said Ordinances and Statutes, with the Pains in them contained, were published and proclaimed throughout the Realm, as in the said Statutes and Ordinances more plainly may appear: Nevertheless for certain Causes, at the Request of the Commons of *England* thereupon specially made, it is assented and agreed, That the said Ordinances and Statutes of Fishmongers, Vintners, and Victuallers, made in the Years aforesaid, shall be wholly annulled and repealed, and shall lose their Force and Virtue: Saving nevertheless to the King all the Forfeitures of Wines, for the Time past, that to him pertain by Virtue of the same Ordinances and Statutes: Provided always, That all [Vintners¹] and Victuallers, as well Fishmongers as others coming with their Victuals to the said City of *London*, shall be from henceforth under the Governance and Rule of the Mayor and Aldermen of the said City for the Time being, as in Time they had there used to be.

Vintners,
Victuallers, &c.
in *London*,
shall be under
the Rule of the
Mayor &c.

ITEM combien qe nadgairs en diverses parlementz tenuz a *Westm'*, les ans du regne nostre dit Seigneur le Roi quint et sisme, furent faitz diverses ordinances et estatutz des peisoners de *Londres*, et dautres vitailiers, et auxint des vineters, et la ventedes vins; et sur ce mesmes les ordinances et estatutz, oveqse les peynes encelles contenuz, furent publiez et proclamez parmy le roialme, sicome en les ditz ordinances et estatutz pluis pleinement purra apparoir; Nientmeyns pur certains enchesons, a la requeste des Communes d'Angleterre sur ceo especialment faite, est assentuz et accordez qe mesmes les ordinances et estatutz des peisoners, vineters, et vitailiers, faitz en les ans desuis ditz, soient de tout anientiz et repellez, et perdent lour force et vertue: Sauvez nientmeins a nostre Seigneur le Roi toutz les forfaitures des vins, a lay appartenantes par vertue de mesmes les ordinances et estatutz, qant al temps passez; purveu toutz soit qe toutz les [vins¹] et vitailiers, sibien peisoners come autres, ove lour vitailles venantz

¹ vintners, p.

a la dite citee de Londres soient desore desouz le governaile et reule des meir et aldermannes de la citee avant dite pur le temps esseautz, come auncienement y soleient estre.

C A P. XII.

For confirming and amending the Statute 3 Ric. 2. c. 3. respecting the Benefices of Aliens.

Stat. 3 R. 2.
c. 3. recited,

confirmed, and
extended to
Aliens holding
Benefices in
England :
who shall also
be liable to the
Penalties of
Stat. 25 E. 3.
c. 5. c. 22.

Restraint of the
King's Licences
to the contrary.

The Cardinal of
Naples excepted.

ALSO, whereas late in the Parliament holden at *Westminster*, in the Third Year of the Reign of our said Lord the King, at the Request of the Commons, and by the Assent of the Lords Temporal, it was ordained and assented, and upon a grievous Pain enjoined, that no Subject of the King nor other Person, of what Estate or Condition he were, should take, nor receive from thenceforth, within the Realm of *England*, any Procuracy, Letter of Attorney, nor Ferm, nor other Administration by Indenture, or in any other Manner whatever, from any Person of any Benefice of Holy Church within the said Realm, but only of our Lord the King's Subjects of the said Realm, without the especial Grace and express Licence of our said Lord the King, upon a certain Pain contained in the said Statute; It is now assented and agreed by the same Lords, That the said Statute shall hold his Force and Virtue in all Points. And moreover it is also assented, that if any Alien have purchased, or from henceforth shall purchase, any Benefice of Holy Church, Dignity, or other, and in his proper Person take Possession of the same, or in fact occupy the same within the said Realm, whether it be to his own proper Use, or to the Use of another, without especial Licence of the King, he shall be comprised within the same Statute: And moreover shall incur in all Points such Pains and Forcitures as are ordained by another Statute made in the Five-and-twentieth Year of the Reign of the noble King *Edward*, Grandfather to our Lord the King that now is, against them that purchase Provisions of Abbeyes or Priories. And to the Intent that such Licences shall not be from henceforth made, the King willeth and commandeth to all his Subjects and other, that they shall abstain from henceforth to pray him to give any such Licences. And also the King himself will refrain from giving any such Licence, during the Wars, except to the Cardinal of *Naples*, or to some other special Person to whom the King is beholden for a special Cause.

ITEM come nadgairs en parlement tenuz a Westm', lan du regne nostre dit Seigneur le Roi tierce, a la requeste des communes et par assent des Seignurs temporels, estoit ordeigne et assentuz, et sur grevoue peyne defenduz, qe null liege le Roi nautre persone quelconqe de quel estat ou condition qil fust, prendroit ne reseivoit delors enavant, deinz le roialme d'Engleterre, procracie lettre dattourne ne ferme nautre administration, par endenture nautre manere quelconqe, de nulle persone dascun benefice de Seinte Esglise deinz le dit roialme, fors tantseulement des lieges nostre Seigneur le Roi de mesme le roialme, sanz especiale grace et expresse congie de nostre Seigneur le Roi, sur certeine peine comprise en lestatur avantdit: Assentuz est ore et accordez, par mesmes les Seignurs, qe mesme lestatur tiegne ses force et vertu

tue en toutz pointz. Et outre ceo est auxint assentuz, qe si ascun alie neit purchacez, ou desore purchace, ascun benefice de Seint Eglise, dignite ou autre (¹), et en propre persone preigne possession dicelle, ou loccupie de fait deinz mesme le roialme, soit il a son oeps propre ou al oeps dautri, sanz especial congie du Roi, soit il compris en mesme lestatut; et outre ceq encourge en toutz pointz tielx peines et forfaiture come sont ordeinez par un autre estatut fait en lan xxv. del regne luy noble Roi E. aiel nostre Seigneur le Roi qore est, contre ceux qi purchacent provisions dabbeyes ou priories. Et en outre au syn qe tielx licences ne se facent desore enavant le Roi voet et commande, a touz ses lieges et autres, qils leur abstiegnent de cy enavant de luy prier dascuns tielx licences doner. Et si voet auxi le Roi luy mesmes abstiegnier de doner aucune tiele licence durantes les guerres; horspris au Cardinal de Naples ou a autre especial persone, a qi le Roi soit par especial cause tenuz.

¹ chose, P.

C A P. XIII.

No Man shall ride in Harness within the Realm, nor with Launcegays.

ALSO it is ordained and assented, and the King doth enjoin, That from henceforth no Man shall ride within the Realm [armed ¹], against the Form of the Statute of *Northampton* * thereupon made; neither with Launcegay within the said Realm; the which Launcegays be clearly put out within the said Realm, as a Thing prohibited by our Lord the King, upon Pain of Forfeiture of the said Launcegays, Armour, and other Harness whatever, in the Hands and Possession of those that shall henceforth bear them within the said Realm, against the Statutes and Ordinances aforesaid, without our Lord the King's special Licence.

* 2 E. 3. c. 3.

¹ Some Translations read "in Harness."

ITEM est ordeigne et assentuz, et le Roi defende, qe desoremes null homme chivache deinz le roialme armez, encontre la forme de lestatut de Northampton sur ce fait; ne ovesqe lancegay deinz mesme le roialme; les queux lancegays soient de tout oustz deinz le dit roialme, come chose defendue par nostre Seigneur le Roi, sur peine de forfaiture dicelx lancegays armures et autres herneys quelconques, es mayns et possession de celluy qi les portera desore deinz mesme le roialme, contre cestz estatutz et ordinances, sanz especial congie de Roi nostre Seigneur.

C A P. XIV.

For allowing Defendants to make Attornies in Writs of *Premunire facias*.

ALSO in Writs of *Premunire facias* it is assented and agreed, That they against whom such Writs be sued, and who at this Time be out of the Realm, and be of good Fame, and have made their general Attornies before their Departing, that the Chancellor of *England* for the Time being, by the Advice of the Justices, may grant, that the same Persons may appear and answer,

[See also Stat. 15 H. 6. c. 7.]

Persons now out of the Realm, or who shall depart with the King's Licence, may, on Petition to the Chancellor, make Attornies to answer in Writs of *Premunire facias*.

Swere, and do, and receive what the Law demandeth, by their general Attorneys aforesaid, as well as in other Causes and Quarrels. And such Persons as from henceforth shall pass by the King's Licence, and be also of good Fame, that at their Request the Chancellor, by the Advice of the Justices, may grant to them to make their general Attornies in the Chancery by the King's Patent, before their Passage, to answer as well in the said Writs of *Premunire facias*, as in other Writs and Plaints; in which Case express Mention shall be made: at all Times of the Writs and Plaints of *Premunire facias*. And such Patent being so made, the said Attornies from henceforth, in Absence of their Masters, may answer for them, and make other Attornies under them, before any Judge of the Realm, and do and receive in the said Case as much as in any other Case or Matter, notwithstanding any Statute made to the contrary heretofore.

ITEM es briefs de premunire fac' est assentuz et accordez qe ceux vers queux tielx briefs sont portez, et qi sont de present hors de roialme, et sont de bone fame et aient faitz leur generalx attournes devant leur departir, qe le Chaunceller d'Engleterre pur le temps estant par ladvis des justices purra garantir qe mesmes les persones purront apparoir et respondre et faire et resceivre ce qe la ley demande par leur generalx attournes avantditz, si avant come es autre cas et quezeles. Et ceux persones qe de fore enavant passeront par licence nostre Seigneur le Roi, et soient auxint de bone fame, qe a leur requeste le dit chaunceller par ladvis des justices leur purra grantier de fair leur generalx attournes en la chancellerie par patent du Roi, devant leur passer, a respondre si bien es ditz briefs de premunire fac' come en autres quezeles; en quel cas toutes voies soit expresse mention fait des briefs et quezeles de premunire fac'. Et celle patente ensi faite, purront deslores les ditz attournes en absence de leur meistres respondre pur eux, et autres attournes desouz eux faire, devant quelconqe juge du roialme et faire et resceivre el dit cas, si avant come en null autre cas, nient contrainchant aucun estatut fait a contrarie avant ces heures.

C A P. XV.

"Confirmation of Statutes against Maintenance and Champerty, viz. 1 E. 3. st. 2. c. 14: 4 E. 3. c. 11: and 1 Ric. 2. c. 4."

C A P. XVI.

"No Armour, Victual, or other Refreshment shall be sent into Scotland without the King's Licence, upon Pain of Forfeiture thereof."

[Amended 15 Ric. 2. c. 7: Repealed 4 Jac. 1. c. 1. § 3.]

C A P. XVII.

"Mainpernors shall satisfy the Plaintiff for his Delay, where the Defendant keepeth not his Day."

[Expired; being only "in assise" till the next Parliament.]

[Et

[ET pur ce vous mandons qe sibi le dit estatut de Wyncestre quatre seitz chescun an de cy en avant par manere qe dessus est ordeinez*, * *Ante, cap. 6.* come les autres estatutz et ordinaunces dessus escritz, en toutz les citees burgbs villes marches et autres lieux notables deinz vostre baillie ou vous verrez qe mieuz soit affaire, deins franchise et dehors, facez proclamer de par nous et publier et duement garder et tenir selonc la forme et effect dicelles. Don par tesmoignance de nostre grant seal a nostre paleys de Westm' avantdis le xxviii^e jour de Novembre lan de nostre regne septiesme.

Consimilia mandata Regis diriguntur singulis vicecomitibus per Angliam sub eadem data.¹

¹ Par ceo vous mandons, &c. Dont, &c. P.

Anno octavo RICARDI II.

In the Parliament held at Westminster on the Morrow of St. Martin. (11 Nov.) A.D. 1384.

The Proceedings of Parliament, as entered on the Roll, and the Statute of this Year, are in Latin; though the Petitions of the Commons, and the Grant of the Subsidy, &c. are (as usual) in French.

The Statute is here reprinted from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 18."

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iii. p. 184, &c.

Chapter of Statute.	Number in printed Roll.
1 - - - - -	16
2 - - - - -	17
3 - - - - -	18
4 - - - - -	27
5 - - - - -	31

} On Petitions of
the Commons.

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iii. } Grant of Two Fifteenths, on Condition
Page 185, No. 10, } that the Grant of the last Half-fifteenth
in the Parliament at Salisbury (an. 7.)
should be annulled, and that no other
Charge or Imposition should be imposed.

II, Explanation of the King's Grant to the Chancellor, &c. of Cambridge University.

(See sub an. 5 R. 2. No. 45—60.)

186, - 13, Repeal of the Statutes or Ordinances made
51 E. 3. and 1 R. 2. against Alice
Perrers.

201, - 25, Respecting the Election of Sheriffs.

TO the Honour of God, and at the Request of the Commonalty of the Realm of *England* made to our Lord the King, in his Parliament holden at *Westminster* in the Morrow of St. *Martin*, the Eighth Year of his Reign; our said Lord the King, with the Assent of the Prelates, great Men and Commohalty aforesaid, caused to be made in the same Parliament, a certain Statute for the common Profit of the said Realm, and especially for the good and just Governance, and due Execution of the Common Law, in Form following.

AD honorem Dei, et requisitionem communitatis regni Anglie, factam domino Regi in parlamento suo tento apud Westm' in crastino Sancti Martini, anno regni sui octavo, idem dominus Rex de assensu Prelatorum Magnatum et Communitatis predictæ, quoddam statutum in eodem parlamento pro communi utilitate dicti regni, et presertim pro bona et justa gubernatione ac debita executione communis legis, fieri fecit in forma subsequenti.

C A P. I.

A Confirmation of the Liberties of the Church, and of all Statutes not repealed.

FIRST, it is ordained and enacted, That Holy Church have all her Liberties; and that the Great Charter, and the Charter of the Forest, the Statutes of [Purveyors¹] and Labourers, and all other Statutes and Ordinances heretofore made and not repealed, shall be holden and observed, and put in due Execution, according to the Form and Effect of the same.

¹ So all Translations read.—*Query*, “Provisors.”

IN primis concordatum est et statutum quod Sancta Ecclesia habeat omnes libertates suas; et quod Magna Carta et Carta de Foresta, statuta de provisoribus et laboratoribus, et omnia alia statuta et ordinationes ante hec tempora edita, et minime revocata, teneantur observentur et executioni debite demandentur, juxta formam et effectum eorundem.

C A P. II.

No Man of Law shall be Justice of Assize, or Gaol-Delivery, in his own Country.

[See Notes sub
49. 50, 51 E. 3.
and further, *Stats.*
13 H. 4. c. 2.
33 H. 8. c. 24.
12 G. 2. c. 27.
The latter allows
them to be
Justices of Oyer
and Terminer
and Gaol
Delivery.]

ALSO, it is ordained and enacted, That no Man of Law shall be from henceforth Justice of Assises, or of the common Deliverance of Gaols, in his own Country; and that the Chief Justice of the Common Bench be assigned, among others, to take such Assises, and deliver Gaols. But as to the Chief Justice of the King's Bench, it shall be done as for the most Part of an Hundred Years last past was wont to be done.

ITEM concordatum est et statutum quod nullus homo de lege sit decetero justitarius assisarum, vel communis deliberationis gaolarum, in propria patria sua; et quod capitalis justitarius de comuni banco assignetur inter alios ad hujusmodi assisas capiendas, et ad gaolas deliberandas. Set quoad capitalem justitarium de banco Regis fiat sicut pro majori parte centum annorum proxime preteritorum fieri consuevit.

CAP.

C A P. III.

Duty of the Judges and Barons of the Exchequer.

ALSO, whereas late in the Time of the noble King Edward, Grandfather of our Lord the King that now is, it was ordained, That Justices, as long as they should be in the Office of Justices, should not take Fee nor Robe of any except of the King, and that they should not take Gift nor Reward by themselves, or by other, privily nor apertly, of any Man which should have any Thing to do afore them in any wise, except Meat and Drink, of small Value: and that they should not give Counsel to any, great or small, in Things or Affairs, where the King is Party, or which in any wise touch the King; upon a certain Pain contained in the said Ordinance: and in the same Manner it was ordained of the Barons of the Exchequer; as in the said Ordinance is more plainly contained: and the said Ordinance being rehearsed in Parliament, it is assented and enacted, That no Justice of the King's Bench, nor of the Common Bench, nor any of the Barons of the Exchequer, so long as he shall be in the Office of Justice or Baron, shall take from henceforth, by himself nor by other, privily nor apertly, Robe, Fee, Pension, Gift, or Reward, of any but of the King, nor Allowance of any, except Allowance of Meat and Drink, which shall be of no great Value. And that from henceforth they shall not give Counsel to any, great or small, in Things or Affairs, wherein the King is Party, or which in any wise touch the King, and that they be not of any Man's Counsel in any Cause, Plea, or Quarrel, depending before them or in any other of the King's great Courts or Places, upon Pain of Loss of their Office, and making to the King Fine and Ransom.

[See Oath of the Judges, 18 E. 3. ff. 4. and also 20 E. 3. ff. 1, 2. and Suspension of this Act, 9 R. 2. c. 1.]

No Judge shall take any Gift, &c.

Penalty of Fine and Ransom on Judges offending certain Particulars.

ITEM cum nuper in tempore incliti Regis Edwardi, avi domini Regis nunc, ordinatum fuisset quod Justitiarum, quamdiu in officio justitiae forent, non caperent feodum neque robam de aliquo preterquam de Rege; et quod non caperent donum sive rewardum per ipsos vel per alios, clam vel palam, de aliquo qui coram eis haberet aliquid faciendum quacumque via, exceptis cibo et potu medici valoris; et quod non darent consilium alicui magno vel parvo in rebus vel negotiis ubi Rex est pars, vel que regem tangunt quoquo modo; sub certa pena in ordinatione predicta contenta: et eodem modo ordinatum fuisset de Baronibus de Scaccario; prout in ordinatione predicta plenius continetur: et dicta ordinatione in parlamento recitata, concordatum est et statutum quod nullus Justitiarius de banco Regis vel de communi banco, nec aliquis Baronum de scaccario, quamdiu in officio justitiarum vel baronis fuerit, capiat decetero, [per ipsum vel per alium clam vel palam,] robam feodum pensionem donum vel rewardum, de aliquo preterquam de Rege, nec exennium [de aliquo preterquam exennium²] de cibo et potu quod non sit magni valoris. Et quod decetero non dent consilium alicui magno vel parvo in rebus vel negotiis in quibus Rex est pars, vel que regem tangunt quoquo modo; et quod non sint de consilio alicujus in aliqua causa placito vel querela, coram ipsis sive in aliquibus alii [magno³] curiis vel placeis Regis pendente, sub pena amittendi officium suum et faciendi Regi finem et redemptionem.

2 3 P. omits.

G 2

CAP.

C A P. IV.

For preventing the false Entries of Pleas, raising Rolls, and changing of Verdicts.

A Judge or Clerk convicted of making false Entries of Pleas, &c. in Disheritance of Parties shall be punished by Fine and Ransom.

ALSO, at the Complaint of the said Commonalty, made to our Lord the King in Parliament, for that great Disherison in Times past hath been done to many of the People, and may be done, by the false entering of Pleas, raising of Rolls, and changing of Verdicts; It is accorded and enacted, That if any Judge or Clerk be of such Default (so that by such Default there ensueth Disherison of either of the Parties) sufficiently convicted before the King and his Council, in Manner and Form as to our said Lord the King and his Council shall seem reasonable, within Two Years after such Default made, if the Party grieved be of full Age, and if he be within Age, then within Two Years after that he shall have come to his full Age, he shall be punished by Fine and Ransom at the King's Will, and shall make Satisfaction to the Party. And as to the Restitution of the Inheritance desired by the said Commons, the Party grieved shall sue by Writ of Error, or otherwise, according to Law, if he see it expedient for him.

ITEM ad querimoniam dicte communitatis, factam domino Regi in parlamento, de eo quod magna exheredatio retroactis temporibus, pluribus de populo facta extitit, et fieri poterit, per falsam intrationem placitorum, rasuras rotulorum et mutationem verdictorum; concordatum est et statutum, quod si aliquis iudex vel clericus de huiusmodi defectu, dummodo per defectum illum exheredatio alterius partium subsequatur, sufficienter convincatur coram Rege et consilio suo per modum et formam quos idem dominus Rex et concilium suum tunc viderint fore rationabiles, infra duos annos post defectum huiusmodi factum, si pars gravata sit plene etatis, et si infra etatem fuerit tunc infra duos annos postquam ad plenam etatem pervenerit, puniatur per finem et redemptionem ad voluntatem Regis et satisfaciatur parti. Et quoad restitutionem hereditatis, per dictam communitatem petitam, sequatur pars gravata per breve de errore vel alias juxta legem si sibi viderit expedire.

C A P. V.

What Suit shall be discussed before the Constable and Marshal of England.

[This Chapter was omitted in all Editions previous to Pulton (1618), in which a Translation was given: the Latin Text was afterwards added by Hawkins.]

ALSO because divers Pleas concerning the Common Law, and which by the Common Law ought to be examined and discussed, are now newly drawn before the Constable and Marshal of England, to the great Damage and Disquiet of the People; It is agreed and enacted, That all Pleas and Suits touching the Common Law of the Land, and which ought to be examined and discussed by the Common Law, shall not hereafter be by any Means drawn or holden before the said Constable and Marshal: but that the Court of the said Constable and Marshal shall have that which belongeth to the said Court, and that the Common

non Law shall have that which to it belongeth, and shall be executed and used as it was accustomed to be used in the Time of our Lord the King's Progenitors.

ITEM pro eo quod diversa placita, communem legem tangentia et que per communem legem deduci et discuti deberent, trahuntur jam de novo coram constabulario et marescallo Anglie ad grave dampnum et inquietationem populi; concordatum est et statutum quod omnia placita et querele communem legem terre tangentia, et que per communem legem deduci et discuti debeant, non trahantur nec teneantur decetero coram prefatis constabulario et marescallo quoquo modo, set quod curia ipsorum constabularii et marescalli, habeat id quod ad dictam curiam pertinet, et quod lex communis habeat id quod ad ipsam pertinet, ac fiat et usitetur prout temporibus progenitorum domini Regis fieri et usitari consuevit.

[De proclamando statutum predictum.]

REX vicecomiti Lincoln' salutem. Quoddam statutum per nos de assensu prelatorum magnatum et communitatis regni nostri Anglie in ultimo parlamento nostro apud Westm' tento pro communi utilitate dicti regni nostri editum tibi mittimus presentibus interclusum: mandantes et firmiter precipientes quod statim visis presentibus ac statuto predicto statutum illud in pleno comitatu tuo ac in civitatibus burgis mercatoris et aliis locis in balliva tua ubi melius expedire videris publice legi et proclamari facias ac quantum in te est firmiter observari.

T. R. apud Westm' xiiii. die Junii anno regni nostri octavo. Consimilia breviter diriguntur singulis vicecomitibus Anglie. 1]

1 P. omitt; concluding with Cap. 4.

ANNO NONO RICARDI II.

In the Parliament holden at Westminster on Friday next after the Feast of St. Luke the Evangelist. (18 Oct.) A.D. 1385.

The Proceedings of this Parliament are in Latin in the printed Rot. Parl.; but the Petitions of the Commons, and the Statute, are in French.

The Statute is here reprinted from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 17."

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iii. p. 203, &c.

Chapter of Statute.	Number in printed Roll.	
1	18	} On Petitions of the Commons.
2	27	
3	-	} Nothing appears respecting these. In 4 Inst. 51. it is said that C. 3. is not of Record.
4	-	
5	-	

Besides the above, and also several Articles for the Confirmation of existing Statutes, see further

*Printed Rot. Parl. iii. } Grant of a Fifteenth and Half-fifteenth,
Page 204, No. 10, } on certain Conditions stated.*

- 11, *The existing Subsidy on Wools discontinued from Midsummer till August 1, and from thence granted for One Year, viz., On each Sack of Wool over the old Custom of half a Mark, 42s. and 4d. per Sack, payable by Denizens, and 46s. and 8d. by Aliens. This Discontinuance is made on Reasons similar to those stated sub an. 5 R. 2. nu. 40.*
- 12, *The Staple shall be removed from Calais, and held in England in such Places, and under such Regulations, as the Council shall appoint, whose Ordinance is declared to be of the same Force as if made by Parliament.*
- 14, *The Creation of Edward Earl of Cambridge (the King's Uncle) to be Duke of York; of Thomas Earl of Buckingham (another of the King's Uncles) to be Duke of Gloucester; of Michael de la Pole, Chancellor of England, to be Earl of Suffolk; and of Robert de Veer, Earl of Oxford, to be Marquis of Dublin [with a Grant of the Land and Seignory ["Dominium"] of Ireland, and of Royal Privileges therein] are entered at Length on the Roll, as ratified, approved, and confirmed by the King in full Parliament in the Presence of the Prelates, Lords, and Commons.*
- 210, - 17, *No Member of Parliament shall be Collector or Assessor of the Taxes then granted.*
- 33, *Lords-Marchers, Captains, &c. shall abide in their Marches, or on their*
- 35, *Guards, &c.*
- 40, *Pardon of Esuage.*
- 41, *Application of the Subsidies to the War.*
- 42, *No Grant shall be made out of the King's Revenues for one whole Year.*
- 45, *Knights and Squires having Fees of the King shall do him actual Service.*

OUR Lord the King, at his Parliament holden at *Westmynster*, the *Friday* next after the Feast of *St. Luke*, the ninth Year of his Reign, with the Assent of the Prelates, Dukes, Marquesses,* Earls, Barons, and Commons at the said Parliament assembled, hath ordained and established the Things under-written.

* See Note at the Head of this Year, from *Rot. Parl. iii. 204. nu. 14, &c.*

NOSTRE Seignur le Roi a son Parlement tenuz a Westm' le vendredy prochein apres le feste de saint Luc, lan de son regne noefisme, si ad, del assent des Prelatz Duks Markys Conts Barons et Communes au dit parlement assemblez, ordenez et establia les choses desoutz escriptz.

C A P. I.

A Confirmation of all Statutes not repealed, except the Statute of 8 Ric. II. c. 3.

FIRST, it is accorded and assented, That all the Statutes made by Parliament in the Times of our Lord the King's noble Progenitors, and in his own Time, as well of Sheriffs, Under-Sheriffs, Escheators, and Clerks of Sheriffs, as of Purveyors, and all other good Statutes and Ordinances not repealed by Parliament, shall be firmly holden and kept, and due Execution thereof done, according to the Effect of the same: Except the Statute of the Justices and Barons of the Exchequer, made at the last Parliament; which, because it is very hard, and needeth Declaration, the King willeth that it be of no Force till it be declared by Parliament.

8 R. 2. c. 3.
respecting
Judges.

EN primes accordez est et assentuz qe touz les estatuz faitz par parlement, en temps de les nobles progenitours nostre Seignur le Roi qore est, et en son temps demesne, sibien des viscontz southviscontz eschetours et clers des viscontz, come des purveours, et touz autres bones estatutz et ordenances nient repellez par parlement, soient fermement tenuz et gardez et due execution ent fait solonc leffecte dicelles; forpris lestatut des justices et barons de leschequer, fait en darrein parlement; le quele, a cause qil est trop dure et emboisigne declaration le Roi voet qil soit de nulle force, tanqe soit declarez par parlement.

C A P. II.

Villains flying into Cities, and suing their Lords, shall not be thereby enfranchised.

ALSO, whereas divers Villains and Nieffs, as well of great Lords as of other People, as well spiritual as temporal, do fly into Cities, Towns, and Places enfranchised, as the City of *London*, and other like, and feign divers Suits against their Lords, to the Intent to make themselves free by the Answers of their Lords: It is accorded and assented, That the Lords nor other shall not be fore-barred of their Villains, because of their Answers in Law.

ITEM par la ou plusieurs villains et niefz, sibi en des grantz Seignurs come des autres gentz, sibi en espiritels come temporels, sensuent deinz citees villes et lieux enfranchisez, come la cite de Londres et autres semblables, et seignent diverses suites devers lourz Seignurs a cause de lour faire franks par la respons de lour Seignurs ; accordez est et assentuz qe les Seignurs, ne autres, ne soient mye forbarrez de lour villains par cause de lour respons en la ley.

C A P. III.

[See further St. 13 R. 2. c. 17.]

A Writ of Error or Attaint may be maintained by Parties in Reversion.

He in the Reversion shall have an Attaint or Writ of Error upon a false Verdict found, or an erroneous Judgement given, against the particular Tenant.

ALSO it is accorded and assented, That if Tenant for Term of Life, Tenant in Dower, Tenant by the Courtesy of England, or Tenant in Tail after Possibility of Issue extinct, be impleaded, and plead to an Inquest, and lose by the Oath of the Jury, or if they lose by Default, or in other Manner, that he to whom the Reversion of the Tenements so lost did appertain at the Time of such Judgements given, his Heirs or Successors, shall have an Action by Writ of Attaint, to attaint the said Oath, if they will assign the same Oath to be false ; and also by Writ of Error, if there be Error found in the Record of such Judgement, as well in the Life of such Tenants that so do lose, as after their Death ; and if such erroneous Judgement be reversed, or such false Oath be found, that the Tenant which did lose by the first Judgement, if he be in Life, shall be restored to the Possession of the Tenements so lost, with the Issues in the mean Time, and the Party suing, to the Arrears of the Rent, if any be due of the same Tenements. And if such Tenant be dead, at the Time of the Judgement given upon such Writs of Attaint and of Error, that Restitution of such Tenements shall be made to the Party suing, with the Issues after the Death of the said Tenant, together with the Arrears of the Rent, if any to him were due, in the Life of the said Tenant.

In case of Covin by the particular Tenant, the Reversioner shall recover the Land, unless the Tenant traverse the Covin.

Provided nevertheless, that although the Tenant which so did lose by the first Judgement be in Life, if the Party pursuing will alledge that such Tenant was of Covin, and of Assent with the Demandant which recovered, that such Tenements should be lost, then that Restitution of such Tenements shall be made to such Party suing, with the Issues and Arrears, as afore is said ; saving to such Tenant his Action by Writ of *Scire facias*, upon such Judgement of Reversal or Judgement given on the Writ of Attaint, if he will traverse the Covin and Assent aforesaid, and not otherwise.

This Statute extended to two Judgements previously given in K. B.

[See printed Rot. Parl. iii. p. 176. nu. 7. sub an. 7 Ric. 2. and Appendix, p. 404, n. 32.]

And that this Statute hold Place in Judgements to be given in Time to come ; and also in two Judgements late given in the King's Bench in two Pleas of Error, the one betwixt *Edmund Francys* and *Idryn* his Wife, Demandants, and *Robert Westby* and others, Tenants, of certain Tenements in *Oxenford*, and in the Suburbs of the same Town ; and the other betwixt the said *Edmund* and *Idryn*, Demandants, and *Richard Cornewall* and *Isabel* his Wife and others, Tenants, of certain Tenements in the same Town ; of which Tenements the Reversion, at the Time of the said Two Judgements given, did pertain to the Master and Scholars of the College of the *University Hall* in *Oxenford*, as it is said ; and that the said Master

Maister and Scholars may have and make their Suit by Writ of Attaint, or of Error of the same Judgements, as to them best shall seem, according to the Form of this Statute.

ITEM accordez est et assentuz qe si tenant a terme de vie, tenant en dower, tenant par ley d'Engleterre, ou tenant en la taille apres possibilite de issue esteint, soient empledez et pledent al enquest, et perdont par serement de dufce, ou qils perdont par default ou en autre manere, qe celluy a qi la reversion de tenementz ensy perduz appendoit a temps de tiel jugement rendu, ses heirs ou successeurs, eient action par brief dattaint, dattaindre le dit serement, sils voillent assigner mesme le serement estre faiz; et auxint par brief derrouer si erreur y soit trove en le record de tiel jugement; sibien en la vie des ditz tenantz qensy perdont, come apres leur mort; et si tiel jugement erroyne soit reverse, ou tiel faulx serement soit trove, qe le tenant qi perdi par le primer jugement, sil soit en vie, soit restitué a la possession des tenementz ensy perduz, ove les issues en le mesme temps, et le partie pursuant a les arrerages de la rente, si ascun a luy soit due de mesmes les tenementz. Et si tiel tenant soit mort, a temps del jugement rendu sur tielx briefs dattaint et derrouer, qe restitution de tielx tenementz soit fait a la partie pursuant, ove les issues puis la mort del tenant suiffit, ensemblement ove les arrerages del rent si ascun a luy fuist due en la vie de tiel tenant.

Purveu ne pur quant, coment qe le tenant qensy perdi par le primer jugement soit en vie, et le partie pursuant voille allegier qe mesme le tenant fuist de covine et assent del demandant qe recoverit, qe tielx tenementz deussent estre perduz, qe restitution de mesmes les tenementz soit fait a mesme la partie pursuant, ove les issues et arrerages come devant est dit; savant a tiel tenant action par *scire facias* hors de mesme le jugement ensy reverse, ou rendu en le brief dattaint, sil voille traverser les covyne et assent avantditz et autrement nient.

Et qe ceste estatut tiegne lieu des jugementz a rendre en temps avenir; et auxint de deux juggementez nadgairs renduz en bank le Roy en deux ples derrouer, lun entre Edmund Franceys et Idoine sa femme demandantz et Robert de Westby et autres tenantz de certains tenementz en Oxenford et le suburbe de mesme la ville; et lautre entre les ditz Edmond et Idoine demandantz et Richard Cornewayle et Isabell sa femme et autres tenantz de certains tenementz en mesme la ville; des queux tenementz le reversion appendoit, au temps des ditz deux jugementz renduz, as maistre et escolers del college de la Sale del Universite d'Oxenford, a ce qest dit; et qe les ditz maistre et escolers poont avoir et faire leur suite par brief dattainte ou derrouer de mesme les jugementz, come meulz leur semblera solonc la fourme de cest estatut.

C A P. IV.

"On a Question arising in a Suit whether a Prior be donative and removable, or perpetual, the Trial shall be by the Ordinary."

C A P. V.

The Fees of Priests and Clergy taken into the Marshalfy of the King's House:

ALSO, for the Reverence of God, and of Holy Church, it is accorded and established, That Priests and other People of Holy Church, taken into the Marshalfy of our Lord the King's House, shall pay such Fees as Lay-people pay, reasonably, and no more.

ITEM a la reverence de Dieu et Seinte Esglise accordez est et establi qe prestres et autres gentz de Seint Esglise, pris en la marchalcie de hostel nostre Seignur le Roy paient tielx fees come les lais gentz resonablement paient, et nient plus.

Anno decimo RICARDI II.

*In the Parliament held at Westminster, 1st October,
A.D. 1386.*

THE STATUTE of this Year relates solely to a Commission granted by the King to certain Lords and others; and was entitled by Hawkins and all subsequent Editors "The King's Commission to the Chancellor and others, to examine into the State of his Courts, Revenues, Grants, and Officers' Fees." But that this is a very inadequate Description of the Extent and Importance of this Statute will appear from a Perusal as well of the printed Parliament Roll of this Year as of the Statute itself; of both which the following is an Abstract and Abridgement.

The printed PARLIAMENT ROLL (iii. p. 215, &c.) sets out with the Statement by the Chancellor, that the Causes of the Summons of Parliament, were the Consideration of the Intention of the King to cross the Seas in his Wars, and how in such Case Provision should be made for the good Government of the Kingdom in his Absence.

Next follows (p. 216—220) an Accusation or verbal Impeachment of the Chancellor (Michael de la Pole, Earl of Suffolk) by the Commons, for certain Misdemeanors, before the King and Lords, and Judgement of Fine and Imprisonment thereon against the Earl.

After this comes the Grant of a Subsidy upon certain Conditions, viz. Printed Rot. Parl. iii. } Grant by the Lords and Commons of a

Page 220, No. 18, }

Subsidy of a Half-tenth and Fifteenth to be levied of the Laity at the ensuing Candlemas: And also, for Defence of the Sea, Three Shillings a Ton on Wine imported or exported, and One Shilling in the Pound on the Value of all Merchandises imported or exported (except Wool, &c.): A Continuance of the Subsidy of Wools granted in the preceding Parliament of an. 9. till St. Ed-

mund

Grant of
Subsidy, and
Conditions
thereof
respecting the
King's perpetual
Council.

Printed Rot. Parl. iii.
Page 220, No. 18,
(continued)

mund the Martyr (20th Nov.) and thence till Christmas if no Parliament was holden in the mean Time: And moreover another Half-tenth and Fifteenth, under a certain Condition; (that is to say,) *that if* the former Grants were sufficient for the Charge and Defence of the Realm for One Year ensuing (by the Diligence and good Ordinance of the Archbishops of *Canterbury* and *York*; the King's two Uncles, the Dukes of *York* and *Gloucester*; and seven other Prelates and Persons named, and the Three Officers of the King, viz. the Chancellor, Treasurer, and Keeper of the Privy Seal, ordained and assigned by the King, by his Commission under the Great Seal, of his Royal Authority, certain Knowledge, good Liking, and free Will, and by the Advice of the Prelates, Lords, and Commons in Parliament, in Aid of the good Governance of the Realm, and the good and due Execution of the Laws, and in Relief of the Estate of the King and his People in Time to come, to be of the continual Council of our said Lord the King) *that then* the said last Half-tenth and Fifteenth shall not be collected or levied; and that no others be associated or assigned to the said Lords, except those then named in the said Commission. All which Grants the aforesaid Lords and Commons made on the Conditions following, viz. That if the Power given to the said Lords, by the Commission aforesaid ordained to be of the said continual Council, be in any Manner repealed or defeated, or if the said Lords be by any one or in any Manner disturbed, that they could not freely nor fully use or execute the Power given by the said Commission and every Part thereof, as best pleased them, and as seemed best to them for the Honour and Profit of the King and his Realm, that then the levying of whatever remained due, by Force or Colour of the said Grants, should entirely cease, &c. And that Letters Patents should be made to all the Counties, reciting the Cause, Manner, and Conditions of all the Grants aforesaid. And that the Staple of Wools, &c. should be regulated by the said Lords, &c. as speedily as possible.

Then follow the Petitions of the Commons and the Answers thereto.

Printed Rot. Parl. iii.
Page 221, No. 19,

For Confirmation of the several Charters,
the Charter of the Forest, and of all Sta-
tutes not repealed.

Power of the
great Officers
and the perpetual
Council.

- 20, Petition of the Commons that the King would appoint sufficient Officers, viz. the Chancellor, Treasurer, Keeper of the Privy Seal, and Steward of the Household, and also the other Lords of his great and continual Council; and that the said Lords and Officers should have Power to correct and amend all Defaults whereby the Crown was prejudiced, the Laws and Statutes not kept, and the Property and Profits of the Crown withdrawn; as the Commons had in Part declared, and were and would be ready to do; and thereupon to make a sufficient Commission to the Lords and Officers aforesaid, to endure for a Year from the Feast of St. Edmund the Martyr, and thence till the Meeting of the next Parliament; and also to make a Statute that none of any Dignity, Estate, Nation, or Condition whatsoever, should privily nor openly advise or act contrary to what the said Lords and Officers should advise and direct, on *grievous Pain*. Which Thing as the King had in Part done, they request him to complete it; and also that the said Officers and Counsellors may remain continually at London during the said Term, to obtain full Information as well from Rolls and Records, as from Justices and other Persons of the Chancery and Exchequer, or any other Place of Record.

The King grants the whole, except that the Commission and Statute shall only endure for One Year; and that the Steward of the Household shall be appointed by Aid of his Council. [See the Statute.]

221, &c. 21, 22, Confirmation of former Statutes respecting Benefices held by Aliens.

23, For regulating the Herring Fair at Great Yarmouth.

27, Provisions shall not be sent to Scotland without the King's Licence.

33, For repealing Charters and Patents made by the late Chancellor against the Law.

35, Memorandum that the King in full Parliament, before the End thereof, made open Protestation by his own Mouth, that for any Thing done in the said Parliament, he would not that any Prejudice should happen to him

or

*Printed Rot. Parl. iii. } or his Crown, but that his Prerogative and
Page 221, &c. No. 35, } the Liberties of his said Crown should be ob-
(continued) } served and kept.*

36, Parliament finished the 28th of November.

The Commission above alluded to, though fully recited in the Statute, does not appear in the printed Rot. Parl. In Rot. Parl. of 11 R. 2. (iii. p. 232) it is stated to be of Record in Chancery. It may be supposed from certain Recitals in the printed Parliament Rolls of the Years 11 and 21 Ric. 2. that the printed Roll of this Tenth Year is not complete

THE STATUTE printed by Hawkins and subsequent Editors as "Ex Rot. in Turr. Lond." agrees very nearly with the Copy in Pynson and the old Translations. It begins and ends with the Form of a Writ of Proclamation.

"THE Preamble recites that the King had perceived by the Complaint of the Lords and Commons in Parliament, that his Revenues, by insufficient Council and evil Governance, were so much wasted, granted, aliened, destroyed, and evil dispended, that his Estate and the Estate of his House might not honourably be sustained, nor the Wars maintained, without great Oppressions and Charges of his People; and also that the good Laws, Statutes, and Customs of his said Realm had not been duly holden nor executed, nor full Justice nor Right done to his People: that the King had therefore, of his free Will, and at the Request of the Lords and Commons, ordained, made, and assigned his great Officers, that is to say, the Chancellor, Treasurer, and Keeper of his Privy Seal, such as he held good, sufficient, and lawful for the Honour and Profit of him and of his Realm: And moreover that of his Authority royal, certain Knowledge, &c. and by the Advice and Assent of the Prelates, Lords, and Commons in full Parliament, in Aid of the good Governance of his Realm, and good and due Execution of his said Laws, and in Relief of the Estate of him and his said People, upon the full Trust, &c. that he had in the honourable Fathers in God William Archbishop of Canterbury [&c. the Persons mentioned in the Parliament Roll], he had ordained, assigned, and deputed them by his Letters Patents under his Great Seal, to be of his great and continual Council, from the Eve of Saint Edmund the Martyr for One whole Year next following; to survey and examine with the said great Officers (the Chancellor, Treasurer, and Keeper of his Privy Seal) as well the Estate and Government of his House, and of all his Courts and Places, as the Estate and Government of all his Realm and of all his Officers, of whatsoever Estate or Condition they be: And to enquire of all Rents, Revenues, and Profits due to him, as well within the Realm as without, and of all Grants, Gifts, Alienations, and Confirmations made by him of Lands, Rents, Wards, Marriages, Escheats, Forfeitures, Franchises, Voidances of Archbishopricks, &c. Farms of Houses and Possessions of Aliens, &c.: And also of all Manner of Revenues and Profits of Lands, Seignories, Cities, Castles, Fortresses, as well on this Side the Sea as beyond; and of the Profits of his Money and Bullions; and of the taking of Prisoners, Towns, Places, Ships, Goods, and Ransoms of War by Land and

Recital of the Evils to be remedied.

Recital of the Commission granted by the King, by Assent of Parliament, to certain Prelates, Lords, &c. to be of his continual Council for One Year.

Their Power; to survey the Estate of the King's House and of his Realm;

to inquire into his Revenues of all Sorts, and all Grants, and the Expenditure thereof, &c.

and of all
Defaults and
Offences
whereby the
King is injured
or the Law
disturbed;

to enter all
Courts, &c. and
to amend all
Defaults and
Misprisions
whatever,
whether herein
specified or not;

to determine
Complaints not
amendable at
Common Law;
and fully to
execute their
Commission.

Enactment.
All Persons
shall obey the
Commissioners
in their
Judgements, &c.

by Sea; and of Benefices, &c. of Aliens; and also of carrying of Money out of the Realm by the Collectors of the Pope or other Persons; and of the Profits of all Customs and Subsidies; and also of the Profits of the Hanaper of his Chancery; and of all other his Receipts from the Time of his Coronation: Of Fees, Wages, and Rewards of Officers; of Annuities, Rewards, and Gifts and Grants made to any Persons by the King, his Father, and Grandfather; and of Lands, Tenements, Rents, &c. sold to the Prejudice and Damage of him and of his Crown; and of the Sale or Bargain of Patents, and also of all his Jewels and Goods, and of all Chevisances in any wise made to his Use by any Manner of Persons; and of Loss and Damages sustained by the same; and of Charters of Pardons general and especial; and also of the Amount and Manner of the Expences as well of the said House, as for the Defence of his Realms, Lands, Castles, &c. on this Side the Sea and beyond, done and received by any Persons, as well Soldiers as others; and of the Concealments of his Rights and Profits; and of Maintainers and Embracers; and of Officers and Ministers made by Brocage; And also of all Defaults and Offences, as well in his said House and other Courts and Places aforesaid, as in all other Places within his Realm of England, whereby the Profit of him and of his Crown were impaired, or the Common Law disturbed or delayed, or other Damage to him happened: Giving and committing by his Royal Authority, and by the Advice and Assent aforesaid, to the said Counsellors, and to Six of them, and to the said great Officers (or the Majority of the whole), full Power and Authority general and special, to enter his said House, and all his other Courts and Places; and to bring before them all Rolls, Records, Muniments, and Evidences; And all Defaults, Wastes, and Excesses found in his said House, and also all Defaults and Misprisions found in other Courts, Places, and Offices, and all other Articles and Points above named, and every of them; and also all other Defaults, Misprisions, &c. done in Prejudice of him and of his Crown and the Estate of his Realm, in general or special, not specified nor expressed, to amend, correct, repair, redress, reform, and put in due and good Estate and Establishment: And also to hear and receive all Manner of Complaints of all Duresses, Oppressions, Injuries, Wrongs, and Misprisions which might not be well amended or determined by the Course of the Common Law of the Land before used: and thereof to give and make good and due Remedy and Recovery; and all the Things aforesaid, and every of them fully to discuss and finally to determine, and thereof to make full Execution, for the Honour and Profit of the King and of his Estate, and for Reintegration of the Right and Profits of his Crown and better Governance of the Peace and Laws of the Land and Relief of the People: Whereupon, for the due Execution of the said Commission; it is enacted, That every one, of whatever Estate or Condition, shall be attending and obedient concerning the Articles aforesaid, to the said Counsellors and Officers. And that every Person judged before them as convict of any of the Faults or Misprisions aforesaid, shall take and receive without Debate such Correction as shall be judged by the said Counsellors and Officers. And that no Person shall give to the King, privily nor openly, Council, Exhortation,

or

or Motion to repeal their Power within the Time aforesaid, in any Point, or to do any Thing contrary to his said Grant, or any of the said Articles. And if any do against the said Ordinance, or procure or do any Thing whereby the said Counsellors be disturbed in any Point in the Exercise of their Power; or do excite or procure the King to do or command any Thing whereby the Power of the said Counsellors or Officers, or the Execution of their Judgements, be in any Point defeated, upon Proof before the King and the said Counsellors and Officers (and any of the Justices of the one Bench or the other, or other discreet and learned in the Law), he shall for the First Offence forfeit all his Goods and Chattels to the King, and be imprisoned at the King's Will: And if any such Person be duly attainted of Council, Excitation, or Motion given to the King to act contrary to his said Grant, albeit the King do nothing by such Counsel, Excitation, or Motion, yet he shall have the like Punishment. A Second Offence is declared Felony. The Duration of the Statute, is limited to the Continuance of the Commission."

None shall advise the King to repeal their Power, &c.

Penalty on Offenders;

First Offence
Forfeiture of Goods and Imprisonment.

Second Offence
Felony.

Anno undecimo RICARDI II. A.D. 1387-8.

In the Parliament held at Westminster on Monday the Morrow of the Purification (Feb. 3), A.D. 1387-8.

The Statute of this Year was given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond." nearly agreeing with the old printed Copy by Pynson. So much of the Statute as is here given at Length is reprinted from Hawkins, compared with Pynson and printed Rot. Parl. Chapter 1 is framed from No. 37, 38, 39, (iii. p. 248—250) of the printed Roll, as Cap. 6 is from No. 24, p. 246. These Chapters, and also Chapters 3, 4, and 5, were inserted in the Statute in consequence of Attainders or Judgements in Parliament for Treason, against the Archbishop of York and the Noblemen, Judges, and others mentioned in the Statute.

The Attainder and Process against all the Parties began on the First Day of the Parliament (3d February 1387-8), and continued till the 12th May 1388. The following full Abstract, from printed Rot. Parl. iii. p. 229—245, of all the Proceedings, seems necessary for the better understanding the Effect and Operation of the Statute, by which they are confirmed.

<p><i>Printed Rot. Parl. iii. p. 229—238,</i></p>	}	<p>On Monday, February 3, Thomas Duke of Gloucester, Constable of England, Henry Earl of Derby, Richard Earl of Arundel, Thomas Earl of Warwick, and Thomas [Mowbray Earl of Nottingham] Earl Marshal, deliver their Petition to the King and Council in Parliament.</p>	<p>Proceedings in Appeal of Treason by the Duke of Gloucester, &c. Appellants, against</p>
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1. The Archbishop of York,
 2. Duke of Ireland,
 3. Earl of Suffolk,
 4. Robert Tresilian,
 5. Nicholas Brembre,
- adjourned into Parliament.

Printed
Rot. Parl. iii.
Page 229-238,
(continued)

The Petition states that the said *Thomas Duke of Gloucester*, &c. on the Fourteenth of November preceding, at *Waltham Cross*, before the Archbishop of *Canterbury* (and others named) then being the King's Commissioners ordained and made in the last Parliament (*See Stat. 10 Ric. 2.*), did appeal *Alexander Archbishop of York*, *Robert de Veer Duke of Ireland*, *Michael de la Pole Earl of Suffolk*, *Robert Tresilian* false Justice, and *Nicholas Brembre* false Knight of *London*, of High Treasons by them done against the King and the Realm. That this Appeal being certified to the King and Council, was before them repeated and affirmed, and all Parties ordered to appear in Parliament on the Morrow of *Candlemas*. That the said Appellants were accordingly then ready to pursue, maintain, and declare the said Appeal; which Treasons so alleged were contained in certain Articles there set forth.

The Articles.

These Articles are Thirty-nine in Number. They charge the Appellees, that (taking Advantage of the tender Age and Innocency of the King), they had been guilty of several Abuses of Power, under his Protection and Authority. Art. 17, (p. 232.) particularly charges that the Appellees had persuaded the King that the Statute and Commission granted in the preceding Parliament [which it is stated were made agreeably to the Assent of the King, Lords, Justices, Sages, and Commons in Parliament], were made in Desecance of the King's royal Power [*de sa Regalie*]; and that all who procured or advised the said Statute and Commission to be made, and all who excited the King to assent thereto, were worthy of death as Traitors. Article 25, (p. 233.) charges, that for the full Accomplishment of their Treasons, and to make the King trust in them and their Council, and to hold them as the most loyal and wisest People in the Realm, and also to colour their own Treasons, they caused the King to call before him divers Justices and People of the Law, viz. *Robert Tresilian*, *Robert Belknap*, *John Cary*, *John Holt*, *Roger Putbury*, and *William Burgh*, his Justices, and *John Lokton*, Sergeant at Law, and with them *John Blake*, Referendary, and others: That the said Judges and Sergeant being asked by the Appellees, in Presence of the King, if the said Statute and Commission were made in Detraction of his royal Power and Prerogative or not? and also other Questions;

Printed
Rot. Parl. iii.
Page 229—238,
(continued.)

tions; they answered in Manner following:
[Then follows the Memorandum of the Questions
put to the Judges and their Answers, signed and
sealed by them, as they are recited at large and
approved in the Stat. 21 R. 2. c. 12. See that
Statute.]

After reading the Articles, the Appellees (except *Brembre*) being solemnly called, and not appearing, the Appellants pray that their Default may be recorded and Judgement given thereon; upon which the King and the Lords take Time for Deliberation till the Morrow; at which Day the Justices and Sergeants, and other Sages of the Law of the Realm, and also the Sages of the Civil Law, were charged to give Counsel to the Lords of Parliament for duly proceeding in the Appeal: On Consideration, the Judges, &c. deliver their unanimous Opinion that the Appeal was not made or affirmed according to the Order required either by the *Common* or *Civil* Law. Upon which the Lords determine, with the Assent of the King, and of their common Accord, that in so great a Crime as is alledged in this Appeal, which toucheth the Person of the King and the State of his whole Realm, committed by Persons being Peers of the Realm, with others, the Cause shall not be carried on elsewhere than in Parliament, nor by any other Law than the Law and Course of Parliament; and that it belongs to the Lords of Parliament, and to their Franchise and Liberty by ancient Custom of Parliament, to be Judges in such Case, and of such Cases to judge, by Assent of the King; and that so it shall be done in this Case by Award of Parliament; for that the Realm of *England* never was or shall be ruled by the Civil Law: Nor was it their Intent that a Case of so high a Nature as this Appeal should be tried or determined by the Course, Process, or Order used in inferior Courts or Places in the Realm, which Courts were only Executors of the Laws and Customs of the Realm, and of the Ordinances and Establishments of Parliament: whereupon the Lords, with the Assent of the King, declare, award, and judge the Appeal to be well and sufficiently made and affirmed, and the Process thereof good and effectual according to the Laws and Course of Parliament.

The Appellees (except *Brembre*) make Default.

Opinion of the Judges that the Appeal was not according to the Civil or Common Law.

Resolution of the Lords that the Appeal was good according to the Law and Course of Parliament.

The Appellants then pray that the Default of the Appellees may be recorded; on which the Archbishop of *Canterbury* enters a Protest to secure the Privileges of the Clergy, and thereupon all the Bishops and Lords Spiritual withdraw.

Prayer for Judgement against the Appellees making Default.

Protest of the
Bishops.

Printed
Rot. Parl. iii.
Page 229—238,
(continued.)

Consideration of
the Judgment.

Certain Articles
declared Treason.

Judgment on the
absent Appellees
as convicted.

Protest of the
Appellants.

Brembre appears
and offers to
wage Battle..

The Commons
affirm the
Appeal.

The Lords deny
Wager of Battle.

draw. [See Chap. 1. *Partion* 4. of the Statute of this Year]. The Defaukt of the absent Appellees is then recorded; on which the Appellants pray that they may be convicted of the Treasons in the said Appeal, and that *Brembre* be called on to answer. The King and the Lords hold it necessary to consider and examine the Articles, that due Judgment may be given; and thereupon the Lords Temporal, by Command of the King, examine the Articles of the Appeal for several Days, till *February* 13; and on Advice and good Deliberation adjudge that certain of the Articles (among which the 17th is one) are Treason, and that the Appellees are notoriously guilty thereof, and also of the other Articles not declared to be Treason, and the Appellants pray Judgement accordingly: Wherefore the said Lords of Parliament there being, as Judges of Parliament in this Case, by Assent of the King, pronounce their Declaration aforesaid, and adjudge the said Appellees guilty and convict of the said Treasons, and award that all the said Appellees (except the Archbishop) be drawn and hung; and that they shall all forfeit their Lands and Tenements, Goods and Chattels to the King. The Judgement on the Person of the Archbishop is respited for further Consideration. The Duke of *Gloucester*, for himself and the Earls Appellants protests, that any Assembly made by them or their Servants from the 13th of *November* preceding was only for the Preservation of the King and the Realm against the said Appellees; which Protest is accepted and approved by the King.

The Appellants then require that *Brembre* should be brought to answer; he accordingly appeared in Custody, on *Monday, February* 17, and on hearing the Articles, offered to wage his Battle; on which the Appellants replied that he was guilty, and this they would prove as Parliament shall award;—Upon this the Commons of the Parliament said, that they had heard and understood the Articles of the said Appeal; and also said that the Contents thereof were true; and thereof, as much as in them was, they did accuse the Appellees; and which they would have done, as belonged to them, although the said Duke and Earls Appellants had not pursued the said Appeal. The Lords answered that Wager of Battail did not lie in this Case, and that they would satisfy their Consciences touching the said Articles.

Printed
Rot Parl. iii.
Page 229-238,
(continued)

} During such Examination *Trefilian* was taken up and brought into Parliament, (*February 19*); on being asked why Execution should not pass against him, and having nothing to allege, he was ordered for Execution, and executed accordingly the same Day. *Trefilian taken and executed.*

Next day (*February 20*), *Brembre* being brought up, the Lords declared that they had found him guilty by due Proof, and it was therefore awarded by the said Lords, with the Assent of the King, that he should be drawn and hung as a Traitor, and that he should forfeit all his Lands and Goods, &c. and he was executed the same Day. *Brembre convicted, &c.*

This Process concludes with stating that it was the Intent of all the Lords of Parliament, Spiritual and Temporal (including the Appellants), and so assented, that considering the tender Age of the King, and the Innocency of his royal Person, the Appeal and Judgments aforesaid should no Way prejudice the King, but should affect the Appellees only, against whom the said Judgments should have full Force; any Thing that might be said or alleged to the contrary notwithstanding. *Declaration of the Lords that nothing so done should prejudice the King.*

239, On Monday, March 2, Sir Robert Bealnap, late Chief Justice of the Common Pleas, Sir Roger Fulthorp, Sir John Holt, and Sir William Burgh, late his fellow Justices of the said Bench, Sir John Cary late Chief Baron of the Exchequer, and John Loketon late King's Serjeant, were brought into Parliament at the Request of the Commons, and there by the Commons accused and impeached as Traitors; for the Answers which they gave to the Questions put to them, as stated in Article 25. of the preceding Appeal. The Charge being read, the Commons pray, that inasmuch as the said Judges, &c. being required to answer truly what the Law was, and not otherwise, had answered against the Law, and were thereby knowing, aiding, comforting, and concealing the Treason of the said Appellees before named; that therefore the said Judges, &c. should be adjudged Traitors. The Judges in their Defence admit that the Questions were put to them as stated. but they say the Answers thereto, contained in the Copy thereof then exhibited, were written in the Original of the said Copy, otherwise in Part than their Intent was, although they did put their Seals to the said Original, as was alleged by the Commons. They also pleaded that

Impeachment of the Commons against the Judges, viz.
1. Sir Robert Bealnap,
2. Sir Roger Fulthorp,
3. Sir John Holt,
4. Sir William Burgh,
5. Sir John Cary, and
6. John Loketon, King's Serjeant; for Answers given by them to Questions proposed by the King.

Printed
Rot. Parl. iii.
Page 239,
(continued)

that the Answers were given by Durefs imposed on them by the Archbishop, &c. The Commons reply, that the said Judges were learned, and held for Sages of the Law, and that the King's Will was only that they should answer the said Questions *as the Law was*, and in no other Manner, to which Questions they answered openly *against the Law*; thereby encouraging the said Appellees as Traitors, &c. Whereupon the Lords Temporal took Time for Consideration.

Accusation of
the Commons
against *Blake* and
Ush for framing
the Questions,
&c.

240, On the next Day, *March 3d*, *John Blake* and *Thomas Ush* were brought before Parliament, and arraigned of Treason by the Accusation of the Commons; *Blake*, for that being One of the King's Counsel, he framed and compiled the Questions on which the Judges gave their Opinion; and *Ush*, that he procured himself to be made Under Sheriff of *Middlesex* for the Purpose of indicting and arresting the Persons who had obtained the Commission and Statute in the last Parliament. They pleaded that what they did was in Execution of their Duty by the King's Command. But (on the 4th) they were convicted and sentenced by the Lords, with the Assent of the King, to be drawn and hanged, and to forfeit their Lands and Goods, and the Head of *Ush* to be placed on *Newgate*; and so it was accordingly done the same Day.

Sentence.

On the 6th the Judges, &c. were brought up again, and it was considered by the Lords, that inasmuch as *Bealcnap*, *Fulthorp*, *Holt*, *Burgh*, and *Loketon* were at the making of the said Commission and Statute made in the preceding Parliament, and that they and *Cary* well knew that the said Commission and Statute were made (in Honour of God) for the good Governance of the King's Estate and Realm, and inasmuch as it never was the King's Will that they should have answered to the Questions otherwise than according to Law, and they knowing the Law answered openly against the Law, thereby encouraging the said Appellees in their Treasons, and inasmuch as they knew the Purposes and Compassings of such Treasons, and concealed the same, therefore this was Treason. And it is awarded by the said Lords Temporal, with the Assent of the King, that they should severally be drawn and hung as Traitors, and their Lands and Goods forfeited to the King: But on Petition of the Archbishop of *Canterbury* and the other Bishops, the Sentence of Death was pardoned, and they were ordered remain

Declaration
by the Lords
that the Crime
of the Judges
was Treason.

Judgement
accordingly
of Death and
Forfeiture.

Judgement of
Death pardoned.

Printed
Rot. Parl. iii.
Page 241,
(continued)

remain in Prison till further Sentence; the Forfeiture of their Lands and Goods remaining in Force.

On the same 6th *March* the Commons accused and impeached *Thomas Bishop of Chichester*, the King's Confessor, that he was knowing, aiding, counselling, and concealing the Treasons aforesaid, being present when the Questions were put to the Judges, and exciting them by Menaces to give the Answers which they did. The Bishop answered, that the Judges were not excited or charged to say any Thing but what the Law was. The Lords took Time to consider of the Sentence.

Impeachment of the Bishop of *Chichester* for abetting the Traitors.

On the 12th of *March*, *Simon de Beverley (Beurle or Burley)* Knight, and *John Beauchamp of Holt*, *John Salisbury*, and *James Berners* Knights, were accused and impeached by the Commons.

Impeachment of
1. Sir *S. Burley*,
2. Sir *John Beauchamp*,
3. Sir *John Salisbury*,
4. Sir *J. Berners*,
for Treason.

The Impeachment consists of Sixteen Articles, and charges the accused with aiding and abetting the Traitors before convicted in disturbing and preventing the Execution of the Statute and Commission before mentioned, and also in conspiring and traitorously imagining the Death and Destruction of those who were assenting to the making the said Commission and Statute, which latter is declared to be Treason. After a general Plea of Not Guilty, the Lords take Time to advise, and the Parliament was adjourned over *Easter*.

243. On *May* 5, the Lords Temporal, with the Assent of the King, find Sir *Simon Burley* guilty, and pass Sentence on him to be drawn, hanged, and beheaded, and his Goods and Lands forfeited; which Sentence the King, by Assent of the Lords, changes to beheading, which was executed the same Day.

Conviction, Sentence, &c. of Sir *S. Burley*,

On the 12th of *May* Sir *John Beauchamp* and Sir *John Salisbury*, and Sir *James Berners* were convicted, adjudged, and executed: *Beauchamp* and *Berners* were beheaded and *Salisbury* hung. On the same day the Bishop of *Chichester* was declared guilty, and Forfeiture of his Lands and Goods was adjudged by the Lords Temporal with Assent of the King: But Sentence on his Person as an Ecclesiastic was left for Consideration.

Beauchamp,
Salisbury,
Berners,
Bishop of
Chichester.

244. Afterwards in the same Parliament it was ordained, that the Bishop of *Chichester*, and also *Belknap*, *Fulthorp*, *Holt*, *Burgh*, *Cary*, and *Lokton*, should go to *Ireland*, there to remain during their Lives in certain Places named (viz. *Cork*, *Drogheda*, *Dublin*, and *Waterford*) or within Two or Three Miles thereof respectively. The Judges, &c.

Banishment of Bishop of *Chichester*,
Belknap,
Fulthorp, *Holt*,
Burgh, *Cary*,
and *Lokton*.

Printed
Rot. Parl. iii. } were prohibited from any way meddling with
Page 244. } Law; and certain small annual Stipends were
(continued) } allowed them for their Lives.
[See Cap. 1. of the Stat. Pet. 5. as also printed
Rot. Parl. iii. p. 245. No. 18, 19, 20; Grants
by the King in Parliament to the Wife of Sir
James Berners, the Son of Sir Roger Fulbhorp,
and the Son and Daughter-in-law of the late Duke
of Suffolk; and further Cap. 5. of the Statute,
and Notes sub An. 20 Ric. 2. 2 H. 4, &c.]

See further as to the Reversal and Renewal and Re-reversal of
these Proceedings the Stat. 21 Ric. 2.; 1 H. 4.; and 1 Ed. 4.;
and the several Notes there.

The other Chapters of the Statute of this 11th Year are framed on
the following Articles in printed Rot. Parl.

Chap. of Stat.	No. in printed Roll.	
7,	-	29
8,	-	30
9,	-	31
10,	-	34
11,	-	33

} On Petitions of the Commons.

Besides the Articles mentioned above, and several for Confirmation
of existing Statutes, See further

Printed
Rot. Parl. } Grant of a Half-tenth and Fifteenth for the Safeguard
iii. p. 244, } of the Sea; with a Proviso that its being made before
No. 11, } the End of the Parliament should be no Prejudice to
the Lords or Commons, or to the holding or adjourning
the Parliament.

12, - Grant of Tonnage of 3s. and Poundage of 12 d. (except
on Wools), till the Feast of Pentecost, in Defence of the
Kingdom and Safeguard of Merchandise; and the
Subsidy on Wools continued to the same Time: with a
like Proviso as in the preceding Article.

On the Day of granting this Subsidy, (being March 20.)
the Prelates, Lords Temporal and Commons all make
an Oath in full Parliament, to preserve the Peace of the
Land, and to stand by the Five Lords Appellants to
the End of the Parliament, and to maintain and sus-
tain them with all their Power, and to live and die
with them; saving their Allegiance to the King and
the Laws. (See also Appendix to printed Rot. Parl. iii.
p. 400. No. 29)

245, - 16, Grant of a Subsidy on Wools, &c. in Defence of the
Realm, viz. on every Sack (over the ancient Custom
of 6s. 8 d.) 43 s. 4 d. of Denizens, and 46 s. 8 d. of
Aliens; and on all Leather and Woolfells in Propor-
tion; till the Midsummer Twelvemonth; on Condition
that the Five Lords Appellants should receive, by the
Assent and Grant of the King, 20,000 l. thereof for
their Costs, Troubles, and Expences, for the Honour,
Profit,

Printed Rot. Parl. iii.
p. 246, &c. No. 16,
continued.

} Profit, and Safety of the King and the Realm; }
and see p. 248. No. 35.)

17, The Tonnage and Poundage before granted
(No. 12.) continued also till Midsummer
Twelvemonth.

On Petitions of the Commons.

25, The Queen shall pay Ten Pounds a Day towards
the Household.

36, Pardon to the Citizens of London.

40, The Courts of Chancery, King's Bench, Com-
mon Pleas, and Exchequer, shall be surveyed by
the Chancellor, Treasurer, and Privy Seal, and
all improper Officers removed.

41, The Council and great Officers empowered to re-
move the Staple from Calais.

42, Comptrollers of Customs and Subsidies at the Ports,
and Weighers of Wool, shall hold their Offices
only during good Behaviour, and the King's
Pleasure, and not for Life or otherwise.

See Stats. 14 R. 2. c. 10. 17 R. 2. c. 5. and Re-
ferences there.

44, The King's Brother, John Holland, created Earl
of Huntingdon, on the Prayer of the Commons,
and by Advice and Assent of the Prelates, Dukes,
Earls, and Barons in Parliament.

45, The Marches shall be guarded by the Lords
Marchers.

46, { The King renews his Coronation Oath; the Pre-
49, { lates renew their Fealty; and the Lords Tempo-
ral their Homage: And the Prelates, Lords
Temporal, and Commons make a solemn Oath
not to consent or suffer that any Judgement,
Statute, or Ordinance, made in this Parliament,
shall ever be annulled, reversed, or repealed;
and also to observe the Laws and keep the
Peace of the Kingdom: And the Prelates pro-
nounce Excommunication on all who shall break
this Oath.

Private Petitions.

253. — 4, For Relief of Merchants of the Hanse Towns,
whose Goods were arrested by Way of Reprisals.

OUR dread Lord the King, heartily desiring that the Peace of
his Land be well holden and kept, and his faithful Subjects
nourished and governed in Quietness and Tranquillity in all Parts
within his Realm of England, to the Honour of God, and for
the Causes aforesaid, by the Assent of the Lords and Commons
of his Realm of England assembled at his Parliament holden at
Westminster the Morrow of the Purification of our Lady, the
Eleventh Year of his Reign, hath made and established certain
Statutes and Ordinances, and also granted certain Graces and
Pardons in Form under-written.

NOSTRE redoute Seignur le Roy, desirant moult entierement de coer qe la pees de sa terre soit bien tenuz et gardez, et ses soialx lieges et subgitz nurrez et governez en quiete et tranquillite tountz parts deinz son roialme, si ad, al honure de Dieu et pur les causes suifditz, de lassent des Seignurs et Communes de son roialme, assemblez a son parlement tenuz a Westm' lendemain de la purification de nostre dame lan de son regne unzisme, fait et establi certains estatutz et ordinaances, et auxint grantez et ottoiez certains graces et pardons, en la fourme desoutz escriptz.

C A P. I.

For Confirmation of certain Attainders or Judgements for Treason given in Parliament, and for Indemnity to all Parties concerned.

FIRST, our said Lord the King, among other Petitions and Requests to him made by the Commualty of his said Realm, in the said Parliament, hath received a Petition in the Form following.

PRIMEREMENT nostre dit Seignur le Roi entre autre petitions et requestes a lui faitz par la comunalte de son dit roialme en le dit parlement ad receu un petition en la forme q'en suit.

Then follow several Petitions and the King's Answers thereto separately, of which the following is the Substance.

Recital of the Causes of the Statute and Commission
An. 10 R. 2.

THE First Petition recites that in the last Parliament, because of the great and horrible Mischiefs befallen by the evil Government of *Alexander* then Archbishop of *York*, *Robert de Veere* duke of *Ireland*, *Michael de la Pole* Earl of *Suffolk*, *Robert Tresilian* Justice, and *Nicholas Brembre* Knight, and other their Adherents, whereby the King and all his Realm were very nigh to have been wholly undone and destroyed, a certain Statute was made in Parliament, and Commission granted to divers Lords, for the Weal, Honour, and Safeguard of the King, his Regality, and of all the Realm.—[*The Commission (dated 19 Nov. An. 10.) and the Statute are then both set out at length; and then the Recital proceeds to state*] That the said *Alexander*, *Robert*, *Michael*, *Robert*, and *Nicholas*, seeing that their said evil Governance would thereby [i. e. by Means of the Commission] be perceived, and that they by such Means would be punished, and their evil Deeds and Purposes disturbed by the said Lords assigned by the Commission, did make, conspire, and purpose divers horrible Treasons and Evils against the King, and the said Lords so assigned, and against all the other Lords and Commons which were assenting to the making of the said Ordinance and Commission, in Destruction of the King, his Regality, and all his Realm: Whereupon *Thomas Duke of Gloucester* the King's Uncle, *Richard Earl of Arundel*, and *Thomas Earl of Warwick*, perceiving the evil Purposes of the said Traitors, did assemble themselves in forcible Manner for the Safeguard of their Persons, to shew and declare the said Treasons and evil Purposes, and the same to remedy; and came to the King's Presence and affirmed against the said Five Traitors an Appeal of high Treason,

The treasonable Conspiracy of certain Persons against the King and all assenting to the said Statute and Commission.

The Opposition to such Traitors by the Duke of Gloucester, &c.

sons, by them done, upon which Appeal the King adjourned the said Parties till this present Parliament; and afterwards the said Traitors with their said Adherents, continuing their evil Purpose, some of them assembled a great Power, to have destroyed the said Duke and Earls Appellants, and other the King's lawful liege People, and to accomplish their Treasons and evil Purposes aforesaid: Whereupon the said Duke of *Gloucester*, *Henry Earl of Derby*, and the said Earls of *Arundel* and *Warwick*, and *Thomas Earl Marshall*, seeing the open Destruction of the King, and of all his Realm, if the said evil-purposed Traitors and their Adherents were not disturbed, which might not otherwise have been done, but with strong Hand, for the Weal and Safeguard of the King and his Realm, did assemble forcibly, and rode and pursued till they had disturbed the said Power, gathered by the said Traitors; which Five Traitors be attainted in this present Parliament of the Treasons and Evils aforesaid, at the Suit and Appeal of the said Duke of *Gloucester*, &c. That it would please the King to accept, approve, and affirm, in this present Parliament, all that was done in the last Parliament; and as much as hath been done since the said last Parliament by force of the Statute, Ordinance, or Commission aforesaid; and also all Matters done by the said Duke of *Gloucester*, &c. or any of their Adherents, as done to the Honour of God, Salvation of the King, Maintenance of his Crown, and Salvation of his Realm. And also to ordain and establish that the said Duke of *Gloucester*, &c. nor none of their Retinue or Company, Force, Aid, or Counsel, in the Things aforesaid, nor none other Person, for any Thing aforesaid shall be impeached, molested, or grieved, because of any Assembly, Combat, raising of Banners, Discomfiture, Death, or Imprisonment of Persons, taking of Houses, Goods, Armour, &c. burning of Houses, Assault, Battery, Robberies, Thefts, coming or tarrying with Force of Arms, or armed in the King's Presence at the Parliament or Council, or elsewhere; rising of the People or exciting the People to rise forcibly against the Peace, by Letters, Commissions, or otherwise; or because of any other Thing that may be surmised that they purposed to have done, from the Beginning of the World, touching any of the said Matters, before the End of this Parliament, by any Imagination, Interpretation, or other Colour; but shall be quit and discharged for ever: Except that the King be answered of all the Goods and Chattels of Persons attainted, in this present Parliament.

The King answers, that, considering the Matter of the said Petition to be true, he, by Consent of Parliament, grants the Request of the said Commons in all Points, after the Form of their said Petition. And moreover grants, though that the said Duke or Earls Appellants, or any of their Adherents, have taken, led away, or withholden any of the King's Justices or Ministers, in Disturbance of Execution of the Law, or have taken any Traitor and voluntarily suffered him to go at large, or escape beyond the Sea, (from the Fourteenth Day of *November* last past, till the End of this Parliament), that they nor none of them be for this Cause impeached, molested, nor grieved, but thereof they shall be quit and discharged for ever; nor shall they nor any of them be molested, grieved,

And Appeal of Treason against the said Traitors.

Forcible Resistance of the Traitors.

And forcible Opposition to them.

Attainder of the Traitors in Parliament.

Prayer of the Petition.

To affirm the Proceedings of the Parliament in An. 10 R. 2. and every Thing done since by the Duke and Appellants;

and to indemnify the Appellants and their Adherents.

Enactment accordingly.

Pardon to the Appellants of all Acts done against the Appelles.

grieved, nor impeached, for any Thing done at any Time to attain their Purpose against the said Appellees, nor for any other Thing or Deed to affirm the same Purposes till the End of this present Parliament, but thereof shall be quit and discharged for ever.

For Indemnity
of all Persons
not attainted.

Petition 2.—Also that none about the King's Person, nor none other Person, shall be impeached, molested, nor grieved by Appeal, Accusation, or otherwise, because of evil Governance or evil Counsel, about the King's Person, in any Time before the End of this present Parliament; or because of any other Thing than hath been declared in this present Parliament for Treason or Misprision; except those that be attainted or judged in this present Parliament [*and except certain Persons named*], and all that be beyond the Sea with the other Traitors, and all other that shall go to them hereafter.

For Indemnity
of Adherents
to the Traitors.

Petition 3.—Also that none which hath been of the Retinue, Aid, Council, Assent, or Adherence of the Persons attainted or judged in this present Parliament, or of any of them, (except before excepted), be impeached, molested, nor grieved for any Thing done (by Assemblies, Combats, Force of Arms, railing of the People, &c.), in Opposition to the said Duke of Gloucester, &c.

Petitions 2. & 3.
granted.

Which Petitions, by the Assent aforesaid, the King grants in all Points, and thereupon gives full Pardon and Remission to all concerned, according to the Contents of the same Petition.

For Confirmation
of all Appeals, Accu-
sations, and Execu-
tions made
in this
Parliament,
but so that they
shall be no
Precedent.

Petition 4. Also, that the Appeals, Pursuits, Accusations, Process, Judgements, and Executions given and made in this present Parliament be approved, affirmed, and established as duly done, for the Weal and Profit of the King and the Realm, notwithstanding that the Lords Spiritual and Procurators did absent them out of the Parliament at the Time of the said Judgments given (as is contained in their Protest in Parliament). And that by no Imagination, Interpretation, nor any other Motion, none of the same be infringed, reversed, or annulled in any Manner; and whosoever shall attempt to infringe, annul, or reverse any of the said Points, shall be judged and have Execution as a Traitor: Provided that this Acceptance, Approbation, Affirmation, and Establishment, touching the Assemblies, Appeals, Pursuits, Accusations, Process, Judgments, and Executions aforesaid, shall have Force and Virtue in these Cases so happened or declared only; and that they be not drawn in Example, or in Consequence in Time to come; nor that the said Commission made at the last Parliament be drawn in Example nor Consequence hereafter; but all the said Matters shall stand for the Time past, being made of so great Necessity: And though that divers Points be declared for Treason in this present Parliament, other than were before declared by Statute, no Justice shall have Power to give Judgement of other Case of Treason, nor in any other Manner, than they had before the Beginning of this Parliament.

That none of the
Traitors living
shall be pardoned.

Petition 5.—Also that none of the Traitors attainted by the Appeal aforesaid, or by Accusations of the Commons, now alive, shall be reconciled nor restored to the Law, by Pardon nor in other Manner, saving the Pardon made in this present Parliament; and if any do attempt to reconcile them, or to restore them to the Common Law, he shall be judged as a Traitor; and if any Charter of Pardon, or Licence to repair into England, or other Grant, be made

Attempt to
restore them shall
be Treason.

made to the said Traitors, or any of them, to be restored to the Common Law, or to abide in *England*, or in other Place than is limited to them in this present Parliament, all such Charters and Grants shall be void. And if any of the said Traitors come again into *England*, or be found out of the Place to him limited, he shall be held as a Traitor.

That such Traitors shall never return into *England*.

The two last Petitions the King, by the Assent aforesaid, grants in all Points; and wills that the same Grant shall stand firm and stable, according to the Content of the said Petitions, without Blemish, for ever.

C A P. II.

"All the Castles, Lordships, Reversions, Lands and Tenements, Goods and Chattels belonging to the following Persons, or held by any to their Use, shall be forfeited to the King:—viz. 1. *Alexander* late Archbishop of *York*, *Robert de Veer* late Duke of *Ireland*, *Michael de la Pole* late Earl of *Suffolk*, *Robert Tresilian* Knight, *Nicholas Brembre* Knight, *John Blake* and *Thomas Uske*:—2. *Robert Belknap*, *John Holt*, *John Cary*, and *William Burgh*, Knights:—3. *Roger Fulthorp* Knight, and *John Lockton*."

*Barrington says he could not find these Names in this Statute.

C A P. III.

"All the Castles, Lordships, Reversions, Lands, Tenements, Goods, and Chattels belonging to the following Persons, or held by any to their Use, shall be forfeited to the King, freed from all fraudulent Rent-charges, &c. viz. *Thomas Bishop* of *Chichester*, *Simon Burley* Knight, *John Beauchamp* of *Holt* Knight, *James Berners* Knight, and *John Salisbury* Knight."

C A P. IV.

"On Proclamation made in the respective Counties all Persons having any Goods or Chattels of the Persons attainted in Parliament, shall discover the same, on Penalty of answering for the same to the King, and also Forfeiture of the Value thereof, and One Year's Imprisonment.—Provido that Lands whereof the Persons so attainted were seized to the Use of others shall not be forfeited."

C A P. V.

"Proviso for saving the Rights of Lords of Franchises, of Issues in Tail, Persons in Reversion and Remainder, and the Inheritance and Jointure of Wives made before Forfeiture."

C A P. VI.

"All the foregoing Forfeitures of Lands, Goods, and Chattels shall remain in the King's Hands during the Wars, without

without any Grant thereof; and no Part thereof shall be accepted by any on Penalty of Forfeiture of Double the Value, Restoration of the Thing granted, and Punishment of Fine and Imprisonment. Except Offices and Bailiwicks, and Ecclesiastical Benefices; and also except Gifts in the present Parliament: And except that the King, by Advice of the Council, may sell Part of the said Forfeitures.

C A P. VII.

Confirmation of the Statutes 9 E. 3. *ft.* 1. c. 1, and 25 E. 3. *ft.* 4. c. 2, respecting Merchants.

ALSO, whereas by a Statute made at *Tork*, the Ninth Year of King *Edward* III. Grandfather of the King that now is, it was ordained and established, That all Merchants, Aliens and Denizens, &c. [*reciting Cap. 1. of Stat. 9 E. 3. ft. 1. at length*].

And after by a Statute made at a Parliament holden at *Westminster* the Twenty-fifth Year of King *Edward* the Third, it was ordained by the same King *Edward* the Grandfather, Prelates, Earls, Barons, and all the other great Men and Commons, &c. [*reciting Cap. 2. of 25 E. 3. ft. 4. at length*], as by the same Statutes fully doth appear.

Our Lord the King seeing clearly that the said Statutes if they were holden and fully executed, would manifestly extend to the Profit and Wealth of all the Realm, hath ordained and established, by the Assent of the Prelates, Dukes, Earls, Barons, great Men, Nobles, and Commons in this present Parliament assembled, That the said Statutes shall from henceforth be firmly holden, kept, and maintained, and fully executed in all Points and Articles thereof; notwithstanding any Statute, Ordinance, Charters, Letters Patents, Franchise, Proclamation, Commandment, Usage, Allowance, or Judgement made or used to the contrary. And that if any such Statute, Ordinance, Charter, Letters Patents, Franchise, Proclamation, Commandment, Usage, Allowance, or Judgement be made or used to the contrary, it shall be utterly repealed, avoided, and holden for none.

ITEM come par estatut fait a Everwyk lan du regne le Roy Edward tierce laiel nostre Seignur le Roy qorost noefisme ordeignez feust et establiz "Que toutz merchantz aliens et denzeins, &c."

Et puis par estatut fait en parlement tenuz a Westminster lan vint et quint du regne le dit Roi Edward laiel accordez estoit par mesme le Roi Edward laiel prelates contes barons et toutz autres grantz et communes, &c. [come par mesmes les estatutz pleinement appiert.]

Nostre Seignur le Roi, veiant clerement que les ditz estatutz fils feussent tenuz et pleinement executz sextendent overtement al profit et bien commune de tout le roialme, si ad ordeignez et establiz, par assent des prelatz ducs contes barons grantz nobles et communes, en cest present parlement assemblez, que les ditz estatutz soient desore enavant fermement tenuz gardez mayntenuz et pleynement executz, en toutz poyntz et articles dycelles; nient contrecsteantz aucun estatut ordinance chartres lettres patentes franchise

The Stats.

9 E. 3. *ft.* 2.

c. 1. and

25 E. 3. *ft.* 2. c. 2.

shall be executed in all Points, notwithstanding any Charter, &c.

[But see Stat.

16 R. 2. c. 1.]

franchise proclamation mandement usage allowance ou juggement fait ou use a contrarie. Et qe si ascun tiel estatut ordinance chartre lettres patentz franchise proclamation maundement usage allowance ou juggement soit fait ou use a contraire, soit outrement repellez anientiz et tenuz pur null.

C A P. VIII.

“Annuities granted by the King, his Father and Grandfather, with the Clause *quousque pro statu suo alibi duxerimus ordinandum*, shall become void, if the Grantee have accepted any Thing afterwards from the King.”

C A P. IX.

No Imposition shall be set on Staple Merchandizes without Assent of Parliament.

ALSO, That no Imposition nor Charge be put upon Wools, Leather, or Woolfels, other than the Subsidy and Custom granted to the King in this present Parliament; and if any be, the same shall be repealed and annulled, as it was heretofore ordained by Statute; saving always unto the King his ancient Right.

See printed
Rot. Parl. iii.
245. No. 16.
and Note,
p. 102,
and Stat.
45 E. 3. c. 4.

ITEM qe nulle imposition ne charge soit mys sur lains quirs ou pealz lanutz, autre qe le subside et custume grantez au Roi, en cest present parlement; et si ascuny soit, soit repellez et adnulliez; come autres foiz feust ordeynez par estatut, sauuant tout diz au Roi son auncien droit.

C A P. X.

The King's Signet or Privy Seal shall not be sent in Disturbance of the Law.

ALSO it is ordained and established, That Letters of the Signet, nor of the King's Privy Seal, shall not from henceforth be sent in Damage or Prejudice of the Realm, nor in Disturbance of the Law.

ITEM ordeyne est et estably, qe lettres de signet ne du secre seal nostre Seignur le Roy, ne soient desormes envoiez en damage ne prejudice de roialme, nen destourbance de la loye.

C A P. XI.

For amending Stat. 6 Ric. 2. c. 5, concerning the Assises of Justices.

ALSO, whereas late in the Statute made at Westminster, in the Sixth Year of the King's Reign that now is, amongst other Things it was ordained and accorded, That the Justices assigned and to be assigned, to take Assises, and deliver Gaols, should hold their Sessions in the principal and chief Towns of every County, that is to say, where the Shire-Courts of the same Counties be or hereafter

6 R. 2. c. 5.

The Chancellor
and Justices
may let the
Places for
holding Assises.

hereafter shall be holden; our Lord the King considering how that the said Statute is in Part prejudicial and grievous to the People of divers Counties of *England*, willeth and granteth, with the Assent aforesaid, at the Request of the said Commons, That the Chancellor of *England* for the Time being shall have Power thereof to make and provide Remedy, by Advice of the Justices from Time to Time, when Need shall be, notwithstanding the said Statute.

ITEM come nageurs en lestatut fait a Westm', lan du regne nostre dit seigneur le Roy sisme, entre autres choses ordeynez soit et accordez qe Justices assignez et assigners, as assises prendre et gaoles deliverer, tendroient leur sessions en les principalz et chiefs villes de chescun contee, cessassavoir la ou le contee de mesmes les contees soit, ou en apres ferroit, tenuz; Nostre Seignur le Roi considerant eoment le dit estatut si est en partie damageous et grevous as gentz du plusours contees d'Engleterre, voet et grante, de lassent fudist al request des ditz communes, qe le chancellor d'Engleterre pur le temps esseant ait poair dent mettre et faire remede, par advys justices de temps en temps qant mestier serra, nient contreesleant lestatut avantdit.

Et memorand' quod proclamatio istius statuti facta fuit in singulis comitatibus Anglie.

Anno duodecimo RICARDI II.

In the Parliament held at Cambridge on the Morrow of the Nativity of our Lady (9 Sept.) A.D. 1388.

The Proceedings in this Parliament are not given in Cotton's Abridgment, nor in the printed Parliament Rolls. In the former there is a Memorandum of the Writ of Summons; and in the Appendix to the latter, vol. iii. p. 403—405, No. 30 & 31, are two Writs from "Rot. Claus. 12 Ric. 2. No. 30," for deferring the Payment of the Subsidy (or Part of it) granted in this Parliament, and No. 31, declaring that the King had taken the whole and full Government of the Realm upon himself.

Tyrrell states the Subsidy granted in this Parliament as being a Fifteenth and Tenth; but Carte (probably following Knighton) says only a Half-fifteenth and Half-tenth. From the Words of the Writ above noticed, it seems the Subsidy was Two Half-fifteenths, &c. payable at different Times.

The Statute is here reprinted from the Text given by Hawkins, &c. as "Ex Rot. in Turr. Lond. m. 13," compared with Pymson, &c.

FOR

FOR the common Profit and universal Weal of all the Realm of England, our Lord the King, at his Parliament holden at [Cambridge¹] the Morrow after the Nativity of our Lady, the Twelfth Year of his Reign, with the Assent of the Lords and Commons there assembled, hath made certain Statutes and Ordinances in Form following.

¹ Former Translations read "*Canterbury*," and so elsewhere in Recitals of this Statute.

PUR commune profit et universel bien de tout le roialme (¹) nostre Seignur le Roi, a son parlement tenuz a Cantebr', le demayn de la nativite de nostre Dame, lan de son regne douzisme, del assent des Seignurs et Communes illoeqs assemblez ad fait certains estatutz et ordenances, en la forme qensuit.

¹ Dengleterre.

C A P. I.

"A Confirmation of the Liberties of the Church, and of the Charters, and all former Statutes not repealed."

C A P. II.

For the due Appointment of Justices of the Peace and other Officers.

[See also Stat.
5 & 6 E. 6.
c. 16.]

ALSO it is accorded and assented, That the Chancellor, Treasurer, Keeper of the Privy Seal, Steward of the King's House, the King's Chamberlain, Clerk of the Rolls, the Justices of the one Bench and of the other, Barons of the Exchequer, and all others who shall be called to ordain, name, or make Justices of Peace, Sheriffs, Escheators, Customers, Comptrollers, or any other Officer or Minister of the King, shall be firmly sworn, that they shall not ordain, name, nor make any Justice of Peace, Sheriff, Escheator, Customer, Comptroller, nor other Officer or Minister of the King, for any Manner of Gift or Brocage, Favour or Affection; nor that none who pursueth by himself, or by other, privily or openly, to be in any Manner of Office, shall be put into the same Office, or into any other; but that they shall make all such Officers and Ministers of the best and most lawful Men, and sufficient in their Knowledge and Conscience.

The Chancellor, &c. shall be sworn not to appoint Justices of Peace. &c. for Gift, Favour, or Affection, nor on Suit.

ITEM accordez est et assentuz, qe le Chancellor, Tresorer Gardein du-privé seal Seneschal del Hostel le Roi Chaumbreleyn du Roi Clerc des Roules Justices de lun Bank et de lautre Barons de Lescbeker, et toutz autres qi serront appelez dordeiner nomer ou faire justices de la paix viscontz eschetours custumers contre-rollours, ou ascun autre officer ou ministre du Roi, soient fermement jurrez et serementez qils nordeinent noment ne facent justice de la paix, viscont eschetour custumer contrerollour, ne null autre officer ne ministre du Roi, par null manere doun ne brogag favour naffection; ne qe null qe pursue par luy ou par autre en prive ou en apert desir en aucune manere office, soit mys en mesme loffice ou en ascun autre; einz qils facent touz tielx offices et ministres de les plus bones et loialx et les plus sufficeantz a lour escience et lour conscience.

C A P.

C A P. III—IX.

For the Regulation of Servants, Labourers, Beggars, and Vagabonds.

[All these Chapters are expressly repealed by Stat. 21 Jac. 1. c. 28. § 11.
—See also the general Words of Stat. 5 Eliz. c. 4.]

[CAP. III.]
Former Statutes
respecting
Servants
confirmed.
[See Stat.
25 E. 3. p. 1. &c.
34 E. 3.
c. 9—11, &c.]

Servants going
from their
Service shall
carry Letters
Testimonial,
under a Seal to
be provided for
that Purpose.
[See Stat.
14 R. 2. c. 11.]

Servants found
wandering
without such
Letters shall be
put in the
Stocks, &c.

Exceptions.

Penalty on
forging such
Letters.

Penalty on
receiving
Servants without
such Letters.

Harvest
Labourers.

ALSO it is accorded and assented, That all the Statutes of Artificers, Labourers, Servants, and Victuallers, made as well in the Time of our Sovereign Lord the King that now is, as in the Time of his noble Grandfather (whom God assoil) not repealed, shall be firmly holden and kept, and duly executed; and that the said Artificers, Labourers, Servants, and Victuallers be duly punished by the Justices of Peace as well at the Suit of the King as of the Party, according as the said Statutes require; and that the Mayors, Bailiffs, and Stewards of Lords, and Constables of Towns, shall duly perform their Offices touching such Artificers, Servants, Labourers, and Victuallers; and that Stocks be in every Town to punish such Servants and Labourers as is ordained in the said Statutes. And moreover it is ordained and assented, That no Servant nor Labourer, Man or Woman, shall depart at the End of their Term out of the Hundred, Rape, or Wapentake where he is dwelling, to serve or dwell elsewhere, or under Colour of going on Pilgrimage, unless he carry a Letter Patent containing the Cause of his going, and the Time of his Return, if he is to return, under the King's Seal, which for this Intent shall be assigned and delivered to the Keeping of some good Man of the Hundred, Rape, Wapentake, City, or Borough, according to the Discretion of the Justices of Peace to keep, and lawfully make such Letters when it needeth, and not in any other Manner, by his own Oath; and that round the same Seal there shall be written the Name of the County, and overthwart the said Seal, the Name of the said Hundred, Rape, Wapentake, City, or Borough. And if any Servant or Labourer be found in any City or Borough, or elsewhere, coming from any Place, wandering without such Letter, he shall be forthwith taken by the said Mayors, Bailiffs, Stewards, or Constables, and put in the Stocks, and kept till he hath found Surety to return to his Service, or to serve or labour in the Town from whence he came, till he have such Letter to depart for a reasonable Cause. And it is to be remembered, that a Servant or Labourer may freely depart out of his Service at the End of his Term, and serve elsewhere, so that he be in a Certainty with whom, and shall have such a Letter as afore: but the Meaning of this Ordinance is not, that Servants, riding or going on the Business of their Lords or Masters, shall be comprised within this Ordinance for the Time of the same Business. And if any bear such Letter, which may be found forged or false, he shall have Imprisonment of Forty Days for the Falsity, and further till he hath found Surety to return, and serve or labour, as before is said. And that none do receive Servant or Labourer going out of their Hundred, Rape, Wapentake, City, or Borough, without Letter testimonial, nor with such Letter, above one Night, except it be for Cause of Sicknefs or other Cause reasonable, or that he will and may serve and labour there by such Testimonial, upon a Pain to be limited by the Justices of Peace. And that as well Artificers and People of Trade,

Trade, as Servants and Apprentices, which be of no great Having, and of which Craft or Myltery there is no great Need in Harveſt Time, ſhall be compelled to ſerve in Harveſt, to cut, gather, and bring in the Corn. And that this Statute be duly executed by Mayors, Bailiffs, Stewards, and Conſtables of Towns, upon Pain to be limited and adjudged by the ſaid Juſtices of Peace in their ſeſſions; and that no Man take above one Penny for the making, ſealing, and delivering of ſuch Letter.

Execution of
this Statute.

Alſo becauſe that Servants and Labourers will not, nor by a long Seſon would ſerve and labour without outrageous and exceſſive Hire, and much more than hath been given to ſuch Servants and Labourers in any Time paſt, ſo that for the Dearneſs of the ſaid Servants and Labourers, the Huſbands and Land-tenants cannot pay their Rents, nor hardly live upon their Lands, to the great Damage and Loſs as well of the Lords as all the Commons; and alſo becauſe that the Hire of the ſaid Servants and Labourers have not been put in certainty before this Time: It is accorded and aſſented, That the Bailiff for Huſbandry ſhall take by Year Thirteen Shillings Four-pence, and his Cloathing once by Year at the moſt; the maſter Hine Ten Shillings; the Carter Ten Shillings; the Shepherd Ten Shillings; the Ox-herd Six Shillings Eight-pence; the Cow-herd Six Shillings Eight-pence; the Swine-herd Six Shillings; a Woman Labourer Six Shillings; [a Dey¹] Six Shillings; a Driver of the Plough Seven Shillings at the moſt; And every other Labourer and Servant according to his Degree, and loſs in the Country where leſs was wont to be given without Cloathing, Courtſie, or other Reward by Covenant. And that no Servant of Artificers nor Victuallers within Cities, Boroughs, nor other Towns, ſhall take more than the Servants and Labourers above named after their Eſtate, without Cloathing, Courtſie, or other Reward by Covenant, as is aforeſaid: And if any give or take by Covenant more than is above ſpecified, at the firſt Time that they ſhall be thereof attaind, as well the Givers as the Takers ſhall pay the Value of the Exceſs ſo given or taken; and at the ſecond Time of their Attainder, the Double Value of ſuch Exceſs; and at the third Time the Treble Value of ſuch Exceſs; and if the Taker ſo attaind have nothing whereof to pay the ſaid Exceſs, he ſhall have Forty Days Imprifonment.

[CAP. IV.]

Wages of ſeveral
Sorts of
Servants.

Penalty on
giving or taking
higher Wages.
[Repealed as to
the Givers,
4 H. 5. c. 4.
and again
4 H. 8. c. 5.]

Alſo it is ordained and aſſented, That he or ſhe which uſeth to labour at the Plough and Cart, or other Labour or Service of Huſbandry, till they be of the Age of Twelve Years, ſhall from thenceforth abide at the ſame Labour, without being put to any Trade or Handicraft; and if any Covenant or Bond of Apprentiſe be from henceforth made to the contrary, the ſame ſhall be holden for none.

[CAP. V.]
Persons having
ſerved in
Huſbandry till
Twelve Years
old ſhall
continue ſo to do.

Alſo it is accorded and aſſented, That no Servant of Huſbandry, or Labourer, nor Servant of any Artificer or Victualler, ſhall from henceforth bear any [Buckler,²] Sword, nor Dagger, upon Forfeiture of the ſame, except in the Time of War for Defence of the Realm, and that by the Survey of the Arrayers for the Time being; or travelling through the Country with their Maſters, or on their Maſter's Meſſage: but ſuch Servants and Labourers

[CAP. VI.]
Servants ſhall
not wear certain
Weapons,

¹ A Dairy Woman, Ryſt. 1591.

² So all Tranſlations read; but query.

but shall use
Bows and
Arrows, and
leave idle Games.
Sheriffs, &c.
may arrest
Offenders and
their Weapons.

shall have Bows and Arrows, and use the same the *Sundays* and Holidays; and leave off all Plays of Tennis or Football, and other Games called Coits, Dice, casting of the Stone, [Kails,³] and other such importune Games. And that the Sheriffs, Mayors, Bailiffs, and Constables, shall have Power to arrest, and shall arrest all Doers against this Statute, and to seise the said Bucklers, Swords, and Daggers, and keep them till the Sessions of the Justices of Peace, and the same shall present before the said Justices in their Sessions, together with the Names of them that did carry the same. And it is not the King's Mind that any Prejudice be done to the Franchises of Lords, touching the Forfeitures due to them.

[CAP. VII.]
Punishment of
wandering
Beggars.
(See Cap. 3.)

Maintenance
of impotent
Beggars.

All Pilgrims
shall carry
Testimonials.

Also it is accorded and assented, That of every Person that goeth begging, and is able to serve or labour, it shall be done of him as of him that departeth out of the Hundreds and other Places aforesaid, without Letter testimonial as afore is said; except People of Religion, and Hermits having Letters testimonial of their Ordinaries: And that the Beggars impotent to serve, shall abide in the Cities and Towns where they be dwelling, at the Time of the Proclamation of this Statute; and if the People of the said Cities or Towns will not nor are not able to maintain them, that then the said Beggars shall betake themselves to other Towns within the Hundred, Rape, or Wapentake, or to the Towns where they were born, within Forty Days after the said Proclamation made, and there shall continually abide during their Lives: And that of all them that go in Pilgrimage as Beggars, and be able to work, it shall be done as of the said Servants and Labourers, if they have no Letters testimonial of their Pilgrimage under the said Seals. And that the Clerks of the Universities that go so begging, have Letters testimonial from their Chancellor under the same Pain.

[CAP. VIII.]
Persons begging
as distressed
Travellers from
abroad shall
have Testimonials
under the
Penalties in
Cap. 3.

Also it is ordained and assented, That they that feign themselves to be Men having travelled out of the Realm, and there been imprisoned, shall bring Letters testimonial of the Captains where they were abiding, or of the Mayors or Bailiffs where they arrived; and that such Mayors and Bailiffs shall enquire of such People where and with whom they have dwelled, and in what Place their Dwelling is in *England*; and that the said Mayors and Bailiffs make them a Letter Patent under the Seal of their Office, testifying the Day of their Arrival, and where they have been, as they have said; and that the said Mayors and Bailiffs cause them to swear, that they shall hold their right Way towards their Country, except they have a Letter Patent under the King's Great Seal to do otherwise. And if any such travelled Man be found without such Letter as afore is said, it shall be done of him as of the Servants and Labourers aforesaid; and this Ordinance shall be intended of Men travelled, that go begging through the Country after their Arrival.

[CAP. IX.]
The foregoing
Ordinances
shall be duly
executed by
Sheriffs, Mayors,
Gaolers, &c.

Also it is ordained and assented, That the Ordinances aforesaid of Servants and Labourers, Beggars, and Vagabonds, shall hold place and be executed as well in Cities and Boroughs, as in other Towns and Places within the Realm, as well within Franchises as without; and that the Sheriffs, Mayors, and Bailiffs, and the

³ Nine-pins.

Keepers

Keepers of the Gaols shall be holden and charged to receive the said Servants, Labourers, Beggars, and Vagabonds, and to keep them in the Prison in Form aforesaid, without letting them to mainprise or in Bail, and without Fee or any other Thing taking of them by themselves or by any other, as long as they be so imprisoned, or at their Entry, or at their going forth of Prison, upon Pain to pay an Hundred Shillings to our Sovereign Lord the King.

ITEM accordez est et assentuz qe toutz les estatutz des artificers labourers servantz et vitailleurs, faitz sibien en temps nostre Seignour le Roi qore est, come en temps de son noble aiel, qe Dieux assoill, nient repellez, soient fermement tenuz et gardez, et duement executz; et qe les ditz artificers laborers servantz et vitailleurs soient duement justicez par les justices de la paix, sibien a suite du Roi come de partie, solonc le exigence des ditz estatutz; et qe les maïrs baillifs et seneschalx des seignours, et conestables des villes, facent duement lour offices touchant tielx artificers servantz labourers et vitailleurs; et qe ceppes soient en chescune ville a justifier mesmes les servantz et laborers, come ordeinez est en lestatutz fuïsditz. Et en outre est ordeinez et assentuz qe null servant ou laborer, soit il homme ou femme, ne depart au syn de son terme hors del hundred rape ou wapentak ou il est demurrant, pur servir ou demurrer aillours, oz par colour daler loyns en pillerinage, sil ne porte lettre patente contenant la cause de son aler, et le temps de son retourner sil doit retourner, de souz le seal le Roi qa ce ferra assigne et livre en garde dascun prodhomme del hundred [ou hundredes¹] rape ou wapentak cite et burgh, solonc la discrecion des justices de la paix a garder et loialment faire tielx lettres quant il busoignera, et nemye en autre manere, par son serement, et gentour le dit seal soit escript le noun del countee et a travers le dit seal le noun del dit hundred rape wapentak citee ou burgh: Et si ascun servant ou labourer soit trove en citee burgh ou aillours, venant dascun lieu vagerant, sanz tiel lettre, soit maytenant pris par les ditz meïrs baillifs seneschalx ou conestables, et mys en ceppes, et garde tanqe il eit trovez seurtee de retourner a son service, ou servir ou laborer en la ville dont il vient, tanqe il eit tiel lettre a departier par cause resonable. Et fait a remembrer qe servant ou laborer puisse franchement departier hors de son service al syn de son terme, et servir aillours, issint qil soit en certain ove qi et eit autiel lettre come desus; mais nest pas lentencion de ceste ordenance qe servantz qe chivachent ou aillent es busoignes de lour seignours ou meïtres soient compris deinz ceste ordenance pur temps de mesme le busoigne. Et si null porte tiel lettre qe poet estre trovez forge ou faux eit la prison de quarant jours pur la fauxine, et outre tanqe il eit trove seurtee de retourner et servir et laborer come devant est dit. Et qe null receite servant ne laborer alantz hors de lour hundredes rape wapentak citee ou burgh sanz lettre testimoniale, ne ove lettre outre une noet, sil ne soit par cause de maladie ou autre cause resonable, ou qil voet et puisse servir et laborer illoeqs par mesme la tesmoignance sur peyne a limiter par justices de la paix. Et qe sibien artificers et gentz de mistier, come servantz et apprentiz qi ne sont de grant

¹ P. omits.

avoir, et de quel artifice ou mistier len nad pas grant besoigne en temps d'Ault, soient artez de servir en Ault de cier coiller et entrer les bleds : Et que cest estatut soit duement execut par mairs baillifs seneschalx et conestables des villes sur peyne a limiter et ajugger par les ditz justices de la paix en lour sessions ; et que null preigne outre un denier pur la dite lettre faire et ensealer et delivrer.

Et enoutre a cause que les servantz et laborers ne voillent, ne par long temps ont voluz, servir et laborer sanz outrageouse et excessive lower, et moult greindre que nad este done as tielx servantz et laborers en aucun temps passe, siqe pur chierté des ditz laborers et servantz les husbandes et terre tenantz ne poent paier lour rentes, ne a peyne vivre sur lour terres, a tresgrant damage et perde sibien des seignurs come de toute la communalie ; et auxint a cause que les lowers des ditz laborers et servantz nont este mys en certeyn devant ces heures : Accordez est et assentuz que le baillif pur husbandrie preigne par an xiii s. iiij d. et sa vesture un foitz par an a plus ; le maistre hyne x s. charetter x s. bercher x s. bover vis. viii d. vacher vi s. viiij d. porcher vi s. femme laborer vi s. deye vi s. chacer de charue viis. au plus ; et chescun aut. e laborer et servant solonc son degre, et meyns en paiis ou meyns soleit estre donez sanz vesture curtoisie ou autre regard par covenant. Et que null servant des artificers ne des vitailleurs, deinz -citées burgha nautres villes, ne preigne plus que les laborers et servantz desus nomez solonc lour estat, sanz vesture curtoisie ou autre regarde par covenant come desus est dit. Et si nully doune ou preigne par covenant plus que nest especifiez paramont, qal primerfoitz qils ferront ent atteintz paient sibien les donours come les parnours la value de l'excesse issint done ou pris ; et al second foitz de lour atteindre la double value de tielle excesse, et al tierce foitz la treble value de tielle excesse ; et si le parnour issint atteint neit riens dont paier le dit excesse eit la prison de quarant jours.

Item ordeinez est et assentuz que celui ou celle que use de laborer a la charue et charette ou autre labour ou service de husbandrie, tanquil soit del age de xii. ans, de delors enavant il demoerge a cell labour, sanz estre mys a mistier ou artifice ; et si aucun covenant [en ¹] lien d'apprentice soit fait desore enavant a contraire soit tenuz pur null.

Item accordez est et assentuz que null servant de husbandrie ou laborer, ne servant de artificer ne de vitailier ne porte desore enavant bassard dagger nespée, sur forfaiture dicelle, sinon en temps de guerre pur defense du roialme, et ce par survewe des arraiours pur le temps esteantz, ou travaillant par paiis oveſque lour mestres ou en le message de lour mistres ; mes eient tielx servantz et laborers arkes et fetes et les usent les dymenges et jours des festes, et lessent tout outrement les jeues as pelotes sibien a meyn come a pice, et les autres jeues appelez coytes dyces gettre de pere [keyles²] et autres tielx jeues importunes. Et que es viscontz mairs baillifs et conestables aient poair darestre, et arestent, touz les contrevenantz, et les bassardes daggers et espees fufditz [et-les ditz bassardes daggers et espees³] seisir et garder

¹ ou, P.

³ P. omits this Repetition.

² kyles, P. [quilles]

tanqal session des justices de la paix, et les presentent devant les ditz justices en leur sessions ensemblement ove les nouns de ceux qe les portèrent. Et nest pas l'entention du Roy qe prejudice soit fait as franchises des seignurs touchantz les forfaitures a eux dues.

Item accordez est et assentuz, qe de chescun qi va mendigant et est able de servir ou laborer, soit fait de luy come de celui qi depart hors de hundredes et autres lieux susditz sanz lettre testimoniale come desus est dit, forspris gentz de religion et heremytes appovez, ciantz lettres testimoniales des ordinaires. Et qe les mendinantz impotentz de servir demurgent es citees et villes ou ils sont demurantz al temps de proclamation de cest estatut; et si les gentz des ditz citees ou villes ne voillent ou ne poient souffrir de les trover, qe les ditz mendinantz soi traitent as autres villes deinz le hundred rape ou wapentak, ou as villes ou ils furent nez, deinz qarrant jours apres la dite proclamation faite, et la demurgent continuellement pur leur vies: Et qe de touz ceux qaillent en pilrinage come mendinantz, et sont puissant de travailler, soit fait come des ditz servantz et laborers, s'ils neient lettres testimoniales de leur pilrinage desouz la sealx avantditz. Et qe les clers des universitees qi vont ensy mendinantz eient lettres de tesmoigne de leur chancellor sur mesme le peyne.

Item ordeinez est et assentuz qe ceux qe se seignent hommes travailles hors du roialme, et illoques estre emprisonnez, portent lettres testimoniales des capitains ou ils ont demurrez, ou des meirs et baillifs ou ils facent leur arrivall; et qe mesmes les meirs et baillifs, enquerrent de tielx gentz ou ils ont demurrez et ove qi, et en quel lieu leur demour est en Engleterre; et qe mesmes les meirs et baillifs les facent lettre patente de souz le seal de leur office, tesmoignant le jour de leur arrivall, et ou ils ont este a ce qils ont dit; et qe les ditz meirs et baillifs les facent jurer qils tendront leur droit chymyn vers leur paais, sinon qils eient lettre patente de souz le grant seal du Roy d'autrement faire. Et si aucun tiel homme travaillez, soit trove sanz tiele lettre, soit fait de luy come des servantz et laborers susditz; et ceste ordenance serra entendue des hommes travaillez qi vont mendinantz par la paais apres leur arrivall.

Item ordeinez est et assentuz qe les ordinances susdites, des servantz et laborers mendinantz et vagerantz, tieignent lieu et soient executz sibien es citees et burghs, comes es autres villes et lieux deinz le roialme, sibien deinz franchise come dehors; et qe les viscontz meirs et baillifs et gardeins des gaoles soient tenuz et chargez de recevoir les ditz servantz laborers mendinantz et vagerantz, et les detenir en prisone en la forme avantdite, sanz les lesser a mainprise ou en baille, et sanz fee ou autre riens prendre deux, par eux mesmes ou par autres, tant come ils soient ensy en prisone ou al entree ou issue de mesme la prisone, sur peyne de paier C s. au Roy.

C A P. X.

For appointing and regulating Justices of Peace, their Sessions, and Wages.

[See also Stat.
14 R. 2. c. 11.]

Number of
Justices, Eight ;
Their quarterly
Sessions.

[See also Stat.
2 H. 5. §. 1. c. 4.
14 H. 6. c. 4.]

They shall
enquire concern-
ing Labourers,
Vagrants, &c.

[See c. 3—9
preceding.]

The Wages of
Justices and
their Clerks.

Mode of
assigning them.

[See also Stat.
13 R. 2. §. 1. c. 7.]

Judges and
Serjeants need
not attend the
quarterly
Sessions.

ALSO it is ordained and agreed, That in every Commission of the Justices of Peace, there shall be assigned only Six Justices, besides the Justices of Assises; and that the said Six Justices shall hold their Sessions in every Quarter of the Year at the least, and that for Three Days if need be, upon Pain to be punished according to the Discretion of the King's Council, at the Suit of every Man that will complain; and they shall inquire diligently, amongst other Things, touching their Offices, if the said Mayors, Bailiffs, Stewards, Constables, and Gaolers have duly done Execution of the said Ordinances and Statutes of Servants and Labourers, Beggars and Vagabonds, and shall punish them that be punishable by the said Penalty of an Hundred Shillings, by such Penalty; and they that be found in Default, and who be not punishable by such Penalty, they shall punish by their Discretion. And every of the said Justices shall take for their Wages Four Shillings the Day for the Time of their said Sessions; and their Clerks Two Shillings the Day, of the Fines and Amerciaments rising and coming from the same Sessions, by the Hands of the Sheriffs. And that the Lords of Franchises shall be contributory to the said Wages, after the Rate of their Part of the Fines and Amerciaments aforesaid. And that no Steward of any Lord be assigned in any of the said Commissions; and that no Association shall be made to the Justices of the Peace after their first Commission. And it is not the Intent of this Statute, that the Justices of the one Bench or of the other, nor the Serjeants of the Law, in case that they shall be named in the said Commissions, shall be bound by Force of this Statute to hold the said Sessions Four Times in the Year, as the other Commissioners are who be continually dwelling in the Country, but that they shall so do when they may best attend thereto.

ITEM ordeinez est et assentuz qen chescun commission des justices de la paix ne soient assignez qe sys justices [outre¹] les justices dassises; et qe les ditz sys justices tiegnent leur sessions en chescun quartre del an au meyns et ce par trois jours, si mestier soit, sur peyne destre puniz solonc ladvyz du conseil le Roy a suite de chescun qe soy vorra pleindre; et enquergerent diligealment, entre autres choses touchantz leur offices, si les ditz meirs baillifs seneschalx et constables et auxint gaolers ont duement faitz execution des ditz ordenances [et estatutz²] des servantz et laborers mendinantz et vagerantz; et punissent ceux qe sont punissables par la dite peyne de C s. par meisme la peyne, et ceux qi sont trovez en default qi ne sont pas punissables par la dite peyne punissent par leur discrecion. Et preigne chescun des ditz justices pur leur gages iiij s. le jour pur le temps de leur ditz sessions et leur [clercs³] deux s. le jour, des fyns et amerciementz surdantz et provenantz de meismes les sessions, par les mayns des viscontz. Et qe les seignurs des franchises soient contributoirs as ditz gages solonc lasserant de leur part des fyns et amerciementz susditz. Et

¹ ou, P.

² P. omits.

³ clerc, P.

qe null fenefchal de feigneur soit assigne en null des ditz commissions et qe null association soit faite as justices de la paix apres leur primer commission. Et nest pas lentention de cest estatut qe les justices de lun bank et de lautre, ne les serjeantz de ley, en cas qils soient nomez en les ditz commissions, soient tenuz par force de cest estatut de tenir les ditz sessions quatre foitz par an, come sont les autres commissioners qi sont continuellement demurrantz en pais, mes qils le facent qant ils a ce poent bonement entendre.

C A P. XI.

For punishing Reporters of Lies against Peers and great Officers.

ALSO, whereas it is contained, as well in the Statute of *Westminster* the First, as in the Statute made at *Gloucester*, the Second Year of the Reign of our Lord the King that now is, that none be so hardy to contrive, speak, or tell any false News, Lie, or such other false Thing, of the Prelates, Dukes, Earls, Barons, and other Nobles and Great Men of the Realm, and also of the Chancellor, Treasurer, Clerk of the Privy Seal, the Steward of the King's House, Justices of the one Bench and the other, and other great Officers of the Realm, and he that doth so shall be taken and imprisoned, till he hath found him [which was the First Author of the Tale:'] It is accorded and agreed in this Parliament, That when any such is taken and imprisoned, and cannot find him [which was the First Author of the Tale,²] as before is said, that he be punished by the Advice of the Council, notwithstanding the Statutes aforesaid.

[See Stat.
3 E. 1. c. 34.
2 R. 2. st. 1. c. 5.
and further
1, 2 P. & M. c. 3.
1 Eliz. c. 6.]

If the Author
of the Slander is
not found, the
Relator may be
punished by the
Council.

¹ which did speak the same, Stat. 1, 2 P. & M. c. 3.

² of whom he heard those news which he spake, Stat. 1, 2 P. & M. c. 3.

ITEM come contenuz soit, sibien en lestatut de Westminster primer, come en lestatut fait a Glouc' lan du regne nostre Seigneur le Roi qore est second, qe null soit si hardy de controver dire ou conter aucune faux novell, mensonge ou autre tiel fauxe chose, des prelatz ducs counts barons et autres nobles et grantz du roialme, et auxint de chancellor tresorer clerc du prive seal fenefchal del hostel nostre Seigneur le Roi justices de lun bank et de lautre, et dautres grantz officers du roialme, et qi le fra soit pris et emprisonnes jescques autant qil eit treuve celuy dont le parole serra moevez; accordez est et assentuz en cest parlement, qe qant aucun tiel soit pris et, emprisonnez, et ne poet trover celuy, dont le parole serra moevez, come devant est dit, qil soit puniz par advys du conseil, nient contresceant les estatutz avantditz.

C A P. XII.

For levying the Expences of the Knights of Parliament.

ALSO, in respect to the levying of the Expences of the Knights coming to the Parliaments, for the Commons of the Countiees, it is accorded and assented, That the said Levy be made as it hath been used before this Time; adding thereto, that if any Lord or any other Man Spiritual or Temporal, hath purchased any Lands or Tenements, or other Possessions, that were wont

to be contributory to such Expences before the Time of the said Purchase, that the said Lands, Tenements, and Possessions, and the Tenants of the same, shall be contributory to the said Expences, as the said Lands, Tenements, and Possessions were wont to do before the Time of the same Purchase.

ITEM endroit de la levee des despenses des chivalers venantz as parlementz, pur les communes des countees, accordez est et assentuz qe la dite levee soit faite come ad este use avant ces hures; ajouste a yceil qe si aucun seignur, ou autre homme espirituell ou temporel, eit purchacez ascuns terres ou tenementz ou autres possessions, qi soleient estre contributoirs as tiels despenses, devant le temps du dit purchace qe mesmes les terres tenementz et possessions, et les tenantz dicelles, soient contributoirs as dites despenses, come les ditz terres tenementz et possessions [et les tenantz dicelles] soloient faire devant le temps de mesme la purchace.

¹ P. omits.

C A P. XIII.

For punishing Nuisances which cause Corruption of the Air near Cities and great Towns.

ALSO, for that so much Dung and other Filth of the Garbage and Entrails as well of Beasts killed, as of other Corruptions, be cast and put in Ditches, Rivers, and other Waters, and also many other Places within, about, and nigh unto divers Cities, Boroughs, and Towns of the Realm, and the Suburbs of them, that the Air there is greatly corrupt and infect, and many Maladies and other intolerable Diseases do daily happen, as well to the Inhabitants and those that are conversant in the said Cities, Boroughs, Towns and Suburbs, as to others repairing and travelling thither, to the great Annoyance, Damage, and Peril of the Inhabitants, Dwellers, Repairers, and Travellers aforesaid: It is accorded and assented, That Proclamation be made as well in the City of *London*, as in other Cities, Boroughs, and Towns, throughout the Realm, where it shall be needful, as well within Franchises as without, that all they which have cast and laid such Annoyances, Dung, Garbages, Entrails, and other Ordure in Ditches, Rivers, Waters, and other Places aforesaid, shall cause them utterly to be removed, avoided, and carried away betwixt this and the Feast of Saint *Michael* next ensuing after the End of this present Parliament, every one upon Pain to lose and to forfeit to our Lord the King Twenty Pounds; and that the Mayors and Bailiffs of every such City, Borough, and Town, and also the Bailiffs of Franchises, shall compel the same to be done upon like Pain. And if any feel himself grieved, that this be not perfected in Manner aforesaid, and will thereupon complain to the Chancellor after the said Feast of Saint *Michael*, he shall have a Writ to cause him of whom he will so complain to come into the Chancery, there to shew why the said Penalty should not be levied of him; and if he cannot duly excuse himself, the said Penalty shall be levied of him. And moreover Proclamation shall be made, as well in the said City of *London*, as in other Cities, Boroughs, and Towns as aforesaid, that none of what Condition soever he

All existing
Nuisances shall
be removed
within a certain
Time on Penalty
of Twenty
Pounds.

Proclamation
shall be made
against future
Nuisances,

be, cause to be cast or thrown from henceforth any such Annoyance, Garbage, Dung, Entrails, nor any other Ordure into the Ditches, Rivers, Waters, and other Places aforesaid; and if any so do, he shall be called by Writ before the Chancellor, at his Suit that will complain; and if he be found guilty, he shall be punished according to the Discretion of the Chancellor.

which shall be punished by the Chancellor.

ITEM pur ce que tantz des fymes et autres ordures des issues et entrailles, sibien des bestes tuez come des autres corruptions, sont gettez et mys en fosses ryvers et autres ewes, et auxint plusours autres lieux dedeinz entour et pres diverses citees burghs et villes du roialme, et les suburbs dicelles, que laire illoeges est grandment corrupt et enfect, et plusours maladies, et autres diseases nient suffrables, aveignent de jour en autre, sibien a les inhabitantz et conversantz es dites citees burghs villes et suburbs, come as autres illoeges repairantz et passantz, a tresgrant anufance damage et peril des inhabitantz conversantz repairantz et passantz susditz; Accordez est et assentuz que proclamation soit faite, sibien en la citee de Londres come en autres citees burghs et villes parmy le roialme, ou il busoigne, sibien deinz franchises come dehors, que toutz ceux que tielx anufances fymes issues entrailles et autres ordures ont gettez et mys, en fosses ryvers ewes et autres lieux susdites, les facent outrement remuer ouster et emporter parentre cy et le fest de seint Michel prochein avenir apres le fyn de cest parlement; chescun sur peyne de vint livres appaier au Roy; et que les meirs et baillifs de chescun tiel citee burgh et ville et auxint les baillifs des franchises les compellent de ce faire sur semblable peyne. Et si ascun soy sent greve, que ce ne soit parfait en manere susdite, et soy voet ent pleindre al chancellor apres le diteste de seint Michel, eit brief de faire venir celui de qi il voet ensy pleindre en la chancellarie, a y monstrier pur qoy la dite peyne ne serra leve de luy, et sil ne se poet ent dument excuser soit mesme la peyne leve de luy. Et enoutre soit proclamation faite, sibien en la dite citee de Londres, come en autres citees burghs et villes come desuis, que null de quel condition qil soit, ne face mettre ou gettre desore en avant tieles anofances issues fymes entrailles et ordures en les fosses ryvers ewes et autres lieux susditz; et si null le face soit appelle par brief devant le chancellor, a la suite de celui que soy vorra pleindre, et sil soit trove coupable soit puniz solonc la discretion del chaunceller.

C A P. XIV.

For regulating the Length and Breadth of Cloths.

“**C**LOTHS made at Bristol and in the neighbouring Counties shall be of the Length and Breadth required in Stat. 47 E. 3.”

See the Note
sub An.

47 E. 3. nu. 15.

C A P. XV.

For punishing Provisors of Benefices from Rome.

ALSO, That no Liege Man of the King, of what Estate or Condition soever he be, great or little, shall pass over the Sea, nor shall send out of the Realm of England, by Licence nor without

See also Stat.

13 R. 2. ff. 2. c. 2.

Penalty on any who shall go or send beyond Sea to provide a

Benefice in the
Realm,
Premunire, and
the Benefice
void.

out Licence, without special Leave of the King himself, to provide or purchase for himself any Benefice of Holy Church, with Cure or without Cure, in the said Realm; and if any so do, and by virtue of such Provision do accept, by himself or by any other, any Benefice in the said Realm, that thereupon such Provisor shall be out of the King's Protection, and such Benefice shall be void, so that it shall be lawful to the Patron of the said Benefice, as well spiritual as temporal, to present to the same an able Clerk at his Pleasure.

ITEM qe null liege du Roy, de quel estat ou condition qil soit greindre ou meindre, passe le meer nenvoie hors del roialme dEngleterre, par licence ou sanz licence sanz especial congie du Roi mesmes, pur soy provider ou purchacer aucun benefice de Seinte Esglise, ove cure ou sanz cure, en le dit roialme; et si aucun le face, et par vertue de tiele provision accepte, par lui ou par autre, aucun benefice en mesme le roialme, qe a cel temps mesme le proviseur soit hors de protection du Roy, et mesme la benefice voide, siqe bien lise a patron de mesme le benefice, sibien espirituel come temporel, presenter a ycelle un clerc able a sa voluntee.

C A P. XVI.

The Staple removed from *Middleburgh* to *Calais*.

ALSO it is ordained and assented, That the Staple be removed from *Middleburgh* to *Calais*: so that it be at *Calais* the First Day of *December* next coming.

ENSEMENT est ordeinez et assentuz que le staple soit remuez de Midelburgh a Caleys, issint qil soit a Caleys le primer jour de Decembre prochein avenir.

REX vicecomiti Kancie salutem. Quedam statuta et ordinationes per nos de assensu magnatum et communitatum regni nostri Anglie in parlamento nostro apud Cantebri' in crastino nativitatis beate Marie Virginis ultimo preterito tento facta, que tibi mittimus sub magno sigillo nostro in forma patenti, tibi precipimus quod infra comitatum predictum in locis ubi magis expediens fuerit sine dilatione legi et publice ex parte nostra proclamari ac firmiter teneri et observari facias. juxta formam statutorum et ordinationum predictorum. Et hoc sub incumbenti periculo nullatenus omittas.

T. R. apud Westm' xx. die Novembris.

Consimilia brevia diriguntur singulis vicecomitibus per Angliam; ac Johanni Regi Castelle et Legionis, Duci Lancastrie, vel ejus cancellario in ducatu predicto.

Anno decimo tertio RICARDI II.

In the Parliament held at Westminster on Monday next after the Feast of Saint Hilary (17th January),* *Printed Rot. Parl.
A.D. 1389-90.

The Acts of this Year, though all passed in the same Parliament, have in all Editions been divided into Two Statutes. The reason of this may be collected from the different Forms of the Statutes and of the Writs of Proclamation at the End of them; as also from the Protest or Dissent entered by the Clergy in Parliament against any Statutes affecting the Apostolic Power or the Liberties of the Church. See printed Rot. Parl. iii. p. 264, nu. 24.

Both Statutes are here reprinted from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 11. and m. 10." compared with printed Rot. Parl. Pynson, &c.

A Writ to the Sheriffs, dated the Twelfth of May, reciting and ordering the Proclamation of an Ordinance of the King, by the Advice of his Great Council, against Liveries and Maintenance, was given by Hawkins and subsequent Editors as "Ex Rot. in Turr. Lond. m. 8." and classed as Stat. 3. of this Year, but was not translated; nor is it noticed in any preceding Edition or Translation.

The Chapters of these Statutes are founded on the following Articles in printed Rot. Parl. iii. p. 257, &c.

Chapter of Statute.	Number in Roll.		
STAT. I.			
Cap. 1,	—	59	} On Petitions of the Commons.
2,	—	26	
3,	—	34	
4,	—	35	
5,	—	41	
6,	—	28	
7,	—	40	
8,	— —	38	
9,	—	42, 57	
10,	—	49	
11,	—	53	
12,	—	48	

Chapter

Chapter in Statute.

Number in Roll.

STAT. I.

Cap. 13,	—	58	} On Petitions of the Commons.
14,	—	50	
15,	—	5 ⁽¹⁾	
16,	—	25	
17,	—	39	
18,	—	12, 13 ⁽²⁾	
19,	—	(3)	
20,	—	7 ⁽¹⁾	

STAT. II.

Cap. 1,	—	36	} On Petitions of the Commons.
2,	—	32	
3,	—	44	

¹ In a Collection of Petitions following the general Schedule of the Commons Petitions.

² In the Course of the Parliamentary Proceedings before the general Schedule of the Commons Petitions.

³ Respecting this nothing appears. Coke (4 Infl. 51) says Caps. 11, 15, 19, and 20 are not of Record.

Beside: the above, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iii. } For regulating the Qualification of
Page 258, No. 8, } Jurors in certain particular Suits
259, — 11, } specified.

262, — 18, For providing for the Payment of the Stipends granted to the Judges banished into Ireland Anno 11 Ric. 2.

262, — 19, } For regulating Priors Aliens. See
276, — 12, } 1 Ric. 2. n. 91.

262, — 20, The following Subsidies granted from March 1 till Christmas, viz. On every Sack of Wool (over the ancient Custom) Thirty-three Shillings Four-pence per Sack of Denizens, and Thirty-six Shillings Eight-pence of Aliens, &c. Tonnage on Wine Three Shillings; Poundage Sixpence (except on Wools and except Victuals, Cloths, &c. to certain Garrisons); with Regulations for the Collection, and for the Expenditure in the War.

263, — 21, The Creation of the Duke of Lancaster, the King's Uncle, to be Duke of Aquitaine, in full Parliament "with the Assent of all the Estates of Parliament."

264, — 23, Creation of Edward eldest Son of the Duke of York, to be Earl of Rutland, by Assent of Parliament.

On Petitions of the Commons.

Printed Rot. Parl. iii. } For regulating Allowances to Sheriffs
 Page 266, No. 31, } in their Accounts.

267, — 33, For preventing Process before the Chancery or the Council by Writs "*Quibusdam certis de causis*," or other such Writs contrary to the Common Law or Statutes.

268, — 37, For continuing the Staple at Calais.

270, — 45, Every one may sue at Law against any Persons of whatever Degree, notwithstanding the Statute of Gloucester, 2 Ric. 2. (query c. 5.)

46, Pardon of Fines, Arrears of Taxes, &c. to certain Counties in the North.

271, — 47, For allowing Exportation of single Wreaths from Norfolk to Calais.

272, — 54, For ascertaining the Bounds of Holland and Kesteven in the County of Lincoln.

On private Petitions.

274, — 1, For completing the Grant to the Son and Daughter in Law of the Duke of Suffolk. And see 11 Ric. 2. n. 20.

2, Grant of a Pension to the Bishop of Chichester of Forty Pounds a Year for his Life. See sub An. 11 Ric. 2.

IN this Parliament holden at Westminster the Monday next after the Feast of St. Hillary, the Thirteenth Year of the Reign of our Lord King Richard the Second after the Conquest, our said Lord the King, to the Honour of God and Holy Church, and for the common Profit of his liege People of his Realm, with the Assent of the Prelates, Lords Temporal, and Commons, being in the same Parliament, hath ordained and established the Things underwritten.

EN y cest parlement, tenuz a Westm' Lundy prochein apres le fest de Saint Hiller, lan du regne nostre Seigneur le Roi Richard second puis la conquest trefzisme, nostre dit Seigneur le Roy, al honour de Dieu et de Sainte Esglise et pur commune profit de ses liges de son dit roialme, del assent des prelatz Seignurs temporeles et communes esteantz el dit parlement, ad ordeinez et establiz les chouses desouz escriptz.

C A P. I.

For confirming and amending Stat. 25 E. 3. ft. 3. c. 3. respecting Presentations to Benefices by the King.

[See printed
 Rot. Parl.
 13 R. 2. m. 59.]
 Recital and
 Confirmation of
 Stat. 25 E. 3.
 ft. 3. c. 3.

FIRST, whereas it is ordained by a Statute made in the Twenty-fifth Year of the Reign of King Edward the Grandfather of our Lord the King that now is, that whenever the King

The King's
Presentee shall
not be admitted
to any Benefice
full of an
Incumbent, till
the King hath
recovered by
Law.
Incumbent
removed shall
sue within a
Year.
[This repealed
4 H. 4. c. 22.]

shall make Collation or Presentation to any Benefice in another's Right, the Title whereupon he grounded himself shall be well examined that it be true, and whenever before Judgement given; the Title be found by good Information untrue, or unjust, the Collation or Presentation thereupon made shall be repealed: And notwithstanding the said Statute, some of the King's Presentees, by Favour of the Ordinaries be instituted and inducted into Benefices of Holy Church without due Process, the Parties not warned nor called, and sometimes by false Inquests taken favourably, and the Incumbents in such Manner put out; It is ordained and assented, That the said Statute be firmly holden and kept. And moreover our Lord the King, in Reverence of God and Holy Church, doth will and grant, That if he present to any Benefice which is full of any Incumbent, that the Presentee of the King shall not be received by the Ordinary to such Benefice, until the King hath recovered his Presentation by Process of the Law in his own Court: and if any Presentee of the King be otherwise received, and the Incumbent put out without due Process, as afore is said, the said Incumbent shall commence his Suit within a Year after the Induction of the King's Presentee at the latest.

EN primes, come ordeine soit par estatut fait lan du regne del aiel nostre seigneur le Roy vint et quint, qe a quelle heure qe le Roy ferra collation ou presentement a null benefice en autri droit, qe le tite sur quoi il se fendra soit bien examine qil soit vray, et a quelle heure qe, avant jugement rendu, le tite soit treuve par bone enformation nient vray ne joust, soit la collation ou presentement ent fait repellez; et nient contrestant le dit estatut, ascuns presentez du Roy, par favour des ordinairs sont institutz et induitz en benefices de Sainte Esglise sanz du processe, les parties nient garniz ne appelez, et ascun soit par enquestes meyns vrais favorablement pris, et les incumbentz en tiele manere oustez; Ordeinez est et assentuz qe le dit estatut soit fermement tenuz et gardez. Et enoutre nostre Seigneur le Roy, al reverence de Dieu et de Sainte Esglise, voet et grante, qe fil presente a ascun benefice qe soit plein dascun incumbent, qe le presente du Roy ne soit receu par lordinair a tiel benefice, tanqe le Roy eit recovere son presentement par proces du ley en sa court demesne; et si ascun presente du Roy soit autrement receu, et lincumbent ouste sanz due proces, come desuis est dit, comence le dit incumbent sa suite deinz un an apres linduction du presente du Roy a plustard.

C A P. II.

For ascertaining the Jurisdiction of the Court of the
Constable and Marshal of *England*.

ALSO, because that the Commons have grievously complained that the Court of the Constable and Marshal hath incroached to itself and daily doth incroach Contracts, Covenants, Trespases, Debts, and Detinues, and many other Actions pleadable at the Common Law, in great Prejudice of the King and of his Courts, and to the great Grievance and Oppression of the People. Our Lord the King, willing to ordain a Remedy against the Prejudices and Grievances aforesaid, hath declared in this Parliament,

by the Advice and Assent of the Lords Spiritual and Temporal, the Power and Jurisdiction of the said Constable in the Form that followeth: To the Constable it pertaineth to have Cognisance of Contracts touching Deeds of Arms and of War out of the Realm; and also of Things that touch Arms or War within the Realm, which cannot be determined nor discussed by the Common Law; with other Usages and Customs to such Matters appertaining, which other Constables heretofore have duly and reasonably used in their Time; adding to the same, that every Plaintiff shall fully declare his Matter in his Petition, before that any Man be sent for to answer thereunto. And if any will complain, that any Plea be commenced before the Constable and Marshal, that might be tried by the Common Law of the Land, such Plaintiff shall have a Writ of the King's Privy Seal, without Difficulty, directed to the said Constable and Marshal, to surcease in such Plea, until it be discussed by the King's Council, if that Matter ought of Right to pertain to that Court, or otherwise to be tried by the Common Law of the Realm of *England*; and that they do surcease in the mean Time.

Over what
Contracts the
Constable hath
Jurisdiction.

How Plaintiffs
shall declare.

Questions
concerning
Jurisdiction of
the Constable
and Marshal shall
be determined
by the Council.

ITEM pur ce que la commune se plaint grevement que la court del constable et mareschall ad accroche a luy, et accroche de temps en temps, contractz covenantes trespasses dettes et detenues, et plusieurs autres actions pledables par la commune ley, en grant prejudice du Roy et de ses courtes, et a grant grevance et oppression du peuple: Nostre Seigneur le Roy, voillant ordeigner remede encontre les prejudices et grevances susditz, ad declare en cest parlement par advys et assent des Seignurs espirituelles et temporeles le poair et jurisdiction du dit constable en la fourme ensuit: Al constable appartient davoir conissance des contractz tochantz [fait¹] d'armes et de guerre hors du roialme; et auxint des choses que touchent armes ou guerre deinz le roialme, queux ne poent estre terminez ne discus par la commune ley; ove autres usages et custumes a ycelles matieres appartenantz, queux autres constables devant ore ont duement et resonablement usez en leur temps: Ajoustant a ycell que chescun pleintif declare pleinement sa matiere en sa petition, avant que soit envoie par aucun homme a respondre a ycell. Et si aucun soi voet pleindre qascun plee soit comence devant le constable et mareschall, que porroit estre trie par (2) commune ley de la terre, eit cell pleintif brief de prive seal du Roi sanz difficulte, direct as ditz constable et mareschall de surseer en celle plee, tanqil soit discus par le conseil du Roi, si celle matiere doit de droit appartiegner a celle courte, ou autrement estre trie par la commune ley du roialme, et qils surseent en le mesme temps.

¹ faites, P.

² la, Rot. Parl.

C A P. III.

The Limits of the Steward's and Marshal's Court of the King's House.

ALSO it is accorded and assented, That the Court of the Steward and Marshal of the King's House, nor the Jurisdiction thereof, shall not pass the Space of Twelve Miles, to be reckoned around the Lodging of our said Lord the King.

ITEM

ITEM accordez est et assentuz qe le court de seneschall et mar-
reschall del hostiell du Roy, ne la jurisdiction dycelle, ne passe
lespace de douzle lewes a counters entour le tenell du Roi (¹).

¹ nostre dit Seigneur. P.

C A P. IV.

[See also Stat.
16 R. 2. c. 3.]

His Duty in regu-
lating Weights
and Measures;

* [query.]
in imposing
Fines.

Penalty on him
for Default.

The Duty of a Clerk of the Market of the King's House.

ALSO, at the Request of the said Commons it is ordain'd
and assented, That the Clerk of the Market of the King's
Houſe ſhall do his Office well and duly; and that all falſe Mea-
ſures and Weights ſhall be burned after the Form of the Statute*;
and that the ſaid Clerk take no common Fine, but that every Perſon
who is found in Default touching the ſame Office, ſhall be puniſhed
according to his Deſert; and that he ſhall not ride but with Six
Horſes at the moſt, and that he ſhall not tarry in any Town nor
other Place longer than the Neceſſity of his Buſineſs ſhall require;
and if he do any Thing contrary to this Statute, and be thereof
duſy convict, he ſhall pay to the King, at the Firſt Time that
he ſhall be convict, One hundred Shillings, and at the Second Time
Ten Pounds, and at the Third Time Twenty Pounds.

ITEM a la requette de la dite communalte, ordeignez est et assen-
tuz, qe le clerc del marche del hostiell nostre Seignur le Roy face
bien et dument son office; et qe toutes fauxes mesures et pois
soient ars solonc la fourme del estatut; et qe le dit clerc ne preigne
null commune fyn, mes qe chescun persone qest trove en defaut
tochant le dit office soit puniz solonc son desert; et qil ne chivache
mes ove sys chivalx au plus, et qil ne demurge en nulle ville nautre
lieu plus qe la neceſſite de son fait demande; et sil face riens a
contrair de cest estatut, et ent soit dument convictez, paie au
Roy al primer foitz qil serra issint convictez cent souldz et al second
foitz dys livers et al tierce foitz vint livers.

C A P. V.

For ascertaining the Jurisdiction of the Admiral and
his Deputy.

[This Statute
confirmed by
2 H. 4. c. 11,
and see also Stat.
15 Ric. 2. c. 3.]

ALSO, forasmuch as a great and common Clamour and Com-
plaint hath been oftentimes made before this Time, and yet
are, for that the Admirals and their Deputies hold their Sessions
in divers Places within the Realm, as well within Franchises as
without, accroaching to them greater Authority than belongeth to
their Office, in Prejudice of our Lord the King, and the Com-
mon Law of the Realm, and to the great Injury of divers Fran-
chises, and in Destruction and Impoverishing of the common
People; It is accorded and assented, That the Admirals and their
Deputies shall not meddle from henceforth with any Thing done
within the Realm, but only such Things done upon the Sea, ac-
cording as was used in the Time of the noble King Edward,
Grandfather of our Lord the King that now is.

The Admiral,
&c. shall meddle
only with Things
done at Sea.
[See more fully
15 R. 2. c. 3.]

ITEM pur ceo qe grant et commune clamour et pleins ont este
sovent faitz devant ces heures, et unqore sont, de ce qe les
admiralx et lour deputees tiegnent lour sessions en diverses places
deinz

deinz le roialme, fibien deinz franchises come dehors, accrochantz a eux plus grant poair qe a lour office appartient, en prejudice de nostre Seigneur le Roy et la commune ley du roialme, et grant emblemmissement des plusours diverses franchises, et en destruction et empoverissement del commune poeple; accordez est et assentz qe les admiralz et lour deputees ne soi mellent desore enavant de null chose fait deinz le roialme, mes soulement de chose fait sur le meer; solonc oco qad este duement use el temps du noble Roy Edward aiel nostre Seigneur le Roi qor est.

C A P. VI.

For regulaing the Number and Authority of Serjeants at Arms.

ALSO, at the grievous Complaint of the Commons made to our Lord the King in this Parliament, of the excessive and outrageous Number of Serjeants at Arms, and of many great Extortions and Oppressions done by them to the People; the King doth will, that they shall all be discharged, and that from them and others there shall be taken good and sufficient Persons to the Number of Thirty, and no more, from henceforth. And moreover the King enjoineth them, that they meddle not with any Thing that toucheth not their Office; and that they do no Extortion nor Oppression to the People, upon Pain to lose their Office, and to make Fine and Ransom at the King's Pleasure, and full Satisfaction to the Party.

Number of
Serjeants at
Arms, Thirty.

Pensly on them
for Extortion;
&c. Fine and
Ransom, &c.

ITEM a la grevous compleint de la communalte, fait a nostre Seigneur le Roi en cest parlement, del excessive et outrageous noubre des fergeantz darmes, et de plusours grantz extorsions et oppressions par eux faitz au poeple: le Roy voet qils soient trestoutz deschargez, et qe de eux et de autres, soient reprises bones et suffisantes perones, tanqal noubre de trent, sanz plus desore enavant. Et en outre le Roy defende qils ne soi mellent de riens qe ne touche lour office; et qils ne facent null extorsion ne oppression al poeple, sur peine de perdre lour office et de faire fyn et ranceon a la volonte du Roy, et pleine gree a la partie.

C A P. VII.

For regulating the Appointment and Duty of Justices of Peace.

ALSO, whereas it is contained in the Statute late made at Cambridge, that no Steward of any Lord shall be assigned in the Commission of the Justice of Peace; nevertheless for certain Causes shewed in this Parliament, it is accorded and assented, That Justices of Peace shall be made anew in all the Counties of England, of the most sufficient Knights, Esquires, and Men of the Law of the said Counties, notwithstanding the said Statute; and that the said Justices be duly sworn, and without Favour to keep and put in Execution all the Statutes and Ordinances touching their Offices.

See Stat.
12 R. 2. c. 10.

Who shall be ap-
pointed Justices
of the Peace.
Their Oath.

ITEM come contenuz soit en lestatut darrein fait a Cantebrigg que null seneschall du Seignur soit assigne en commission du justice de la pees ; nientmeyns, pur certaines causes monstrez en cest parlement, accordez est et assentuz que justices de la pees soient faitz de novell, en toutz les countees dEngleterre, de les plus sufficeantz chivalers esquiers et gentz de ley les ditz countees, nient contrecteant le dit estatut ; et que les ditz justices soient serementez, de duement et sanz favour garder et mettre en execution toutz les estatutz et ordinances touchantz lour offices.

C A P. VIII.

For regulating the Rates of Labourers Wages, and the Gains of Victuallers.

Stat. 12 R. 2.
confirmed,
except as altered
by Cap. 7. of
this Statute.

ALSO it is ordained and assented, That the Statutes and Ordinances made in the last Parliament holden at *Cambridge*, as well of Servants, Labourers, Artificers, and Victuallers, as of all other Things, saving the Exception of the Article next before touching Justices of Peace, and also all other Statutes and Ordinances made before this Time, and not repealed, shall be firmly kept, and duly executed.

The Wages of
Artificers and
Labourers shall
be assessed by
Justices in
Session.

[See now
5 El. c. 4. § 15.]

But forasmuch as a Man cannot put the Price of Corn and other Victuals in certain, it is accorded and assented, That the Justices of Peace in every County, in their Sessions holden about the Feasts of *Easter* and *St. Michael*, shall make Proclamation by their Discretion according to the Dearth of Victuals, how much every Mason, Carpenter, Tiler, and other Craftsmen, Workmen, and other Labourers by the Day, as well in Harvest as in other Times of the Year, after their Degree, shall take by the Day with Meat and Drink, or without Meat and Drink, between the Two Periods before said, notwithstanding the Statutes thereof heretofore made, and that every Man obey to such Proclamations from Time to Time as a Thing done by Statute.

Justices shall
regulate the
Gains of
Victuallers, &c.
[But see Stat
12 R. 4. c. 8. and
Note below.]

Defaults in Assise
of Bread and Ale
shall be punished
corporally.

[See Stat.
51 H. 3. ff. r.
& Incert. Temp.
No. I. II.]

And in Regard to Victuallers it is accorded, that they shall have reasonable Gains, according to the Discretion and Limitation of the said Justices, and no more, upon Pain to be grievously punished according to the Discretion of the said Justices, where no Pain is limited in certain concerning such Victuallers before this Time. And that Sheriffs, Stewards of Lords of Franchises, Mayors, and Bailiffs, and all other that have Assise of Bread and Ale to keep, and the Correction thereof, shall take no Amerciament nor Fine for any Default touching the said Assise, for the which a Man or Woman by Law ought to have bodily Punishment, according as hath been heretofore ordained by Statute ; but they shall judge them to such bodily Punishment as the Offence requireth, and shall do due Execution thereof. And that Mayors, Bailiffs, and Stewards of Franchises, and all others that have the keeping and Survey of Victuals in Cities, Boroughs, Market Towns, and elsewhere, where Victuals be sold in the Realm, shall put the Statute made the Twenty-third Year of the Reign of King *Edward*, Grandfather to the King that now is, which beginneth *Because a great Part of the People*, touching the Estate of Victuallers

Confirmation of
23 E. 3. c. 6.

tuallers and Hostellers, and other Sellers of Viſuals in due Execution*.

And that no Hoſteller make Horſe-bread in his Hoſtry nor without, but Bakers ſhall make it; and an Aſſiſe ſhall be made thereof, that the Weight be reaſonable after the Price of Corn in the Market; and that ſuch Hoſtellers ſhall ſell Hay and Oats after a reaſonable Price, ſo that they take not for the Buſhel but One Half-penny over the common Price in the Market.

Horſe-bread.
[Explained
4 H. 4. c. 25.
32 H. 8. c. 41.
but repealed
21 Jac. 1. c. 21.
and alſo
c. 28. § 11.]

* [See 23 E. 3. and the Note there.—The following is the Chapter alluded to in the Text.

ITEM. That Butchers, Fiſhmongers, Hoſtellers, Brēwers, Bakers, Poulters, and all other Sellers of all Manner of Viſual, ſhall be bound to ſell ſuch Viſual for a reaſonable Price, having Reſpect to the Price that ſuch Viſual be ſold at in the Places adjoining, ſo that ſuch Sellers have moderate Gain, and not exceſſive, reaſonably to be required according to the Diſtance of the Place from whence the ſaid Viſuals be carried. And if any ſell ſuch Viſuals in any other Manner, and thereof be convict; in Manner and Form aforeſaid†; he ſhall pay the Double of that which he ſo received, to the Party damaged, or, in Default of him, to any other that will purſue in this Behalf: and the Mayors and Bailiffs of Cities, Boroughs, Market Towns, and others, and of the Ports and maritime Places, ſhall have Power to inquire of all and ſingular which ſhall in any Thing offend contrary hereto, and to levy the ſaid Penalty to the Uſe of them at whoſe Suit ſuch Offenders ſhall be convict. And in caſe that ſuch Mayors and Bailiffs be negligent in doing Execution of the Premiſſes; and thereof be convict before Juſtices, by the King to be aſſigned, then ſuch Mayors and Bailiffs ſhall be compelled by ſuch Juſtices to pay the Treble of the Thing ſo ſold to the Party damaged; or to any other, in Default of him, that will purſue; and nevertheless towards us they ſhall be grievouſly puniſhed, on Behalf of the King.]

[† i. e. by Two
Wiſneſſes.]

ITEM ordeinez eſt et aſſentuz qe les eſtatutz et ordinances, faitz al parlement darrein tenuz a Cantebrigg, ſibien de ſervauantz laborers artiſcers et vitailers, come de toutes autres choſes, horspris l'excepcion en le proſchein article pardeſuis touchant juſtices de la pees, et auxint toutz autres eſtatutz et ordinances faitz devant ces heures et nient repellez ſoient fermement gardez et duement executz.

Mes pur ce qe homme ne purra mye mettre en certain les pris des bledz et autres vitailles, accordez eſt et aſſentuz qe les juſtices de la pees en cheſcun counte en lour ſeſſions tenuz entour le Paſqe et le ſeint Michel, facent proclamation par lour diſcretion ſolonc la chierte de vitailles, combien cheſcun maſon carpentrie teguler et autres artiſcers et overours et auxint laborers par journées ſibien en Auſt come en autre temps del an, ſolonc leur degre prendra le jour, ore manger et boire ou ſanz manger et boire, entre les deux [ſeſſions¹] ſuiſdites, nient contreſteant les eſtatutz ent faitz devant ces heures; et qe cheſcun obeie a tielz proclamations de temps en temps come a choſe fait par eſtatut.

Et en droit des vitailers accordez eſt qils eient reaſonable gaigne ſolonc la diſcretion et limitation des ditz juſtices, et nient pluis, ſur peine deſtre grevouſement puniz ſolonc la diſcretion des ditz juſtices la ou peine neſt pas limite en certain des ditz vitailers devant ces heures. Et qe viſcountz, ſeneſchalx des Seignurs de franchises, mairs et baillifs et toutz autres qont laſſiſe de pain et de cervoiſe agarder, et la correction dicell ne preignent null amercement ne ſyn pur null default tochant la dite aſſiſe, pur quell homme ou femme par la ley avera penance corporele, ſolonc ce qeſt autrement ordeigne

deigne par estatut, mes les ajuggent a mesme la penance corporel come le defaut requert et facent ent due execution. Et qe mairs bailifs et seneschalx des franchises et toutz autres qont la garde et survewe des vitailles es citees burghs villes merchandes et aillours, ou vitails sont venduz parmy le roialme, mettent lestatut fait lan vynt et tierce du regne le Roy E. aiel le Roi qorest qe comence *Quia [maxima]* pars populi tochant lestat des vitailers et hostillers et autres vendours des vitailles en due execution *.

Et qe null hostiller face payn pur chivalx en son hostell naillours mes facent les pestours; et soit lassay ent fait, qe le pois soit resonable solonc le pris des bledz qe soit en marche; et qe mesmes les hostillers vendent feyn et aveyns a resonable pris, issint qils ne preignent pur le bussell forsque un mail outre le commune pris en marche.

* sessions, P.

* magna, Stat. 23 E. 3.

* [See 23 E. 3. and the Note there.—The following is the Chapter alluded to in the Text.

ITEM carnifices piscenarii hostellarii brasatores pistores pulletarii, et omnes alii venditores victualium quorumcunque, teneantur huiusmodi victualia vendere pro pretio rationabili, habita consideratione ad pretium quo huiusmodi victualia in locis propinquis venduntur, ita quod habeant huiusmodi venditores moderatum lucrum et non excessivum, prout distantia locorum a quibus victualia huiusmodi carriantur duxerint, rationabiliter requirendum. Et si quis huiusmodi victualia alio modo venderit, et inde in forma predicta convictus fuerit, solvat duplum illius quod sic recepit dampnificato et in defectu illius alteri qui prosequi voluerit in hac parte; et habeant potestatem majores et ballivi civitatum et burgorum villarum mercatoriarum et aliarum, ac portuum et locorum maritimorum, ad inquirendum de omnibus et singulis qui contra hoc in aliquo deliquerint, et ad penam predictam ad opus illorum ad quorum sectam huiusmodi delinquentes convicti fuerint levandam. Et in calu quo iidem major et ballivi executionem premissorum facere neglexerint, et de hoc coram iustitiariis per ipsum Regem assignatis convicti fuerint, tunc iidem major et ballivi ad triplum rei sic vendite huiusmodi dampnificato, vel alteri in defectu illius prosequenti solvendum, per eisdem iustitiarios compellantur, et nichilominus quod verius ipsum Regem puniantur.]

C A P. IX.

For regulating Weights and Measures.

[See
Magna Carta,
c. 25.]
One Weight and
Measure through
the Realm,
except in
Lancashire.

Wool shall be
sold xiv l. to the
Stone.

Refuse of Wools.

Wool shall not
be bought by
Good Packing;
[sec 27 E. 3.
a. c. 3]

ALSO it is ordained and accorded, That one Measure and one Weight be throughout all the Realm of England, as in the Great Charter, and other Statutes and Ordinances thereof made, is more fully contained; and that every one that shall be convict that he hath or useth any other Measure or Weight shall have Imprisonment of Half a Year, and make Recompense to the Party grieved to the Double of his Loss; except in the County of Lancashire, because in that County there hath always been greater Measure than in any other Part of the Realm. And that none buy nor sell Wools at more Weight than at Fourteen Pounds the Stone, upon Pain to pay the Double to him that feelth himself grieved, and to make Fine and Ransom to the King after the Quantity of the Trespass. And that no Denizen nor Foreigner make any other Refuse of Wools, but Cot, Gare, and Vittein. And that no Merchant nor other Man buy his Wools by these Words, *Good Packing*, nor by like Words, upon Penalty, that is to say, the Broker to have Imprisonment of Half a Year, and the Buyer to make Fine to the King after the Quantity of the Trespass, and the Party that

that seeleth himself grieved, shall have double Damages of that which he hath suffered on such Occasion. And that none shall cause Wools to be cocketed, except in the Name of him to whom the Wools belong, upon Forfeiture of the same, as hath been heretofore ordained by Statute.

nor be cocketed but in the Owner's Name. (See 14 E. 3. p. 1. c. 21.)

ITEM ordeignez est et accordez qe une mesure et un pois soit parmy tout le roialme d'Engleterre, come en la Grant Chartre et autres ordenances et estatutz ent faitz est contenuz plus au plein; Et qe chescun qe soit conviect qil ad ou use autre mesure ou pois eit la prisone de demy an, et face gree al partie del double de sa perde; forpris en le counte de Lancastre acause qen le dit counte ad este de tout temps plus grant mesure qe en aucun autre partie du roialme. Et qe null homme achate ne verde leyns a plus haut pois qe a quatorze livres le pere sur peyne de paier le double a celui qe soi sente greve, et de faire fyn et ranceon au Roi solonc la quantite du trespas. Et qe null deinszein ou forein ne face autre refus de leynes sinoun cod gard et vilein. Et qe null merchant nautre homme achate ses leynes par celles paroles, "Good pak-kyng," ne par autres paroles semblables sur peine cestassavoir le brogour davoier lemprisonement de demy an, et lachatour de faire fyn au Roi solonc la quantite du trespas, et la partie qe soi sente greve eit la double des damages qil ad suffert par la dit entheson. Et qe nully face coketter leynes, forsque en le noun de celui a qi les leynes sont, sur forfaiture dicelles sicome autrefoitz ordeinez fuist par estatut.

C A P. X.

The Length and Breadth of *Cogware* and *Kendal Cloth*.

"**S**UCH Cloths being sold to *Cogmen* out of the Realm, or to poor People within it, and made of inferior Wool, need not be made according to the Assise for Cloths of Ray and Colour, (under Stat. 2 E. 3. c. 14. &c.)" See Stat. 5 & 6 E. 6. c. 6. and Notes there.

C A P. XI.

For preventing the Exportation of imperfect Cloth.

ALSO, forasmuch as divers plain Cloths that be wrought in the Counties of *Somerset*, *Dorset*, *Bristol*, and *Gloucester*, be tacked and folded together, and put to Sale, of the which Cloths a great Part be broken, broused, and not agreeing in Colour, neither be according in Breadth, nor in any Manner to the Parts of such Cloths shewed outwards, but be falsely wrought with divers Wools, to the great Deceit, Loss, and Damage of the People; in so much that the Merchants that buy the same Cloths, and carry them out of the Realm to sell to Strangers, be many Times in Danger to be slain, and sometimes imprisoned, and put to Fine and Ransom by such Strangers, and their said Cloths burnt or forfeit, because of the great Deceit and Falsehood that is found in the same Cloths when they be untacked and opened, to the great blander of the Realm of *England*; It is ordained and assented, That no plain Cloth tacked nor folded shall be put to Sale within the said Counties, but that they be open, upon Pain of Forfeiture thereof,

[See 5 & 6 E. 6. c. 6. § 35.]

The Inconveniences ensuing from exporting deceitful Cloth.

Cloths made in *Somersetshire*, &c. shall not be tacked and folded, but open.

Weavers, &c.
shall put their
Marks to all
Cloths.

thereof, so that the Buyers may see them, and know them, as it is used in the County of *Essex*; and that the Workers, Weavers, and Fullers shall put their Marks to every Cloth that they shall work, upon a certain Pain to be limited by the Justices of the Peace; and that this Ordinance begin to hold Place at the Feast of St. John Baptist next following: Provided always, That after the Merchants have bought the same Cloths to carry, and do carry them out of the Realm, they may tack them and fold them at their Pleasure, for the more easy Carriage thereof.

ITEM pur ce qe diverses playnes draps, qe sont oxerez en les countees de Somers' Dors' Bristol et Glouc' sont tachez et enrollez ensemble, et mys a vendre, des queux draps graantz parties sont dirumpez et debrusez et desaccordant en colour, ne ne sont pas accordantz en la cure nen null manere as parties de mesmes les draps qe sont monstrez par dehors, mes sont fausement overez de diverses leynes, a grantz deceite perde et damage du poeple, en tant qe les merchantz qe achètent les ditz draps, et les amesnent hors du roialme pur vendre as foreins, sont plusours soitz en point destré mortz, et ascuns soitz emprisonnez et mysés au fyn et rançon par les ditz foreins, et leur ditz draps ars ou forsaitz, acause del grant deceite et faucine qe sont trovez en mesmes les draps quant ils sont destachez et overtz, a grant desclandre du roialme; ordeinez est et assentuz qe null playn drap tache ne roulle soit mys a vendre deinz les ditz countees, einz qils soient overtz sur peine de forfaiture dicelles, issint qe les achatours les puissent veer et conuistre come il est use en le counte d'Essex; et qe les overours textours et fullour mettent leur signes a chescun drap qils overont, sur certaine peine a limiter par les Justices de la pees; et qe ceste ordinance comence a tenir lieu al fest de Seint Johan le Baptiste prochain avenir. Purveuqz toutefoitz qe apres ce qe les merchantz ont achetez les ditz draps pur amesner, et les amesnent, hors du roialme, les puissent tacher et rouller a leur volonte pur le plus legier cariage dicelles.

C A P. XII.

“No Shoemaker shall be a Tanner, nor Tanner a Shoemaker.”

[Confirmed 21 R. 2. c. 16: Repealed, in part, 4 H. 4. c. 35. and wholly 5 Eliz. c. 8. 1 Jac. 1. c. 22. § 58.]

C A P. XIII.

For preventing the unlawful Destruction of Game.

[Repealed as to
the Penalty for
keeping Engines
to destroy Deer,
16 Geo. 3. c. 30.
§ 27.]

Penalty on any
Persons not
having 40s.
(and Clergy,
10l.): a Year,
keeping Dogs,
&c. to hunt,
One Year's
Imprisonment.

ALSO, forasmuch as divers Artificers, Labourers, and Servants, and Grooms, keep Greyhounds and other Dogs, and on the Holydays, when good Christian People be at Church, hearing Divine Service, they go hunting in Parks, Warrens, and Connigries of Lords and others, to the very great Destruction of the same, and sometimes under such Colour they make their Assemblies, Conferences, and Conspiracies for to rise and disobey their Allegiance; It is ordained and assented, That no Manner of Artificer, Labourer, nor any other Layman, who hath not Lands and Tenements to the Value of Forty Shillings by the Year, nor any Priest, nor other Clerk, if he be not advanced to the Value of Ten

Ten Pounds by the Year, shall have or keep from henceforth any Greyhound, Lurcher, nor other Dog to hunt; nor shall they use Fyrets, Heyes, Nets, Harepipes, nor Cords, nor any other Engines for to take or destroy [Deer,²] Hares, nor Conies, nor other Gentlemen's Game, upon Pain of One Year's Imprisonment; and that the Justices of Peace have Power to enquire, and shall enquire of the Offenders in this Behalf, and punish them by the Pain aforesaid.

Offences
enquirable by
Justices of
Peace.

² So all Translations read.

ITEM pur ceo qe diverses artificers et laborers et servantz et garcions, tiegnent leverers et autres chiens, et es jours de festes, qant bones Cristiens sont as eglises oiantz divine service, vont chaceantz es parkes garennes et [conyngers¹] des Seignurs et autres, a tresgrant destruction dicelles, et a la foitz soutz tiel colour sont lour assemblees et reparlances et conspiracies, pur lever et disobeier a lour ligeance; ordeignez est et assentuz qe null maner artificer ne laborer ne null autre lais homme qe nad terres et tenementz a la value de xl. s. par an, ne null prestre nautre clerc fil ne soit avance a la value de dis livres par an, neit ne tiegne desore enavant null leverer ne lerce nautre chien pur chacer; ne ne use surette haies rees harepipes ne cordes, ne nulles autres engynnes pour prendre ou destruire savagine leveres ne conilles nautre desduit des gentils, sur peine demprisonement dun an; et qe les Justices du pees eient poair denquerre et enquerger de les trespasseurs celle partie, et les punissent par la peine suisdite.

¹ congers, Rot. Parl.

C A P. XIV.

There shall be no Bonds of the Double made in the Exchequer for the King's Debt.

ALSO, forasmuch as divers Recognizances and other Bonds be now of late begun and made in the Exchequer of double, for the Surety of Debts and Ferns of our Lord the King, otherwise than it was wont to be done heretofore, to the great Hindrance of many of the People; it is accorded and assented by our Lord the King himself, and all the Lords of the Parliament, at the Request of the Commons, That no such Recognizance nor other Bond of the Double be made nor taken in the Exchequer from this Time forth; and that all such Recognizances, and other Bonds which be at present made, be utterly cancelled and annulled. Provided always, that the King have sufficient Surety of his Due, in the Manner accustomed.

[See printed
Rot. Parl. iii.
270. nu. 50.]

ITEM pur ce qe diverses reconissances et autres liens sont, ore tard, comencez et faitz en leschequer del double, pur surete des dettes et fermes nostre Seignur le Roy, autrement qe ne soleit estre fait en temps passe, a tresgrant disaise des plusours del poeple; accordez est et assentuz, par nostre Seignur le Roi mesmes et touz les Seignurs du parlement, a la requeste de la communalte, qe null tielle reconissance nautre lien del double soit fait ne pris en leschequer desore enavant; et qe toutz tielles reconissances et autres liens qe sont faitz a present soient outrement cancellez et annullez. Purveu toutfoitz qe le Roi eit sufficeante seurete de la dute en manere accoustume.

C A P. XV.

The King's Castles and Gaols shall be rejoined to the Bodies of Counties.

ALSO it is ordained and assented, That the King's Castles and Gaols, which were wont to be joined to the Bodies of the Counties, and be now severed, shall be rejoined to the same Counties.

ITEM ordeinez est et assentuz qe les chastelx et gaoles du Roi, qe soleient estre jointz as corps des countees, et sont ore desseverez, soient rejoinz a mesmes les countees.

C A P. XVI.

For regulating Protections *Quia profecturus* and *Quia moraturus*.

ALSO, because that many Persons be delayed, as well in Actions real as in Actions personal, by Protection with the Clause of *Volumus*, for that many People, as well such as be not able to be retained in War, as others, by the Testimonial of the Governors of the Marches, Captains of Garrisons, Admirals, and others, do purchase divers Protections with Clause of *Volumus*, and with Clause *Quia profecturus*, &c. after that a Plea is commenced against them, rather to delay the same Plea, than for the King's Service, whereas Plenty of others sufficient that be not impleaded, may be found to do the King's Service in such Case, and often do remain in the Country without going to their said Service, to the great Damage of the Pursuants, and Disturbance of common Right; It is accorded and assented, That no Protection with Clause of *Profecturus* be allowed in any Plea, whereof the Suit is commenced before the Date of such Protection, if it be not in a Voyage in which the King himself goeth, or other Voyage Royal, or in the King's Messages for Business of the Realm; but they who be impleaded shall make their Attornies to answer for them in such Pleas, or else they shall tarry themselves if they will. Howbeit it is not the Intent of this Statute, but that Protection with Clause *Quia moraturus* be allowed in all Cases, as it hath been before this Time: And if any tarry in the Country, without going to his Service for the which he is retained, over a convenient Time after that he hath any Protection, or return from the same Service, if the Chancellor be thereof duly informed, he shall cause such Protection to be repealed, as it hath been used before this Time.

In what Cases
only such
Protections shall
be allowed.

How Protec-
tions may be
repealed.

ITEM pur ceo qe moutz des gentz sont delaiez, sibien en action reale come en action personel, par protection ove clause *Volumus*, pur ceo que plinsours gentz, sibien tielx qe ne sont pas ables destre retenuz pur guerre, come autres, par tesmoignance des gouvernours des marches capitains des garnisons admirals et autres, purchacent diverses protections ove clause de *Volumus* et ove clause *Quia profectur* &c. apres qe ple soit comence envers eux, pur delair meisme le ple plus qe pur le service le Roi, ou assez des autres fufficeantz, qe ne sont pas empledez, poent estre trovez pur servir le Roi en tiel cas, et sovent demoeurent en pais sanz aler a lour dit service, a grant damage des pursuantz et en destourbanee de commune

mune droit ; Accordez est et assentuz qe null protection ove clause de *Profeſſur* ne soit allowe en null plee, dont la fuite soit comence devant la date de tiel protection, si ce ne soit en viage en quelle le Roi mesmes passe, ou autre viage roial, ou es messages du Roi pur busoignes du roialme, mes facent tielx empledez lour attournes pur respoundre pur eux en tielx plee, ou demurgent mesmes fils voillent. Mes nest pas lentention de cest estatut, mesqe protection ove clause *Quia moratur* soit allowe en toutz cas, come ad este fait devant ces heures ; et si ascun demoerge en pais sanz aler a son service, pur quel il soit retenu, outre temps covenable apres qil eit ascun protection, ou repeire de mesme le service, et le chancelier soit ent dument enfourme, face repeiler tielx protections come ad este fait devant ces heures.

C A P. XVII.

Reversioners shall be received to defend their Title in Suits commenced against particular Tenants. [See also Stat. 8 R. 2. c. 3.]

ALSO, because that when Tenants for Term of Life, Tenants in Dower, or by the Courtesy of *England*, or in Tail after Possibility of Issue extinct, be impleaded, they be often of Covin with the Demandants, that the Tenements demanded against them shall be recovered, and they will not pray in Aid, nor vouch to warranty them in the Reversion, but plead in chief such Plea whereby they know well the Tenements shall be lost, in Disherison of them in the Reversion ; It is accorded and assented, That if any such Tenant be impleaded, and he in the Reversion come into Court, and prayeth to be received to defend his Right, at the Day that the Tenant pleadeth to the Action, or before, he shall be received to plead in chief to the Action, without taking any Delay by Voucher, Aid Prayer, Nonage, or any other Delay whatsoever ; so that after such Receipt he shall have no Manner of Delay by Protection, Essoin of the King's Service, common Essoin, nor any other Delay whatsoever, but that the Business shall be speeded in as much as it may be by the Law ; and that Days of Grace may be given, by the Discretion of the Judges, between the Demandant and him that is received in such Case, without giving the common Day in Plea of Land, if the Demandant will not assent, to the Intent that the Demandants be not too much delayed, because they must plead with two Adversaries.

And in regard of Pleas that be now depending in such Case, they in the Reversion shall be received in the Manner aforesaid, at the next Day that the Parties have in Court, although the same Parties have pleaded in chief before this Time.

Provided always, That they in the Reversion which pray to be received, as before is said, shall find Surety for the Issues of the Tenements demanded, for the Time that such Demandants be delayed, after the Plea determined between the Demandants and Tenants, if Judgment pass for the Demandant against those in the Reversion aforesaid ; as well where the Receipt is counterpleaded, as where it is granted.

In Suits against a particular Tenant, the Reversioner shall be received to defend his Title, without Delay to the Demandant.

This Act shall extend to Suits previously commenced.

The Reversioner shall find Surety of the Issues of the Lands in Demand. (See Stat. 20 E. 1. p. 3.)

ITEM pur ce qe quant tenantz a terme de vie, tenantz en dower, ou par la ley d'Engleterre; ou en la tail apres possibilite diffue exteint, soient empledez sont sovent de covyne de les demandantz qe les tenementz demandez envers eux soient recovez, et ne voillent prier en eide ne vouchier a garrant ceux en reversion, mes pledent en chief tiel plee par ont ils scivent bien qe les tenementz serront perduz, en desheritance de ceux en reversion; Accordez est qe si ascun tiel tenant soit empledez, et celuy en reversion vaigie en court, et prie destre receu a defendre son droit, a jour qe le tenant plede al action ou devant, soit receu a pleder en chief al action, sanz ascun delay prendre par vouchier eide-prier nonnage ou autre delay qeconqe; issint qe apres tiel receipt il neit null manere delaie par protection, effion du service le Roi, commune effion, nautre delay qeconqe, mes soit la busoigne hastie en tant come puisse estre par ley; et qe jours de grace puissent estre donez, par discretion des Juges, entre le demandant et celuy qest receu en tiel cas, sanz doner commune jour en plee de terre, si le demandant ne voille assenter, au fyn qe les demandantz ne soient trop delaiez, par cause qe les covent pleder ove deux adversairs.

Et en droit des ples qe sont ore peadantz en tiel cas soient ceux en reversion receuz, en manere come devant est dit, a prochein jour qe les parties ont en court, tout eient mesmes les parties pledez en chief devant ces heures.

Purveu toutsioitz qe ceux en reversion, qe prient destre receuz come devant est dit, trouvent seurete des issues des tenementz demandez, pur le temps qe mesmes les demandantz soient delaiez apres le plee termine entre les demandantz et les tenantz, si jugement passe pur les demandantz envers ceux en reversion avant, ditz, sibien la ou la receite soit contreplede come la ou ele soit grante.

C A P. XVIII.

“Attaints for false Verdicts given in the City of *Lincoln* shall be tried in the County of *Lincoln*.”

[Explained and amended by Stat. 3 H. 5. ft. 2. c. 5. which see.]

C A P. XIX.

A Confirmation of Cap. 47 of Stat. Westm. 2. (13 Edw. 1.) touching taking of Salmons.

ALSO, whereas it is contained in the Statute of *Westminster* the Second, that young Salmons shall not be taken nor destroyed by Nets, nor by other Engines, at Mill-pools, from the Midst of *April* till the Nativity of St. *John Baptist*, upon a certain Pain limited in the same Statute; It is accorded and assented, That the said Statute be firmly holden and kept; adding to the same, That young Salmons shall not be taken, during the said Time, at Mill-pools, nor elsewhere, upon the same Pain; and that no Fisher, or Garth-man, nor any other, of what Estate or Condition soever, shall from henceforth put in the Waters of *Thames*, *Humber*, *Ouse*, *Trent*, nor any other Water of the Realm, during the said Time, nor in any other Time of the Year, any Nets called *Stalkers*, nor other Nets nor Engines whatever, by the
which

[See printed Rot. Parl.

13 R. 2.

mu. 12, 13.]

[Amended

17 R. 2. c. 9.

43 Geo. 3. c. 157.

See also

1 Eliz. c. 17.

4 An. c. 21.

1 G. 1. ft. 2.

c. 18. § 12. &c.

23 G. 2. c. 26.

§ 7. &c.]

No Devices shall be practised whereby the Fry of Fish shall be destroyed.

which the Fry or the Brood of the Salmons, Lampreys, or any other Fish whatever, may in any wise be taken or destroyed, upon the Pain aforesaid. And also where it is contained in the same Statute, that all the Waters in the which Salmon be taken within the Realm, shall be put in Defence as to the taking of Salmons, from the Day of the Nativity of our Lady, until St. Martin's Day; it is ordained and assented, That the Waters of *Lone, Wyre, Mersee, Rybbyl*, and all other Waters in the County of *Lancaster*, be put in Defence, as to the taking of Salmons, from *Michaelmas* Day to the *Purification* of our Lady, and in no other Time of the Year, because that the Salmons be not seasonable in the said Waters during the Time aforesaid. And in the Ports where such Rivers be, there shall be assigned and sworn good and sufficient Conservators of this Statute, as it is ordained in the said Statute of *Westminster*, and that they shall punish the Offenders according to the Pain contained in the said Statute, without any Favour thereof to be shewed.

What Time of the Year the Rivers in the County of *Lancaster* shall be in Defence.

Conservators of this Statute, and their Authority. (See also Stat. 17 R. 2. c. 9.)

ITEM come contenuz soit en l'estatut de Westm' second qe salmonceux ne soient prises ne destruitz, par rees ne par autre engines, a lestantes de molyns, de mye April tanqal Nativite de Seint Johan le Baptistre, sur certaine peine limite en mesme estatut; Accordez est et assentuz qe le dit estatut soit fermement tenuz et gardez; adjouste a ycelle, qe salmonceux ne soient prises par le dit temps a lestantes des molyns ne aillours, sur mesme la peine; et qe null peschour ne garthman, ne null autre de quell estat ou condition qils soit ne mette desore enavant en les ewes de Thamise Humbre Ouse Trent ne nulle autre ewe du roialme par le dit temps, ne par null autre temps del an, ascuns rees appelez stalkers, nautres rees nengines queconques, par les quelles le frie ou brood des salmons laumpreis ou dautre pesson queconque purra en aucun manere estre pris ou destruit sur la peine suisdite. Et auxint come contenuz soit en mesme estatut qe toutz les ewes, es queux salmons sont prises en le roialme, soient mises en defens, qant al prise des salmons, del jour de la Nativite de nostre Dame tanqal jour de Seint Martyn, ordeignez est et assentuz qe les ewes de Lone Wyre Mersee Ribbil, et toutz autres ewe el countee de Lancastre, soient mises en defense, qant al prise des salmons, del jour de Seint Michel tanqe al jour de la Purification de nostre Dame, et en null autre temps del an; a cause qe les salmons ne sont pas seisonables en les ditz ewes par le temps suisdite. Et es parties ou tielx rivers sont, soient assignez et jurrez bones et sufficeantz conservatours de cest estatut; come est ordeignez en le dit estatut de Westm', et qils punissent les trespassours solonc la peine contenuz en mesme estatut, sanz aucun favoyr ent faire,

C A P. XX.

At what Ports Persons going beyond Sea shall embark.

ALSO, for certain Causes shewed in this Parliament, the King willet and commandeth, by the Assent of the Lords in Parliament, that all Pilgrims and all other People (except notorious and known Merchants, and also Soldiers and Men of Arms) who will pass by Sea out of the Realm, shall pass at the Ports of *Dover*

[Repealed 21 Jac. I. c. 28. § 11.]

[See printed Rot. Parl. iii. p. 275, nu. 7.]

or *Plymouth* and not elsewhere, without especial Licence of the King himself, but they that will pass towards *Ireland*, shall pass at *Liverpool*, *Chester*, *Bristol*, or elsewhere, where shall please them.

ITEM pur certaines causes monstrez, en cest parlement, le Roi voet et comande, par assent des Seignurs en parlement, qe toutz pelyns, et toutes autres gentz, forspris merchantz notoirs et conuz et auxint soldeours et gentz darmes, qe voillent passer par meer hors du roialme, si passent a les portz de Dovorr ou de Plymmuth et null part aillours, sanz especial congie du Roi mesmes; mes qe ceux qi voillent passer vers Irland passent a Liverpull Cestre Bristuit ou aillours ou lour plest.

REX vicecomiti Kanc' salutem. Quedam statuta per nos de assensu Magnatum et Communitatum regni nostri Anglie in parlamento nostro apud Westm' die Lune proximo post festum sancti Hilarii ultimo pre'eritum tento facta, que tibi mittimus sub magno sigillo nostro in forma patenti, tibi precipimus quod infra comitatum predictum in locis ubi magis expediens fuerit sine dilatione legi et publice ex parte nostra proclamari ac firmiter teneri et observari facias juxta formam statutorum predictorum. Et hoc sub incumbenti periculo nullatenus omitas.

T. R. apud Westm' xvi. die Maii.

Confimilia brevicia diriguntur singulis vicecomitibus per Angliam; ac Johanni Duci Aquitanie et Lancastrie vel ejus Cancellario in dicto ducatu Lancastrie.

[See Note,
p. 124.]

13 RIC. II. STAT. 2.

C A P. I.

'Respecting Pardons.

OUR Lord the King, at his Parliament holden at *Westminster* the *Monday* next after the Feast of Saint *Hilary*, in the Thirteenth Year of his Reign, hearing the grievous Complaint of his Commons in the same Parliament, of the outrageous Mischiefs and Damages which have happened to his said Realm, for that Treasons, Murders, and Rapes of Women be commonly done and committed, and this the more because Charters of Pardon have been too easily granted in such Cases; the said Commons requested our Lord the King, That such Charters might never be granted; to which our said Lord the King answered, That he will save his Liberty and Regality, as his Progenitors have done heretofore; but to nourish the more Quietness and Peace within his Realm, by the Assent of the great Men and Nobles, being in the same Parliament, he hath granted;

In Charters for Murder, &c. the Offence shall be specified, or the Pardon may be disallowed.

That no Charter of Pardon from henceforth shall be allowed before any Justices whatever for Murder, Death of Man slain by Await, Assault, or Malice prepenfed, Treason, or Rape of a Woman, unless such Murder, or Death of Man slain by Await, Assault, or Malice prepenfed, Treason, or Rape of a Woman, be specified in such Charter. And if any Charter of the Death of a Man be alledged before any Justices whatever, in which Charter it is not specified, that he of whose Death any such is arraigned, was murdered or slain by Await, Assault, or Malice prepenfed, the

the Justices shall inquire, by a good Inquest, of the Neighbourhood where the Dead was slain, if he were murdered or slain by Await, Assault, or Malice prepenfed, and if they find that he was murdered or slain by Await, Assault, or Malice prepenfed, the Charter shall be disallowed, and further it shall be done as the Law requireth.

And if any be a Suiter to the King for a Charter of Pardon for Murder, Death of a Man slain by Await, Assault, or Malice prepenfed, Treason, or Rape of a Woman, if the Chamberlain endorfe, or cause to be endorfed such Bill, he shall put the Name of him that made Suit for such Charter upon such Bill, upon Pain of One thousand Marks, and if the Under-Chamberlain endorfe such Bill, he shall do likewise, upon Pain of Five hundred Marks; and that none other than the Chamberlain or Under-Chamberlain endorfe nor cause to be endorfed any such Bill, upon Pain of One thousand Marks: And that such Bill be directed to the Keeper of the Privy Seal; and that no Warrant of the Privy Seal be made to have such Charter, unless the Keeper of the Privy Seal have such Bill endorfed or signed by the Chamberlain or Under-Chamberlain, as afore is said. And that no Charter of Pardon, of Treason, nor of other Felony, do pass the Chancery without Warrant of the Privy Seal, except in case where the Chancellor may grant it of his Office, without speaking thereof to the King. And if he, at whose Suit any Charter of Pardon for Murder, Death of a Man slain by Await, Assault, or Malice prepenfed, Treason, or Rape of a Woman, be granted, be an Archbishop or Duke, he shall pay to the King One thousand Pounds, and if he be a Bishop or Earl, he shall pay to the King One thousand Marks; and if he be an Abbot or Prior, Baron or Banneret, he shall pay to the King Five hundred Marks; and if he be a Clerk Bachelor, or other of less Estate, of whatsoever Condition that he be, he shall pay to the King Two hundred Marks, and have One Year's Imprisonment.

[The following Part of this Statute repealed 16 R. 2. c. 6.]

Names of the Parties making Suit for Pardons shall be endorfed on the Bill by the Chamberlain, &c.

Penalty 1000 Marks, &c.

The Bill so endorfed shall be sent to the Privy Seal.

All Pardons of Treason or Felony shall pass the Privy Seal.

Penalties on those at whose Suit such a Pardon is otherwise obtained.

NOSTRE Seigneur le Roi, a son parlement tenuz a Westminster Lundy prochain apres le fest de Saint Hiller, lan de son regne treszime, oie la grevousse complaint de sa communeite, en mesme le parlement, des outrageouses meschiefs et damages qe sont avenuz a son dit roialme, pur ceo qe tresones murdres et rapes des femmes sont trop communement faitz et perpetres, et ceo le plus pur ceo qe chartres de pardon ont este trop legerement grauntez en tieux cases, la dite commune pria a nostre Seigneur le Roi qe tieux chartres ne fuissent mes grauntez; a quoi nostre Seigneur le Roi respondy qil vorroit salver sa libertee et regalie, come ses progenitours ont fait devant ces heures; mes pur la greindre quiete et pees nurrir deinz son roialme, del assent des grantz et nobles en mesme le parlement esteantz, ad grantee;

Qe null chartre de pardon desore soit allowe devant quiconques Justices, pur murdre, mort de homme occys par agait assaut ou malice prepenfe, trefon, ou rape de femme, si mesme le murdre ou mort de homme occys par agait assaut ou malice prepenfe, trefon, ou rape de femme, ne soient especifiez en mesme la chartre. Et si la chartre de mort de homme soit alegge devant quiconques Justices, en queile chartre ne soit especifie qe celui, de qi mort aucun tiel soit

foit arreigne, feust murdres ou occis par agait assaut ou malice prepenſe, enquergerent les Juſtices par bone enqueſt, del viſne ou la mort fuiſt occys, ſil fuiſt murdre ou occys par agait assaut ou malice prepenſe, et ſils trovent qil fuiſt murdre ou occis par agait assaut ou malice prepenſe, ſoit la chartre diſalowe, et ſoit fait outre ſolonc ceo qe la ley demande.

Et ſi aſcun prie au Roi pur chartre de pardon, pur murdre mort de homme occys par agait assaut ou malice prepenſe, trefon, ou rape de femme, ſi le chamberleyn endoſe tiel bille ou face endoſer, mette le noun de celui qe pria pur tiele chartre ſur meſme la bille, ſur peine de M. marcz; et ſi le ſouthchamberleyn endoſe tielle bille face ſemblablement, ſur peine de cynk centz marcz; et qe null autre qe chamberleyn ou ſouthchamberleyn endoſe ne face endoſer nul tielle bille ſur peine de M. marcz; et qe tielle bille ſoit envoie et directé al gardeyn du prive ſeal, et que null garant du prive ſeale ſoit fait pur tiel chartre avoir, ſinon qe le gardeyn de prive ſeale eit tielle bille endoſe ou ſigne par le chamberleyn ou ſouthchamberleyn come deſuis eſt dit. Et qe null chartre de pardon, de trefon ne dautre felonie, paſſe la chauncellerie ſanz garant du prive ſeale, forſqe en cas ou le chaunceller le puiſſe grantier de ſon office ſanz ent parler au Roi. Et ſi celui a qi prier aſcune chartre de pardon pur murdre, mort de homme tue par agait assaut ou malice prepenſe, trefon, ou rape de femme, ſoit grante, ſoit archeveſqe ou duc paie au Roi M. livres; et ſil ſoit eveſqe ou count paie au Roi M. marcz; et ſil ſoit abbe priour baron ou banneret paie au Roi cynk centz marcz; et ſil ſoit clerc bacheler, ou autre de meyndre eſtat, de quele condition qil ſoit, paie au Roi deux centz marcz; et eit lempriſonement dun an.

C A P. II. III.

For confirming and amending the Statute of Provifors,
25 *Edu.* 3. ft. 6.

[See alſo Stat.
16 R. 2. c. 5.
2 H. 4. c. 3, 4.]
Recital of Stat.
25 E. 3. ft. 6.
reciting Stat.
35 E. 1.

ALſO, whereas the noble King *Edward*, Grandfather to our Lord the King that now is, at his Parliament holden at *Westminster* at the Utas of the Purification of our Lady, the Five-and-twentieth Year of his Reign, cauſed to be rehearſed the Statute made at *Carlisle* in the Time of his Grandfather King *Edward*, Son of King *Henry*, touching the Eſtate of the Holy Church of *England*; the ſaid Grandfather of the King that now is, by the Aſſent of the great Men of his Realm, being in the ſame Parliament, holden the ſaid Five-and-twentieth Year, to the Honour of God and of Holy Church, and of all his Realm, did ordain and eſtabliſh, that the free Elections of Archbiſhopricks, Biſhopricks, and all other Dignities and Benefices elective in *England*, ſhould be holden from thenceforth in Manner as they were granted by his Progenitors, and by the Anceſtors of other Lords Founders; and that all Prelates and other People of Holy Church, which had Advowſons of any Benefices of the Gift of the King, or of his Progenitors, or of other Lords and Donors, ſhould freely have their Collations and Preſentations; and thereupon a certain Punishment was ordained in the ſaid Statute for them which accepted any Dignity or Benefice contrary to the Statute made at *Westminster* the ſaid Twenty-fifth Year, as afore is ſaid; Which

Statute

Statute our Lord the King hath caused to be recited in this present Parliament, at the Request of his Commons in the same Parliament; the Tenor whereof is such as hereafter followeth: 'Whereas late in the Parliament of good Memory of *Edward King of England*, [*Ec. reciting the whole of the Statute 25 E. 3. ff. 6. verbatim.*]

And moreover our said Lord the King that now is, with the Assent of the great Men of his Realm, being in this present Parliament; hath ordained and established, That concerning all Archbishopricks, Bishopricks, and other Dignities and Benefices elective, and other Benefices of Holy Church whatever, which began to be void in Fact the Twenty-ninth Day of *January* in the Thirteenth Year of the Reign of our Lord King *Richard* that now is, or after, or which shall be void in Time to come within the Realm of *England*, the said Statute made the said Twenty-fifth Year shall be firmly holden for ever, and put in due Execution from Time to Time in all Points. And if any do accept of any Benefice of Holy Church, contrary to that Statute, and that duly proved, and be beyond the Sea, he shall abide exiled and banished out of the Realm for ever, and his Lands and Tenements, Goods and Chattels shall be forfeit to the King; and if he be within the Realm, he shall be also exiled and banished, as afore is said, and shall incur the same Forfeiture; and take his Way so that he be out of the Realm within Six Weeks next after such Acceptation. And if any do receive any such Person banished coming from beyond the Sea, or being within the Realm after the said Six Weeks, knowing thereof, he also shall be exiled and banished, and incur such Forfeiture as afore is said. And that their Procurators, Notaries, Executors, and Summoners have the Forfeiture and Pain aforesaid.

II. Provided nevertheless, That all they to whom our Holy Father the Pope, or his Predecessors, have provided any Archbishoprick, Bishoprick, or other Dignity or [Benefices elective, or^a] other Benefices of Holy Church, of the Patronage of People of Holy Church, because of any Voidance before the said Twenty-ninth Day of *January*, and thereof were in corporal Possession before the said Twenty-ninth Day, shall have and enjoy their said Archbishopricks, Bishopricks, Dignities, and Benefices peaceably for their Lives, notwithstanding the Statutes and Ordinance aforesaid.

III. And if the King send by Letter, or in other Manner to the Court of *Rome*, at the Entreaty of any Person, or if any other send or sue to the same Court, whereby any Thing is done contrary to this Statute, touching any Archbishoprick, Bishoprick, Dignity, or other Benefice of Holy Church within the said Realm, if he that maketh such Motion or Suit be a Prelate of Holy Church, he shall pay to the King the Value of his Temporalities for One Year; and if he be a temporal Lord, he shall pay to the King the Value of his Lands, and Possessions not moveable, for One Year; and if he be another Person of a more mean Estate, he shall pay to the King the Value of the Benefice for which Suit is made, and shall be imprisoned One Year.

And it is the Intent of this Statute, that concerning all Dignities and Benefices of Holy Church, which were void in Fact the said Twenty-ninth Day of *January*, which be given, or to which Provision

For all Benefices actually void after *January* 29, An. 13 R. 2. the Statute 25 E. 3. ff. 6. shall be put in Execution.

If any do accept of a Benefice contrary to Stat. 25 E. 3. ff. 6. he shall be banished the Realm.

As also the Receivers, Procurators, &c. of Offenders.

Saving for beneficed Persons, unto whom the Pope had given Dignities, &c. before the said 29th *January*.

The Penalty, of suing to the Court of *Rome* to infringe the Purport of this Statute.

Saving as to Dignities vacant on said 29th *January* given or provided by the Pope.

But not as to
Benefices full
on that Day.

[CAP. III.]

Penalty on
Persons bringing
or sending, &c.
any Summons or
Excommu-
nication
against any one
for enforcing
the said Statute
against Provisors.

Provision is made, by the Pope before the same Twenty-ninth Day, that they to whom such Gifts or Provisions be made, may freely of such Gifts and Provisions sue Execution without offending this Statute. Provided always, that concerning any Dignity or Benefice which was full the said Twenty-ninth Day of January, no Man because of any Gift, Collation, Reservation, and Provision, or other Grace papal whatever, not executed before the said Twenty-ninth Day, shall not sue thereof Execution, upon the Pains and Forfeitures contained in this present Statute.

Also it is ordained and established, That if any Man bring or send within the Realm, or the King's Power, any Summonses, Sentences, or Excommunications against any Person, of what Condition soever he be, because of the Motion, giving Assent, or doing Execution of the said Statute of Provisors, he shall be taken, arrested, and put in Prison, and shall forfeit all his Lands and Tenements, Goods and Chattels for ever, and moreover shall incur the Pain of Life and of Member. And if any Prelate make Execution of such Summonses, Sentences, or Excommunications, that his Temporalities be taken and abide in the King's Hands, till due Redress and Correction be thereof made. And if any Person of less Estate, than a Prelate, of what Condition soever he be, make such Execution, he shall be taken, arrested, and put in Prison, and have Imprisonment, and make Fine and Ransom according to the Discretion of the Council of our Lord the King.

ITEM come le noble Roi Edward, aiel nostre Seignur le Roi qore est, a son parlement tenuz a Westm' al oetaves del Purification nostre Dame, lan de son regne vynt et quynt, fist reciter lestatut fait a Kardoile en temps son aiel le Roi Edward fitz au Roi Hienr' touchant lestat de Seint Esglise d'Engleterre, le dit aiel nostre Seignur le Roi qore est, del assent des grantz de son roialme en mesme le parlement tenuz le dit an vynt et quynt esteantz, al honneur de Dieu et de Seint Esglise et de tout son roialme, ordeigna et establist qe franks elections des archeveschies eveschies et touz autres dignitees et benefices electives en Engleterre se tendroient delors, en manere come eles feurent grauntez par ses progenitours et par les auncestres, des autres seignurs foundours; et (¹) toutz prelates et autres gentz de Seint Esglise, qe avoient avowelsons de qiconques benefices de don le Roi ou de ses progenitours, ou dautres seignurs et donours, eussent franchement lour collations et presentementz; et sur ceo certain punyssement estoit ordeigne, en mesme lestatut, pur ceux qe acceptont aucun dignite ou benefice au contraire du dit estatut fait a Westm' le dit an xxv. come devaunt est dit: Le quele estatut nostre Seignur le Roi ad fait recitier, en cest present parlement, al request de sa communalte en mesme le parlement; la tenure de quele estatut est tiel come sy ensuyt: 'Come jady en le parlement,' &c.

Et outre ce nostre dit Seignur le Roi qore est, de lassent des grantz de son roialme esteantz en cest present parlement, ad ordeigne et establi, qe de toutz erceveschees eveschees et autres dignites et benefices electives, et autres benefices de Seint Esglise qe-conques, qe comencèrent destre voidez de fait, le vint et noefisme

¹ que, P.

jour de Januer lan du regne nostre dit Seigneur le Roi Richard trefzisme, ou puis, ou qe se voidront en temps avenir, deinz le Roialme d'Engleterre, le dit estatut fait le dit an xxv. soit fermement tenuz pur touz jours, et mys en due execution, de temps en temps en touz pointz. Et si ascun face ascun acceptation dascun benefice de Saint Eglise, a contrarie de cest estatut, et ce duement prove, et soit depar dela, demurge exile et banny hors du Roialme pur toutz jours, et ses terres tenementz biens et chateux forfaitz au Roi; et sil soit deinz le roialme soit il auxi exile et banny, come devant est dit, et encourge mesme la forfaiture; et preigne son chemyn issint qil soit hors du roialme deinz sys semaines prochein apres tiel acceptation, et si ascun receite ascun tiel banny, venant depar dela, ou estantz deinz le roialme apres les sys semaines avaunt ditz, conisant de ce, soit auxint exile et banny et encourge antiel forfaiture come devaunt est dit. Et qe lour procuratours notairs executours et somonours eient la forfaiture et peyne susditz.

Purveu nepurquant qe toutz yceux as queux nostre Saint pere le Pape, ou ses predeceffours, ont purveu ascun erceveschee eveschee ou autre dignitee ou [benefices electives ou²] autres benefices de Saint Eglise, del patronage des gentz de Saint Eglise, a cause de voidance devant le dit xxix. jour de Januer, et ent fuerent en corporel possession devaunt mesme le xxix. jour, eient et enjoient lour ditz erceveschees eveschees dignites et benefices paisiblement pur lour vies nient contrefeantz les estatutz et ordonnance avantditz.

Et si le Roi envoie, par lettre ou en autre manere, a la court de Rome al excitation dascune persone, ou si ascun autre envoie ou prie a mesme la courte, parount qe la contrarie de cest estatut soit fait, touchant ascun erceveschee eveschee dignitee ou autre benefice de Saint Eglise, deinz le dit roialme, si cely qe fait tiel excitation ou tiel prier soit prelate de Sainte Eglise paie au Roi le value de ses temporaltees dun an; et sil soit Seigneur temporel paie au Roi le value de ses terres et possessions nient moebles dun an; et sil soit autre persone destate pluis bas paie au Roi la value du benefice pur quel tiel prier soit fait, et eit la prisonne dun an.

Et est lention du cest estatut qe de toutz dignites et benefices de Saint Eglise qestoient voides de fait le dit xxix. jour de Januer, queux sont donez, ou as queux soit purveu par lappostoill devaunt mesme le xxix. jour, qe ceux as queux tielz douns ou provisions soient faitz puissent franchement des tiels douns et provisions fuer execution, sanz offence de cest estatut. Purveu toutzfoitz qe de nulle dignitee ou benefice, qestoit plein le dit xxix. jour de Januer, null a cause dascun don collation reservation et provision, ou dautre grace de lappostoill queconqe, nient execute devaunt le dit xxix. jour, ne fue ent execution, sur les peynes contenuz en cest present estatut.

Item ordeigne est et establi qe si ascun port ou envoie, deinz le roialme ou le poair nostre dit Seigneur le Roy, ascun somonces sentences ou escomengementz, envers ascun persone de quel condition qil soit, a cause de la motion sesance assent ou execution du dit estatut des provisours, soit il pris et arestuz et mys en prisonne, et forface toutz ses terres et tenementz biens et chateux pur touz jours, et outre encourge la peyne de vie et de membre. Et si

² P. omitt.

ascun prelat face execution des tieux somonces sentences ou escomengementz, qe les temporales soient prises et demurgent es mayns nostre dit Seignur le Roy; tanqe due redresse et correction en soit fait. Et si ascun person de meyndre estate qe prelat, de quel condition qil soit, face tiel execution soit pris et arestuz et mys en prison, et eit emprisonement et face fyn et raunceop solonc la discrecion du conseil nostre dit Seignur le Roy.

REX vicecomiti Kanc' Salutem. Precipimus tibi firmiter injungentes quod quedam statuta et ordinationes per nos de assensu magnatum et communium regni nostri Anglie in parlamento nostro apud Westm' ultimo tento facta que tibi mittimus sub magno sigillo nostro in forma patentis infra comitatum tuum in locis ubi magis expediens fuerit sine dilatione legi et publice ex parte nostra proclamari ac firmiter teneri et observari facias juxta formam statutorum et ordinationum predictorum. Et hoc sub incumbenti periculo nullatenus omittas.

Teste rege apud Westm' xv. die Maii.

Consimilia breviter diriguntur singulis vicecomitibus per Angliam.

Anno decimo quarto RICARDI II.

In the Parliament held at Westminster on the Morrow of Saint Martin (12th November) A.D. 1390.

The Statute is here reprinted from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 8." compared with printed Rot. Parl. Pynson, &c.

The Chapters of the Statute are founded on the following Articles in printed Rot. Parl. p. 277, &c.

Chapter of Statute. No. in printed Roll.

1,	-	-	6	} <i>On Petitions of the Commons.</i>
2,	-	-	7	
3,	-	-	8	
4,	-	-	9	
5,	-	-	10	
6,	-	-	11	
7,	-	-	(1)	
8,	-	-	35	
9,	-	-	25	
10,	-	-	27	
11,	-	-	17	
12,	-	-	19	

¹ Not noticed. See Stat. 15 R. 2. c. 8.

Besides

Besides the foregoing, and several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iii. } For securing the Payment of the Pen-
Page 278, No. 12, } sion granted to the Dukes of York and
Gloucester on their Creation. See
sub An. 9 Ric. 2.

- 13, Grant of the Forest of Dean, as a Forest, to the Duke of Gloucester.
- 279, — 15, For preserving and asserting the King's Prerogative, so that he should be as free as his Progenitors.
- 16, The following Subsidy granted in Defence of the Realm for Three Years from the Feast of Saint Andrew (9th May) preceding, viz. Forty-three Shillings Four-pence per Sack of Wool exported by Denizens, and Forty-six Shillings Eight-pence by Aliens, &c. Tonnage of Three Shillings, and Poundage of One Shilling, on Condition that the Staple be removed from Calais to England. The whole Custom and Subsidy on Wools is stated to be Fifty Shillings of Denizens, and Fifty-three Shillings Four-pence of Aliens. Every Last of Leather Seven Marks and a Half (Five Pounds) of Denizens, and Eight Marks (Five Pounds Six Shillings and Eight-pence) of Aliens; and of every 240 Woolfels Fifty Shillings of Denizens, and Four Marks (Fifty-three Shillings Four-pence) of Aliens; the same as in 11 R. 2.
- 280, — 20, For the Relief of Sheriffs in their Accounts.
- 22, For continuing the Pardon of Arrears of Taxes, &c. to the Northern Counties in the last Parliament.
- 281, — 26, Confirmation and Amendment of Stat. 14 E. 3. st. 1. c. 21, as to cocketting Wools.
- 282, — 32, For regulating the Stews in Southwark.
- 36, Pardon to John Northampton late Mayor of London.

FOR the Relief and Increase of the common Profit of the Realm of England, and of the Lands of Wales and Ireland, which hath been in divers Manners greatly hindered in Times past; our Lord the King, at his Parliament holden at *Westminster* on the Morrow of St. Martin, the Fourteenth Year of his Reign, hath ordained and established, with the Assent of his said Parliament, the Things under-written.

PUR relevation et encreffe de commune profit du roialme d'Engleterre, et de terres des Gales et d'Irland, qad este en diverse manere grantement arierisse en temps passe, sy ad nostre Seignur le Roy, a son parlement tenuz a Westm' lendemayn de Seins Martyn, lan de son regne quatorzisme, ordeine et establi, del assent de son dit parlyment, les choses desouz escriptz.

[See also Stat.

4 H. 4. c. 25.]

27 H. 6. c. 3.

17 E. 4. c. 1.

3 H. 7. c. 8.]

C A P. I.

The Staple removed from Calais into England. Regulations for Alien Merchants.

FIRST, That the Staple be removed from *Calais* into *England*, so that it be in *England* the *Monday* next after the Feast of the *Epiphany* at the furthest: And that it be holden in the Places contained in the Statute of the Staple, made in the Seven-and-twentieth Year of the Grandfather of our said Lord the King, and in none other Place. And that the said Statute be holden, kept, and duly executed in all Points, with the Additions under-written, notwithstanding any Declaration or Statute made since to the contrary; that is to say,

See Stat.

27 E. 3. ff. 2. c. 1.

Aliens shall purchase *English* Goods to the Amount of Half the Goods imported by them.

That every Person Alien, of what Degree or Condition soever he be, who bringeth any Merchandise into *England*, shall find sufficient Surety before the Customers at the Port where the Merchandise shall be brought, to buy other Merchandise to the Value of Half the said Merchandise so brought, at the least, as Wools, Leather, Woolfels, Lead, Tin, Butter, Cheese, Cloths, or other Commodities of the Land.

EN primes qe le staple soit remuez de Caleys en Engleterre issint qil soit en Engleterre Lundy prochain apres le fest de la Tifanie a phistard; et qil soit tenuz es lieux contenuz en lestatut de le staple fait lan xxvii. laiel nostre dit Seignur le Roy et en nulk autre lieu. Et qe le dit estatut soit tenuz et gardez, et duement execut en toutz pointz, ove les additions desouz escriptz, Nient contrestant aucune declaration ou estatut fait depuis a contraire cest assavoir;

Qe chescune persone aliene de quelle degre ou condition qil soit gamelne aucune merchandise en Engleterre trove sufficeante seurete devant les custumers, el port ou la dite merchandise ferra amefne, dachater autre merchandise, a la value de la moite du dite merchandise issint amefne au meyns, come leyns quirs peaux lanutz plumb eskeyn bure furnage diaps ou autre commoditees de la terre.

C A P. II.

Exchanges by Aliens shall be expended in the Staple Commodities of the Realm.

ALSO, That for every Exchange which shall be made by the Merchants to the Court of *Rome*, or elsewhere, that the said Merchants be firmly and surely bound in the Chancery, to buy within Three Months * after the said Exchange made, Merchandises of the Staple, as Wools, Leather, Woolfels, and Lead or Tin, Butter, Cheese, Cloths, or other Commodities of the Land, to the Value of the Sum so exchanged, upon Pain of Forfeiture thereof.

[See also Stat.

11 H. 4. c. 8.]

* [Nine Months,

9 H. 5. ff. 2. c. 9.]

ITEM

ITEM qe pur chescun eschaunge qe serra fait par merchantz, a la court de Rome ou aillours, qe les ditz merchantz soient fermement et surement liez en la Chancellerie dachater, deinz trois moys apres la dite eschaunge faite, marchandises de lestaple, come leyns quirs peaux lanutz et plumb ou esleyin bure furmage draps ou autres commoditees de la terre, a la value de la somme issint eschaunge sur forfaiture dycelle.

C A P. III.

Officers of the Staple shall be first sworn to the King, and then to the Staple.

ALSO, That in every Place and Port where the Staple shall be, the Mayors, Constaibles, Brokers, and all other Officers and Ministers of the Staple, shall be sworn first to the King, and after to the Staple. [See Stat. 27 E. 3. p. 24 c. 23.]

ITEM qen chescun lieu et port, ou lestaple serra, les mairs constables brogours, et toutz autres officers et ministres de lestaple, soient jurrez primerement au Roi et puis a lestaple.

C A P. IV.

For regulating the Purchase of Wools by Denizens.

ALSO, the better to keep the high Price of Wools, That no Denizen in *England* shall buy Wools except of the Owners of the Sheep and of the Tithes, unless in the Staple: and that no Denizen do regrate Wools nor other Merchandises of the Staple privily nor apertly, upon Pain to forfeit the Value of the Thing regrated: and that the Justices of the Peace in the Country have Power to inquire, and do inquire from Time to Time, of such *English* Regrators and of the Weights of the Staple, and punish them by the Pain aforesaid. And that no *Englishman* buy any Wool of any Person, except for himself for his own Use, as to sell at the Staple, and to make Cloth.

[Repealed, Stat. 21 Jac. 1. c. 28. § 11.]

ITEM, pur meutz garder le haut pris des leyns, qe null deinz ein en Engleterre nachate leynes, forske de les possessours des berbitz et des dismes, sinoun en lestaple: et qe null deinz ein regrate leynes, nautres marchandises de lestaple, en prive nen appert sur peyne de forsaire la value de la chose regrate: et qe les Justices de la pees en pais eient poair denquere, et enquerger de temps en temps, de tielx regratours Engleys, et de les poises de lestaple et les punissent par la peyne avantdite. Et qe null homme Engleys nachate aucune leyne de nulli, forske par lui memes pur son oeps demesne, come de veudre a lestaple et pur faire drap.

C A P. V.

No Denizen shall export any Staple Merchandize.

ALSO, That no Denizen do carry any Wools, Leather, Woolfels, nor Lead out of the Realm of *England*, to Parts beyond the Sea, upon Pain of Forfeiture thereof, but only Strangers.

ITEM qe null deinzain amefne leynes quirs peauz lanutz ne plumb hors del roialme dEngleterre as parties dela, sur peyne de forfaiture dycelle mes soulement estrangers.

C A P. VI.

[See Stat.

5 R. 2. st. 1. c. 3.
and Note there.]

Englsh Merchants shall freight only in Englsh Ships.

ALSO, That all the Merchants of the Realm of *England* shall freight, in the said Realm, the Ships of the said Realm, and not strange Ships; so that the Owners of the said Ships do take reasonable Gains for the Freight of the same.

ITEM qe toutz les merchantz de roialme dEngleterre frettent en le dit roialme les niefs du dit roialme, et nemye niefs estraunges; issint qe les possesseurs des ditz niefs preignent resonablement pur le frette dicelles.

C A P. VII.

Repealed by Stats.

15 R. 2. c. 8.

21 Jac. 1. c. 28.
§ 11.

Tin shall be exported only from Dartmouth.

ALSO, That the Passage of Tin out of the Realm shall be at the Port of *Dartmouth*, and no where else.

ITEM qe passage de steyn hors du roialme soit el port de Dertemuth et null part aillours.

C A P. VIII.

[See ante, Stat.

4 R. 2. c. 1.

and post, Stat.

18 H. 6. c. 17.
§ c.]

No Person shall be impeached for not gauging of *Rhenish* Wine.

ALSO, That none of the King's liege People be from henceforth distrained, impeached, molested, nor grieved in the Exchequer, nor elsewhere, for not gauging of Wines of *Rhine*, nor for any Forfeiture of the same for that Cause, otherwise than hath been of old Times.

ITEM qe null lige du Roy soit destreintz empeschez molestez ne grevez, en leschequer naillours, pur le noun gauger de vynes de Ryn, ne pur ascune forfaiture dicelles pur celle cause, autrement qe nad este fait dauncien temps,

C A P. IX.

Merchant Strangers resorting into this Realm shall be well used.

ALSO, That Merchants Strangers repairing into the Realm of *England* shall be well and courteously and rightfully used and governed in the said Realm, to the Intent that they shall have the greater Courage to repair into the same.

ITEM qe marchantz estraunges, repairantz en le roialme dEngleterre, soient bien et curtoisement et droiturement tretez et governez en le dit roialme, au syn qils eient greindre courage de repeirer en ycell.

CAP,

C A P. X.

For regulating Customers, Comptrollers, and other Officers.

ALSO, That no Customer nor Comptroller have any Ships of their own, nor meddle with the Freight of Ships, and that to eschew, as well the Damage of our Lord the King of his Customs, as the Loss of the Merchants repairing to the Port, as well Aliens as Denizens. And that no Customer, Comptroller, Searcher, Weigher, or Tronour, have any such Office for Term of Life, but only as long as shall please the King, notwithstanding any Patent or Grant made to any to the contrary; and if any such Patent or Grant for Term of Life be heretofore made to any of any such Office, the King willeth, that it be utterly repealed and void, and of no Force nor Value henceforward.

[See also Stat.
17 R. 2. c. 5.
4 H. 4. c. 20,
and Notes there.]

No Customer or Comptroller shall own or freight any Ships.

Customers and other such Officers shall hold their Offices only during Pleasure.

ITEM qe null custumer ne contrerollour eit niefs de lour propre, ne soy melle de fret des niefs, et ceo pur eschuir sibien le damage du Roy de sa custume, come la perde des marchantz repairantz al port sibien aliens come deinceins. Et qe null custumer contrerollour sexchour poissour our tronour eit null tiel office a terme de vie, mes tantseulement tant come le Roy plerra; non-obstant aucune patente ou grant fait a ascuny a contraire; et si ascun tiel patente ou grante a terme de vie soit fait a ascuny, dascun tiel office, devant ces heures, le Roy voet qil soit outrement repelle et voide et de null force ou value desore enavant.

C A P. XI.

For regulating Justices of Peace.

ALSO, That in every County there be assigned Eight Justices of Peace, as is contained in the Statute of *Cambridge*, besides the Lords assigned in this Parliament: And that Duplicates of the Estraits of the said Justices shall be made, and the one Part delivered by the said Justices to the Sheriff, to levy the Money therefrom arising, and thereout to pay to the said Justices and their Clerks their Wages by the Hand of the said Sheriff by Indenture betwixt them thereof to be made; and that the Sheriffs have Allowance in their Accompt in the Exchequer by the same Indenture: And that no Duke, Earl, Baron, or Baneret, albeit they be assigned Justices of the Peace, and hold their Sessions with the other Eight Justices, shall take any Wages for the said Office. And that the Justices who hold their Sessions do set down their Names, and the Name of their Clerk, together with the Number of the Days of their Sessions, to the Intent that the Sheriffs may know to whom to pay the Wages, and to whom not; and the Barons of the Exchequer, to whom to allow, and to whom not: And that Seals be made for the Servants, and delivered to the keeping of some good Man of the Country, after the Purport of the said Statute of *Cambridge*; which Statute, with the Modification of the same made at the last Parliament, and the Statute of Weights and Measures, and all other good Statutes and Ordinances made heretofore, and not repealed, shall be holden and kept, and put in due Execution.

See 12 R. 2. c. 10.

How Wages of Justices, &c. shall be paid by the Sheriffs.

Noblemen shall not receive Wages.

Certificate of Justices for their Wages.

Seal for Servants (See 12 R. 2. c. 3.)

Stat. 12 R. 2. as explained by 13 R. 2. st. 1. c. 7, and all other Statutes in force, confirmed.

ITEM qen chescun countee soient assignez oept justices de la pees, come est contenuz en lestatut de Canteb^r outre les Seignurs assignez en cest parlement; et qe les estretes des ditz justices soient doublez, et lune partie delivere par les ditz justices al viscont, pur lever les deniers ent sourdantz, et ent paier as ditz justices et a lour clerks lour gages, par la mayn du dit viscont, par endenture entre eux ent affaire; et qe les viscontz eient allouance en lour accompt en leschequer par mesme lindenture: Et qe null Duc Count Baron ou Baneret, tout soient ils assignez justices de la pees, et tieignent lour sessions ovesqe les autres oept justices, ne preignent gages pur le dit office. Et qe les justices qe tieignent lour sessions mettent lour nouns et le noun de lour clerk, ensemblement ove le nombre des jours de lour sessions, au syn qe les viscontz purront savoir a qi paier gages et a qi noun; et les Barons de leschequer a qi allower et a qi noun; et qe les sealx soient faitz pur les servantz et baillez en garde dascun prod homme du paiis, solonc le purporte de le dit estatut de Canteb^r, le quell estatut, ove la modification dicel faite al darrein parlement, ensemblement ove lestatut de poys et mesures, et toutz autres estatutz et bones ordinances faitz avant ces heures et nient repellez, le Roy voet qils soient tenuz et gardez et mys en due execution.

C A P. XII.

The Value of *Scottish* Money of several Sorts.

[See also Stat.
17 R. 2. c. 1.]

ALSO, That the Groat of the Money of *Scotland* be current in Value only for Two-pence *Englisch*. And the Half-groat of *Scotland* for One-penny *Englisch*. And the Penny of *Scotland* for One-halfpenny *Englisch*. And the Halfpenny of *Scotland* for One-farthing *Englisch*. And if the Money of *Scotland* be impaired, that the Value thereof be abridged in Proportion; and that Commissions be made throughout the Realm to inquire of them that have carried, or sent *Englisch* Money into *Scotland*, there to make Bullion or Money of *Scotland*, in Prejudice and Damage of the King, and the Realm.

ITEM qe la grote de la monoye d'Escoce courge en value tant-soulement de deux deniers Engleys, et la dimy grote d'Escoce en value dun denier Engleys, et le denier d'Escoce en value dun maill Engleis, et le maill d'Escoce en value dun serthing Engleys; et, si la monoye d'Escoce soit empeire, qe la value ent soit abregge, solonc lasserant; et qe commissions soient faitz parmy le roialme denquerre de ceux qont porte ou envoie la monoie d'Engleterre en Escoce, pur y faire bullion ou monoie d'Escoce en prejudice et damage du Roi et du roialme.

REX vicecomiti Kane' salutem. Precipimus tibi firmiter injungentes quod quedam statuta et ordinationes per nos de assensu Magnatum et Communitatum regni nostri Anglie *** *This is left imperfect on the Roll.* HAWK.

Anno decimo quinto RICARDI II.

*In the Parliament held at Westminster on the Morrow
of All Saints (3 Nov.) A.D. 1391.*

*The Statute is here reprinted from the Copy given by Hawkins,
Cay, &c. as "Ex Rot. in Turr. Lond. m.7." compared with
Pynson, &c.*

*The Chapters of the Statute are founded on the following Arti-
cles in printed Rot. Parl. p. 284.*

Cap. of Stat. No. in Roll.

1,	-	-	26,
2,	-	-	27,
3,	-	-	30,
4,	-	-	31,
5,	-	-	32,
6,	-	-	38,
7,	-	-	42,
8,	-	-	48,
9,	-	-	14,
10,	-	-	40,
11,	-	-	49,
12,	-	-	9,

On Petitions of the Commons.

*Besides these, and several other Articles for the Confirmation of
existing Statutes, See further*

*Printed Rot. Parl. iii. For regulating the Staple, and permitting
Page 285, No. 7, the Exportation of Wools for a limited
Time, on Condition that the Merchants
shall, for every Sack of Wool exported,
bring into the Realm One Ounce of Gold.*

*8, The King and Lords empowered to dispense
with the Statute of Provisors till the next
Parliament.—[In some subsequent In-
stances, the Commons express their Assent
to give a like or greater Power to the
King, with the Advice of such sage Per-
sons as he should think fit to call upon.
See 20 R. 2. nu. 21, 22: 1 H. 4.
nu. 85: 2 H. 4. nu. 26.]*

*10, Grant of a Subsidy of a Half-tenth and
Half-Fifteenth for the War.*

*286, .. 11, That no Éire nor Trailbaston shall be held
before the next Parliament.*

Page

Page 286, No. 12, Confirmation of the Subsidy in the preceding Parliament without any Condition.

13, For the Confirmation of the Royal Prerogative, notwithstanding any Statute theretofore made; and particularly any Statute made in the Time of Edward II.; and that if any such were then made in Derogation of the Liberties of the Crown, it shall be annulled.

289, - 25, For repairing and sustaining a new Bridge erected between Rochester and Strode.

On Petitions of the Commons,

Page 290, No. 29, For Relief of Sheriffs in their Accounts.

291, } 33, A full Statute Pardon of all Treasons, &c.
292, } to John Northampton. (See sub an.
14 Ric. 2.)

34, A like Pardon to John Norbury.

35, A like Pardon to John More.

294, - 43, For Payment of the King's hereditary Custom on Cloths exported.

295, - 45, Pardon of Arrears of Taxes, &c. to the Northern Counties confirmed, (See sub an. 13 Ric. 2. & 14 Ric. 2.)

46, Explanation and Confirmation of the Charter of the Forest, c. 14. respecting Cheminage.

IN the Parliament holden at Westminster, the Morrow after All-Souls, the Fifteenth Year of the Reign of our Sovereign Lord King Richard, the Second after the Conquest, our said Lord the King, with the Assent of his said Parliament, hath ordained and established certain Things in Form following.

AU parlement tenuz a Westm' lendemayn des almes, lan du regne nostre Seignur le Roi Richard second puis le conquest quinzisme, nostre dit Seignur le Roi de lassent de son dit parlement ad ordeine et establi certaines choses en la fourme qensuit.

C A P. I.

A Confirmation of all former good Statutes not repealed.

C A P. II.

For confirming and amending former Statutes respecting Riots and forcible Entries.

[Confirmed and enlarged
8 H. 6. c. 9.]

Former Statutes concerning forcible Entries and Riots confirmed.

ALSO it is accorded and assented, That the Statutes and Ordinances, made. and not repealed, concerning those who make Entries with strong Hand into Lands and Tenements, or other Possessions

Possessions whatsoever, and hold themselves therein with Force, and also concerning those who make Insurrections, or great Ridings, Riots, Routs, or Assemblies, in Disturbance of the Peace, or of the Common Law, or in Affray of the People, shall be holden and kept, and fully executed; Adding thereto, That at all Times that such forcible Entries shall be made, and Complaint thereof cometh to the Justices of Peace, or to any of them, that such Justices or Justice take sufficient Power of the County, and go to the Place where such Force is made; and if he or they find any that hold such Place forcibly, after such Entry made, they shall be taken and put into the next Gaol, there to abide convict by the Record of such Justices or Justice, until they have made Fine and Ransom to the King: And that all People of the County, as well the Sheriff as other, shall be attendant upon the same Justices to go and assist the same Justices, to arrest such Offenders, upon Pain of Imprisonment, and to make Fine to the King. And in the same Manner it shall be done concerning those who make such forcible Entries in Benefices or Offices of Holy Church.

[See Stats.
2 E. 3. c. 3.
2 R. 2. ff. 2. c. 2.
5 R. 2. ff. 1. c. 8.]

A Justice of Peace on Complaint of forcible Entry shall take the Power of the County, and send the Offenders to Gaol.

ITEM accordez est et assentuz qe lestatutz et ordeinances faitz et nient repellez, de ceux qe font entrees a forte mayn en terres et tenementz, ou autres possessions queconques, et lour tiegent einz ove force, et auxint de ceux que font insurrections, ou grantz chivaches rioutes routes ou assemblees en destourbance de la pees, ou de la commune ley, ou en affray du people soient tenuz et gardez et pleynement executz; Ajouste a ycelles qe a toutz les soitz qe tielx forcibles entrees soient faitz, et pleint en veigne a justices de la pees, ou a ascun de eux, qe mesmes les justices ou justice preignent ou preigne poair suffisceant du counte, et voisent ou voise al lieu ou tiel force soit fait; et sils troevent ou troeve ascuns qe tiegent tiel lieu forciblement, apres tiel entree fait, soient pris et mys en proscheine gaole, a y demurer convict par record de mesmes les justices ou justice, tanq ils cient fait fyn et rancon au Roy; et qe toutz gentz du counte, sibien viscont come autres, soient entendantz as ditz justices pur aler et enforcer mesmes les justices pur arester tielx malfesours sur peine demprisonement et de faire fyn au Roy. Et en mesme le manere soit fait de ceux qe font tielx forcibles entrees en benefices ou offices de Seint Esglise.

C A P. III.

In what Places the Admiral's Jurisdiction doth lie.

ALSO, at the great and grievous Complaint of all the Commons, made to our Lord the King in this present Parliament, for that the Admirals and their Deputies do incroach to them divers Jurisdictions, Franchises, and many other Profits, which pertain to our Lord the King, and to other Lords, Cities, and Boroughs, other than they were wont or ought to have of Right, to the very great Oppression and Impoverishment of all the Commons of the Land, and Hindrance and Loss of the Profits of our Lord the King, and of many other Lords, Cities, and Boroughs through the Realm; It is declared, ordained, and established, That of all Manner of Contracts, Pleas, and Quarrels, and of all other

[See also Stat.
13 R. 2. ff. 1. c. 5:
2 H. 4. c. 11.]

Concerning of Contracts, Pleas, Suits, and also Wreck

Things

arising within
the Body of any
County, either
by Land or
Water, the
Admiral shall
not have
Jurisdiction.

But the Admiral
shall have
Cognizance of
Death or
Maim in great
Ships in great
Rivers.

And also Power
to arrest Ships,
and Jurisdiction
over Fleets.

Things done or arising within the Bodies of the Counties, as well by Land as by Water, and also of Wreck of the Sea, the Admiral's Court shall have no Manner of Cognizance, Power, nor Jurisdiction: but all such Manner of Contracts, Pleas, and Quarrels, and all other Things arising within the Bodies of Counties, as well by Land as by Water, as aforesaid, and also Wreck of the Sea, shall be tried, determined, discussed, and remedied by the Laws of the Land, and not before nor by the Admiral, nor his Lieutenant in any wise. Nevertheless, of the Death of a Man, and of Maim done in great Ships, being and hovering in the main Stream of great Rivers only, [beneath the Bridges of the same Rivers nigh to the Sea,^{1 2}] and in no other Place of the same Rivers, the Admiral shall have Cognizance; and also to arrest Ships in the great Fleets for the great Voyages of the King and of the Realm; saving to the King all Manner of Forfeitures and Profits thereof coming; And he shall have also Jurisdiction upon the said Fleets, during the said Voyages only; saving always to Lords, Cities, and Boroughs their Liberties and Franchises.

^{1 2} All Translations (except Pulton 1618, and Cay's Abridgement) read thus. Pulton reads "Points" instead of "Bridges;" herein agreeing with Coke, 41^o/f; 137.—Query read "below the Points (or Reaches) of the said Rivers nearest to the Sea;"—"aval" is "down, or downward;"—"en terme de Riviere."—See *Congruum & Miège*.

ITEM a la grant et grevouise complaint de tout la commune, fait a nostre Seigneur le Roi en cest present parlement, de ce que les Admiralx et leur deutees accrochent a eux diverses juridictions franchises et plusieurs autres profitz, que appartiegnent a nostre Seigneur le Roi, et as autres Seignurs citees et burghs, autres qils ne soloient ne ne devoient avoir de droit, a tresgrant oppression et empoverissement de toute la commune de la terre, et arrerissement et perde des profitz nostre Seigneur le Roy et de plusieurs autres Seignurs citees et burghs parmy le roialme; declarez est ordeignez et establi que de toutes maneres contractz plees et querelles et de toutes autres choses faitz ou souldantz deinz les corps des countees, sibien par terre come par eawe, et ausiint de wreck de meer, la court de l'admirall eit nulle manere conissance poair ne juridiction; mes soient toutz tielx maneres contractes plees et quereles et toutes autres choses souldantz deinz les corps des countees, sibien par terre come par eawe come desuis, et auxint wreck de meer, triez terminez discuss et remediez par les loyes de la terre, et nemye devant ne par l'admiral ne son lieutenant en nulle manere. Nientmeyns de mort de homme et de maheyn faitz es grosses niefs, esteantz et hoverantz en my le haut fil des grosses rivers tantfoulement [paraval¹] les [pountz²] de mesmes les rivers puis proscheins al meer, et en nul autre lieu de mesmes les rivers, eit l'admiral conissance; et auxint darest des niefs en les grantz fletz pur grantz viages du Roi et de roialme: sauvant au Roi toutz maneres forfaitures et profitz ent provenanz; Et eit ensement juridiction sur les dites fletz, durant les dites viages tantfoulement, Sauvant toutdis as Seignurs citees et burghs leur libertees et franchises.

¹ per avale, P.

² Pontz, *Rot. Parl.*—Pointz, P. *Rass.* 1557.—Cay, in his Abridgment of the Statutes, *Tit.* "Admiralty;" suggests "Portes," which is the Reading of "The Old Abridgment," the earliest Collection of Statutes printed; and of an Abridgment printed 1521.

C A P. IV.

There shall be but Eight Bushels of Corn striked to the Quarter.

[See also Statuta
22 C. 2. c. 8.
31 G. 3. c. 30.
§ 32.]

ALSO, whereas it is ordained by divers Statutes, that One Measure of Corn, Wine, and Ale, should be throughout the Realm, and that Eight Bushels striked make the Quarter of Corn, nevertheless, because that no Pain is thereupon ordained in the said Statutes, many People of divers Cities, Boroughs, Towns, and Markets, will not take nor buy in the said Cities, Boroughs, Towns, and Markets, nor elsewhere, unless Nine Bushels for the Quarter; and if they cannot buy in that Manner, they arrest it as forfeit, to the great Damage and Oppression of all the common People, and manifestly against the Statutes aforesaid; it is ordained and assented, That the said Statutes shall be firmly kept and holden, as well in the City of London, as in every other Place throughout the Realm, and that as well by Water as by Land, notwithstanding any Usage in Times past to the contrary. And that none from henceforth do buy in the City of London, nor elsewhere, any Manner of Corn or Malt, but after Eight Bushels for the Quarter, according to the Purport of the said Statutes, upon Pain of Forfeiture of all the Corn or Malt so bought; saving to the King the said Forfeiture, except Franchises Royal, to whom the King at this Time of his special Grace hath granted this Forfeiture; and that as well the Mayor and Sheriffs of London, as the Mayors and Bailiffs of other Cities, Boroughs, Towns, and Markets, if they do not thereof full and due Execution, shall incur like Pain, as well at the Suit of the King as of the Party, and of any other Person whatever who will sue for the King.

[See Mag.
Carta, c. 25.
25 E. 3. p. 5. c. 10.
23 R. 2. p. 1. c. 9.
&c.]

Persons buying
Corn or Malt by
any other Mea-
sure than Eight
Bushels to the
Quarter shall
forfeit the same:

ITEM come ordeigne soit par diverses estatutz que mesure de blee vin et cervoise soit parmy le roialme, et qe oept busselx razez facent un quartre de blee, nientmeins a cause qe nulle peyne est sur ce ordeine en les ditz estatutz, plusours gentz, de diverses citees burghs villes et marcheas ne voillent prendre nachatre en les ditz citees burghs villes et marcheas, nâilours, sinoun noef busselx pur le quartre, et s'ils ne les purront achatre en tiel manere ils larestent come forsnit, et tresgrant damage et oppression de tout la commune poeple, et overttement encontre lestatutz suisditz: Ordeignez est et assentnz qe les ditz estatutz soient fermement gardez et tenuz, sibien en la citee de Loundres come aillours parmy le roialme, et sibien par ewe come par terre nient contrestenant aucune usage avant ces heures a contraire. Et qe null desore enavant achate en la dite citee de Loundres, naillours nulle manere blee ou brees, sinoun oept busselx pur le quartre, solonc le purport des ditz estatutz, sur peine de forfaire tout le blee ou brees issint achate; Sauvant la dite forfaiture au Roi, forspris franchises roiales as queux le Roi a ceste soit ad grante ycelle forfaiture de sa grace; et qe sibien les mair et viscountz de Londres, come les mairs et bailiffs dautres citees burghs villes et marcheas, s'ils ne facent ent pleine et due execution, encourgent autiele peine sibien au suite du Roi come de partie, et dautre queconqe qe vorra suir pur le Roi.

C A P.

C A P. V.

For explaining and amending the Statute of Mortmain,
(7 Ed. 1. ft. 2.)

Recital of Stat.
7 E. 1. ft. 2.

It is within the
Compass of the
said Statute to
convert any
Land to a
Church-yard.

Lands held by
any to the Use
of religious or
spiritual Persons,
shall be consid-
ered as in
Mortmain.

Lands purchased
by Gilds, Frater-
nities, Offices,
Commonalties,
or to their Use,
shall be con-
sidered as in
Mortmain.

ALSO, whereas it is contained in the Statute *De Religiosis*, that no religious, nor other Person whatever, do buy nor sell, or under Colour of Gift or Lease, or any other Manner of Title whatever, receive of any one, or in any Manner by Craft or Engine cause to be appropriated unto him any Lands or Tenements, upon Pain of Forfeiture of the same, whereby the said Lands and Tenements in any Manner may come to *Mortmain*; and that if any religious, or any other, do against the said Statute by Craft or Engine in any Manner, it be lawful to the King, and to the other Lords, upon the said Lands and Tenements to enter; as in the said Statute doth more fully appear: And now of late by subtille Imagination, and by Craft and Engine, some Persons of Religion, Parsons, Vicars, and other spiritual Persons, have entered into divers Lands and Tenements, adjoining to their Churches, and of the same, by Sufferance and Assent of the Tenants, have made Church-yards, and by Bulls of the Bishop of *Rome* have caused the same to be dedicated and hallowed, and in them do make continually parochial Burying without Licence of the King and of the chief Lords: It is declared in this present Parliament, That this is manifestly within the Compass of the said Statute.

And moreover it is agreed and assented, That all they that be possessed by Feoffment, or by other Manner, to the Use of religious People, or other spiritual Persons, of Lands, Tenements, Fees, Advowsons, or other Possessions whatever, to amortise them, and whereof the said religious and spiritual Persons do take the Profits, that betwixt this and the Feast of *St. Michael* next coming, they shall cause them to be amortised by the Licence of the King and of the Lords, or else that they shall sell and aliene them to some other Use between this and the said Feast; upon Pain to be forfeited to the King, and to the Lords, according to the Form of the said Statute *de Religiosis*, as Lands purchased by religious People: And that from henceforth no such Purchase be made, so that such religious or other spiritual Persons take thereof the Profits, as afore is said, upon Pain afore said. And that this said Statute extend and be observed of all Lands and Tenements, Fees, Advowsons, and other Possessions, purchased and to be purchased to the Use of Gilds and Fraternities. And moreover it is assented, because Mayors, Bailiffs, and Commons of Cities, Boroughs, and other Towns, which have a perpetual Commonalty, and others which have Offices perpetual, be as perpetual as People of Religion, that from henceforth they shall not purchase to them, and to their Commons or Office, upon Pain contained in the said Statute *de Religiosis*. And of that whereof others be possessed, or which shall hereafter be purchased to their Use, and they thereof take the Profits, it shall be done in like Manner as is afore said of People of Religion.

ITEM come contenuz soit en lestatut de religieuses, qe null religious, nautre qeconqe, achate ne vende ou souz colour de doun ou terme ou dautre title queconqe, dascun resceive, ou dascun en ascune

ascune manere par art ou par engyn a luy face appropriier, ascunes terres ou tenementz, sur forfaiture dycelles, par quoi les ditz terres et tenementz purront en ascune manere devenir a mort mayn; et qe si ascun religious ou ascun autre veigne encontre le dit estatut par art ou par engyn en ascune manere, bieu life au Roi et as autres Seignurs, les ditz terres et tenementz entrer; sicome en le dit estatut est contenuz plus au plein: Et ore de novell par sotile ymagination et par art et engyn, ascuns gentz de religion parsons vikers et autres perones espiritiels, sont entrez en diverses terres et tenementz adjoignantz a lour eglises, et dycelles, par suffrance et assent de tenantz, ont fait cimiterz, et par bulles del appostoill les ont fait dedier et sacrer et sepulture parochiele sont continuellement en ycelles, sanz licence du Roi et des chiefs Seignurs: Declare est en cest present parlement qe ce est overtement en cas du dit estatut.

Et enoutre accordez est et assentuz qe toutz ceux qe sont possessionez, par feoffement ou par autre voie, al oepe de gentz de religion ou autres perones espiritiels, des terres tenementz fees advoesons ou autres possessions queconques, pur les amortiser, et dont les ditz religieuses et perones espiritiels preignent les profitz, qe parentre cy et le fest de Seint Michel prochain venant ils les facent estre amortisez par licence du Roi et des Seignurs, ou autrement qils les vendent et alienent a autre oepe parentre cy et le dit fest; sur peine destre forfaitz au Roi et as Seignurs selonc la fourme de lestatut de religious, come tenementz purchacez par gentz de religion; et qe de cest temps enavant nully tiel purchase se face, issint qe tielx religieuses ou autres perones espiritiels ent preignent les profitz, come desuis sur la peine avaunt dite. Et mesme cest estatut sextende et soit tenuz de toutz terres et tenementz fees advoesons et autres possessions purchacez et a purchasers al oepe des gildes et fraternitees. Et enoutre est assentuz, pur ce qe mairs baillifs et communes de citees burghs et autres villes, qont commune perpetuel, et autres qont offices perpetuels, sont aussi perpetuels come gentz de religion, qe de cest temps enavant ils ne purchacent a eux et a lour commune ou office, sur la peine contenue en le dit estatut de religieuses. Et de ce qe autres sont possessionez, ou serra purchacez en temps avenir a lour oepe, et ils ent preignent ou prendront les profitz, soit semblablement fait come devaunt est dit de gentz de religion.

C A P. VI.

In Appropriation of Benefices Provision shall be made for the Poor and the Vicar.

ALSO because many Damages and Hindrances often times have happened, and daily do happen to the Parishioners of divers Places, by the Appropriation of the Benefices of the same Places; it is agreed and assented, That in every Licence from henceforth to be made in the Chancery, for the Appropriation of any Parish Church, it shall be expressly contained and comprised, that the Diocesan of the Place, upon the Appropriation of such Churches, shall ordain, according to the Value of such Churches, a convenient Sum of Money to be paid and distributed yearly, out of the

[See printed
Rot. Parl 15 R. 2.
n. 33. and Stat.
4 H. 4. c. 12.
confirming and
amending this
Act.]

Fruits and Profits of the same Churches, by those that shall have the said Churches to their proper Use, and by their Successors, to the poor Parishioners of the said Churches, in Aid of their Living and Sustainance for ever; and also that the Vicar be well and sufficiently endowed.

ITEM pur ce qe plusours damages et deseases sont sovent avenuz, et aveignent de jour en autre, as parochiens de diverses lieux, par l'appropriation des benefices de mesmes les lieux; accordez est et assentuz qen chescune licence desore a faire en la chauncellerie, d'appropriation dascune esglise parochielle, soit expressement contenuz et compris qe le diocesan del lieu, en l'appropriation de tielx esglises, ordeine, solonc la value de tielx esglises, une covenable somme dargent destre paieez et distributz annuellement des fruitz et profitz de mesmes les esglises, par ceux qaveront les dites esglises en propre oepe, et par leur successours, as povres parochiens des dites esglises en aide de leur vivre et sustenance a toutz jours; et qe le viker soit auxint bien et covenablement doweze.

C A P. VII.

For amending *Stat. 7 Ric. 2. c. 16.* respecting *Scotland.*

“**V**ICTUALS and Merchandizes may be sent to *Berawick*, that being the King's Town and in his Ligeance. And if carried from thence to Places in the King's Amity, they shall pay Custom as on Exportation; but if carried to the King's Enemies, shall be forfeited as under *7 R. 2. c. 16.*”

C A P. VIII.

For regulating the Export of Tin.

[*Repealed*
21 Jac. 1, c. 28.
§ 11.]

“**S**TAT. 14 *Ric. 2. c. 7.* repealed.—Till *Midsummer* ensuing all Persons Denizens and Aliens may export Tin wherever they will; and after that it shall be exported to *Calvis*, while the Wool Staple is there.”

C A P. IX.

For confirming *Stat. 27 Edw. 3. st. 2. c. 9.* respecting Recognisances of the Staple.

ALSO, Whereas it is contained in the Statute of the Staple, to the Intent that the Contracts made within the Staple should be the better performed, and the Payments readily made, that every Mayor of the Staple shall have Power to take Recognisances of Debts which any Man will make before him in the Presence of the Constables of the Staple, or one of them; and that in every of the said Staples there shall be a Seal ordained, remaining in the Custody of the said Mayor, under the Seals of the said Constables: It is agreed and assented, That the said Statute be firmly kept and holden; and that no Mayor of the Staple take or receive any Recognisance of Debt contrary to the Form of the said Statute, upon Pain to pay to the King the Moiety of the Sum acknowledged before him.

Penalty on the Mayor of the Staple taking Recognisances otherwise than according to recited Statute.

ITEM come contenuz soit en lestatut de lestable, au fyn qe les contractes faitz deinz lestable soient le meulz tenuz, et les paie-mentz prettellement faitz, qe chescun mair de lestable eit poair de prendre reconisances des dettes, qe homme voudra faire devaunt lui, en presence des constables de lestable ou lun deux; et qen chescun des dites estables soit un seal ordeine, demurant en la garde du dit mair sount les sealx des ditz constables: Accordez est et assentuz qe le dit estatut soit fermement tenuz et gardez; et qe nul mair de lestable preigne ou resceive aucune reconissance de dette, encontre la fourme du dit estatut, sur peine de paier, au Roi la moite de la somme devaunt lui reconisse.

C A P. X.

“None shall buy *Guildford Cloths* before they be fulled and completed as they ought to be.”

[See the general Words of Repeal, 5 & 6 E. 6. c. 6. § 50.]

C A P. XI.

Respecting Girdlers.

“**G**IRDLERS may garnish their Girdles with white Me^al, notwithstanding any Charters or Patents to the contrary.”

[Repealed
1 Jac. 1 c. 25.
§ 41.]

C A P. XII.

No Man shall be compelled to answer before the Council of any Lord respecting Matters determinable at the Common Law.

[Confirmed, &c.
16 R. 2. c. 2.]

ALSO, at the grievous Complaint of the Commons made in full Parliament, for that many of the King's Subjects be caused to come before the Councils of divers Lords and Ladies, there to answer concerning their Freehold, and many other Things, real and personal, which ought to be ordered by the Law of the Land, against the Estate and the Right of our Lord the King and of his Crown, and in Defeasance of the Common Law: It is agreed and assented, That from henceforth none of the King's Subjects be forced, compelled, nor any Way constrained, to come nor to appear before the Council of any Lord or Lady, there to answer concerning his Freehold, nor of any Thing touching his Freehold, nor of any other Thing real or personal, which belongeth to the Law of the Land in any Manner. And if any find himself grieved in Time to come, contrary to this Ordinance and Agreement, he may complain to the Chancellor for the Time being, and he shall give Remedy therein.

See Stat. Marlbo.
52 H. 3. c. 22.

ITEM a la grevouise complaint des communes, fait au plein parlement, de ce qe plusieurs luges du Roi font faitz venir devaunt les conseilx de diverses Seignurs et Dames, a y respondre de lour frank tenement et de plusieurs autres choses, reales et personeles, qe deveroient estre demesnez par la ley de la terre; encontre lestat et droit de nostre Seigneur le Roi et de sa corone, et en defeasance de la commune ley: Accordéz est et assentuz qe null lige du Roi desore enavant soit astre compellez, ne constreint par nulle voie,

de venir ne dapparoir devant le conseil dascun Seigneur ou Dame, pur y respondre de son frank tenement, ne de chose qe touche frank tenement, ne de nulle autre chose reale ou personele, qapartient a la ley de la terre en ascune manere. Et si ascun se sent grevez en temps avenir, encontre ceste ordeinance et accorde, sue al Chaunceller qi ferra pur le temps, et il en ferra remede.

REX vicecomiti Lincoln' Salutem. Quedam statuta et ordinationes per nos in ultimo parlamento nostro apud Westm' tento de assensu magnatum et communitalis regni nostri Anglie nobis in eodem parlamento assistentium facta tibi in forma literarum patentium mittimus sub sigillo nostro precipientes firmiter injungendo quod statuta et ordinationes predicta in pleno comitatu tuo ac civitatibus burgis villis mercatoriis et aliis locis infra ballivam tuam ubi melius expedire videris publice proclamari et teneri facias juxta tenorem eorundem.

T. R. apud Westm' primo die Februar'

Anno decimo sexto RICARDI II.

In the Parliament held at Winchester, in Eight Days of St. Hillary, A.D. 1392-3.

The Statute is here reprinted from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 6." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl.

<i>Chap. of Statute.</i>	<i>Number in Roll.</i>	
1,	-	33,
2,	-	22,
3,	-	25,
4,	-	31,
5,	-	(1)
6,	-	(2)

} *On Petitions of the Commons.*

(1) *As to this see No. 8. for Consent of the Commons to any Act which the King and Council should think necessary, and No. 20. for the Consent of the Clergy under Protest as stated in the Act. See also 20 Ric. 2. No. 21, 22.*

(2) *Respecting this Chapter nothing appears.*

Besides the above, and also several other Articles for the Confirmation of existing Statutes, See further Printed Rot. Parl.

Page 301, No. 7, Confirmation of the Ordinance, 13 R. 2. (No. 19.) respecting Priors Aliens.

10, The King and his Heirs and Successors, Kings of England, may freely make their Wills, and Execution shall be made thereof.

11, Act for granting the Subsidies and Tallages following

following, without any Condition; viz. The existing Subsidy on Wools, &c. for Three Years from the Feast of Saint Andrew (9 May) then next ensuing: Also Poundage of Twelve-pence and Tonnage of Three Shillings for the same Time. In case of Peace or Truce, Sixpence of the Tonnage; and One Shilling and Sixpence of the Poundage, to be abated: And for the Defence of the Realm, &c. Three separate Half-fifteenths and Half-tenths, payable at Three Periods, and upon certain Conditions stated respecting the War in France, Ireland, and Scotland.

302, — 12, No Eire nor Trailbaston shall be held till the ensuing Parliament; &c.

15, Sir Aubrey de Veer restored, by Assent of Parliament, to the Title of Earl of Oxford, and to certain Estates descended from Robert de Veer, Earl of Oxford und Duke of Ireland, attainted in An. 11 R. 2.

303, — 16, Pardon, by Assent of Parliament, to John Lancaster, Knight, one of the Adherents of Sir Robert de Veer.

On Petitions of the Commons:

305, — 21, For Relief of Sheriffs in their Accounts.

27, For regulating the Butchers of London, and preventing Nuisances on the Banks of the Thames.

29, For regulating Prisage of Wines.

OUR Lord the King, Richard the Second after the Conquest, at his Parliament holden at Winchester, in the Octaves of St. Hillary, the Sixteenth Year of his Reign, hath ordained and established, with the Assent of his Parliament, certain Things in Form following.

NOSTRE Seigneur le Roi Richard second puis le conquest, a son parlement tenuz a Wyncestr' en les oepaves de seint Hiller, lan de son regne sezisime, ad ordeine et establi certaines choses, de l'assent de son dit parlement, en la fourme qensuit.

C A P. I.

For confirming and amending former Statutes relating to Merchants.

“ **R**ECITAL of 9 Ed. 3. *ft.* 1. c. 1. allowing Freedom of Merchandise to all Merchants, Aliens and Denizens; and also of Stat. 25 Ed. 3. *ft.* 4. c. 2. allowing all Merchants to sell their Wares in Gross or by Parcels; and the Confirmation of those Statutes by Stat. 11 R. 2. c. 7.”

[See 2 R. 2. c. 1. not noticed in this Act.]

No Alien Merchant shall retail Merchandises, except Victuals.

Nevertheless forasmuch as it seemeth to our Lord the King, that the said Statutes, if they should be fully holden and executed, would extend to the great Hindrance and Damage, as well of the City of London, as of other Citiles, Boroughs, and Towns of the Realm: It is ordained and assented, That no foreign Merchant Alien shall sell, nor buy, nor merchandise within the Realm, with another foreign Merchant Alien, to sell again; and that no foreign Merchant Alien shall sell at Retail within the said Realm, nor shall put to Sale any Manner of Wares or Merchandises, except Victuals and Provisions; and that all Aliens shall also sell Wines by whole Vessels, and Spicery by whole Vessels and Bales, and in no other Manner.

No Spicery shall be exported.

[This Clause repealed]

3 Car. I. c. 4.
[s. 27.]

And that no Manner of Spicery, after that it be brought into the Realm, shall be carried out of the same Realm by Alien or Denizen, upon Pain of Forfeiture of the same.

And moreover the King willeth that the Statutes aforesaid in all their other Articles and Points shall be firmly holden and kept.

Nientmyens pur ceo qil semble a nostre Seignur le Roy qe lestatutz fuisditz, sils soient plenerement tenuz et executz, sescendent en grant arrierefement et damage sibien de la dite cite de Londres come des autres citees burghs et villes du roialme: Ordeinez est et assentuz qe null estrange marchant alien ne vende ne achate ne marchande, deinz le roialme, ovesqe autre estrange marchant alien pur revendre; ne qe null estrange marchant alien vende a retaille deinz le roialme, ne ne trenche a vendre, nulles maners merces ne merchandises forspris vivres et viailles; et qe toutz aliens vendent auxint vins par vesselx entiers, et espicerie par vesselx et bales entiers, et nemye en autre manere: Et qe null manere espicerie, apres qil soit porte en le roialme, soit amesue hors de meisme le roialme par alien ne par denzein, sur peine de forfaiture dicelle.

Et enoutre le Roi voet qe lestatutz fuisditz soient en toutz lour autres articles et pointz fermement tenuz et gardez.

C A P. II.

For confirming and amending *Stat. 15 Ric. 2. c. 12.*

“**S** *STAT. 15 Ric. 2. c. 12.* that none shall be compelled to answer before the Council of any Lord, &c. for Matters determinable at the Common Law, recited at length and confirmed.”

And if any Lord or Lady, or other of the King's liege People, do to the contrary, they shall incur the Pain of Twenty Pounds to our Lord the King.

Et si ascun Seignur ou Dame, ou autre liege du Roi, face alencontre, encougre la peine de vint livres devers nostre Seignur le Roi.

C A P. III.

The Clerk of the Market shall carry with him all his Weights and Measures signed.

ALSO it is ordained and assented, That all the Weights and Measures throughout the Realm shall be according to the Standard of the Exchequer, after the Purport of the Statutes thereof

thereof made. And the King willet, That the Clerk of the Market shall have all his Measures and Weights of Brass, according to the Standard of the Exchequer, and signed and marked with the Sign of the Exchequer thereunto ordained; and the same Weights and Measures so signed and marked, shall carry and bring with him, at all Times when he shall make the Assay of Weights and Measures in any Part within the Realm; and that neither he, nor any other of the King's liege People, shall use any other Measure nor Weight, upon the Pains contained in the Statutes thereof heretofore made.

[See Stat. 14 E. 3. p. 1. c. 12. 25 E. 3. p. 5. c. 10. 13 R. 2. p. 1. c. 9. &c.]

ITEM ordeinez est et assentuz qe toutz les poys et mesures parmy le roialme, soient accordantz a lestandard de leschequer, solonc la fourme de lestatutz ent faitz. Et enoutre le Roi voet qe le clerc del marche eit toutz ses mesures et poises darsme, accordantz a lestandard de leschequer et signez et merchez del signe de leschequer a ce ordeine; et mesmes les poises et mesures issint signez et merchez, carie et amesne'ovesqe luy, a toutz les foitz qil ferra lassay de poises et mesures, ascune part deinz le roialme; et qil ne null autre lige du Roi, use null autre mesure ne pois, sur les peines contenuz en lestatutz en faitz devant ces heures.

C A P. IV.

Concerning Liveries.

NO Yeoman nor other of lower Estate than an Esquire, shall use nor bear any Livery, called Livery of Company, of any Lord within the Realm, if he be not a menial and house-old Servant, continually dwelling in the House of his said Lord."

[Repealed 3 Car. 1. c. 4. § 27.]

C A P. V.

The Statute of Provision and *Præmunire*.

ALSO, whereas the Commons of the Realm in this present Parliament have shewed to our redoubted Lord the King, grievously complaining, That whereas our said Lord the King, and all his liege People ought of Right, and always were wont to sue in the King's Court, to recover their Presentations to Churches, Prebends, and other Benefices of Holy Church, to the which they had Right to present, the Cognisance of Plea of the Presentee whereof belongeth only to the King's Court of the old Right of his Crown; used and approved in the Time of all his Progenitors Kings of England; and when Judgement is given in the said Court upon such a Plea and Presentee, the Archbishops, Bishops, and other spiritual Persons who have Institution of such Benefices within their Jurisdiction, be bound, and have made Execution of such Judgements by the King's Commandments, of all the Time aforesaid without Interruption, for any other Layperson cannot make such Execution, and also be bound of Right to make Execution of many other of the King's Commandments, of which Right the Crown of England hath been peaceably seised, as well in the Time of our said Lord the King that now is, as in the Time of all his Progenitors till this Day: But now of late divers Processess be made by our Holy Father the Pope, and Censures of Excommunication upon certain Bishops of England, because they have made Execution of such Commandments, in open Disherison

[See also Stat. 5 Eliz. c. 1. 13 Eliz. c. 2.]

Recital; that the Remedy to recover Presentations to Benefices is in the King's Courts, and the Execution thereof is done by the Bishop;

That the Pope had awarded Processess and Sentences of Excommunication against certain

Bishops for
executing Judge-
ments of the
King's Court;

and proposed to
translate Prelates
out of the Realm,
or from one
spiritual Living
to another;

* See 25 E. 3.
§. 6. &c.

The Danger
resulting there-
from to the
Freedom of the
Crown of Eng-
land, which is
not in Subjection
to any.

The Promise of
the Commons to
assist the King
in Defence of
the Liberties of
his Crown.

The like
Promise of the
Lords Temporal.

The Protestation
and Promise of
the Lords
Spiritual present,
and of the
Proctors of those
absent.

of the said Crown, and Destruction of the Regality of our said Lord the King, his Law, and all his Realm, if Remedy be not provided: And also it is said, and a common Clamour is made, that the said Holy Father the Pope hath ordained and purposed to translate some Prelates of the said Realm, some out of the Realm, and some from one Bishoprick into another within the said Realm, without the Assent and Knowledge of our Lord the King, and without the Assent of the Prelate who so should be translated, which Prelates be very profitable and necessary to our said Lord the King, and to all his Realm; by which Translations (if they should be suffered) the Statutes of the Realm^a would be defeated and made void; and his liege Sages of his Council, without his Assent, and against his Will, carried away and removed out of his Realm, and the Substance and Treasure of the Realm would be carried away, and so the said Realm destitute as well of Council as of Substance, to the final Destruction of the same Realm; and so the Crown of *England*, which hath been so free at all Times, that it hath been [in no earthly Subjection,^b] but immediately subject to God, in all Things touching the Regality of the same Crown, and to none other, should be submitted to the Pope, and the Laws and Statutes of the Realm by him defeated and annulled at his Will, in perpetual Destruction of the Sovereignty of the King our Lord, his Crown, and his Regality, and of all his Realm, which God forbid.

And moreover, the Commons aforesaid say, that the said Things so attempted be clearly against the King's Crown and his Regality, used and approved in the Time of all his Progenitors; wherefore they and all the Liege Commons of the said Realm will stand with our said Lord the King, and his said Crown, and his Regality, in the Cases aforesaid, and in all other Cases attempted against him, his Crown, and his Regality in all Points, to live and to die: And moreover they prayed our said Lord the King, and him required by Way of Justice, that he would examine all the Lords in Parliament, as well Spiritual as Temporal, severally, and all the States of the Parliament, how they think of the Cases aforesaid, which be so openly against the King's Crown, and in Derogation of his Regality, and how they will stand in the same Cases with our Lord the King, in upholding the Rights of the said Crown and Regality. Whereupon the Lords Temporal, so demanded, have answered every one by himself, that the Cases aforesaid be clearly in Derogation of the King's Crown, and of his Regality, as is notoriously, and hath been of all Time, known, and that they will stand with the same Crown and Regality in these Cases specially, and in all other Cases which shall be attempted against the same Crown and Regality in all Points, with all their Power. And moreover it was demanded of the Lords Spiritual there being, and of the Procurators of others being absent, their Advice and Will in these Cases; which Lords, that is to say, the Archbishops, Bishops, and other Prelates, being in the said Parliament severally examined, making Protestations, that it is not their Mind to [deny,^c] nor affirm, that our Holy Father the Pope may not excommunicate Bishops,

^a Old Translations read "in Subjection to no Realm."

^b So all Translations read.

nor that he may make Translation of Prelates after the Law of Holy Church, answered and said, that if any Executions of Processess made in the King's Court, as before, be made by any, and Censures of Excommunications be made against any Bishop of England, or any other of the King's Liege People, for that they have made Execution of such Commandments, and that if any Executions of such Translations be made of any Prelates of the same Realm, which Prelates be very profitable and necessary to our said Lord the King, and to his said Realm, or that his Liege Sages of his Council, without his Assent, and against his Will, be carried and removed out of the Realm, so that the Substantance and Treasure of the Realm may be destroyed, that the same is against the King and his Crown, as it is contained in the Petition before named: And likewise the said Procurators, every one by himself examined upon the said Matters, have answered and said in the Name, and for their Lords, as the said Bishops have said and answered; and that the said Lords Spiritual will and ought to stand with our Lord the King in these Cases lawfully in Maintinance of his Crown, and in all other Cases touching his Crown and his Regality, as they be bound by their Ligeance; Whereupon our said Lord the King, with the Assent aforesaid, and at the Request of his said Commons, hath ordained and established, That if any do purchase or pursue, or cause to be purchased or pursued in the Court of Rome, or elsewhere, any such Translations, Processess, and Sentences of Excommunications, Bulls, Instruments, or any other Thing whatever which toucheth our Lord the King, against him, his Crown, and his Regality, or his Realm, as is aforesaid, and they which bring the same within the Realm, or receive them, or make thereof Notification, or any other Execution whatever within the same Realm or without, that they, their Notaries, Procurators, Maintainers, Abettors, Fautors, and Counsellors, shall be put out of the King's Protection, and their Lands and Tenements, Goods and Chattels, forfeit to our Lord the King; and that they be attached by their Bodies, if they may be found, and brought before the King and his Council, there to answer to the Cases aforesaid; or that Process be made against them by *Premunire facias*, in Manner as it is ordained in other Statutes concerning Provissors and others which do sue in the Court of any other in Derogation of the Regality of our Lord the King.

Penalty of *Premunire* for purchasing Translations, Bulls, or other Instruments from Rome or elsewhere.

See Stat.
27 E. 3. ff. 1 c. 1.
38 E. 3 ff. 2.
c. 1—4.
7 R. 2. c. 12.

ITEM come les communes du roialme, en cest present parlement; eient monstrez a nostre tresfredoute Seigneur le Roi, grevouement compleignantz, qe par la ou mesme nostre Seigneur le Roi, et toutz ses luges, doivent de droit et soloient, de tout temps, poursuivre en la courte mesme nostre Seigneur le Roi pur recoverer lour presentementz as esglises prebendes et autres benefices de seinte esglise, as queux ils ount droit a presenter, la consistance de plee de quelle [presente'] appartient soulement a courte mesme nostre Seigneur le Roi, dauncienne droit de sa corone use, et approve en temps de toutz ses progenitours Rois d'Engleterre; et qant jugement soit rendu en mesme sa courte sur tiel plee et presente, les ercevesques eves-

¹ presentee, P.

M 4

ques

ques et autres perſones ſpirituelles quount inſtitution de tiele benefice deinz lour juriſdiction, ſont tenuz et ont fait execution des tieux juggedments, par mandement des Rois, de tout le temps avantdit ſanz interruption, qare autre lay perſone ne poet tiele execution faire, et auxint ſont tenuz de droit de faire execution de pluſours autres mandementz noſtre Seigneur le Roi, de quele droit la corone d'Engleterre ad elle peiſiblement ſeiſy, ſibien en temps noſtre dit Seigneur le Roi come en temps de-touz ſes progenitours, tanqe enca: Mes ore tarde diverſes proceſſes ſont faitz par le ſeint pierre le Pape, et cenſures delcomengeementz ſur certains eveſques d'Engleterre, pur ceo qils ont fait execution des tieux mandementz, en overte deſheritance de la dite corone et deſtruction du regalie noſtre dit Seigneur le Roi, ſa ley et tout ſon roialme ſi remedie ne ſoit mys: Et auxint dit eſt, et commune clamour y ad, qe le dit ſeint pierre le Pape ad ordeigne et purpoſe de tranſlater aucuns prelates de meſme le roialme, aſcuns hors du roialme et aucuns de un eveſchee a autre deinz meſme le roialme, ſaunz aſſent et conſance noſtre Seigneur le Roy, et ſaunz aſſent du prelat qienſy ferroit tranſlate, queux prelatz ſont moult profitables et neceſſaires a noſtre dit Seigneur le Roi et tout ſon roialme; par queux tranſlations, ſils fuſent ſufertz, les eſtatutz du roiaume ſeront deſaitz et anientez, et ſes ſages lieges de ſon conſeill ſanz ſon aſſent et encountre ſa voluntee ſubtrez et eſloignez hors de ſon roiapme, et lavoir et treſore du roiaume ſerroit emporte, et caſi meſme le roiaume deſtitut, ſibien de counſeill come davoit, a final deſtruction de meſme le roialme; et enſy la corone d'Engleterre qad eſte ſi frank de tout temps [qe nad hien null terrien ſovereigne²] mes immediate ſubgit a Dieu en toutes choſes touchantz la regalie de meſme la corone, et a null autre, ſerroit ſubmyz a Pape, et les leys et eſtatutz du roialme par luy deſaitz et anientez a ſa volente, en perpetuele deſtruction de la ſoveraynte noſtre Seigneur le Roy ſa corone et ſa regalie et tout ſon roialme, qe Dieu defende:

Et diſoient outre les communes avantdites, qe les dites choſes enſi attempez ſount overtement encountre la corone noſtre Seigneur le Roi et ſa regalie, uſe et approve du temps de touz ſes progenitours; par quoy ils et touz les lieges communes du meſme le roialme [veullant³] eſtere avec noſtre dit Seigneur le Roi et ſa dite corone et ſa regalie, en les caſes avantdites, et en toutz autres caſes attempez encountre luy ſa corone et ſa regalie, en toutz pointz a vivre et murer: Et prierent outre a noſtre Seigneur le Roy, et luy requiſtrent par voy de juſtiee, qil vorroit, examiner touz les ſeignurs en parlement, ſibien ſpirituelles come temporeles ſeveralment, et touz les eſtatz du parlement, coment lour ſemble des caſes avantditz, qe ſount ſi overtement encountre la corone noſtre Seigneur le Roy, et en derogation de ſa regalie, et coment ils voillent eſtere en meſmes les caſes oveſqe noſtre Seigneur le Roy, en ſuſtepance des droitz de ſes ditz corone et regalie. Sur quoy les ſeignurs temporelx, enſi demandez, ont reſpondu checun par ſoy, qe meſmes les caſes avantdites ſont overtement en derogation de la corone noſtre Seigneur le Roy et de ſa regalie, come notoirement eſt et ad eſte de tout temps conuz,

² qe el nad en nul terre en [ou] ſovereign, P.

³ veillent, P.

et que ils veullent estre avec mesmes les corone et regalie, en mesmes cesles cases en especial, et en touz autres cases que serront attemptez encountre mesmes les corone et regalie en toutz pointz ove tout leur poair. Et outre ce demandez estoit des seignurs espirituels illeques esteantz, et des procuratours des autres absents, de leur estre avys et volente en ceuz cases; queux seignurs cellaillavoit erceveliques evesques et autres prelates, esteantz en la dit parlement severalment examinez, sefantz protestations qil nest pas leur entencion de [dire³] ne affermer qe nostre Saint Piere le Pape ne poet excomenger evesques, ne quil poet faire translations des prelatz solone la ley de Seinte Esglise, respoignent et diount, qe si aucunes executions des processs faitz en la courte du Roi come devaut soient faitz par ascuny, et censures de escomengementz soient faizs encountre ascun evesque dEngleterre, ou ascun autre liege du Roi, pur ce qils ount fait execution des tieux maundementz, et qe si aucuns exocutions des tieux translations soient faitz ascuns prelatz de mesme le roialme, queux seignurs sont moult profitables et necessairs a nostre dit Seigneur le Roi et a son roiaume suisdit, ou qe ses sages lieges de son counseil, saunz son assent et encountre sa volunte, soient sustretz et esloignez hors du roialme, siqe lavoir et tresor du roialme purroit estre destruit, qe ce est encoutre le Roi et sa corone, siome est contenuz en la petition avant nome: et semblablement les ditz procuratours, chescun par soy examine sur le ditz matieres, ount respondu et dit en noun et pur leur seignurs, come les ditz evesques ount dit et respondu: et qe les ditz seignurs espirituels veullent et deivent estere ovesqe le Roi nostre Seigneur en ceuz cases, loialment en sustenance de sa corone, et en touz autres cases touchantz sa corone et regalie come ils sont tenuz par leur ligeance: Sur quoy nostre dit Seigneur le Roi, del assent avaunt dit et ala priere de sa dit communalte, ad ordeigne et establie qe si ascun purchase ou persue, ou face purchacer ou persuer, en la courte de Rome, ou ailleurs, ascuns tieux translations processs et sentences de escomengementz, bulles instrumentz, ou autre chose queconqe qe touche le Roi nostre Seignur, encountre luy sa corone et regalie, ou son roialme come devant est dit, et ceuz qe les porte deinz le roialme ou les rescive, ou face ent notification ou autre execution queconqe, deinz mesme le roialme ou dehors, soient ils, leur notairs procuratours meintenours abettours fautours et conseilours, mys hors de la proteccion nostre dit Seigneur le Roy, et leurs terres et tenementz biens et chateux forfaitz au Roy nostre Seigneur; et qils soient attachez par leur corps sils purront estre trevez, et amenez devaut le Roy et son conseil par y respondre es cases avaunt ditz; ou qe proceste soit fait devers eux par *premunire facias* en manere come est ordeigne en autres estatutz, des provisours et autres qui seuent en autry courte en derogation de la regalie nostre Seigneur le Roy.

• d'ier, P.

C A P. VI.

For amending Cap. 1. of *Stat. 13 R. 2. §. 2.* respecting Pardons.

Stat.
13 R. 2. c. 2.
c. 1. § 1.
confirmed.

ALSO, whereas in an Article of a Statute made in the Parliament holden at *Westminster*, the Monday next after the Feast of Saint *Hilary*, the Thirteenth Year of the Reign of our Lord the King that now is, it was ordained and granted, that no Charter of Pardon from thenceforth should be allowed, [&c. reciting § 1 of 13 R. 2. §. 2. c. 1. at length.]

Which Things our Lord the King doth will and grant, that they shall be firmly holden and kept.

Stat. 2. of said
recited Statute
repealed.

And moreover, with the Assent of the Lords in this present Parliament, and at the Prayer of his said Commons, he hath ordained and granted, That the Residue of the said Article shall be wholly put out, repealed, and adnulled; that is to say, "If any sue to the King," [&c. reciting § 2 of the said Chapter] because that the said Commons of the Realm thence have perceived great Grievance from the Ordinance aforesaid, for that many People for Malice have indicted divers Persons of Murder, Death of a Man slain by Await, Assault, and Malice prepensed, and Treason, where in Truth the Cause was not such, to the Intent that no Man should dare to sue to our Lord the King for such Charter.

ITEM come en un article dun estatut fait a parlement tenuz a Westm' Lunedy prochein apres le fest de Seint Hiller lan xiii. nostre Seignur le Roy qore est, ordeigne fust et graunte qe nulle chartre de pardon delors serroit allowe, &c.

Les queux choses nostre Seignur le Roi voet et grante qils soient fermement tenuz et gardez.

Et outre de lassent des seignurs en cest present parlement, et a la prier de la dit communalte, ad ordeigne et graunte qe le remenant du dit article soit de tout ouste repelle et adnulle, cestassavoir "Qe si aucun prieroit au Roy," [&c.] pur ceo qe la dite communalte du roialme puis en cea ount sentu moult grant grevance del ordinance avaunt dite, a cause qe plusours gentz par malice ount endite diverses personnes de murdre, mort de homme occys par agait, assaut et malice prepense, et trefon, ou en verite le cas ne fust pas tiel, a fyn qe null homme oseroit prier a nostre Seignur le Roy pur tiele chartre.

REX vicecomiti Kanc' salutem. Quoddam statutum in parlamento nostro apud Wynton' in octabis sancti Hillarii ultimo preteritis convocato de assensu prelatorum magnatum et communis regni nostri Anglie ibidem existentium, ad communem utilitatem populi ejusdem regni editum, tibi mittimus sigillo nostro consignatum mandantes quod statutum predictum ac omnes et singulos articulos in eodem contentos infra ballivam tuam in locis ubi melius expedire videris legi et publice proclamari ac quantum ad te pertinet inviolabiliter observari facias. T. R. apud Westm' primo die Maii.

Per ipsum Regem.

Consimilia brevia diriguntur singulis vicecomitibus per Angliam; ac Johanni Duci Aquitanie et Lancastrie et ejus Cancellario in dicto ducatu Lancastrie sub eadem data.

Per ipsum Regem.

Anno decimo septimo RICARDI II.

In the Parliament held at Westminster in Fifteen Days of Saint Hilary, A.D. 1393-4.

The Statute is here reprinted from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 5." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl.

Chapter of Statute.		Number in printed Roll.		
1	—	—	38	} <i>On Petitions of the Commons.</i>
2	—	—	41	
3	—	—	42	
4	—	—	53	
5	—	—	54	
6	—	—	52	
7	—	—	39	
8	—	—	} (1)	
9	—	—		
10	—	—	24	

(1) Nothing appears respecting these. In 4 Inst. 51 they are said not to be of Record.

Besides the above, and several other Articles for the Confirmation of existing Statutes, See further Printed Rot. Parl. iii.

Pags. No. } For explaining the Grant of the Subsidies in the
314, 12, } preceding Parliament 16 R. 2. See No. 11.

315, 16, } Considerations respecting the Terms of Peace.
17, }

316, 18, Assent of some of the Lords Spiritual and Temporal, and of the Commons, that the King might allow the Justices banished into Ireland in 11 Ric. 2, to return to England. See Stat. 20 Ric. 2. c. 6.

20, Declaration of Treason and provisional Attainder (on Non-appearance) against Sir Thomas Talbot, for conspiring to kill the King's Uncles, and levying Forces for that Purpose.

317, 22, For allowing the Bishop of Landaff elect to take his Bishoprick by Provision from the Pope. (And see Appendix, p. 407, n. 38, a like Licence to the Bishop of Saint Asaph.)

Printed

Printed Rot. Parl. iii.

*Pags. No. } For preventing Roger Swynerton (indicted for the
317, 23, } Murder of John Spstones, a Member coming to Par-
liament) from being bailed.*

318, 25, That the Aldermen of London should not be removable yearly, but remain until removed for reasonable Cause.

26, That the Mayor, &c. of London should not incur the Penalty under Stat. 28 E.3. c.10. merely for erroneous Judgements given or to be given.

27, For dividing Farringdon Ward into two (Farringdon within and Farringdon without), and electing Two Aldermen, to be removable only for reasonable Cause, as in the case of other Aldermen. See ante, n. 25.

[The First Two of the Three foregoing Articles were noticed in Pulton 1618 as Acts of this Year (the First being quoted as such in 4 Inst. 253). By Cay they were all Three given at length, in French, from the Parliament Roll, as Caps. 11, 12, 13 of this Year, with a Note that they were not on the Statute Roll. Of these, Nos. 25 and 27 were made by the Advice and Assent of the Council in Parliament, and No. 26 by the Advice and Assent of the Lords in Parliament only.]

On Petitions of the Commons.

319, 34, For regulating the Exportation of Tin.

320, 40, For regulating the Collection of Subsidies in Kent.

*321, 47, } For Relief of Sheriffs in their Accounts.
48, }*

On private Petitions.

327, 11, For allowing Robert Fitz Thomas (a Bastard) to take a Benefice by Provision from the Pope. But that the Statute of Provisors shall in other Cases remain in Force.

THESE be the Things ordained and established by our Lord the King at his Parliament holden at Westminster the Fifteenth Day of Saint Hilary, the Seventeenth Year of his Reign, by the Assent of the said Parliament, which he doth will and command, that they shall be firmly holden and kept after the Purport of the same.

CES sont les choses ordeignez et establiz par nostre Seignur le Roi a son parlement a Westm' al quinziesme de saint Hüller l'an de son regne dys et septiesme par assent du dit parlement les quelles il voet et comande qils soient serement tenuz et gardez solonc la purport dicelles.

C A P. I.

For preventing the melting of *English Money*,* and the
Currency of Foreign Money.

* [Confirmed and
enlarged

17 E. 4. c. 1.
13, 14 C. 2. c. 31.]
Recital of Stat.
9 E. 3. c. 2. c. 3.
against melting
Money.

FIRST, where it was ordained by the noble King *Edward*,
Grandfather to our Lord the King, the Ninth Year of his
Reign, that no Sterling Half-penny, nor Farthing, should be
molten to make Vessel, or any other Thing thereof, by Gold-
smiths nor others, upon Pain of Forfeiture of the Money so molten,
and Imprisonment of the Founder, till he should yield to the King
the Half of that which he had so molten, notwithstanding any
Charter or Franchise granted or used to the contrary; It is ac-
corded and assented, That the said Ordinance shall be firmly
holden and kept. And moreover it is ordained and assented, that
no Groat nor Half-groat shall be molten by any Man to make any
Vessel, or other Thing thereof, upon the same Pain.

Extended to
Groats and
Half-groats.

And that no Gold nor Silver Money of *Scotland*, nor of Lands
beyond the Sea, shall run in any Manner of Payment within
the Realm of *England*, but shall be brought to the Bullion, there
to be changed into the Coin of *England*, upon Pain of Forfeiture
of the same, and of Imprisonment, Fine, and Ransom of him which
doth contrary; and that no Man shall send any *English* Money into
Scotland to change the same into Money, or for *Scottish* Money,
upon the Pain last aforesaid.

No foreign Coin
shall be current
in *England*;

nor Exchange
made of *English*
Money for
Scottish Money.
(See 14 R. 2.
c. 12.)

PRIMEREMENT qe come ordeigne fuist, par le noble Roi
Edward Aiel nostre Seigneur le Roi lan de son regne disme, qe
null esterlyng mail ne serlyng soit foundu pur vessel nautre chose
ent affaire, par orfèvre nautres, sur peine de forfaiture de monnoie
foundu et emprisonement del foundout, tanqil avera renduz au
Roi la moite de ceo qil avera issint foundu, nientcontresleant chartre
ou franchise grantez ou uzez a contraire; accordez est et assentuz
qe la dite ordinance soit fermement teauz et gardez. Et
enoutre est ordenez et assentuz qe nul grote ne dimy-grote
soit foundu pur nully, pur vessel nautre chose ent affaire sur
mesme la peine.

Et qe nul monnoie dore ne dargent d'Escoce, ne des autres terres
dela la meer, courge en nul manere paiement deinz le Roialme
d'Engleterre, mais soit portez a la bullion pur y estre tournez en la
coigne d'Engleterre, sur peine de forfaiture dicelle, et demprisonement
et fyn et rancon de cely qi face lecontraire; et qe nul porte
nenvoi aucune monnoie d'Engleterre en Escoce pur le chaunger
en monnoie, ou pur monnoie d'Escoce sur la peine prescheine
avauntedite.

C A P. II.

"Every Person may make *Kersey*s or other Cloths of what
Length and Breadth he will."

[Repealed 5 & 6 E. 6. c. 6. § 50.]

See Stat.
5 & 6 E. 6.
c. 6, &c.

C A P. III.

Concerning the Exportation of Cloths called Single-Worstedes or Bolts.

"SINGLE-Worstedes may be exported (except to Enemies)
" without paying the Duties of the Staple at *Calais*; but no
" Double-Worstedes, &c. shall be so exported, on Pain of For-
" seiture."

C A P. IV.

Malt sold to *London* shall be cleansed from the Dust.

[See 2 & 3 E. 6.
c. 10. § 3, and
modern Malt
Acts.]

ALSO that the Malt which shall be made in the Countie of *Huntingdon, Cambridge, Northampton, and Bedford*, that shall be sold and brought to the City of *London*, to victual the King's Household, and the Households of other Lords and Gentlemen there dwelling and repairing, and also for Sustenance of all the People of the said City, shall be well and sufficiently sifted, cleansed, and purified, before the Sale of the same, from Dust and all other Filth, so that the Buyers may have Eight Bushels of clean Malt for the Quarter. And that the Mayors, Bailiffs, and Wardens of the Towns and Places where such Malt shall be sold, shall have Power at every Man's Suit that will complain, to see and search the said Malt, and if Default be found, thereof to make due Redress.

ITEM qe les breez qe serra fait en les countees de *Huntyngdon* Cantebr' Hertf' North' et Bed', qe serra venduz et amenez a la citee de *Londres*, pur vitailier loitiel du Roi et les hostielx dautres seignurs et gentils illoques demorantz et repeirantz, et auxint pur sustenance de tout le poeple de dite citee, soit bien et convenablement nettez moundez et purifiez devaunt le vent dicell, de poudre et de tout autre ordure; issint qe les rehatours purront avoir oept busselx de pure breez pur le quarter. Et qe les mais baillifs et gardeins des villes et lieux, ou tiel breez serra venduz, eient poair a chescunv seute qe pleindre se voudra, de veer et sercher le dit breez et si defaute soit trove dent faire du redresse.

[See also Stat.
14 R. 2. c. 10.]

C A P. V.

For regulating the Tenure of certain Officers of the Customs.

Searchers,
Gaugers,
Aulnegerz,
Weighers,
Collectors of
Customs and
Subsidies, and
Comptrollers,
shall not hold
their Office for
Life or Years,
[and shall reside
on their Offices,
1 H. 4. c. 13.
But see
4 H. 4. c. 24, as
to Aulnegerz.]

ALSO it is ordained and established, That no Searcher, Gauger of Wines, Aulneger, Tronour or Weigher of Wools or any other Merchandizes, Collectors of Customs and Subsidies whatsoever, or Comptroller, shall have Estate in his Office for Term of Life, or of Years; but that the said Offices shall remain in the King's Hands under the Governance of the Treasurer for the Time being, with the Assent of the Council, where Need is; and if any Charters or Letters Patents be made to the contrary, they shall be clearly void, and of none Effect.

ITEM ordeignez est et establi qe null sercheour gaugeour des vins, auneour, tronour ou peisour de leynes ou aucunes autres marchandises, collectours de custumes et subsidies quecun-
qcs,

ges, ou controllour, eit estat en son office a terme de vie ou des ans : eins qe les ditz offices demurgent es mains du Roi souz governance del tresorer pur le temps eileant, oveſqe laissent du conseil, quant y buſoigne ; et ſi aucuns chartres ou lettres patentes ſoient faitz au contraire ſoient outremēt voides et de nul effect.

C A P. VI.

Upon untrue Suggestions before the Council or in Chancery,
Damages may be awarded.

[See also Stat.
15 H. 6. c. 4,
and Note there.]

ALSO, forasmuch as People be compelled to come before the King's Council, or in the Chancery by Writs grounded upon untrue Suggestions ; that the Chancellor for the Time being, presently after that such Suggestions be duly found and proved untrue, shall have Power to ordain and award Damages according to his Discretion, to him which is so troubled unduly, as afore is said.

ITEM qe qant gentz ſont faitz venir devant le Counſeil du Roi, ou en la Chancellerie, par briefs founduz ſur ſuggeſtions nient vrais ; qe le chancelier pur le temps eſteant, maintenant apres qe tielx ſuggeſtions ſont duement trovez et provez nient veritables, eit poair dordeigner et agarder damages ſolonc ſa diſcretion a celui qeſt iſſint travailleſ noun duement come deſpis.

C A P. VII.

For regulating the Exportation of Corn.

ALSO the King, at the Request of the Commons to him made in this preſent Parliament, hath granted Licence to all his Liege People of his Realm of *England*, to ſhip and carry Corn out of the ſaid Realm, to what Parts they pleaſe, except to his Enemies, paying the Subſidies and Duties thereof due ; notwithstanding any Ordinance, Proclamation, or Prohibition made before this Time to the contrary : Nevertheless he willet, That his Council may reſtrain ſuch Exportation when they ſhall think neceſſary for the Profit of the Realm.

[Expressly
repealed
21 Jac. 1. c. 28.
ſ. 11.]

ITEM le Roi a la request des communes, a luy fait en ceſt preſent parlement, ad graunte licence a touz ſes liges de ſon roialme d'Engleterre, de ſkipper et amesner bleds hors de dit roialme, as queux parties qe lour plerra, horspris as enemys, paiantz les ſubſides et devoirs ent duez nientcontreſtrant aucune ordinance proclamation ou deſenſe fait devant ces heures a contraire ; nientmeins ils voet qe ſon conseil purra reſtreindre le dit paſſage quant lour ſemblera boſoignable pur profit de roialme.

C A P. VIII.

For ſuppreſſing Riots and Tumults.

[See now Stat.
1 G. 1. ſ. 2. c. 5.]

ALSO, whereas at the Parliament holden at *Westminster*, the Fifth Year of the Reign of our Sovereign Lord the King that now is ; forasmuch as Villaines and other Offenders had then of late riſen by Aſſemblies and outrageous Number in divers Parts of the Realm, againſt the King's Dignity and his Crown, and the

See Stat.
5 R. 2. ſ. 1.
c. 6, 7, reſpecting
Riots.

Laws

Laws of his Land; it was straitly enjoined by the King to all Manner of People, that none from thenceforth should make, or begin again such Riot or Rumour, nor other like; and if any so did, and that duly proved, he should be taken as a Traitor to the King and his Realm; Nevertheless, a grievous Complaint was made to our Sovereign Lord the King in this present Parliament, that divers People, not having Consideration to the said Injunctions, as well in the Counties of *Chester, Lancaster*, as elsewhere in *England*, have made such Assemblies in outrageous Number, to accomplish their Malice; against the King's Peace, his Crown, his Dignity, and the Laws of his Land: Wherefore our Sovereign Lord the King in this present Parliament hath enjoined to all his Liege People, as well Lords as others, of whatsoever Estate that they be, that none shall make such Assemblies, Riot, or Rumour against the Peace in no wise; and if any such Assembly be beginning, as soon as the Sheriffs and other the King's Ministers may thereof have Knowledge, they with the Strength of the County and Country, where such Case shall happen, shall resist such Malice with all their Power, and shall take such Offenders, and them put in Prison, till due Execution of Law be made on them; and that all Lords and other Liege People of the Realm, shall be attending and aiding with all their Strength and Power to the Sheriffs and Ministers aforesaid in such Case.

When any riotous Assembly is beginning, the Sheriffs shall take the Power of the County to resist the same, and apprehend Offenders.

[See also
13 H. 4. c. 7.]

ITEM coment qa parlement tenus a Westm' lan du regne nostre Seigneur le Roi qore est quint, pur ceo qe villeins et autres messesours tard devant leverent par assemblees et outrageouse nombre, en diverses parties de roialme, encontre la dignitee nostre Seigneur le Roi et sa corone et les leies de sa terre, defendu fust par nostre Seigneur le Roi esroitement a touz maners des gentz, qe nul delors ferroit ou recommenceroit tielx riot ou rumour nautres semblables, et si nully le ferroit et ceo prove duement serroit fait de luy come de traitour au Roi et son roialme; Nientmeins grevous pleint fust fait a nostre dit Seigneur le Roi. en cest present parlement, qe diverses gentz nient eiantz consideration a dit defense sibien en les countees de Cestre Lancastre et ailleurs en Engleterre, ont fait tielx assemblees en outrageouse nombre pur accomplir lour malice encontre la pees nostre Seigneur le Roi sa corone et sa dignite, et les leies de sa terre; Par quoi nostre Seigneur le Roi, en cest present parlement, ad defendu a touz ses lieges sibien seignurs come autres, de quecunqe estat qils soient, qe null face tielx assemblees riot ou rumour encontre la pees en null manere; et si aucun tiel assemble soit comeneant, a pluis tost qe viscontz et autres ministres le Roi poent ent avoir conssanoe, ove la force du countee et pais, ou tiel cas aveigne, mettent destourbanee encontre tiel malice ove tout lour poair, et preignent tielx messesours et les mettent en prison, tanqe due execution de leie soit fait de eux; et qe touz seignurs, et autres liges du roialme, soient entendantz et aidantz de tout lour force et poair, as vileuntz et ministres avaunt ditz en tiel cas.

C A P. IX.

Justices of Peace in their Countiees, and the Mayor of *London* in the *Thames*, shall be Conservators of the Statutes made touching Salmons.

“THE Statute 13 R. 2. §. 1. c. 19, reciting and confirming c. 47. of Stat. Westm. 2. (13 E. 1), recited at length.”

WHICH Statutes have not been hitherto duly executed for Default of good Conservators, as our said Lord the King hath perceived by Complaint to him made in this present Parliament: Wherefore it is accorded and assented, That the Justices of the Peace in all the Counties of *England* shall be Conservators of the said Statutes in the Counties where they be Justices; and that they and every of them, at all Times when they may attend, shall survey the Offences and Defaults attempted against the Statutes aforesaid; and also shall survey and search all the Wears in such Rivers, that they shall not be too strait for the Destruction of such Fry and Brood, but of reasonable Wideness after the old Assise [used or accustomed;] and that the said Justices, or such of them who shall find any Default or Misprision against the Statutes aforesaid, shall make due Punishment of the Offenders, after the Contents of the said Statutes. And that the same Justices shall put good and sufficient Under Conservators of the said Statute under them, who shall be sworn to make like Survey, Search, and Punishment, without any Favour thereof to be shewed. And moreover, that the same Justices, in their Sessions, shall enquire as well by their Office, as at the Information of the Under Conservators aforesaid, of all Trespases, Misprisions, and Defaults done against any of the Points aforesaid, and shall cause them which be thereof indicted to come before them, and if they be thereof convicted, they shall have Imprisonment, and make Fine after the Discretion of the same Justices; and if the same be at the Information of any of the Under Conservators aforesaid, such Under Conservator shall have the Half of the same Fine. And forasmuch as it hath been granted to the Citizens of *London*, by the King's Progenitors, that they may remove and take away all the Wears in the Waters of *Thames* and *Medeway*, and that they shall have the Punishments thereof pertaining to the King; our said Lord the King, in this present Parliament, with the Assent aforesaid, hath granted, That the Mayor or Warden of *London* for the Time being shall have the Conservation of the Statutes aforesaid, and shall make thereof due Execution, and like Punishment, as afore is ordained of the Justices of the Peace, in the said Water of *Thames*, from the Bridge of *Stanes* to *London*, and from thence further in the same Water, and in the said Water of *Medeway*, as far as hath been granted to the said Citizens, as afore is said.

Justices of Peace shall be Conservators of recited Statutes.

Under Conservators shall be appointed by the Justices.

Justices shall enquire of Offences in Sessions.

The Mayor of *London* shall have the Conservation of the Statutes in the *Thames*.

QUEUX estatutz nount pas este duement executz tanqe en cee, pur defeaute de bones conservatours, a ceo qe nostre Seigneur le Roi ad entendu par pleint a luy fait, en cest present parlement; Par qei acorde est et assentu qe les justices de la pees en touz les countees dEngleterre soient conservatours des ditz estatutz in les connettes ou ils sont justices; et que eux et cheescun de eux, a touz

les foitz quant ils poient entendre, surveient les mesprisions et defautes attemptez encontre les estatutz avaunt ditz; et auxint surveient et serchent touz les gors en tielx rivers, qils ne soient trop estreitz, pur destruction de tiel frie et brood, mes de resonable overture solonc launcien assise⁽¹⁾; et qe mesmes les justices ou celli de eux qe trove defaute ou mesprisison, encontre les estatutz avaunt ditz, facent due punissement des trespasseurs solonc la contenue de mesmes les estatutz. Et qe mesmes les justices mettent bons et suffisanz subconservateurs de mesmes les estatutz desoutz eux, qe soient jurez de faire semblable surweve serche et punissement sanz aucun favour ent faire. Et qe outre ceo mesmes les justices, en lour sessions, enquerrent sibien de lour office; come al information des subconservateurs avaunt ditz, de touz trespassez mesprisions et defautes faitz encontre ascuns des pointz avaunt ditz, et facent venir devant eux ceux que soient ent enditez, et s'ils soient ent convictez eient emprisonnement et facent fyn, solonc la discretion de mesmes les justices; et si ceo soit al information dascun de subconservateurs avaunt ditz eit mesme le subconservateur la moite de mesme le fin. Et pur ceo qe grante est a citeins de Londres, par les progeniteurs nostre Seigneur le Roi, qils poient remuer et prendre touz les kydelz en les ewes de Tamise et Medewaie, et qils eient les punissementz ent a Roi appartenantz, nostre dit Seigneur le Roi en cest present parlement, de lassent avaunt dit, ad grante, qe le mair ou gardein de Londres, qi pur le temps serra, eit la conservation des estatutz avaunt ditz, et face ent due execution, et semblable punissement come devant est ordeigne des justices de la pees, en la dite ewe de Tamise del pont del Staines a Londres, et dilloques outre en mesme lewe, et en la dite ewe de Medewaye, si loyns come grante est as ditz citeyns come devant est dit.

¹ use ou accustomer, P.

C A P. X.

Two Men of Law shall be in Commission of Gaol-delivery.

[See also Stat.
18 H. 6. c. 11.]

ALSO, forasmuch as Thieves notoriously reputed, and others taken within the Maner, by their long abiding in Prison, after that they be arrelled, be delivered by Charters, and favourable Inqueits procured, to the great Hindrance of the People, it is accorded and assented, That in every Commission of the Peace throughout the Realm, where Need shall be, Two Men of Law of the same County where such Commission shall be made, shall be assigned to go and proceed to the Deliverance of such Thieves and Felons, such and so often as they shall think it expedient.

ITEM pur ceo qe larons notoriement diffamez, et autres prisez ove mainoeuvre, par long demure enprisonne apres ceo qils sont arestuz, sont deliverez par chartres et favorables enquetes procurez, a grant anientissement du poeple; Accordez est et assentuz qen chescune commission de la pees parmy le roialme ou y bofoignera, soient assignez deux hommes de ley, de mesme le counte ou tiel commission se fra, daler et proceder a delivrance des tielx larons et felons, tant et si sovent come bon leur semblera.

CAP.

C A P. XI. XII. XIII.

[See Notes at the Head of this Year from printed Rot. Parl.
No. 25, 26, 27.]

De proclamatione statutorum.

REX vicecomiti Kanc' salutem. Quoddam statutum in ultimo parlamento nostro apud Westm' tento per nos de assensu magnatum et communitalis regni nostri Anglie nobiscum ibidem assistentium editum tibi mittimus in forma potenti; mandantes quod statutum illud et omnes et singulos articulos in eodem contentos in civitatibus burgis villis mercatoriis et aliis locis infra ballivam tuam ubi melius expedire videris publice proclamari et quantum ad te pertinet firmiter et inviolabiliter observari facias. T. R. apud Westm' primo die Junii.

Per ipsum Regem et consilium.

Consimilia breviter diriguntur singulis vicecomitibus per Angliam; ac Johanni Duci Aquitanie et Lancastrie vel ejus Cancellario in eodem ducatu Lancastrie sub eadem data.

Anno decimo octavo RICARDI II.

*In the Parliament held at Westminster in Fifteen Days
of Saint Hillary, A.D. 1394-5.*

No Acts of this Year have ever been printed. The King was in Ireland, and the Parliament was holden by his Uncle the Duke of Gloucester, as Guardian (or Protector) of England. See printed Rot. Parl. iii. p. 329, &c. and particularly

Page. No. } Grant of an entire Fifteenth and Tenth, "so that the
330, 6, } Commons, their Heirs and Successors and the Realm
of England shall, touching the Wars of Ireland, be
as free as they were before this present Grant, except
the levying thereof."

On Petitions of the Commons.

330, 10, For amending Stat. 13 R. 2. c. 12, respecting Tanners.

Anno viceſimo RICARDI II.

In the Parliament holden at Weſtminſter on Monday the Feaſt of Saint Vincent (22d January), A.D. 1396-7.

The Statute of this Year was given by Hawkins and ſubſequent Editors as "Ex Rot. in Turr. Lond. m. 4." which agrees with the Entry of the Statute at length in printed Rot. Parl. iii. p. 345, nu. 37, &c. See alſo

Printed Rot. Parl. iii.

Page. No. } Grant of Poundage (Twelve Pence) and Tonnage
340, 18, } (Three Shillings) for Three Years; and the exiſting
Subſidy of Wools for Five Years; ſo that they ſhould
not be levied after thoſe Terms without the Autho-
rity of Parliament.

19, Merchants exporting Wool ſhall import for every Sack
an Ounce of Gold of Foreign Coin, or pay Thirteen
Shillings Four-pence per Sarpler of Wools, &c.
above all other Cuſtoms and Subſidies.

21, } The King empowered to diſpenſe with the Statute
22, } of Proviſors (16 R. 2. c. 5.) till the next Parlia-
ment. And a Proteſt of the Clergy thereon.

343, 28, For legitimating the natural Children of John of
Gaunt Duke of Lancaſter, the King's Uncle.

[See alſo No. 13—16, 23, and Appendix, p. 407,
nu. 39, reſpecting the Proceedings and Judgement
againſt Thomas Haxey, Clerk, for Treason, in
bringing into Parliament a Bill for regulating the
King's Houſehold; and the King's full Pardon to
Haxey, on Petition of the Clergy. See alſo printed
Rot. Parl. 1 H. 4. No. 90 and 104.]

THE King, in his Parliament holden at *Weſtminſter* in the Feaſt
of Saint Vincent, the Twentieth Year of his Reign, with the
Aſſent of the Prelates, Lords, and Commons of his Realm, aſſem-
bled in the ſaid Parliament, for the Quietneſs and Tranquillity of
his People, hath made certain Statutes and Ordinances following:

LE Roy, en ſon parlement tenuz a Weſtm' en la feſte de Seint
Vincent, lan de ſon roialme vintime, del aſſent des prelatz
ſeignurs et communes de ſon roialme⁽¹⁾ en meſme le parlement,
pur quiete et tranquillite de ſon pœple, ad fait certains eſtatutz
et ordenances [qenſuient.²]

¹ c Engleterre, P.

² en la ſourme q'enſuit, P.

C A P. I.

For confirming and amending the Statutes respecting unlawful Armour, and Liveries.

FIRST, whereas in a Statute made the Seventh Year of the Reign of the King that now is, it is ordained and assented, That no Man shall ride within the Realm armed, against the Form of the Statute of *Northampton*, &c. [reciting the Words of Stat. 7 Ric. 2. c. 13.]

See Stat.

2 E. 3. c. 3.

7 R. 2. c. 13.

Our Lord the King, considering the great Clamour made to him in this present Parliament, because that the said Statute is not holden, hath ordained and established in the said Parliament, That the said Statutes shall be fully holden and kept, and duly executed; and that the said Launcegays shall be clearly put out upon the Pain contained in the said Statute of *Northampton*, and also to make Fine and Ransom to the King. And moreover, that no Lord, Knight, nor other, little nor great, shall go nor ride by Night nor by Day armed, nor bear [Sallet¹] nor Skull of Iron, nor other Armour, upon the Pain aforesaid; save and except the King's Officers and Ministers in doing their Offices. And moreover, the King willeth and hath ordained, that the Statute made in the First Year of his Reign, of Liveries of Hoods, shall be holden and kept upon the Pain contained in the same Statute, and upon Pain to be imprisoned, and make Fine and Ransom to the King.

The Statute
1 R. 2. c. 7.
against Liveries
confirmed.

¹ So all Translations read, unintelligibly. See Barrington, who supposes it from "*salade*," a close Helmet. But the French "*palet*" is (among other Significations) interpreted by *Cotgrave* "an Iron Pestle." This, perhaps, was the offensive Weapon, as the "*Chapell*" was for Defence.

PRIMEREMENT come en un estatut fait lan septisme du regne nostre Seignur le Roy soit ordeignez et assentuz que nulle homme chivache deins le roialme armez contre le fourme de lestatut de *Norhampton*, &c.

Nostre Seignur le Roy, considerant le grant clamour a luy fait en cest present parlement, de ce que le dit estatut nest mye tenuz, Si ad ordeignez et establi en mesme le parlement que les ditz estatutz soient pleinement tenuz et gardez et duement executz, et que les ditz lancegayes soient tout overtement oustez, sur la peine contenue en le dit estatut de *Norhampton*, et outre de faire fyn et ranceoun au Roy. Et outre ce que null seignur chivaler nautre, petit ne grant, aile ne chivache par noet ne jour armez ne porte palet ne chapell de ferre, nautre armure sur la peine susdite; Sauvez et exceptz les officers et ministres du Roy en faisantz leur offices. Et outre ce le Roy voet et ad ordeignez que lestatut fait lan de son regne primere, de liverie des chaperons soit tenuz et gardez sur la peine contenue en mesme lestatut, et sur peine destre emprisonnez et de fair fyn et ranceoun au Roy.

C A P. II.

For restraining Liveries.

NO Valets called Yeomen, nor any other of less Estate than Esquire, shall use nor bear any Badge or Livery called Livery of Company, of any Lord within the Realm, unless he be a Menial and Household Servant, or continual Officer of his said Lord.

Repealed

3 C. 1. c. 4. § 27.

C A P. III.

No Man shall sit upon the Bench with the Justices of Assise.

ALSO the King doth will and enjoin, That no Lord, nor other of the Country, little nor great, shall sit upon the Bench with the Justices, to take Assises in their Sessions in the Counties of *England*, upon grievous Forfeiture to the King; and hath charged his said Justices, that they suffer not the contrary to be done.

ITEM le Roy voet et defende, qe nall Seignur nautre du pais, petit ne grant, ne soit seant en bank oveſqe les justices as assises prendre en leur sessions es contees dEngleterre, sur grief forfaiture vers le Roy; et ad chargez ses ditz justices qils ne soeffrent le contraire estre fait.

C A P. IV.

“Recital and Confirmation of 28 *Edw. 3. c. 13. § 3*, touching Merchant Strangers [omitting the Part relating to *Forefalling*]; notwithstanding any Ordinance or Usage to the contrary.”

C A P. V.

Penalty on Persons taking Horses for the King's Service without sufficient Warrant.

ALSO, forasmuch as the Commons have made Complaint, That many great Mischiefs, Extortions, and Oppressions be done by divers People of evil Condition, which of their own Authority take and cause to be taken [royally¹] Horses and other Things, and Beasts out of their Wains, Carts, and Houses, saying and pretending that they be to ride on hasty Messages or Business, where of Truth they be in no wise privy of any Business or Message, but only in Deceit and Subtilty by such Colour and Device to take Horses, and the said Horses so hastily do ride and evil intreat, having no Manner of Conscience or Compassion in this Behalf, so that the said Horses become all spoiled and foundered, paying no Manner of Thing nor Penny for the same, nor giving them any Manner of Sustenance: And also that some such Manner of People, changing and altering their Names, do take and ride such Horses, and carry them far from thence to another Place, so that they to whom they belong, can never after by any Means see, have again, nor know where their said Horses be, to the great Mischiefe, Loss, Impoverishment, Destruction, and Hindrance of the King's poor People, their Husbandry, and Livelihood: Our Lord the King willing for the Quietness and Ease of his People, to provide Remedy thereof, willeth and hath ordained, That none from henceforth shall take any such Horse or Beast in such Manner against the Consent of them to whom they be. And if any so do, and have not the Badge or Authority of the King sufficient, he shall be taken and imprisoned till he hath made due Satisfaction to the Party.

¹ Query, “in the King's Name.”

ITEM

ITEM pur ce que les communes ont fait compleiat qe plusours grantz meschiefs extorsions et disease sont faitz, par divers gentz de mauveis condition, qe de leure auctoritee demesne preignent et font prendre roialment chivalx, et autres choses et bestes, hors de leur charues charettes et mesons, disantz et imaginantz qil sont a chivaucher en hastifs messages ou busoignes, la ou en verite ils ne sont aucunement privez de nulle busoigne ou message, mes seulement en deceite et subtilite pur prendre chivalx par tiel colour et ymagination, et les ditz chivalx si hastyvment chivachent et desoloient, nient eiantz ascun manere conscience ou compassion en celle partie, issint qe les ditz chivalx deviegnent tout deperduz et fondez, null manere chose ne denier paiantz pur ycelles, ne ascun manere de viand donantz a eux; et auxi qe ascuns de tielx maners de gentz chaungeantz et variantz leur nouns, si preignent et chivachent tielx chivalx, et les amesnent tout hors aillours, issint qils as queux ils sont ne purront unques enapres, par nul manere voie leur ditz chivalx, veire reavoir ne savoir ou ils sont divenuz, a grant meschief perde et anientissement et destruction et arreusement du povre poeple du Roy, leur husbandrie et de leur vivre; Nostre Seigneur le Roy veullant pur quiete et ease de son poeple ent faire remede, voet et ad ordene qe nul desore enavant preigne nul tiel chival ne beste en tiel manere, contre la gree de ceux a qui ils sont; et si ascun le face, et neit signe ou auctoritee du Roy suffisant, soit pris et emprisonnez tanqe il avera fait duement gree a partic.

C A P. VI.

“Licence granted to *Belknap, Holt, and Burgh*, to return into *England*, notwithstanding the Statute of 11 Ric. 2.

[See Stat. 11 Ric. 2. c. 1. *petit. 5.* and printed Rot. Parl. 2 H. 4. nu. 37.]

Anno vicesimo primo RICARDI II.

In the Parliament begun at Westminster on Monday next after the Feast of the Exaltation of the Holy Cross (i. e. 17th September, the Feast being the 14th) A.D. 1397; and thence adjourned to Shrewsbury in Fifteen Days of Saint Hilary (28th January) ensuing, A.D. 1397-8.

For the understanding the Acts of this Parliament, it is necessary to refer to those of the Tenth and Eleventh Years of Richard II. See the Notes there ante, p. 90—103. See also Stat. 1 H. 4. c. 3, 4, 5, reversing all the Proceedings in this Parliament, 21 Ric. 2; and further Stat. 1 E. 4. c. 1, and the Notes there, as to the Validity of the Statutes passed temp. Hen. IV.

The Statute of this Twenty-first Year was given by Hawkins, &c. as "Ex Rot. in Turr. Lond. m. 4." agreeing nearly with the old printed Copy by Pynson.

The Statute is founded on certain Articles in the Parliament Roll, which it pursues very exactly; and for which see printed Rot. Parl. iii. p. 347, &c. viz.

Chap. of Stat.		No. in prin'd Roll.	
In the Parliament at Westminster.	1,	—	1
	2,	—	11
	3,	—	18
	4,	—	20
	5,	—	21
	6,	—	22
	7,	—	23
	8,	—	24
	9,	—	28
	10,	—	30
	11,	—	31
In the Parliament at Shrewsbury.	12,	—	47
	13,	—	48
	14,	—	69
	15,	—	77, 78
	16,	—	74 (as to the Commission)
By the Commission appointed in Chapter 16,	16,	—	81 (resp: King Tanners, &c.)
	17,	—	82
	18,	—	83
	19,	—	84
	20,	—	85

See also the following Proceedings in Parliament, as explanatory of the Contents of the Statute :

Printed Rot. Parl. iii.

Proctor of the
Clergy
appointed.

Page. No. } A Petition of the Commons to the King, stating, that
348, 9, } many Judgements and Ordinances made in Parliam-
ent had formerly been reversed, because the Estate
of the Clergy was not present in Parliament at the
making of them, and therefore requesting that the
Prelates and Clergy might make a Proctor with Power
sufficient to consent in their Names to all Things
and Ordinances in the present Parliament; the Lords
Spiritual thereupon consented to commit the full
Power of the Clergy generally to a Lay Person,
and named Sir Thomas Percy Knight; the Instru-
ment for that Purpose being delivered to the King,
is entered of Record in the Roll of Parliament. [See
also a similar Authority to William Scrope Earl of
Wiltshire after the Parliament was adjourned to
Shrewsbury, p. 359, nu. 50.]

Repeal of
Pardon,
23 R. 2. c. 2.

350, 32, } Repeal of the Pardon granted An. 11 Ric. 2. [c. 1. Pe-
tition 1.] to the Duke of Gloucester Earl of Arundel,
&c. and also of the Penalty of Treason [Petition 4.
of said c. 1.] then imposed on such as should attempt
to reverse that Statute.

Page

- Page. No.* } **Repeal of a Pardon granted by the King to the Earl of Arundel by Charter, dated April 30th, in the Seventeenth Year of his Reign. [And see Appendix, p. 410, nu. 46.]** *Repeal of Earl of Arundel's Special Pardon.*
- 351, 13, } **Impeachment by the Commons of Thomas Arundel Archbishop of Canterbury for Treason, in that, being Chancellor, he was assisting in making the Commission in the Tenth Year, and in executing the Proceedings of the Eleventh Year. On the Archbishop's Confession, his Offence is adjudged Treason touching the King himself, and the Archbishop is thereon banished, &c.** *Impeachment of Archbishop of Canterbury.*
- 15, {
16, {
17, {
- 19, **Attainder of Sir Thomas Mortimer of High Treason, in case of his Non-appearance by a Day named. (And see post.)** *Sir Thomas Mortimer.*
- 352, 21, } **For enforcing the Judgements and Statutes made in the Parliament, the Prelates pronounce Excommunication against all Offenders.** *Excommunication.*
- 356, 43, }
- 353, 26, **The Innocence of certain Persons named in the Commission of the Tenth Year declared; as not assenting to, procuring, or executing the same; viz. the Duke of York, the Bishop of Winchester, and Sir Richard Scrope, then living; and also William Archbishop of Canterbury, Alexander Archbishop of York, Thomas Bishop of Exeter, and Nicholas, Abbot of Walsingham, deceased.** *Innocence of certain Parties to the Commission, an. 10 R. 2. declared.*
- 27, **The like for Henry of Lancaster, Earl of Derby, [created Duke of Hereford, and fully pardoned in this same Parliament, [nu. 35 & 67,] and who was afterwards King Henry IV.] and Thomas Mowbray, Earl of Nottingham; as having opposed the Designs of the Duke of Gloucester and others. (See post.)**
- 354, 32, **All Judgements, Ordinances, Declarations, and Establishments made in this Parliament, shall be held and declared for Statutes.** *Statutes.*
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- 37, **Parliament adjourned to Shrewsbury.**
- 368, 75, **Grant of a Subsidy, viz. the existing Subsidy on Wools, &c. exported, for the King's Life; and Six Shillings Eight-pence per Sack extra, payable by Aliens [repealed expressly 6 H. 4. nu. 40.]; under Protest that this Grant shall not be drawn into Example by the King's Successors; and also One entire Fifteenth and Tenth, and a Half-fifteenth and Tenth to be levied at Michaelmas, Easter, and Michaelmas then ensuing.** *Subsidy on Wools for the King's Life. And a Fifteenth and Tenth.*
- 369, 76, **Application of Part of the Subsidy (viz. the extra Aliens' Duty of Six Shillings Eight-pence per Sack of Wool) to the Sufferers at Radcot Bridge in the Eleventh Year of the King's Reign (See c. 14. of the Statute of this Twenty-first Year); and to the Expences of the Appellants in this Parliament. (See post.)** *Application of Part of the Subsidy of Wools.*
- For other Matters not directly noticed in the Statute, See also Printed Rot. Parl. iii.**
- Page. No.* } **For repairing of Rochester Bridge.**
- 354, 33, }
- 360, 53, **The Accusation of the Duke of Hereford against the Duke of Norfolk for certain treasonable Words; the Discussion** *Accusation of the Duke of Norfolk.*

Discussion and Determination whereof is referred to the King, and certain Commissioners named by Authority of Parliament: [being the same as are mentioned in *Cap. 16.* of the Statute, and *nu. 74.* of the Roll, for other Purposes.]

Repeal of the Exiles of the <i>Despensers</i> , temp. E. 2 & 3.	<i>Page. No</i> 360, 55, 367, 66, <i>and see</i> 368, 71, 72,	On the Petition of <i>Thomas le Despenser</i> , Earl of Gloucester, after a Recital of all the Proceedings respecting the Exiles of the <i>Despensers</i> , the Repeal of those Exiles, and the Reversal of that Repeal, in 15 E. 2. and 1 E. 3. (as to which <i>see</i> those Years and the Notes there), it is enacted, That the Statute 1 E. 3. (which affirmed the Exiles by reversing the Repeal thereof) shall be annulled, repealed, and reversed; that the Exiles shall also be annulled; and the Repeal thereof shall be good and effectual. One of the Reasons assigned for this Reversal is, that it openly appears by the Statute 1 E. 3. that King <i>Edward II.</i> was at that Time alive and imprisoned by his Subjects.
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<i>Alice Windfor.</i>	367, 68,	The King empowered to terminate all Questions respecting <i>Alice Windfor</i> (formerly <i>Alice Perrers</i> .) [See <i>sub An. 50, 51 E. 3.:</i> 1 Ric. 2. &c]
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Repeal of Patents to Duke of Hereford and Norfolk.	372, } 87, 373, } 88,	Repeal, by the King and the Commissioners named in Parliament (<i>ante, No. 53.</i>) of Patents granted to the Duke of Hereford and Norfolk, after the Judgement against them at <i>Coventry</i> (<i>see post</i>), allowing them to sue their Livery by Attorney of Lauds descending to them during their Banishment. This was on the 18th of March 22 Ric. 2. (A.D. 1398 9.) [See also <i>nu. 89, 90.</i> for the extraordinary Mode of sanctioning this Proceeding.]
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Pleas of the Crown.

In printed Rot. Parl. iii. p. 374, &c. are given "*Pleas of the Crown before the King in Parliament*" of this Twenty-first Year. These contain the Record of the Process of Appeal of Treason against *Thomas Duke of Gloucester*, *Richard Earl of Arundel*, and *Thomas Earl of Warwick*, by certain Lords and others Appellants, and which Appeal was adjourned into Parliament.

Printed Rot. Parl. iii.

Appeal of Treason against the Duke of Gloucester, &c.

Charge 1.

<i>Page. No</i> 374, 3, 4,	The first Charge against the Appellees is that, imagining to accroach to themselves the Government of the King's Person, his Realm, Laws, and Liberties, and all his Dignity, as well within the Realm as without, they did at the Parliament, held on the First Day of <i>October</i> , the Tenth Year of his Reign, send a Personage being a Peer of the Realm to the King, who, on their Part and by their Commandment, said to the King, "that if he would not consent to make to them, and others whom they should name, a Commission to hold the Government in Form aforesaid, the King should be in Peril of his Life, and the Lords and Commons of Parliament should depart without his Leave; and then he would see in what Degree and State he would be:" and therefore, from Fear and Doubt, the King granted the said Commission, which
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is set forth at Length [See Stat. 10 Ric. 2. and Cap. 2. of the Statute of this 21st Year]; by virtue of which Commission they took upon them the Government, and in the Execution thereof traiterously usurped and accroached to themselves Royal Power, in Derogation of the King's Royal Majesty, his Crown and Dignity.

Page. No. } The next Charge is for assembling at *Haringaye Park* Charge 2.
376, 5, } on the Thirteenth of November in the Eleventh Year of

the King's Reign, for the Purpose of getting the King's Person in their Power. [To this and the following Treasons Sir Thomas Mortimer is made a Party; *see ante, from printed Rot. Parl. of this Year, nu. 19. et post, nu. 9. of this Plea Roll.*]

6, The next Charge is, that the said Appellees caused Charge 3.
Sir Simon Burley to be condemned expressly against the King's Will and Assent.

7, The last Charge is, that the Appellees had intended to Charge 4.
have gone forcibly to the King, to have surrendered their liege Homage to him, and then to have deposed him, and taken the Crown into their Keeping; in which they were hindered by Henry of Lancaster, Earl of Derby (afterwards Henry IV.) and Mowbray Earl of Nottingham (*See ante, from printed Rot. Parl. of this Year, nu. 27.*): But continuing their traiterous Purpose, they caused the Records to be searched in the Time of Edward II. for the Demise of the Crown by that King, and shewed to the King (Richard II.) the Causes of that Demise in Writing; and falsely and traiterously said, that they had sufficient Cause to depose him; but that in Reverence of his Grandfather and Father, and in Hope of his better Government, they would suffer him to continue his Royal Estate and Power.

377, — The Earl of Arundel appeared, and pleaded the general Earl of Arundel
Pardon in the Eleventh Year, and his own particular convicted.
Pardon; to which it was answered, that these Pardons were now repealed, as made by Constraint, and in Deceit of the King (*See ante, from printed Rot. Parl. of this Year, nu. 12, 13.*); on which the Earl was convicted, sentenced as a Traitor, and beheaded the same Day, and all his Lands and Goods (except such as were held in Trust) were declared forfeited. The Sentence was given by the Duke of Lancaster, by Command of the King, and the Lords Temporal, and the Proctor of the Prelates and Clergy, whose Consent is specified to the Proceedings following. (*See ante, from printed Rot. Parl. of this Year, n. 9.*)

377, } The Appearance of the Duke of Gloucester being re- Death and
379, } quired, it was certified by the Return of the Earl Confession of
Marshall, Captain of Calais, in Answer to the King's Duke of
Writ for producing the Duke, that he died in Custody Gloucester.
at Calais. Judgement of Forfeiture was thereon given against his Lands, on the Ground that his Treason was notorious; in Addition to which a Confession made

made by the Duke in Writing was produced, and is entered on the Roll, in *English*, and the Truth thereof proved by Judge *Rickhill*, by whom it was taken. [That the whole of what was written by the Duke was not produced in Evidence, and that the Duke's Death was reported in *England* before it actually happened, and before the Confession was taken, and for some other Particulars historically worthy of Notice, see Printed Rot. Parl. 1 H. 4. p. 430, nu. 92. and p. 452, nu. 11.]

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| Conviction of
Earl of Warwick. | Page. No. }
379, 8, } | The Earl of <i>Warwick</i> , on his Appearance, pleaded guilty, on which Sentence was passed: but his Life was granted by the King, and he was ordered to be imprisoned in the <i>Ile of Man</i> . |
| Sir T. Mortimer. | 380, 9, | Sir <i>Thomas Mortimer</i> not appearing, Judgement was given (in the Parliament at <i>Shrewsbury</i>) against him by Default. (See ante, from printed Rot. Parl. of this Year, nu. 19.) ¶ |
| Sir J. Cobham. | 381, 10, | Sir <i>John Cobham</i> was impeached and convicted of Treason, as having acted in the Execution of the Commission granted in the Tenth Year; his Life was pardoned, and he was imprisoned in the Island of <i>Jersey</i> . |
| Process between
Duke of Hereford
and Duke of
Norfolk. | 382, 11, | The Process between the Duke of <i>Hereford</i> and the Duke of <i>Norfolk</i> (See ante, Rot. Parl. of this Year, nu. 53.) having proceeded to the joining of Battle, the King, at <i>Coventry</i> , on Sept. 6, after various Adjournments, took the same into his Hand: and by full Advice, Authority, and Assent of Parliament, (expressed by the Commissioners aforesaid; see from printed Rot. Parl. of this Year, nu. 53.) banished both Dukes, the former for Ten Years, the latter for his Life; the Reasons of which are stated at length. |
| Sir R. Pleshyngton. | 384, 13, | Judgement of Forfeiture by the King, by the Authority of Parliament expressed by the Assent of the Commissioners, against Sir <i>Robert Pleshyngton</i> , for aiding the Duke of <i>Gloucester</i> . This is dated 18 March 22 Ric. 2. A.D. 1398-9. |
| H. Bowet. | 385, 14, | Judgement of Treason against <i>Henry Bowet</i> , Clerk, for counselling and abetting the Duke of <i>Hereford's</i> Petition for a Patent allowing him to sue his Livery by Attorney. (See ante, from printed Rot. Parl. of this Year, nu. 87, 88.) This Judgement was also given as by Authority of Parliament, expressed by Assent of the said Commissioners, on 23 April 22 R. 2. A.D. 1398-9. |

[This whole
Parliament
repeated
1 H. 4. c. 3.
See Note
p. 183, &c.]

BE it known, That our Lord King *Richard*, by the Grace of God King of *England* and of *France*, and Lord of *Ireland*; at his Parliament summoned and begun at *Westminster* the Monday next after the Feast of the Exaltation of the Holy Cross, and from thence adjourned to *Shrewsbury* in Fifteen Days of *St. Hillary* then next ensuing, and there ended, to the Honour of God and Holy Church, and for the Salvation and Surety of his Realm, and good

good Governance of his liege People, with the Assent and Accord of the Prelates, Dukes, Earls, Barons, and Commons of his Realm there assembled, hath made certain Statutes and Ordinances hereafter following.

FAIT assavoir qe nostre Seigneur le Roy Richard, par la grace de Dieu Roy d'Engleterre et de France et Seigneur d'Irland, a son paslement, somons et comencez a Westm' Lundy profchein apres le fest del Exaltation de la Sainte Croice, et dilloeqes adjournez a Salopbire, a la quinzeme de Saint Hiller adonques profchein ensuant, et illoeqes terminez, al honour de Dieu et de Sainte Eglise, et pur la salvation et suretee de son roialme, et bone governance de son liege poeple, de l'assent et accord des prelates ducs contes barons et communes de son roialme illoeqes assemblez, ad fait certienes estatutz et ordenances qensuient.

C A P. I.

A Confirmation of Liberties.

FIRST that Holy Church, and the Lords Spiritual and Temporal, and also Cities and Boroughs, and other Commonalties of the Realm, have and enjoy their Liberties and Franchises from henceforth, as they reasonably had and enjoyed the same in the time of his noble Progenitors Kings of England, and in his Time.

PRIMEREMENT qe Sainte Eglise et les Seignurs espiituels et temporels, et auxint citees et burghs et autres comminaltees du Roialme eient et enjoient lour libertees et franchises si avant, come ils avoient et enjoierent resonablement en temps de ses nobles progenitours Roys d'Engleterre, et en son temps.

C A P. II.

The Commission and Statute made *Anno 10 Ric. 2.* declared traitorous and illegal.

ALSO, whereas the Commons of the Parliament have shewed to the King, how, in the Parliament holden at *Westminster*, the First Day of *October*, in the Tenth Year of his Reign, *Thomas Duke of Gloucester*, and *Richard Earl of Arundel*, Traitors to the King and his Realm, [and his People¹] by false Imagination and Compassing, caused a Commission to be made by Statute, directed to themselves and other Persons at their Nomination, for to have the Rule of the King and the Realm, as well within the King's House as without, and in the King's Seignories, beyond the Sea, as it is contained in the said Commission, the Tenor whereof doth follow: *Richard, &c. [setting forth the Commission at Length.—See sub An. 10 Ric. 2.]*

Which Commission and the Statute touching the said Commission, seemed to the said Commons to be prejudicial to the King and to his Crown, and an Usurpation of the Royal Rights and Power; and that the said Duke of *Gloucester* and Earl of *Arundel*, did send a great Person, Peer of the Realm, in Message to our Lord the King, who on their Part said, That if he would not grant and assent

Recital of
Grant of
Commission
and Statute,
10 R. 2.

The said Statute
and Commission
repealed.

Penalty of
Treason on all
who shall cause
any such Com-
mission to be
made in future.
[But see Stat.
1 H. 4. c. 3 & 10.]

assent to the said Commission and Statute, he should be in great Peril of his Life; and so as well the said Commission, as the said Statute touching the said Commission, were made by Constraint and Compulsion, and against the Agreement of the King, and his Will; wherefore the said Commons prayed our said Sovereign Lord the King, that the said Commission, and Statute touching the said Commission, with all their Dependants, be repealed and utterly adnulled, as a Thing done traiterously and against his Royal Rights, his Crown, and Dignity: Whereupon our Sovereign Lord the King, with the Assent of all the Lords Spiritual and Temporal, and the Proctors of the Clergy, at the Request of the said Commons, hath repealed the said Statute in this Article, and the said Commission, and all the Pains and Dependants of the same, utterly to be adnulled for ever, for the Causes aforesaid. And moreover the King, with the Assent of all the said Lords and Commons, hath ordained and established, That no such Commission, nor other such like, shall ever in Time to come be purchased, pursued, nor made; and he that purchaseth, pursueth, or procureth to be made, any such Commission, or any like in Time coming, privily or apertly, or useth Jurisdiction or Power by virtue of any such Commission, and thereof be duly convicted in Parliament, shall be adjudged for a Traitor, and that of High Treason done against the King and his Crown; and thereupon the King shall have the Forfeiture of his Lands, Tenements, and Possessions, and all other Hereditaments, to him and to his Heirs as well holden of himself as of other.

ITEM come les Communes du parlement eient monstrez au Roy, coment en le parlement tenuz a Westm' primer jour d'Octobre le lan de son regne disme, Thomas duc de Gloucestr' et Richard conte d'Arundell, traitours au Roi et son roialme⁽¹⁾, par faux ymagination et compassement, firent faire par estatut une commission, directe a eux mesmes et autres persones a leur denomination, pur avoir la governaille du Roy et de roialme, sibien deinz loistiel du Roy come dehors, et en les Seignories de Roy de pardela come contenuz est en la dite commission de quele le teneur sensuit: *Richard, &c.*

Queles commission et estatut touchant mesme la commission sembla as ditz Communes estre prejudicielx au Roy et sa corone, et usurpation de sa regalie et roial poiare, et qe les ditz duc de Gloucestre et conte d'Arundell envoierent une grante persone, pier de la terre, en message a nostre dit Seigneur le Roy, qi de leur part luy disoit qe, si il ne vodroit granter et assenter as ditz commission et estatut, il feust en grant peril de sa vie; et issint sibien la dite commission, come le dit estatut touchant mesme la commission, seurent faitz par conslreint et compulsion et encontre la gree du Roy, et sa volente; dont les ditz Communes prièrent a Roy qe les ditz commission et estatut touchant mesme la commission, ferroient, ove touz les dependantz dicelles, repelles et de tout adnullez, come chose fait traitorousement, et encontre sa regalie sa corone et sa dignitee: Sur quoi nostre Seigneur le Roy de lassent de toutz les Seigneurs espirituels et temporels, et les procureurs de Clergie, a la requeste des ditz Communes, si ad repel-

¹ et a son poeple, P.

kez le dit estatut en ceste article, et mesme la commission, et touz les peines et dependances dicelles, et de tout adnullez pur touz jours pur les causes susditz. Et outre ceo, le Roy, de lassent de touz les ditz Seignurs et Communes, ad ordeine et establie qe null tiel commission, nautre sembleable, jammes ne soit purchacez pursue ne fait en temps advenir; et celluy qe purchace pursue ou procure destre faite ou pursuez ascune tiel commission, ou sembleable en temps advenir, en prive ou en apert, ou use jurisdiction ou poair par vertue dascune tiele commission, et de ceo soit duement convict en parlement, soit adjugge pur traitour, et ceo de haute traïson faite encontre le Roy et sa corone; et de ceo le Roi eit la forfaiture de sez terres tenementz et possessions et touz autres enheritementz, a lui et ses heirs, sibien tenuz de lui mesmes come dautres.

C A P. III.

Four Offences against the King declared High Treason.

ALSO it is ordained and established, That whoever compasseth and purpofeth the Death of the King, or to depose him, or to render up his Homage Liege, or who raiseth the People, and rideth against the King to make War within his Realm, and thereof be duly attainted and adjudged in Parliament, shall be adjudged, as a Traitor, of High Treason against the Crown; and for him and his Heirs, shall forfeit all his Lands, Tenements, Possessions, and Liberties, and all other Hereditaments, which he hath or any other hath to his Use, or had the Day of the Treason done, as well in Fee-tail as in Fee-Simple, to the King and his Heirs, as well Lands holden of others as of himself, for ever; and also such Possession as others have to his Use. And that this Statute shall extend and hold place as well to those who be adjudged or attainted for any of the Four Points of the said Treasons, in this present Parliament, as of all those which shall be adjudged or attainted in Parliament in Time to come, of any of the Four Points of Treasons aforesaid. And it is not the Mind of the King, nor of the Lords, nor the Assent of the Commons aforesaid, that if any such, who forfeiteth in Manner aforesaid, be infeoffed in any Land, Tenement, or Possession to others' Use, that that shall be comprised in such Forfeiture.

1, 2, 3. Compassing the King's Death; or, his Deposition; or, the Surrender of liege Homage to him. 4. The levying War: all declared Treason. [But see Stat. 1 H. 4. c. 3. & 10.]

ITEM ordeine est et establiz qe chescun, qe compasse et purpose la mort du Roy, ou de luy deposier, ou desuis rendre son homage liege, ou celluy q' leve le poeple et chivache encontre le Roy, a faire de guerre deinz son roialme, et de ceo soit duement atteintz et adjuggez en parlement, soit adjuggez come traitour de haute traïson encontre la corone; et forface, de luy et ses heirs queconqes, touz sez terres tenementz possessions et libertees, et touz autres inheritementz queux il ad ou ascun autre ad a son oeps, ou avoit le jour de traïson perpetrez, sibien en fee taille come en fee symple, a Roy et ses heirs, sibien tenuz dautres come de luy mesmes pur toutz jours, et auxi celle possession qe ascun autre ad a son oeps. Et qe cest estatut se extende et teigne lieu sibien as ceux qe sont adjuggez ou atteintz pur ascun des quatre pointz des ditz traïsons, en cest parlement, come de touz ceux q' seront adjuggez

juggez ou atteintz en parlement en temps advenir, des ascuns des quatre pointz de traïsons susditz. Et n'est pas l'entencion du Roy, ne de les Seignurs, ne assent des communes avantditz, qe si aucun tiele qe forface en manere susdite soit enseoffez en ascuny terre tenement ou possession, a autry oeps, qe ceo soit compris en celle forfaiture.

C A P. IV.

[See post, c. 20: "Penalty of High Treason, on attempting to repeal any Judgements or Statutes made in this Parliament; and to the Observance of which the Lords Spiritual and Temporal had been sworn."
but see Stat.
1 H. 4. c. 3, 10.
and also Note to that Year.]

C A P. V.

"The Oaths and Fealty of the Lords Spiritual and Temporal shall be inrolled in Parliament, and also in Chancery, and taken by their Successors and Heirs in future."

C A P. VI.

"The Issue-male of Traitors attainted in this Parliament disabled from sitting in Parliament, or in the King's Councils: with Saving to the Issue-female, and their Issue."

C A P. VII.

"A Repeal of all Annuities, Fees, Corrodies, and Charges granted by Traitors attainted in this Parliament."

C A P. VIII.

"The King shall have the Presentation to all Benefices forfeited by Traitors attainted in this Parliament."

C A P. IX.

The County of *Chester* made a Principality.

[See also Stat.
1 H. 4. c. 3 & 18
32 H. 8. c. 43.
34, 35 H. 8. c. 13,
&c.]

"THE County of *Chester* shall be the Principality of *Chester*, and shall from henceforth be named and holden the Principality of *Chester*, with all the Liberties and Franchises thereof had and used, in the same Manner as when it was called the County of *Chester*. And moreover, for the Increase and Honour of the State of future Princes, the Castle of *Lyons*, with the Seignory of *Bromfield* and *Tale*, to the said Castle belonging: the Castle of *Chirke*, with the Seignory of *Chirke'sland*, to the said Castle belonging: the Castle of *Oswaldstreet*, with the Town well walled with Stone, and the Hundred, and Eleven Towns to the said Castle belonging: the Castle of *Isabell*, with the Seignory to the same belonging: and the Castle of *Dallilay*, with the Appurtenances in the County of *Shropshire*, and the Reversion of the Seignory of *Cleve*, with all their Appurtenances: (all which Towns, Castles, and Seignories aforelaid belonged to *Richard*,
"late

“late Earl of *Arundel*, and which by the Judgment given against
 “the said Earl in this Parliament, were forfeit to the King :)
 “shall be annexed, united, and incorporate to the said Principality
 “of *Chester*, and shall wholly abide and remain to the same Principality,
 “as Parcel and Member of the same for ever; without
 “being given, sold, aliened, severed, or departed from the Principality,
 “to any Person by any Way hereafter. And that no
 “Gift nor Grant at any Time hereafter shall be made of the said
 “Principality, nor of the Castles, Seignories, and Towns, afore-
 “said, to no Person, but only to the King’s eldest Son, which shall
 “be Prince there, if it please the King to make him. And such
 “eldest Son having the said Principality, shall have also the said
 “Castles, Seignories, and Towns as united and annexed to the
 “same; with a Saving for all Persons having Inheritances within
 “the said Castles, Seignories, and Towns, that they shall have,
 “use, and enjoy, all their ancient Laws, Rights, and Customs.”

C A P. X.

The Castles and Rights of the Earl of *Warwick* vested in the King. [See Stat. 1 H. 4. c. 3.]

“THE Castle and Sheriffwick of *Worcester*, which *Thomas* late
 “Earl of *Warwick* did hold in Fee, and which by Force of
 “the Judgement given against the said Earl in this Parliament
 “were seized into the King’s Hands as Forfeit, with the Tourns,
 “Hundreds, Rents, Salt Works, and Boileries of Salt Water, as
 “well in *Worcester* and in the *Wich*, as elsewhere; and all other
 “Profits and Things to the said Castle and Sheriffwick belonging;
 “shall abide and remain to the King, and his Heirs for ever, with-
 “out being given or granted to any, or being severed from his
 “Crown at any Time hereafter.”

C A P. XI.

The Rights belonging to the Duke of *Gloucester*, in the County of *Essex*, vested in the King. [See Stat. 1 H. 4. c. 3.]

“ALL Hundreds, Tournes, Courts, Liberties, and Franchises,
 “which *Thomas* late Duke of *Gloucester* did hold in the
 “County of *Essex* of the Gift and Grant of the King, and of King
 “*Edward* his Grandfather, antiently annexed to the Sheriffwick
 “of *Essex*, as Parcel of the same, (and which were in the King’s
 “Hands as forfeit,) shall be abiding and remaining to the King
 “and to his Heirs, annexed, and united to the Sheriffwick of
 “*Essex*, as Parcel of the same for ever, without being given or
 “granted to any, or being severed or departed from the same
 “Sheriffwick at any Time hereafter.”

C A P. XII.

For approving the Opinions of certain Judges concerning the Statute and Commission 10 Ric. 2: and for repealing all Proceedings in the Parliament 11 Ric. 2. [See Stat. 1 H. 4. c. 3, 10.]

“THE Lords, Appellants in this Parliament, [*i. e.* *Edward* Duke
 “of *Aumerle*, *Thomas* Duke of *Surry*, *John* Duke of *Exeter*,
 “*John* Marquis of *Dorset*, *John* Earl of *Salisbury*, *Thomas* Earl of
 Vol. II. O *Gloucester*,

Recital of the
Proceedings in
Parliament,
An. 11 Ric. 2.

"*Gloucester*, and *William Earl of Wiltshire*,] pray the King, reciting and shewing, how certain Lords (now convicted and attainted), that is to say, the Duke of *Gloucester*, and the Earls of *Arundel* and *Warwick*, by Coercion and Compulsion, caused the King to summon the Parliament at *Westminster*, in the Eleventh Year of his Reign, which Parliament the said Duke and Earls forcibly continued to the End; And in the same Parliament did give divers Judgments, as well of Death as otherwise, upon divers of the King's liege People: And also, for certain Questions, which had been demanded by the King touching his Estate and Regality, of certain of his Justices then at *Nottingham*, in that Year, and for their Answers thereon given to the King, the said Justices were forejudged of their Lives, and Judgement given against them of Forfeiture of their Lands and Goods, and the said Duke and Earls made divers Statutes and Ordinances in the said Parliament at their Will: Whereupon the said Appellants, considering the Summons of the said Parliament to be made expressly against the Right of the King's Crown, and contrary to the Liberty and Franchise of his Person and Royal Estate, pray him that the said Parliament, and all Judgements, Ordinances, and Statutes, made therein, shall be adnulled and revoked. And the Commons also pray the King, as the said Appellants prayed, and said, that their Intent was to have prayed likewise; and thereupon the Lords Spiritual and Temporal, and the Proctors of the Clergy severally examined, assented expressly, That the said Parliament, and all the Statutes, Judgements, Ordinances, and other Things thereon made should be adnulled. And also as well the Lords Spiritual and Temporal, and the Proctors of the Clergy, as the said Common: were severally examined concerning the said Questions, and the Answers of the Justices aforesaid; the Tenor whereof follows:

Prayer for
Reversal of the
same.

Questions put to
the Judges, &c.
An. 11 R. 2.
respecting the
Stat. 10 R. 2.
and the Com-
mission then
made:

MEMORANDUM, That the Twenty-fifth Day of the Month of *August*, the Eleventh Year of the Reign of King *Richard* the Second, at the Casile of *Nottingham*, before our said Sovereign Lord the King, *Robert Tresilian* Chief Justice, and *Robert Beaknap* Chief Justice of the Common Bench of our said Lord the King, and *John Holt*, *Roger Fulthorp*, and *William Burgh*, Knights, Fellows of the said *Robert Beaknap*, and *John Lokton* one of the King's Serjeants at Law, being personally required, in Presence of the Lords and other Witnesses under written, by our said Sovereign Lord the King, on the Faith and Liegeance by which they be firmly bounden to our said Lord the King, that they should truly answer to certain Questions under written, and before them recited, and upon the same, according to their Discretion, should speak the Law:

How far the
same were
derogatory
to the royal
Prerogative?

First, it was inquired of them, Whether that new Statute and Ordinance, and Commission made and published in the last Parliament holden at *Westminster*, be derogatory to the royal Rights and Prerogative of our said Lord the King? To which Question they unanimously answered, That they be derogatory; especially because they were against the King's Will.

And how those
who caused that
Statute and

Also it was inquired of them, How they ought to be punished which procured the said Statute, Ordinance, and Commission

' to be made? To this Question they unanimously answered, That they deserved to be punished by capital Pain, that is to say, of Death; unless the King, in this Case, would grant them his Favour.

Commission to be made were punishable?

' Also it was inquired of them, How they ought to be punished who excited the said King to consent to the making of such Statute, Ordinance, and Commission? To which Question they unanimously answered, That unless the King would grant them his Favour, they ought to be punished by capital Pain.

' Also it was inquired of them, What Pain they deserved who compelled or forced the King to consent to the making of the said Statute, Ordinance, and Commission? To which Question they unanimously answered, That they ought to be punished as Traitors.

' Also it was inquired of them, How ought they also to be punished who did interrupt the King, so that he might not exercise those Things that pertain to his royal Right and Prerogative? To this Question they unanimously answered, That they ought to be punished as Traitors.

' Also it was inquired of them, Whether after that the Business of the Realm, and the Cause of the Assembly of Parliament, were by the King's Commandment disclosed and declared in a Parliament assembled, and certain Articles were limited by the King, upon which the Lords and Commons of the Realm ought to proceed in the same Parliament, if the Lords and Commons would in anywise proceed upon other Articles, and in no wise upon the Articles limited by the King, until the King had first answered to the Articles expressed by them, notwithstanding that they were by the King enjoined to the contrary, Whether or no the King in this Case ought to have the Rule of the Parliament, and indeed to rule, to the Intent that upon the Articles limited by the King, they ought first to proceed, or whether the Lords and Commons first ought to have an Answer from the King on the Articles expressed by them, before they proceeded any further? To which Question they unanimously answered, That the King in this Case should have the Rule, and so in Order one after another in all other Articles touching the Parliament, until the End of the Parliament. And if any did contrary to such Rule of the King, he ought to be punished as a Traitor.

As to the Manner of proceeding in Parliament on Articles limited by the King.
[See printed Rot. Parl. 2 H. 4. No. 23.]

' Also it was inquired of them, Whether the King, whensoever it pleaseth him, might dissolve the Parliament, and command his Lords and Commons to depart from thence, or not? To which Question they unanimously answered, That he may; and if any should afterwards proceed against the King's Will, as in Parliament, he is to be punished as a Traitor.

As to Dissolution of Parliament.

' Also it was inquired of them, Since that the King, whensoever him pleased, might remove any of his Officers and Justices, and justify and punish them for their Offences; whether the Lords and Commons might, without the King's Will, impeach the said Officers and Justices, upon their Offences, in Parliament, or not? To this Question they unanimously answered, That they might not; And if any doth to the contrary he is to be punished as a Traitor.

As to Impeachment of the King's Officers.

As to Production of the Record of King Edward the Second's Deposition.

As to the Judgement against the Earl of Suffolk in 10 R. 2.

' Also it was inquired of them, How is he to be punished who moved in Parliament, That the Statute should be sent for whereby King *Edward*, the Son of King *Edward*, Great-grandfather to the King that now is, was heretofore adjudged in Parliament; by the Inspection of which Statute, the new Statute and Ordinance, and Commission aforesaid, were conceived in Parliament? To which Question they unanimously answered, That as well he that so moved, as any other who by Reason of the said Motion brought the said Statute to Parliament, ought to be punished as Traitors and Criminals.

' Also it was inquired of them, Whether the Judgement given in the late Parliament holden at *Westminster*, against the Earl of *Suffolk*, were erroneous and revocable or not? To which Question they unanimously answered, That if that Judgement were now to be given, they the Justices and Serjeant aforesaid would not give the same, because it seemed to them that the said Judgement is revocable as erroneous in every Part thereof.

' In Witness whereof the Justices and Serjeant aforesaid to these Presents have put their Seals. These being Witnesses, the reverend Fathers, the Lords *Alexander* Archbishop of *York*, *Robert* Archbishop of *Dublin*, *John* Bishop of *Durham*, *Thomas* Bishop of *Chichester*, *John* Bishop of *Bangor*, *Robert* Duke of *Ireland*, and *Michael* Earl of *Suffolk*, and *John* Ripon Clerk, and *John* Blake Esquire. Dated the Place, Day, Month, and Year aforesaid.'

' **M**EMORANDUM quod vicesimo quinto die mensis Augusti, anno regni Regia Ricardi secundi undecimo, apud Castrum Notyngh' coram dicto domino Rege, Robertus Tresilian Capitalis Justitiarius et Robertus Bealknap Capitalis Justitiarius de communi Banco domini nostri Regis predicti, et Johannes Holt Rogerus Fulthorp et Willelmus Burgh milites, socii predicti Roberti Bealknap, ac Johannes Loketon serviens dicti domini Regis ad legem, in presentia dominorum et aliorum testium subscriptorum, personaliter existentes per dictum dominum nostrum Regem requisiti, in fide et ligeantia quibus eidem domino nostro Regi firmiter sunt astricti, quod ad certas questiones inferius designatas et coram eis recitatas, fideliter responderent, et super eis secundum discretionem suam legem dicerent:

' Inprimis querebatur ab eis, An illa nova statutum et ordinatio, atque commissio, facta et edita in ultimo parlamento apud Westm' celebrato, derogant regalie et prerogative dicti domini nostri regis? Ad quam quidem questionem unanimiter responderunt Quod derogant; presertim eo quod fuerant contra voluntatem Regis.

' Item querebatur ab eis, Qualiter ipsi qui statutum ordinationem et commissionem predicta fieri procurarunt sunt puniendi? Ad istam questionem unanimiter responderunt Quod pena capitali, scilicet mortis, puniri merentur; nisi Rex in ea parte voluerit eis gratiam indulgere.

' Item querebatur ab eis, Qualiter sunt illi puniendi qui regem predictum excitarunt ad consentiendum statuti ordinationis et commissionis hujusmodi factioni? Ad quam quidem questionem

‘ unanimiter responderunt Quod nisi Rex eis gratiam fecerit, sunt
‘ pena capitali merito puniendi.

‘ Item querebatur ab eis, Qualem penam merentur illi qui
‘ compulerunt sive artarunt regem ad consentiendum confectiōi
‘ dictorum statuti ordinationis et commissiōis? Ad quam quidem
‘ questionem unanimiter responderunt Quod sunt ut proditores
‘ merito puniendi.

‘ Item querebatur ab eis, Quomodo sunt illi etiam uniendi qui
‘ impederunt Regem, quominus poterat exercere que ad rega-
‘ liam et prerogativam suam pertinuerunt? Ad istam questionem
‘ unanimiter responderunt Quod sunt ut proditores etiam puniendi.

‘ Item quesitum erat ab eis, An, postquam, in parlamento con-
‘ gregato, negotia regni et causa congregationis parlamenti, de
‘ mandato regis fuerint exposita et declarata, et [certi¹] articuli
‘ limitati per regem super quibus domini et communes regni in
‘ eodem parlamento procedere debeant, si domini et communes
‘ super aliis articulis velint omnino procedere, et nullatenus super
‘ articulis limitatis per regem, donec super articulis per eisdem
‘ expressatis fuerit per ipsum regem primo responsum, non obstante
‘ quod fuerit eis injunctum per Regem in contrarium, Nunquid
‘ Rex debeat habere in ea parte regimen parlamenti, et de facto
‘ regere, ad effectum quod super limitatis articulis per regem
‘ primo debeant procedere [vel an domini et communes primo
‘ debeant habere responsum a rege super articulis per eisdem ex-
‘ pressis²] antequam ulterius procedatur? Ad quam quidem ques-
‘ tionem unanimiter responderunt, Quod Rex in ea parte haberet
‘ regimen; et sic seriatim in omnibus aliis articulis tangentibus
‘ parlamentum, usque ad finem ejusdem parlamenti; et si quis
‘ contra hujusmodi regimen Regis fecerit tanquam proditor est
‘ puniendus.

‘ Item querabatur ab eis, Nunquid Rex, quodcumque sibi pla-
‘ cuerit, poterit dissolvere parlamentum et suis dominis et commu-
‘ nibus precipere quod ab inde recedant, an non? Ad quam qui-
‘ dem questionem unanimiter responderunt, Quod potest; et si quis
‘ extunc contra voluntatem Regis procedat, ut in parlamento,
‘ tanquam proditor puniendus existit.

‘ Item quesitum erat ab eis, Ex quo Rex potest, quodcumque
‘ sibi placuerit, remove quoscumque officarios et justitarios
‘ suos, et ipsos pro delictis eorum justificare et punire; nunquid
‘ domini et communes possint, absque voluntate Regis, officarios
‘ et justitarios ipsos impetere, super delictis eorum, in parlamento
‘ an non? Ad istam questionem unanimiter responderunt, Quod
‘ non possunt; et si quis in contrarium fecerit est ut proditor
‘ puniendus.

‘ Item querebatur ab eis, Qualiter est ille puniendus qui move-
‘ bat, in parlamento, quod mitteretur pro statuto per quod Rex
‘ Edwardus filius Edwardi Regis, proavus Regis nunc, erat alias
‘ [adjudicatus³] in parlamento; per cujus statuti [inspectiōem⁴]
‘ nova statutum et ordinatio ac commissiō supradicta fuerunt in
‘ parlamento concepta? Ad quam quidem questionem unanimiter

¹ ceteri, P.² vel non, P.³ indictatus, P.

⁴ motionem et impositionem, *Knighon*; but that Author agrees in other Particulars with the printed Statute and Parliament Roll, and particularly in those Places where Pynson differs.

‘ responderunt, Quod tam ille qui sic movebat, quam alius qui, pretextu hujusmodi motionis, statutum illud portavit ad parlamentum, sunt ut proditores et criminosi merito puniendi.

‘ Item quesitum erat ab eis, An judicium, in [ultimo parlamento⁵] apud Westm’ celebrato redditum, contra Comitem Suff’ fuit erroneum et revocabile an non? Ad quam quidem questionem unanimiter responderunt Quod, si illud judicium esset modo reddendum, illi iustitiiarii et serviens predicti illud reddere nollent, quia videtur eis quod judicium illud revocabile est, tanquam erroneum in omni [sui⁶] parte.

‘ In quorum omnium testimonium iustitiiarii et serviens predicti sigilla sua presentibus apposuerunt. Hiis testibus reverendis patribus dominis Alexandro archiepiscopo Eborum Roberto archiepiscopo Dublin’ Johanne episcopo Dunolm’ Thoma Cicestrensi episcopo Johanne Bangorensi episcopo Roberto Duce Hibernie et Michaele comite Suffol’ et Johanne Rypon clerico ac Johanne Blake scutifero. Dat’ loco die mense et anno predictis.’

⁵ parlamento nostro, P.

⁶ sua, P.

The said Answers
declared legal.

“ Which Questions and the Answers thereto, were read, as well before the King and the Lords, as before the Commons, and it was demanded of all the Estates of Parliament, how they thought of the said Answers, and they said, that they thought that the said Justices made, and gave their Answers duly and lawfully, as good and lawful liege People of the King ought to do. And in the same Manner Sir *Thomas of Skelton* learned in the Law, and *William Hankeford*, and *William Brenchley*, the King’s Serjeants, being asked by the King for their Advice in this Behalf, said that the Answers were good and lawful; and that they would have given the same Answers, if the said Questions had been demanded of them. And *William Thirning* Chief Justice of the Common Pleas said, that the Declaration of Treason not declared, belongeth to the Parliament, but if he were a Lord, or Peer of the Parliament, if he had been asked, he would have said in the same Manner. And in like Manner said *William Rikbyll* a Justice of the Common Pleas, and *Walter Clopton* Chief Justice. Wherefore the said Answers be judged and affirmed for good and sufficient in the said Parliament. Whereupon by the King with the Assent of the Lords spiritual and temporal, and the Proctors of the Clergy, and the said Commons, and by Advice of the Justices and Serjeants aforesaid, there being, it was awarded and adjudged, ordained and established, that the said Parliament so holden the said Eleventh Year, shall be clearly adnulled and holden for none, as a Thing made without Authority, and against the Will and Liberty of the King and the Right of his Crown. And that all the Judgments, Statutes, and Ordinances made therein, with all Things depending thereon, shall be revoked and adnulled, reversed, and clearly repealed and holden for none. And that all Lands and Possessions seized as forfeit by Colour of the said Judgments shall be restored to the Parties condemned, or their Heirs, &c.’ But; touching the said Restitution, it seemed a competent Satisfaction to the said Persons, and their Heirs, to

“ have

All Proceedings
in the Parliament
11 Ric. 2.
reversed.

And the Parties
restored to their
Lands, &c.

“ have Restitution of their Lands and Tenements only, without
 “ Restitution of their Goods and Chattels, or of the Issues and
 “ Profits of the said Lands and Tenements taken in the mean
 “ Time.”

C A P. XIII.

“ Reversal of the Judgement in Parliament, *An. 10 Ric. 2.*
 against *Michael de la Pole* late Earl of *Suffolk*; and the
 Heirs of the Earl restored to the Lands forfeited by that
 Judgement.”

[*But see Stat. 1 H. 4. c. 3.*]

C A P. XIV.

“ All personal Actions for Robberies, Thefts, Felonies,
 Trespasses, Outrages, and Riots committed at *Radcot-*
bridge, by the Adherents of the Duke of *Gloucester*, in
An. 10 Ric. 2. shall be extinct and annulled.”

[*See printed Rot. Parl. 21 Ric. 2. No. 76. and Stat. 1 H. 4. c. 3.*]

C A P. XV.

The King's Pardon to all his Subjects.

“ THIS Pardon is granted in Consideration of the Subsidy
 “ given by Parliament, being more than was ever granted
 “ to any King; (*See printed Rot. Parl. No. 75.*) It extends to
 “ all Alienations without Licence, Intrusions by the Heirs after
 “ the Death of their Ancestors, Fines, Amerciaments, &c. accru-
 “ ing before the last Day of the Parliament--And also to certain
 “ Treasons and Felonies, &c. Provided that, for these latter, Char-
 “ ters of Pardon should be sued; and particularly that for Treas-
 “ ons committed by the Adherents to the Lords attainted, such
 “ Charters should be sued before *Midsummer*, [*But see printed Rot.*
Parl. p. 410. No. 44.] And the King declared that in case
 “ that the Lords or Commons in any future Parliament should
 “ any way hinder or disturb the Grant of the said Subsidy the
 “ Pardon should be void.

[*Confirmed (except as to Treason and Felony) by Stat. 2 H. 4. c. 13. notwithstanding the Repeal of the other Acts of this Parliament by 1 H. 4. c. 3.*]

C A P. XVI.

Statute 13 R. 2. c. 12. confirmed: (By Authority of
 Parliament given to certain Commissioners.*)

ALSO be it remembered, That whereas our Lord the King,
 at the Request of the Commons of the said Parliament,
 having before them divers Petitions as well for special Persons as
 others not read nor answered, and which for Shortness of Time
 cannot well be determined during the Time of the Parliament,
 hath ordained and assigned, by Authority and Assent of the said
 Parliament, *John Duke of Lancaster*, *Edmund Duke of York*, *Ed-*
ward Duke of Aumale, *Thomas Duke of Surry*, *John Duke of*
Exeter, *John Marquis of Dorset*, *Roger Earl of March*, *John Earl*
of Salisbury, *Henry Earl of Northumberland*, *Thomas Earl of Glou-*

* [*c. 17—20. were passed by the like Authority.*]

[*See printed Rot. Parl. iii. p. 256. nu. 19. sub An. 11 R. 2. and p. 448. sub An. 1 H. 4. and also Note p. 509, 510. and Stat. 1 H. 3. c. 4.*] Recital of Authority given by Parliament 20

certain Commis-
sioners to answer
Petitions to
Parliament.

cester, Thomas Earl of Worcester, and William Earl of Wiltshire, or Six of them; John Bussy, Henry Greene, John Russell, Richard Chelmeswyke, Robert Teye, and John Golofre, Knights, coming for the Commons of the Realm, at the said Parliament, or Three of them, to examine, answer, and fully determine all the said Petitions, and the Matters contained therein, as they shall think best by their good Advice and Discretion in this Behalf, by Authority of the said Parliament; as more fully appeareth in the Roll of Parliament:

Our Lord the King,* by the Assent of the Dukes of *York, Aumarle, Surry, and Exeter*, and of the said Marquis, and the said Earls of *March, Salisbury, and Gloucester*, and the said *John Bussy, Henry Greene, and John Russell*, by Virtue and Authority of the said Power, so to them committed in Parliament, hath received and heard certain Petitions, and thereupon made certain Ordinances and Statutes following, that is to say:

* On Tuesday the Morrow of St. Edward the Martyr (19 March) in the Twenty-first Year of his Reign at *Bristol*; printed Rot. Parl. 21 R. 2. No. 80.

ITEM fait a remembrer qe come nostre Seignur le Roy, a la requeste des communes de mesme le parlement eantz devers eux diverses petitions, sibien pur especialx persones come autres, nient luez ne respounduz, et queux pur briefte du temps ne purroient bonement estre terminez durant le temps du parlement, eit ordene et assigne par auctoritee et assent du dit parlement Johan duc de Lancastre Esmond duc dEverwyk Edward duc dAumarle Thomas duc de Surr' Johan duc dExcestre Johan Markys de Dors' Roger cont de la Marche Johan cont de Saresbirs Henr' cont de Northumb' Thomas cont de Gloucestr' Thomas cont de [Worcestre'] et William cont de Wiltes, ou sys de eux, Johan Bussy Henr' Grene Johan Russell Richard Chelmeswyk Robert Teye et Johan Golofre, chivalers veignantz pur les communes du roialme a dit parlement, ou trois de eux, de examiner respoudre et pleinement terminer toutz les ditz petitions et les matiers contenuz en ycelles come leur meulx semblera par leur bone advys et discretion en celle partie, par auctorite du dit parlement, come plus pleinement appiert en le rolle du parlement.

Nostre Seignur le Roy, par assent de les ditz ducs dEverwyk Aumarle Surr' et Excestre et del dit Markis et de les ditz contz de la Marche Saresbirs et Gloucestre et les ditz Johan Bussy Henr' Grene et Johan Russell, par vertue et auctorite de la dite poair issint a eux commys en parlement, ad receuz et oiez certains petitions et sur ceo faitz certains ordenances et estatutz ensuivantz; ceftassavoir:

* Wyncestre, P.

“The Statute 13 R. 2. c. 12. respecting Shoemakers and Tanners recited and confirmed.”

[See the Note there, and Stat. 4 H. 4. c. 35.]

C A P. XVII.

“ No Licences shall be granted to ship Merchandises of the Staple to any other Place but to Calais.”

[See Stat. 1 H. 4. c. 3.]

C A P. XVIII.

“ For the Maintenance of the Harboure and Fortifications of Calais.”

[Confirmed and re-enabled by 10 H. 6. c. 5. reciting that it had been revoked by the Effect of 1 H. 4. c. 3.]

C A P. XIX.

“ A Confirmation of former Statutes against unlawful Wears.”

[Repealed by the Operation of 1 H. 4. c. 3. but re-enabled 1 H. 4. c. 12. which see.]

C A P. XX.

“ Whoever shall attempt to repeal any of the Statutes made in this Parliament, by virtue of the Authority given to the Commissioners, shall be liable to the Penalties of Treason, as if the Statutes had been made in full Parliament.”—See ante c. 4. and Notes there.

☞ [For a special Writ to proclaim the Statute of this Twenty-first Year, and also the Judgements thereon given, &c. see printed Rot. Parl. Appendix, p. 411. No. 48. as from Claus. 22 Ric. 2. p. 2. m. 6 d.]

End of the Statutes of King RICHARD II.

Anno primo HENRICI IV.

In the Parliament held at Westminster on Monday the Feast of Saint Faith the Virgin (6 October) A.D. 1399.

For the Proceedings of this Parliament, see printed Rot. Parl. iii. p. 415, &c.

It appears that the Parliament met in Westminster Hall; not only the King, Lords, and Commons being present, but also many other Gentlemen and People. The Archbishop of Canterbury in his Address at the Opening, alluded to the Address or Sermon made by him before the Parliament or Assembly, on the Tuesday preceding, being the Morrow of Saint Michael, on which Day King Richard the Second had summoned a Parliament to be holden, but which Summons (the Archbishop stated) was of no Force nor Effect, by Reason of the Acceptance of the Renunciation made by the said King Richard, and the Deposition of the said King, made on the said Tuesday; as fully appeared by the Record and Process thereof made and enrolled in this Roll of Parliament.

Printed Rot. Parl. iii.

<p>Resignation of King Richard II.</p> <p>At an Assembly of the Estates and People the Resignation accepted.</p> <p>Articles against King Richard II.</p>	<p>Page. No. } 416, 10,</p> <p>417, 14,</p>	<p>THIS RECORD and PROCESS are given at length. By the Form of the Cession or Renunciation made on Monday, September 29, the King releases all his Subjects from the Oath of Allegiance, and resigns the royal Dignity, to which he confesses himself incompetent, and for his Demerits deserving to be deposed. On the next Day, Tuesday, September 30, in Westminster Hall, in the Place proposed for holding the Parliament, there being present the Archbishops of Canterbury and York, the Duke of Lancaster and other Dukes and Lords as well Spiritual as Temporal, and the People [Populo] of the said Realm, there then gathered together in a very great Multitude, "propter factum Parliamenti," the Throne being empty, the Archbishop of York, (in the Name of himself and the Bishop of Hereford, appointed by King Richard II. as his Proctors), publicly read the Instrument of the King's Renunciation; and it being required of the Estates and People [<i>a Statibus et Populo</i>] then present, if they would accept the said Renunciation and Resignation, the said States and People accepted the same unanimously. [<i>"Status iidem et populus *** renunciationem et cessionem huiusmodi singuli singillatim, et in communi cum populo, unanimiter et concorditer admiserunt."</i>] After which Admission it was publicly proposed, as highly useful to remove all Scruple and sinister Suspicion,</p>
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cion, that the many Crimes and Defects perpetrated by the King in his Government being reduced into certain Articles in Writing, should be publicly read and declared to the People. And so the *greatest Part* of the Articles were publicly read, and the Tenour of the Whole of them is given at length upon the Roll (Page 417, nu. 17, to Page 422, nu. 50,) preceded by the Coronation Oath, of which the Articles are suggested to be repeated Violations.

Page. No. } And since it appeared to all the Estates "*superinde singillatim ac etiam communiter interrogatis*" that these
422, 51. } Causes of Crimes and Defects were notoriously sufficient to depose the said King, considering also his own Renunciation and Confession, all the Estates aforesaid unanimously agreed that, *ex abundanti*, and for the greater Security of the People, and Good of the Realm, they should proceed to the King's Deposition. Whereupon the Estates and Commons aforesaid, [*Status et Communitates predicti*] did there publicly constitute and appoint certain Commissioners to bring in the said Sentence of Deposition, and to depose the said King *Richard* from all kingly Dignity, Majesty, and Honour in the Stead, Name, and Authority of all the Estates aforesaid, as had been observed in the like Cases by the ancient Custom of the Realm. The Commissioners accordingly prepared the Sentence of Deposition, sitting for a while and conferring before the Throne.

The Estates, &c. agree to depose King Richard II.

52. The Sentence states, that the Commissioners, being specially deputed for the Purpose "*per pares et proceres regni Anglie spirituales et temporales, et ejusdem regni Communitates, omnes Status ejusdem regni representantes*," considering the Crimes of the said K. *Richard*, and also his Confession and Renunciation, do pronounce, decree, and declare "*ex abundanti et ad cautelam*," that the said *Richard* was unable and unworthy to govern the Realm, and do therefore depose him from all royal Dignity and Honour, "*si quid dignitatis et honoris hujusmodi in eo remanserit*," and do forbid all Persons of the Realm from obeying him accordingly.

Sentence of Deposition.

53. The said Estates thereupon appoint the said Commissioners to be their Proctors, to resign and render to the said King *Richard* all Homage and Fealty, and to intimate to him all the Premises relating to his Deposition.

Immediately, it appearing from the Premises, and by Reason thereof, that the Kingdom of *England* with its Appurtenances was vacant, *Henry Duke of Lancaster* challenged the said Kingdom of *England*, so as aforesaid vacant, together with the Crown and all its Members and Appurtenances, in a short Speech in *English*.

Claim of Duke of Lancaster to the Throne.

Duke of Lancaster becomes King Henry IV.

Page. No. }
423, 54, }

After which Challenge and Claim, the Lords Spiritual as well as Temporal, and all the States there present, "*singillatim et communiter*," being asked what they thought of the said Challenge and Claim? the said Estates "*cum toto populo*," without any Difficulty or Delay, unanimously consented that the said Duke should reign over them; and the Duke (thereupon shewing the Signet of King Richard delivered to him as a Sign of his wishing him to be his Successor) was led by the Archbishop to the Throne, and placed by him thereon, "*populo pre nimio gaudio fortiter applaudante*." After which the Archbishop made the Sermon or Address, alluded to by him at the Opening of this Parliament, and the King delivered a short Address of Thanks to the Lords Spiritual and Temporal, and the Estates of the Land, declining all Right of Conquest, except as to those who had been against the common Profit of the Realm. [See post, from printed Rot. Parl. pa. 453.]

Commission to the Officers.

57, Considering that by the Vacancy of the Throne through the Resignation and Deposition aforesaid, all Power of Justices, Sheriffs, and other Officers throughout the Kingdom ceased, the principal Officers were appointed and sworn to Henry IV. as King; and by the King's Command it was there publicly proclaimed, that a Parliament should be held and celebrated there on the succeeding Monday; with a Protest or Excuse from the King respecting the Shortness of the Time of Summons, and that it should not be drawn into Example, being now done only for the Benefit of the Realm. [See the Writs of Summons, dated this Thirtieth of September. Cott. Abr. p. 383.]

Resignation of all Fealty, &c. due to King Richard.

58, }
424, 59, }

Next Day, Wednesday, the Commissioners appointed waited on King Richard II. and by the Mouth of One of them, William Thirnyng a Judge, notified the Acceptance of his Renunciation and Cession "by all the States and People," and also notified the Deposition so made "by the said States." And the Commissioners, as Procurators to all the States and People, and in their Name, did yield up to him, for all the States and People aforesaid, Homage-liege and Fealty, and all Ligeance and other Bonds, Charges, and Services belonging thereto, and all Obedience of the said States and People to him as King. The whole of this Address by Thirnyng is entered on the Roll in the English of the Time.

The several CHAPTERS of the STATUTE (here reprinted from the Text given by Hawkins, &c. as "Ex Rot. in Turr. Lond' m. 20." compared with printed Rot. Parl. and Pynson) are founded on the following Articles in printed Rot. Parl. viz.

Chapter of Statute. No. in printed Roll.

1,	—	—	96, and see 108,
2,	—	—	see 139,
3,	—	—	66, 70,
4,	—	—	67,
5,	{	—	68,
6,	{	—	[and see also 110, 113,]
7,	—	—	98,
8,	—	—	84,
9,	—	—	120,
10,	—	—	156,
11,	—	—	70, (1)
12,	—	—	107,
13,	—	—	122,
14,	—	—	129,
15,	—	—	144,
16,	—	—	146,
17,	—	—	148,
18,	—	—	149,
19,	—	—	135,
20,	—	—	114,
			157,

On Petitions of the Commons.

(1) These are not included in the general Schedule of the Commons Petitions, but are introduced in the Course of the Business in Parliament.

Besides the foregoing, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iii.

- Page. No. } Grant of a Subsidy on Wools, &c. exported, viz. of De- Subsidy.
 425, 65, } nizens, 50 s. a Sack, and of Aliens 60 s. for Three Years:
 And also the Arrears of the Tenth and Fifteenth last
 granted to Richard the Second, but not the additional Half-
 tenth, &c. (See ante, 21 Ric. 2. No. 75.)
- 426, 69, } For annulling certain blank Charters granted by the City of Blank Charters.
 London, and Seventeen other Counties, to King Richard
 the Second. See also No. 93. where these blank Char-
 ters are called Raggemens. (See Stat. incert. Temp.
 No. XIV.)
- 71, } The King's eldest Son Henry created Prince of Wales, King Henry the
 72, } Duke of Cornwall, and Earl of Chester; and also de- Fourth's eldest
 427, 75, } clared Heir apparent [as to which latter see further Son made Prince
 p. 434, No. 103.; and also 5 H. 4. No. 17. 6 H. 4. of Wales, &c.
 No. 60.] by Assent of Parliament; and afterwards by
 the King and the Lords named Duke of Aquitain.
- 428, 81, } On Reconsideration it is settled by Assent of Parliament, that
 the Prince's Title should be Prince of Wales, Duke of
 Aquitain, Lancaster, and Cornwall, and Earl of Chester;
 and that the Liberties and Franchises of the Dukedom of
 Lancaster shall be dislevered from the Crown of England,
 wholly and intirely, according to the Effect and Purport
 of former Grants of the said Liberties. (See 4 Inst. 205.)

Page.

- King Richard II. sentenced to Imprisonment. Page. No. } King Richard the Second sentenced to secret Imprisonment by Assent of certain Bishops, Lords, and Commons, whose Names are set down.
- Judgements in Parliament : 426, 73, }
427, 76, }
79, } On Protest of the Commons against their being made Parties to any Judgements in Parliament, it is stated, by Command of the King, that all Judgements in Parliament shall be by the King and Lords, the Commons being only Petitioners. Except that in making Statutes, or in Grants and Subsidies, or such Things, to be done for the common Profit of the Realm, the King will especially have their Advice and Consent.
- Jurisdiction of the Commons. 428, 83, } Restitution of certain Persons exempted from Pardon in Stat. 11 Ric. 2. (c. 1. Petis. 2.)
85, } The King empowered to moderate the Statutes of Provisors. (See 2 H. 4. No. 45.)
429, 86, } For allowing the Gold, required to be imported by Merchants exporting Wools, (see the Ordinance, 20 Ric. 2. No. 19.) to be taken to Calais.
87, } For regulating the Staple at Calais, with a Saving for Merchants of the West, as under Stat. 2 R. 2. ff. 1. c. 3. and also a Saving for Scotland, (See Stat. 2 H. 5. c. 6.)
88, } For assuring the Liberties of all Cities and Boroughs by
437, 115, } Confirmations in Chancery.
429, 89, } Assises may be taken in London in the Absence of the Coroner.
432, 94, } Charters of Pardon granted by Ric. II. in An. 21. confirmed.
- On Petitions of the Commons.
- 433, 99, } No Judge or Officer of the King shall take any Brocage, Present, or Gift.
434, 107, } For Relief of Sheriffs in their Accounts, and against Extortions by them.
108, } With respect to the Freedom formerly declared in Parliament, (see 14 R. 2. No. 15. 15 R. 2. No. 13.) respecting the King's Exercise of his Prerogative, and renewed in this Parliament, the King of his royal Favour and tender Conscience grants, that he will take no Advantage thereof but to preserve the ancient Laws and Statutes, and will do Right to all, in Mercy and Truth according to his Oath.
109, } For restoring the Archbishop of Canterbury to his Temporalties. [And see No. 78.]
439, 124, } Debts due to the late King shall be paid to King Henry IV.
&c. } For enquiring concerning the Goods and Chattels of the late King, and Debts due to him, &c.
442, 142, } For repealing all Releases of Debts and Arrears in Wales, Cornwall, and Chester, made by King Richard II. otherwise than under the Great Seal.
143, } Repeal of so much of Stat. 11 Ric. 2. c. 1. (Petis. 4.) as makes it Treason to sue for the Repeal of any Judgements or Statutes made in that Parliament. (See Stat. 2 H. 4. c. 22.)

Page. No. } Then follow PLEAS of the CROWN before the King in
 449, &c. } Parliament, this Year, containing Proceedings at the
 Suit of the Commons before the Lords, against the
 Lords who were Appellants in An. 21 Ric. 2. The Sen-
 tence of the Lords, by the Assent of the King, is, that the
 said Lords should lose their Dignities granted to them in
 the said Twenty-first Year, and should lose all such Lands
 and Goods as were then given them, and that if they
 should be found adbering to King Richard II. at any
 future Time, they should be guilty of Treason.

452. — Confession and Conviction of one John Hall respecting the
 Murder of the Duke of Gloucester.

453. 17. Proceedings against William Scroope, Henry Green, and
 John Buffey, declaring all their Lands and Tenements
 forfeited to the King by Right of Conquest, as those
 whom the King held guilty of all the Evil that had
 happened to the Realm. This Forfeiture was affirmed
 by the Lords, with a Saving of Trust Estates, and a
 Declaration that the Statute (34 E. 3. c. 12.) concerning
 Forfeitures should remain in Force. [See also printed
 Rot. Parl. sub An. 2 H. 4. No. 30, 31.]

Forfeitures
 by Right of
 Conquest.

[See Stat.
 21 R. 2. c. 16.]

HENRY by the Grace of God, King of *England*, and of
France, and Lord of *Ireland*, to the Honour of God, and
 Reverence of Holy Church, for to nourish Unity, Peace, and Con-
 cord in all Parts within the Realm of *England*, and for the Redress
 and Recovery of the same Realm, which now of late hath been
 dangerously put to great Ruin, Mischief, and Desolation; with
 the Assent of the Prelates, Dukes, Earls, and Barons, and at the
 Instance and special Request of the Commons of the same Realm,
 assembled at his Parliament holden at *Westminster* in the Feast of
 St. Faith the Virgin, the First Year of his Reign, hath caused to
 be ordained and established certain Ordinances and Statutes in
 Form as hereafter followeth.

HENRY par la grace de Dieu, Roy d'Engleterre et de France
 et Seigneur d'Irland, al honour de Dieu et reverence du Seinte
 Esglise, pur nurrir unitee pees et concorde des toutz partz deinz le
 roialme d'Engleterre, et pur releuation et recoverer de mesme le
 roialme, qore tard ad este meschiefousement mys a tresgrande
 rayne meschief et desolation; del assent des prelates ducs contz
 et barons, et al instance et especiale request des communes de mesme
 cest roialme, assemblez a son parlement tenuz a Westm' en le fest
 de Seinte Feie la virgine, lan de son regne primer, ad fait ordiner
 et establire certains ordinaunces et estatutz en la forme qensuit.

C A P. I.

Confirmation of Liberties and Statutes.

FIRST, that Holy Church have and enjoy all her Rights, Li-
 berties, and Franchises, entirely and without imblemishing;
 and that the great Charter, and the Charter of the Forest, and
 other all the good Ordinances and Statutes made in the Time of
 his

his noble Progenitors, and not repealed, be firmly holden and kept in all Points; and that the Peace within this Realm be holden and kept, so that all his faithful liege People and Subjects may from henceforth safely and peaceably go, come, and dwell, according to the Laws and Usages of the same Realm; and that good Justice and equal Right be done to every Person.

PRIMEREMENT qe Seint Esglise eit et enjoiet toutes ses droitures libertees et franchises entierment et saunz emblemmissement; et qe la graunde chartre et la chartre de la forest, et toutz les autres bones ordinaances et estatutz faites en temps de ses nobles progenitours, et nient repellez, soient fermement tenuz et gardez en toutz pointz et qe le paix deinz son roialme soit tenuz et gardez, issint qe toutz ses loialx lieges et subgitz purront desore fausement et paisiblement aler venir et demorer selonc les loies et usages de mesme le roialme; et qe bone justice et oell droit soit fait a chescuny:

C A P. II.

“None shall be impeached that took Part with King *Henry IV.* against King *Richard II.* or his Adherents.”

[See Stat. 1 E. 3. ft. 1. c. 1. to which this Act is very similar.—
See printed Rot. Parl. sub hoc An. No. 139.]

C A P. III.

A Repeal of all Proceedings in the Parliament 21 Ric. II.

See 1 Ed. 4. c. 1:
and Notes of
that Year.

ALSO, whereas on *Monday* next after the Feast of the Exaltation of the Holy Cross, in the Twenty-first Year of the Reign of the said late King *Richard*, a Parliament was summoned and holden at *Westminster*, and from thence adjourned to *Salop*, at which Town a certain Power was committed by Authority of the Parliament to certain Persons to proceed upon certain Articles and Matters comprised in the Roll of the Parliament thereof made, as by the same Roll may appear, in which Parliament, and also by the Authority aforesaid, divers Statutes, Judgements, Ordinances, and Establishments were made, ordained, and given, erroneously and dolefully, in great Differison and final Destruction and Undoing of many honourable Lords and other liege People of the Realm, and of their Heirs for ever: Our Sovereign Lord the King considering the great Mischiefs aforesaid, with the Advice and Assent of all the Lords Spiritual and Temporal, and of all the Commonalty of the Realm, hath adjudged the said Parliament, holden the said Twenty-first Year, and the Authority thereof given, as afore is said, with all the Circumstances and Dependencies thereupon to be of no Force nor Value; and that the same Parliament, with the Authority aforesaid, and all the Circumstances and Dependencies thereupon, be wholly reversed, revoked, voided, undone, repealed, and annulled for ever.

ITEM come le Lunedy profchein apres le fest del exaltation de la seinte croice, lan du regne le dit nadgairs Roi *Richard* vingt primer, un parlement feut somonez et tenuz a *Westm'* et dilloesques adjournez a *Salopbirs*, a quelle ville certaine poair feu
commys

certains, par auctorite du parlement, as certains perſones de proceder ſur certains articles et matiers comprifez en rolle du parlement ent fait, come par meſme le rolle y purra apparoir, en quel parlement, et auxint par lauctorite ſuiſſite, diverſes eſtatutz jugementz ordinaances et eſtabliſſementz ſeurent faitz ordinez et renduz erranousement, et tres dolorousement, en grande Jeſheritiſon et final deſtruction et anientifſment des pluſours honorables Seignurs et autres lieges du roialme, et de lour heirs as touz jours, nostre Seignur le Roi, conſiderant les tresgraundes meſchiefs avant-dites, de ladvyſ et aſſent des toutz les Seignurs eſpirituelx et temporelx, et de tout la comminaltee de roialme, ad ajuggez le dit parlement, tenuz le dit an vingt primer, et lauctoritee ent, done come deſuis eſt dit, ove toutes les circumſtances et dependences dicell, deſtre de null force ou value; et qe meſme le parlement ove lauctorite ſuiſſite et touz les circumſtances et dependences dicell, ſoient de tout reverſez revokez irritez caſſez repelez (1) par touz jours.

¹ et adnulliez, *Rot. Parl. P.*

C A P. IV.

A Confirmation of the Parliament holden 11 Ric. II.

ALSO it is accorded, aſſented, and eſtabliſhed, That the Parliament holden at *Westminster*, the Eleventh Year of the ſaid late King *Richard*, be firmly holden and kept according to the Purport and Effect of the ſame, as a Thing done for the great Honour and common Profit of the Realm.

[See Stat.
1 E. 4. c. 1.
and Notes of
that Year.]

ITEM accordez eſt aſſentuz et eſtabliz qe le parlement, tenuz a *Westm'* lan unziſme le dit nadgairs Roi *Richard*, ſoit fermement tenuz et gardez ſelone le purport et effect dicelle, come choſe fait pur tresgrand honore et commune profit de tout le roialme.

C A P. V.

“A Reſtitution of the Inheritances of thoſe or their Heirs, who were attainted at the Parliament holden 21 Ric. 2.—Except as to mean Profits.”

C A P. VI.

For regulating Grants by the King, of Lands, Offices, &c.

ALSO, to the Intent that our ſaid Lord the King in Time to come ſhall not be deceived in his Grants or Gifts, annual or in Fee, or in any Offices by him to be given, made, or granted, he will, with the Aſſent of the Lords Spiritual and Temporal aforeſaid, and at the Requeſt of the ſaid Commons, be adviſed by the wiſe Men of his Council in Things touching the Eſtate of him and of his Realm; ſaving always his Liberty. Alſo he willet and hath ordained and eſtabliſhed, with the Aſſent aforeſaid, That all they which from henceforth ſhall requeſt of the King, Lands, Tenements, Rents, Offices, Annuities, or any other Profits, ſhall make expreſs Mention in their Petitions of the Value of the Thing ſo to be demanded; and alſo of that which they have had

On all Grants the King will conſult the Council.

In Petitions for Grants ſhall be ſtated the Value of the Thing requeſted, and alſo all former Gifts to the

Petitioners,
otherwise the
Grant shall be
void.

[See further
Stats.

2 H. 4. c. 2.

6 H. 4. c. 2.]

before of the King's Gift, or of other his Progenitors or Predecessors. And in case they make not such Mention in their said Petitions, and that duly proved, the King's Letters Patents thereof made shall not be available, nor of any Force nor Effect, but wholly revoked, repealed, and annulled for ever; to the Punishment of them who so have done such Deceit to the King, as they that be not worthy to enjoy the Effect and Benefit of the Letters Patent to them granted in such Behalf.

ITEM au fyn qe nostre dit Seignur le Roi, en temps avenir, ne soit deceuz en ses graunties ou douns, annuels ou en fee, ou en aucunes offices par lui a doners faire ou graunters, il voet de lassent des Seignurs espirituelx et temporelx susditz, et a la requeste des ditz communes, estre conseillez par les sages de son conseil es choses touchantz lestat de lui et de son roialme, sauvent toutefois sa liberte. Et voet et ad ordeinez et establiez, de lassent susdit, qe toutz ceuz qi desore enavant demanderont du Roi terres tenementz rentes offices annuitees ou autres profitz qeconques, facent expresse mention en leur petitions de la value de la chose ensi a demander, et auxi de ce qils ont eue du doun de Roi ou des autres ses progenitours ou predecessours pardevant. Et en cas qils ne facent trel mention en leur ditz petitions, et ce dument prove, soient les lettres patentes du Roi ent faites nient vailables, ne de null force neffect: Mais de tout revokez repellez et adnullez pur touz jours; au punissement de ceuz qens ont fait trel deceit au Roi, come ceuz qi ne sont pas dignes denjoier leffect et benefice des lettres patentes a eux grauntez en celle partie.

C A P. VII.

Concerning giving of Liveries.

[Repealed by

3 Car. 1. c. 4. § 27.

See also Stats.

2 H. 4. c. 21.

7 H. 4. c. 14.

13 H. 4. c. 3.]

“ **T**O eschew Maintenance, and to nourish Love, Peace, and
“ Quietness throughout the Realm: No Lord shall use
“ nor give any Livery of Sign of Company, to any Knight,
“ Esquire, nor Yeoman, within the Realm aforesaid: Saving that
“ the King shall give only his honourable Livery to his Lords
“ temporal, whom shall please him, and also to his Knights and
“ Esquires menial, and which be of his Retinue, and do take
“ of him their yearly Fee for Term of Life; who shall not wear
“ their said Liveries in any Place within the Realm out of the
“ King's Presence. And if any Lord do to the contrary, he
“ shall make Fine and Ransom at the King's Will. And if any
“ Knight or Esquire do to the contrary, he shall lose his said Li-
“ very, and forfeit his Fee for ever. And that no Valet, called
“ Yeoman, take nor wear any Livery of the King, nor of none
“ other Lord upon Pain of Imprisonment, and to make Fine and
“ Ransom at the King's Will. The Constable and Marshal of
“ *England*, with their Retinue of Knights and Esquires, may wear
“ the King's Livery upon the Borders and Marches of the Realm
“ in Time of War: Also all that will travel beyond Sea, to
“ seek Honour, may wear the said Livery in those Parts. No
“ Archbishop, Bishop, Abbot, nor Prior, nor Man of Holy
“ Church, nor any temporal Person whatever within the Realm,
“ shall give any Livery of Cloth to any Man, but only to his
“ menial

“ menial Servants and Officers, or to them that be of his Council,
 “ as well spiritual as temporal, learned in either Law, upon Pain
 “ of Fine and Ransom at the King's Will.”

C A P. VIII.

Affise maintainable by the Disseisee against the King's
 Patentee of Lands.

ALSO, at the grievous Complaint of the said Commons, made in the said Parliament, how many of the King's liege People, which have been seised and possessed of Lands and Tenements, by their Right and Title, until the last coming of our Lord the King into *England*, that upon Suggestion made to him, the said Lands and Tenements have been granted to divers Persons, and Letters Patents thereof made, so that by Colour of such Grants and Letters Patents, the Tenants and true Possessors of the said Tenements in divers Counties be disseised and put out of the same, to their great Damage, and against the Course of the Common Law: Our Lord the King considering the Mischief aforesaid, and willing thereupon to provide due Remedy, with the Advice and Assent of the Lords and Commons aforesaid, hath ordained and established, That where Lands or Tenements are granted by the King's Patent, without Title found by Inquest or otherwise, and where the King's Entry is not given by Law, they that be put out or disseised of their Freehold, shall have a special Affise of the Chancellor's Grant, without other Suit to be made to the King in that Behalf: And if the Persons having the King's Letters Patents do pray in Aid, a Writ of *Procedendo* shall be granted by the said Chancellor, without making other Suit to the King; and in case that they which be so put out, or disseised, do recover against the Persons having such Patents, they which be so put out or disseised shall recover their treble Damages; and that this Ordinance and Statute hold Place as well since the King's Arrival in *England*, as in all Time to come.

Where Lands are granted by the King's Patent, without Title found or Right of Entry in the King, the Disseisee shall have Treble Damages, &c.

ITEM a la grevous complaint des ditz communes, fait en dit parlement, coment plusieurs des lieges nostre dit Seigneur le Roi, qont este seiliez et possessionez des terres et tenementz par leur droit et title, tanqal darreine venue nostre dit Seigneur le Roi en Engleterre, qe par suggestion a lui fait les dit terres et tenementz ont este grauntez as diverses perones, et lettres patentes ent faitz, issint qe, par colour des tielx grauntes et lettres patentz, les tenantz et verroies possessours des ditz tenementz, es plusieurs contes, sont deseisez et oustez dicelles, a leur grand damage et encontre le cours de la commune ley: Nostre dit Seigneur le Roy considerant le meschief susdit, et veulant sur ce ordeiner due remede, de ladvys et assent des seignurs et communes suisditz, ad ordeinez et establiz, qe la ou terres ou tenementz sont grauntez par patent du Roi, sanz title trove par enquest ou autre vie, et la ou leutree du Roi nest pas done par la ley, aient ceux, qi sont oustez ou diseisez de leur franc tenement, especiale affise, du graunt du chaunceller, saunz autre poursuite faire au Roi celle partie; et si les perones ciantz les patentes du Roi prient en aide, soit graunte brief de

procedendo par le dit chaunceller, saunz autre pursuit faire au Roi; et en cas qe les dirz oustez ou disseizez recoverent, devers les persones ciantz tielx patents, qe mesmes les oustez ou disseizez recoverent lour damage a treble; et qe cest ordinance et estatut tiegne lieu sibien puis larivall du Roi en Engleterre, come en temps avenir.

C A P. IX.

“ A Confirmation to the Purchasers of forfeited Lands sold under the Power given by Stat. 11 R. 2. c. 6.”

C A P. X.

Nothing shall be adjudged Treason otherwise than as ordained by Stat. 25 E. 3.

21 Ric. 2.
c. 3, 4, 20.

ALSO, Whereas in the said Parliament holden the said one and twentieth Year of the said late King *Richard*, divers Pains of Treason were ordained by Statute, in so much that there was not any Man who did scarcely know how he ought to behave himself, to do, speak, or say, for Doubt of such Pains; it is accorded and assented by the King, and the Lords and Commons aforesaid, That in no Time to come any Treason be adjudged, otherwise than was ordained by Statute in the Time of his noble Grandfather King *Edward* the Third; whom God pardon.

See Stat.
25 E. 3. p. 5. c. 2.
and the Note
there.

ITEM come en le dit parlement tenuz le dit an vingt primer le dit nadgairs Roi *Richard*, plusours peines de traïson feurent ordeinez par estatut, parensi qe y navoit aucun homme qa poie savoit coment il se deust avoir, de faire parler ou dire par double des tielx peines; Accordez est et assentuz, par le Roi et les seignurs et communes fudditz, qen null temps avenir aucune traïson soit adjudge autrement qe ne feut ordeinez par estatut, en temps de son noble aiel le Roi *Edward* tiers, qi Dieu assoille.

C A P. XI.

For Relief of Sheriffs in their Accounts; and for preventing Extortion by them.

ALSO, Whereas the said Commons by their Petition have shewed in the same Parliament, how the Sheriffs of Counties within the Realm, be charged with the ancient Ferm of the same Counties, although a great Part of the Profits thereof be diversely given to Lords and other the King's liege People, so that the same Sheriffs cannot pay their Ferm without making Extortion in the said Counties in great Oppression and Hindrance, as well of the said Sheriffs, as of the Inhabitants of the said Counties; Our Lord the King considering the Mischiefs aforesaid, with the Advice and Assent of the Lords and Commons aforesaid, hath ordained and established, That from henceforth the Sheriffs of the County of *Essex* and *Hertford* in special, and the Sheriffs of other Counties aforesaid, for the time being, shall accompt in the Exchequer, and have Allowance by their Oath of the Issues of the said Counties, as well since the Date of their Patents made to them by the said

Sheriffs shall have
Allowance on
their Oaths.

said late King *Richard*, as for all Time to come. And if any Sheriff from henceforth do any Extortion to the People, and be thereof attainted, that he shall be duly punished for the said Extortion at the King's Will.

Punishment of a Sheriff for Extortion.

ITEM come les ditz communes par leur petition ont monstrez en mesme cest parlement, coment les viscontz des countes deinz le roialme sont chargez ove launcien serme des mesmes les countes, la ou grande parcelle des profits dicelles sont donez diversement seignurs et autres lieges du Roi, issint qe mesmes les viscontz ne purront paier leur serme, saunz extorsion faire es ditz countes, en graunt oppression et arerissement, sibien des ditz viscontz come de les enhabitantz es mesmes les countes; Nostre seigneur le Roi, considerant les meschiefs suisditz, de ladvis et assent des seignurs et communes suisditz, ad ordeinez et establi, qe desore en avant les viscontz des countes d'Essex et Hertford' en especiale, et les viscontz des autres countes suisditz, pur le temps esteantz, accompent a leschequer et aient allouance par leur serement, de les issues des ditz countes, sibien puis la date de leur patentés a eux faitz par le dit nadgairs Roi *Richard*, come pur tout temps avenir. Et si aucun viscont desore enavant face aucun extorsion a poeple, et de ce soit atteint, qil soit duement punis pur mesme lextorsion a la volunte du Roi.

C A P. XII.

A Confirmation of former Statutes touching pulling down of Wears.

[This Act confirmed and amended 12 E. 4. c. 7.]

ALSO, Whereas, &c. [Recital of Stat. 25 E. 3. st. 4. c. 4. at length; and also of the enacting Part of Stat. 45 E. 3. c. 2.]

And now at the Request of the said Commons, shewing by their Petition, that the common Passages of Ships and Boats in the great Rivers of *England* and also Meadows and Pastures, and Lands sowed adjoining to the said Rivers, be greatly disturbed, overflowed, wasted and destroyed by outrageous enhancing and straitning of Wears, Mills, Stanks, Stakes, and Kidels, in old Time made and levied before the Time of King *Edward*, Son of King *Henry*, whereof great Damages and Losses have happened to the People of the Realm, and daily will happen, if Remedy be not thereof provided: It is accorded and established by the Assent aforesaid, That the said Statutes be in all their Articles holden, and firmly kept, and duly executed with the Pains, and after the Effect of the same: Adding thereto, That Commissions be made in due Form to sufficient Persons to be Justices in every County of *England*, where Need shall be, to survey and keep the Waters and great Rivers there, and to correct and amend the Defaults, and to make due Execution of the said Statutes, after the effect of the same, as well by their Survey, Advice and Discretion, as by Inquests thereof to be taken, as well within Franchise as without, so often and when Need shall be, and to hear and determine the Things aforesaid; and moreover to survey the Wears, Mills, Stanks, Stakes, and Kidels in old Times made and levied, before the said Time of King *Edward*, Son of King *Henry*; and them that they find too much enhanced or straitned to correct, pull

The Inconveniences from enhancing Wears, Mills, Stanks, &c.

Statutes 25 E. 3. st. 4. c. 4. and 45 E. 3. c. 2. confirmed. Commissions shall be awarded to certain Justices to survey Wears and to redress Enhancements since the Time of *Edward* 1.

The Freeholders shall abate or amend the Wears according to Direction of the Justices; on Penalty of 100 Marks.

Like Penalty on repairing Wears after Abatement.

down, and amend, in the Manner and Form aforesaid, saving always a reasonable Substance of the Wears, Mills, Stanks, Stakes, and Kidels aforesaid, so in old Times made and levied. And if any such Nuisances of Wears, Mills, Stanks, Stakes, and Kidels, of Passages and Strainings in old time made and levied, be judged or awarded by the said Justices to be pulled down and amended, he who hath the Freehold of the same shall thereof do Execution at his own Cost, within half a Year after Notice to him thereof to be made, upon Pain of an hundred Marks to be paid to the King by Estreats in the Exchequer; and he that causeth them to be repaired or enhanced, or straitened, against the said Judgement, and thereof be duly convicted, shall incur the Pain of an hundred Marks, to be paid to the King by Estreats in the Exchequer aforesaid; and in case that any feelth himself grieved by Execution or otherways in this Behalf, against Right and Reason, he may pursue, and shall have Right and Remedy.

ITEM come, &c.

Et ore a la request des ditz communes, monstrantz par leur petition que les communes passages des niefs et bateux, en les grandes rivières d'Engleterre, et auxint prees et pastures et terres semez adjoignantz as ditz rivières, sont grandement destourbez surondez gallez et destruz, par les outrageouses enhancer et estreiture des gors molyns estankes estakes et kydeux, auncienement faitz et levez devant le temps le dit Roi E. fitz a Roi Henr', dont grandes damages et perdez sont avenuz sovent a poeple de roialme, et avientrent de jour en autre si remede ent ne soit mis: Accordé est et establiz, de lassent avaunt dit, que les ditz estatutz soient en touz leur articles tenuz et fermement gardez et duement executz, avec les peines et selonc lesset dicelles: Adjoignant a ycelles que commissions soient faites, en due forme, as suffisceantz persones destre Justices en chescune conte d'Engleterre ou bussoigne ferra, de surveier et garder les eaux et grandz rivières illoesques; et les defauts corriger et amender, et due execution faire de les ditz estatutz, selonc lesset dicelles, sibien par leur surveue avis et discretion come par enquestes ent apprendre, deinz franchises et dehors, si et quant bussoigne ferra, et doier et terminer les choses suisditz; et outre ce de surveier les gors molyns estankes estakes et kideux auncienement faitz et levez, devaunt le dit temps du Roi E. fitz a Roi H.; et ceux qils troverent trop enhancez ou estreitez, de les corriger abater et amender en le manere et forme suisdit; sauvent toutesfoitz resonable substance des les gors molyns estankes estakes et kydeux suisditz issint auncienement faitz et levez. Et si aucuns tielx anufances des gors molyns estankes estakes et kydeux, des passages et estreitures auncienement faitz et levez, soient adjudgez ou agardez par les ditz Justices desre abatez et amendez, celui qad le franc tenement dicelles ferra ent execution as ses custages, deinz un demy an apres notification a lui ent affaire, sur peine de cent marcz appaiers au Roi par estreites en leschequer; et celui qui les face relever ou enhancer ou estreiter encontre le dit jugement, et de ce soit duement convict, encourage la peine de cent marcz, appaiers a Roi par estreites en leschequer suisdite; et en cas que aucune se sent estre grevez par execution ou autre voie en celle partie, encontre droit et raison, pursue et eit droit et remede.

C A P.

C A P. XIII.

For confirming and amending *Stat. 17 Ric. 2. c. 5.* respecting Officers of the Customs. [See also *Stat. 4 H. 4. c. 20.*]

“THE Statute 17 Ric. 2. c. 5. recited and confirmed.”

Adding to the same, that the Customers and Controllers in every port of *England*, shall be resident upon their Offices in their proper Persons, without making any Deputy or Lieutenant in their Names. Customers and Controllers shall be resident upon their Offices.

Adjoustant a ycelle qe les customers et contrerollours, en chescune port d'Engleterre, demoureront sur leur offices en leur propres personnes, sanz aucun depute ou lieutenant faire en leur nouns.

C A P. XIV.

Where criminal Appeals shall be tried and determined.

ALSO, for many great Inconveniencies and Mischiefs that often have happened by reason of many Appeals made within the Realm of *England* before this Time: It is ordained and established, that from henceforth all the Appeals to be made of Things done within the Realm, shall be tried and determined by the good Laws of the Realm, made and used in the Time of our said Lord the King's noble Progenitors; and that all the Appeals to be made of Things done out of the Realm, shall be tried and determined before the Constable and Marshal of *England* for the Time being. And moreover it is accorded and assented, That no Appeals be from henceforth made or any wise pursued in Parliament, in any Time to come.*

Appeals for Facts done in the Realm shall be tried by Law: Facts done out of the Realm in the Court of the Constable: but none in Parliament.

* See the Proceedings sub An. 11 and 21 Ric. 2.

ITEM par plusieurs grandes inconveniencies et meschiefs, qe plusieurs soitz ont avenez par voie des plusieurs appellees, faites deinz le Roialme d'Engleterre devaunt ces heures; ordeinez est et establi qe desore enavant toutz les appellees affaires des choses faites deinz le roialme, soient trieiz et terminez par les bones leys du roialme, faites et usez en temps des tresnobles progenitours nostre dit Seigneur le Roi; et qe toutz les appellees affaires des choses faites hors de roialme, soient trieiz et terminez devant les Constable et Marefchall d'Engleterre pur le temps esteantz. Et outre ceo accordez est et assentuz, qe nulles appellees soient desores faitz, ou pursuez en parlement aucunement, en null temps avenir.

C A P. XV.

For amending *Stat. 28 E. 3. c. 10.* respecting the Redress of Errors and Misprisions in the City of *London*.

ALSO, whereas by a Statute made in the Time of King Edward, Grandfather of our Lord the King that now is, the eight and twentieth Year of his Reign, it was ordained and established, &c. [*reciting at length Stat. 28 E. 3. c. 10. requiring the Mayor, &c. to redress all Defaults, Errors, and Misprisions on penalty of One thousand Marks for the first Neglect, 2000 on the second, and Forfeiture of the Franchises of the City for the third.*]

The Penalties for Breach of the said Statute, 28 E. 3. c. 10, by the Mayor, &c. of *London*, shall be according to the Discretion of the Justices, as in case of other Cities.

Our Lord the King, considering the good and lawful Behaviour of the Mayor, Sheriffs, and Aldermen, and of all the Commonalty of the same City of *London*, towards our said Lord the King, and therefore willing to ease and mitigate the Penalties aforesaid, with the Assent of the Lords Spiritual and Temporal, and of the Commons aforesaid, hath ordained and established, That the Penalties as well of the one thousand Marks, as of the Two thousand Marks, and of the Seizure of the Franchise, comprised in the said Statute, shall not be limited in certain; but that the Penalty in this Case be by the Advice and Discretion of the Justices thereto assigned, as other Cities and Boroughs be within the Realm; and that the Remnant of the said Statute, and the Process thereof, do stand in their Force.

ITEM come par estatut fait en temps du Roi E. aiel nostre Seigneur le Roi qorest lan de son regne vingt oepthisme ordeinez soit et establiz &c

Nostre dit Seigneur le Roi, considerant le bone et loial port de les mair, viscontz et aldermannes, et de tout la communaltee de mesme la citee de Londres, devers mesme nostre dit Seigneur le Roi, et par tant leur veullant faire ease et mitigation de les peines avaunt di z, de lassent des Seignurs espirituelx et temporelx et de les communes avaunt ditz, ad ordeinez et establiez qe les peines, sibien de les M. marcz come de les deux M. marcz, et del seisine del franchise, compris el dit estatut, ne soient my limitez en certeine; mais qe la peine en ce cas soit par avis et discretion des justices a ce assigners, come autres citees et burghs sont deinz le roialme; et qe le remanant de mesme lestatut et le proces dicell estoient en leur force.

C A P. XVI.

Respecting the packing of Cloths in *London*.

See Stats.

27 E. 3. p. 2. c. 3.

28 E. 3. c. 13.

The latter extended to Merchants of *London*.

ALSO it is accorded and assented, That the Merchants of *London* from henceforth shall be as free from packing their Cloths, and quit of the same Packing, as all other Merchants, or other Strangers within the said City, or within other Cities and Boroughs within the Realm; and if any Letters Patents be made to the contrary, they shall be utterly repealed, adnulled, and holden of no Force nor Virtue.

ITEM accordez est et assentuz qe les merchantz de Londres de fore enavant soient auxi frank, de packer leur draps, et quitz de mesme la packeur, come sont les autres merchantz ou autres estrangers deinz la dite citee, ou deinz autres citees et burghs deinz le roialme; et si aucuns lettres patentz soient faitz a contrair qils soient toutoutrement repellez et adnullez et tenuz de null force et vertue.

C A P. XVII.

“ Confirmation of *Stat. 6 R. 2. c. 10.* respecting the Sale of Fish and Victuals by Aliens; notwithstanding the Letters Patents late granted to the contrary to the Fishmongers of *London* by the said late King *Richard*, upon his last Voyage to *Ireland*. ”

C A P.

C A P. XVIII.

For regulating Process into the County of *Chester*, and Outlawry and Forfeiture thereon, in case of Offences committed, in other Shires, by Inhabitants of that County.

[See Stat.
21 R. 2. c. 9.
and see also
9 H. 5. c. 2. as
to *Lancashire*]

ALSO, upon the grievous Clamour and Complaint made to our said Lord the King in this present Parliament, of many Murders, Manslaughters, Robberies, Batteries, and other Riots and Offences, which before this Time have been done by the People of the County of *Chester* to divers of the King's liege People in divers Counties of *England*: Our said Lord the King, with the Advice and Assent of the Lords Spiritual and Temporal, and Commons aforesaid, hath ordained and established, That if any Person of the County of *Chester*, resident and dwelling within the said County, of whatsoever Estate or Condition he be, do commit any Murder or Felony in any Place out of the same County, Process shall be made against him by the Common Law, till the Exigent into the Counties where such Murder or Felony was done. And if he flee from thence into the said County of *Chester*, and be outlawed, or put in Exigent, for such Murder or Felony, the Outlawry or Exigent shall be certified to the Officers and Ministers of the same County of *Chester*, and such Felon shall be taken by the said Officers or Ministers, and his Lands and Tenements, Goods and Chattels, being within the said County of *Chester*, shall be seised as forfeit into the Hands of the Prince, or of him that shall be Lord of the said County of *Chester* for the Time; and the King shall have the Year and Day, and the Waste; and the other Lands and Tenements, Goods and Chattels of such Felon, being out of the said County of *Chester*, shall remain wholly to the King, and to other Lords, having thereof Franchise, as Forfeit. And if any Person of the said County of *Chester*, resident or dwelling in the same, commit any Battery or other Trespass in any Place out of the said County of *Chester*, Process shall be made against him by the Common Law, till the Exigent into the Counties where such Battery or Trespass was done; and if he flee from thence into the said County of *Chester*, and be outlawed for such Battery or Trespass, the Outlawry shall be certified to the said Officers and Ministers of the said County of *Chester*, and such Person shall be taken by the said Officers or Ministers; and his Goods and Chattels, being within the said County of *Chester*, shall be seised into the Hands of the Prince, or of him which shall be Lord of the said County of *Chester* for the Time; and his other Goods and Chattels, being out of the said County of *Chester*, shall remain wholly to the King, and to the other Lords aforesaid, as forfeit, in such Sort as afore is said.

Against Persons of *Chester*, committing Felonies elsewhere, Process shall be made to Outlawry; on Certificate of which the Offender shall be taken in *Ch. shire*, his Lands, &c. there forfeit to the Prince (saving the King's Year, Day, and Waste), and elsewhere to the King, &c.

So in Cases of Battery or Trespass; with like Forfeiture of the Offender's Goods.

ITEM sur les grevous clamour et complainte faitz a nostre dit Seigneur le Roy, en cest present parlement, des plusieurs murders homicides roberies bateries et autres riotes et messaites, qe devant ces heures ont este faitz, par les gentz del contee de Cestre, as plusieurs lieges de Roi es diverses contees d'Engleterre, mesme nostre Seigneur le Roi, de ladvis et assent des seignurs espirituelx et temporelx et des communes avaunt ditz, ad ordeinez et establiz

que si aucun persone del contee de Cestre, receant et demurrant deinz mesme le contee, de quel estat ou condition qil soit, face murdre ou felonie par aillours hors de dit contee, soit proces fait devers luy par la commune ley, tanqual exigend en les contees ou tieux murdre ou felonie soit fait. Et sil fue dilloeges en le dit conte de Cestre, et soit utlage ou mys en exigend, pur tiel murdre ou felonie, soit la utlagarie ou lexigend certifiez a les officers et ministres de mesme le conte de Cestre, et soit celle felon pris par mesmes les officers ou ministres, et ses terres et tenementz biens et chateux, esteantz deinz ycell contee de Cestre, seisez come forfaitz es mains du prince ou de celluy qi serra seigneur de dit conte de Cestre pur le temps, et ait le Roi lan jour et wait; et les autres terres et tenementz biens et chateaux de tiel felon, esteantz hors de mesme contee de Cestre, demoergent entierment au Roi, et as autres seignurs eiantz ent franchises come forfaitz. Et si aucun persone de mesme le contee de Cestre, receant ou demurrant en ycell, face aucune baterie ou autre trespass, par aillours hors de dit contee de Cestre, soit proces fait devers lui par la commune ley tanqual exigend es contees ou tiel baterie ou trespass soit fait; et sil fue dilloeges en le dit contee de Cestre, et soit utlagez pur tiel baterie ou trespass, soit lutlagaire certifiez a les ditz officers et ministres de mesme le contee de Cestre, et soit cell persone pris par mesmes les officers ou ministres; et ses biens et chateux, esteantz deinz le dit contee de Cestre, soient seisez es mains du Prince, ou de cellui qi serra seigneur de dit contee de Cestre, pur le temps; et ses autres biens et chateux, esteantz hors de mesme le contee de Cestre, demoergent entierment a Roi et as autres seignurs suisditz come forfaitz, en manere come dessus est dit.

C A P. XIX.

[See further St.
9 H. 4. c. 2.]

“For Three Years, no Cloth whereof the Dozen exceedeth not 13 s. 4d. shall be charged with any Subsidy, nor shall be sealed.”

C A P. XX.

The King's Pardon.

“THIS extends to all Treasons and Felonies committed before 19th November 1 H. 4. with certain Exceptions (particularly of those concerned in the Murder of the Duke of Gloucester); and so that special Charters of Pardon be sued before the Feast of All Saints next ensuing.”

Anno secundo HENRICI IV.

*In the Parliament held at Westminster in Eight Days of
Saint Hillary (Thursday 20th January*) A.D. 1400-1. * Printed
Rot. Parl.*

*From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in
Turr. Lond. m. 19." compared with Pynsen, &c.*

*The several Chapters of the Statute are founded on the follow-
ing Articles in printed Rot. Parl. iii. p. 454, &c.*

Chapter of Statute.

Number in Roll.

Cap. 1,	—	49
2,	—	25 (¹)
3,	—	42, 52
4,	—	19, 41 (¹)
5,	—	53
6,	—	61
7,	—	67
8,	— —	72
9,	—	73
10,	— —	74
11,	— —	75
12,	— —	77
13,	—	78
14,	— —	80
15,	—	48 (¹)
16,	— —	94
17,	— —	103
18,	—	104
19,	— —	106
20,	—	107
21,	— —	110
22,	—	114
23,	— —	54
24,	—	62

*On Petitions of
the Commons;
except those
marked (¹).*

(¹) Not in the General Schedule of the Commons Petitions.

*Besides the above, and also several Articles for the Confirmation
of existing Statutes, See further*

Printed Rot. Parl. iii.

Page. No. } *Grant of a Subsidy, viz. One Fifteenth and One
455. 9. } Tenth; and also (for Two Years) Tonnage of Two
466. 47. } Shillings on all Wine (except that taken by Prifage),
and Poundage of Eight-pence on all Goods imported
or exported, except Wools, Leather, Woolfels, Corn,
Flour, Fish, and Nets, and also except Ale exported
to Calais.*

Page

- Page. No. } For repealing Grants of Annuities made by the King
 457, 17, } to certain Persons for their Lives, payable out of the
 Subsidy on Wools, which was granted to the King
 only for a short Time.
- 21, To the Prayer of the Commons, "That Matters done
 and to be done in this Parliament should be enacted
 and engrossed before the Departure of the Justices,
 while they have the same in their Memory," it is
 answered, "The Clerk of the Parliament shall do
 his Duty, in order to enact and engross the Sub-
 stance of the Parliament, by the Advice of the Jus-
 tices, and then to shew to the King and Lords in
 Parliament, to know their Advice."
- 458, 22, Repealing certain Commissions for making Barges and
 Boats. (Query, Ship-Money?)
- 23, The Commons Petitions shall not be answered before
 they have done all their other Business in Parlia-
 ment in making Grants and otherwise. [See the
 Opinions of the Judges in Stat. 21 Ric. 2. c. 12.
 And see also printed Rot. Parl. iv. p. 466, nu. 47.
 and 4 H. 4. p. 493, nu. 23.]
- 460, 36; For Relief of Philippa Duchess of Ireland.
- 461, 37, For the Restitution in Blood of Holt and Burgh. See
 Stat. 20 Ric. 2. c. 6. See also printed Rot. Parl.
 4 H. 4. nu. 23.
- 464, 39, The like for the Heirs of Sir Simond Burley; and
 see also 5 H. 4. nu. 54.
- The Commons state that the Article made in the pre-
 ceding Parliament (1 H. 4. nu. 85.) touching the
 Moderation of the Statute of Provisors was other-
 wise enacted and entered in the Parliament Roll
 than was agreed on; and pray that the Matter may
 be examined by the Lords Spiritual and Temporal in
 Parliament; to which the King agrees; with a Pro-
 testation that no such Examination should in future
 be made of any Record made in Parliament, and that
 the present Instance should not be drawn into Pre-
 cedent. On Examination of the Lords Spiritual
 and Temporal, and the Justices and other Counsel-
 lers, in presence of the Commons, they testify that
 the said Moderation was duly and justly entered
 and enacted in the Parliament Roll as it was agreed
 on by the Lords and Commons; and the King records
 the same accordingly.
- 458, 26,
 465, 45, }
 and see }
 470, 63, }

On the Commons Petitions.

Printed Rot. Parl. iii.

- | | | | |
|-------|------|---|--|
| Page. | No. | } | <i>Respecting the Apport and Farms of Priors Aliens.</i> |
| 469, | 56, | | |
| | 57, | | <i>For relieving Sheriffs in their Accounts.</i> |
| | 58, | | <i>For regulating Protections in Actions against Abbots and Priors.</i> |
| 471, | 64, | | <i>For enforcing Stat. 2 E. 3. c. 8. by imposing a Penalty of Twenty Pounds on all Persons suing for the King's Letters in Delay of Justice.</i> |
| | 69, | | <i>For restraining Letters under the Privy Seal requiring Appearance before the Council, &c.</i> |
| 476, | 105, | | <i>Welchmen holding Lands in England shall give Security for their good Behaviour.</i> |
| 479, | 116, | | <i>The Penal Statutes and Ordinances made in this Parliament shall not be in Force till the ensuing Pentecost, that in the mean Time they may be proclaimed.</i> |

On private Petitions.

- | | | | | |
|------|----|-------------------------------|---|--|
| 480, | 1, | <i>For Laurence Dru,</i> | } | <i>For Relief in particular Cases.</i> |
| | 2, | <i>Isabella Huntingfield,</i> | | |
| 481, | 7, | <i>The Abbot of Tynterne,</i> | | |

In the Appendix to Wotton's 'Leges Wallicæ,' No. VI. is given an Instrument, entitled "Les Ordinances de Gales," made by the King and Council, with reference to a general Petition of the Commons in Parliament (See printed Rot. Parl. 2 H. 4. nu. 16.) These are dated at Chester, 14th June, 2 H. 4. Part of them having been settled in Council at London on the 18th and 22d of March preceding. The Contents of these Ordinances are very similar to Cap. 12 and Caps. 16 to 20 of the ensuing Statute. The Ordinances are given by Wotton as from "Pat. 2 H. 4. 1. 3. nu. 30." They are in French and translated into Latin.

AT the Parliament holden at *Westminster* in the Octaves of *St. Hillary*, the second Year of the Reign of King *Henry* the Fourth after the Conquest, our said Lord the King with the Assent of the Prelates, Dukes, Earls, and Barons, and at the special Instance and Request of the Commons, assembled at this present Parliament, hath caused to be ordained and established certain Statutes and Ordinances in Form following.

AU parlement tenuz a *Westm'* en les octaves de seint *Hiller*, lan du regne le Roy *Henry* le quart puis le conquest, second, mesme nostre seigneur le Roy, del assent des Prelatz Ducs Conts et Barons et a les especialx instance et request des Communes, assemblez a cest present parlement, ad fait ordeigner et establir certains estatutz et ordinances en la forme qensuit.

C A P. I.

Confirmation of Liberties and Statutes.

FIRST, That Holy Church have her Rights and Liberties; and that all the Lords Spiritual and Temporal, and all the Cities, Boroughs, and Towns enfranchised, have and enjoy all their Liberties and Franchises which they have lawfully used, and which they have of the Grant of his noble Progenitors and Predecessors Kings of *England*; and that the Great Charter and the Charter of the Forest, and all the other good Ordinances and Statutes made in his Time, and in the Time of his noble Progenitors, not repealed, be firmly holden and kept in all Points: And that all his liege People and Subjects may freely and peaceably, and in his sure and safe Protection, go and come to his Courts, to pursue the Laws, or to defend them without Disturbance or Impediment of any: And that full Justice and Right be done, as well to the Poor as to the Rich, in his Courts aforesaid.

PRIMEREMENT *qe Sainte Eglise eit ses droitures et libertees Et qe touz les Seignurs espirituelx et temporelx, et touz les citees burghs et villes enfranchises, eient et enjoient touz lour libertees et franchises, queux ils ont duement usez, et les queux ils ont du grante de ses nobles progenitours, et predeceffours Roys dEngleterre; Et qe la grande chartre et la chartre de la forelle et touz les autres bons ordinances et estatutz, faitz en son temps et en temps de ses nobles progenitours, nient repellez, soient fermement tenuz et gardez en touz pointz: Et qe touz ses lieges et subgitz purront franchement et pesiblement et en seure et sauf protection du luy aler et venir a ses courtes, a poursuivre les loyes, ou les defendre, sanz destourbance ou impediment de nully: Et qe pleine justice et droit soient faitz, sibien as poveres come as riches, en ses courtes avaunt dites.*

C A P. II.

For amending the Statute 1 Hen. 4. c. 6. respecting Grants of the King.

THIS Amendment is stated to be made by the King of his own Will and certain Knowledge: it is in the Form of a Grant, and the Authority of Parliament is not stated; nor is there any Petition of the Commons for the Purpose. It pardons all former Transgressions of the Stat. 1 H. 4. and directs, that in future Petitions the Mention of former Grants shall be required only as to such as were made by *Edward 3, Richard 2, Edward late Prince of Wales, John late Duke of Lancaster* (Father to *Henry IV.*), or by the King himself. That the Words "*other Profits*," shall not extend to Goods or Chattels, &c. under One hundred Pounds in Value (except Wards and Marriages), nor to the Confirmation of Liberties, &c. granted by former Kings."

C A P. III.

The Statute of Provifors (13 Ric. 2. ft. 2. c. 2, &c.) extended to certain other Provisions of the Pope. [See further Stat. 13 Eliz. c. 2.]

ALSO it is ordained and established, That if any Provision be made by our Holy Father the Pope to any Person of Religion, or to any other Person whatsoever to be exempt from Obedience regular, or from Obedience ordinary, or to have any Office perpetual within Houses of Religion, or as much as one regular Person of Religion, or two or more, have in the same; that if such Provifors from henceforth do accept or enjoy any such Provision, they shall incur the Pains comprized in the Statute of Provifors, made in the Thirteenth Year of King *Richard* the Second. Provisions from the Pope exempting from Obedience, or giving Offices or Allowances from Religious Houses, declared illegal.

ITEM ordeignez est et establiz, qe si aucune provision soit fait par nostre seint pier le pape, a aucune persone de religion ou a autre persone quelconque, destre exemple dobedience reglere ou dobedience ordinaire, ou davoit aucune office perpetuel deinz maisons de religion, ou atant come une reglere persone religieuse ou deux ou plusours out en ycelles; qe si tiels provifours destre enavant acceptent ou enjoient aucune tiele provision, qils encourgent les peynes comprizez en estatut des Provifours fait lan trefzisme le Roy *Richard* second.

C A P. IV.

The Statute of Provifors (13 Ric. 2. ft. 2 c. 2, &c.) extended to Bulls to be discharged of Tithes. [See further Stat. 13 Eliz. c. 2.]

ALSO, forasmuch as our Lord the King, upon grievous Complaint to him made in this Parliament, hath perceived. That the Religious Men of the Order of [*Cisterciens*] of the Realm of *England*, have purchased certain Bulls to be quit and discharged from paying their Tithes of their Lands, Tenements, and Possessions let to Ferm, or cultivated and occupied by other Persons than by themselves, in great Prejudice and Derogation of the Liberty of Holy Church, and of many liege People of the Realm; our Lord the King, willing thereupon to ordain Remedy, with the Advice and Assent of all the Lords Spiritual and Temporal, and at the Instance and Request of the said Commons, hath ordained and established, That the Religious Persons of the Order of *Cisterciens*, shall stand in the Estate that they were before the Time of such Bulls purchased; And that as well they of the said Order, as all other Religious and Seculars,* of what Estate or Condition soever they be, who do put the said Bulls in Execution, or shall from henceforth purchase other such Bulls anew, or by Colour of the said Bulls purchased, or to be purchased, do take Advantage in any Manner, that Process shall be made against them and every of them by Warning of Two Months by Writ of *Premunire facias*; and if they make Default, or be attainted, that they shall incur the Pains and Forfeitures contained in the Statute of Provifors made in the Thirteenth Year of the said King *Richard*.

* *Cisterciens*

* See also Stat. 7 H. 4 c. 6.

ITEM por ce qe nostre Seignur le Roy, sur grevousse complainte a luy fait en cest parlement, ad entenduz qe les religieuses hommes de lordre de Cisteux, del roialme d'Engleterre ont purchacez cesteines bulles destre quitz et deschargiez de leur dismes paier de leur terres tenementz et possessions lessiz a ferme, ou cultivez et occupiez par autres perones qe par eux mesmes, en grant prejudice et derogation de la liberte de Sainte Eglise, et des plusieurs lieges du roialme; Nostre Seignur le Roi veillant sur ceo purvoir de remede, de ladvis et assent des toutz les seignurs espirituelx et temporelx, et al instance et request des ditz communes, ad ordeignez et establiz, qe les religieuses de lordre de Cisteux, estoient en l'estat qils feurent devant le temps des tielx bulles purchacez. Et qe libien ceux du dit ordre, come toutz autres religieuses et seculers de quel estat ou condition qils soient, qi mettent les dites bulles en execution, ou desore enavant purchacent autres tielx bulles de novel, ou par colour de mesmes les bulles, purchacez ou a purchacers, preignent avantage en aucune manere, qe proces soit fait devers eux et chescun de eux par garnisement de deux moys, par brief de *Premunire facias*. Et s'ils facent default ou soient atteintz, qils encourgent les peines et forfaitures compulse en l'estatut des proviseurs fait lan xiii. le Roy Richard suifdit.

C. A P. V.

For amending the Statute (5 Ric. 2. stat. 1. c. 2.) respecting the exporting of Gold and Silver.

ALSO, whereas in the Statute made at *Westminster* in the Fifth Year of the said King *Richard*, amongst other Things it is contained, how it was assented, accorded, and enjoined by the said late King to all Manner of People, Merchants, Clerks, and others, as well Strangers as Denizens, of whatsoever Estate or Condition they should be, upon Pain of as much as they might forfeit, that none of them, upon the said Pain, privily nor openly should send or carry, nor cause to be sent or carried, out of the Realm of *England*, any Gold or Silver in Money, Bullion, Plate, Vessel, nor by Exchange to be made, except the Wages of *Calais*, and other the King's Fortresses beyond the Sea, and also specially except the Prelates, Lords, and others comprized in the same Statute, the King's special Leave, and Licence thereupon first had; as by the same Statute may more fully appear: Our Lord the King, for to prevent the Subtilty of them that will do Fraud or Deceit to him in this Behalf, hath ordained and established, That if from henceforth any Searcher of the King may find Gold or Silver, in Coin, or in Mass, in the Keeping of any that is about passing, or upon his Passage, in any Ship or Vessel to go out of any Port, Haven, or Creek of the Realm, without the King's special Licence, all that Gold or Silver shall be forfeit to the King; saving his reasonable Expences, which he shall be bound to confers and discover presently after that he is warned and charged so to do by the same Searcher, or else all the said Money so concealed shall be forfeit to the King: Provided always, That the Merchants Strangers who do sell their Merchandises within the Realm, and the One-half of the Money of *England* received for such Merchandises do employ upon other Merchandises of the Realm, may freely carry out,

All Gold or Silver about 40 lb. may be carried out of the Realm by any Person without Licence shall be forfeited.

Exception for Merchants Strangers who may export Half the Money received by them
See Stat.
14 R. 2. c. 1.
and Note there.

out from the same the other half of the said Money, by the King's Licence, according to the Statute thereof made.

ITEM come en lestatut fait a Westm' lan quint le dit Roi Richard, entre autres choses soit contenuz, coment assentuz estoit accordez et defenduz, depar le dit nadgairs Roy, as toutz maneres des gentz marchantz clerks et autres, sibien estranges come deinzains, de quelconque estat ou condition qils serroient, sur peine de quant qils purroient forfaire, qe nully de eux sur la dite peine, en privee nen appeit enveroient nemesneroit ou serroit envoier ou amesner, hors du roialme d'Engleterre, aucun or ou argent en monois bolion plate vessel, ne par eschange affaire, exceptz les gages de Caley et des autres fortresses du Roi depar dela, et exceptz par especial Prelatz Seignurs et autres comprises en mesme lestatut, eue sur ce primerement speciale congie et licence du Roy, come par ycel estatut y purra plus pleinement apparoir; Nostre Seigneur le Roy, pur obvier a la subtilite de ceux qi vorront faire fraude ou deceit au luy celle partie, ad ordeignez et establi qe si, desore enavant, aucun sercheour du Roy purra trover or ou argent, en coyne ou en masse, en la garde d'aucun qi soit en passant ou sur son passage en aucune nief ou vessel, pur aler hors d'aucun port havenne ou crike du roialme, sanz speciale congee du Roy, tout cel or ou argent soit forfait au Roy, forspries ses resonables despenfes, queux il ferra tenuz de confesser et discoverir, meintenat apres qe a ce faire il soit garniz et chargez, par mesme le sercheour; ou autrement tout celle monie ensi concelee soit forfait au Roy: Purveu toutes voies qe les marchantz estrangez qi vendent leur marchandises deinz le roialme, et la moite du monie d'Engleterre, receu pur mesmes les marchandises, emploient sur autres marchandises du roialme, puissent franchement apporter hors dicell lautre moite de la dite monie, par conge du Roy, solonc lestatut ent fait.

C A P. VI.

Against bringing in of Coin of *Flanders, Scotland, and other Foreign Coin.*

[Repealed
21 Jac. I. c. 24.
{ 11.}]

TO avoid the Decree arising from the Currency in *England* of Gold and Silver Money of *Flanders* and *Scotland*, All Gold and Silver Money of the Coin of *Flanders*, and of all other Lands and Countries beyond the Sea, and also of *Scotland*, shall be sent out of the Realm of *England*, or put to Coin at the Mint within the same Realm, before *Christmas* next ensuing, upon Pain of Forfeiture. And all the Merchants and others at *Calais*, receiving any such Gold or Silver of the Coin of *Flanders*, or of other Countries beyond the Sea, or of *Scotland*, shall send the same to the Mint at *Calais*, without bringing it in Coin into the Realm of *England*; and if the Merchants, or any other, bring any such Money into *England*, they shall forfeit the same to the King. Search shall be made as well at *Calais* as on this Side the Sea in every Port and other Place concerning the bringing in of the said Money."

C A P. VII.

In what Case the Plaintiff shall not be nonsuit if the Verdict pass against him.

[See printed
Rot. Parl.
2 H. 4. nu. 67,
for the true
Purpose of this
Act.]

ALSO, Whereas upon Verdict found before any Justice, in Assise of *Novel disseisin*, *Mortdaucesse*, or any other Action whatsoever, the Parties before this Time have been adjourned upon Difficulty in Law upon the Matter so found, it is ordained and established, That if the said verdict pass against the Plaintiff, that the same Plaintiff shall not be nonsuited.

ITEM por ce qe sur veredit trove devant quelconque justice, en assise de novel disseisine mort daucesse ou autre action quelconque, les parties devaunt ces heures ont este adjournez sur difficulte en loye, sur la matire issint trovez, ordeignez est et establiz qe si le dit veredit passe encontre le pleintiff qe mesme le pleintif ne soit nonsuy.

C A P. VIII.

The Fee of the Cyrographer of the Common Pleas for a Fine levied.

*See St. Westminster. 2.
(13 E. 1.) c. 44

ALSO, Upon the grievous Complaint made to our Lord the King, by the Commons in this Parliament, how that the Office of the Cyrographer in the common Bench of the King is let to farm, to which Office appertaineth, for making and writing of every Fine levied in the said Bench, Four Shillings and no more*; and notwithstanding this Fee, the Farmers of the said Office will not deliver any Fine to any one without giving them other Four Shillings, or more by Extortion, to the great Damage and Impoverishment of all the People, our Lord the King, willing in this Behalf to provide Remedy, with the Advice and Assent of the Lords Spiritual and Temporal, and at the Supplication of the said Commons, hath ordained and established, That the Cyrographer, nor his Farmer, Lieutenant, or Deputy, for the Time being, shall not from henceforth take any more than four Shillings, for any Fine levied in the Court. And if the said Farmer, Lieutenant, or Deputy, take any more than four Shillings for a Fine, as before is said, he shall lose his Office, and be forejudged the Court, and have one Year's Imprisonment, and pay to the Party grieved his Treble Damages; and the Party grieved shall have his Suit before the Justices of the said Bench.

Penalty on
Cyrographer
taking more
than his Fee;
Forfeiture,
Imprisonment,
and Treble
Damages.

ITEM sur la grevouise complainte faite a nostre Seigneur le Roy, par les communes en cest parlement, coment loffice de cyrografer en le commune bank le Roi est leseez a ferme, a quel office appartient, pur les sesance et escripture de chescun fyn leve en le dit bank, quatre souldz et nient plus; et nounobstant cel fee les fermers de mesme loffice ne veullent deliverer nul fyn a nul ly sanz leur doner autres quatre souldz, ou plus par extortion, a grant damage et empoverissement de tout le poeple; Nostre Seigneur le Roy veuillant celle partie purvoir de remede, de ladvis et assent des Seigneurs espirituelx et temporelx, et a la supplication des dits Communes, ad ordeignez et establiz qe le cyrografer, ne

son fermer lieutenant ou deputeé pur le temps esteant, desorenavant ne preigne pluie qe quatre souldz pur nul fyn leve en la court. Et si le dit fermer lieutenant ou deputeé preigne pluie qe quatre souldz pur un fyn, come dessus est dit, qil perde son office et soit forjuggiez la court, et eit emprisonement par un an, et paie a la partie greve ses trebles damages; et ait la partie grevee la suite devant les justices du dit bank.

C A P. IX.

For Relief of certain Commissioners.

“ **S**UCH Persons as had the Execution of certain Commissions in the Time of King *Richard II.* and were robbed thereof, or who delivered the same to the then Treasurer, shall be discharged by their Oaths, from making any Certificate or Return thereof into any of the King’s Courts.”

C A P. X.

For regulating the Fee of the Clerk of the Crown of the King’s Bench on Indictments.

ALSO, because that Complaint is made to our said Lord the King, by the said Commons, how the Clerk of the Crown of the King’s Bench, when it happeneth that fourscore or an hundred Men be indicted of one Felony, or of one Trespass, and they all plead to an Issue as Not Guilty, the said Clerk ought not to take for the *Venire facias*, nor for entering of the Plea, more than two Shillings, the said Clerk doth take for every such Name by Extortion Two Shillings, in great Oppression of the People, our said Lord the King, willing to preserve his said People from such Extorsions and Injuries, with the Advice and Assent of the said Lords Spiritual and Temporal, and at the Suit of the said Commons, hath ordained and established, That the said Clerk of the Crown shall take no more than hath been duly used of old Times. And moreover, our said Lord the King hath charged the Justices of the King’s Bench, that no Extortion be done in this Behalf in the Bench aforesaid.

Where several are indicted and all plead Not Guilty, the Clerk of the Crown shall take only One Fee.

ITEM por ce qe plainte est faite a nostre dit Seigneur le Roy, par les ditz Communes, coment le clerc del corone du bank du Roy, la ou vint quarant ou cent hommes sont enditez dune felonie, ou dune trespas, et toutz ceux pledent a issue come de rien coupable, le dit clerc ne deust prendre pur le *Venire facias*, ne pur l’entree du plee, pluie qe deux souldz, mesme le clerc prent pur chescun tiel noun par extortion deux souldz en grand oppression du poeple; Nostre dit Seigneur le Roy, veillant sauver son dit poeple des tielx extorsions et injuriez, de ladvis et assent des ditz Seigneurs espirituelx et temporelx, et a la prier des Communes suifditz, ad ordeignez et establiz qe le dit clerc del corone ne preigne pluie qe nad esteé dument usée dauncien temps. Et outre ceo mesme nostre Seigneur le Roy ad chargeiez les justices de bank de Roy qe null extortion soit faite, celle partie, en le bank suifdit.

C A P. XI.

For confirming and amending *Stat. 13 Ric. 2. §. 1. c. 5.*
respecting the Jurisdiction of the Admiral.

Stat.
13 R. 2. §. 1. c. 5.
confirmed.
[*And see also St.*
15 R. 2. c. 3.
and printed Rot.
Parl. 4 H. 4.
no. 47.]

Parties grieved
by Suits in the
Admiralty shall
recover double
Damages by
Action on the
Case; and the
Plaintiff be fined
Ten Pounds.

ALSO, Whereas in the Statute made at *Westminster* the Thirteenth Year of the said King *Richard*, amongst other Things it is contained, that the Admirals and their Deputies shall not meddle from thenceforth with any thing done within the Realm, but only with Things done upon the Sea, according as it was duly used in the Time of the noble King *Edward*, Grandfather to the said King *Richard*, our said Lord the King willet and granteth; That the said Statute be firmly holden and kept, and put in due Execution. And moreover, our said Lord the King, with the Advice and Assent of the Lords Spiritual and Temporal, and at the Prayer of the said Commons, hath ordained and established, That as touching a Pain to be set upon the Admiral, or his Lieutenant, that the Statute and the Common Law be holden against them, and that he that seeketh himself grieved against the Form of the said Statute, shall have his Action by Writ grounded upon the Case against him that doth so pursue in the Court of Admiralty, and shall recover his double Damages against such Pursuant; and such Pursuant shall incur the Pain of Ten Pounds to the King for the Pursuit so made, if he be attainted.

ITEM come en l'estatut fait a Westm' lan treszisme le dit Roy *Richard*, entre autres choses soit contenuz, qe les admiralx et leur deutees ne soy medlent deslors enavant de nulle chose faite deinz le Roialme, mais soulement de chose faite sur la meer, solonc ce qad eile duement usez en temps de noble Roy *Edward* Aiel le dit Roi *Richard*; nostre dit Seigneur le Roy voet et grante que le dit estatut soit fermement tenuz et gardez et mys en due execution. Et outre ce mesme nostre Seigneur le Roy, de ladvis et assent des Seignurs espirituelx et temporelx et al prier des ditz Communes, ad ordeigne et establi, qe quant a peine mettre sur l'admirall ou son lieutenant qe l'estatut et la commune loye soient tenuz devers eux; et qe celui q' soy sent greve encontre la fourme du dit estatut, ait sa action par brief foundu sur le cas envers celui q'ensi pursue en la courte de l'admiraltee, et recoevre ses damages devers mesme le poursuant, au double; et encourge mesme le poursuant la peine de xli. envers le Roy pour la poursuite ensi faite, sil soit attaint.

C A P. XII.

Certain Restraints laid on wholly born *Welshmen*;

[*Expressly*
repealed

21 Jac. 1. c. 28.
§ 11.
and see Stat.
27 H. 8. c. 26.]

NO *Welshman* whole born in *Wales*, and having Father and Mother born in *Wales*, sha'll purchase Lands and Tenements within the Towns of *Chester*, *Salop*, *Bridgenorth*, *Ludlow*, *Leominster*, *Hereford*, *Gloucester*, *Worcester*, nor other Merchant Towns joining to the Marches of *Wales*, nor in the Suburbs of the same, upon Pain of Forfeiture of the same to the Lords of whom such Lands, &c. be holden in chief. And no such *Welshman* shall be chosen or received to be Citizen or Burgeis in any City, Borough, or Market Town, and *Welshmen* being in any such
" City.

"City, Borough, or Franchized Town, being Citizens or Burgesies, shall find sufficient Surety of their good Bearing, as well towards the King, as the Governors of such Cities, Boroughs, or Towns; if such *Welshmen* will dwell therein, so that none of them be received to any Office of Mayor, Bailiff, Chamberlain, Constable, or Keeper of the Gates, or of the Gaol, nor to the common Council of such Cities, Boroughs or Towns, nor that be in anywise made other Occupier or Officer in the same; and that no *Welshmen* shall carry any Manner of Armour within such City, Borough, or merchant Town, on Forfeiture of the same, and Fine and Imprisonment."

C A P. XIII.

"The Effect of the Pardon granted by Stat. 21 R. 2. c. 15. rehearsed; and confirmed (except as to Treason and Felony), notwithstanding the Repeal of the whole Parliament 21 R. 2. by Stat. 1 H. 4. c. 3."

C A P. XIV.

For confirming former Statutes concerning Purveyors.

"PURVEYANCE for the King's House of Forty Shillings or under, shall be paid for in ready Money."

C A P. XV.

For repressing of Heresies, and Punishment of Hereticks.

[*This is the first Act which authorized the capital Punishment of Hereticks by burning. It is drawn up in Latin, though all the rest of the Statute is in French. It is very exactly framed from the Petition of the Prelates and Clergy, and the Answer thereto, (nu. 48. in printed Rot. Parl.) A short Petition of the Commons (nu. 91. and see their Address, nu. 10.) seems to have served for introducing their Names as Petitioners in the Act, but which is stated to be made by the King with the Assent, "Magnatum et aliorum Procerum regni sui in Parlamento existentium," which all Translations render, "The States and other discreet Men of the Realm being in the said Parliament." See printed Rot. Parl. 11 H. 4. nu. 29. a Petition of the Commons for Amendment thereof as a Statute, made at the Request of the Prelates and Clergy. The Observations on this Act in 4 Inst. 51. and Cotton's Abridgement, p. 409. appear to be inaccurate, and inconsistent with those in 3 Inst. p. 39. See printed Rot. Parl. 2 H. 4. nu. 29. for the first Writ "de Heretico comburendo," dated 26th February in this Year, "per ipsum regem et consilium in Parlamento."*

This Act was repealed by Stat. 25 H. 8. c. 14. But the Translation thereof was recited at length, and revived by Stat. 1 & 2 P. & M. c. 6. which later is repealed by Stat. 1 Eliz. c. 1. § 15. See the Stat. 1, 2 P. & M.; and see also Stats. 5 R. 2. st. 2. c. 5. and 2 H. 5. c. 7. and the Notes there.]

C A P. XVI—XX.

Concerning *Welshmen*.

[See Stat. 27 H. 8. c. 26. respecting *Wales*; and Stat. 21 Jac. 1. c. 28. § 11. expressly repealing these Chapters, except c. 19, which was temporary. See also Note ante, page 221.]

CAP. XVI.—“AFTER recital, that the People of *Wales*, sometime by Day and sometime by Night, come into the Counties adjoining the Marches of *Wales*, and take divers Distresses of Cattle and Goods, and the same carry away to the Seignories where they be resiant, and there withhold them till Satisfaction be made at their Will, and that as well of such as have not offended, as of those who have offended; and also that the said People of *Wales* daily arrest the People of the said Counties coming with their Merchandizes or other Goods, and affirm Plaints against them of Debts and other Actions, where they are neither Parties nor Pledges, to the Intent to grieve them by divers and outrageous Amerciaments and Costs. It is enacted, That if any People of the said Counties be so arrested and grieved, Letters Testimonials shall be thereon made, reciting their Grievance, directed to the Governors or Stewards, where such Offenders be resiant with their Goods or Chattels received in *Wales*, under the Seals of the Sheriffs of the said Counties, or of the Mayors and Bailiffs of the Cities and Boroughs, or Stewards of Franchises, where such People so grieved be dwelling, to the Intent that the said Governors or Stewards shall cause to be delivered to them their Distresses, Goods, and Chattels, so taken or arrested; and if they make not Delivery of such Distresses, Goods, or Chattels so taken or arrested, within Seven Days after Request so to them made, then it shall be lawful to the *English* People so grieved, to arrest all Men coming with Goods and Chattels from *Wales*, and the same to retain, till that full Satisfaction be made to the said Parties grieved with their Costs and Expences, and the Distresses, Goods, and Chattels aforesaid.”

Remedy in case
of unlawful
Distresses or
Actions by
Welshmen against
Englishmen.

CAP. XVII.—“If a *Welshman* commit a Felony in *England*, and thereof be attainted by the Law of *England*, or by Outlawry and Abjuration, and after flieth into *Wales*, upon Certificate of the King's Justices, before whom he was so convicted, he shall be executed by the Lords in *Wales* where he shall be found.”

CAP. XVIII.—“Lords Marchers in *Wales* shall keep sufficient Guards in their Castles.”

CAP. XIX.—“No *Englishman* born shall for Three Years ensuing be condemned at the Suit of a *Welshman* in *Wales*, but only by *English* Justices, or *English* Burgesses.”

[See Cap. 12.]

CAP. XX.—“No *Welshman* shall purchase Land or Tenement in *England*, nor in the *English* Towns in *Wales*, nor be admitted a Burgess of any *English* Town.”

C A P. XXI.

For confirming and amending *Stat. 1 H. 4. c. 7.* concerning giving of Liveries. [*St. 1 H. 4. c. 7.*
is repealed by
3 *Car. 1. c. 4.*]

“**S**TAT. 1. H. 4. c. 7. recited and confirmed with the following Additions: Justices of the King's Bench and Common Pleas, Justices of Assizes and of the Peace, are empowered to inquire, hear, and determine in this Case, by record in their Presence, or by Inquiry to be made from Time to Time; Dukes, Earls, Barons, and Banerets of the Realm, may use the said Livery in their Country and elsewhere; Knights and Esquires may use the said Livery in going from the King's House and returning to the same. The Prince may give his honourable Livery (a Swan) to the said Lords, and to his menial Gentlemen. And that the said Lords may use the same as they use the King's Livery, and the Menials of the Prince may also use the same as the King's Menials.”

C A P. XXII.

For repealing the Penalty of Treason in *Stat. 11 R. 2. c. 1.*
(Petition 4.)

[*In printed Rot. Parl. 1 H. 4. nu. 143. (see ante Note, p. 206) is a Petition by the Commons, for the Repeal of this Penalty of Treason in direct Terms, and the Answer thereto, “le Roi le voet.” In nu. 114. of the printed Roll of this Second Year is a Petition for the same Purpose couched in indirect Terms, the Answer to which is, that the Ordinance made and enrolled in the Roll of the preceding Parliament (i. e. 1 H. 4. nu. 143.) should be made into a Statute, and proclaimed in every County. But the present Chapter is founded on the indirect Words of the Petition in this Parliament, instead of the direct Words of the Ordinance in 1 H. 4.]*

C A P. XXIII.

The Fees of the Marshal of the Marshalsea of the King's House.

ALSO, Whereas the Marshal of the Marshalsea of the Court of our Lord the King's House, in the Time of King Edward, Grandfather of our Lord the King that now is, and before, was wont to take the Fees following: that is to say, of every Person that cometh by *Capias* to the said Court, Fourpence; and if he be let to Mainprise till his Day, Two-pence more; and of every Person which is impleaded of Trespass, and findeth two Mainpernors to keep his Days till the End of the Plea, to take for that Cause Two-pence of the Defendant; and of every Person committed to Prison by Judgment of the Steward, in whatsoever Manner the same be, Fourpence; of every Person delivered of Felony, Fourpence; of every Felon let to Mainprise by the Court, Fourpence; which Fees were wont to be taken and paid in full Court, as the King hath well perceived by the Complaint of the said Commons thereof made in this Parliament: Our said Lord the King, to avoid all Wrongs and Oppressions to be done to his

The Penalty on
the Marshal for
taking more than
his lawful Fees,
Forfeiture of
Office and treble
Damages.

The Fees of a
Servitor of Bills
One Penny per
Mile, &c.

Penalty if he
take more,
Imprisonment,
Fine, and
Forfeiture of
Office.

The Steward
shall proclaim
and execute
this Act.

People, against the good Customs and Usages made and used in the Time of his Progenitors, with the Advice and Assent of the Lords Spiritual and Temporal, and at the Supplication of the said Commons, hath ordained and stablished, That if the said Marshal, or his Officers under him, do take other Fees than above are declared, that the said Marshal, and every of his said Officers, shall lose their Offices, and pay treble Damages to the Party grieved, and that the Party grieved have his Suit before the Steward of the said Court for the Time being.

Also it is ordained and established, That no Servitor of Bills that beareth a Staff of the same Court, shall take for every Mile from the same Court to the same Place where he shall do his Service, any more than One Penny, and for Twelve Miles, Twelvepence. And for serving a *Venire facias xii homines*, &c. or a *Distingas* out of the same Court, twice as much: And if any of the said Servitors of Bills do the contrary, he shall be punished by Imprisonment, and make Fine to the King after the Discretion of the Steward of the same Court, and also be forejudged the Court. And the said Steward shall have Power to make Proclamation at the coming of the said Court into every Country, from Time to Time, of all the Articles aforesaid, and thereof to execute Punishment as afore is said.

ITEM pur ce que le Marechall de la Marechalcie del Courte: de lousleil nostre Seigneur le Roy, en temps de Roy Edward, Aiel nostre Seigneur le Roy qorest, et devant, soloit preadre les fees qensluent, cellaavoir: De chescun qi vient par Capias a dite Courte iij d. et fil soit lessé a mayneprise tanqua son jour iij d. outre; et de chescun qest emplede de trespas, et trove deux mainpournours pur garder ses jours tanqe a fyn de ples de prendre pur celle cause de defendand iij d.; de chescun commys a prisonne par jugement de Seneschall en queconque manere qe ceo soit iij d.; de chescun deliveree de felonie iij d.; de chescun selon lessé a maynprise par la Courte iij d.: queux fees soloient estre prises et paieez en pleine Courte, come le Roy ad bien entenduz, par la compleinte des dites Communes en fait en cest parlement: Mesme nostre Seigneur le Roy, pur ouster toutes duresces et oppressions affairs a son poeple encontre les bons usages et custumes faitz et usez en temps de ses progenitours, de ladvis et assent des Seignurs espirituelx et temporelx et a la supplication des dites Communes, ad ordeignez et establiz, qe si le dit Marechall ou ses Ministres desoutz luy, preigne ou preignent autres fees qe desuis sont declarez, qe mesme le Marechall, et chescun de ses ditz ministres, perde et perdent leur offices, et paie ou paient trebles damages a partie grevee; et qe la partie grevee ait sa seute devant le Seneschall du dite Courte pur le temps estant.

Et auxint ordeignez est et establiz, qe nul servitour des billes qi porte baston de mesme la Courte, ne preigne pur chescune leuk del Courte, tanqal lieu ou il fra son office, plus qun denier et ensi pur xij. leukes xij. deniers; et pur servire venire facias xij. homines &c. ou distre hors de mesme la Courte, la double; et si ascun des ditz servitours des billes face a contraire, qil soit puniz par emprisonement et face fyn au Roy, selonc la discretion de Seneschall de mesme la Courte, et soit forjugge la Courte. Et eit

mesme le Seneschall poir de faire proclamation al nome de dite Courte en chescun pais, de temps en temps, de tontz les articles avaunt ditz et dent faire puniffement come desuis est dit.

'C A P. XXIV.

For Relief of Persons serving with the Duke of York, in
Anno 23 Ric. 2.

“ ALL Persons having received Money for the Service of King
“ Richard II. by Orders of the Duke of York shall account
“ for the same in the Exchequer, and be discharged thereof on
“ their own Oath, for the Payments made by them.”

Anno tertio HENRICI IV. A.D. 1401 & 1402.

In printed Rot. Parl. iii. p. 483, 4. are Six Petitions ascribed to this Year; and in Cotton's Abridgement, p. 414. is a Summons dated 2d December 3 H. 4. for a Parliament to meet on the Monday next after the Purification. The Petitions are all from private Persons for Graces; and several of them are repeated in the printed Rolls of Parliament of 5 H. 4. and 6 H. 4. to which it appears they properly belong.

Anno quarto HENRICI IV.

In the Parliament held at Westminster on the Morrow of Saint Michael (30th September); A.D. 1402.

From the Copy given by Hawkins, Cay, &c. as “ Ex Rot. in Turr. Lond. m. 16.” compared with printed Rot. Parl. Pymson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iii. p. 490, &c.

Chapter of Statute.

Number in Roll.

Cap. 1,	—	—	29
2,	}	—	{ 30
3,			
4,	—	—	31
5,	—	—	33
6,	—	—	36
7,	—	—	40
8,	—	—	43
9,	—	—	44
10,	—	—	46
11,	—	—	51
12,	—	—	52
13,	—	—	56
14,	—	—	60
15,	—	—	61
16,	—	—	103
17,	—	—	62
18,	—	—	71
19,	—	—	72
20,	}	—	{ 77 108
21,			
22,	—	—	109
23,	—	—	82
24,	—	—	110
25,	—	—	84
26,	—	—	85
27,	—	—	87
28,	—	—	90
29,	—	—	92
30,	—	—	93
31,	—	—	94
32,	—	—	97
33,	—	—	99
34,	—	—	101
35,	—	—	102
			34

On Petitions of
the Commons.

¹ A Copy of these Nine Chapters is given in the Appendix to Wotton's *Leges Wallice*, No. VII. as from the Records of Caernarvon, introduced by the general Preamble to the Statute of this Year.

Besides the above, and also several other Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iii.

Page. No. } For affirming certain Letters Patents of the King
490, 22, } for repealing Licences previously granted by him to
Persons for receiving Provisions from the Pope.
491, 23, } All Alien Prieories shall be resumed and resealed into
499, 48, } the King's Hands.
491, 24, } For exempting the Merchants of Genoa from the
521, 24, } Duty of Schawage claimed by the City of London.
Page.

Page. No. } For restoring Holt and Burgh to all their Lands
 491, 25, } and Tenements forfeited Temp. Ric. 2. (See 1 H. 4.
 516, 13, } nu. 37.)

493, 28, Grant of a Subsidy for Defence of the Realm, viz.
 the Subsidy on Wools, &c. exported Fifty Shillings
 per Sack on Denizens, and Sixty Shillings on Aliens,
 for Three Years from the Michaelmas succeeding:
 Tonnage of Three Shillings and Poundage of Twelve-
 pence, from the same Time (with Exceptions as in
 2 H. 4. nu. 47.) till the Michaelmas Two Years
 ensuing. Penalty on the Merchants for not paying
 shall be the Value of the Goods. Also Grant of
 a Fifteenth and Tenth: Protesting that this Grant
 shall not be drawn into Example in future, to charge
 the Lords or Commons with any Subsidy, Fifteenth
 or Tenth, for the Wars in Scotland or Wales, the
 Sufeguard of the Sea, the Marches of Calais, or
 of Aquitaine or Ireland, unless by the Will of the
 Lords and Commons of the Kingdom, and this by
 new Grant to be made in Parliament.

On Petitions of the Commons.

495, 32, For Relief of Sheriffs in their Accounts.

496, 39, For regulating the Fees for weighing Merchandise, by
 the Council.

498, 47, For giving an Appeal from the Jurisdiction of the
 Admiral, and of the Constable and Marshall, to the
 Council.

499, 48, See nu. 23.

500, 55, For confirming an Ordinance (1 H. 4. nu. 87.) regu-
 lating the Staple at Calais.

501, 59, For confirming and amending Stat. 12 Ric. 2. c. 5.
 respecting Servants in Husbandry and Apprentices.
 (See Stat. 7 H. 4. c. 17. of which this Act appears
 to be the Origin.)

505, 75, For empowering the Council to regulate the Jurisdiction
 of the Constable of Dover Castle.

506, 76, For empowering the Council to regulate Apparel.

508, 86, For Payment of Persons having Grants of the Crown,
 according to Priority of their Grants. (See Stat.
 7 H. 4. c. 16.)

88, }
 89, }
 509, 95, } The Council empowered to make Regulations respect-
 96, } ing Wales.
 98, }
 100, }

508, 91, Against Burgeses of England marrying Welchwomen.
 Page.

- Page. No. } For regulating Exchanges by the Council. (See Stat.
 510, 105, } 14 Ric. 2. c. 2.)
 106, For regulating the Customs by the Council.
 107, For regulating Exportation of Merchants Aliens by
 the Council.
 511, 113, For quashing certain Appeals by one William Taylor
 an Approver.

On private Petitions.

- 518, 16, That Englishmen of Pembrokehire shall not be imprisoned, &c. without Indictment.
 17, Pardon to the Commons of Northumberland, Cumberland, and Newcastle on Tyne, of Escapes of Felons, Fines, and Arrears of Accounts, Taxes, &c. [and see Appendix to printed Rot. Parl. iii. p. 668, nu. 3.]

There are several other private Petitions, of which some are Repetitions of those noticed in the Proceedings of Parliament, and the others are referred to the Council, &c. for Remedy.

TO the Honour of God and Holy Church, and for the common Weal and Profit of all the Realm of England, our Lord the King, with the Assent of the Lords Spiritual and Temporal, and at the special Instance and Request of the Commons, assembled at the Parliament holden at *Westminster* the Morrow after the Feast of St. Michael, the Fourth Year of his Reign, hath ordained and established certain Statutes and Ordinances in Manner following:

Al honouir de Dieux et de Sainte Eglise et pur les commune bien et profit de tout le Roialme d'Engleterre, Nostre Seignur le Roi de l'assent des Seignurs espirituelx et temporelx, et a les especialx instance et request des communes, assemblez au parlement tenuz a Westminster lendemain de Saint Michel lan de son regne quant, ad ordeigne et establiz certains estatutz et ordinances par manere qensuit.

C A P. I.

A Confirmation of the Liberties of the Church, and of all Corporations and Persons; and of the Charters and Statutes in Force.

*Seal so Cap. 3.

FIRST, That Holy Church have all her Liberties and Franchises*; and that all the Lords Spiritual and Temporal, and all the Cities, Boroughs, and Towns enfranchised, have and enjoy all their Liberties and Franchises, which they have of the Grant of the Progenitors of our said Lord the King, Kings of England, and of the Confirmation of the same our Lord the King; and that the great Charter, and the Charter of the Forest, and all the good Ordinances and Statutes made in the Time of our said Lord the King, and in the Time of his Progenitors, not repealed, be firmly holden and kept.

PRI.

PRIMEREMENT qe Seinte Esglise ait toutes ses libertees et franchises: Et qe toutz les Seignurs espirituelx et temporelx, et toutz les citees burghs et villes enfranchises, aient et enjoient toutes leur libertees et franchises, queux ils ont de grante des progenitours nostre dit Seigneur le Roi, Rois d'Engleterre, et de confirmation mesme nostre Seigneur le Roi: Et qe la Grande Chartre et la Chartre de la Foreste, et toutz les bons ordinaances et estatutz faitz en temps nostre dit Seigneur le Roi, et en temps de ses ditz progenitours, nient repellez, soient fermement tenuz et gardez.

C A P. II.

For confirming *Stat. 25 E. 3. ff. 3.* for the Clergy; and for prohibiting Indictments with the Words *Infidiatores viarum, et depopulatores agrorum.*

ALSO, Our said Lord the King having in Remembrance the faithful Hearts, and the inward Affection, that the Clergy of England hath shewn to him, and also the great Charges which the same Clergy hath had and sustained for his Honour and Profit, since the Time of his Coronation, and therefore willing to be a gracious Lord to them in their Affairs, with the Assent of the said Lords, and at the special Suit and Request of the said Commons, willeth and granteth, That the Statutes made in the Five-and-twentieth Year of King Edward, Grandfather to our Lord the King that now is, touching the Clergy of England, be entirely holden and kept, and put in due Execution.

A Confirmation
of the Statute
25 E. 3. ff. 3.

And moreover our said Lord the King, considering that the Words and Terms (that is to say) *Infidiatores viarum, et depopulatores agrorum*, comprised in the Petition delivered to him in this Parliament by the Clergy of England, have not been commonly used in Indictments, Arraignments, Appeals, nor in other Impeachments in the Time of his said Grandfather, nor in the Time of his other noble Progenitors, and willing therefore to avoid such Novelties, for the greater Quiet and Surety of his People, with the Assent of the Lords and Commons of the same Parliament, willeth and granteth, and hath ordained and established, That the said Words and Terms shall not be from henceforth used, nor put in Indictments, Arraignments, Appeals, or any other Impeachments; nor that by Force of any such Word or Term, any Clerk secular or religious, nor any other of the King's liege People, shall be from henceforth arraigned, appealed, impeached, or grieved before any secular Judge; but our Lord the King doth will, That the Justices may take and receive before them Indictments, Arraignments, and Appeals of Felonies, containing in them the Effect of the said Words and Terms, if any Person of such Felonies shall hereafter be indicted, arraigned, or appealed. And if perchance it chance, in Time to come, that any Clerks, secular or religious, be or shall be indicted, arraigned, or appealed, and their Indictments, Arraignments, or Appeals do comprehend the Effect of the said Words, *Infidiatores viarum, et depopulatores agrorum*, or other Words purporting the like Effect; yet nevertheless such Clerks shall have and enjoy the Privilege of Holy Church, and shall be delivered to the Ordinaries them demanding, or to their Deputies, without any Impeachment or Delay.

The Words
*Infidiatores
viarum, et
depopulatores
agrorum*, shall
not be put in
Indictments or
Appeals.

But Indictments
for Offences of
that Nature may
be preferred and
tried; on which
Clerks shall be
allowed their
Clergy.

ITEM

ITEM nostre dit Seignur le Roi niant en memoire les entiers coers, et les grandes naturelles, queux le clergie d'Engleterre luy ad montrez, et auxi les grandes charges queux mesme le clergie ad eue et sustenu pur son honour et profit, puis les temps de son coronement, et pur tant leur veillant monstrier graciouse Seignourie en leur affaires, de lassent des ditz Seignurs et a les especialx prier et request des ditz communes, voet et grante, qe les estatutz faitz lan vint et quint le Roi Edward, Aiel nostre dit Seignur le Roi, touchant le clergie d'Engleterre soient entierment tenuz et gardez et mys en due Execution.

Et en outre mesme nostre Seignur le Roi, considerant qe les parols et termes cestassavoir *Insidiatores viarum et depopulatores agrorum* comprises en la petition a luy baillez en cest parlement par le clergie d'Engleterre, nont este communement usez en enditementz arretementz nen autres empeschementz, en temps de son dit Aiel nen temps de ses autres nobles progenitours, et veillantz par tant oustier tielles novelleries pur la greindre quiete et seurtee de son poeple, de lassent des Seignurs et communes de mesme le parlement, voet et grante, et ad ordeigne et establie, qe les suifditz parols et termes ne soient desore enavaunt uses, ne mys en enditementz arretementz appellez nen autres empeschementz quelxconques; ne qe par force de nul tiel parol ne terme ascun clerc seculer ou religious, ne ascun autre persone liege nostre Seignur le Roi, soit desore enavaunt areinez appellez empeschez ne molestez devauntz ascun juge seculer; mes voet bien nostre dit Seignur le Roi, qe ses Justices prendre et recevoir purront devaunt eux enditementz arretementz et appellez des felonies, en soi portant lesset des suifditz parols et termes, si aucuns des tielles felonies ferront desore enditez rettez ou appellez: Et si par cas, en temps avenir, ascuns clerks seculers ou religious soient ou ferront enditez rettez ou appellez, et leurs enditementz arretementz ou appellez portent lesset des ditz parols, cestassavoir *Insidiatores viarum et depopulatores agrorum* ou autres parols portantz effect semblable; nientmeyns eient tielx clerks et enjoient le privilege de seinte eglise, et soient livrezz as ordinairs eux demandantz, ou a leur deputez sanz nul empeschement ou delaie.

C A P. III.

For confirming the Liberties of the Church and Clergy.

“ **A**LL Liberties of the Church and the Clergy are confirmed by Parliament; and thereupon the Archbishop of *Canterbury* promises that Benefit of Clergy shall not be extended to any Clerk secular or religious, convict of Treason, (not touching the King himself nor his Royal Majesty), or of being a notorious Thief.” See Stat. 23 H. 8. c. 1. *where this Act is recited, and Provision made respecting Benefit of Clergy.*

C A P. IV.

For restraining Grants by the King.

Grants of the King's Revenues shall be made only by the King in Council.

ALSO, Whereas before this Time many Gifts and Grants have been made to divers Persons, as well of the Revenues of the Right of the Crown of *England*, as of Wards, Marriages, Lands, and

and Tenements, and other divers Profits, without good Deliberation thereof had, as the said Commons have shewed to our Sovereign Lord the King in Parliament, our said Lord the King; willing thereof to provide Remedy, hath declared, That his Intent is to refrain from making any such Gifts or Grants, saving only to such Persons which the same deserve, and as best shall seem to the King and his Council. And since it is the Desire of all the Estates of the Realm, that nothing should be so asked of our said Lord the King, he willeth, that all those who make any such Demands of him, contrary to this Statute, shall be punished by the Advice of him, and of his Council, and that he that maketh such Demand, shall never have the thing so demanded.

ITEM come devant ces heures plusieurs douns et grantes aient este faitz as diverses persones, sibien des revenues du droit de la corone d'Engleterre, come des gardes mariages terres et tenementz, et autres diverses commoditees, sanz bone deliberation ent eue, sicome les ditz communes ont monstrez a nostre dit Seigneur le Roy en parlement; mesme nostre Seigneur le Roy ent veillant purvoir de remede, ad declarrez qe son entent est de foy abstenir de faire aucuns tielx douns ou grantes, sinon a ceux persones qe le deservont, et come meultz y semblera a Roy et son conseil. Et depuis qil est le desire de toutz les estats du roialme, qe riens soit ensy demande de mesme nostre Seigneur le Roy, il voet qe touz ceux qi facent aucuns tielx demandes de luy, a contraire de cest estatut, soient puniz par advis de luy et de son conseil, et qe celuy qenfi face tiele demande jammais nait la chose ensy demandee.

CAP. V.

Sheriffs shall not let their Bailiwicks to farm.

ALSO it is ordained and assented, That every Sheriff of *England* shall abide in proper Person within his Bailiwick, for the Time that he shall be such Officer; and that he shall not let his said Bailiwick to farm to any Man, for the Time that he occupieth such Office; and that such Sheriff shall be from from Time to Time sworn so to do in especial, amongst the other Articles comprised in the Oath of the Sheriff.

[See further Stat.
23 H. 6. c. 9.
or 10.]

Sheriffs shall reside in their Bailiwicks without letting them to farm, and thereto shall be sworn.

ITEM ordeignez est et assentuz qe chescun viscont d'Engleterre soit demurrant en propre persone deintz sa baillie, pur le temps qil ferra tiel officer; et qil ne lessie sa dite baillie a ferme a nully, par le temps qil occupiera cel office. Et qa ce faire soit tiel viscont jurrez de temps en temps en especial, entre les autres articles comprises en le serement de viscont.

CAP. VI.

“A Seal of Lead shall be provided to seal Cloths wrought in *London* and the Suburbs.”

[See now Stat.
5, 6 E. 6. c. 6.;
§ 39.]

C A P. VII.

[See further St. 31 H. 6. c. 3.] For amending the Statute (1 Ric. 2. c. 9.) against fraudulent Feoffments.

1 R. 2. c. 9.
recited.

Disseisees
may maintain
their Action
against Disseisors
at any Time
during the Life
of the Disseisors
taking the
Profits.

Other Pleas of
Land shall be
commenced
within One
Year.

ALSO, Whereas in the Statute made the First Year of King *Richard II.* it was ordained, That whereas several Persons did disseise others of their Freehold, and made Feoffment to divers People, as well to have Maintenance, as also to make the Disseisees to be ignorant, against whom they ought to take their Writ, that the Disseisees in such Case might take their Writ against them which thereof took the Profits, so that the Disseisees commenced their Suits within the Year next after the Disseisin; and that the same Ordinance should hold Place in every other Action or Plea where such Feoffments be made by Fraud or Collusion, to have their Recovery against such Feoffors, if they thereof took the Profits: Our said Lord the King, thinking the said Statute to be very mischievous and prejudicial to his People, because of the Shortness of the Time, with the Assent of the said Lords, and at the Request of the Commons aforesaid, hath ordained and established, That such Disseisees shall have their Action against the first Disseisor, during the Life of the same Disseisor, so that such Disseisor thereof take the Profits at the Time of the Suit commenced. And as to other Writs in Plea of Land, the Demandant shall commence his Suit within the Year against him who is Tenant of the Freehold at the Time of the Action accrued to him; so that such Tenant thereof take the Profits, at the Time of such Suit commenced; notwithstanding the said Statute.

ITEM come en lestatut, fait lan primer le Roy Richard second, ordeignez estoit, qe la ou diverses gentz disseisoient autres de lour frank tenement, et fount seffement as diverses gentz, pur maintenance avoir, sibien come pur faire les disseisez avoir mesconissance vers quex eux duissent lour brief prendre, qe les disseisez en tiel cas puissent lour brief prendre vers ceuz qi ent preignent les profitz, parissent qe les disseisis comencent leurs suites deinz lan prochein apres le disseisyn, et qe mesme lordinance tiegne lieu en chescun autre action [en¹] plee ou tieux seffementz sont faitz par fraude ou collusion, davoir lour recoverer vers tieux seffours, si eux ent preignent les profitz; Nostre dit Seigneur le Roy, entendant le dit estatut estre molt meschevous et damageous a son poeple, a cause de briefte de temps, de lassent des ditz Seigneurs et a la request des communes suiffditz, ad ordeignez et establiz qe tielx disseisiz aient leur action devers le primer disseisour, durante la vie mesme la disseisour parensi qe tiel disseisour ent preigne les profitz au temps de la fuyte comencee. Et quant as autres briefs en plee de terre, comence le demandant sa seute deintz lan, devers celuy qest tenant de frank tenement a temps de l'action a luy accrue; parensi qe tiel tenant ent preigne les profitz a temps de tiele seute comence, non obstant lestatut avantdit.

¹ de, P.

C A P. VIII.

A special Assise shall be maintainable against a Disseisor with Force.

[See Stat.
8 H. 6. c. 9.
and Notes there.]

ALSO, Because daily the great Persons of the Realm do make forcible Entries into other Mens Lands, and do put out the Possessors of the same, claiming sometime in their own Right, where their Entry is not lawful, and sometime in another's Right, where they have nothing in Reversion, in Right nor in Demean, nor is there any Affinity or Cousinage betwixt them and those in whose Right they have entered; and also take their Goods and Chattels in Manner of Robbery; so that oftentimes they be in such Manner put out, and despoiled of their Goods and Chattels, that they have nothing wherewith to pursue their Right; and so by such forcible Entries and Maintenance, the Land Tenants and Possessors be utterly disinherited and undone; our Lord the King, willing to do equal Right to all his liege People, as well the great as the small, and that his Laws be duly executed, at the grievous Complaint of the said Commons, and with the Advice and Assent of all the Lords aforesaid, for to punish and chastise such Riots and forcible Entries so made, and hereafter to be made, against the Laws of the Land, hath ordained and established, That if any Man, great or small, of what Estate or Condition soever he be, do make any such forcible Entry in his own Right, or to his own Use, or in another's Right to another's Use by Way of Maintenance, or do take or carry away any Goods after such forcible Entry from the Possessor of the Freehold, that if the Party grieved, or other lawful Man, will make Assiance in his Name, that the Entry was made in such forcible Manner, that the Chancellor of England for the Time being shall have Power, by his Discretion, to grant a special Assise in this Case to the Party grieved, of whatsoever Value the Tenements be, without suing to the King. And if such Disseisor be attainted of Disseisin made in such forcible Manner, he shall have One Year's Imprisonment; and yield to the Party grieved his double Damages; and if he be convict by the same Assise, that he hath taken or carried away any Goods or Chattels of such Disseisees, the Justices of the same Assise shall have Power to hear and determine, as well for our Lord the King as for the Party, of the Goods and Chattels so carried away, and to award to the Party grieved his Damages; and that in every such special Assise there be named one of the Justices of the one Bench or of the other, or the chief Baron of the Exchequer, if he be a Man of the Law. And that hereafter no Writ of *Superfedeas* be granted to the contrary of such special Assise:

In Cases of Disseisin with Force the Chancellor shall grant a special Assise; on which the Disseisee, if convicted, shall be imprisoned One Year, and pay the Party injured double Damages.

The same Assise shall give Damages for carrying away the Disseisee's Goods or Chattels.

ITEM por ce qe, de jour en autre, les grants perſones de roialme ſont forcibles entrees en autry terres, et les poſſeſſours ent ouſtent, enclaymant, aucun ſoitz en leur droit demefne, la ou leur entree neſt my congeable, et aucun ſoitz en autry droit la ou ils nont riens en reversion, en droit nea demefne, ne il nad nully affinite ne coſinage entre eux et ceux en qi droit ils ount entrez, et auxi leur biens et chateux preignent en manere de roberie; iſſint ſovent ſoitz ils ſont en tiel manere ouſtez, et de leur biens

et chateux despoilliez, qils nount riens pur lour droit pursuir, et issint par tieux forcibles entrees et maintenance les terre-tenanz et possesseurs sount toutoutrement desheritez et destruits : Nostre dit Seigneur le Roi, veullant faire ouel droit as touz ses lieges, sibien greindres come meindres, et qe ses loies soient dument executez, a la grevoufe compleinte des ditz communes, et de ladvis et assent des toutz les Seignurs suisditz, pur punir et chastier tiez riotes et forcibles entrees ensi faitz, et affairs en temps avenir, encontre les loyes de la terre, ad ordeignez et establiz ; qe si ascun homme, grant ou petit de quell estat ou condition qil soit face ascun tiel forcible entree en son droit demesne, ou a son oeps propre, ou en autry droit ou autry oeps par voie de maintenance, ou aucuns biens apres tiel forcible entree de les possesseurs de franc tenement preigne ou emporte, qe si la partie grevee, ou autre loial homme, voet assier en son noun, qe lentrete feust fait en tiel forcible manere, qe le Chancelier dEngleterre pur le temps esteant ait poair par sa discretion de grantier especiale assise en ce cas a la partie grevee, de qeconqe value qe les tenementz soient, sanz suir au Roy. Et si tiel disseisour soit atteint del disseisine faite en tiel forcible manere, qil eit la prisone dun an et rende al partie grevee ses damages a double. Et sil soit convict par mesme lassise, qil ait pris ou emporte aucuns biens ou chateux de tieux disseisiz qe les Justices de mesme lassise eient poair doier et terminer, sibien pur nostre Seigneur le Roy come pur la partie, des biens et chateux issint emportez, et de agarder al partie grevee ses damages. Et qe en chescune tiele assise especiale soit nomez un des justices de lun bank ou de lautre, ou le chief baron de leschequer fil soit homme de loye. Et qen temps advenir nul brief de supersedeas soit grantez a contraire de tiele assise especiale.

C A P. IX.

[See Stat.
7 H. 4. c. 11.]

“ The Chancellor empowered to provide a Remedy for discharging Commissioners distrained to return Commissions of which they had no Notice.”

C A P. X.

For regulating the Coin.

“ THE Third Part of the Silver brought to the Mint, shall be coined into Halfpence and Farthings; and no Goldsmith shall melt the same, on Forfeiture of Four Times the Value.”

C A P. XI.

For confirming former Statutes against Wears.

ALSO, Because that by Wears, Stakes, and Kidels, being in the Water of *Tames*, and of other great Rivers through the Realm, the common Passage of Ships and Boats is disturbed, and much People perished, and also the young Fry of Fish destroyed, and against Reason wasted and given to Swine to eat, contrary to the Pleasure of God, and to the great Damage of the King and his People ;

ITEM,

ITEM, pource que par les gortz, estakes, et kidelx, esteantz en leawe de Thamyse, et es autres grandes rivers parmy le roialme, commune passage des niefs et batelx est destourbez, et pleuseurs gents periz et auxint le joejne pesson destruyte, et encontre reson degastez et dones as porcs a mangier, encontre la pleisance de Dieu, et a grant damage du Roy et de son people ;

“ Former Statutes generally confirmed. The Justices, empowered to execute those Statutes, (See Stat. 1 H. 4. c. 12.), shall receive Four Shillings a-day out of the Fines to be levied by them, on Estreats of such Fines being delivered by them to the Sheriff.”—[See further Stat. 12 E. 4. c. 7. and Notes there.]

C A P. XII.

For confirming and amending the Statute 15 Ric. 2. c. 6. respecting Appropriations of Benefices.

ALSO it is ordained and established, That the Statute of Appropriation of Churches, and of the Endowment of Vicars in the same, made the Fifteenth Year of King Richard the second, be firmly holden and kept, and put in due Execution; and if any Church be appropriated by Licence of the said King Richard, or of our Lord the King that now is, sithence the said Fifteenth Year, against the Form of the said Statute, the same shall be duly reformed according to the Effect of the same Statute, betwixt this and the Feast of *Easter* next coming; and if such Reformation be not made within the Time aforesaid, that the Appropriation and Licence thereof made be void, and utterly repealed and adnulled for ever; except the Church of *Hadenham* in the Diocese of *Ely*, which, for to eschew divers Damages, Discords, and Debates, that have been before this Time betwixt the Bishop of *Ely* and the Archdeacon of *Ely*, upon the Exercise of their Jurisdiction (as it was openly declared by the same Bishop in Presence of the King, and of the Lords in Parliament) was of late appropriated, by the Licence of our Lord the King, to the Archdeacon and his Successors, to do divine Service, there to keep Hospitality, and to support other Charges as pertaineth. Moreover it is ordained and established, That all the Vicarages united, annexed, or appropriated, and the Licences thereof had since the First Year of the said King Richard (although that they which have united, annexed, or appropriated such Vicarages, be in Possession of the same Vicarages, or by virtue of such Licences may in any wise be in Possession of the same in any Time to come), shall be also utterly void, revoked, repealed, adnulled, and disappropriated for ever; and that from henceforth in every Church so appropriated, or to be appropriated, a secular Person shall be ordained Vicar perpetual, canonically instituted and inducted in the same, and sufficiently endowed by the Discretion of the Ordinary, to do divine Service, and to inform the People, and to keep Hospitality there; except the Church of *Hadenham* aforesaid; and that no religious be in any wise made Vicar in any Church so appropriated, or to be appropriated by any Means in Time to come.

St. 15 R. 2. c. 6. confirmed.

Appropriations since 15 R. 2. contrary to that Statute declared void;

Exception for the Church of *Hadenham*, in the Diocese of *Ely*, appropriated to the Archdeacon of *Ely*.

All Appropriations of Vicarages made since 1 Ric. 2. declared void and disappropriated for ever.

On every Appropriation a Vicar perpetual shall be ordained, instituted, and inducted; being a Secular and not a Religious Person.

ITEM ordeignez est et establiz qe lestatut de lappropriation des esglises et de lendowment des vicairs en ycelles, fait lan quinzisme le Roy Richard second, soit fermement tenuz et gardez et mys en due execution; et si ascune esglise soit approprie par licence du dit Roi Richard ou de Roy nostre Seigneur qoreft puis le dit an xvme. contre le forme du dit estatut, qe ce soit duement resourmez selonc leffect de mesme lestatut parentre cy et la fest de Pasqe proschein advenir; et si tiele reformation ne ce face deus le temps suisdit, qe les appropriation et licence ent faiz soient voides et de tout repellez et adnullez pur toutz jours; forspri lesglise de Hadenham en le diocis dEly, la quele pur eschuire plusours damages discordes et debates qont este, devant ces heures, parentre levesqe dEly et lerceadeaken dEly sur lexercise de lour jurisdiction (come y feust overtment declarez par mesme levesqe en presence de Roy et de seignurs en parlement) nadgairs, par licence du Roy, nostre Seigneur feust appropriez a lerceadeaken dEly et ses successeurs pur y faire divines services, hospitalite tenir et autres charges supporter come affert. Et outre ceo ordeignez est et establiz qe toutes les vicaries uniz annexe ou appropriez et les licences ent eues puis lan primer le dit Roy Richard, combien qe ceux qont uniz annexe ou appropriez tieux vicaries soient en possession de mesmes les vicaries, ou par vertue des dites licences purront ascunement estre en possession dicelles en ascun temps advenir, soient auxint detout voides revokez repellez adnullez et disappropriez pur toutz jours; et qe desore enavaunt en chescune esglise ensi approprie ou appropriere une seculere persone soit ordeigne vikair perpetuel, institut et induet canonikement en ycelle, et covenablement endowe par la discretion del ordinar, pur faire divine service et ensourmer le poeple, et hospitalite tenir illoeqes; forspri lesglise de Hadenham suisdite. Et qe nul religious ascunement soit fait vicair, en ascune esglise ensi approprie ou appropriere, par nulle voie en temps advenir.

C A P. XIII.

A Confirmation of former Statutes touching Service in War.

See Stats.

1 E. 3. f. 2. c. 5.

18 E. 3. f. 2. c. 7.

25 E. 3. f. 5. c. 8.

ALSO it is ordained and established, That the Statute made the First Year of King *Edward*, Grandfather to our Lord the King that now is, containing, That none shall be compelled to go out of their Counties, but only for Cause of Necessity of sudden coming of strange Enemies into the Realm; and the Statute made the Eighteenth Year of the said Grandfather, That Men of Arms, Hoblers, and Archers chosen to go in the King's Service out of *England*, shall be at the King's Wages from the Day that they depart out of the Counties where they were chosen; and also the Statute made the Twenty-fifth Year of the said Grandfather, That no Man be constrained to find Men of Arms, Hoblers, nor Archers, other than those which hold by such Service, unless it be by common Assent and Grant made in Parliament, shall be firmly holden and kept in all Points; so always that [by Force or Colour of the said Supplication, nor of any Statute thereupon to be made,¹] the Lords, nor others who have Lands and Possessions

All the said
Statutes
confirmed.

Saving for the
Service due to
the King by
Tenure.

¹ i. e. the Petition of the Commons, on which this Act is founded.

in

in the Country of *Wales*, or in the Marches thereof, shall in no wise be excused from their Service and Duties due for their said Lands and Possessions, nor from any other Duties or Things whereto they or any of them be specially bound to our said Lord the King, though that the same Lords and others have other Lands and Possessions within the Realm of *England*; nor that the Lords, or others, of what Estate or Condition soever they be, which hold by Escuage or other Service due to the King, any Lands or Possessions within the said Realm, be in no wise excused from doing the Services and Duties due for their said Lands or Possessions; nor that the Lords, Knights, Esquires, nor other Persons of what Estate or Condition soever they be, which hold and have of the Grant or Confirmation of our said Lord the King, any Lands, Possessions, Fees, Annuities, Pensions, or other yearly Profits, be not nor any of them be excused to do their Service to our said Lord the King, in such Manner as they are bounden because of the Lands, Possessions, Fees, Annuities, Pensions, or Profits aforesaid.

[But see Stat.
12 C. 2. c. 24.]

ITEM ordeignez est et establiz qe lestatut fait lan primere le Roy Edward, aiel nostre Seignur le Roy qorest, contenant qe nuls soient disdreintz daler hors de leur countees sinoun pur cause de necessitee de sodeigne venue destranges esnemys en roialme; et lestatut, fait lan disoetisme du dit aiel, qe gentz darmes hobelers et archiers esuz pur aler en le service du Roy hors dEngleterre, soient as gages le Roy du jour qils departiront hors des countees ou ils feuront esuz; et auxint lestatut fait lan vint et quint le dit aiel qe nul homme soit arte de trover gentz darmes hobelers narchiers, autres qe ceux qi tieignent par tiel service, sil ne soit par commune assent et grante faite en parlement, soient sermement tenuz et gardez en toutz pointz: Parainsi toutes voies qe [par force ou colour de la dite supplication ne dascun estatut sur ceo affaire¹] les seignurs nautres qi ount terres et possessions en palis de Gales, ou en le marche dicell, ne soient en ascun manere excusez de lour service et devoirs de lour dites terres et possessions dues, ne dascuns autres devoirs ou choses a les quelles ils ou ascuns de eux sont a nostre dit Seignur le Roy especialment obligez, combien qe yceux seignurs et autres aient autres terres et possessions dedeinz le roialme dEngleterre; ne qe les seignurs, ou autres de quel estat ou condition qils soient, qi tieignent, par escuage ou autre service due au Roy, ascuns terres ou possessions dedeinz le dit roialme, ne soient ascunement excusez de faire les services et devoirs des ditz terres ou possessions dues; ne qe les seignurs chivalers esquiers, nautres persones de quel estat ou condition qils soient, qi tieignent et ont de la grant ou confirmation de nostre dit seignur le Roy, terre possessions fees annuitees empensions ou autres profitz annuels, ne soient nascun de eux soit excusez de lour service affaire a nostre dit Seignur le Roy, par tiel manere come ils sont tenuz par cause des terres possessions fees annuitees empensions ou profitz suisditz.

¹ See printed Rot. Parl. 4 H. 4. nu. 56. the Petition of the Commons.

C A P. XIV.

Concerning Labourers.

"**L**ABOURERS shall not be retained by the Week.—No
 "Carpenters, Tylers, nor other Labourers shall take Wages
 "for the Feast Days, nor for more than Half a Day for the Eve
 "thereof, on Penalty of Twenty Shillings."

[Repealed by the Operation of Stat. 5 Edw. c. 4. § 2.]

C A P. XV.

[See also Stat.
 5 H. 4 c. 9.
 6 H. 4 c. 4.]

Merchants shall bestow their Money received upon other
 Merchandises of this Realm.

ALSO it is ordained and established, That all the Merchants,
 Strangers, and Denizens, who bring Merchandises into *Eng-*
land, and the same do sell within the Realm, and receive *English*
 Money for the same, that they shall bestow the same Money
 upon other Merchandises of *England*, for to carry the same out of
 the Realm of *England*, without carrying any Gold or Silver in
 Coin, Plate, or Mass, out of the said Realm, upon Pain of For-
 feiture of the same; saving always their reasonable Expences.

ITEM ordeignez est et establiz qe toutz les marchantz aliens
 estranges et denzeins, qamefrent marchandises en Engleterre,
 et les vendent deinz le roialme, et la monoie d'Engleterre pur ycelles
 receivent, qils mettent mesme la monoie sur autres marchandises
 d'Engleterre, pur les amesfer hors du roialme d'Engleterre, sanz
 emporter aucun or ou argent en coigne plate ou masse hors du dit
 roialme sur peine de forfaiture dicell; sauvez toutes soitz leur
 coistages raisonnables.

C A P. XVI.

For confirming former Statutes against exporting Gold or
 Silver.

"**T**HE Effect of former Statutes against exporting Gold and
 "Silver generally recited and confirmed, and One Third of
 "the Forfeiture given to the Informer; till next Parliament."

[Gay says this Chapter follows Cap. 34. on the Tower Roll.]

C A P. XVII.

Infants shall not be received into the Orders of Friars without
 the Consent of their Parents, Friends, or Guardians.

Infants under
 Fourteen shall
 not be received
 into the Four
 Orders of Friars
 without Assent
 of their
 Parents, &c.
 Such Infants
 shall remain for
 One Year in the

ALSO it is ordained and established, That no Friar of the Four
 Orders, that is to say, Friars Minors, Augustines, Preachers,
 and Carmelites, shall from henceforth take or receive any Infant
 into their said Order, unless he be entered into the Age of Four-
 teen Years, without the Assent of his Father and Mother, or other
 his next Friends of Blood, or other his Friends or Tutors, in whose
 Custody such Infant shall be continually conversant and abiding.
 And that no such Friar of any of the said Orders, shall carry away,
 embezzle, nor cloigne, nor cause to be carried away, embezzled,
 nor

nor eloiigned by himself nor by none other, any such Infant, out of the Place where he shall be so first taken or received, to any other Place, by an whole Year next ensuing such taking or Receipt into the said Order. And if any such Infant be so taken, received, or withholden, against the Will of his said Father and Mother, or of his other Friends or Tutors aforesaid, or if he be carried away, embezzled, or eloiigned from the Place where he shall be so first taken or received, to any other Place, and the said Father or Mother, or other his Friends or Tutors aforesaid, have made Request to the Minister, Provincial, Warden or Prior of such Order or Place where the said Infant is or shall be so taken, received, or withholden, and they will not make Delivery of the said Infant to his said Father or Mother, or other his Friends and Tutors aforesaid, the said Father or Mother, or other his said Friends or Tutors, shall sue to the Chancellor of *England* for the Time being, and the said Chancellor shall have Power by Authority of Parliament, to send for the Ministers or Provincials of the said Four Orders, Warden or Prior of the Place where such Infant shall so be taken, received, or withholden, from Time to Time, and them to punish according to the Discretion of the said Chancellor, and according as the Case requireth in this Behalf.

Place where they are first received.

The Chancellor empowered to give Relief to Complainants.

And to the Intent that this Statute and Ordinance shall hold Place for ever, Friar *John Zouch*, Minister of the Order of the Friars Minors in *England*; Friar *William Pitworib*, Provincial of the Order of the Friars Preachers in *England*; Friar *William de Welle*, Provincial of the Order of the Friars Augustines in *England*; Friar *Stephen of Patryngton*, Provincial of the Order of Friars Carmelites in *England*, being in their proper Persons before the King, and the Lords Spiritual and Temporal, and the Commons of the Realm, in full Parliament, laying their right Hands on their Coifs, made an Oath, and promised in the same Parliament, to hold, keep, observe, and perform the Statute and Ordinance aforesaid, for them and their Successors for ever.

The Principals of the Four Orders in *England* swear to observe the Statute.

ITEM ordeignez est et establiz qe nul frere de les quatre ordres, cessassavoir freres Menours Augustins Prechours et Carmelitz, desorenavant preigne ne receive aucun ensaunt en leur dit ordre sil ne soit entrez en lage de [quatorze ¹] ans sanz assent de son pierre et miere, ou autres ses proscheins amys de sanc, ou autres ses amys ou tutours en qi garde tiel enfant serra continuellement conversant ou demorant. Et qe nul tiel frere, de nul des dits ordres, amesne embesil nesoigne ne face amesner embesiller nesoigner, par luy ne par autre, aucun tiel ensaunt hors del lieu ou il serra ensi primerement pris ou resceux, tanqa autre lieu, par un an entier prochein ensuant tiel prise ou receit en le dit ordre. Et si aucun tiel enfant soit ensi pris receuz ou detenuz, encontre la voluntee des ses ditz pier et miere, ou de ses autres amys ou tutours suisditz, ou qil soit amesnez embesillez ou esloignez del lieu ou il serra ensi primerement pris ou receux, tanq autre lieu, et mesmes les pier ou miere, ou autres ses amys ou tutours suisditz, aient fait request al ministre provincial gardein ou priour de tiel ordre, ou lieu, ou le dit enfant est ou serra ensi pris receux ou detenuz, et ils ne veul-

¹ The Petition required the age of Twenty-one Years.

lent faire liverree de mesme lenfant a ses ditz pier ou miere, ou autre ses amys ou tutours suifditz, suent mesmes les pier ou miere ou autre ses ditz amys ou tutours, au chancelier d'Engleterre pur le temps esteant, et ait mesme le chancelier poair par auctoritee du parlement denvoier pur les ministres ou provinciaux de les ditz quatre ordres, gardein ou priour del lieu ou tiel enfant ensi serra pris receux ou detenez, de temps en temps, et de les punir selonc la discretion du dit chancelier et selonc ce que le cas requiert celle partie.

Et au syn que cest estatut et ordinance tiegne lieu pur tout temps advenir frere Johan Zouche ministre del ordre des freres Menours en Engleterre, frere William Pikworth provincial del ordre des freres prechours en Engleterre, frere William de Welle provincial del ordre des freres Augustins en Engleterre, et frere Estphen de Patryngton provincial del ordre des freres Carmelites en Engleterre, esteantz en leur propres persones devant le Roy et les seignurs espirituels et temporels et les communes de roialme en plein parlement, en metantz leur maynes dextres sur leur pices, firent serement et promistrent en mesme le parlement, de tenir garder observer et perfournir lestatut et ordinance suifdites, pur eux et leur succeffours a toutz jours.

C A P. XVIII.

For Regulation of Attornies.

[See now more
fully Stat.

2 G. 2. c. 23,
&c.]

What Sort of
Men shall be
Attornies.

Attornies shall
be examined by
the Justices, and
enroiled and
sworn,

and disqualified
Persons put out.

New Attornies
may be
appointed.

Attornies acting
improperly shall
be incapacitated.

Attornies in the
Exchequer.

ALSO for great Damage and Mischiefs which have ensued before this Time to divers Persons of the Realm, by the great Number of Attornies, not knowing nor learned in the Law, as they were wont to be before this Time; it is ordained and established, that all Attornies shall be examined by the Justices, and by their Discretions their Names put in a Roll, and such as be good and vertuous, and of good Fame, shall be received and sworn well and truly to serve in their Offices, and especially that they make no Suit in a foreign County; and other Attornies shall be put out by the Discretion of the said Justices; and that their Masters, for whom they were Attornies, be warned to take othem in their Places, so that in the mean Time no Damage nor Prejudice come to their said Masters. And if any of the said Attornies do die, or do cease, the Justices for the Time being by their Discretions shall make another in his Place, which is a vertuous Man and learned, and sworn in the same Manner as afore is said. And if any such Attorney be hereafter notoriously found in Default, of Record or otherwise, he shall forswear the Court, and shall never after be received to make any Suit in any Court of the King. And that this Ordinance be holden in the Exchequer according to the Discretion of the Tresurer and of the Barons there.

ITEM pur plusieurs damages et meschiefs qont advenuz, devant ces heures, as diverses gentz du roialme par le grant nombre des attournees, nient sachantz nprises de la loye, come ils soloient estre pardevant, ordeignez est et establiz que toutz les attournees soient examinez par les justices, et par leur discretions leur nouns mys en rollé, et ceux qi sont bons et vertuouses et de bone fame soient receux et jurrez, de bien et loialment servir en leur offices,

et en especial qils ne facent nulle suyte en foreine countee; et soient les autres attornees oustez par la discretion des ditz justices; et qe leur meistres, ove queux ils feurent attornees, soient garniz de prendre autres en leur lieux, parenfi qen le mesme temps damage ne prejudice adviegne a leur ditz meistres. Et si aucun des ditz attournez devie ou cesse qe les justices pur le temps esteant par leur discretions facent autre en son lieu, qi soit homme vertuous et sachant et jurrez en mesme le manere come dessus. Et si aucun tiel attournee soit notoirement trovez en defaut de record ou autrement en temps advenir, qil forsjure la courte, et qe jamais il ne soit resceu a nulle suite faire an aucune courte de Roy; Et qe mesme ceste ordinance soit tenuz en leschequer selonc la discretion del tresorer et des barons illoeqes.

C A P. XIX.

No Officer of a Lord of a Franchise shall be Attorney in the same.

ALSO it is ordained, That no Steward, Bailiff, nor Minister of Lords of Franchises, which have Return of Writs, be Attorney in any Plea within the Franchise or Bailiwick whereof he is or shall be Officer or Minister, in any Time to come.

ITEM ordeignez est et establiz qe nul seneschall bailiff ne ministre des seignurs des franchises, qont retourne du brief, soit attornee en nul plee deinz la franchise ou baillie, dont il est ou serra tiel officer ou ministre, en aucun temps advenir.

C A P. XX.

For regulating Customers, Controllers, and other Officers of the Customs.

ALSO it is ordained and established, That the Statute made in the First Year of our Lord the King that now is, That Customers and Controllers in every Port of *England* shall abide upon their Offices in their proper Persons, without making any Deputy or Lieutenant in their Names, be firmly holden and kept in all Points; adding thereto, That they shall be sworn so to do, from Time to Time, upon Pain of Imprisonment, and to pay to the King One hundred Pounds if they do the contrary. And it is also accorded and assented, That the Lieutenant of the King's chief Butler, and the Searcher, shall be resident in the same Manner, and upon the same Pair of One hundred Pounds, to pay the One-half to our Lord the King, and the other Half to him that will sue against such Customers, Controllers, Lieutenant, or Searcher, not resident; and that every Customer from henceforth, upon the Yielding of his Account in the Exchequer, shall be sworn by his Oath to answer lawfully to our said Lord the King, without Fraud or Deceit, of all Manner of Profits and Commodities for the Payment of any Assignment, be it by Tally or otherwise, by him or any other received, or to be received, for the buying of any Tally, or in any other Manner whatsoever. And that all Manner of Merchandises entering into the Realm of *England*, or going out

St. 1 H. 4. c. 13. confirmed.

Customers, &c. shall be sworn to Residence, on Penalty of One hundred Pounds. [See also Stat. 13. H. 4. c. 3.] Extended to the Deputy of the King's Butler and the Searcher. Customers shall account duly for all Receipts. [See also Stat. 3 H. 6. c. 3. 11 H. 6. c. 15.] Merchandise shall be charged

and discharged
in Ports, and not
in Creeks.

out of the same, shall be charged and discharged in the great Ports of the Sea, and not in Creeks and small Arrivals, upon Pain to forfeit all the Merchandises so charged or discharged to our Lord the King, except Vessels or Merchandises arriving in such little Creeks and Arrivals by Cohersion of Tempest of the Sea.

ITEM ordeignez est et establiz qe lestatut fait lan primer le Roi nostre Seigneur qoreft, de ce qe les custumers et controllours en chescun port d'Engleterre demoergent sur leur offices en leur propres persones, sanz aucun deputee ou lieutenant faire en leur nouns, soit fermement tenuz et gardez en toutz pointz; adjoustez a ycel, qe a ce faire ils soient jurrez de temps en temps sur peine demprisonement de paier au Roi Cli. fils facent le contraire. Et auxint accordez est et assentuz qe le lieutenant du chief botiller du Roi, et le sercheour, soient residentz en mesme la manere et sur mesme la peine de Cli. a paier lun moitee a nostre Seigneur le Roi et lautre moitee a celui qe voet fuir pur mesme nostre Seigneur le Roi, devers tieux custumers controllours lieutenant ou sercheour aien residentz. Et qe chescun custumer desore enavaunt, sur son accompt rendre en leschequer, soit jurrez par son serement de respondre loialment a mesme nostre Seigneur le Roi, sanz fraude ou male engine, des toutz maners profits et commoditees pur paiement dascun assignement, soit il par taille ou autrement, par lui ou aucun autre rescueuz, ou a rescievers, pur achate dascun taille, ou en autre manere queconque. Et qe toutz maneres des marchandises entrantz en la Roialme d'Engleterre, ou issantz dicell, soient chargez et deschargez en les grantz portz du mier, et nemye en crykes et petitz arrivails, sur peine des toutes les marchandises issint chargez ou deschargez a nostre Seigneur le Roi forfaire; forpris vessieux ou marchandises appliantz en tieux petitz crykes et arrivails par cohersion de la tempeste du mier.

C A P. XXI.*

For regulating Searchers of the Customs.

* [This follows
Cap. 26. on the
Tower Roll,
Cay.]

Searchers shall
not let their
Offices to ferm,
nor take Money
unduly, nor
boe Merchants
or Mariners,
on Pain of
Forfeiture and
Fine.

[See also Stat.
23 H. 4. c. 5.]

ALSO it is ordained and established, That the Searchers in every Port of England shall be charged and sworn, That they shall not let to ferm their Offices of searching, nor occupy the same by a Deputy; and that from henceforth they take of no Masters of Ships for doing their Office of searching, any Silver or Money for their Welcome and Farewell, nor any other Thing for the same, as it hath been taken and received before this Time, otherwise than shall be ordained to them for their Office, by our Lord the King; and that no Searcher be Host to any Merchant or Mariner. And in case that any Searcher do contrary to this Statute, and that duly proved, such Searcher shall be put out of his Office for ever, and make Fine and Ransom at the King's Will.

ITEM ordeignez est et establiz qe les sercheours, en chescun port d'Engleterre, soient chargez et jurrez qils ne lessent a ferme leur office de sercherie, ne les occupient par deputees; et qils ne preignent desore enavaunt de nulles messires des niefes de leur office de sercherie faire, nul argent ne monoie pur leur bien-vivre et bienalees, ne nul autre chose pur ycel come il ad este pris et

et levez devant ces heures, autrement qe ne ferra ordeignez a eux, pur lour office, par nostre Seigneur le Roi. Et qe nul sercheour soit host a nul marchant ne maryner. Et en cas qascun sercheour face le contrair de cest estatut, et ce duement provee, soit mesme le sercheour ouste de son office pur toutz jours, et face syn et ranceon a la volentee du Roi.

C A P. XXII.

For amending the *Stat. 13 Ric. 2. §. 1. c. 1.* respecting Presentations to Benefices by the King.

ALSO, Whereas it was ordained by the Statute made the Twenty-fifth Year of King *Edward*, Grandfather to our Lord the King, that wherever the King should make Collation or Presentation to any Benefice in another's Right, that the Title whereupon he groundeth himself should be well examined that it be true; and whenever, before Judgment given, the Title be found by good Information untrue and unjust, the Collation or Presentation thereupon made, should be repealed and adnulled: And moreover, in a Statute made afterwards in the Time of King *Richard*, it was ordained and established, That if the King present to any Benefice which is full of any Incumbent, the King's Presentee should not be received by the Ordinary until the King had recovered his Presentation by Process of the Law in his own Court; and if any Presentee of the King should be otherwise received, and the Incumbent put out without due Process as afore is said, the said Incumbent should commence his Suit within a Year after the Induction of the King's Presentee: Our Lord the King, considering the great Mischief of such Incumbent in this Behalf; hath ordained and established, with the Assent aforesaid, That if any such Incumbent be put out of his Benefice without Process in the Manner aforesaid, such Incumbent so put out without Process, may be at large, and may sue for his Remedy by the said Statute, and begin his said Suit in this Case, at what Time shall please him, within the Year, or after, at his Will; and that as well for the Time past, as for the Time to come, notwithstanding the said Term so limited by the said Statute.

Stat.
25 E. 3. §. 3. c. 3.
recited.

Stat.
13 R. 2. §. 1. c. 1.
recited.

An Incumbent ousted by the King's Presentee without Process may bring his Action for the same, without Limitation of Time.

ITEM come ordeigne soit par estatut fait lan viant et quint le dit Roi Edward Aiel nostre dit Seigneur le Roi qe si le Roi ferra collation ou presentement a nulle benefice en autri droit, qe le tittle sur qi il se fondera serroit bien examine qil serroit verrai, et a quel heure qe avant jugement rendu le tittle soit trove par bone enformation nient verroi ne joust soit le collation ou presentement ent faitz repellez et anientez; et enoutre soit ordeigne et establi, en estatut fait apres en temps du Roi *Richard*, qe si le Roi presente a ascun benefice qi soit plein dascun incumbent qe le presentee le Roi ne soit rescue par lordinarie, tanqe le Roi eit recovez son presentement par proces de ley en sa courte demesne, et si ascune presentee du Roi soit autrement rescue, et le incumbent ouste sans due proces come desuis est dit, commence le dit incumbent sa suyte deinz un an apres la induction de presentee du Roi: Nostre Seigneur le Roi, considerant le grant meschief du dit incumbent celle partie, ad ordeigne et establiz, de lassent avant-

dit,

dit, qe si aucun tiel incumbent soit oustee de son benefice sanz processe en la manere suisdite, qe le dit incumbent issint oustee sanz processe puisse estre a large et fuir remedic par le dit estatut, et commencer sa dite seute en ce cas a quel temps qe luy plerra, deinz lan ou apres a sa volentee; et ce sibien pur temps passe come pur temps advenir, nient contrestant le dit terme ensi limite par le dit estatut.

C A P. XXIII. *

Judgments given shall continue until reversed by Attaint or Error.

ALSO, Whereas as well [in Pleas of the Crown as in Suits between Parties¹] after Judgement given in the Courts of our Lord the King, the Parties be made to come upon grievous Pain, sometimes before the King himself, sometimes before the King's Council, and sometimes in Parliament, to answer there anew, to the great impoverishing of the Parties aforesaid, and in Subversion of the common Law of the Land; it is ordained and established, That after Judgement given in the Courts of our Lord the King, the Parties and their Heirs shall be thereof in Peace, until the Judgement be undone by Attaint, or by Error if there be Error, as hath been used by Law in the Times of the Progenitors of our said Lord the King.

¹ Former Translations read "in Plea real as in Plea personal." See Appendix to Reports in Chancery, vol. i.

ITEM come, sibien en plee roial come personnel, apres [juggement¹] renduz en les courtes nostre Seignur le Roi, les parties sont faitz venir sur grieve peine, a la foith devant le Roi mesmes, a la foith devant le conseil du Roi, et a la foith en parlement, de ent respondre de novel, a grant anientisement des parties suisditz, et en subversion de la commune loie de la terre; ordeignez est et establiz qapres juggement rendu en [les²] courtes nostre Seignur le Roi, les parties et leur heirs en soient en pees, tanqe le juggement soit anientiz par atteinte, ou par erreur si erreur y ad; come il ad este [usez par la loie³] en temps des progenitours nostre dit Seignur le Roi.

¹ jugementz, *Rot. Parl.*

² toutes, *Rot. Pat.*

³ par la loye usee, *Rot. Parl.*

C A P. XXIV.

For permitting the Aulnage of Cloths to be farmed.

THE Aulnage may be let to farm by Advice of the Treasurer and Barons of the Exchequer, notwithstanding Stat. "17 R. 2. c. 5." See 11, 12 W. 3. c. 20. § 2, 3. respecting the *Aulnage Duties*.

C A P. XXV.

For Confirmation of Stat. 13 Ric. 2. §. 1. c. 8. concerning Viſtuallers and Hostlers.

[See Notes under that Stat.]

C A P. XXVI.—XXXIV.

Concerning *Welshmen*.

[*Cap. 26, 28, 30, 31, 32, 33, and 34. are expressly repealed by Stat. 21 Jac. 1. c. 28 § 11.; See also Stats. 26 H. 8. c. 6. and 27 H. 8. c. 26. by the Operation of which, as well those Chapters, as c. 27 & 29. are superseded. See Wotton's Leges Wallicæ, App. No. VII. where a Copy of these Chapters is given from the Records of Caernarvon.*]

CAP. XXVI.—“*Englishmen* shall not be convicted by *Welshmen* in *Wales*. No *English* Burgeffes having married *Welsh* Women shall have Franchise with *English* Burgeffes.”

CAP. XXVII.—“No Waiters, Rymers, Minstrels, or Vagabonds, shall be suffered in *Wales*, to make ‘Kymorthas’ or Collection upon the Common People there.”

CAP. XXVIII.—“No Commanvæes [*Conventicula; Wotton*] or Congregations shall be suffered in *Wales*, for any Councils; or other Purposes, without Licence of the Chief Officers of each Lordship, and in their Presence, on Pain of Fine and Imprisonment.”

CAP. XXIX.—“No *Welshman* shall be armed, nor wear defensive Armour in Cities, Markets, Churches, or Congregations, on Pain of Fine and Imprisonment.”

CAP. XXX.—“No Victuals or Armour shall be carried into *Wales*. except by the King’s Licence, and for provisioning the *English* Castles and Towns, on Pain of Forfeiture thereof.”

CAP. XXXI.—“No *Welshman* shall have any Castle, Fortrefs, or House of Defence, of his own or any others, to keep, otherwise than was used in the Time of *Edward* the Conqueror of *Wales*, with an Exception for Bishops and Lords “*pur leur corps propres.*”

CAP. XXXII.—“No *Welshman* shall be made Justice, Chamberlain, Chancellor, Treasurer, Sheriff, Steward, Constable of a Castle, Receiver, Escheator, Coroner, Chief Forester, or other Officer whatever, nor Keeper of Records; nor Lieutenant in the said Offices in *Wales*, nor be of Counsel to any *English* Lord, any Patent notwithstanding, except Bishops and such others as the King, by advice of his Council, shall find good and lawful Lieges.”

CAP. XXXIII.—“Garrisons of Castles and walled Towns in *Wales* shall be wholly of *Englishmen*.”

CAP. XXXIV.—“No *English* Man married to a *Welsh* Woman shall be in any Office in *Wales* or the *Marches*.”

C A P. XXXV.

For amending 13 Ric. 2. Stat. 1. c. 12.

“Shoemakers and Cordwainers may tan Leather, notwithstanding the recited Statute.”

[*The Stat. 13 Ric. 2. and this Stat. 3 H. 4. are both repealed by 5 Eliz. c. 8. and 1 Jac. 1. c. 22. § 58.*]

Anno quinto HENRICI IV.

*In the Parliament held at Westminster on the Morrow
of Saint Hillary (14th January), A.D. 1403-4.*

*From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in
Tutr. Lond. m. 14." compared with printed Rot. Parl. Pyn-
son, &c.*

*The several Chapters of the Statute are founded on the following
Articles in printed Rot. Parl. iii. p. 522, &c.*

Chapter of Statute.			Number in Roll.	
Cap. 1,	—	—	56	} On Petitions of the Commons.
2,	—	—	57	
3,	—	—	58	
4,	—	—	63	
5,	—	—	67	
6,	—	—	78	
7,	—	—	79	
8,	—	—	76	
9,	—	—	80	
10,	—	—	62	
11,	—	—	66	
12,	—	—	81	
13,	—	—	73	
14,	—	—	82	
15,	—	—	84	

*Besides the above, and also several Articles for the Confirmation
of existing Statutes, See further.*

Printed Rot. Parl. iii.

Page.	No.	} Parliamentary Recognition of the King's Title, and settling the Descent of the Crown to his Sons and their Issue in Succession. (See 7 & 8 H. 4. nu. 60.)
525,	17;	
526,	22,	} Certain Proceedings in Parliament, 11 E. 3. (re- and see also) } specting the Creation of the King's eldest Son to be Duke of Cornwall, and the Letters Patent on that Occasion, annexing to the Duchy certain Castles, Lands, Tenements, Honours, and Profits, (including the Stannary) inalienably, recited:—Provision made for resuming any Lands, &c. unlawfully aliened from the Duchy of Cornwall. [The Parliament Roll of 11 E. 3. is not printed.]
531,	41,	
533,	46,	
526,	24,	
527,	25,	} The Form of the Commission of Array settled. (See 4 Inst. 51.)

Page

- Page. No. } For regulating the Expenses of the King's House-
 528, 33, } hold, and the Application of the Subsidies.
 529, 34, } For removing Priors Aliens.
 544, 83, }
 533, 46, For enabling the Countess of Huntingdon to sue for
 her Dower, notwithstanding the Forfeiture of her
 former Husband, John Holland Earl of Hunting-
 don, in the preceding Parliament. (See 2 H. 4.
 nu. 30.)
 47, The like for Lady Le Despenser.
 537, 53, For Restitution of Sir B. Verdon and others of Ire-
 land. (See sub. An. 3 H. 4. and 6 H. 4.)

On Petitions of the Commons.

- 538, 55, The Council empowered to remove the Staple from
 Calais in case of a War. (See also p. 529, of
 printed Rot. Parl. nu. 36.)
 540, 64, Respecting the Constable of Dover. (The same as sub
 An. 4 H. 4. nu. 75.)
 541, 70, The Council empowered to regulate the Sealing of Ken-
 dal Cloth.

☞ [Carte, ii. p. 660, states that there was a Grant in this
 Parliament of Twenty Shillings on every Knight's Fee, and
 Twenty-two Pence on Twenty Pounds in Goods and Chattels: He
 quotes Rot. Subsid. but it seems probable that there is some Er-
 ror even in this Statement, and much more in that of other
 Historians. See 6 H. 4. nu. 9.]

FOR to remedy and redress divers Mischieffs, Damages, and
 Grievances, shewed to our Lord the King in his Parliament
 holden at Westminster the Morrow after St. Hillary, the Fifth Year
 of his Reign; our said Lord the King, with the Advice and
 Assent of the Lords Spiritual and Temporal, and at the Request
 of the Commons of his Realm of England, come to the said Par-
 liament, hath ordained and established divers Statutes and Ordina-
 nances in Form following.

PUR remedier et recoeverir plusieurs mescheifs damages et gre-
 vances, monstrest a nostre souveraigne Seigneur le Roy, en son
 parlement tenuz a Westm' lendemaine de seint Hiller lan de son
 regne quint, mesme nostre Seigneur le Roi de ladvis et assent des
 Seigneurs espirituelx et temporelx, et a la request des communes de
 son Roialme dEngleterre, venuz a dit parlement, ad ordeignez
 et establiz diverses estatutz et ordinaances en la fourme gensus.

C A P. I.

Concerning the Forfeitures of certain Traitors.

“**M**ANORS, Lands, or Tenements, whereof *Henry Percy*,
 “ or *Robert Percy* Earl of *Worcester*, (or other Traitors who
 “ were in the Battle of *Shrewsbury* against the King; and their
 “ Ligeance); were seised to the Use of others, shall not be for-
 “ seited to the King; but all Lands of which they were seised to
 “ their own Use, or others were seised to their Use, are declared
 “ forfeit.”

C A P. II.

For regulating the Pardons of Approvers.

The Name of
 the Party suing
 for an
 Approver's
 Pardon shall be
 mentioned
 therein, and such
 Party shall
 forfeit One
 hundred Pounds
 in case of any
 new Felony.

ALSO, Because that divers common and notorious Felons be
 indicted of divers Felonies, Murders, and Rapes, in divers
 Countries, and upon the same, as well before the King's Justices,
 as before the King himself, and arraigned for the same Felonies,
 and for Salvation of their Lives they become Provers, to the In-
 tent, in the mean Time by Brokage, and making great Gifts to di-
 vers Persons to pursue and have their Charters, and then after
 their Deliverance they become more notorious Felons then they
 were before; it is ordained and established, That if any Person,
 of what Estate or Condition soever he be, Man or Woman, pray
 or pursue, or cause to be prayed or pursued from henceforth, for
 any such Felon so attainted by his own Confession, to have any
 Charter of Pardon, that the Name of him or her who pursueth
 such Charter be put in the said Charter, making mention, that
 such Charter is granted at his or her Instance; and if he to whom
 such Charter is granted, after his Deliverance becometh a Felon
 again, that the Person who did so pursue for his Charter, shall
 incur the Pain of an Hundred Pounds, to be levied to the Use of
 our Lord the King.

ITEM porce qe plusieurs communes et notoirs larons sont enditez
 des diverses felonies murders et rapes, es diverses païs, et sur
 ycelles, auxibien devant les Justices nostre Seigneur le Roy come
 devant le Roy mesmes, et aretteez des mesmes les felonies, et pur
 salvation de leur vies ils deveignent provours, a tiel entent qen le
 mesne temps, par brocage et grauntz douns faire as diverses gentz
 de pursuir et avoir leur chartres, et puis apres leur deliverance ils
 deveignent plus fortz notoirs larons qils ne feurent pardevant; or-
 deignez est et establiz qe si aucune persone, de quel estat ou con-
 dition qil soit, homme ou femme, prie ou pursue, ou face prier
 ou pursuir desore enavant, pur ascun tiel laron, issint attaint par
 son conissance demesne, pur aucune chartre de pardon avoir, qe le
 noun de celuy ou cele qi pursue tiel chartre, soit mys en mesme la
 chartre, faisant mention qe mesme la chartre est grante a son in-
 stance; et si celuy a qi tiel chartre est grante, apres sa deliverance
 devient laron, qe celuy qenli pursua pur la chartre encourage la
 peyne de cent liveres a lever al oepe nostre dit Seigneur le Roy.

C A P. III.

Watches shall be made upon the Coasts as they were wont to be. *See Stat. Wync.*
(13 E. 1.) c. 40

ALSO, it is ordained and established, That the Watches to be made upon the Sea Coast through the Realm shall be made by the Number of the People, in the Places, and in Manner and Form, as they were wont to be made in Times past; and that in this Case the Statute of *Winchester* be observed and kept; and that in the Commissions of the Peace hereafter to be made this Article be put in; and that the Justices of Peace have Power thereof to make Inquiry in their Sessions from Time to Time, and to punish them which be found in Default after the Tenor of the said Statute.

ITEM ordeignez est et establiz qe les agaites, affaires sur le cost du muer par tout le Roialme, soient faitz par nombre des gentz, es lieux, et en fourme et manere come ils solcient estre faitz en temps passe; et qen ce cas lestatut de Wyncestre soit tenuz et gardez; et qen les commissions de la paix, desore affaires, soit mys cest article, et qe les justices de la paix aient poair dent faire inquiry en lour session, de temps en temps et de punir ceux qi sont trovez en default solonc le tenure du dit estatut.

C A P. IV.

“It shall be Felony to use the Craft of Multiplication of Gold or Silver.”

[*Repealed Stat. 1 W. & M. 2. c. 30.*]

C A P. V.

Punishment of certain Mayhems.

[*See also Statute*
22, 23 C. 2. c. 1.
43 G. 3. c. 58.]

ALSO, Because that many Offenders do daily beat, wound, imprison, and maim divers of the King's liege People, and after purposely cut their Tongues, or put out their Eyes; it is ordained and established, That in such Case the Offenders who shall so cut the Tongues, or put out the Eyes of any of the King's liege People, and that duly proved and found, that such Deed was done of Malice prepensed, they shall incur the Pain of Felony. Felony to cut the
Tongue or put
out the Eyes of
any maliciously.

ITEM porce qe plusieurs malfaisours, de jour en autre, batent nauferent emprisonent et maheyment plusieurs des liges nostre Seigneur le Roy, et puis [de purpos¹] coupent lour langes, ou oustent lour ois; ordeignez est et establiz qen tiel cas les malfaisours, qensi couperont les langes ou ousteront les ois daucuns des liges nostre dit Seigneur le Roi, et ceo dument trovez et provez qe tiel fait fust fait de malice purpense, encourgent la peine de felonie.

¹ par provision, *Rot. Parl.* i. e. by way of prevention from being detected.—a purpos, P.

C A P. VI.

[See also Stat.
11 H. 6. c. 11.
for Protection of
Members.]

For the Protection of the Servants of Members of Parliament.

ALSO, Because that *Richard Chedder* Esquire, who was come to this Parliament with *Thomas Broke* Knight, one of the Knights chosen to the same Parliament for the County of *Somerset* and Household Servant with the said *Thomas*, was horribly beaten, wounded, blemished, and maimed, by one *John Salage*, otherwise called *John Savage*; it is ordained and established, That inasmuch as the same horrible Deed was done within the Time of the said Parliament, that Proclamation be made where the same horrible Deed was done, That the said *John* appear and yield himself in the King's Bench within a Quarter of a Year after the Proclamation made; and if he do not, the same *John* shall be attainted of the said Deed, and shall pay to the Party grieved his double Damages, to be taxed by the Discretion of the Judges of the said Bench, for the time being, or by Inquest, if Need be; and shall make Fine and Ransom at the King's Will.

And moreover, it is accorded in the same Parliament, that in like Manner shall it be done in time to come in like Case.

ITEM porce qe Richard Cheddre esquier qi feust venuz a cest present parlement ovesqe Thomas Brook chivaler, un des chivalers esluz a mesme le parlement pur le countee de Somers', et meynal ove le dit Thomas, feust horriblement batuz naufrez emblevoiz et mayheymiz, par Johan Salage autrement appelez Johan Savage; ordeignez est et establiz, qe par tant qe le dit horrible fait feult fait deinz le temps du dit parlement, qe proclamation soit fait la ou mesme le horrible fait se fist, qe le dit Johan appierge et soy rende en bank le Roy, deintz un quarter dun an apres la proclamation faite; et sil ne le face, soit mesme celuy Johan atteint de la fait suidit, et paie au partie endamagee ses damages a double, a taxer par discretion des judges du dit bank, pur le temps esteantz, ou par enquest fil emboisoigne; et face syn et ranceon a la volente du Roy.

Et outre ce accordez est en dit parlement qe semblablement soit fait en temps avenir en cas semblable.

C A P. VII:

For regulating Alien Merchants.

[Revised and confirmed Stat. 4 H. 5. c. 5.]

C A P. VIII.

For Relief of Defendants in Actions of Debt on Accounts stated.

ALSO, To eschew divers Mischiefs which have been and be from Day to Day, as well within the City of *London*, as within other cities and elsewhere within the Realm of *England*, for that divers feigned Suits of Debt have been taken, as well by the People of the said Cities as of other Places, against divers People, furnishing to them by their said Suit, that they should have accounted before Auditors assigned, of divers Receipts, Duties,

ties, and Contracts had betwixt them, and that they were found in Arrearages upon such Account in divers great Sums; suggesting by the same Suits sometimes that their Apprentices, and sometimes other of their Servants, were the Auditors, where there was never any Receipt nor Duty betwixt such Parties, and where the said Apprentices nor Servants did not any Thing know of such Account; to the Intent to cause those, against whom such Suits were taken, to put themselves on Inquest in the same Suits, and to prevent them from the waging of their law in such Case; by Reason whereof, through favourable Inquests taken thereupon by the Neighbours of those who prosecuted such Suits, divers have been condemned in great Sums, to the great impoverishing and undoing of them; it is ordained and established, That the Justices in the King's Courts, and other Judges, before whom such Suits and Actions in all such Cases in Cities and Boroughs, shall be sued and taken, shall have Power to examine the Attornies, and others whom they please, and thereupon to receive the Defendants to their Law, or to try the same by Inquest, after the Discretion of the Justices and Judges aforesaid.

In Actions of Debt on Account stated the Defendant may be allowed to wage his Law in the Discretion of the Court.

ITEM pur-eschuer diverses meschies, queux ount estez, et sont de jour en autre, sibien deinz la Citee de Londres come deinz autres Citees et aillours deinz le Roialme d'Engleterre, de ceo que diverses seynteiz suytes de dette ount este prises, sibien par gentz des ditz citees come de aillours, devers plusours gentz, surmettantz a eux par leur suite, qils duissent avoir accomptez devant auditours assignez, de diverses rescites dueetes et contractiz parentre eux eues, et qils seurent trovez en arrerages sur mesme lacompt en diverses grandes sommes; surmettantz par mesmes les suites ascun foitz leur apprentices et ascun foitz autres de leur servantz estre les auditours, la ou il navoit unques aucun rescite ne dueete parentre tielx parties, et la ou les ditz apprentices ne servantz riens ne savoient de tiel accompt, al entent pur faire eux, devers queux tielx suites furent prises, de eux mettre en enqueste en mesmes les suytes, et de eux oustier de la gagier de leur ley en tiel cas; par ont pleuseurs, par tieux favorables enquestes sur ceo prises, de les veisyne de ceux qi ount prises tielx suites, ount este condempnez en plusours graundes sommes, en graunt arrerissement et destruction de eux; ordeignez est et establiz que les Justices en les courtes du Roy, et autres Juges, devant queux tielx suites et actions seront, en tontz tiebix cases, en citees et burghs prises et suiz, eient poair d'examiner les attournees, et autres queux leur semblera, et sur ceo de recevoir les defendantz a leur loie, ou de le trier par enqueste, selonc les discrecions des justices et juges avaunt ditz.

C A P. IX.

For regulating Alien Merchants.

“STAT. 4 H. 4. c. 15. recited and confirmed. Alien Merchants shall sell their Goods within a Quarter of a Year, and shall dwell only with Hosts assigned to them.”—[*Repealed* by Stat. 6 H. 4. c. 4. but see Stat. 4 H. 5. c. 5.]

C A P. X.

Justices of Peace shall imprison none but in the common Gaol.

ALSO, Because that divers Constables of Castles within the Realm of *England*, be assigned to be Justices of Peace, by Commissions of our Lord the King, and by Colour of the said Commissions they take People, to whom they bear evil Will, and imprison them within the said Castles, till they have made Fine and Ransom with the said Constables for their Deliverance; it is ordained and established, That none be imprisoned, by any Justices of the Peace, but only in the common Gaol; saving to Lords and others (who have Gaols) their Franchises in this Case.

ITEM pur ceo qe diverses constables des chastels, deinz le Roialme d'Engleterre, sont assignez, par commissions nostre Seigneur le Roi, justices de la pees, et par colour des ditz commissions preignent gentz, as queux ils sont malveillantz, et les emprisonont deinz les ditz chastels tanqils eient fait fyn et ranceon ove les ditz constables, pur leur deliverance avoir; ordeignez est et establiz qe nully soit emprisonnez par aucuns justices de la pees, sinon en commune gaole; savant as Seignurs et autres qont gaole:, leur franchises en ce cas.

C A P. XI.

How Farmers of Aliens Possessions shall pay their Tithes.

Tithes of Lands belonging to Aliens shall be paid duly, although the Lands are seized into the King's Hands.

[See printed Rot. Parl. 5 H. 4. No. 66. 'by the King and the Lords.']

ALSO, It is ordained and established, That the Fermors, and all Manner of Occupiers of the Manors, Lands, Tenements, and other Possessions of Aliens, shall pay and be bound to pay, all Manner of *Dismes* thereof due to the Parsons and Vicars of Holy Church, in the Parishes where such Manors, Lands, Tenements, or Possessions, be so situate and due, as the Law of Holy Church requireth; notwithstanding that the said Manors, Lands, Tenements, or other Possessions, be seized into the King's Hands, and notwithstanding any Prohibition made or to be made to the contrary.

ITEM ordeignez est et establiz qe les fermours, et occupiours quelconques, des manoirs terres tenementz et autres possessions des aliens; paient et soient tenuz de paier touz maners des dismes ent dues as parsons et vicairs de seinte esglise, es quelx paroches mesmes les manoirs terres tenementz ou possessions sont issint assiz, et dues, come la loye de seinte esglise demande; nient contrestenant qe les ditz manoirs terres tenementz ou autres possessions sont sefiz es mayns nostre dit Seigneur le Roi, et non obstante aucune prohibition faite ou affaire a contraire.

C A P. XII.

For regulating Executions upon Statutes Merchant.

Where a Statute Merchant is once certified into Chancery, and returned into

ALSO, it is ordained and established, That when any Statute Merchant is certified into the Chancery, and thereupon a Writ awarded to the Sheriff, and returned into the Common Bench, and the Statute there once shewed, that although the Procefs

Proceſs after ſuch ſhewing be diſcontinued, that whenever the Party ſueth to have the Proceſs recontinued, and to have Execution of the Statute Merchant, that the Juſtices of the Bench, where the Statute was once ſhewed, may upon the ſame Record make and award full Execution of the Statute Merchant aforeſaid, without again having the Sight or Shewing thereof; and that this Statute hold Place, as to all Statutes Merchant, not fully executed at this Time.

the Common Pleas, Execution may be had thereon from Time to Time. [See St. de Merc. 13 E. 1. and St. 27 E. 3. ſ. 2. c. 9.]

ITEM ordeignez eſt et eſtabliz qe qaunt aſcun eſtatut marchant ſoit certifie en la Chauncellarie, et ſur ceo brief agarde al viſcont, et retourne en le commune bank, et leſtatut illoques un ſoitz monſtre, qe combien qe le proceſſe apres celle demonſtrance ſoit diſcontinuee, qa quele heure qe la partie ſue de recontinuer le proceſſe, et davoir execution del eſtatut marchant, qe les juſtices del bank, en quel leſtatut feust un ſoitz monſtrez, puiſſent ſur celle record faire et agarder plein execution del eſtatut marchant avaunt dit, ſanz avoir de ceo autreſoitz vieu ou demonſtrance en apres; Et qe ceſt eſtatut tiegne lieu de toutz eſtatutz merchantz, a ceſt ſoitz nient pleinement executz.

C A P. XIII.

What Things may be plated with Gold or Silver, and what not.

[See alſo Stat. 2 H. 5. c. 4. 8 H. 5. c. 3.]

ALſO, Whereas many fraudulent Artiſcers, imagining to deceive the common People, do daily make Locks, Rings, Beads, Candleſticks, Harnes for Girdles, Chalices, Sword Pomels, and Hilts, Powder Boxes, Handles and Covers for Cups, of Copper and of Latten, and the ſame do gild and ſilver over like to Gold or Silver, and the ſame ſell and put in Gage to many Men, not having full Knowledge thereof, for entire Gold and Silver, to the great Deceit, Loſs, and Hinderance of the common People, and the Waſte and Deſtruction of Gold and Silver; it is ordained and eſtabliſhed, That no Artiſcer, nor other Man whatſoever, from henceforth ſhall gild nor ſilver any ſuch Locks, Rings, Beads, Candleſticks, Harnes for Girdles, Chalices, Hilts, nor Pomels of Swords, Powder Boxes, nor Handles or Covers for Cups, made of Copper or Latten, upon Pain to forfeit to the King an Hundred Shillings at every Time that he ſhall be found guilty, and to make Satisfaction to the Party grieved for his Damages: But that (Chalices always excepted) the ſaid Artiſcers may make and work Ornaments of Holy Church of Copper and Latten; and the ſame may gild and ſilver, ſo that always in the Foot, or in ſome other Part of every ſuch Ornament ſo to be made, the Copper and the Latten ſhall be plain, to the Intent that a Man may ſee whereof the Thing is made, for to eſchew the Deceit aforeſaid.

Penalty on plating Locks, Rings, &c. of Copper with Gold or Silver, Five Pounds.

Exception for Church Ornaments.

ITEM per ce qe pleuſeurs deſſoia'x artiſcers, ymaginantz a deceiver le commune poeple, ſont de jours en autre, firmalx anelx bedes chandelers gipserrynges chalices, hilts et pomelx deſpeis, poudre boxes, lienes et burſels pur hanapes, de cupre et de latten et le fuiſorront et fuiſargentent, ſemblables a or et argent,

gent, et les vendent et mettent a gage as plusours hommes, nient eiantz pleine conissance de ce, pur or entier et argent entier, a grant deceit perde et arrerissement de commune poeple, et anientissement et destruction dor et dargent ; Ordeignez est et establi, qe nul artificer nautre homme qeconqe desore enavant, suisorre ne suisargente, nulles tielx firmalx anelx bedes chandelers gipserynges chalices hiltes ne pomelx des espeis poudre boxes lienes ne burfels pur hanapes, faitz de cupre ou de laton, sur peine de forfaiture au Roy C s. a chescun soit q'il serra treuve coupable, et de faire gree a partie pur ses damages : Mais qe, chalices touteditz exceptz, les ditz artificers purront faire et overer ornamentz de Sainte Eglise, de cupre et de laton et les suisorrer et suisargenter ; parainsi toutesfoitz qen la pie, ou en autre partie de chescun ornament ensi affaire, soit la cupre ou laton plain, a syn qe homme purra veier dont la chose est faite, pur eschuir la deceit avaundite.

C A P. XIV.

For recording the Proceedings on Fines, in the Common Pleas.

ALSO, Whereas many Feet of Fines of Lands and Tenements within the Realm of *England*, remaining in the King's Treasury, and the Notes of such Fines remaining in the common Bench, have been before this Time imbesilled, and other Feet and Notes of Fines falsly counterfeited and put in their Places, by Deceit and Collusion of some, whereby many People of the Realm have been greatly endamaged before this Time, and may be disherited in the Time to come ; it is ordained and established, That all the Writs of *Covenant*, and all other Writs whereupon Fines shall be levied in Time to come, with the Writs of *Dedimus potestatem*, if any be, with all the Acknowledgments and Notes of the same, before that they be taken out of the common Bench by the Cyrographer, shall be inrolled in a Roll, to be of Record for ever, to remain in the safe Custody of the chief Clerk of the common Bench, and of his Successors, for the old Fee of Twenty-two Pence, accustomed to be paid to the chief Clerk, for the entering of the Concord of every Fine, without paying any more ; to the intent that if the Notes in the Custody of the Cyrographer, or the Fines, be imbesilled, Recourse may be had to the said Roll to have Execution thereof, as should be had if the Fines were not imbesilled.

And that all the Writs of *Covenant*, and all other Writs, whereupon Fines have been levied in Times past, shall be also of Record : And moreover, concerning all the Fines that were now late imbesilled in the Treasury of our Lord the King, by Persons unknown, that if the Notes and Writs of *Covenant* of such Fines imbesilled, remaining in the Custody of the Cyrographer, can be found, that then to the Party shewing Part of the Fines imbesilled, such Notes and Writs of *Covenant* shall remain of Record, as far forth as the same Fines should have been, if no imbesilling thereof had been made.

To guard against the Loss or Embezzlement of Fines, all Writs of Covenants, and *Dedimus potestatem*, and all Acknowledgments of Fines and Notes thereof, shall be inrolled of Record in the Common Pleas,

Extended to Fines previously levied.

[But as to this, see printed Rot. Parl.

6 H. 4. nu. 69.]

ITEM por ce qe plusieurs pies des fins des terres et tenementz deinz le roialme d'Engleterre, demurrantz en le tresore nostre Seignur le Roi, et les notes de tielx fyns demurantz en le commune bank, aient este devant ces heures embesilez, et autres pies et notes de fyns fausement contreovez et mayz en leur lieux, par deceit et [comettement¹] daucuns, par ont pleusours des gentz de roialme ont este grandement endamages avant ces heures, et purront estre disheritez en temps advenir: Ordeignez est et establis qe toutz les briefts de covenant, et toutz autres briefts sur queux fyns serront levez en temps avenir, ovesqe les briefts de *dedimus potestatem*, si aucuns y soient, ove toutz les conusances et notes dicelles, avant ce qils soient treizez hors de commune bank par le cirograffier, soient enrollez en un rolle destre de recorde pur toutz jours, a demurrer en la sause garde du chief clerk du commune bank, et de sez successeurs, soubz laancien fee de vingt et deux deniers, acustume a paiers au chief clerk pur l'entree d'accorde de chescun fyn, sanz plus outre paier; au fyn qe si les notes en la garde de cirograffier, ou les fyns, soient embesilez, qe lem avera recours au dit rolle, pur ent avoir execution, come il avroit si les fynes ne feussent point embesilez.

Et qe toutz les briefts de covenantz, et toutz autres briefts sur queux fyns ont este levez du temps passe, soient auxi de record: Et enoutre de toutz les fyns queux sont ore tarde embesilez en le tresorie nostre Seignur le Roi par gentz disconnuz, qe les notes et briefts de covenantz des ditz fyns embesilez demurantz en le garde de cirograffier si purront estre trevez, qe a la partie monstrant partie des ditz fyns embesilez, tielx notes et briefts de covenant demourgent de recorde si avant come mesmes ceux fyns eussent este si nul embesilement diceux neust este faite.

¹ conjectement, P.

C A P. XV.

The King's Pardon.

THIS Pardon is to all the King's Subjects in *England*, *Wales*, and *Scotland*, of all Treasons, Insurrections, Rebellions, Misprisions, Felonies, and Trespasses committed before the First Day of the Parliament; (Except for Rapes, Murders, and counterfeiting the King's Seal or Coins, and Traitors or Felons in Custody.) And also all Adherents to Enemies or Traitors on their surrendering within Forty Days. With a special Exception of *William Serle*, *Thomas Ward* of *Trumpington*, 'pretending and feigning to be King *Richard*,' and *Amye Donet*."

ANNO sexto HENRICI IV.

*In the Parliament held at Coventry 6th October,
A.D. 1404.*

From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 10." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iii. p. 545, &c.

<i>Chapter of Statute.</i>	<i>No. in printed Roll.</i>	
1,	—	57
2,	—	58
3,	—	59
4,	—	37

} *On Petitions of the Commons.*

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iii.

*Page. No. } Grant of a Subsidy, viz. Two Fifteenths and Tenths
546, 9, } by Four Payments. Subsidy on Wools, &c. exported
of Forty-three Shillings and Four-pence per Sack of
Denizens, and Fifty-three Shillings and Four-pence
of Aliens, for Two Years from the ensuing Michael-
mas. Also Tonnage of Three Shillings and Pound-
age of Twelve-pence (with Exceptions as in preced-
ing Grants) for the same Two Years: Upon Condi-
tion that all the said Subsidies shall be spent in De-
fence of the Realm, under Direction of certain Trea-
surers, assigned and directed to account to the Com-
mons; the Misapplication thereof being declared
Treason. The Lords Temporal also for themselves,
and for the Ladies Temporal, "Les Dames tempo-
relx," and all other Persons temporal grant, for every
Twenty Pounds of Land or Rents being in their
Hands to the Value of Five hundred Marks a year
and upwards, Twenty Shillings, to be levied at
Christmas and Midsummer ensuing: Provided that
if a Fleet and Army were not prepared by the Feast
of Saint Hillary ensuing, the Grant should be void.
No Member of Parliament to be a Collector of the
Subsidy; and Protestation that the Grant should not
be drawn into Precedent, &c.*

Page.

- Page. No. } For Repayment of Money, lent to the King for a particular Service, out of the Tax of Twenty Shillings
 547, 11, } last mentioned in the preceding Grant.
 13, }
 550, 25, Confirmation of a Grant to the Earl of Somerset.
 26, For Sir John Cornwall and his Wife, Elizabeth, Countess of Huntingdon. By the King's Grace in full Parliament.
 27, For Sir Stephen Scrope of Marsham.
 28, For the Prior of Coventry, respecting the Conduit there.
 551, 29, For the Prior of the Chartreuse near Coventry.
 553, 40, For repeal of the extra Duty of Six Shillings and Eight-pence per Sack on Wools exported by Aliens, granted 21 Rich. 2. nu. 75. (See that Year and post nu. 56.)
 42, Merchants of Italy shall be well treated by Customers, &c. at the Ports.
 554, 44, For regulating the Brokers of such Italian Merchants. On Petitions of the Commons.
 555, 49, For resuming the Grants of Lands made out of the Dowry of Anne, first Queen of Richard II.
 51, For Relief of Assessors and Collectors of Subsidies being Members of Parliament.
 54, } For shipping Wools at Ipswich, till the next Parliament.
 and see }
 560, 2, }
 556, 56, Petition of the Commons, stating, that in the Parliament 4 H. 4. they had granted a Subsidy of Forty-three Shillings and Four-pence for Denizens, and Fifty-three Shillings and Four pence for Aliens on every Sack of Wool, &c. exported above the half Mark (Six Shillings and Eight-pence) of the ancient Custom per Sack; and that Entry was made in the Rolls of the Chancery, on the Ingrossment of the said Parliament, (See sub. An. 4 H. 4. nu. 28.), that the said Commons had granted Fifty Shillings and Sixty Shillings per Sack, making no Mention of the half Mark; and that Commissions were made to levy the Fifty Shillings and Sixty Shillings per Sack without mention of the half Mark. And that the Barons of the Exchequer were about to distrain all who had shipped any Wool, to answer to the King for the said Custom of half a Mark, beyond the Subsidy of Fifty Shillings and Sixty Shillings against the Intent of the said Grant; they therefore pray the King to ordain, that the Intent of the said Commons, in the said Grant, may be declared to have been to grant a Subsidy of Forty-three Shillings and Four-pence, and Fifty-three Shillings and Four-pence, beyond the half Mark

Mark due to the King of ancient Custom, and that Process in the Exchequer may cease for the same. In answer, the King, of his special Grace, pardons the Six Shillings and Eight-pence to him due as of Inheritance, from his Coronation to the Feast of Saint Martin preceding. But so that till Michaelmas next ensuing he shall have a Subsidy of Fifty Shillings and Sixty Shillings per Sack, besides the Six Shillings and Eight-pence due to him of Inheritance.

On private Petitions.

Page. No. } *For shipping Wools at Lynn till the next Parliament.*
560, 3, }

The Answers to several other Petitions are more in the Manner of judicial Processes than legislative Acts.

See also Appendix to printed Rot. Parl. iii. p. 670, nu. 8. for the Prior of St. John of Jerusalem.

[*See Stat.
25 H. 8. c. 20.
forbidding the
Payment of
First Fruits
to the See of
Rome.*]

C A P. I.

For preventing the Payment to the Court of Rome of excessive Sums for the First Fruits of Archbishopricks or Bishopricks.

UPON the grievous Complaint made to our sovereign Lord the King by his Commons in his Parliament holden at Coventry the Sixth Day of October, the Sixth Year of his Reign, of the horrible evil and damnable Custom which is newly introduced in the Court of Rome, that no Person, able nor other, should have Provision of any Archbishoprick or Bishoprick which shall be void, till that he hath compounded with the Pope's Chamber, to pay great and excessive Sums of Money, as well for the First Fruit, of such Archbishoprick or Bishoprick, as for other less Services, in the said Court, and that the said Sums, or the greater Part thereof, be paid beforehand, which Sums exceed the Treble, or the Double at the least, of what was accustomed of old Time to be paid to the said Chamber, and otherwise, by the Occasion of such Provisions; whereby a great Part of the Treasure of this Realm hath been taken and carried away to the said Court, and also will be in Time to come, to the very great impoverishing of the Archbishopricks and Bishopricks within the said Realm, and elsewhere within the King's Dominions out of the Realm, if convenient Remedy be not for the same provided: Our said Sovereign Lord the King, to the Honour of God, as well to eschew the Damage of his Realm, as the Perils of the Souls of those which should be advanced to any Archbishopricks and Bishopricks within the Realm of England, and elsewhere within the King's Dominions out of the same Realm, with the Advice and Assent of the great Men of his Realm, in the said Parliament, hath ordained and established, That they and every of them who shall pay to the said Chamber, or otherwise, for such Fruits and Services greater Sums of Money than have been accustomed to be paid in old Time

Penalty of
Forfeiture on
Persons paying
to Rome excessive
Sums for First
Fruits, &c.

Time passed, they and every of them shall incur the Pain of Forfeiture of as much as they can forfeit towards our said sovereign Lord the King.

SUR la grevousse complaint, faite a nostre Seigneur le Roy par sa commune en son parlement, tenuz a Coventre le vij.me jour d'Octobr' lan de son regne sisme, del horrible malveise et dampnable custume, qest entroduce de novell en la cour du Rome, qe nulle persone, hable nautre, avera provision daucune erceveschie ou eveschie qe se voidera, jusques a tant qe ele ait compose avec la chambre lappostoil, ce paier graundes et trop excessives sommes de monioie, tant pur les primers fruitz de celle erceveschie ou eveschie, come pur autres meindres services en la dite courte, et qe mesmes les sommes ou la pluis grande partie dicelles soient paieez devaun la mayn, quelles sommes passent le treble, ou le double au meins, de ce qe estoit acustume dauncien temps destre paie a la dite chambre, et autrement, a cause de tielles provisions; par ont grande partie de trefore de roialme a este amesnez et emportez a la dite courte, et ainsi serra en temps avenir en tresgrande empoverissement de les erceveschies et eveschies deinz mesme le roialme, et aillours deinz les seignories de Roi par dehors, si sur ceo de covenable remede ne soit purveu: Nostre dit Seigneur le Roi, a lonur de Dieu, sibien pur eschuer le damage de son roialme, come les perils des almes de ceux qi deussent estre avancez as aucuns erceveschies et eveschies, deinz le roialme d'Engleterre, et aillours deinz les seignories mesme nostre Seigneur le Roi par dehors mesme le roialme, de ladvis et assent des grauntz de son roialme en mesme le parlement, ad ordeinez et establiz, qe ceux et chescun de eux, qi paient ou paie a la dite chambre ou autrement, pur tielx fruitz et services, greindres sommes de monioie qe sont este acustumez destre paieez dauncien temps passez, ils et chescun de eux encourgent et encourage la peine de forfaiture de quant qils purront forfaire envers mesme nostre Seigneur le Roy.

C A P. II.

For amending the Statute 1 H. 4. c. 6. respecting Grants of the King.

“ RECITAL of Stat. 1 H. 4. c. 6. as to the Contents of Petitions for Grants of the King.”

OUR said sovereign Lord the King, with the Advice and Assent afore said, hath ordained and declared in the same Parliament, That the Queen nor the King's Sons, nor none of them be contained in the said Statute, nor restrained by the same from demanding and receiving of the King's Gift, any Lands, Tenements, or other Possessions; but that they and every of them shall have and enjoy all which they or any of them have or hath of the Gift or Grant of the King at this present, and which they or any of them may demand and receive of the King's Gift or Grant hereafter, without being molested or grieved by virtue of the afore said Statute.

The Queen and Princes excepted from the said Statute.

NOSTRE dit Seigneur le Roy, de ladvis et assent suifdit ad ordeignez et declarez en mesme cest parlement, qe la roigne ne

les fitz du Roi, ne nulluy de eux soient contenuz en la dit estatut, ne restreintz par ycell a demander et receiver, de doun de Roy, terres tenementz et autres possessions quelconques; eins qils et chescun de eux eient et enjoient et ait et enjoie tout ce qils, ou aucun de eux, ont ou ad de doun ou grant du Roi au present; et qils demanderont ou receiveront, ou aucun de eux demandera ou recevra, de doun ou graunte de Roi, en temps advenir sanz ent estre molestez ou grevez par vertue de lestatut avaunt dit.

C A P. III.

For compelling Sheriffs and other Officers to account duly for their Receipts.

ALSO, whereas divers of the Sheriffs, Escheators, Aulnegers, Customers, Comptrollers, and other the King's Officers, accomptable in many Parts of the Realm, do defraud and deceive our said Lord the King yearly in their unlawful and untrue Accounts, concealing and receiving to their own Use the greater Part of that which rightfully ought to pertain to our said Lord the King, to his great Damage and Loss; our said Lord the King, by the Advice and Assent aforesaid, hath ordained, That presently after every final Accompt given and made by the Officers and Customers aforesaid, before the Barons of the Exchequer of our said Lord the King, the Tenour of the Accompt of every of the said Officers, Word for Word, shall be from Time to Time sent into the Counties where the same Accomptants were Officers; together with Commissions directed to the most lawful and discreet Persons, to inquire and certify the Profits which the said Accomptants have received within the said Counties, in the Name and to the Use of our said Lord the King, by them in Manner aforesaid upon their said Accompts to their own proper Use and Profit deceitfully concealed and received. And in case, that the said Accomptants be attainted of their said Frauds and Deceits they shall incur to our said Lord the King the Penalty of the Treble of that whereof they shall be so convicted, and their Bodies be imprisoned until they have made Fine and Ransom to our said Lord the King, according to the Discretion of his Judges.

Duplicates of Accounts given in at the Exchequer by Sheriffs, Customers, &c. shall be sent into their Counties, with Commissioners to enquire of the Profits actually received; and in case of fraudulent Concealment, Offenders shall forfeit treble and be fined and imprisoned.

ITEM por ceo qe pleusours des viscountz eschetours alayours customers countrollers, et autres officers nostre Seignur le Roy, accomptablez en pleusours parties del roialme, defraudent et deceyvent nostre dit Seignur le Roy annuelement, sur lour desloialx et nient verroies accomptz, concelantz et retenantz a leurs propres oeps la greindre partie de ceo qe droiturement apertener deveroit a nostre Seignur le Roy avaunt dit, a son tresgraunt damage et perde; Nostre dit Seignur le Roi, de ladys et assent suidditz, ad ordeigne, qe meynテナant apres chescun final acompt renduz et faitz, par les officers et customers avaunt ditz, devant les barons de leschequer nostre dit Seignur le Roi, le tenure de laccompt de chescun des ditz officers, de mote en mote, soit envoie as countees, en les queux les ditz accomptantz estoient officers; ensemblement ove commissions directz a les plus loialx et discretas perones, pur enquerrer et certifier de les profitz queux les accomptantz avaunt ditz

ditz ount receuz deinz les countee suisditz, en noun et al oepe nostre dit Seigneur le Roi, par eux en manere avauntedit, sur leur ditz acomptz, a leur propres deys et profet desceivablement concelez et retenuz. Et en cas qe les ditz accomptantz soient atteintz de leur dit fraudes et desceites, qils encourent a nostre dit Seigneur le Roi la peyne de la treble de ce dont ils seront convictez, et leur persones a prisonne, tanqe ils aient fait fyne et ranceon a nostre Seigneur le Roi avauntedit, solonc la discretion de sez juges.

C A P. IV.

For regulating Alien Merchants.

ALSO, whereas in the last Parliament holden at *Westminster*, amongst other Things, it was ordained, That the Merchants Aliens and Strangers should sell their Merchandises within a Quarter of a Year next after the coming thereof into the Realm; our Lord the King seeing the said Ordinance to be very hurtful and prejudicial, as well for himself and his Realm, as for the said Merchants Aliens and Strangers, by the Advice and Assent aforesaid, hath ordained and established, That the said Ordinance be utterly void and adnulled for ever; and that the said Merchants Aliens and Strangers be at their free Disposition to sell their Merchandises in Manner as they were before the making of the said Ordinance; Saving always the Franchises and Liberties of the City of *London*: And also provided always, That the said Merchants Aliens and Strangers shall not carry or anywise cause to be carried out of the Realm, any Merchandises brought into the Realm by the Merchants Aliens and Strangers aforesaid.

Stat.

5 H. 4. c. 9.

repealed.

[But see Stat.

4 H 5. c. 5.]

Alien Merchants
shall not export
foreign Goods.

ITEM come en le darrein parlement tenuz a *Westm'* entre autres choses, ordeignez estoit qe les marchantz aliens et estranges venderoient leur merchandises deinz un quatre dun an, prochein apres leur venue en ycelle roialme; Nostre Seigneur le Roi veiant la dite ordonnance molt damageouse et meschevous, sibien pur luy mesmes et son roialme come pur les ditz marchantz aliens et estranges, de ladys et assent suisdites, ad ordeinez et establiz qe la dite ordonnance soit de tout voide et adnullez pur toutz jours; et qe mesmes les marchantz aliens et estranges soient a leur liberale disposition, a vendre leur dites merchandises en manere come ils feurent, devant la faissance du dite ordonnance: Sauvez toutesfoitz les franchises et libertees de la citee de *Londres*. Et purveux auxi toutesfoitz, qe les ditz marchantz aliens et estranges namesnent, ne facent amesner aucunement, hors du roialme aucunes merchandises amesnez deinz mesme le roialme, par les marchantz aliens et estranges avaunteditz,

Anno. septimo HENRICI IV.

*In the Parliament held at Westminster 1st March (7 H. IV.)
A.D. 1405-6, and ended there 22^d December (8 H. IV.)
A.D. 1406.*

The Statute of this Year is always quoted as 7 H. IV. It is here reprinted from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 12." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iii. p. 568, &c.

<i>Chapter of Statute.</i>	<i>No. in printed Roll.</i>	
1,	—	104
2,	—	36, 60 (1)
3,	—	108
4,	—	109
5,	—	111
6,	—	113
7,	—	115
8,	—	119
9,	—	127
10,	—	129
11,	—	130
12,	—	132
13,	—	138
14,	—	137
15,	—	139
16,	—	140
17,	—	141
18,	—	64 (1)

*On Petitions of
the Commons.*

(1) *Not included in the general Schedule of the Commons Petitions.*

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iii.

Page. No. 7 Grant of a Subsidy (dated the Twenty-second of December, the last Day of the Session, though entered on the Roll as the first material Business), viz. An entire Fifteenth and Tenth:—The Subsidy of Forty-three Shillings and Four pence of Denizens, and Fifty-three Shillings and Four-pence of Aliens, per Sack, on Wools, &c. exported, for One Year, from the ensuing Michaelmas:—Poundage of Twelve-pence and Tonnage of Three Shillings for the like Term:

Term:—on Condition that the Whole should be expended under the Direction of Persons named in Parliament as the King's Council, for Defence of the Realm; (see post, nu. 31, &c.) except Six thousand Pounds for the King's own Use.

Page. No. } *Treaty with the Merchants for Safeguard of the*
 569, 18, } *Seas, on their receiving a certain Portion of the*
 571, 26, } *Subsidies. For settling the Engrossment of the Or-*
dinance for this Purpose, certain of the Commons
were appointed as a Committee to act with the
Council. (See post, nu. 142.)

571, 29, } *For sending certain Aliens out of the Kingdom.*

572, 31, } *Certain Bishops, Lords, and others, named to be of*
 32, } *the King's Council; with extensive Powers for assist-*
 577, 41, } *ing in the Administration of the Government and*
Revenues. (And see post, nu. 66.)

573, 36, } *The Clergy exempted from the Effect of the Commission*
of Array. (See 5 H. 4. nu. 24.)

577, 44, } *For discharging the Treasurers of the Subsidies ap-*
 584, 63, } *pointed 6 H. 4. (nu. 9.) and naming Auditors to*
settle their Accounts.

583, 62, } *Contre les Lollards. — If any Man or Woman do*
preach, publish, or openly maintain or hold any School
for any Sect, or any Doctrine against the Catholic
Faith; or do preach, &c. or write or publish any
Thing to incite the People to deprive the Clergy of
their temporal Possessions; or report that the late
King Richard deceased was alive, or do publish or
write any false Prophecy in Commotion and Affray
of the People, they shall be apprehended and impris-
oned, or give sufficient Security to abide the Judge-
ment of the King and Lords in the succeeding Par-
liament. All Justices, Sheriffs, &c. are required
to execute this Act without further Commission. [See
Repeal of this 11 H. 4. nu. 12.]

585, 65, } *The Commons pray that a Committee (consisting of*
such of the Lords Spiritual and Temporal as the
Lords should name, together with the Speaker, and
Eleven others of the Commons, Six of them being
a Quorum), be assigned to be at the Enactment and
Ingrossment of the Roll of Parliament, and that this
Petition be enacted of Record in the Roll of Parlia-
ment; which the King graciously grants.

585, 66, } *Articles or Proceedings for ascertaining and confirm-*
 to } *ing the Power of the Council previously appointed*
 591, 103, } *in Parliament, (see ante, nu. 31, 32, 41.) for*
the Administration of the Government and Reve-
nuues. It is stated that these Articles were contained
in

in a Roll, and that the Speaker presented them as being made by the Advice and Assent of the King, Lords, and Commons, and prayed that they might be enacted and entered of Record in the Roll of Parliament, to which the following Answer was given, "*Le Roy le voet, sauuant toutesfoitz a luy son estat et prerogative de son corone.*" On the Prayer of the Speaker the Council were sworn (after some Hesitation on their Part, and at the special Command of the King), to observe the Articles to the best of their Power and Knowledge. The Articles are declared to be in Force from the Commencement of the present Parliament till the Conclusion of the Parliament next ensuing only. They are Thirty-one in Number, and are very restrictive on the Power of the Crown; some Parts of them are contained in the Statute; others are consistent with the Law as declared by former Statutes; and many of them impose new Restraints, particularly as to the Disposal of Offices and Revenues. At the Conclusion all the Grants made by the King in that Parliament are recited as allowed and confirmed for valid. See further 9 H. 4. nu. 13.

On Petitions of the Commons.

- | | | |
|-------|------|--|
| Page. | No. | |
| 592, | 106, | } For Relief of Sheriffs in their Accounts. |
| 595, | 117, | |
| | | Repeal of a Grant slated to have been made in the present Parliament of an additional Poundage of Twelve-pence on Aliens Goods only. |
| 597, | 125, | For securing a good Jury in a Case in which the Duke of York was Plaintiff. |
| 600, | 136, | The Council empowered to settle certain Matters respecting the Company of Weavers in London. |
| | 138, | For exempting David Holbach from the Disabilities imposed on Welchmen by Stat. 2 H. 4. c. 12. |
| 602, | 142, | The Merchants (see ante, nu. 18, 26.) discharged from their Treaty as to the Safeguard of the Sea, and the Council empowered to settle the Accounts of the Collectors of the Portions of the Subsidies appropriated to them. (See also 9 H. 4. nu. 19.) |
| 604, | — | } The Record of the Process against Henry Percy Earl of Northumberland, and Thomas Bardolf Lord Bardolf. (See Cap. 5. of the Statute of this Year.) |
| 607, | — | |
| | | The Process against these Noblemen in the Court of Chivalry before the Constable (in An. 6 H. 4. See Stat. 1 H. 4. c. 14.) for having appeared in Arms against the King, and for having treated with Scotland and France for the Restoration of King Richard |

Richard II. if living, or revenging his Death if dead, is recited before Parliament; and thereupon several Proclamations for the Appearance of the accused are ordered to be made, and being made and returned, both the Noblemen making Default in Appearance, are declared convict of Treason, and sentenced accordingly.

OUR Lord the King, at his Parliament holden at *Westminster* the First Day of *March*, in the Seventh Year of his Reign, by the Advice and Assent of the Lords Spiritual and Temporal, and at the Request of the Commons in the said Parliament, hath ordained and established divers Ordinances and Statutes, in Form following :

NOSTRE Seigneur le Roi a son parlement tenuz a Westm' le primere jour de Marce, lan de son regne vij^{me}, de ladvis et assentz des Seignurs Espirituelx et Temporelx, et a la request des communes en mesme le parlement, ad ordeigneuz et establiz diverses ordonances et estatutz en la forme qenseute :

C A P. I.

Confirmation of Liberties and Statutes.

FIRST, That Holy Church have all her Liberties and Franchises : And that all the Lords Spiritual and Temporal, and all the Cities, Boroughs, and Towns enfranchised, have and enjoy all their Liberties and Franchises, which they have of the Grant of the Progenitors of our said Lord the King, and of the Confirmation and Grant of the same our Lord the King. And that the great Charter, and the Charter of the Forest, and all the Ordinances and Statutes made in the Time of our said Lord the King, and in the Time of his said Progenitors, not repealed, be firmly holden and kept, and duly executed in all Points. And that the Peace within the Realm be holden and kept, so that all the liege People and Subjects of our said Lord the King may henceforth safely and peaceably go, come, and abide, according to the Laws and Usages of the same Realm. And that good Justice and equal Right be done to every Person; saving to the same our Lord the King his Regality and Prerogative.

PRIMEREMENT qe Saint Esglise eit toutz ses libertees et franchises; Et que toutz les Seignurs espirituelx et temporelx, et toutz les citees burghs et villes enfranchises, aient et enjoient toutz les libertees et franchises, queux ils ont du graunte des progenitours nostre dit Seigneur le Roi et de la confirmation et de graunte mesme nostre Seigneur le Roi. Et qe la grande Chartre et la Chartre de la Forest, et touz les ordonances et estatutz faitz en temps nostre dit Seigneur le Roy et en temps de ses ditz progenitours, nient repellez, soient fermement tenuz gardez et dument executz en toutz pointz. Et qe la paix deinz le Roialme soit tenuz et gardez, illint qe toutz ses loialx lieges et subgitz mesme

nostre Seigneur le Roi pourront defors sauvement et paisiblement aler venir et demurer solonc les loyes et usages de mesme le Roialme. Et qe bone justice et ouel droït soit fait a chescun; sauvaunt a mesme nostre Seigneur le Roi ses regalie et prerogative.

C A P. II.

The Realms of *England* and *France* intailed to the King and his Four Sons by Name.

[See printed Rot. Parl. sub hoc an. nu. 38. for a Settlement of the Crown to the King and his Heirs-male. That is revoked nu. 60. and a Settlement made as in this Chapter. See also printed Rot. Parl. 5 H. 4. nu. 17.]

ALSO, at the Request and with the Assent of the said Lords and Commons, in the said Parliament, it is ordained and established, That the Inheritance of the Crown, and of the Realms of *England* and *France*, and of all the other Dominions pertaining to our sovereign Lord the King beyond the Sea, with all the Appurtenances, [be placed and remain¹] in the Person of the same our sovereign Lord the King, and in the Heirs of his Body issuing; and in especial at the Request and with the Assent aforesaid, it is ordained and established, pronounced, decreed, and declared, That my Lord the Prince *Henry*, eldest Son of our sovereign Lord the King, be Heir apparent to the same our sovereign Lord the King, to succeed him in the said Crown, Realms, and Dominions, to have them with all the Appurtenances after the Decease of the same our sovereign Lord the King, to him and his Heirs of his Body issuing. And if he die without Heir of his Body issuing, that then all the said Crown, Realms, and Dominions, with all the Appurtenances, shall remain to the Lord *Thomas*, second Son of our said sovereign Lord the King, and to the Heirs of his Body issuing. And if he die without Issue of his Body, that then all the said Crown, Realms, and Dominions, with all the Appurtenances, shall remain to the Lord *John*, the third Son of our said sovereign Lord the King, and to the Heirs of his Body issuing. And if he die without Heir of his Body issuing, that then all the foresaid Crown, Realms, and Dominions, with all the Appurtenances, shall remain to the Lord *Humfrey*, the fourth Son of our said sovereign Lord the King, and to the Heirs of his Body issuing.

ITEM de la request et de l'assent des ditz Seignurs et communes, en dit parlement, ordeignez est et establiz, qe lenheritement de la corone, et de les Roialmes d'Engleterre et de Fraunce, et de toutz les autres Seignuries nostre dit Seigneur le Roi pardelea la meer, ouelque toutz les appurtenances, [soit mys et demourge¹] en la persone mesme nostre Seigneur le Roi, et en les heirs de son corps issantz; et en especial, a la request et de l'assent suifditz, ordeignez est et establiz, prononciez descernez et declarrez, qe [monseigneur²] le prince *Henry*, eisme fitz nostre Seigneur le Roi, soit heir apparent mesme nostre Seigneur le Roi, pur luy succeder en les suifditz corone Roialmes et Seignuries, pur les avoir ove toutz les appurtenances apres le deces diocell nostre Seigneur le Roi a luy et a ses heirs de son corps issantz. Et sil devie sanz heir de son corps issant,

issant, qadonques toutes les suiffdites corone Roialmes et Seignuries, ove toutes les appartenances, remaignent a mon Seigneur Thomas seconde fitz nostre dit Seigneur le Roi et a ses heirs de son corps issantz. Et sil devie sanz issue de son corps issant, qadonques toutes les suiffditz corone Roialmes et Seignuries, ove toutes les appartenances, remaignent a mon Seigneur John tierce fitz mesme nostre Seigneur le Roi et a ses heirs de son corps issantz. Et sil devie sanz heir de son corps issant, qadonques toutes les suiffdit corone Roialmes et Seignuries ove toutes les appartenances remaignent a mon fleur Umfrey, quart fitz nostre dit Seigneur le Roi et a ses heirs de son corps issantz.

¹ See the Petition (printed Rot. Parl. nu. 60.) where the Word "metres" only is used. In the Letters Patent in Latin the Term is "residue" only. See Notes sub An. 1 Ric. 3. and 1 Hen. 7.

² Monse', Rot. Parl.

³ The Letters Patent here add "in perpetuum;" and also contain a Proviso that the Possessions of the Duchy of Lancaster should not be affected by this Settlement. See sub An. 1 H. 4. nu. 81.

C A P. III.

For preventing Abuses in the levying of Fines, Issues, and Amerciaments.

ALSO, Whereas divers People of the Realm do lose Issues, Fines, and Amerciaments in the Court of our Lord the King, at the Suit of a Party, and also Issues and Amerciaments in Inquests and Juries, wherein they be impanelled betwixt Party and Party in the said Court; whereupon the Badsiffs of the Sheriffs and their Receivers, and Bailiffs of Franchises and their Receivers, which gather the green Wax, do levy the Issues, Fines, and Amerciaments aforesaid by Estreats sent to them, and delivered out of the Court where they were forfeit, by obscure and ambiguous Words containing the Sum so lost, not making mention by expresse Words of the Cause of the Loss, nor the Day of the Term, nor betwixt what Parties, nor the Nature of the Writ in which such Issues, Fines, and Amerciaments were lost; so that the Officers aforesaid do levy the Sum two or three Times, and sometime double the Sum contained in their Estreats, to the great Grief and Impoverishing of all the People: It is ordained and established, That the Justices and Judges before whom Issues and Amerciaments are and shall be forfeit, in Time to come, shall charge the Clerks of the Estreats, in the Courts in which the Issues and Amerciaments are or shall be forfeit, by their Oaths, to make, and that they do make the Rolls of the Estreats of the said Issues and Amerciaments distinctly, by expresse Word, of the Cause of the Loss, of the Term, of the Year, and the Nature of the Writ, and betwixt what Parties such Issues and Amerciaments are or shall be lost, as well in the King's Suit, as in the Suit of Parties; and that the Statute made in the Time of King Edward the Third, the Two-and-fortieth Year of his Reign, for gathering of green Wax, be holden and kept in all Points.

Clerks of the Estreats shall specify in their Rolls the Particulars of all Fines, Issues, and Amerciaments which shall be collected and discharged as under Stat. 42 E. 3. c. 9.

ITEM pur ce qe plusieurs gentz de Roialme perdont issues fines et amerciementz, en la court nostre Seigneur le Roi a la suyte d'aucune partie, et auxi issues et amerciementz en enquestes et jures,

jures, es queux ils sont enpanelles parentre partie et partie, en la court avaunt dite; sur qoy les baillifs des viscountz et leurs receivoirs, et baillifs des franchises et leurs receivoirs, qui coillent la verte cere, levont les issues fines et amerciementz avaunt ditz, par estreites a eux maundes et livreiz hors de la place ou ils furent forfaitz, par obscures et dotifs parols, contenantz la sorne issint perdue, nient fesantz mention par expresse parol de cause de la perde, ne del jour del terme, nentre quelz parties, ne la nature del brief, es queux ycelles issues fines et amerciementz furent perduz; issint qe les ministres avaunt ditz levont la sorne deux soitz ou trois soitz, et aucune soitz la double somme contenue en leurs estreites, a grand grevance et empoverissement de tout le poeple: Ordeignez est et establiz qe les Justices et Jugges, devauntz queux issues et amerciementz sont et seront forfaitz en temps advenir, chargent les clerks des estreites, en les places en les queux les issues et amerciementz sont ou seront forfaitz, par leur serement, de faire et qils facent les rolles des estreites des ditz issues et amerciementz distinctement, par expresse parol, del cause del perde, del terme del an et de la nature del brief, et parentre queux parties tielx issues et amerciementz sont ou seront perduz; sibien en la suite du Roi come en la suite de partie: Et qe lestatut fait en temps le Roi Edward tierce, lan de son regne xlii. de coillet de vert cere, soit tenuz et gardes en toutz pointz.

C A P. IV.

No Protection allowable in Actions for Escape against a Gaoler.

ALSO, Because that when divers Persons, being Debtors, be condemned to their Creditors by due Process of the Law, and committed to Prison, that is to say, to the Gaols of the *Marshalsea*, *King's Bench*, *Fleet*, and to other Prisons elsewhere in divers Cities, Boroughs, and Towns within the Realm, the Keepers of the Gaols and Prisons aforesaid, of their own Authority, do let the said Debtors to go at large at their Will; and whereas by a Statute it was ordained, That if any Gaoler do let such Prisoner to go by Mainprise or in Bail, that then the Person at whose Suit the Prisoner is condemned, shall have his Action and Recovery against the said Gaoler, such Keepers do purchase to them the King's Protection, so that the said Creditors by such Protections be delayed and deferred from their due and rightful Recovery, as well against the said Keepers of the Gaols, as against the said Prisoners, to the very great Damage and Prejudice of the common People, and Derogation of the Common Law: It is ordained and established, That no Protection be available, nor allowable, nor by any Means allowed in such Case.

See Stat.

1 R. 2. c. 12.

and see also

Stat. Westm. 2.

(13 E. 1.) c. 21.

ITEM par ceo qe quaut diverses gentz, dettours sont condempnes a leurs creditours par due proces du loy et commys a prisonne, cestassavoir as gaoles de Mareschalcie Bank du Roi Flete et aillours, as autres prisonnes en diverses citees villes et burghs deins le Roialme, les gardeins des gaoles et prisonnes suiffditz, de leur propre auctorite, lessent les dettours suiffditz aler a large a leur volonte;

volonte; et la ou par estatut est ordeignee qe si aucune gaoler lesseroit tiel prisoner aler a large par mainprise ou en baille, qadonques la persone envers qi le dit prisoner estoit condempne, averoit sa action et recoverer envers le dit gaoler, mesmes yceux gardeins purchacent a eux mesmes protection du Roi parency qe les creditours fuiliditz par ycelles protections sont delaiez et tariez de leur duite et droiturelle recooverer, sibien envers les ditz gardeins des gaoles, come les prisoners fuiliditz, a tresgrand prejudice et damage del commune poeple et derogation de la comunee loy: Ordeignez est et establiz, qe nul protection soit vaillable ne allouable nuncunement alloue en tiel cas.

C A P. V.

Concerning the Forfeitures of certain Traitors.

“**A** PROVISION respecting the Forfeitures of *Henry Percy*, late Earl of *Northumberland*, and *Thomas*, late Lord *Bardolf*; (See Note at the Head of this Year;) similar to that made by Stat. 5 H. 4. cap. 1. respecting the Forfeitures of other Traitors.”—[See also c. 12. of this Year.]

C A P. VI.

For amending Stat. 2 H. 4. c. 4. concerning Bulls to be discharged of Tithes.

ALSO, it is ordained and established, That no Person religious nor secular, of what Estate or Condition soever he be, by Colour of any Bulls containing Privilege to be discharged of Tithes pertaining to Parish Churches, Prebends, Hospitals, or Vicarages, purchased before or since the first Year of King *Richard* the Second after the Conquest, and not executed, shall put in Execution any such Bulls so purchased, or any such Bulls to be purchased in Time to come; and that if any such Person religious or secular, of what Estate or Condition soever he be, do hereafter by Colour of such Bulls disturb any Persons of Holy Church, Prebendaries, Wardens of Hospitals, or Vicars, so that they cannot take or enjoy the Tithes to them due or pertaining from their said Benefices, that then such Disturber shall incur like Process and Pain as is ordained by the Statute made against them of the Order of *Cisterciens*, in the Second Year of the Reign of our said Lord the King that now is.

Persons executing or purchasing Bulls to be discharged of Tithes, &c. made liable to the Penalties of 13 R. 2. ff. 2. c. 2, &c.

Stat. 2 H. 4. c. 4.

ITEM ordeignez est et establiz qe nule persone, religieuse ou seculer, de quel estat ou condition qil soit, qi par colour dascunz bulles contenauntz tiel privilege destre quite des dismes, appartenantes as esglises parrochiex prebendes hospitals ou vicaries, devaunt lan du regne le Roy *Richard* second puis le conquest premiere, ou depuis, purchacez, nient executz, mette en execution aucuns tielx bulles. ensi purchases ou ascuns tielx bulles appurcachers en temps advenir; et qi si desore nul tiel persone religieuse ou seculer de quel estat ou condition qil soit, par colour de tielx bulles, destourbe ascuns persons de Seint Esglise, prebenders gardeins des hospitals ou vicaires, parensi qils ne purront prendre

se enjoier les dismes a eux duez ou regardantz de lourz ditz be-
nefices; qe tiel destourbour encourage antielx proces et peine come
est ordeigne par estatut fait vers ceuz de lordre de Cisterciens, lan
seconde nostre Seignur le Roy qoreist.

C A P. VII.

For regulating the making of Arrow Heads.

How Arrow
Heads shall be
made.

Penalty of
Forfeiture, Fine,
and Imprison-
ment of
faulty Makers.
Justices of
Peace, &c. may
inquire of and
punish Offenders.

AL SO, Because the Arrow-Smiths do make many faulty Heads
for Arrows and [Quarrels,¹] defective, not well, nor lawfully,
nor defensibly, to the great Jeopardy and Deceit of the People,
and of the whole Realm; it is ordained and established, That
all the Heads of Arrows and Quarrels hereafter to be made, shall
be [well boiled or brased,²] and hardened at the Point with
Steel; and if any of the said Arrow-Smiths do make them othe-
rwise, they shall forfeit all such Heads and Quarrels to the King,
and shall be also imprisoned, and make a Fine at the King's
Will. And that every Arrow Head and Quarrel be marked with
the Mark of him that made the same. And the Justices of Peace
in every County of England, and also the Mayors, Sheriffs, and
Baillifs of Cities and Boroughs, within the same Cities and
Boroughs, shall have Power to enquire of all such deceitful Makers
of Heads and Quarrels, and to punish them as afore is said.

¹ So all Translations read. Query, "grooved or sloped."

ITEM par cee qe les arrowsmithes font plusieurs testes de fetes et
[quarrels¹] defectifs, nient bien ne loialment ne desonnable-
ment, a grant peril et desceit du poeple et de tout le Roialme;
Ordeignez est et establiz qe toutz les testes de fetes et quarrels
desore enayant affaires soient [boilles²] ou brases, et dures a la
point dasser; et si aucuns des ditz arrowsmithes les facent a con-
trarie, qils forsacent toutz tiels testes et quarrels au Roy et soient
emprisonnez et ent facent syn a la volente du Roy. Et qe chescun
teste des fetes et quarrels soit seigne dune signe de celui qe le fist.
Et eient les justices de la pees en chescun counte d'Engleterre, et
auxi les maors viscontes et baillifs des citees et burghs deins mes-
mes les citees et burghs, poair denquer des toutz tiels faux sejours
de testes et quarrels et de les punir par manere come dessus est dit.

¹ Bouils for Crois Bows; having square Heads, Engrave.

² wales, *Rat. Parl.*

C A P. VIII.

"No Provision or Licence shall be granted for a Benefice
full of an Incumbent."

[More fully provided for by Stat. 3 H. 5. c. 4. which see.]

C A P. IX.

For regulating Merchants in London.

AL SO, Whereas at the Grievous Complaint of the said Com-
mon made in Parliament, it is shewed, how that in old Time
it was used and accustomed, that as well Drapers and Sellers of
Cloths

Cloths of whatsoever Place of the Realm repairing and having Recourse to the City of London, as other Merchants, with divers Merchandises, as Wine, Iron, Oil, and Wax, and other Things pertaining to Merchandise, exercising, repairing, and having Recourse to the said City, have bought and sold in Gros, as well with Aliens as with Denizens, of the Cloths and other Merchandises aforesaid, at their Will and Pleasure, paying in such Behalf only the Customs and other Duties thereof reasonably due; and never in all the said Time were disturbed, or in any Manner hindered from selling or buying in Gros with Merchants, Aliens, or Denizens, of such Cloths and Merchandises, at their Will and Pleasure, (but only by retail); and now of late as well the said Drapers, as the other Merchants aforesaid, by the Mayor, Sheriffs, Aldermen, Drapers, and Merchants of London, be daily disturbed from selling and buying in the Manner aforesaid, as well in Gros as by Retail, and grievously and continually constrained to sell their said Cloth and Merchandises, only to the Merchants and others, Inhabitants of the said City, to the singular Profit and Advantage of them of London, and as well to the common Damage and Loss of the Lords Spiritual and Temporal, and the Commons of this Realm, as of the said Drapers and Merchants so grieved, and a plain Ensample and Occasion to such Drapers and Merchants so grieved, to withdraw themselves from the said City from henceforth, if remedy be not rather provided in this Behalf; it is ordained and established, That as well the Drapers and Clothfellers, as other Merchants, with their sundry Merchandises, as of Wine, Iron, Oil, and Wax, and other Things pertaining to Merchandises, shall be free to sell in Gros their Cloths, Iron, Oil, and Wax, and other their Merchandises, as well to any the King's liege People, as to the Citizens of London, notwithstanding any Franchise or Liberty granted to the contrary.

Drapers and Merchants may sell their Wares in London in Gros freely, notwithstanding any Liberties. [But see printed Rot. Parl. 9 H. 4. nu. 30. that Non-freemen shall not buy and sell of each other in London.]

ITEM come a la grevousse complaint des dix communes fait en parlement, lors montrez, comment d'ancien temps ulez estoit et accoustumez que sibien les drapers et vendeurs des draps, de queconque lieu de Roiaume, repairantz et conduantz al Citee de Loundres, come autres merchantz avee diverses merchandises, come de vyn seer oile et cove, et autres choses appartenantz as merchandises, exerceantz et repairantz et conduantz al dite citee, ont achetez et venduz en gros, sibien ove aliens come denzeins, de les draps et autres merchandises suiddiz, a leur volunte et pleisir, paiaantz en yocle partie tantseulement cullumes et autres devoirs ont resonablement duez; et unques par meisme le temps ne furent destourbez, ou en aucune maniere impeded de vendre ou acheter en gros, ove merchantz aliens ou denzeins, de tielx draps et merchandises a leur volunte et pleisir, mes seulement a retail, et ja soient sibien les dix drapers, come les autres merchantz suiddiz, par les mayr, aldermannes, drapers et marchantz de Loundres, deslopprez de jour en autre de vendre et acheter en la manere suiddiz sibien en gros come a retail, et grevousment et continuellement contraincz de vendre leur draps et merchandises suiddiz, tantseulement as merchantz et autres enhabitantz la dite citee, a singular avantage et profit deuz de Loundres, et sibien

commune damage et perde des Seignurs espirituelx et temporelx et les communes du Roiaume, come de les ditz drapez et merchantz ensi grevez, et evident ensample et occasion as tielx drapers et merchantz ensi grevez, de leur retraiher de la dite citee enavaunt, si remede ne soit purveu le pluistost en cest partie; Ordeignez est et establi qe sibien les drapers et vendours dea draps, come autres merchantz, ove leur diverses merchandises, come de vyns ferre seel et cere, et autres choses appartenantz as merchandises, soient françz de vendre en gros leur draps ferre seel et cere, et autres leur merchandises, sibien as quelxconques lieges du Roy, come a les citezeins de Londres, non obstant aucune franchise ou libertees grauntez a contrarie.

C. A P. - X.

The Length and Breadth of Cloth of Ray and Colour.

[*Repealed as to Cloth of Ray, 9 H. 4. c. 6.; and see Stat. 5 and 6 E. 6. c. 6. § 50.*]

C A P. XI.

For relieving Commissioners in certain Cases:

ALSO, whereas many of the King's liege People be assigned by his Commissions, to do and perform the Contents of the same, some to hear and determine, some to enquire and certify, and otherwise; whereupon the same Commissioners be grievously distrained by Process out of the Exchequer, by reason of the said Commissions, and by that Occasion do lose great Issues, where the said Commissioners did never know of such Commissions, nor the same Commissions ever came to their Hands, to the great Damage and Hinderance of many of the King's Subjects; it is ordained and established, That the Barons of the Exchequer shall have Power to receive the Oath of such Commissioners for their Excuse and Discharge of the Receipt or Occupation of such Commissioners; and also that the same Barons of the Exchequer, and the Justices of the one Bench and the other, shall have Power, by Writ of *Dedimus Potestatem*, to receive such Oaths in the Country; and that the same Justices shall thereof certify the said Barons in the Exchequer, from Time to Time, and that thereupon the said Barons shall discharge the said Commissioners; and in like wise it shall be done for the Heirs, Executors, or Land Tenants of the said Commissioners. Provided always, That such Oaths be not taken but in case of Commissions of *Oyer* and *Demurrer*, and of Enquiry and Certifying only.

Barons of the Exchequer may, on Oath of Commissioners, receive their Excuse and Discharge as to Commissions of *Oyer* and *Terminer*, &c.

ITEM come plusieurs des lieges nostre Seigneur le Roy soient assignez par ses commissions, pur faire et parfourrir la contenue dicelles, aucuns doier et terminer, et aucuns denquere et certifier, et autrement, par ont mesmes les commissions sont grevouement constreintz par prooes hors de l'exchequer, par cause des ditz commissions, et par celle cause perdont grandes issues, la ou les ditz commissions unques ne furent sachantz de tielx commissions, ne unques mesmes les commissions deveindront en leur mains, a grand damage et disease des plusieurs de lieges du Roy: Ordeignez est

est et establiz qe les Barons de Leschequer aient poair de resceiver les sermentz de tielx commissiouners de leurs excusation et discharge de la resceit ou occupation de tielx commissiouners; et auxi qe mesmes les Barons, et les justices de lun banc et de lautre, aient poair par breve de *dedimus potestatem* de resceiver tielx sermentz en pais; et qe mesmes les justices ent certifiient les ditz barons en Leschequer, de temps en temps; et qe sur ce mesmes les barons dischargent les ditz commissiouners et semblablement soit fait pur les heirs executeurs ou terretenantz dicelles commissiouners. Purveux toutesfoitz qe tielx sermentz ne soient prises, mes en cas de commissiouns doier et terminer et denquer et certifier tantfoulement.

C A P. XII.

Concerning the Forfeitures of Traitors.

“SEE Stat. 5 H. 4. c. 1. and ante c. 5. of this Year. Similar
 “Provisions are by this Chapter made as to the Forfeitures of
 “John late Earl of Salisbury, beheaded at Cicester, and Sir Thomas
 “Blount and others taken at Cicester, and carried to Oxford; and
 “of others adjudged Traitors elsewhere within England, after the
 “King’s coming.”

C A P. XIII.

Concerning Reversal of Outlawries in certain Cases.

ALSO, Whereas many of the King’s liege People be outlawed, and many waived, by erroneous Process in Law, and be so impotent in their Bodies, by divers Maladies and Infirmities, that they cannot come in their proper Persons before the King in his Bench, there to make their Suit to reverse such erroneous Process; it is ordained and established, That every Justice of the one Bench and of the other, and also the Chief Baron of the Exchequer, shall have Power to examine such Persons, having such Maladies and Diseases openly known, and thereupon may the same Justices and Barons, and every of them, by their Discretion, record their Attorney in this Case. Provided always, That in the Writ of *Capias ad satisfaciendum* the common Law shall hold Place.

Impotent
 Persons
 outlawed may
 make Attorneys
 to reverse their
 Outlawries:
 except on Writs
 of *Ca. sa.*

ITEM pur ceo qe plusours des lieges du Roy sont utlages, et plusours waivies, par proces erroine du loye, et sont si impotentz de leurs corps par diverses maladies et infirmitiez, qils ne purront en leurs propres personnes venir devant le Roy en son banc, illoques affaire leur seute pur tiel proces erroine reverser; Ordeignez est et establiz, qe chescun justice de lun banc et de lautre, et auxi le chief baron de Leschequer, ait poair dexaminer ycelles personnes aiantz tiels maladies et infirmitiez, overtment conuz, et sur ce purront mesmes les justices et baron et chescun de eux, par loirs discretions recorder attourne en cest cas. Pourveux toutesfoitz qen le breve de *capias ad satisfaciend* courge la commune ley.

[Stat.

1 H. 4. c. 7.
and this Act
are repealed
by Stat.

3 C. 1. c. 4. § 27.]

C A P. XIV.

For confirming and amending Stats. 1 H. 4. c. 7, and 1 R. 2. c. 7. concerning Liveries.

“ **R**ECITAL of Stat. 1 H. 4. c. 7. That Statute, and also
“ Stat. 1 Ric. 2. c. 7. confirmed; with the following addi-
“ tions;

“ **I**F any Knight, or other Person of less Estate, do give any such
“ Livery of Cloth or of Hats, [Hoods,] against the Form of
“ the said Statutes, he shall forfeit One Hundred Shillings for
“ every such Livery to the King for every Offence; and he who
“ receiveth any such Livery, shall forfeit Forty Shillings; and
“ the said Penalties shall be in no wise pardoned. No Congre-
“ gation nor Company shall be made with such Liveries at the
“ proper Costs of the Congregation, or Company, upon For-
“ feiture by every Man of the Company of Forty Shillings;
“ the Gilds and Fraternities, and also People of Trades in Cities
“ and Boroughs within the Realm, who be founded or ordained
“ to a good Intent or Purpose, only except. Justices of Assizes
“ shall enquire of Offences. Provided that in Time of War it
“ shall be lawful to Lords, Knights, and Esquires, who travel in
“ such War, to give their Livery of Clothing or of Hats, such
“ and in such wise, as best to them shall seem, for the Time of
“ such War.”

[See Stats.

11 H. 4. c. 1.

6 H. 6. c. 4.

amending this

Act: but see St.

3 H. 6. c. 7.

and Notes there.]

C A P. XV.

The Manner of the Election of Knights of Shires for
Parliament.

ALSO, Our Lord the King, at the grievous Complaint of his
Commons, in this present Parliament, of the undue Election
of the Knights of Counties for the Parliament, which be some-
time made by Affection of the Sheriffs, and otherwise against the
Form of the Writs directed to the Sheriff, to the great Slander
of the Counties, and Hindrance of the Business of the Common-
alty in the said County; our Sovereign Lord the King, willing
therein to provide Remedy, by the Assent of the Lords Spiritual
and Temporal, and of all the Commons in this present Parliament,
hath ordained and established, That from henceforth the Elections
of such Knights shall be made in Form following; that is to say,
that at the next County to be holden after the Delivery of the
Writ of the Parliament, Proclamation shall be made in full County
of the Day and Place of the Parliament, and that all they that be
there present, as well Suitors duly summoned for the same Cause
as other, shall attend to the Election of their Knights for the Par-
liament, and then in the full County they shall proceed to the
Election freely and indifferently, notwithstanding any Request or
Commandment to the contrary; and after that they be chosen,
the Names of the Persons so chosen (be they present or absent)
shall be written in an Indenture under the Seals of all them that did
choose them, and tacked to the same Writ of the Parliament;
which Indenture, so sealed and tacked, shall be holden for the Re-
turn of the said Writ, as to the Knights of the Shires. And
that in the Writs of Parliament to be made hereafter, this Clause
“ shall

Election of
Knights for the
Shire shall be in
the next County
Court after
Receipt of the
Writ, by all
present in such
Court; and the
Names of the
Persons chosen
shall be inserted
in an Indenture
to be tacked to
the Writ.

Clause in the
Writ for the
Return thereof.

“ shall be put : And your Election, in your full County made,
 “ distinctly and openly under your Seal, and the Seals of those
 “ who were present at that Election, to us in our Chancery, at
 “ the Day and Place contained in the Writ, you shall certify
 “ without delay.”

ITEM nostre Seigneur le Roy al grevousse complaint de sa communalte, (1) del non dewe election des chivalers des countees par le parlement, queux aucuns soitz sont faitz de affection des viscountz et autrement encoultre la forme des briefs as ditz viscountz directe, a grand esclaudre des countees, et retardation des besoignes del communalte du dit countee ; Nostre Soverein Seigneur le Roy, vuillant a ceo purveier de remedie, de lassent des Seignurs spirituels et temporels et de tout la communalte, en cest present parlement, ad ordeignez et establi qe desore ennavant les elections des tiels chivalers soient faitz en la forme qenseute, cest assaver ; qe al prochein countee a tenir apres la livre du brief du parlement, proclamation soit fait en plein countee de le jour et lieu de parlement ; et qe toutz ceux qe illoeqes sont presentz, s'bien s'enterez duement somonies pur cele cause, come autres, attendent la election de leurs chivalers pur le parlement ; et adonques en pleins countee aillent al election liberalment et indifferement, non obstant aucune prier ou comandement au contrarie ; et apres qils soient esliuz, soient les persones esliuz presentz ou absentz, soient leur nouns escriptz en endenture dessoutz les sealx de toutz ceux qe eux eslisent, et tacchez au dit breve du parlement ; quele endenture issint ensealez et tacchez soit tenus pur retourne du dit brief quant as chivalers des countees. Et qea briefs de parlement affairs en temps advenir soit mys ceste clause ; ‘ Et electionem tuam, in pleno comitatu tuo factam, distincte et aperte, sub sigillo tuo et sigillis eorum qui electioni illi interfuerint, nobis in Cancellaria nostra, ad diem et locum in brevi content' certifices indicite.’

¹ en cest present Parlement, P.

C A P. XVI.

For Payment of Persons having Grants from the Crown,
 according to Priority of their Grants.

[See printed Rot. Parl. 9 H. 4. nu. 28. an Explanation by the King as to this Statute ; and see also 1 H. 5. nu. 8. an AB allowing Preference to the King to the amount of L. 10,000 per annum.]

ALSO, Whereas of late a Suggestion was made to our Sovereign Lord the King, in his Parliament holden at *Westminster*, in the *Utas* of Saint *Hillary*, the Fourth Year of his Reign, by the Commons then being in the said Parliament, That whereas divers Persons had, in Consideration of their good Service, as well of the Grant of our Sovereign Lord the King that now is, as of the Grants of King *Edward*, Grandfather of our said Sovereign Lord the King, and of King *Richard* his last Predecessor, certain Annuities to be taken for Term of their Lives, out of the Issues and Revenues of divers Counties of *England*, by the Hands of the Sheriffs of the said Counties for the Time being ; and that other

[See printed
 Rot. Parl.
 4 H. 4. nu. 86.]

Persons of a later Time, by virtue of Letters Patents to them granted by some of the said Kings, of certain Sums to be taken of the Issues of the said Counties for Term of Life or in other Manner in surcharge of the said Counties, by Favour or Gift had been payed, the first Grantees being omitted, or many of them not payed, in great Wrong, and against Right and Reason, and probable Dishonour of the said first Grantees: It is ordained and established, That they, who have Letters Patents effectual and of force, being of elder Date, shall be first payed, according to the Effect of the same, and of the sufficient Warrants thereupon made. Saving to our Sovereign Lord the King the Profers made or to be made in his Exchequer; and saving what is granted to the Queen and the King's Sons. And if any Sheriff, Customer, or any other, do pay to any having Letters Patent of a later Date, and leave any other having Letters Patent of an elder Date unpaid, except those which before be excepted, that he which so doeth be not excused nor discharged against them that have their Letters Patents of elder Date, by any such Payments so to be made to those having their Letters Patents of a later Date, undischarged out of the Exchequer, until he hath made Satisfaction to the Party according to Law and Reason, and Damages according to the Discretion of the Barons of the Exchequer.

The earliest
Grantees shall
be preferred.

Except the
Queen, &c.

[See Stat.
6 H. 4. c. 2.]

Sheriffs, &c.
paying Patentees
out of their
Turn shall not
be discharged in
the Exchequer.

ITEM come nadgairs suggestion fuist fait a nostre dit Seigneur le Roy en son parlement tenuz a Westm' en les octaves de saint Hillary, lan de son regne quart, par les communes adonques esteantz en le dit parlement, qe par la ou plusours persones avoient en regarde de leur bon service, sibien du grant nostre Seigneur le Roy qorest, come des grantez du Roy Edward aiel meisme nostre Seigneur le Roy, et de Roy Richard son darrein predeceffour, certains annuitees apprendrez pur terme de lour vies des issues et revenuz de diverses countees d'Engleterre, par les mains des viscountz des ditz countees pur le temps esteantz; et qe autres persones de pluis puisne temps par vertue des lettres patentes a eux grantez par aucuns des ditz Rois, des certains sommes apprendrez des issues des ditz countees, a terme de vie ou en autre manere, en surcharge de mesmes les countees, par favour ou par doune ont este paieiz, entrelessez les premiers grauntes, ou plusours de eux nient paieiz, a graunt tort et contre droit et reason et veraifemblable desheriteson de ceux ensi de primes grauntes: Ordeignez est et establiz qe ceux qont lettres patentes effectuelx et de force, deisne date soient premierement paieiz, solonc lessent dicelles, et de lez garantz sufficeantz sur ce faitz: Sauvante a nostre Seigneur le Roy les profres faitz ou affairs en son eschequer, et sauvent ce qest grante a nostre Dame la Roigne et les sitz du Roy. Et si aucune viscount custumer ou aucune autre, paie a ascuny eiant lettres patentes de puisne date, et lessent aucun autre eiant lettres patentes de eisme date nient paieiz, exceptz ceux qi devaunt sont exceptz, qe celui qi ensi face ne soit excusez ne dischargeiez envers ceux qi ont lour lettres patentes de eisme date, par aucuns tielx paiementz ensi faitz a ceux eiantz lourz lettres patentes de puisne date, ne dischargeiez hors de l'eschequer tanqe il ait fait gree a partie solonc ley et reason, et damage solonc le discretion des barons de l'eschequer.

CAP.

C A P. XVII.

For confirming and amending former Statutes respecting
Labourers: and for regulating Apprentices.

“THE Statutes 25 E. 3. ft. 1. and 12 R. 2. c. 3-9. confirmed.
“ No One shall put their Child Apprentice within any City
“ or Borough, unless they have Land, or Rent of Twenty Shillings
“ *per Annum*; but they shall be put to such Labour as their Fa-
“ thers or Mothers use, or as their Estates require, on Penalty
“ of One Year’s Imprisonment, Fine, and Ransom. But any Per-
“ sons may send their Children to School to learn Literature.
“ Penalty of One hundred Shillings on all Persons receiving
“ such Apprentices. Labourers and Artificers shall be sworn to
“ observe the Statutes in force, or be put in the Stocks. Penalty
“ on Towns neglecting to have Stocks, One hundred Shillings, to
“ be levied and paid in Aid of any existing Fifteenth.”

[Repealed in part
8 H. 6. c. 21.
12 H. 7. c. 1.
and entirely by
Operation of
5 El. c. 4. § 2.]

C A P. XVIII.

For indemnifying Persons concerned in repressing Insur-
rections.

“NONE shall be punished for any Thing done in repressing
“ and punishing any Riots or Insurrections made at divers
“ Times and in divers Places of the Realm, since the King’s
“ coming; but shall be wholly quit, released, pardoned, and dis-
“ charged ‘*disdamages*,’ for ever.”

Anno nono HENRICI IV.

*In the Parliament held at Gloucester, Thursday 20th
October, A.D. 1407:*

*From the Copy given by Hawkins, Cay, &c. as “Ex Rot. in
Turr. Lond. m. 11.” compared with printed Rot. Parl. Pyn-
son, &c.*

*The several Chapters of the Statute are founded on the following
Articles in printed Rot. Parl. iii. p. 608, &c.*

Chapter of Statute.	Number in printed Roll.
1	29
2	35
3	38
4	42
5	48
6	50
7	53
8	{ 43
9	
10	
	{ 56

On Petitions of the Commons.

Besides

Besides the foregoing, and also several Articles for the Confirmation of existing Statutes, See further.

Printed Rot. Parl. iii.

Page. No. } Respecting the farming of the Alien Priory of
610, 20, } Hinkley.

612, 26, Grant of Subsidies, viz. An entire Fifteenth and Tenth, and a Half-fifteenth and Tenth, by Three equal Payments: The Subsidy on Wools, &c. exported (Forty three Shillings and Four pence of Denizens, and Fifty three Shillings and Four pence of Aliens, per Sack), for Two Years from the ensuing Michaelmas? Tonnage of Three Shillings and Poundage of Twelve-pence, (with the usual Exceptions), for the same Time. All for the Safeguard of the Sea, and of Calais, and for the Rebellion in Wales, &c.

27, In Consideration of the foregoing Subsidy the King grants, that for Two Years, from the Feast of the Annunciation ensuing, he will not take any Fifteenth, nor other Subsidy or Charge than the said Subsidy so granted.

On Petitions of the Commons.

613, 30, Repeal of Stat. 7 H. 4. c. 9. so far as it infringes the Liberties of the City of London.

31, For repealing a Charter of the King to the Chancellor and Scholars of the University of Oxford, giving them certain Exemptions as to Trials in Criminal Cases. (See 11 H. 4. nu. 30.)

614, 32, For Relief of Sheriffs in their Accounts.

37, The Council empowered to relieve certain Incumbents deprived, by the See of Rome, without any Citation within the Realm.

615, 41, For repressing Felonies committed by the Welch on the Borders.

616, 44, The Council empowered to mitigate the Farm and Tax of the Fifteenth, &c. in Melcombe.

618, 49, The like for Lyme.

619, 52, The like for Yvelcheſter (Icheſter).

620, 54, For confirming certain Grants for ascertaining the Portions of the Fifteenths, &c. in certain Towns and Places in Hampſhire.

REX vicecomiti Kant salutem. Quedam statuta et ordinationes in ultimo parlamento nostro edicta tibi mittimus in forma patenti sub eo qui sequitur tenore:

BECAUSE that divers Complaints have been made to our Lord the King, by the Commons of his Realm, in the Parliament holden at Gloucester the Twentieth Day of October, in the

the Ninth Year of the Reign of our said Lord King [*Henry the Fourth after the Conquest*]; the same our Lord the King, willing to remedy the said Complaints, with the Advice and Assent of the Lords Spiritual and Temporal, and at the Instance and Request of the said Commons, hath caused to be ordained and established divers Ordinances and Statutes in Form following :

POUR ceo qe diverses compleintes ount este faitz a nostre Seignur le Roi, par les communes de son roiaume, en le parlement tenuz a Gloucestre le xx. jour d'Octobr', lan du regne nostre dit Seignur le Roi (') noefisme; mesme nostre Seignur le Roi, voillant remedier les ditz compleintes, de ladvis et assent des Seignurs espirituelx et temporelx, et a les instance et request des ditz communes, ad fait ordeiner et establier diverses ordeinances et estatutz en la forme qensuyt :

Henry quart puis le conqueste, P.

C A P. I.

Confirmation of all Liberties and Statutes; except to the Scholars of *Oxford*.

FIRST, That holy Church have all her Liberties and Franchises; and that all the Lords Spiritual and Temporal, and other the King's liege People, having Liberties and Franchises, and all the Cities and Boroughs of the Realm shall have and enjoy all their Liberties and Franchises, which they have of the Grants of the Progenitors of our said Lord the King, and of his own Grant or Confirmation : Except the Franchise now of late granted to the Scholars of the University of *Oxford* : And that the Great Charter, and the Charter of the Forest, and all other good Statutes made before this Time, and not repealed, stand in their Force.

[See as to
Oxford, printed
Rot. Parl.
9 H. 4. nu. 32.
11 H. 4. nu. 50.]

PRIMIEREMENT qe Sainte Esglise ait toutes ses libertees et franchises; et qe toutes les Seignurs espirituelx et temporelx, et les autres lieges du Roi, aiantz libertees et franchises, et toutes les citees et burghs du roiaume, aient et enjoient toutz leur libertees et franchises, queux ils ount des grauntz de les progenitours nostre dit Seignur le Roi, et de son graunt demesne ou conferment : Forspris la franchise ore de novell graunt a les escolers del universitee d'Oxford : Et qe le Graunde Chartre, et la Chartre de la Foreste, et toutz autres bons estatutz avaunt ces heures faitz, et nient repellez, estoient en leur force.

C A P. II.

Kendal Cloth, not exceeding in Price Six Shillings Eightpence the Dozen, shall not be sealed, nor Aulnage paid for it.

[See now Stat. 7 Jac. 1. c. 16.]

C A P. III, IV.

Concerning Felonies and Robberies in *Wales*.

CAP. III.—“ Felons shall be taken, and put in Gaol in the several Seigniories in South *Wales*, or the Country shall make Satisfaction.”

"Satisfaction to the Party injured." [Repealed Stat. 21 Jac. 1. c. 28. § 11.—See Stat. 27 H. 8. c. 26.]
 CAP. IV.—"Thieves shall be tried in *Wales*, in the Seigniories where they are taken, without being delivered by Disclaimer or otherwise." [See Stat. 27 H. 8. c. 26.]

C A P. V.

[See more fully
Stat.
3 H. 6. c. 26.]

Against depriving Corporations and Lords in ancient Demesne of their Franchises by Collusion.

ALSO, Whereas divers People do oftentimes sue Assises of *Novel disseisin*, and other Writs of Plea of Land, before Justices assigned in Plea of Land, at the common Law, of Lands, Tenements, and Rents being within enfranchised Towns, and ancient Demesne, against certain Persons, and cause to be named also in their said Assises and Writs the Mayor, Bailiffs, and Commonalty of the Franchises, and the Lords and Bailiffs of ancient Demesne aforesaid, (whereas of Truth they be not Disseisors; nor Tenants of the said Lands, Tenements, or Rents so being in Plea,) by Collusion and Fraud, to put out and exclude the said Mayor, Bailiffs, and Commonalty, and the said Lords and Bailiffs of ancient Demesne, from having their Franchises and Liberties, Cognisances, and Jurisdiccions of their Court before them: It is ordained and established, That in such Assises or Writs purchased or sued from henceforth, or at this present depending, betwixt any Parties before any such Justices at the common Law, in which such Mayor, Bailiffs, Commonalty, Lords, or Bailiffs of ancient Demesne be named, that the said Justices shall first inquire by the said Assise in the Country, if the said Mayor, Bailiffs, Commonalty, Lords, or Bailiffs of ancient Demesne, do so require before such Justices, whether they be Disseisors or Tenants in such Case, or be named by Collusion and Fraud, as afore is said. And if it be found that they be not Disseisors, nor Tenants of the said Lands, Tenements, or Rents, but acquitted before the said Justices, and found that they be named by Collusion and Fraud in the Form aforesaid, That in such Case the Justices shall cause the said Writs of Assises, or other Writs purchased in the Form aforesaid, to be abated and quashed; and that the said Plaintiff or Plaintiffs shall be in grievous Mercy of the King, notwithstanding that other Disseisors or Tenants be named and found in such Assises or Writs.

In Plea of Land before Justices of Assise, where Corporations or Lands in ancient Demesne are named Defendants by Collusion, the Writ shall abate, &c.

ITEM come diversez gentz suount sovent soitz assises de Novell disseisine, et autres briefs de plee de terre, devant Justices assignez en le plee de terre, a le communie ley, des terres tenementz et rentes esteantz deins villes franchises, et auncien demesne, envers certains persones; et sont nomer auxint, en leur ditz assisez et briefs, les mair baillifs et comminalte des franchises, et les Seignurs et baillifs dauncien demesne suidditz, ou ils ne sont en verite disseisors, ne tenantz des ditz terres tenementz ou rentz issint en plee esteauntz, par collusion et fraude de voidre et excluder les ditz mair baillifs et comminalte et les ditz Seignurs et baillifs dauncien demesne, de leur franchises libertees conisances et jurisdiccions avoir de leur court devant eux: Ordeignez est et establiz qen tiez assises, ou briefs purchasez ou suez desore enavaunt, ou a present

« present pendantz, parentre queconques perſones devant aucunes tiels Juſtices a le comune ley, es queux tiels mair, baillifs, communaltee, ſeignurs ou baillifs dauncien demefne, ſoient nomez, qe les ditz juſtices primes enquergent, par la dite aſſiſe en pais, ſi les ditz mair, baillifs, communaltee, Seignurs ou baillifs dauncien demefne, ce demaundent devant tiels Juſtices, ſils ſoient diſſeiſours ou tenantz en tiel cas, ou ſoient nomes par colluſion et fraude come deſuis eſt dit. Et ſi trove ſoit qils ne ſont mye diſſeiſours, ne tenantz des ditz terres tenementz ou rentz, eins acquitez devant meſmes les Juſtices et trovez qils ſont nomes par colluſion et fraude en la forme fuiſdite; qen tiel cas les ditz Juſtices ſacent abater et caſſer les ditz briefs ou brief daſſiſes, et autres briefs purchaſes en la forme fuiſdit; et qe les ditz pleintifs ou pleintif ſoient et ſoit en la greve mercy le Roi, noun obſtaunt qe autres diſſeiſours ou tenantz ſoient nomez et trovez en tiels aſſiſes ou briefs.

C A P. VI.

For repealing Stat. 7 H. 4. c. 10. reſpecting the Length and Breadth of Cloth of Ray.

[See 5 & 6 E. 6. c. 6.]

C A P. VII.

For rating Foreigners to the Fifteenth and other Taxes.

“ **A**LL Foreigners having Lands, Tenements, Beaſts, Goods, or Chattels, within any Towns at the Day of the Grant of any Tenth, Fifteenth, or other Tax, although they remove their Beaſts or Goods out of ſuch Town after the Day of the ſaid Grants ſhall be contributory with the Inhabitants of ſuch Towns. And the Collectors for the Time being, within ſuch Towns, ſhall have Power to tax and aſſeſs ſuch Foreigners according to the Quantity of their Goods, Chattels, and Poſſeſſions, being in the ſaid Towns at the Time of the Grant, and for the Sums whereto they ſhall be aſſeſſed or taxed, to diſtrain in any Place within the County, as well before the King is answered of the whole Sums belonging to ſuch Towns, as after: Provided, That no Perſon be twice charged for any ſuch Beaſts, Goods, or Chattels.”

C A P. VIII—X.*

Against Proviſors.

CAP. VIII.—“ All Statutes againſt Proviſors, and Tranſlations of Archbiſhopricks, by the Court of Rome, confirmed; notwithstanding any Power of moderating the ſame before given to the King.”—*As to which ſee printed Rot. Parl. 1 H. 4. nu. 85. and 2 H. 4. nu. 45. and ante the Notes to thoſe Years.*

AND that from henceforth all the Elections of all Archbiſhopricks, Biſhopricks, Abbies, Priories, Deanries, or other Dignities elective whatever, be free, without being in any wiſe interrupted by the ſaid Pope, or by Commandment of our ſaid Sovereign Lord the King. Provided always, That our ſaid Sovereign Lord the

1. Vol. II.

U

King

*[All included ſh one Chap. xv. P.]

[CAP. IX.] Elections of Archbiſhopricks and Dignities elective ſhall be free.

[See new Stat. 25 H. 8. c. 20.]

King have as freely his Liberty and Prerogative, as any of his noble Progenitors hath had before this Time, and as he himself had at the Time of the making of this Statute.

ET qe toutz les elections des toutz archeveschies eveschies abbeies priories deanes ou autres dignites electives qiconques soient desorenavaunt frankes, sanz estre en nulle manere destourbiez par lappostoill avaunt dit, ou par maundement de nostre Seignur le Roy. Purveux toutz foitz qe nostre dit Seignur le Roi eit auxi franchement ses libertee et prerogatif, come aucune de ses nobles progenitours ad eue devant ces heures, ou come luy mesmes ad a cest temps de sesance de cest estatut.

CAP. X.—“ The King’s Pardon granted to all that have purchased Provisions, or Translations to Archbishopricks and Bishopricks, previous to the 1st of December in this Year.”

ET ideo tibi precipimus quod statim visis presentibus statuta et ordinationes predicta in singulis locis infra ballivam tuam ubi magis expediens fuerit et necesse publice ex parte nostra proclamari et notificari ac quantum in te est firmiter et inviolabiliter teneri et observari facias juxta tenorem eorundem et hoc nullatenus omittas. T. R. apud Westm’ primo die Februarii anno nono.

Anno undecimo HENRICI IV.

In the Parliament held at Westminster in Fifteen Days of Saint Hillary, January 27, A.D. 1409-10.

From the Copy given by Hawkins, Cay, &c. as “Ex Rot. in Turr. Lond. m. 10.” compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iii. p. 622, &c.

Chapter of Statute.	Number in Roll.	
1,	59	} On Petitions of the Commons.
2,	60	
3,	62	
4,	65	
5,	68	
6,	69	} (1)
7,	26	
8,	27	
9,	34	

(1) Not in the General Schedule of the Commons Petitions.

Begdes

Beside: the foregoing, and also several Articles for the Confirmation of existing Statutes, See further

- | | | | |
|-------|-----|--|--|
| Page. | No. | } | <i>Repeal (or Recall) of the Statute concerning Lollards.</i>
<i>(See 7 H. 4. nu. 62.)</i> |
| 623, | 12, | | |
| 623, | 14, | } | <i>For appointing and swearing the King's Council, Judges, &c.</i> |
| 632, | 39, | | |
| 634, | 44, | | |
| 624, | 16, | } | <i>For regulating the Expences of the Household, &c.</i>
<i>For guarding the Marches of Scotland and Wales.</i> |
| | 19, | | |
| | 20, | | |
| 625, | 22, | <i>For the proper Application of the Revenues of Calais, Aquitain, and Ireland.</i> | |
| | 23, | <i>For regulating Grants of the Crown Lands and Revenues.</i> | |
| | 25, | <i>For regulating Officers of the Customs.</i> | |
| 626, | 28, | <i>Against Corruption in Judges. (See 3 Inst. 146, and State Trials; The Trial of Lord Macclesfield.)</i> | |
| 627, | 30, | <i>To secure the due Application of the Subsidies.</i> | |
| | 31, | <i>For regulating Aliens in case of War.</i> | |
| | 32, | } | <i>Application of Part of the Subsidy on Wools to the Defence of Calais.</i> |
| | 33, | | |
| 628, | 35, | <i>Pardon for Capture of a French Ship in Breach of Truce.</i> | |
| 629, | 36, | <i>Against Robert Ogle and others for a forcible Entry.</i> | |
| 630, | 37, | <i>Attainder of certain Persons for Riots in Staffordshire and Derbyshire.</i> | |
| 632, | 40, | <i>For returning a good Jury in a Proceeding against Sir Walter Hungerford for Waste.</i> | |
| | 41, | <i>Certain Grants to the Queen confirmed.</i> | |
| 633, | 42, | <i>For Restitution of Richard Hastings to the Estate of Ralph Hastings his Brother, convicted of Treason.</i> | |
| 634, | 45, | <i>Grant of a Subsidy, viz. A Fifteenth and a Half, by Three Payments. The existing Subsidy on Wools, (i.e. Forty-three Shillings and Four-pence and Fifty-three Shillings and Four-pence per Sack), and also Tonnage (Three Shillings) and Poundage (One Shilling) continued for Two Years from the ensuing Michaelmas, for Defence of the Realm; Twenty thousand Marks thereof for the King's Use.</i> | |

On Petitions of the Commons.

- | | | |
|------|-----|---|
| 635, | 46, | <i>For Relief of Sheriffs in their Accounts; (on Six Petitions from various Counties.)</i> |
| 637, | 48, | <i>Empowering the Mayor, &c. of Norwich to regulate the Assize and Exportation of Worsted Cloths, called Bolts; for Seven Years. (See Stat. 17 R. 2. c. 3.)</i> |
| 638, | 50, | <i>Respecting Exemptions granted in Cases of criminal Trials to the Chancellor and Scholars of Oxford. (See 9 H. 4. nu. 31.)</i> |

Page. No.

- 638, 51, For Relief of Truro in being rated to the Fifteenth.
 639, 53, For Relief of Melcombe in their Fee-farm and Rate of Taxes.
 640, 55, The like for Lyme.
 57, The Corporation of Winchester empowered to purchase Lands to the Value of Forty Marks a Year.
 642, 63, For regulating the Number of Attorneys, (viz. to be Six, Eight, Ten, or Twelve, in each County, according to its Extent), and to punish their Defaults, &c. (See 13 H. 4. nu. 49, by which this is repealed or suspended.)
 645, 71, All Church Lands purchased since 20 E. 1. shall pay to the Fifteenth, &c. On Petition of the City of Oxford.
 646, 73, The Privilege of the Citizens of London to be free of Prisage of Wines is declared to extend only to Citizens resident and living within the City.
 See also Appendix to printed Rot. Parl. iii.
 670, 9, For confirming the Jurisdiction of the Eurl of March in the Castle and Demesne of Wigmore.

BY the Advice and Assent of the Lords Spiritual and Temporal, and at the great Instance and Request of the Commons, being in the Parliament holden at *Westminster*, in Fifteen Days of St. *Hilary*, the Eleventh Year of the Reign of our said Lord the King; the same our Lord the King hath ordained and established divers Ordinances and Statutes in Form following.

DE ladvys et assent des seignurs espirituels et temporels, et a les grandes instance et prier des communes, esteantz en le parlement tenuz a Westminster en la quinziesme de Saint-Hilary, lan del regne nostre (1) Seigneur le Roy unziesme mesme nostre Seigneur le Roy ad ordeigne et establi diverses ordeignances, et estatutz ou la forme qensuyte.

dit, P.

C A P. I.

For amending Stat. 7 H. 4. c. 15. respecting the Election of the Knights of Shires for Parliament.

FIRST, whereas in the Parliament holden at *Westminster*, the Seventh Year of the Reign of our said Lord the King, there was ordained and established by a Statute for the Preservation of the Liberties and Franchises of the Election of the Knights of the Shire used through the Realm, a certain Form and Manner of the Election of such Knights, as in the said Statute more fully is contained; and forasmuch as in the same Statute no Penalty was ordained or limited in special upon the Sheriffs of the Counties, if they made any Returns to the contrary of the same Statute; It is ordained and established, That the Justices assigned to take Assises, shall have Power to inquire in their Sessions of Assises of such

[See further
6 H. 6. c. 4.
amending
this Act.
But see Stat.
8 H. 6. c. 7.
and Notes there.]

such Returns made; and if it be found by Inquest, and due Examination before the same Justices, that any such Sheriff hath made, or hereafter shall make, any Return contrary to the Tenor of the said Statute, that then the same Sheriff shall incur the Penalty of One hundred Pounds, to be paid to our Lord the King; and moreover, that the Knights of the Counties so unduly returned, shall lose their Wages of the Parliament, of old Time accustomed.

P RIMEREMENT come en le parlement tenuz a Westm^r lan du regne nostre dit Seignur le Roy septieme, ordeinz fuit et establiez par estatut, en conservation de les franchises et libertez del election des chivalers de countees usez parmy le roialme, certaine forme et manere de la election de tielx chivalers, come en le dit estatut plus pleinement est contenuz; et partant qen mesme estatut nul peine fuit ordeigne ne mys en especiale sur les visconts des countees, sils serroient aucuns retournes a contrain de mesme estatut: Ordeigne est et establie qe les justices as assises prendre, aient poir denquer en lour sessions des assises de tielx retournes faitz; et si par enquest et due examination trovee soit devant mesmes les justices, qe aucun tiel viscont ait fait, ou face en apres, aucun retourne encontre la tenure du dit estatut, qe mesme le viscont encourge la peyne de C li. a paiers a nostre dit Seignur le Roy; et outre ceo qe les chivalers des countees ensi nient dueement retournes perdent lour gages du parlement dancien temps acoustumez.

C A P. II.

"No common Hostler shall be a Customer, Comptroller, Weigher, or Searcher."

[See more fully Stat. 20 H. 6. c. 5.]

C A P. III.

Records of Justices of Assise shall be returned into the Treasury, and there kept without Alteration.

A LSO it is ordained and established, That the Justices assigned, and to be assigned, to take Assises by Commission of our Lord the King in the Counties of the Realm, shall henceforth cause to be delivered fully into the King's Treasury, all the Records of Assises of *Novel disseisin*, of *Mortdancesher*, and of Certifications, with all the Appurtenances and Appendances before them determined, every Second Year after that the Plea thereof be determined, and Judgement given, without more Delay. And that the Records and Proceels of Pleas real and personal, and of Assises of *Novel disseisin*, or *Mortdancesher*, and Certifications, and of others, whereof Judgement is given and inrolled, or any Thing touching such Pleas, shall in no wise be amended nor impaired by new entering of the Clerks, or by Record or any Thing to be certified or testified, or Commandment of any Justice, whatever, in no Term after that such Judgement in such Pleas is given and inrolled.

Justices of Assise shall deliver into the Treasury the Records of Assise, &c. every second Year.

Such Records shall not be altered.

I TEM ordeignez et establiz qe justices des assises, par commission nostre Seignur le Roy en les countees de roialme aprendre, assignez et assigners, desorenavant facent deliverer pleinement en tresorie

tresorie nostre dit Seigneur le Roy, toutz les recordes de les assises de novell disseine de mordauncestre, et des certifications ove toutz les appartenances et appendances, devant eux determinez, chescune secunde an apres qe le plee ent soit determine, et jugement rendu sanz plus delais. Et qe les recordes et les proceses des ples realx et personelx, et daisies de novell disseine de mordauncestre et certifications, et dautres dont jugement soit renduz et enrollez, ou chose touchant tielx ples, ne soient en aucune manere amendez ne empeirez par novel entre des clerks, ou par record ou chose certifier ou tesmoigner ou commandement dascun justice qiconqe, en null terme apres qe tiel jugement en tielx ples soit donez et enrollez.

C A P. IV.

For confirming and amending Stat. 12 Ric. 2. c. 6.

“**H**E that playeth at unlawful Games, prohibited by the said Statute, shall be Six Days imprisoned.—Mayors, Sheriffs, &c. shall enforce the Act, on Penalty of Twenty Shillings for their Neglect, and of Six Shillings and Eight-pence on Constables for their Neglect,” [*Repealed by the Operation of Stat. 33 H. 8. c. 9. § 17.*]

C A P. V.

Against Gally Half-pence and Foreign Coin.

“**G**ALLY Half-pence shall not be current in Payment in this Realm, on Pain of Forfeiture. All former Statutes (not repealed) against *Scotch Money* and foreign Money confirmed.”

C A P. VI.

“Cloths shall not be tacked and plaited together before the Aulneger hath set his Seal to them.”

[*See Stat. 5 & 6 E. 6. c. 6. and Stat. 11 & 12 W. 3. c. 20.*]

C A P. VII.

For regulating the Payment of Customs by Alien Merchants.

“**M**ERCHANT Strangers shall pay Custom and Subsidy for Cloth cut in Pieces, proportionably after the Rate of a whole Piece. Commissions shall be made to inquire of Frauds committed on the Customs, &c. by Alien Merchants, by exporting fine Wool, Gold, Silver, &c. in Packages of Cloth or Merchandize.”

C A P. VIII.

For enforcing Stat. 14 Ric. 2. c. 2. respecting Exchanges.

“STAT. 14 Ric. 2. c. 2. recited and confirmed.”

ADDING thereto, that the Chancellor of *England* for the Time being, shall, from Fifteen Days to Fifteen Days, send the Estraits of the Writs of Exchange into the Exchequer of our sovereign Lord the King; and that the Treasurer and Barons of the said Exchequer have Power, by Authority of Parliament, to examine the

the Customers in this Case, and to punish those that shall be found guilty against the Form of the said Statute, according to the Content of the same.

AJOUSTANT a ycell qe le chaunceller d'Engleterre pur le temps esteant, de quinzaine en quinzaine, envoie les extretes des briefes deschange en lescheke nostre Seigneur le Roy; et qe les treforer et barons du dit escheke aient poair, par auctorite de parlement, d'examiner les customers en ceo cas, et de punir ceux q' seront trovez coupables encontre la forme du dit estatut solonc la contenue dycell.

C A P. IX.

Jurors in Indictments shall be duly returned by the Sheriffs, or Officers of Franchises, without Nomination of any.

ALSO, because that now of late Inquests were taken at *Westminster*, by Persons named to the Justices, without due Return of the Sheriff, of which Persons some were outlawed before the said Justices of Record, and some fled to Sanctuary for Treason, and some for Felony, there to have Refuge, by whom as well many Offenders were indicted, as other lawful liege People of our Lord the King, not guilty, by Conspiracy, Abettment, and false Imagination of other Persons, for their special Advantage and singular Lucre, against the Course of the Common Law used and accustomed before this Time: Our said Lord the King, for the greater Ease and Quietness of his People, willeth and granteth, That the said Indictment so made, with all the Dependences thereof, be revoked, annulled, void, and holden for none for ever; and that from henceforth no Indictment be made by any such Persons, but by Inquests of the King's lawful liege People, in Manner as was used in the Time of his noble Progenitors, duly returned by the Sheriffs or Bailiffs of Franchises, without any Manner of Nomination to the said Sheriffs or Bailiffs of Franchises first made, by any Person of the Names which by him should be empannelled; except it be by the Officers of the said Sheriffs or Bailiffs of Franchises, sworn and appointed so to do, and other Officers to whom it pertaineth to do the same, according to the Law of *England*. And if any Indictment be made hereafter in any Point to the contrary, that such Indictment be also void, annulled, revoked, and for ever holden for none.

See printed
Rot. Parl.
21 H. 4. m. 34.

ITEM pur ceo qe ore tarde enquestes seurent prisez a Westminster des persones as justices denomez, sanz due retourne de viscont, des queux persones ascuns furent utlagez devant les ditz justices de record, et ascuns fuez al seintewarie pur trefon, et ascuns pur felonie, pur illoceqes avoir refuyte, par queux sibien plusours messaisours estoient enditez come autres loialx lieges nostre Seigneur le Roy nient coupables, par conspiracie abbettement et faux ymagination d'autres personnes, pur leur espediale avantago et lucres propres, encontre la cours de la commune ley avant ces heures usez et accustumez: Nostre dit Seigneur le Roy, pur greindre ease et quiete de son poeple, voet et graunte, qe mesme lenditement issint fait, oyseque toutz les dependences dicell soit revokez adnullen voide

et tenuz pur null pur toutz jours : Et qe desorenavant null enditement soit fait par ascuns tielx perſones, einz par enquestes des loialx lieges nostre dit Seignur le Roi, en manere come fuit use en temps de ses nobles progenitours, par les viscounts ou baillifs des franchises duement retournez, sanz aucune manere denomination as ditz viscontz ou baillifs de franchises devant fait, par aucune persone des nouns queux ferront par luy empanellez, sil ne soit par les ministres des ditz viscontz ou baillifs de franchises, a ceo faire jurrez et [commys¹] et les autres ministres as queux il appartient de ceo faire solonc la ley d'Engleterre, Et si aucun enditement soit fait en temps avenir en aucune manere a contraire, soit mesme lenditement auxint voide adnullex revokez et tenuz pur null a toutz jours.

¹ connus, P.

Anno decimo tertio HENRICI IV.

In the Parliament held at Westminster, on Tuesday the Morrow of All Souls (3d November), A.D. 1411.

From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 5." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iii. p. 647, &c.

Chapter of Statute,	Number in Roll.	
1	29	} On Petitions of the Commons.
2	34	
3	38	
4	44	
5	45	
6	(1)	
7		

(1) Respecting these nothing appears.

Besides the foregoing, and also several Articles for the Confirmation of existing Statutes, See further

Page. No. } Grant of Subsidies, viz. the existing Subsidy on Wools
 648, 10, } exported (Forty-three Shillings and Four-pence of
 Denizens, and Fifty-three Shillings and Four-pence
 of Aliens per Sack) for One Year from Michaelmas
 ensuing; Three Parts thereof to be applied in Defence
 of Calais, and the Remainder in Defence of the
 Realm. Tonnage, Three Shillings; and Poundage,
 Twelve Pence. Provided that the said Subsidies
 shall not be drawn into Precedent, nor any other be
 charged on the Subject without a new Grant in full
 Parliament.

Parliament. And for every Person having {20 l. Land or Rents, Six Shillings and eight-pence; Six Shillings and eight-pence more for every further 20 l. except Lands of the Clergy purchased in Mortmain before 20 E. 1. or held in Frankalmoine, and paying Tenths with the Clergy: to be disposed of at the King's Pleasure. But not to be drawn into Precedent. [See a Commission for levying this Six Shillings and Eight-pence on Bedfordshire, printed Rot. Parl, iii. p. 671. nu. 10.]

- | | | |
|-------|-----|---|
| Page. | No. | |
| 651, | 15, | } For confirming the Visitation Power of the Archbishop of Canterbury over the University of Oxford. |
| 652, | 17, | |
| | | See nu. 17. as to the Power of the Archbishop of York over the College then called Queen Hall. |
| | 18, | For founding a College or Chantery (by the King and the Duke of York), at Fotheringay in Northamptonshire. |
| 655, | 19, | For Restitution of John Lumley, Son and Heir of Ralph Lumley, and Brother and Heir of Robert Lumley, attainted for Treason. |
| | 20, | Pardon and Restitution of William Layfyngby. |
| 656, | 21, | Pardon and Restitution of Ralph Green, Son and Heir of Henry Green. (See printed Rot. Parl. sub An. 1 H. 4. p. 455. nu. 17.) |
| | 22, | For naturalizing the Subjects of Aquitaine residing in England. |
| 657, | 23, | The Abbey of Furnes in Lancashire enabled to make general Attornies to defend Suits. |
| | 24, | For appropriating the Church of Newton in the Bishoprick of Ely, without appointing a Vicar, &c. as required by Stats. 15 R. 2. c. 6. 4 H. 4. c. 12. |
| 658, | 25, | For annulling a certain Article in the last Parliament, as contrary to the King's Prerogative; which the King declares shall be as free as that of any of his Progenitors. [Query, what is the Article alluded to? See 11 H. 4. nu. 14, 39, 44. respecting the Council,—nu. 16. the Household,—nu. 23. Grants of the Crown.—The latter of which seems most probably the Article in Question.] |
| | 28, | Ordinance for regulating the Coinage for Two Years.—Every Pound of Gold shall be coined into Fifty Gold Nobles; and every Pound of Silver shall be coined into Thirty Shillings Sterling; with Power to the King and Council to regulate the Coinage in future. |

On Petitions of the Commons.

- 659, 30, For Relief of Sheriffs in their Accounts, by the King in his Discretion.

- Page. No. } For suspending Licences of the King to ship Wools for
 661, 33, } Exportation, elsewhere than to the Staple at Calais.
 662, 37, For restraining the Price of Pepper.
 663, 41, Against Toll at Gloucester, &c. for Goods passing the
 Severn.
 666, 49, For suspending and reconsidering the Petition, &c.
 11 H. 4. m. 63. respecting Attorneys.

TUESDAY the Morrow of *All Souls*, the Thirteenth Year of the Reign of our Lord [King *Henry the Fourth*,] the same our Lord the King, by the Advice and Assent of the Lords Spiritual and Temporal, and at the Request of the Commons being in his Parliament holden at *Westminster*, caused to be ordained and established divers Ordinances and Statutes in Form following.

MARESDY lendemayn des almes, lan du regne nostre Seigneur le Roy treziesme, mesme nostre Seigneur le Roy de ladvia et assent des Seignurs espirituelx et temporelx, et a la request des Communes esleantz en son parlement tenuz a *Westm'* fist ordeigner et establir diverses ordinaances et estatutz en la fourme qensuit.

C A P. I.

Confirmation of all Liberties and Statutes.

[In the same Form and with the same Exceptions as Stat. 9 H. 4. c. 1.]

C A P. II.

For confirming and explaining the Statute 8 Ric. 2. c. 2. concerning Justices of Assise.

“THE Statute 8 Ric. 2. c. 2, recited and confirmed. And
 “that no Chief Justice of the King's Bench be any ways
 “hereafter made a Justice to take Assises in any County within
 “the Realm of *England*, except in the County of *Lancaster*. The
 “Statute to last during the King's Pleasure, ‘pur salvation de
 “sa prerogatif.”—See Stat. 33 H. 8. c. 24.

[The recited
 Statutes and
 this Statute
 repealed
 7C.1. c. 4 § 27.]

C A P. III.

For confirming former Statutes concerning Liveries.

“THE Two Statutes 1 H. 4. c. 7. and 7 H. 4. c. 14. recited
 “and confirmed.”

C A P. IV.

For confirming Stats. 7 H. 4. c. 10. 11 H. 4. c. 6. respecting Cloths.

[See Stat. 5 & 6 E. 6. c. 6.]

C A P. V.

For confirming and amending former Statutes for the Residence of Officers of the Customs.

ALSO it is ordained and established, That the Statutes made [See Stat. 1 H. 4. c. 13. 4 H. 4. c. 20, 21.] concerning Customers, Comptrollers, Lieutenants of the chief Butler, and of Searchers, in the First and Fourth Years of our said Lord the King that now is, be kept and holden: And moreover it is ordained and established, That all Manner of Customers and Comptrollers, Gaugers of Wine, and Searchers throughout the Realm, shall be continually resident and abiding upon their Offices, and in especial at the Time of the Charge and Discharge of the Ships and Vessels entering the Ports of *England*, and going out of the same; so that no such Officer, after the Time above named, be absent from his said Office by Three Weeks at the most, upon Pain to lose his said Office, unless he be commanded and charged in especial, of Record, to be in the King's Courts; or otherwise in the King's Service, of Record, as afore is said.

ITEM ordeignez est et establis que les estatutz faitz, de les customers, contrerollours, lieutenantz de chief botellere, et de les sercheours, lan primer et lan quart le Roy qore est, soient tenuz et gardez. Et outre ces ordeignes est et establi que toutz maneres des customers contrerollours, gaugeours de vins et sercheours parmy le roialme, soient continuellement rescantz et demorantz sur leur offices; et en especial al temps de les charge et descharge de les niels et vesselz entrantz les portz d'Engleterre, et passant hors dicelles; issint que nul tiel officer, apres le temps dessus nome soit absente de son dit office, par trois semaines a plus, sur peine de perdre son dit office, sil ne soit comandez et chargies en especial de record desirer en les courtes du Roy, ou autrement en service nostre dit Seigneur le Roy, de record come dessus est dit.

C A P. VI.

Against Gally Half-pence and Foreign Coin.

“STAT. 11 H. 4. c. 5. recited, and that and all Statutes against foreign Coin confirmed.”

C A P. VII.

For suppressing Riots, Routs, and unlawful Assemblies.

ALSO it is ordained and established, That if any Riot, Assembly, or Rout of People against the Law, be made in any Part of the Realm, that the Justices of Peace, Three, or Two of them at the least, and the Sheriff or Under-Sheriff of the County where such Riot, Assembly, or Rout shall be made hereafter, shall come with the Power of the County (if Need be) to arrest them, and shall arrest them; and the said Justices and Sheriff, or Under-Sheriff, shall have Power to record that which they shall find so done in their Presence against the Law; and that by the Record of the said Justices and Sheriff, or Under-Sheriff, such Trespassers and Offenders shall be convict in Manner and

[Confirmed and amended
2 H. 5. st. 1. c. 8.
19 H. 7. c. 13.
See also Stat.
1 G. 1. st. 2. c. 5.]
In cases of Riots, Routs, &c. Two Justices of Peace, with the Sheriff, &c. shall have Power to commit Offenders by Record on their own View.

And also to inquire, hear, and determine them within a Month.
[See Stat. 19 H. 7. c. 13.]

After the Month the Justices shall make Certificate of the Riot to the Council, which shall be of like Effect as a Presentment of a Jury.

The Offenders may traverse such Certificate, which shall be tried in King's Bench.

Process against Offenders absconding; who, on Default of Appearance, shall be convicted.

Penalty on Justices neglecting their Duty, One Hundred Pounds.
[See Stat. 2 H. 5. pt. 1. c. 8. for Proceedings in case of such Neglect.]

and Form as is contained in the Statute of forcible Entries.* And if it happen that such Trespassers and Offenders be departed, before the coming of the said Justices and Sheriff, or Under-Sheriff, that the said Justices, Three or Two of them, shall diligently inquire within One Month after such Riot, Assembly, or Rout of People so made, and thereof shall hear and determine according to the Law of the Land.

And if the Truth cannot be found in the Manner as is aforesaid, then within One Month then next following, the Justices, Three or Two of them, and the Sheriff or Under-Sheriff, shall certify before the King and his Council all the Fact, and the Circumstances thereof; which Certificate shall be of like Force as the Presentment of Twelve Persons; upon which Certificate the said Trespassers and Offenders shall be put to answer, and they who shall be found guilty, shall be punished according to the Discretion of the King and his Council.

And if such Trespassers and Offenders do traverse the Matter so certified, the said Certificate and Traverse shall be sent into the King's Bench, there to be tried and determined as the Law requireth; and if the said Trespassers and Offenders do not appear before the King and his Council, or in the King's Bench, at the First Precept, then there shall be another Precept directed to the Sheriff of the County, to take the said Trespassers and Offenders, if they may be found, and to bring them at a certain Day before the King and his Council, or into the King's Bench. And if they cannot be found, that the Sheriff or Under-Sheriff do make Proclamation in the full County next ensuing the Delivery of the Second Precept, that they appear before the King and his said Council, or in the King's Bench, or in the Chancery in the Time of Vacation, within Three Weeks then next following; and in case the said Trespassers and Offenders come not as afore is said, and the Proclamation made and returned, they shall be convicted and attainted of the Riot, Assembly, or Rout aforesaid, notwithstanding any Article or Ordinance made to the contrary.

And moreover, that the Justices of Peace dwelling nextest, in every County where such Riot, Assembly, or Rout of People shall be made hereafter, together with the Sheriff or Under-Sheriff of the said County, and also the Justices of Assize for the Time that they shall be there in their Sessions, in case that any such Riot, Assembly, or Rout be made in their Presence, shall do Execution of this Statute, every one upon Pain of an Hundred Pounds, to be paid to the King, as often as they shall be found in Default of the Execution of the said Statute.

* See Stat. 15 R. 2. pt. 2. c. 2. and also 17 R. 2. c. 8.

ITEM ordeignez est et establiz, qe si aucun riot assemblee ou rout des gentz, encontre la loie, se face en aucune partie de roialme, qe les justices de paix trois ou deux de eux a meyns, et le viscont ou south viscont du counte, ou tiel riote assemblee ou rout se ferra en apres, veignent ove le poair de counte, si bosoigne ferra, pur eux arester et eux arestent; et aient mesmes les justices et viscont ou south viscont poair de recorder ceo qils troevent ensi fait en leur presence encontre la ley; et qe par le record de mesmes les justices et viscont ou south viscount soient tielx trespassours et messaisours

meffaisours convictez, en manere et fourme come il est contenuz en lestatut de forcibles entrees. Et sil adviegne qe tielx trespaisours et meffaisours soient departiz, devant la venue des ditz justices et viscont ou south viscont, qe mesmes les justices trois ou deux de eux enquerger diligement, deinz un moys apres tiel riote assemble ou route des gentz ensy faitz, et ent oient et terminent solonc la loye de la terre.

.Et si la veritee ne poert estre trove en maner come dessus est dit, adonques deinz un moys lors prochein ensuivant, certifient les ditz justices, trois ou deux de eux, et le viscont ou south viscont suisditz, devant le Roy et son counseil tout le fait et les circonstances dicell; quell certificat soit dautiel force come le presentement de xij; sur quel certificat soient les ditz trespaisours et meffaisours mys a responce, et ceux qi seront trovez coupables soient puniz solonc la discretion du Roy et de son dit conseil.

Et si tielx trespaisours et meffaisours traversent la matire ensy certifie, soient celles certificat et travers mandez en banc le Roy, pur y estre trieiz et terminez come la ley demande; et si mesmes les trespaisours et meffaisours ne vieignent my devant le Roy et son counsail, ou en bank le Roy, a primer mandement, adonques soit fait autre mandement direct a viscont de couatee, de prendre les ditz trespaisours et meffaisours, sils purront estre trovez, et eux amesner a certain jour devant le Roy et son dit counsail, ou en bank le Roy. Et sils ne purront estre trovez, qe le viscont ou south viscont face proclamation en pleine countee prochein ensuivant la liverree du seconde mandement, qils vieignent devant le Roy et son dit counsail, ou en bank le Roy, ou en la chauncellerie en temps de vacation, deinz trois semaines lors prochains ensuivant; et en cas qe mesmes les trespaisours et meffaisours ne vieignent mye come devant est dit, et la proclamation faite et retourne, soient ils convictez et atteintz de les riote assemble ou route desuisditz; non obstant aucun estatut ou ordinance fait a contraire.

Et en outre qe les justices de la paix demurrantz les plus prochains en chescun countee, ou tiel riote assemble ou route des gentz se ferra en apres, ensemblement ove le viscont ou south viscont de mesme le countee, et ausi les justices assises pur le temps qils seront illoques, en lour sessions, en cas qe aucun tiel riote assemble ou route se ferra en lour presence, facent execution de cest estatut; chescun sur peine de C li. a paiers au Roy, a tant des soitz qils seront trovez en defaut del execution de mesme lestatut.

Thurund the Statutes of King HENRY IV.

✠ [That a Parliament was called and held Anno 14 HEN. IV. on the Morrow of the Purification, 3d February, A. D. 1412-13, which was dissolved by the King's Death (happening on March 20), See printed Rot. Parl. sub An. 1 H. 5. nu. 26.]

Anno primo HENRICI V.

* Printed
Rot. Parl.

In the Parliament held at Westminster in Three Weeks
of Easter (Monday 15th May *), A.D. 1413.

From the Copy given by Hawkins, Cay, &c. as "Ex Rot.
in Turr. Lond. m. 8." compared with printed Rot. Parl. Pyn-
son, &c.

The several Chapters of the Statute are founded on the follow-
ing Articles in printed Rot. Parl. iv. p. 1, &c.

Chapter of Statute.

Number in Roll.

1	—	—	20
2	—	—	21
3	—	—	27
4	—	—	28
5	—	—	29
6	—	—	30
7	—	—	32
8	—	—	39
9	—	—	40
10	—	—	42

On Petition of
the Commons.

In the Margins of each of the Petitions and Answers on which
the foregoing Acts or Chapters are founded, Titles in English
are inserted. This appears to be the First Instance of the Kind.
The Roll is stated to have been printed from a Copy purchased of
Mr. Tonson, corrected from the Originals in the Tower. These
Titles are now inserted at the Head of each Chapter. No such
Titles are put to any of the Articles (after noticed), which, though
they have a legislative Form or Assent complete, have never been
inserted in the Statute Book.

Besides the above, and also several Articles for the Confirmation
of existing Statutes, See further

Printed Rot. Parl. iv.

- Page. No. } That the King shall be preferred in Payments to the
5, 12, } Amount of Ten thousand Pounds, for his House-
hold, &c. notwithstanding any Grants of Annuities
by Patent out of his Revenues; and that Grantees
having an Estate of Inheritance shall be preferred
before others. (See Stat. 7 H. 4. c. 16.)
13, } Letters Patent stating, that King Henry IV. by his
14, } Will had ordered the Payment of certain Debts and
Legacies, which his Goods and Chattels were in-
sufficient to satisfy, and that therefore the Executors
had

Page. No. } had renounced, and the King had taken the Effects
 5, 13, } at the Valuation of Twenty-five thousand Marks;
 14, } the King grants the said Sum to the said Executors,
 (continued) } to be applied in Payment of the Creditors, &c. and
 by Assent of Parliament acquits them from the Execution of the Will, or answering for the Effects except to that Extent, &c.

6, 16, For exempting Res-ap-Thomas from the Operation of the Statute 2 H. 4. c. 12. concerning Welshmen.

17, Grant of a Subsidy, viz. On Wools, &c. exported, Forty-three Shillings and four-pence per Sack of Denizens, and Fifty Shillings of Aliens, for Four Years from Michaelmas ensuing, for the Defence of the Realm: And also for the Safeguard of the Sea, Tonnage of Three Shillings and Poundage of Twelve-pence (with the usual Exceptions), for One Year from the said Michaelmas, upon certain Conditions; as to the good Treatment of Merchants. And also (for Services in Scotland, Wales, Ireland, Calais, &c. and in Hopes of being discharged of such Taxes and Tallages in future), One entire Fifteenth and Tenth, on Condition that the Sea be well guarded; and under Protestation that the Commons be not bound to provide for such Services by any future Grant.

18, The King's Pardon of Chattels of Felons, &c.
 On Petitions of the Commons.

34, For Relief of Sheriffs in their Accounts.

37, For sending Aliens out of the Kingdom.

38, For resuming into the King's Hands the Possession of Priors Aliens.

OUR Lord the King, at his Parliament holden at *Westminster* in Three Weeks of *Easter*, the First Year of his Reign, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Instance and Request of the Commons of his Realm, hath ordained and established divers Ordinances and Statutes in Form following.

NOSTRE Seigneur le Roy, a son parlement tenuz a *Westm'* a les trois semaines de *Pasche*, lan de son regne premiere, de ladvis et assent des Seignurs espirituelx et temporelx, et a les especialx instance et request des Communes de son Roialme, ad ordeignez et establiz diverses ordinaunces et estatuts en la fourme genefait.

[*Repealed Stat.*
24 G. 3 c. 10.
See Stat.
7 H. 4. c. 16.
21 H. 4. c. 1.]

C A P. I.

An Act for choosfing of the Knights of the Shire, and Burgesfes, and Citizens.

FIRST, That the Statutes made concerning the Election of Knights of the Shires to come to the Parliament, be holden and kept in all Points; adding thereto, That the Knights of the Shires which from henceforth fhall be chosen in every Shire, be not chosen unlefs they be refident within the Shires where they fhall be fo chosen the Day of the Date of the Writ of the Summons of Parliament; and that the Knights and Efquires; and others which fhall be Choofers of fuch Knights of the Shires, be alfo refident within the fame Shires, in Manner and Form as is aforefaid. And moreover it is ordained and eftablifhed, That the Citizens and Burgefes of the Cities and Boroughs be chosen Men, Citizens and Burgefes refiant, dwelling and free in the fame Cities and Boroughs, and no other in any wife.

PRIMEREMENT qe les estatutz faiz de la election des chivalers des countees pur venir au parlement, foient tenuz et gardeiz en toutz poinz; adjouftant a ycelles, qe les chivalers des countees qe desores ferrount effuz en chescun countee, ne foient effuz sils ne foient refeauntz deinz les countees ou ils ferrount iffint effuz, le jour de la date du brief de fomons de parlement; et qe les chivalers et efquiers et autres qi ferrount effisours des tielx chivalers des countees foient auxi refeauntz deins mefmes les countees, en maniere et fourme come deffus eft dit. Et outre cee ordeigneiz eft et eftabliz qe les citeins et burgeifes des citees et burghs, foient effuz hommes citeins et burgeifes refeauntz et en fraunchifes en mefmes les cites et burghs; et aulles autres en nulle manere.

C A P. II.

An Act concerning raifing of Mills, Stanks, &c. to the Nuiſance of the King's People.

ALL the former Statutes concerning Wears, Mills, Stanks, Stakes, and Kiddles, confirmed."—[*See particularly Stat.* 1 H. 4. c. 12.]

C A P. III.

An Act againſt ſuch as forge and publiſh falſe Deeds of other Men's Tenements.

AN Action of Damages given to the Party grieved; and the Party guilty fhall be ſubject to Fine and Ransom at the King's Will."—[*Repealed by the Operation of Stat.* 5 Eliz. c. 14. § 11—*See Notes there.*]

C A P. IV.

An Act againſt the Extortion of Bailiffs, Under Sheriffs, &c.

ALSO, For as much as the King's liege People dare not purſue nor complain of the Extortions and Oppreſſions to them done by the Officers of Sheriffs, that is to ſay, by Under Sheriffs, Clerks of Sheriffs, Receivers and Bailiffs of Sheriffs, becauſe that the

the said Under Sheriffs, Clerks, Receivers, and Bailiffs, be so continually, from Year to Year, abiding with the Sheriffs interchangeably in one Office or in another; our Lord the King, by the Advice and Assent aforesaid, and at the Request of the said Commons, hath ordained and established, That they which be Bailiffs of Sheriffs by one Year, shall be in no such Office by Three Years next following, except the Bailiffs of the Sheriffs who are inheritable in their Sheriffwicks; and that no Under Sheriff, Sheriff's Clerk, Receiver, nor Sheriff's Bailiff, be Attorney in any Court of the King during the Time that he is in Office with any such Sheriff.

ITEM pur ceo qe les lieges nostre Seignur le Roy nosent my pursuir ne compleindre des extorsions et oppressions a eux faitz, par les ministres des viscountes, cessassavoir par southviscountz clerks des viscountes rescueours et baillifs des viscountes, a cause qe les ditz southviscountes clerks rescueours et baillifs des viscountes sount sy continuelment de an en an demurrauntz ovesqe les viscountes enterchaungeablement [en un office ou en autre¹] nostre Seignur le Roy, de ladvis et assent suisdit, et a la request des ditz Communes. ad ordeignez et establiz; qe ceux qi sount baillifs des viscountz par un an, ne soient en nul tiel office par les trois ans profchein ensuantz; forspris les baillifs des viscountes queux sount enheriteez en lour viscountees; et qe nul southviscount, ne clerk de viscount, rescueour, ne baillif de viscount, soit attourne en aucun court de Roy, pur le temps qil est en office [au²] aucun tiel viscount.

¹ dune office en autre, P.

² ove, Rot. Parl. P.

C A P. V.

An Act that in every original Writ in which an Exigent should be awarded shall be written certain Additions.

ALSO, it is ordained and established, That in every original Writ of Actions Personal, and Appeals, and Indictments, in which Exigent shall be awarded, that to the Names of the Defendants in such Writs Original, Appeals and Indictments, Additions shall be made of their Estate or Degree, or Trade, and of the Towns, or Hamlets, or Places, and the Counties, of the which they were, or are, or in which they are or were or may be conversant: And if by Process upon the said Original Writs, Appeals, or Indictments, in the which the said Additions be omitted, any Outlawries be pronounced, that they be void, frustrate, and holden for none; and that before the Outlawries pronounced, the said Writs and Indictments shall be abated by Exception of the Party, for that the said Additions be therein omitted. Provided always, That although the said Writs of Actions Personal be not according to Records or Deeds, by the Surplusage of the Additions aforesaid, that for that Cause they be not abated; and that the Clerks of the Chancery, under whose Names such Writs shall go forth written, shall not leave out, nor make Omission of the said Additions as is aforesaid, upon Pain to be punished, by making Fine to the King, by the Discretion of the Chancellor. And this Ordinance shall begin to hold place at the Suit of Parties, from the Feast of St. Michael next ensuing forward.

In all original Writs in personal Actions, and in Appeals and Indictments in which Exigent shall be awarded, the Defendants shall be distinguished by Addition of their Degree and Place of Abode.

The Surplusage caused by inserting such Additions, shall not prejudice.

[See Stat. 8 H. 6. c. 12. that defect of these Additions shall not be amended; and Stat. 5 El. c. 23. § 13. requiring them in Writs of Excom. cap.]

ITEM ordeignez est et establiz, qen chescun brief original des actions personelx et appellees et enditementz ⁽¹⁾ en queux exigend' serra agardez, qa les nouns des defendautnz en tieux briefs originalx appellees et enditementz, soient faitz additions de leur estat ou degree ou de mistere, et les villes ou hamelles ou lieux, et les countees [des queux ils furent ou sount, ou en queux ils sont ou [serront ²] conversauntz ³]. Et si par processe, sur les ditz briefs originalx appellees ou enditementes, en queux les ditz additions soient entrelessez, aucunes utlagaries soient pronunciez, qils soient voidez irritez et tenuz pur null; et qe avant les utlagaries pronunciez les ditz briefs et enditementes soient abatuz, par exception du partie, par la ou en icelles les ditz additions soient enterlessez. Purveux toutfoitz qe mescqe les dites briefs [d'actions ⁴] personelx, ne soient accordauntz as recordes ou faits, par la superplusage des additions suisditz, qe pour celle cause ils ne soient abatuz. Et qe les clerks de la Chauncellerie, south qi noms tiels briefs isserount escriptz, ne entulerent ne facent omission des ditz additions, come dessuis est dit, sur peyne destre puniz [affaire ⁵] syn a Roy par discretion de chancellor. Et comencera ceste ordinance a tenir lieu, a seute de partie, de la fest de Seint Michel prochein enavaunt.

¹ et, P. but *Rot. Parl.* omits.

² fuerent, P.

³ des queux ils fuerent sont ou conversauntz soient, *Rot. Parl.*

⁴ additions, P. which all former Translations followed, to the utter Perver-sion of the Sense of the Act.—*Rot. Parl.* as Text.

⁵ et faire

C A P. VI.

An Act concerning the Rebellion in *Wales*.

AFTER Recital that in the Time of the Rebellion in *Wales*, many of the King's liege People, as well *Englismen* as *Welshmen*, had been in divers Parts of *Wales*, for Suppression of the Rebels there by the King's Command, when some of the said Rebels found in Arms making War against their Faith and Liegeance were slain, and some maimed, beaten, wounded, taken and imprisoned, and their Goods and Chattels carried away by the said liege People, as it was well lawful; notwithstanding which, many of the said Rebels living, and others next of Kin to Rebels deceased, did with their Friends daily make Complaints and great Suit against the said liege People dwelling in those Parts, and in the Shires nearest to *Wales*, demanding high Amends, threatening that otherwise they would be avenged, whereby the said liege People were many Times vexed, some by Indictments, Accusations, or Impeachments, and some by Menaces or Distresses taken, and some by their Body taken and imprisoned, until that they made Satisfaction, or till they cleared themselves of the Death of such Rebels, and other Trespasses, by an [Assach ¹] after the Custom of *Wales*, that is to say, by the Oath of Three Hundred Men; it is ordained, That such Complaint, Action, and Demand, shall not be thereafter made by Art or Engine, against any of the said liege People, by any of those who had been Rebels, nor by their Adherents, Relation, Ally, Friend, or other, upon Pain to pay the Party grieved his treble Damages, Imprisonment for Two Years, and Fine and Ransom."

¹ assach, *Rot. Parl.* Oby—assache, P.

C A P. VII.

An Act that Alien Strangers shall not enjoy any Benefice within this Realm.

ALSO, Whereas in the Parliament holden at *Westminster*, in the Time of King *Richard* the Second, the Thirteenth Year of his Reign, it was ordained, That no alien *Frenchman* should have nor enjoy any Benefice within this Realm, for certain causes which had happened and might happen, but that they should be sent and go entirely out of the Realm before a certain Time in the said Ordinance limited, as in the same is plainly contained: And whenever any Priories Aliens conventual, or any other Benefice or Office due by the King's Title, should be void by the Cession or Death of the said Priors and other Occupiers then being, during the Wars, honest *English* Persons should be put in their Place to perform Divine Service, and none of the Enemies aforesaid: And notwithstanding the said Ordinance, the said aliens *Frenchmen*, by evil Imagination and Brocage to continue the evil Mischiefs declared in the said Ordinance, do purchase the King's Letters Patents to be Denizens and liege People to the King, and do swear the same to continue, to the Intent to occupy and enjoy the said Benefices, and so do yet occupy many Benefices against the said Ordinance, whereby the alien *Frenchmen* be increased, in Destruction of the King's liege People, and do bear away out of the Realm great Treasure of the King and his Realm, and do disclose the King's Counsel to the *French* Enemies, to the great Damage of the King and the Realm; our Sovereign Lord the King, considering the said Mischiefs, willeth that the said Ordinances be firmly holden and kept, and put in due Execution; except as to Priors Aliens conventual, and also all other Priors which have Institution and Induction, so that they be Catholicicks, and that they find Surety, not to disclose nor cause to be disclosed the Counsel nor the Secrets of the Realm.

[See the Ordinance, printed Rot. Parl. 1 R. 2. nu. 91. confirmed 13 R. 2. nu. 19.]

ITEM come en le Parlement tenuz a Westmin' en temps de Roy Richard second, lan de son reigne treziesme, ordeignez estoit qe nul alien Fraunceys naverroit nenjoieroit null benefice deins ceste roialme, pour certains causes qe avieignent et puissent avenir, mes quilz serroient deliverez et voidez tout nettement hors du roialme, devaunt certain temps en le dit ordinaunce limitez, come en icell est pleinement contenuz; et a quele heure qe aucuns priories aliens conventuelx, ou aucun autre benefice ou office duez par title du Roy, voident par le ces ou deces des ditz priours et autres occupiours qadonques estoient, durauntz les guerres, honestes perones Englois y soient mys en lieu de eux pur accompler le divine service, et null des enemys dessuidditz: Et nientcontrefeaunt la dite ordinaunce les ditz aliens Fraunceys, par male ymagination et brocage, de contenuer les malveys meschies du dit ordinaunce, purchacent lettres patentes de Roy destre denzeins et lieges du Roy, et jurent de ce continuer, al entent doccupier et enjoier les ditz benefices, et issint unquore occupiount plusieurs benefices encontre la dite ordinaunce, parount les aliens Fraunceys sont encresegez, en arerisment des lieges du Roy, et graund trefour de Roy et de son roialme emportent hors de roialme, et le coun-

feil du Roy discoveront as enemys de France a grande damage du Roy et de roialme : Nostre Seigneur le Roy, consideraunt les meschiefs suifditz, voet qe les ditz ordinaunces soient serment tenus et gardez et mys en due execution ; forspis les priours aliens conventuels, et auxi toutz autres priours quont institution et induction, parainsi qils soient catholiks, et qils facent seurtee qils ne discovererount ne ferrount discoverier le counsaill et les secretz du roialme.

C A P. VIII.

See also Stat.

1 H. 6. c. 3.

2 H. 6. c. 8.

An Act that all *Irish* and *Irish* Clerks shall avoid the Realm.

ALSO, For Quietnes and Peace within the Realm of *England*, and for the Encrease and Entforing of the Land of *Ireland*, it is ordained and established in this present Parliament, That all *Irishmen* and *Irish* Clerks Mendicants, called Chamberdeacons, do avoid the Realm, betwixt the Feast of St. *Michael* next coming, and the Feast of *All Saints* then next following, upon Pain to lose their Goods, and to be imprisoned at the King's Pleasure: Except those who are Graduates in the Schools, and Serjeants and Apprentices of the Law, and those who are Inheritors in *England*, and religious Persons professed; and except also the Merchants born in *Ireland* of good Fame, and their Apprentices now dwelling in *England*; and those with whom the King will dispense. And that all those *Irishmen* who have Benefices or Offices in the Land of *Ireland*, shall dwell upon their Benefices and Offices, [upon Pain to lose and forfeit the Profits of their Benefices and Offices¹,] for the Defence of the Land of *Ireland*, aforesaid.

ITEM pur quiete et tranquillite deins le roialme d'Engleterre, et pur lencres et estussement de la terre d'Irland, ordeignez est en cest present parlement, qe toutz Irrois et clerks Irrois mendinauntz appelez chaumberdeakyns, soient voidez hors du roialme, parentre le fest de Seint Michel prochein avenir et le fest de toutz Seintz prochein ensuivantz, sur peine de perdre leur biens et estre emprisonnez al volunte du Roy; forspis ceux qe sont graduates en les escoles et sergeanutz et apprentices de ley, et ceux qi sont enheritez en Engleterre, et religieuses professez; Et forspis auxi les merchauntz neez en Irland de bon fame, et leur apprentices a present demurrauntz en Engleterre, et ceux ove queux le Roy voet despenfer. Et qe toutz ceux Irrois quont benefices ou offices en la terre d'Irland demurgent sur leur benefices et offices [sur peine de perdre et forsfaire les profitz le leur benefices et offices¹] pur la defense de la terre d'Irland avaunt dite.

¹ omitted in P. and all Translations.

C A P. IX.

An Act for disannulling of all Letters Patents granted forth of the Town or Marches of *Calais*.

" AFTER Recital that divers Grants and Letters Patents had
 " been unduely made of divers Revenues, Profits, and Com-
 " modities, of the Land, Tenements, Fisheries, Customs, &c. be-
 " longing to the King in the Town and Marches of *Calais*, and
 " of divers Offices for collecting the said Revenues, contrary to
 " the

“ the Ordinances and Statutes relating to the same ; all the said
 “ Letters Patents are revoked and annulled, and the said Re-
 “ venues and Profits are resumed into the King’s Hands, to be
 “ employed in the Support of the Payments and Charges to the
 “ said Town and Marches thereto belonging : With a saving for
 “ the Duke of *Clarence* as to his Possessions in the said Marches,
 “ and for the Captains of Castles there.”

C A P. X.

An Act concerning the true Measure of Corn.

[See Stat. 11 H. 6. c. 8. and also 22 C. 2. c. 8. and particularly § 7.]

ALSO, Whereas in the Time of the King’s noble Progenitors it was ordained, That one Measure of the Corn should be through all the Realm of *England*, that is to say, Eight Bushels for the Quarter, and that every Bushel should contain Eight Gallons ; by force of which Ordinances such Measure hath been used, with One Bushel of the said Quarter heaped ; and notwithstanding the said good Ordinances and Usages, the Purveyors of Corn as well for the House of the Father of our Lord the King, as for the House of our Lord the King, which now is, have taken before this Time for the said Houses continually Nine Bushels of Wheat and of other Corn for the Quarter, and that many Times by Measure not sealed, and also not stricken, against the Will of the Sellers of the same, and without due Price set upon the same after the Law of the Land, and also cause the Sellers to carry the said Corn to what Place that them pleaseth, without paying any Thing for the Carriage ; and also the Merchants and Citizens of *London*, do use to take of every Seller for the Quarter of Wheat Nine Bushels by a Measure, used within the said City called the *Vat*, with a Bushel set upon the said *Vat*, and yet make the Sellers to pay a Halfpenny for the Measuring of every Quarter, and take for a Quarter of Oats Ten Bushels ; whereby the Buyers of Corn in the Country will not buy nor take for the Quarter of Corn, otherwise than in the same Manner as the said Purveyors, and they of the said City do use to take, to the great Hindrance and perpetual Undoing of the Commonalty aforesaid ; it is ordained and established, That all the said good Ordinances be firmly holden and kept, after the Effect of the same : And that no Purveyor of our Lord the King, nor any other, shall use hereafter to buy nor to take any Corn by any other Measure than Eight Bushels stricken for the Quarter ; and that none be otherwise bound to deliver for the Quarter only Eight Bushels stricken as is aforesaid, and also that the Payment be made in Hand for the Carriage : And that if any Purveyor of our Lord the King, or any other Person, do buy or take any Corn otherwise, or by other Measure than Eight Bushels stricken for the Quarter, as in the said Ordinances is contained, and thereof be attainted, he shall have One Year’s Imprisonment, and pay to the King an Hundred Shillings, and to the Party that seeketh himself grieved another Hundred Shillings, and that as often as any of them be thereof attainted ; and that the Party who will sue, have an Action grounded upon the Case : And that the Justices of the Peace have Power to enquire and hold Plea of all the Things aforesaid, and thereupon to make Punishments as is

[See Stat.
15 R. 2. c. 4.
and References
there.]

London Measure
called the *Vat*.
[See Stat.
11 H. 6. c. 8.]

No Purveyor
or other shall
buy or sell any
Corn by any
Measure other
than the
Quarter of
Eight Bushels;
Penalty Five
Pounds to the
King, and Five
Pounds to the
Party.
[See also Stat.
11 H. 6. c. 8.]

aforesaid, as well at the Suit of the King as of the Party: And that from henceforth nothing be taken for the Measuring of such Corn in any wise.

ITEM come, en temps des nobles progenitours nostre Seignur le Roy, ordeigne soit que une mesure des blees ferroit par tout le roialme dEngleterre, cestassavoir viij. busselx pur la quarter, et que chescun bussell contiendra oept galons, par force de queux ordinaunces tiel mesure ad este use ove un bussell du dit quarter cumle; et nient oblauntz les ditz bones ordinaunces et usages les purveours des blees, sibien pur lostel le pier nostre Seignur le Roy come pur lostiel nostre Seignur le Roy gore est, ount pris devaunt ces heures pur les ditz hostielx continuellement, noef busselx de furment et dautres blees pur le quarter, et ce plusours soit par mesure nient enseale, et auxi nient rase, encountre la volunte des vendurs dicelles, et saunz due pris mys sur ycelle solonque la ley de la terre, et auxint fount les vendours de carier les ditz blees a quel lieu lour plect saunz riens paier pur la cariage: Et auxiles marchautz et citezeins de Loundres usent de prendre, de chescun vendour, pur la quarter de furment noef bussels par un mesure use deins la dite citee appelle le faat, ove un bussell mys sur la dit faat, et uncore fount les vendurs paier un maill pur la mesurage de chescun quarter, et preignent pur un quarter des aveyns dys busselx, parount les achatours des blees en le pais ne le voillent mye acheter ne prendre, pur le quarter des blees, si noun en mesme la manere come les purveours susditz, et ceux de la dite Citee usent de prendre; en grand arrerisment et perpetual destruction de les cominaltes susditz: Ordeiguez est et etabliz que toutz les ditz bones ordinaunces soient fermement tenuz et gardez, solonc leffect dicelles: et que nul purveour nostre Seignur le Roy, nautre, ne usent enapres dachatre ne prendre aucuns blees par autre mesure, si non oept busselx rasez pur le quarter: et que nul soit tenuz autrement a deliverer pur la quartier si noun oept busselx rasez come avant est dit, et auxint que paiement soit fait prestement pur la cariage: Et que si aucun purveour nostre Seignur le Roy, ou autre persone, achate ou preigne aucuns blees autrement ou par autre mesure si noun oept busselz rasez pur la quartre, come en les ditz ordinaunces est contenuz, et de ce soit atteint, eit lenprisonement dun an et qil paie au Roy cent sould, et a la partie que se sente greve autre cent sould; et ce taunt de soit que aucun deux de ce soit atteint; et que la partie que voille suer eit action founduz sur la cas: Et que les justices de la pees eient poair denquerrer et ple tenir de toutz les choses avaunt ditz, et sur ceo faire punissement come avant est dit sibien al suite de Roy come de partie; et que desore riens soit pris pur la mesurage des tielx blees en aucune manere.

Anno secundo HENRICI V. A.D. 1414.

Two Parliaments were held this Year.

1. At Leiceſter on the laſt Day of April. STATUTE I. (Of the Roll of this Parliament no Notice is taken in Cotton's Abridgement.)

2. At Weſtminſter, on Monday next after the Oclave of St. Martin (the Feaſt being 11 Nov.) STATUTE II.

Both Statutes are here reprinted from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Lurr. Lond. m. 7—5." compared with printed Rot. Parl. Pynſon, &c.

The ſeveral Chapters of the Statutes are founded on the following Articles in printed Rot. Parl. iv. p. 15, &c.

Chapter of Statute.

Number in Roll.

STAT. I.

(1)	1,	—	—	15
	2,	—	—	16
	3,	—	—	17
	4,	—	—	18
	5,	—	—	20
(2)	6,	—	—	23
	7,	—	—	24
	8,	—	—	25
	9,	—	—	26
STAT. II. (3)				
	1,	—	—	36
	2,	—	—	37
	3,	—	—	38
	4,	—	—	40
	5,	—	—	41
	6,	—	—	43

*On Petitions of
the Commons.*

^{1 2} The Firſt Five of theſe Chapters of this Statute are founded on Petitions of the Commons and the Anſwers thereto, as they appear in the printed Parliament Roll. The laſt Four are drawn up in the Form of a Statute as they have always appeared in the Statute Book; but with an Introduction immediately preceding them in theſe Words, viz.

"Item fait aſſavoir q' n're tres ſouverain S'r le Roy eiant grande volonte et deſir de Seinte Eglise et de ſon roialme en les choſes ou meſtier eſt d'amendement, a l'honneur de Dieu et par la pees et la commune preſtit ſi bien de Seinte Eglise d'Engleterre come de tout ſon roialme, de l'advis et aſſent des ſeignurs eſpirituelx et temporelx et a la request de ſes communes avant dit, ad fait certains eſtatuits declarations et ordinances en ceſt preſent parlement en la forme q'enſuit, queux il entendre eſtre neceſſaires et profitables, et les queux il voet eſtre fermement tenuz et gardez en touz pointz."

³ In the Margins of ſeveral of the Petitions and Anſwers on which the Aſſs or Chapters of this Statute 2. are founded the Subject of each is noted in Engliſh, (the Body of the Roll being in French, except where

where the contrary is noticed. See nu. 22.) as is also done with respect to other Articles not inserted in the Statute Book. The Roll is stated to be printed from Mr. Tonson's Copy, and compared as the Roll sub An. 1 H. 5. (See the Note there.)

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further

In the First Parliament.

Printed Rot. Parl. iv.

Part. 1, } Grant of a Subsidy, viz. Tonnage of Three Shil-
Page—No. } lings and Poundage of Twelve Pence, for Three
16, 7, } Years from the ensuing Michaelmas, for the Safe-
guard of the Sea, and on Condition that Merchants
are well treated.

17, 8, Creation of certain Noblemen at the Request of the Lords and Commons.

9, Restitution of Edward Duke of York, notwithstanding the Judgement against him in 1 H. 4.

On Petitions of the Commons.

19, 13, Confirmation of Liberties and Statutes.

22, 21, For keeping in the King's Hands the Possession of Alien Priories.

22, By a Petition of the Commons in English, stating it to be their Liberty and Freedom, that there should be no Statute or Law made without their Assent, (considering that the Communally, which is and ever hath been a Member of the King's Parliament, be as well Assenters as Petitioners), they require, that on any Complaint of the Commons by the Mouth of their Speaker, or on written Petitions, no Law be made and engrossed as Statute and Law, so as to add to or diminish from the Intent signified by their Speaker, or by Petitions in Writing, without their Assent. The King by his Answer grants, that nothing shall thenceforth be enacted to [at] the Petitions of the Commons, that be contrary to their Request, whereby they should be bound without their Assent.—The Petition and Answer both save the King's Prerogative in denying Petitions. or any Part of them. [Cap. 6, 7, 8, and 9 of the Statute, follow immediately after this. See Note (2) preceding.]

On Private Petitions.

27, 1, For the Priory of Montague in Somersetshire.

30, 10, } For Redress against certain Persons resisting the
11, } Collectors of the Fifteenths, &c.

In the Second Parliament.

Printed Rot. Parl. iv.

- Part 2, }
 Page—No. } Grant of Two entire Fifteenth and Tenths, to be
 35, 11, } levied at the Purification in the Two ensuing
 Years. (See 3 H. 5. nu. 14.)
 12, The Council empowered to make Regulations against
 Walbers, Clippers, and Counterfeiters of Money.
 37, 17, For Restitution of Henry Percy Earl of Northum-
 berland. (See *sub* An. 7 H. 4.)
 18, } For the Payment of certain Creditors of King
 40, 22, } Henry IV. (See 1 H. 4. nu. 13, 14.)
 38, 19, For Restitution of Hammond Bealknap, Son to Sir
 Robert Bealknap, exiled in An. 11 R. 2. (See that
 Year.)
 39, 20, For Confirmation of all Grants to Thomas Chaucer
 Esquire, (notwithstanding Stat. 1 H. 4. c. 6.)
 21, For Relief of certain Persons against fraudulent
 Feoffments. (See Stat. 1 Ric. 2. c. 9.)
 40, 23, Pardon of all Offences against the Statute of Li-
 veries. (See Stat. 2 H. 4. c. 21, and *post*
 4 H. 5. nu. 12.)
 40, 41, 24, Confirmation of a Grant of the Dignity of Earl of
 Richmond, and of the Reversion of the Castle,
 Earldom, and Seignory of Richmond, to John
 Duke of Bedford, the King's Brother.
 42, 25, For naturalizing the Prior and Convent of St. Neots.
 43, 26, For confirming to the Dean and Chapter of the Ca-
 thedral of Chichester a Grant of the Priory and
 Prebend of Wilmington, &c.
 44, 27, }
 45, 28, } For exempting certain Persons from the Restraints
 29, } of Stat. 2 H. 4. c. 12. respecting Welshmen.
 46, 30, For separating from the Inheritance of the Crown,
 and uniting to the Duchy of Lancaster, all Ho-
 noures, Castles, Possessions, &c. either in England
 or Wales, or elsewhere, descending by Inheritance
 after the Death of Dame Mary (one of the
 Daughters and Heirs of Humphrey de Bohun,
 late Earl of Hereford, Essex, and Northampton),
 to the King as Son and Heir of the said Mary;
 and that all the said Possessions, &c. should be
 considered, treated, and governed in the same
 Manner as those belonging to the Duchy of Lan-
 caster; according to the Effect of the King's
 Charter enrolled in the Parliament Roll. (See
 also 3 H. 5. p. 2. nu. 15.)

*On Petitions of the Commons.**Printed Rot. Parl. iv. Part. 2,**Page—No.*49, 31, } *Confirmation of Liberties.*50, 34, " *For the Obstinacy of the Ambassadors of Feane*"
[*Marg.*] *confirming and regulating Letters of Marque*
*and Reprisal against the Genoese.*53, 42, *For granting certain Privileges and Advantages to the*
*Corporation of Southampton.**On private Petitions.*55, 2, *For certain Privileges to the Burgessees of Liverpool.*4, *Further Regulations for the Staple at Calais.*

2 HEN. V. STAT. I.

OUR Lord the King, at his Parliament holden at *Leicester* the last Day of *April*, the Second Year of his Reign, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Instance and Request of the Commons of his Realm, in the same Parliament assembled, hath ordained and established divers Ordinances, Declarations, and Statutes, in Form following.

NOSTRE Seigneur le Roy, a son parlement tenuz a *Leycestr*, le darrein jour de *Aprill*, lan de son regne seconde, de ladvyss et assent des Seignurs espirituelx et temporelx, et a les especiales instance et request des Communes de son roialme, en mesme le parlement esteantz, ad ordeigne et estable diverses ordinances declarations et estatutz en la fourme qensuyt.

C A P. I.

Ordinaries shall inquire of, and reform the Estates of Hospitals.

The Causes of
the Erection of
Hospitals.

FIRST, Forasmuch as many Hospitals within the Realm of *England*, (founded as well by the noble Kings of the said Realm, and Lords and Ladies Spiritual and Temporal, as by others of divers Estates, to the Honour of God and of his glorious Mother, in Aid and Merit of the Souls of the said Founders, to the which Hospitals the said Founders have given largely of their moveable Goods for the Buildings of the same, and largely of their Lands and Tenements, therewith to sustain old Men and Women, Lazars, Men and Women out of their Wits, poor Women with Child, and other poor Persons, and to nourish, relleve, and refresh them there), be now for the most Part decayed, and the Goods and Profits of the same, by divers Persons, Spiritual and Temporal, withdrawn and spent to the Use of others, whereby many Men and Women have died in great Misery for Default of Aid, Livelihood, and Succour, to the Displeasure of God, and Peril of the Souls of such evil Dispensers; the King our Sovereign Lord, considering the meritorious and devout Intents of the Founders aforesaid, and also the evil and unaccustomed Government

ment therein had, by the Advice and Assent aforefaid, hath ordained and established, That as to the Hospitals which be of the Patronage and Foundation of the King, the Ordinaries, by virtue of the King's Commissions to them directed, shall inquire of the Manner of the Foundation of the said Hospitals, and of the Governance and Estate of the same, and of all other Matters necessary and requisite in this Behalf, and the Inquisitions thereof taken shall certify into the King's Chancery. And as to other Hospitals which be of the Foundation and Patronage of other than of the King, the Ordinaries shall inquire of the Manner of the Foundation, Estate, and Governance of the same, and of all other Matters and Things necessary in this Behalf, and thereupon shall make thereof Correction and Reformation, according to the Laws of Holy Church, as to them belongeth.

Ordinaries shall inquire into the State of all Hospitals: as to those of royal Foundation by Commission to be returned into Chancery; and as to others by their Spiritual Jurisdiction.

EN primes, pur taunt qe plusieurs hospitalx dedeinz le roialme d'Engleterre, (founduz sibien par les nobles Rois de mesme le roialme et Seignurs et dames espirituelx et temporelx, come par autres de diverses estates, al honour de Dieu et de sa glorieuse meere, en eide et merit des almes de les ditz foundours, as queux hospitalx mesmes les foundours ont donez grandement de lour biens moebles pur ledifications dicelles et grandement de lour terres et tementz pur ent sustener viegles hommes et femmes, lazars hommes et femmes hors de lour senues et memories, povres femmes enfeintez, et autres povres, et la nurrir relever et resfresser en ycelles), sont ore pur la greindre partie encheiz, et les biens et profitz dicelles par diverses persones, espirituelx et temporelx, retraitz et despenduz en autri oepe, paront plusieurs hommes et femmes ont moruz en grand melchief pur defaute de eide vivre et socour, al displeance de Dieu et perill des almes de tieux malveis despensours: le Roy nostre Seignur tressoverain, considerant les meritories et devoutes ententes de les foundours avaunt ditz, et auxi les malveis et insolent governance en ycelles euz, del advis et assent suissdit, ad ordeigne et etablie, qe quant as hospitalx queux sont del patronage et fundation le Roy, les Ordinaires, par vertue des commissions le Roy a eux adressez, enquergerent del maner de la fundation des ditz hospitalx, et de la governance et estat dicelles, et de toutes autres matiers en ceste partie necessaires et hosoignables; et linqquisitions ent pris certifient en la Chauncellerie le Roy. Et quant as autres hospitalx, qi sont dautri fundation et patronage qe de Roy, les Ordinaires enquergerent del manere de la fundation estat et governance dicelles, et de toutz autres maters et choses hosoignables celle partie, et sur ce facent ent correction et reformation selonc les loies de seinte Eglise, come a eux appartient.

C A P. II.

For preventing Prisoners in Execution from being enlarged without due Satisfaction made to their Creditors.

ALSO, Forasmuch as many Men have been condemned, in the Courts of our said Lord the King, and in the Courts of his noble Progenitors, as well within the City of London, as in other Cities and Boroughs within the Realm of England, and by virtue of such Condemnations have been committed to the Prison of our Lord

Lord the King, there to remain until they have made Satisfaction to the Plaintiffs, at whose Suit they were condemned; and after by their Suggestions made in the Chancery of our Lord the King, they have had divers Writs called *Certiorari corpus cum causa*, out of the Chancery of our said Lord the King, directed to the Sheriffs or Keepers of the Prisons where such Persons condemned be detained, to have their Bodies, with the Cause of the Imprisonment of the Persons so condemned in the Chancery, at the Days contained in the said Writs; after which Writs, together with the Body, and the Cause of the Condemnation, returned into the Chancery aforesaid, the said Persons so condemned have been delivered in the Chancery aforesaid by Bail or by Mainprise, or at large, without Bail or Mainprise, against the Assent and Will of the said Plaintiffs, and without making any Satisfaction to the said Plaintiffs of the Sums in the which they be condemned; against the Law of the Land; and so the said Plaintiffs remain without Remedy, in Destruction of the State of such Plaintiffs, and in defeating of the Judgements given in the Courts aforesaid: Our said Lord the King, willing herein to provide Remedy, by the Advice and Assent aforesaid, and at the Request of the Commons aforesaid, hath ordained and established, That if any such Writ of *Certiorari corpus cum causa*, be granted, or shall be granted at any Time hereafter, and upon the said Writ it be returned, that the Prisoner who is so detained in Prison is condemned by Judgement [given against him], that presently he shall be remanded, or shall remain continually in Prison according to the Law [and Custom] of the Land, without being let to go by Bail or by Mainprise against the Will of the said Plaintiffs, until Satisfaction be made to them of the Sums so adjudged.

On a Return to a *Certiorari corpus cum causa*, that the Party is imprisoned on Judgment, he shall remain in Custody till Satisfaction is made.

ITEM pur ceo qe plusieurs gentz ont estez condempnez, en les courtz nostre dit Seigneur le Roi, et en les courtz de sex nobles progenitours, sibien deinz la Citee de Loundres come en autres citees et burghs deinz le Roialme d'Engleterre, et par vertue de tielx condempnations ont estez commis a la prison nostre Seigneur le Roi, pur y demorer tanque ils ont fait gree as pleintifs vers queux ils surent condempnez; et apres, par leur suggestions faitz en la Chauncellerie nostre Seigneur le Roi, ont euz diverses briefs, appelez *certiorari corpus cum causa*, hors de la Chauncellerie nostre Seigneur le Roi, directz as viscountz ou gardeins dez prisonnes ou tielx gentz condempnez sont detenez, pur avoir leur corps ove la cause denprisonnement de les condempnez fuissetz, en la Chauncellerie as jours contenuz en les ditz briefs; apres queux briefs ensemblement oveqe le corps et la cause de condempnation retournent en la Chauncellerie fuissete, les ditz gentz issint condempnez ont estez deliverez en la Chauncellerie avauntedit, par baile ou par mainprise, ou a large sanz baile ou mainprise encontre l'assent et volute des ditz pleintifs, et sanz aucun gree faire as ditz pleintifs de les sommes en queux ils sont condempnez; encontre la leie de la terre; et issint demurgent les ditz pleintifs sanz remede, en anientifement de lestat de tielx pleintifs, et en desesaunce des juggedmentz renduz en les courtz avaunteditz: Nostre dit Seigneur le Roi voillant ent faire remede, del advys et assent avaunteditz, et a la requeste des Communes fuissetes, ad ordeigne et establee qe si aucun tielbrief de *Certiorari*

tiorari corpus cum causa soit graunte, ou serra graunte en temps avenir, et sur le dit brief soit retourne qe le prisoner, qest issint detenu en prison, soit condempne par juggement (¹) qe maintenant soit remande, ou demurge continuelment en prison, solonc la ley (²) de la terre, sanz estre lessiez aler par baillie ou par mainprise, encontre la volunte des pleintifs suiditz, tanqe lour soit fait gree de les hommes issint adjuggez.

¹ done encontre luy, P.

² et custume, P.

C A P. III.

A Copy of the Libel in a Suit in the Spiritual Court shall be delivered to the Party requiring the same.

*See printed
Rot. Parl. iv.
p. 20. nn. 17.*

ALSO, Forasmuch as divers of the King's liege People be daily cited to appear in the spiritual Court before spiritual Judges, there to answer to divers Persons, as well of Things which touch Freehold, Debt, Trespasses, Covenants, and other Things whereof the Cognisance pertaineth to the Court of our Lord the King, as of Matrimony and Testament; and when such Persons so cited do appear and demand a Libel of that which against them is furnished, to be informed in order to give their Answer thereunto there, or otherwise to purchase a Writ of our Lord the King, of Prohibition, according to their Case, which Libel to them is denied by the said spiritual Judges, to the Intent that such Persons should not be aided by any such Writ, against the Law, and to the great Damage of such Persons so impleaded: Our said Lord the King, by the Advice and Assent aforesaid, and at the Request of the said Commons, hath ordained and established, That wherever the Copy of the Libel is grantable by Law, it shall be granted and delivered to the Party without any Difficulty.

ITEM pur ceo qe diverses lieges nostre Seignur le Roi sont citez, de jour en autre, dapparoir en courte Christiene devant juges espirituelx, a y respondre as diverses personnes, sibien des choses qe touchent frank tenement dette trespassiez covenantz et autres, des queux la conisance appertient al courte nostre Seignur le Roi, come de matrimonie et testament; et qant tielx personnes, issint citeez, appiergent et demandent un libell de ceo qe lour est surmys, pur estre enformez a doner lour respons illoques, ou autrement a purchacer brief nostre Seignur le Roi de prohibition, selonc lour cas, quell libell lour est denie par les ditz juges espirituelx, al entent qe tielx personnes ne serront mye par nul tiel brief aidez, encontre ley et as grandes damages de tielx personnes issint empledez: Nostre dit Seignur le Roi, del advis et assent suiditz, et a la prier des ditz Communes, ad ordeigne et establee, qe a quelle heure la copie de la libell est grauntable par la ley, qil soit graunte et livre a la partie sanz difficulte.

C A P. IV.

For enforcing the Execution of the Statutes of Labourers by Justices of the Peace: and for regulating the Quarter Sessions of such Justices.

ALSO, Forasmuch as the Servants and Labourers of the Shires of the Realm do flee from County to County, because they would not be justified by the Ordinances by Law made concerning them, to the great Damage of Gentlemen and others, to whom they should serve, because that the said Ordinances and Statutes made concerning them be not executed in every Shire; our Lord the King, willing in this Case to provide a Remedy, by the Assent and Advice aforesaid, and at the Request of the said Commons, hath ordained and established, That the Statute of Labourers made at *Cambridge*, and all other good Statutes of Labourers made, and not repealed, be firmly holden and kept, and put in due Execution. And moreover, That the Justices of Peace have Power to send their Writs for such fugitive Labourers, to every Sheriff of *England*, and to make such Processess as the Statute of Labourers requireth, to bring them before them, to answer to our Sovereign Lord the King, and to the Parties, of the Contempts and Trespasses done against the Ordinances and Statutes aforesaid, in like Manner as the said Justices have Power to send to every Sheriff for Felons before them indicted. And also that all the Statutes and Ordinances of Labourers, Servants, and Artificers, before this Time made, and not repealed, be exemplified under the Great Seal, and sent to every Sheriff of *England*, thereof to make Proclamation in full County; and after this Proclamation made, that every Sheriff shall cause the said Exemplification to him directed, to be delivered to the Justices of the Peace in his County named on the Quorum, or to One of them, to remain with such Justices which be, or shall be, for the better putting of the said Statutes and Ordinances in due Execution. And in Shires where divers Commissions of the Peace be made, there shall be so many Exemplifications of the Statutes and Ordinances aforesaid made, as there be Commissions of the Peace in the same Shires, and sent to the Sheriff to make Proclamation, and to deliver the same, as is aforesaid.

And that the Justices of the Peace in every Shire named on the Quorum, [resident²] within the same Shire, (except Lords named in the Commission of the Peace, and also except Justices of the one Bench, and of the other, the Chief Baron of the Exchequer, Serjeants at the Law, and the King's Attornies, for the Time that the same Justices, Chief Baron, Serjeants, and Attornies, be attending and occupied in the King's Courts or elsewhere engaged in the King's Service) do make their Sessions four Times in the Year, that is to say, in the first Week after the Feast of Saint Michael, and in the first Week after the Feast of the Epiphany, and in the first Week after the Clause of Easter, and in the first Week after the Translation of Saint Thomas the Martyr *

Statutes for Labourers, 12 R. 2. c. 3-9, (See also Stat. 25 E. 3. ft. 1.) confirmed. Justices of Peace may send their Writs for fugitive Servants or Labourers to every Sheriff of *England*.

All the Statutes for Labourers in force shall be exemplified; and after being proclaimed in full County, be deposited with the Justices of the Quorum in each Commission.

At what Time Justices of the Peace, resident in the Shire, (except Lords, &c.) shall hold their Quarter Sessions.

[See as to *Middlesex*, 14 H. 6. c. 4.]

* [7th July.]

² All Translations read "be resident,"—"and make their Sessions," making the Residence a positive Injunction; but this does not appear justified by the Text of the Rolls, as printed by Hawkins, &c. nor printed *Rot. Parl.* See the Terms of 12 R. 2. c. 10.

and more often if need be. And that the said Justices do hold their Sessions throughout all *England* in the same Weeks every Year from henceforth.

And also that Justices of Peace from henceforth have Power to examine as well all Manner of Labourers, Servants, and their Masters, as Artificers by their Oaths, of all Matters and Things by them done contrary to the Statutes and Ordinances aforesaid, and thereupon to punish them upon their Confession, according to the Effect of the Statutes and Ordinances aforesaid, as though they were convicted by Inquest. And that the Sheriff of every Shire in *England* shall well and duly do his Office in this Behalf, upon Pain to lose to the King Twenty Pounds.

Justices of Peace may examine Labourers, Servants, and their Masters, and Artificers, on their Oaths.

ITEM pur tant qe les servauntz et laborers, des countees du Roialme, sensuent des countees es countees, a cause qils ne voudrent estre justifiez par les ordeignances par ley sur eux faitz, a graunt damage des gentils et des autres as queux ils serverent, a cause qe les ditz ordeignances et estatutz sur eux faitz ne sont mye executz en toutz countees; nostre Seigneur le Roi voillant purvoir remedie cest partie, del assent et advys avantditz, et a la request des ditz communes, ad ordeigne et establie qe lestatur de laborers fait a Cantebrigg, et toutes autres bones estatutz des laborers faitz et nient repellez, soient fermement tenuz et gardez et mys en due execution. Et outre ceo qe les Justices du pees eient poair de mander leur briefs, pur tielx laborers fugitifs, a chescun viscount d'Engleterre et de faire autielx processees come lestatur [des laborers¹] requiert, pur eux amesner devant eux, a respondre a nostre Seigneur le Roi et a les parties des contemptz et trespassez faitz encontre les ordeignances et estatutz suisditz, en maner come les ditz justices ont poair de mander a chescun viscount pur larons devant eux enditez. Et auxi qe toutz les estatutz et ordeignances des laborers servantz et artificers, devant ces heures faitz et nient repellez, soient exemplifiez desoutz le graunt seal et mandez a chescun viscount d'Engleterre, dent faire proclamation en pleine countee; et puis celle proclamation faite, qe chescun viscount face delivrer, la dite exemplification a luy direct, as justices de la pees en son countee, nomez en la Quorum, ou a un de eux, a demurrer envers tielx justices qi sont ou ferront, pur le mielx mettre les ditz estatutz et ordeignances en due execution. Et es countees ou diverses commissions de la pees sont faitz soient atantz des exemplifications des estatutz et ordeignances avantditz faitz, come sont commissions de la pees en mesme le countee, et mandez a viscount a faire proclamation et les liverer come dessus est dit.

Et qe les justices de la pees en chescun countee, nomez en la Quorum⁽²⁾ resellant deinz mesme le countee, (exceptz Seignurs nomez en la commission de pees, et auxi exceptz les Justices de lun Banc et de lautre, chief Baron de leschequer, sergeantz de la leie et attournes du Roi, pur le temps qe mesmes les Justices chief Baron sergeantz et attournez sont entendantz et occupiez en les courtz du Roi, ou aillours occupiez en service le Roi,) facent leur sessions quatre foitz par an, cestassavoir en la primer semaine apres le fest de Seint Michel, et la primer semaine apres le fest de Tiphanie, et en la primer semaine apres le clause de Pask, et en la primer se-

¹ P. omits.

² soient, P. but Rot. Parl. omits.

maigne apres la translation de Seint Thomas le martyr, et puis souvent si mestier foit. Et que mesmes les Justices tiegnent leur sessions parmy tout Engleterre en mesmes les semaines chescun an desore en avant.

Et auxi que les justices de la pees desormes eient poair dexaminer sibien toutz maners laborers servantz, et leur mestres, come artificers, par leur serementz de toutz maters et choses par eux faitz a contrarie des estatutz et ordinances avaunteditz; et sur ceo de les punir sur leur conifance selonc leffect de les estatutz et ordeignances avaunteditz, sicome ils feurent conviçtz par enquest. Et que le viscount de chescun countee en Engleterre face bien et duement son office celles parties, sur peyn de perdre au Roi xx livrs.

C A P. V.

For regulatig Proceß against Felons dwelling within the Franchises of Tyndal or Exhamshire in Northumberland.

[See Stat. 9 H. 5. Stat. 1. c. 7. where this Act is recited at length, and the Provisions thereof applied to the Franchise of Ridesdale.—See also Stat. 11 H. 7. c. 9. by which the Franchises of North and South Tyndal are made Part of the County of Northumberland; and Stat. 14 Eliz. c. 13. for the like Provision as to Exham (or Hexham) Shire.]

C A P. VI.

For punishing Breakers of Truces and Safe Conduçts: and for appointing Conservators thereof in every Port.

[See Stat. 4 H. 5. c. 7. for granting Letters of Marque; 14 H. 6. c. 8. suspending this Act for Seven Years; 20 H. 6. c. 11. suspending or repealing the Penalties of Treason; and also Stat. 15 H. 6. c. 3. 18 H. 6. c. 8. 20 H. 6. c. 1. 29 H. 6. c. 2. 31 H. 6. c. 4. confirming or explaining this Act as to Safe-conduçts, &c.—By 14 E. 4. c. 4. several of the foregoing Statutes are confirmed, but this Act is specially excepted.]

ALSO, Forasmuch as before this Time divers People comprised within the Truces made as well by our Lord the King that now is, as by his most noble Father, and also divers other People having Safe-Conduçts, as well of our Lord the King that now is, as of his said most noble Father, have been some slain, some robbed and spoiled, by the King's liege People and Subjects, as well upon the main Sea, as within the Ports and Coasts of the Sea of England, Ireland, and of Wales, whereby the said Truces and Safe-Conduçts have been broken and offended, to the great Dishonour and Slander of the King, and against his Dignity; and the said Manslayers, Robbers, Spoilers, and Offenders of the said Truces and Safe-Conduçts of the King, as is afore declared, have been by divers of the King's liege People and Subjects within the Coasts of divers Counties, received, abetted, procured, counselled, hired, sustained, and maintained: Our said Lord the King, by the Advice and Assent aforesaid, and at the Request of the said Commons, hath ordained and declared, That such Manslaughter, Robbery, Spoiling, breaking of Truces and Safe-Conduçts, and voluntary Receit, Abetment, Procurement, Counselling, Hiring, Sustaining, and maintaining of such Persons, to be done in Time to come by any

Breaking of
Truce and Safe-
Conduçts, &c.
shall be High
Treason.
[But see 20 H. 6.
c. 11. and the
general Words of
Stat. 1 E. 6.
c. 12. 1 M. II. c. 1.
as to
Treason.]

King's liege People and Subjects within the Realms of *Ireland*, and *Wales*, or upon the main Sea, shall be adjudged for High Treason done against the King's his Dignity.

And that in every Port of the Sea there shall be made and assigned from henceforth by the King, by his Letters Patent, one lawful Man called a Conservator of the King's Truces and Safe-Conduicts, which shall have Forty Pounds Land by the Year at the least. And that the said Conservator have Power and Authority by the said Letters Patent, and also by Commission from the Admiral of *England*, to inquire of all such Treasons and Offences to be done against the King's Truces and Safe-Conduicts upon the main Sea, out of the Bodies of the Counties, and out of the Franchise of the Five Ports of the King, as the Admirals of the Kings of *England* before this Time reasonably, after the old Custom and Law on the [main] Sea used, have done or used. And also that the said Conservator have like and the same Power to punish all them which be or shall be indicted or accused before him, as well at the King's Suit as at the Party's, for any Thing to be done against the King's Truces and Safe-Conduicts upon the main Sea, out of the Bodies of the Counties and Liberties of the Realm of *England*, and out of the said Franchise of the Five Ports, by such Process, Examination, Proofs, Determination, Judgement, and Execution, as the Admirals of the Kings of *England* before this Time reasonably, according to the old Custom and Law upon the main Sea used, have done or used: Saving that the Determination of the Death of Man in this Behalf, and the Execution of the same, shall be always referred to the said Admiral, or to his Lieutenant-General out of the said Franchises of the Five Ports.

And that the said Conservator have full Power and Authority to inquire, as well within Liberties and Franchises as without, by Men inhabiting within the Body of the County and Liberty where the said Port is, of all such Treasons and Offences to be done against the King's Truces and Safe-Conduicts, within the Body of the County and Liberty where the said Port is, and to make against those Persons before him so to be indicted, Process in Form following, that is to say, by *Capias* and *Exigents*, which shall go as well into the said Counties of which such Men so indicted be supposed to be, as into the Counties where such Indictments be taken; which *Capias* and *Exigents* aforesaid in both Counties shall be returnable at one and the same Day, and that the first *Capias* in both Counties have Day of Return by one Month at the least: And in case that *Capias* and *Exigents* be awarded in this Behalf, that the Names and Surnames of such Persons so to be indicted, and the Town and the County, and Trade whereof they be, shall be specified and declared in the Indictments and in the Processes thereof. And that the said Conservator have full Power to hear, at every Man's Suit who will complain before him, [or his Lieutenant²] of any Offence done to the Party against the said Truces and Safe-Conduicts. And that two Men learned in the Law be named and associate in every Commission of our Lord the King to be made to such Conservator. And that the said Conservator, and the said Men learned in the Law, in the said Commission to him associate [and assigned²], shall have full Power and Authority,

A Conservator of Truces and Safe-Conduicts shall be appointed in every Port.

His Authority to inquire of all Treasons and Offences against such Truces, &c. upon the main Sea; with all Powers heretofore used by the Admiral.

Cases of Death of Man excepted.

Power of the Conservator over Offences against Truces committed within the Body of the County.

Proofs by *Capias* and *Exigent* against Parties indicted.

The Additions of the Parties indicted shall be inserted in the *Capias*.

[See Stat.

1 H. 5. c. 5.]

Power to the Conservator to hear all Complaints.

Two Men learned in the Law shall be associate in the Conservator's.

Commission:
they shall
determine on
all Offences
and Complaints
according to
Law.

The Oath of the
Conservator and
Associates.

Conservator's
Residence.

His Salary.

Conservator, &c.
shall be sworn
to discover
Attempts
against this
Statute.

Conservator shall
have a Seal.

Masters and
Owners of Ships
shall be sworn
to keep Truces,
&c.

Conservator
shall inrol the
Names of Ships,
Owners,
Master, &c.

All Prizes shall
be brought into
the Port, and
the Conservator
duly informed
thereof.

Penalty on
Masters and
Owners for
Neglect,

ity, to make due Deliverance, according to the Law [and Usage] of the Land, of such Men so indicted before the said Conservator, of Things to be done within the Body of the County or Liberty where the said Port is, against the said Truces and Safe-Conducts of the King, and to determine such Suits commenced at any Man's Suit, who will complain before the said Conservator, of any Offence done to him against the said Truces and Safe-Conducts, and thereof to make due Redress and Remedy. And that the said two Men, to the said Conservator so associate, be assisting and attending to the said Conservator to make the Deliverances and Determination in Manner and Form aforesaid, when they be by the said Conservator reasonably required. And that the said Conservator, and the said two Men be sworn, that they, nor none of them, shall take of any, except the King, Fee, Gift, Hire, Wages, Reward, or Brokeage in anywise in this Behalf, in Hindrance of due Inquisition and Punishment of such Traitors and Offenders aforesaid. And that the said Conservator shall be resident in the Port and Place where he shall be assigned Conservator as aforesaid. And every Conservator shall take yearly for the said Office Forty Pounds of the King at the least: And that they be sworn, that if any Person, of what Estate or Condition soever he be, do procure, excite, or abet them, or any of them, to do any Thing contrary to this Ordinance, and the Oath aforesaid, that every of them shall make due Relation to our Sovereign Lord the King, or to the Chancellor of England for the Time being, as speedily as he well may, without Concealment in any Point, upon Pain of Imprisonment, and to make Fine and Ransom at the King's Pleasure. And that the said Conservator have a Seal of our Lord the King ordained for the said Office.

And that the Master of any Ship, Barge, Balinger, or other Vessel in the said Port, be sworn, and the Owner also, if he be present, before the said Conservator, before that he pass out of the said Port, that he shall not attempt to do any Thing against the said Truces and Safe-Conducts of the King. And also that the said Conservator shall cause to be inrolled of Record before him, as well the Names of such Owners and Masters, as the Names of their Ship, Barge, Balinger, or other Vessel, together with the Number of the Mariners in the same being. And if they take any Thing from the King's Enemies, or from any others whomsoever, they shall cause such Prize to be brought into the said Port, and thereof make full Information to the said Conservator, before that they thereof make Discharge or Sale; if it be not that by Force of Wind, Tempest, or of Enemies, or some other reasonable Cause, such Ship, Barge, Balinger, or other Vessel, must enter into another Port for the Preservation of the same Vessel, or other Cause reasonable; and that then they shall make full Information to the said Conservator, or to the Conservator of the Port in which the said Vessel shall arrive or enter, of the said Prize, and of the Quantity thereof, taking a Letter testimonial under the said Seal of the said Conservator, by the which the Conservator of the Port wherefrom the Vessel or Vessels shall go out, may have Notice of the Quantity and Value of the Goods so taken. And if any Possessor or Master of any Ship or other Vessel, go out of any Port of the Realm, or cause his Ship or Vessel to be discharged against the

the Form of this Ordinance, that such Ship or Vessel, together with the Prize by the same duly made, shall be forfeit to the King, and the Body of the Owner or Master of such Ship or Vessel committed to Prison, there to remain until he hath made a Fine and Ransom to the King. Provided always, That no Owners of Ships going out of any Port shall make any Fine nor Ransom, nor have Imprisonment of Body, if such Owners be not in the same Ships at the Time of the Offence committed against this Ordinance. And the Admiral aforesaid shall have the Forfeitures in all Cases out of the said Franchise of the Five Ports aforesaid, as he hath had, and as hath been accustomed, of Right to the Office of the Admiral of *England*, before the making of this Ordinance.

Forfeiture of the Ship and Prize, and Imprisonment, &c.

Saving for Owners not on board.

The Admiral shall have all Forfeitures, except in the Five Ports.

And that all such Conservators to be made within the said Five Ports have the same Authority and Power by the King's Letters Patents, and Commission of the Warden of the said Ports for the Time being, to inquire of such Offences to be done upon the main Sea, within the Franchises of the said Five Ports out of the Bodies of the Counties, and to punish all them which shall be before the said Conservator of the same Offences indicted or accused, by like Process, Examination, Proofs, Determination, Judgement, and Execution, as the said Admirals reasonably, according to the old Custom and Law upon the Sea used, have done and used out of the said Franchise of the Five Ports; saving that the Determination of the Death of Man in this Behalf, and the Execution of the same, within the said Franchise of the Five Ports, shall be reserved to the said Warden, or to his Lieutenant General there: And that the said Warden shall have all the Forfeitures there, in all Cases, as he hath had, and as hath been accustomed of Right to the Office of the Warden of the Five Ports aforesaid before this Time.

The Power of the Conservators on the Main Sea within the Liberties of the Five Ports.

Except as to Death of Man.

The Warden of the Five Ports shall have all the Forfeitures there.

And that the said Conservators, and every of them, have Power to make full Execution of this Ordinance in Form aforesaid. And that this Ordinance shall hold Place and Force, for any Thing to be done or attempted against the said Ordinance, after the Proclamation of the said Ordinance and Declaration made.

General Power of the Conservators. Commencement of the Act.

ITEM pur ceo qe devant ces heures diverses gentz, comprisiez deinz les trieves sibien faitz par nostre Seigneur le Roy qore est come par son tresnoble pier, et auxi autres diverses gentz aiantz fausconduitz, sibien de nostre dit Seigneur le Roy qore est come de son dit tresnoble pier, ount estez afeuns tueez, afeuns robbes et despoillees, par les lieges et subgitz de Roy, sibien sur le haut mer, come deinz les portz et costes de meer d'Engleterre d'Ireland et de Gales, parount les ditz trieves et fausconduitz ount este rumper et offenduz, a graunde dishonure et defclaundre de Roy et encontre sa dignite; et les ditz tuers des hommes, robbours, spoilleurs, et offendours de les ditz trieves et fausconduits du Roy, come desuis est declaree, ount este par diverses lieges et subgitz de Roy, deinz les costes de diverses countees, recettes abettez procurer conseilles louez sustenez et maintenez: Nostre dit Seigneur le Roi, del advis et assent suisditz, et al priere des dites Communes, ad ordeine et declaree qe tielx tueerie robberie espoillerie rumperie des trieves et fausconduitz de Roy, et voluntaries receit abette-

ment procurement counseill lonere sustenance et maintenance de tielx perſones, affaires en temps avenir par ascuns des lieges et ſubgitz de Roy, deinz les roialmes d'Engleterre d'Irland et Gales, ou ſur le haut meer, ſoient adjuggez et determinez pur haut trefon fait encountre la corone et dignite de Roy.

Et qe, en cheſcun port de meere, ſoit fait et assigne defore enavaunt par le Roy, par ſes lettres patentz, un loial homme appelle Conſervatour des trienes et ſauſconduitz de Roy, qi eit xl. liverees du terre par an a meyns. Et qe le dit conſervatour eit poair et auctorite par les ditz lettres patentz, et auxi par commiſſion del Admiral d'Engleterre, denquerer de toutz tielx trefons et offeſes affaires encountre les trienes et ſauſconduitz de Roy, ſur le haut meere hors des corps des countees, et hors del franchiſe des cink portz de Roy, come les Admiralles des Roys d'Engleterre devant ces heures reſonablement, ſolonc l'ancien cuſtume et ley ſur le ^[1] meere uſez, ount faitz ou uſez. Et enſement qe le dit conſervatour eiet autiele et meſme le poair de punir toutz ceux qi ſount ou ſerount enditez ou accuſez devaunt luy, ſibien a ſuyte de Roy come a ſuyt de partie, daſcune choſe affaire encountre les trienes et ſauſconduitz de Roy, ſur le haut meere hors des corps des countees et libertees de roialme d'Engleterre, et hors de le dit franchiſe de cynk portz, par tieles proces examination proves determination juggement et execution, come les admiralles des Roys d'Engleterre devant ces heures reſonablement, ſolonc l'ancien cuſtume et ley ſur la meere uſez, ount faitz ou uſez. Forſqe qe la determination de mort de homme ceſt partie, et l'execution dicell, ſoient tute ditz reſervez a dit admiral ou a ſon lieutenant general hors de la dit franchiſe des ditz cink portz.

Et qe le dit Conſervatour eit plein poair et auctorite denquerer, ſibien deinz libertees et franchiſes come dehors, par gentz enhabitantz deinz le corps de countee et liberte, ou le dit port eſt, de toutz tielx trefons et offeſes affaires encountre les trienes et ſauſconduitz de Roy, deinz les corps de countee et liberte ou le dit port eſt, et de fair, envers tieux a enditerz devaunt luy, proces en la fourme enſuant, ceſtaſſavoir par Capias et Exigendes, qi iſſeront ſibien en meſmes les countees des quelles eſt ſuppoſe tieux enditez eſtre, come en les countees lou tieux enditementz ſont priſez: les queux capias et exigendes, en ambideux countees, ſoient returnables a un meſme jour, et qe le primer capias en ambideux countees eit jour de retourne par un moys a meyns; et en cas qe capias et exigendes ſoient ceſte partie, agardes qe les nouns et ſurnouns de tieux a enditerz, et la ville et ^[de²] countee et la miſtiere dont ils ſont, ſoient eſpecifiez en l'enditementz et en les procesſes dicelles. Et qe le dit conſervatour eit plein poair doier, a ſuyte de queconque qi ſoi voudra pleindre devaunt luy ⁽³⁾, daſcune offeſe a la partie fait encountre les ditz trienes et ſauſconduitz. Et qe deux hommes appriſez de ley ſoient nomez et aſſocieiez, en cheſcune commiſſion de Roy affaire a tiel Conſervatour. Et qe le dit Conſervatour, et les ditz hommes appriſez de ley en la dite commiſſion a ley aſſocieiez, ⁽⁴⁾ eient plein poair et auctorite de fair due deliverance, ſolonc la ley ⁽⁵⁾ de la terre, de tielx enditez de-

¹ haut, P.

² le, P. Rot. Parl.

³ meſme ou devant ſon lieutenant, P. but Rot. Parl. omits.

⁴ et assignez, P.

⁵ et uſage, P.

rant le dit conservateur, des choses affaïrez deinz le corps de contee ou libertee ou le dit port est, encoutre les ditz trieues et fausconduitz de Roy; et determiner tieux suytes commencez a suyt de qiconque partie, qi soy voudra pleindre devant le dit conservateur, dalcune offense a luy fait encoutre les ditz trieues et fausconduitz, et ent due redresse et remede faire. Et qe les ditz deux hommes issint a le dit conservateur associez, soient assiltantz et entendantz a dit conservateur, pur faire les deliverances et determination en manere et fourme avaunt ditz, quant ils sont par le dit conservateur resonablement requis. Et qe le dit conservateur, et les ditz deux hommes de ley, soient jurrez qils ne null de eux prendra ou prendront de nully, sinoun de Roy, sec doun louere gage regarde ne brocage, en ascun manere celle partie, en destourbance de due [inquisition^s] et punissement de tielx traitours et offendours avaunt ditz. Et qe le dit conservateur serra reseant en le port et lieu ou il serra assigne Conservateur, come avaunt est dit. Et prendra chescun Conservateur pur le dit office chescun an xl. li. de Roy a meyns. Et qils soient jurrez qe si aucune persone, de quele condition ou estat qil soit, eux ou aucune de eux procure ex-cite ou abette, de faire ascun chose a contrarie dicette ordonnance, et le serement avaunt dit, qe chescun de eux serra due relation a nostre Seignur le Roy, ou a la chancelier dEngleterre pur le temps esteant, si hastiment come bonement purra, saunz concellement en ascun point, sur peine demprisonement et faire fyn et ranceon a volonte nostre Seignur le Roy. Et qe le dit conservateur eit un seal de Roy ordeigne pur le dit office.

Et qe le maistre de nief barge balenger ou autre vessell en le dit port soit jurre, et le possesseur auxi sil soit present, devant le dit conservateur, avaunt qil passe hors de dit port, qil nattemp-tera riens encontre les ditz trieues et fausconduitz de Roy. Et qe le dit conservateur face enrroller de record, devant luy, sibien les nouns de tielx possesseurs et maistres, come les nouns de leur nief barge balengere ou autre vessell, ensemble oveq le nombre des mariners en icell esteantz. Et sils preignent riens des enemys de Roy ou dautres qiconques, qils tiele prise ferount amesner en le dit port, et ent ferount pleine enformation a dit Conservateur, devant qils ent facent descharge ou vende; si ne soit [qe⁶] par force de vent de tempest ou des enemys, ou autre cause resonable, tiel nief barge balengere ou autre vessell doit entrer en autre port pur salvation de mesme le vessell, ou autre cause resonable; et qils adonques facent plein enformation a dit Conservateur, ou a le Conservateur de le port en quell les ditz vesselx arriveront ou entreront, de la dite prise et de la quantite dicelle, pregnant lettre testimoniale sount le dit seal de le dit Conservateur, par quele le Conservateur de le port, dount les vesselx ou vessell issiront ou issit, purra avoir notice de la quantite et value des biens issint prisez. Et si ascun possesseur ou mettre dascun nief ou autre vessell isse hors dascun port du roialme, ou face descharger son nief ou vessell, encoutre la fourme dicest ordonnance, qe tiel nief ou vessell, ensemble oveq le prise par ycell duement fait, soit forfait a Roy, et le corps du possesseur ou maistre de tiel nief ou vessell commys a prisone, a y demorer tanqe il eit fait fyn et ranceon a Roy. Purveu qe nulles possesseurs des niefs issantz hors dascun port ne

⁵ execution, P. with which former Translations agree.

⁶ *Ret. Parl.* omits;

face fyn ou ranceon, neient emprisonement du corps, si mesmes les possesseurs ne soient en mesmes les mers, en temps de mesprison, encontre ceste ordenance faite. Et ait le admirall avantdit les forfaitures en toutz cas, hors de la dite franchise de cynk portz avantditz, come il ad eu et ad este accoustume, de droit al office del admirall d'Engleterre avant la feseance de ceste ordeignance.

Et qe toutz tieux Conservateurs, affaires dedeinz les ditz cynk ports, cient mesme lauctorite et poair par lettres patentz du Roy, et commission del Gardein de mesmes les ports pur le temps esteant, denquerer de tielx offenses affaires sur le haute meer, dedeinz les franchises des ditz cynk ports, dehors les corps des countees; et de punir toutz ceux qi seront devant yeell Conservateur de mesmes les offenses enditez ou accusez, par autiels proces examination proves determination judgement et execution, come les ditz admirals resonablement solonc launcien custume et ley, sur le meer usez, ont faitz et usez hors de la dite franchise de cynk ports; forske qe la determination de mort de homme celle partie et lexeuction dicell soient, dedeinz mesme la franchise de les cynk ports, reservez a dit Gardein ou a son lieutenant general illoeqes: Et qe mesme le gardein eit toutz les forfaitures illoeqes en toutz cas, come il ad eu, et ad este accoustume, de droit al office du gardein des cynk ports suisditz avant cestes heures.

Et qe les dites conservateurs et chescun de eux cient et ait poair de faire pleine execution diceste ordinance en la fourme avantdite: Et qe ceste ordeignance tiegne lieu et force, pur chose affaire ou attempter encontre mesme lordinance, apres la proclamation diceste ordinance et declaration faite,

C A P. VII.

For the Suppression of Heresy and Lollardy.

[Confirmed by 25 H. 8. c. 14. Repealed by 1 Ed. 6. c. 12. § 3. The Translation recited at length, and revived by 1 & 2 Phil. & M. c. 6. This latter Act repealed by 1 Eliz. c. 1. § 15. See Stats. 5 R. 2. §. 2. c. 5. and 2 H. 4. c. 15. and Notes there.]

C A P. VIII.

For amending Stat. 13 H. 4. c. 7. for suppressing Riots, Routs, and unlawful Assemblies.

“ RECITAL of the Statute 13 H. 4. c. 7. *verbatim*.”

AND forasmuch as many Riots, Routs, and Assemblies have been made in divers Parts of the Realm, since the making and Proclamation of the same Statute, because that the same Statute hath not been put in due Execution, as our sovereign Lord the King hath perceived by divers and grievous Complaints to him made in this present Parliament; the same our Lord the King, willing hereof to provide a better Remedy, by the Advice and Assent aforesaid, and at the Suit of the said Commons, hath ordained and established, That if Default be found in the said Two Justices of the Peace, or Justices of Assises, and the Sheriff or Under Sheriff of the County, where such Riot, Assembly, or Rout shall be made, touching the Execution which they ought to make by virtue of the said

On Neglect of the Justices, &c. Commissions shall be awarded to inquire of the Riot, and also of such Neglect.

said Statute, and whereof the said Statute maketh Mention, that then at the Instance of the Party grieved, the King's Commission shall go out under his great Seal, to inquire as well of the Truth of the Case, and of the original Matter, for the Party Complainant, as of the Default or Defaults of the said Justices, Sheriff, or Under Sheriff, in this Behalf supposed, to be directed to sufficient indifferent Persons, by the Nomination and Advice of the Chancellor of *England*: And that the said Commissioners shall forthwith return into the Chancery the Inquests and Matters before them in this Behalf taken and found.

Such Commission shall be returned into Chancery.

Return of the Jury before the said Commissioners shall be by the Coroners, while the Sheriff complained of is in Office.

Issues on the Jury, &c.

Penalty on Coroner for Neglect Forty Pounds.

And moreover, that the Coroners of the same County for the Time being, where such Riot, Assembly, or Rout shall be made, shall make the Panels returnable upon the said Commission, during the Time that the Sheriff so supposed in Default shall continue in his Office; which Coroners shall return no Persons, but only such which have Lands, Tenements, or Rents to the Value of Ten Pounds by Year at least; and also that the said Coroners shall return upon every of the said Persons to be empanelled, at the First Day when Issues be to be lost, Twenty Shillings at the least, and at the Second Day Forty Shillings at the least, and at the Third Day an Hundred Shillings at the least, and at every Day after the Double at the least; which Issues so returned, because of the Non-appearance of such Persons empanelled, shall be adjudged as forfeit to the King, and leviable to his Use; and if Default be found in the said Coroners, touching the Return of such Persons to be empanelled, or touching the Return of such Issues, as afore is said, that every of them shall forfeit to the King's Use Forty Pounds.

The succeeding Sheriff, and not the Coroner, shall return the Jury when the Sheriff complained of is out of Office, under the like Penalties and Regulations as before.

[As to Bailiffs of Franchises, &c. see post.]

Writs shall be directed out of the Chancery to inquire of Riots;

And if it happen that the said Sheriff so accused of Default, be discharged of his Office at the Time that such Commission shall be awarded out of the Chancery, that then the new Sheriff of the said County, his Successor immediate or mediate for the Time being, and not the Coroners of the said County, shall make the Panels returnable upon such Commission, in Manner and Form as the said Coroners should during the Time when the Sheriff so accused of Default continued in his Office; and that such new Sheriff shall incur like Pain of Forty Pounds to the King, if any Default in him be found touching the Return of other Persons by him to be empanelled, which have not Lands, Tenements, or Rents to the Value of Ten Pounds by Year, or of returning such Issues as the said Coroners be above charged to return, as the said Coroners are to lose to the King in this Behalf.

And that the Chancellor of *England* for the Time being, as soon as he may have Knowledge of such Riot, Assembly, or Rout, shall cause to be sent the King's Writ to the Justices of the Peace, and to the Sheriff or Under Sheriff of the County where they be so made, that they shall put the Statute thereof made in Execution upon the Pain contained therein; and though that such Writ come not to the said Justices and Sheriff, or Under Sheriff, they shall not be excused of the Pain aforesaid, if they do not Execution of the said Statute.

Provided always, That the said Justices, and other Officers aforesaid, shall execute their Offices aforesaid at the King's Costs, in going, continuing, and returning in the doing their said Offices,

How the Justices, &c. shall be paid for suppressing Riots.

by Payment thereof to be made by the Sheriff of the said County for the Time being, by Indentures betwixt the said Sheriff and the said Justices, and other Officers aforesaid, to be made of the Payment aforesaid; whereof the said Sheriff upon his Account in the Exchequer may have due Allowance.

The Punishment
of Rioters.

And that such Rioters attainted of great and heinous Riots, shall have one whole Year's Imprisonment at the least, without being let out of Prison by Bail, Mainprise, or in any other Manner, during the Year aforesaid; and that the Rioters attainted of petty Riots shall have Imprisonment as best shall seem to the King or to his Council; and that the Fines of such Rioters attainted, shall be by the said Justices increased and put to greater Sums than they were wont to be put, in such Cases before this Time, in Aid and Support of the Costs of the Justices and other Officers aforesaid in this behalf.

All Persons
shall assist the
Justices and
Sheriffs in
repressing
Riots.

And that the King's liege People being sufficient to travel in the County where such Routs, Assemblies, or Riots be, shall be assistant to the Justices, Commissioners, Sheriff, and Under-Sheriff of the said County, when they shall be reasonably warned, to ride with the said Justices, Commissioners, and Sheriff, or Under-Sheriff, in Aid to resist such Riots, Routs, and Assemblies; upon Pain of Imprisonment, and to make Fine and Ransom to the King: And that the Bailiffs of Franchises shall cause to be impanelled sufficient Persons, as before, upon Pain to lose to the King Forty Pounds, in case that such sufficient Persons may be found within the same Franchises. And that like Ordinances and Pains shall hold Place, and take Effect in Cities, Boroughs, and other Places and Towns enfranchised, which have Justices of the Peace within the Cities, Boroughs, and other Places aforesaid. And that this Statute shall begin to hold Place presently after the Proclamation thereof made.

Bailiffs of
Franchises shall
return sufficient
Jurons.
This Act
extended to
Cities,
Boroughs, and
Towns
Corporate.
Commencement
of Act.

ET pur tant qe plusieurs riotes routes et assemblez ont este faitz en diverses parties du roialme, puis la confection et proclamation du dit estatut, a cause qe mesme lestatut nad mye este mys en due execution, come nostre tressoverain Seigneur le Roy lad concieu par diverses et hidouses compleintz a luy faitz en ceste present parlement; mesme nostre Seigneur le Roy voillant sur ceo faire plus greindre remede, del advys et assent avantditz, et al priere des ditz Communes ad ordeigne et establie; Qe si defaute soit trovee en les ditz deux justices de la pces, ou justices daffises, et le viscount ou soutez viscount, del countee ou tiel riote assemble ou route se ferra, touchant l'exécution qils doivent faire par vertue del dit estatut, et dont mesme lestatut fait mention, qadonques, al instance de la parte grevee, issira commission le Roy desouz son graunt seal, denquerer sibien de la veritee del cas, et de la matier originale, pur la partie compleignante, come de le defaute ou defautes des ditz justices viscount ou soutez-viscount celle partie supposez; a adresser as sufficeantz perones indifferentz, a la nomination et avis du Chaunceller d'Engleterre: Et qe les ditz commissioners meintenent envoient en la Chauncellerie les enquestes et matiers devant eux celle partie prisez et trovez.

Et outre ceo qe les coroners de mesme le countee, pur le temps escheantz, ou tiel riote assemble ou route se ferra, ferrant les panells sur

sur la dite commission retournables, pur le temps qe le viscount issint en defaute supposee estoise en son office; les quelles coroners retourneront nulles persones mes tielx qe ont terres tenementz ou rent a le value de x. li. par an a meyns; et auxi qe mesmes les coroners retourneront sur chescun des dites persones a empanellerz a le primer jour qant issuez sont a perdrer xx. s. au meyns, et a seconde jour xls. a meyns, et a tierce jour Cs. a meyns, et a chescun jour apres le double au meyns; les queux issues issint retourniez, par cause de non apparance de tielx empanellez, serront ajuggez come forsaitz au Roy et a son oeps levables; et si defaute soit trove en les ditz coroners, touchant le retourne de tielx gentz a empanellerz, ou touchant le retourne dautielx issues come avant est dit, qe chescun de eux perdra al oeps le Roy xl. li.

Et si aveigne qe le dit viscount eusi rette en defaute soit discharge de son office, a temps qe tiel commission issira hors de la Chancellerie, qadonges le novell viscount de mesme le countee son successeur immediat ou mediat pur le temps esteant, et nient les coroners de mesme le countee, ferra le panell, sur celle commission retournable, en les maner et fourme come les ditz coroners ferront en temps qant le viscount issint rette en defaute esteit en son office; et qe mesme le novell viscount encourgera autiele peine de xl. li. envers le Roi, si aucun defaute en luy soit trovee, touchant le retourne dautres persones pur luy a empanellerz qe ont terres tenements ou rent a le value de x. l. par an, ou de retourne dautielx issues, come les ditz coroners sont suischargiez de retourner, sicome les ditz coroners sont a perdre envers le Roy cest partie.

Et qe le Chancelier dEngleterre pur le temps esteant, si tost come il purra avoir conufance dautiel route assemble ou riote, il face envoier brief le Roy a justices de la pees et a viscount ou soutz-viscount del countee ou ils sont issint faitz, qils mettent lestatur ent fait en execution sur la peine contenue en ycelle: Et coment qe tiel brief ne veigne mye as ditz justices et viscount ou soutz-viscount, eux ne ferront pas excusiez de la peine avantdite s'ils ne facentz mye execution del estatut suifdit.

Purveu qe les justices et autres officers suifditz ferront lour offices suifditz as costages du Roy, en alant demorant et retournant en fasantz lour dites offices; per paiement ent affaire par le viscount de mesme le countee pur le tempts esteant, par endentures entre le dit viscount et les ditz justices et autres officers suifditz, affaires, de le paiement suifdit dont le dit viscount sur son accompte en leschequer purra avoir due allowance.

Et qe tielx riotours, atteintz de grauntz et baynouses riotas, eient emprisonment dun an entier a meyns; sans estre lessé hors de prisone par baille mainprys ou en autre maner durant lan suifdit: et qe les riotours atteintz des petitiz riotas eient emprisonment come semble mieulx a Roy ou a son conseil; et qe les fyns dicelles riotours atteintz soient par les ditz justices encreffez, et mys a greindres sommes qils ne soloient estre mys en tielx cases devant ces heures, en aide et supportation de les costages des justices et autres officers suifditz celle partie.

Et qe les lieges du Roy, esteantz suffieiantz pur travailler, en le countee ou tielx routes assemblees ou riotas sont, soient assitantz as justices commissioners viscount et soutz-viscount de mesme le countee, qant ils ferront resonablement garniz, pur chivacher ove les

dits justices commissiouners et viscont ou soutez-viscont, en aide de residence de tielx riotes routes et assemblez ; sur peine demprisonment et faire fyn et ranceon a Roy. Et qe les baillifs des franchises facent empancher suffisceantz gentz, come desuis, sur peine de perdre au Roy xl. li. en cas qe tielx persones suffisceantz purront estre trovez deinz mesmes les franchises. Et qe semblables ordeignances et peines teignent lieu et force, en citees burghs et autres villes et lieux enfranchisez, queux ount justices de la pees, deins les citees burghs villes et autres lieux suisditz. Et qe cest estatut commencera a tenir lieu meintenaunt apres la proclamation ent fait.

C A P. IX.

For the Apprehension and Punishment of fugitive Felons,

[See Stat. 8 H. 6. c. 14. by which this AB, being therein recited at length, is made perpetual and amended.]

See Note, p. 321.

2 HEN. V. STAT. 2.

OUR Lord the King, at his Parliament holden at *Westminster*, the *Monday* next after the *Uias* of *St. Martin*, the second Year of his Reign, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Instance and Request of the Commons of his Realm then there assembled, hath ordained, made, and established, divers Ordinances and Statutes in the Form following.

NOSTRE Seigneur le Roy, a son parlement tenuz a *Westm^r* le Lundy apres les oeptaves de seint Martyn, lan de son regne seconde, del advis et assent des Seignurs espirituelx et temporelx, et a les especialx requeste et instance des Communes de son roialme, adonques illoeqes assemblez ad ordeine fait et establie diverses ordinances et estatutz en la fourme qensuit,

C A P. I.

For the choosng of Justices of the Peace.

Justices of Peace shall be Persons resident in their Counties, &c.

FIRST, That the Justices of the Peace from henceforth to be made within the Counties of *England*, shall be made of the most sufficient Persons dwelling in the same Counties, by the Advice of the Chancellor and of the King's Council, without taking other Persons dwelling in foreign Counties to execute such Office, except the Lords and the Justices of Assises now named, and to be named by the King and his Council ; and except also the King's chief Stewards of the Lauds and Seigniories of the Dutchy of *Lancaster* *, in the North Parts, and in the South, for the Time being.

* See printed Rot. Parl. 3 H. 5. nu. 15.

PRIMEREMENT que les justices de la pees, desore ennavant affaires deinz les countees d'Engleterre, soient faitz de les plus sufficeantz persones demurantz en mesmez les countees, par advis du Chancellor et conseil le Roy, sanz prendre autres persones demurantz en foreins countees, a tiel office occupier, forspris les Seignurs et les justices d'assises ore nomez et anomerz par le Roy et son conseil; et forspris auxi les chiefs seneschalx du Roy, des terres et Seignuries del Duchee de Lancastre, en le north [et] le south pur le temps esseantz.

^a en, P.

C A P. II.

For the Wages of Chaplains.

"**RECITAL** of Stat. 36 E. 3. Stat. 1. c. 8. and further Regulations as to the Stipends of Chaplains."—*Both Acts are repealed by Stat. 21 Jac. 1. c. 28. § 11.*

C A P. III.

For regulating the Qualifications of Jurors.

ALSO, The King considering the great Mischiefs and Disturbances which daily happen through all the Realm of England, as well in Case of Death of a Man, as in Case of Freehold, and in other cases, by them which pass in Inquests in the said Cases, which be common Jurors, and others that have but little to live upon but by such Inquests, and which have nothing to lose because of their false Oaths, whereby they offend their Consciences the more lightly; and willing thereof to have Correction and Amendment, hath ordained and established, by Assent of the Lords and Commons aforesaid, That no Person shall be admitted to pass in any Inquest upon Trial of the Death of a Man, nor in any Inquest betwixt Party and Party in Plea real, nor in Plea personal, whereof the Debt or the Damages declared amount to Forty Marks, if such Person have not Lands or Tenements of the yearly Value of Forty Shillings, above all Charges of the same; so that it be challenged by the Party, that any Person so impanelled in such Cases hath not Lands or Tenements of the yearly Value of Forty Shillings above the Charges, as afore is said.

[See Stat. 8 H. 6. c. 29. that this Act shall not extend to Aliens in Cases of Trials de medietate linguæ.]

ITEM le Roy, considerant les grandes meschies et desheritances que de jour en autre aveignent parmy tout le roialme, sibien en cas de mort de homme come en cas de franc tenement, et es autres cases par ceux qi passent es enquestes en les ditz cases, qi sont communes jurours, et autres qi nont que poie de vivre mes par tieux enquestes, et les queux nont riens a perdre par cause de lour faulx serementz, paront ils le plus legierment offendent lour conscience; et voillant ent avoir correction et amendement, ad ordeigne et establie, par assent des Seignurs et Communes suifditz, que null persone soit admys de passer en ascune enqueste sur trial de mort de homme, ou en ascune enqueste parentre partie et partie, en plee real, nen plee personell, dont le dette ou les damages declarez amontent a quarant marez, si mesme la persone neit terres ou tenementz

nementz de annuell value de quarant souldz outre les reprises d'elles: Issint qil soit chalangee par la partie qe aucun empanelle en mesmes les cases nad my terres ou tenementz a le value annuell de quarant souldz outre les charges come avant est dit.

C A P. IV.

Concerning Goldsmiths.

ALSO, For that the Goldsmiths of *England*, of their common Covin and Ordinance, will not sell the Wares of their Trade gilt, but at double the Price of the Weight of the Silver of the same, which seemeth to the King very outrageous and too excessive a Price; the King for the Ease of his People, willing to remedy the same, hath ordained and established, That all the Goldsmiths of *England*, shall gild no Silver worse than of the Allay of the *Englisch* Sterling, and that they take for the Pound *Troy* gilt but Forty-six Shillings Eight Pence at the most, and of greater Weight, and less, according to the Quantity and Rate of the same Sum; and that that which shall be by them gilt from henceforth shall be of reasonable Price, and not excessive; and if any Goldsmith do contrary to this Statute, he shall forfeit to the King the Value of the Thing so sold.

All Silver Gilt
shall be Sterling.
Price of the
Pound *Troy* of
Silver Gilt.
[This repealed
21 Jac. 1. c. 28.
§ 11.]

ITEM pur ceo qe les orfeours d'Engleterre de lour commun covyn et ordinaunce, ne voillent my vendre les choses de lour mistier endorrez, sinon a double pris de le pois d'argent dicelles, le quell semble a Roy trop outrageous et trop excessive pris, le Roy pur laise de son poeple voillant ceo remedier, ad ordeine et establie, qe toutz les orfeours d'Engleterre suisorrent nul argent pier qe del allaie d'esterling Englois; et quils preignent pur la libre de *Troy* orre xlvi. s. viij. d. a pluiz, et de greindre pois et de meindre selonc la quantite et lasserante de mesme la somme; et qe ceo qe serra par eux suisorre desore enavaunt soit de resonable pois et non pas excessive; et si nul orfeour face le contraire forferra a Roy la value de la chose vendue.

C A P. V.

Concerning the Rebels in *Wales*.

AFTER recijng that *Welshmen* had taken and imprisoned *Englischmen*, and afterwards ransomed them according to the Usage of a Land at War, it is enacted, That the Justices of Peace in *England* shall have Power to enquire and determine in Cases of such Treason and Felony; and if the Offender will not appear, he shall be outlawed; and on Certificate of such Outlawry to the Lords of the several Seignuries in *Wales*, the Law shall be put in Execution against them.—But see Stat. 27 H. 8. c. 26.

C A P. VI.

Concerning the Staple at *Calais*.

RECITAL of an Ordinance made 1 H. 4. (printed Rot. Parl. nu. 87. see Note sub. An. 1 H. 4.), amending Stat. 2 R. 2. §. 1. c. 3. respecting the Export of Staple Merchandises, to the
“Staple

“ Staple at *Calais* : That certain Merchants of *Jersey*, *Guernsey*,
 “ *Britany*, and *Guienne*, had bought in *Cornwall* pure Tin un-
 “ founded, and sent it for Sale to *France* and elsewhere than to
 “ the Staple at *Calais* ; and that divers Merchants, (Aliens and
 “ Denizens,) had bought Tin founded called Shotten-Tin, and
 “ sent it to *Flanders*, *Holland*, *Zealand*, and elsewhere than to
 “ the said Staple ; to prevent such Practices in future, the said
 “ Ordinance 1 H. 4 is confirmed. And it is enacted, That no
 “ Staple Merchandises shall be sent out of the Kingdom else-
 “ where than to the said Staple, except by the King’s Licence,
 “ and except by Persons allowed in the said Ordinance 1 H. 4.
 “ on Pain of Forfeiture of such Merchandises so sent ; and that
 “ Security shall be given for due Exportation of such Staple
 “ Wares accordingly.”—[See also Stat. 2 H. 6. c. 4.]

Anno tertio HENRICI V. A.D. 1415 & 1416.

Two Parliaments were held in this Year.

1. At Westminster on the Monday next after the Feast of All Saints (the Feast being 1st November) before John Duke of Bedford, the King’s Brother, as Protector (or Guardian) of England, A.D. 1415.—STAT. I.

2. At Westminster, by the King in Person, on the 16th Day of March 1415-16. STAT. II.

The Copy given by Hawkins, Cay, &c. as “ Ex Rot. in Turr. Lond. m. 4.” has been compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statutes are founded on the following Articles in printed Rot. Parl. iv. p. 62, &c.

Chapter of Statute. Number in Roll.

STAT. I.—I,	-	14, ⁽¹⁾	} On Petitions of the Commons.
STAT. II.—I,	-	24,	
2,	-	26,	
3,	-	32,	
4,	-	35,	
5,	-	20, ⁽²⁾	
6,	-	40,	
7,	-	42,	
8,	-	47,	

⁽¹⁾ The Assent of the Protector and Peers is given to this Act, with Reference to the King, whose Assent afterwards is also signified.

⁽²⁾ Not in the general Schedule of the Commons Petitions.

Besides

Besides the foregoing, and also several Articles for the Confirmation of existing Statutes, See further,

In the First Parliament,

Printed Rot. Parl. iv.

Page. No. } For accelerating the Payment of One of the Fifteenth
63, 4, } granted in 2 H. 5. (p. 2. nu. 11.)

Subsidy on
Wools and
Tonnage, and
Poundage, for
the King's
Life.

- 5, Grant of a Subsidy, viz. (after Recital of the King's Expedition to France, and the Victory of Agincourt) On Wools, &c. exported, Forty-three Shillings Fourpence per Sack of Denizens, and Sixty Shillings per Sack of Aliens, from the Michaelmas ensuing, for the King's Life, to dispose at his Will and Discretion in Defence of the Realm: Provided that the King shall not make any Grant of the said Subsidy, or any Part thereof, to any for Term of Life or Years, and that this Grant shall not be drawn into Precedent for future Kings. Also, Tonnage of Three Shillings, and Poundage of Twelvepence, for the King's Life, to dispose of in his Discretion for the Safeguard of the Sea; on Condition, that Merchants should be liable to no Oppression, and that this Grant shall not be drawn into Precedent. Also, an entire Tenth and Fifteenth.
- 64, 6, The Judgements for Treason given at Southampton against Richard Earl of Cambridge, Henry Lord Scrope, and Thomas Gray, confirmed by the Lords on Petition of the Commons. The Proceedings against the Criminals are given at Length.

In the Second Parliament.

- 71, 10, For accelerating the Payment of the Fifteenth and Tenth granted in the preceding Parliament. (See above, p. 1. nu. 5.)
- 11, On Account of the Schism in the Papacy, Bishops elect may be confirmed by their Metropolitans upon the King's Writ for the Purpose.
- 72, 15, For confirming the King's Patent respecting the Duchy of Lancaster with certain Amendments. (See 2 H. 5. p. 2. nu. 30.)
- 16, Pardon of Outlawry, &c. to Sir John Baskerville.
- 73, 17, For amending the Misprison of a Clerk in entering a Verdict in an Assise of Novel Disseisin.
- 18, For regulating the Girdlers in London.
- 75, 22, } For Payment of certain Creditors of King Henry IV.
23, } (See 1 H. 5. nu. 13, 14. 2 H. 5. p. 2. nu. 18, 22.)

On

On Petitions of the Commons.

Printed Rot. Parl. iv.

Page. No. } For Relief against certain Oppressions and Encroachments by the Earl of Arundel, under Colour of a
 78, 28, }
 82, 43, } Grant from King Henry III. to John Earl of Warren, of free Warren in all the King's Demesne Lands.

85, 48, For confirming the Privileges of the Archbishop of York in his Jurisdiction over the Church and Town of Beverley, under the Grant of King Athelstan and others.

49, For Relief against certain Merchants, for the Capture of a Ship freighted from Bourdeaux, in consequence of the Desertion of the rest of the Fleet contrary to their Duty.

87, &c. On private, or separate Petitions.

Most of these are answered by referring the Petitions to the Court of King's Bench or the Council, who by Authority of Parliament are empowered to afford Redress. Two Petitions, Nos. 11 & 13, are for confirming by Parliament a Grant of the King (12 Nov. an. 3.), that Lands in Caermarthenshire, should not escheat for Defect of Heirs. One of these is for the Tenants of the Duke of York, and the other for the Tenants of the Duchy of Lancaster.

3 HEN. V. STAT. I.—A.D. 1415.

BE it known, that at the Parliament holden at Westminster the Monday next after the Feast of All Saints, the Third Year of the Reign of King Henry the Fifth, a Statute was made by the King, with the Assent of all the Lords Spiritual and Temporal, and at the special Request of the Commons of England there assembled, for the common Profit and Weal of the Realm.

FAIT assavoir qe a le parlement, tenuz a Westm' le Lundy prochain apres le fest de toutz Saintz, lan du regne le Roy Henry quint apres le conquest tierce fuit fait un estatut par le Roy del assent de toutz les Seignurs espirituelx et temporelx a lespecialle requeste des Communes d'Engleterre assemblez illoeqes, pur le comune bien et profit de tout le roialme.

C A P. I.

For suppressing Galy-halspence, Scotch Money, and other illegal Coin.

“ **G**ALYHALPENS, and the Money called Selskyn, (or
 “ Selskyns), Doydekyn, (or Doykyns), and all Scotch silver
 “ Money, shall be put out, and shall not run in Payment in
 “ England.

" *England.* All Persons having such Coin, shall before *Easter*
 " bring them to the King's Exchanges to be taken ; and such as
 " are found good Silver, shall be coined into *English* Halfpence.
 " All Persons who after *Easter* shall make, coin, buy, or bring
 " into the Realm any Galyhalpens, &c. to sell or utter them in
 " Payment, shall be guilty of Felony. Persons paying, or receiv-
 " ing the same in Payment, shall forfeit an Hundred Shillings,
 " Half to the King, and Half to the Informer. Justices of the
 " Peace, &c. shall enquire and determine of Offences by
 " Inquests."

3 HEN. V. STAT. 4.—A.D. 1415-16.

OUR Lord the King, at his Parliament holden at *Westminster*
 the *Monday* the Sixteenth Day of *March*, the Third Year
 of his Reign, by the Advice and Assent of the Lords Spiritual
 and Temporal, and at the Request of the Commons, assembled in
 the same Parliament, hath ordained and established divers Statutes
 and Ordinances in Form following.

NOSTRE Seigneur le Roy a son parlement tenuz a Westm' le
 Lundy le seiziesme jour de Marcz, lan de son regne tierce,
 del advis et assent des Seignurs espirituelx et temporelx, et a la
 requeste des Communes, assemblez en mesme le parlement, ad
 ordeignez et establiz diverses ordinaances et estatutz en la fourme
 qensuit.

C A P. I.

Confirmation of Liberties and Franchises.

FIRST, That Holy Church have all her Liberties and Fran-
 chises, and that the Lords Spiritual and Temporal, and other
 the King's liege People, having Liberties and Franchises, and all
 the Cities and Boroughs of the Realm, have and enjoy all their
 Liberties and Franchises, which they have of the Grants of the
 King's Progenitors, and of the Confirmation of our said Lord the
 King, or his own Grant; except always those Franchises and
 Liberties which be repealed in this present Parliament, and those
 which be repealeable by the Common Law.

PRIMEREMENT qe Sainte Esglise eit toutz ses libertees et
 franchises, et qe toutz les Seignurs espirituelx et temporelx,
 et les autres lieges du Roy eiantz libertees et franchises, et toutz
 les citees et burghs du Roialme, eient et enjoient toutz lour liber-
 tees et franchises, queux ils ount des grantes de les progenitours
 nostre Seigneur le Roy, et de la confermement mesme nostre Sei-
 gneur le Roy, ou son grante demesne; forspris (¹) ceux franchises et
 libertees, queux sont repellez en cest present parlement, et ceux qe
 sont repellablez par la commune leie.

¹ fouts faitz, P.

C A P. II.

For empowering certain Religious Persons to make
Attornies in Hundred Courts.

“ **A**FTER reciting that certain Abbots, Priors, and religious
“ Persons living in the Counties of *Tork* and *Lancaster*,
“ and having Possessions within the Wapentakes of *Stayneclyf* and
“ *Frendes* in *Craven*, in *Torkshire*, (and also some who had not
“ Possessions there,) had been sued in the Courts of the said Wa-
“ pentakes, and the Stewards and Bailiffs of such Courts had
“ refused to receive the Attornies of such Abbots, &c. and had
“ amerced the said Abbots against Reason and the common Law
“ of the Land: It is enacted, that such Abbots and Priors, and
“ their Successors, may make Attornies under the common Seal
“ of their House, in all Pleas in the said Courts; which Attornies
“ shall be admitted by the Stewards and Bailiffs on Pain of Ten
“ Pounds; and that the said Abbots and Priors, for any Nonsuit
“ or Default in the said Courts, shall not be amerced otherwise
“ than secular Men are. To endure for a Year, and till the then
“ next ensuing Parliament.”

[See Stat. 9 H. 6. c. 10. and Note there.]

C A P. III.

All *Bretons* not made Denizens shall depart the Realm.

“ **A**FTER Recital, that divers *Bretons* were lately come into
“ the Realm, some of them abiding about the Queen’s
“ Person in her House, and some near the said House, and else-
“ where within the said Realm, to hear, know, and perceive the
“ Secrets of the Realm, and to discover them to *Bretons*, being the
“ greatest Enemies of the King and of his Realm, and to carry
“ away the Money and Jewels out of the said Realm, it is enacted,
“ That all such *Bretons* dwelling in the Queen’s House, and others
“ abiding near to the same House and elsewhere, not made Deni-
“ zens, shall depart out of the Realm, on Proclamation to be
“ made, before the Feast of St. *John* the Baptist, on Pain of Life
“ and Member.”

C A P. IV.

No Provision or Licence shall be granted for Benefices full
of an Incumbent; on Penalty of *Præmunire*.

ALSO, Whereas in the Time of King *Henry* the Fourth,
Father to our Sovereign Lord, whom God pardon, in the
Seventh Year of his Reign, to eschew many Discords and Debates,
and divers other Mischiefs likely to rise and happen, because of
many Provisions then made, and to be made, by the Pope, and
also of Licences thereupon granted by the said late King, amongst
other Things, it was ordained and established, That no such Li-
cense or Pardon so granted before the said Ordinance, nor after to
be granted, should be available to any Benefice full of any Incum-
bent at the Day of the Date of such Licence or Pardon granted:
Nevertheless several Persons having Provisions of the Pope of divers
Benefices in *England*, and elsewhere, and Licences Royal to execute

Recital of Stat.
7 H. 4. c. 8.
against
Provisions by
the Pope to
Benefices
actually full.]

Incumbents
shall hold their
Benefices
undisturbed by
such Provisions.

All Licences for
such Provisions
void.

Persons disturb-
ing Incumbents
by such Provi-
sions, subject to
Premunire
under Stats.
25 E. 3. ft. 6.
16 R. 2. c. 5, &c.

the said Provisions, have, by Colour of those Provisions and Licences, and Acceptations of the said Benefices, subtilly excluded divers Persons from their Benefices, in which they have been Incumbents for a long Season, on the Collation of the very Patrons spiritual, to them duly made to their Intent, to the utter Destruction and Subversion of the Estates of those Incumbents: The King, willing to remove such Mischief, hath ordained and established, That all the Incumbents of any Benefices whatsoever of Holy Church, of the Patronage, Collation, or Presentation of spiritual Patrons may peaceably and quietly enjoy, and shall enjoy their said Benefices, without being inquieted, molested, or anywise grieved by any one, by Colour of such Provisions or Licences, and Acceptations whatsoever: And that all the Licences and Pardons upon and for such Provisions made in any Manner, shall be void and of no Value. And if any one feel himself grieved, molested, or inquieted in anywise from henceforth by any Person or Persons by Colour of such Provisions, Licences, Pardons, or Acceptations, that such Grievors, Molesters, or Inquieters, and every of them, shall suffer and incur the Pains and Punishments contained in the Statutes and Ordinances of Provisors heretofore made, and that by Process of *Premunire facias* formed upon the Case; and that the Party who shall sue such Writ, shall recover his treble Damages, if the Defendants named in the said Writ, or any of them, be convict in that Behalf.

ITEM combien en temps le Roi Henry quart, pier a Roi nostre tressouverain Seigneur, qi Dieu assoille, lan de son regne sepsiesme, pur eschuer plusieurs discordes et debates, et diverses autres mischieves verraisemblables a fourder et avenir, a cause des plusieurs provisions adonques faitz et affairz par lappostoill, et auxi des licences sur ceo grauntez par le dit nadgairs Roi, entre autres choses ordeignez estoit et establiz, qe null tiele licence ou pardon ensy grantez pardevaunt mesme lordinancoe, ne a grantier en apres, serroit vaillable a ascune benefice plein dascun incumbent, a jour del date de tiele licence ou pardon grante: Nientlemeins diverses personnes, eiantz provisions de lappostoill de diverses benefices; en Engleterre et ailours, et licences roialx pur executer les ditz provisions, ont par colour dicelles provisions et licences et acceptations des ditz benefices, subtilment quistez diverses personnes de leur benefices, es queux ils ont estez incumbenz par long temps, dell collation des verrais patrons espirituels, a eux faitz duement, a leur entent, a finall destruction et enervation destates dicelz incumbenz; le Roi, voillant oustier tiele meschief, Si ad ordeigne et establie qe toutz les incumbenz de qeconques benefices de Seinte Esglise, del patronage collation ou presentation des patrons espirituels, puissent paisiblement et quietement enjoier et enjoient leur ditz benefices, sanz estre inquietez molestez ou grevez ascunement, parascun par colour de tieux provisions ou licences et acceptations queconques. Et qe toutz les licences et pardons sur et pur tieux provisions faitz, en ascun manere, soient voidez et de null value, Et si ascun se sente grevee moleste ou inquiete ascunement desorenavaunt, par ascuns ou ascun, par colour de tieux provisions licences pardons ou acceptations, qe mesmes les grevours molesteours ou inquietours et chescun de ceux eient et encpurgent

encourgent ait et encourage les peines et punissementz, en les estatutz et ordeignances des proviseurs avant ces heures faitz contenus, et ceo par proces de *premunire facias* fourme sur le cas; et se la partie qui poursuivra mesme le brief recouvrera les damages treble, si les defendantz en mesme le brief nomez, ou aucuny dicelles, soient ou soit convictez ou convicte ceste partie.

C A P. V.

Attaints for false Verdicts given in the County of the City of Lincoln shall be tried in the County of Lincoln.

ALSO, Whereas by a Statute made in the Parliament holden at *Westminster*, in the Thirteenth Year of King *Richard* the Second, after the Conquest, it was ordained and established, That in Assises, Juries, and all other Inquests, which thenceforth should be taken betwixt Party and Party, before the Mayor and Bailiffs of the City of *Lincoln* for the Time being, if any of the Parties then did complain of false Oath made by such Assises, Juries, or Inquests, that the Attaint should be granted to him, and the Record should be sent by Writ into the *King's Bench*, or into the common Bench; and that the Sheriff should array the Pannel of the Jury of such Attaint, of Foreigners, without sending to the Franchise of the said City; and that the Justices should take such Jury of such Foreigners, notwithstanding any Franchise granted to the said City, or any other Usage to the contrary: Nevertheless, forasmuch as the Lord *Henry*, late King of *England*, Father to our Sovereign Lord the King aforesaid, the Twenty-first Day of *November*, the Eleventh Year of his Reign, by his Letters Patents, amongst other Things granted to the Mayor and Commonalty of the said City, that the Name of Bailiffs of the said City should be changed into the Name of Sheriffs; and that the said City, the Suburbs, and Precinct thereof, (except the Castle [and Ward²] of *Lincoln*, and the Walls and Ditches of the same,) should thence for ever be called The County of the City of *Lincoln*; divers People be and have been in Doubt, whether, a Man who will complain of a false Oath made in the County of the said City, can, by Force of the said Statute, have a Writ of Attaint, to be directed to the Sheriff of the County of *Lincoln*, to be arrayed by the People of the said County, or not, and also of other Articles and Points of the said Statute; the King, willing to remove all Manner of Ambiguities and Doubts in this Behalf, hath ordained, granted, and established, That in Assises, Juries, and all other Inquests whatsoever, which be and shall be taken betwixt Party and Party, before the Mayor and Bailiffs, or the Sheriffs of the County of the City of *Lincoln* for the Time being, or any of them, if any of the said Parties do complain of a false Oath made by such Assises, Juries, or Inquests, a Writ of Attaint shall be granted to him, to be directed to the Sheriff of the said County of *Lincoln* for the Time being, and the Record shall be sent by Writ into the *King's Bench*, or into the common Bench; and that the Sheriff of the County of *Lincoln* for the Time being, shall array the Panel of the Jury of such Attaint of People of the County of *Lincoln*; and that the Justices, of the King and his Heir

Recital of Stat. 13 R. 2. ft. 1. c. 18. for regulating Trial of Attaints of Juries having given false Verdicts before the Mayor and Bailiffs of the City of *Lincoln*.

The Name of Bailiffs of the City of *Lincoln* changed by Charter 21 H. 4. into Sheriffs; and the City made a County.

Upon a false Verdict given before the Mayor, &c. of the County of the City of *Lincoln*, an Attaint may be brought triable by a Jury of the County of *Lincoln*.

² Former Translations omit.

shall take such Jury of People of the County of *Lincoln*, according to the Intent and Effect of the said Statute; notwithstanding the said Letters Patents, or any Thing therein contained, or any Possession or other Thing by Force of such Letters had or done, or any Franchise granted, or to be granted to the Citizens of the said City, or to their Successors, or other Usage to the contrary; or that the said City of *Lincoln* is so made and incorporated a County by itself, and severed from the County of *Lincoln*.

ITEM combien par estatut fait en le parlement tenuz a Westminster lan du reigne le Roi Richard seconde puis le conquest trefziesme, ordeigne fuit et establie qen assises jurees et toutz autres enquestes queux delors serroient prizez parentre partie et partie, devant les mair et ballives de la citee de Nichole, qi pur le temps serroient, si ascune des parties delors soi pleindroit de faux serement fait par tielx assises jurees ou enquestes, latteint luy serroit grantee, et le record serroit mandee par brief en Banc le Roy, ou en commune Banc, et qe le Viscont arraieroit le panell del juree de tiele atteinte, des foreins, sanz mander al franchise du dite citee; et qe les Justices prendroient mesme la juree de mesmes les foreins, nient contrecsteant ascune franchise grantee au dite citee, ou autre usage a contrarie: Jalemeins pur tant qe Sir Henry nadgairs Roi d'Engleterre pier a nostre tressoverain Seigneur avuntudit, le xxi. jour de Novembr^e lan de son regne [unziesme¹] par ses lettres patentz, entre autres graunta as mair et communalte de la dite citee qe le noun des Baillives de mesme la citee serroit translatee en le noun des Viscontz; et qe mesme la citee, les suburbes et le purceint dicell, (forspris le chastell [et le bayle²] de Lincoln et les mures et fosses dicell) alors pur toutz jours serroit appelle le Countee del citee de Lincoln; plusieurs gentz sont et ont esteez en ambiguite, le quell homme qi pleindre se vorra de faux serement fait en le countee du dite citee, puisse par force del estatut suifdit avoir brief de atteinte adresser a viscont del countee de Nichole, destre arraic par gentz de mesme le countee ou nemy, et auxint dautres articles et points de mesme lestatut: le Roy, voillant ouster toutz maners ambiguitees et awerestees ceste partie, Si ad ordeigne grantee et establie, qen assises jurees et autres enquestes qeconques, qi sont et serront prizez parentre partie et partie, devant les mair et baillives ou [viscont³] del countee de la dite citee de Nichole, qi pur le temps furent et serront, ou ascuns de eux, si ascun des parties soi pleint de faux serement fait par tieux assises jurees ou enquestes, brief datteint luy soit grantee, adresser al viscont del dit countee de Nichole, pur le temps esteant, et le record soit mandee par brief en Banc le Roy ou en commune Banc; et qe le viscont del countee de Nichole, qi pur le temps serra, arraic le panell del juree de tiel atteinte, des gentz del countee du Nichole; et qe les justices, du Roy et de les heirs, preignent mesme la juree⁴ del countee de Nichole, solonc l'entent et leffect del dit estatut, les ditz lettres patentz ou riens leins contenuz, ou ascune possession ou autre chose par force de mesmes les lettres euz ou faitz, ou ascune franchise grantee ou a grantier as citezeins du dite citee, ou a lour successours, ou autre

¹ xiiij. P.—xi. Rot. Parl.

² visconts, Rot. Parl.

³ P. omits.—Rot. Parl. as Text.

⁴ des gentz, Rot. Parl. P.

usage a contraire, ou ceo qe la dite citee de Nichole est ensy fais
[incorporate⁵] [countee par luy mesmes et severee del countee de
Nichole non obstantz.⁶]

⁵ et incorporat, *Rot. Parl. P.*

⁶ P. omits.

C A P. VI.

It shall be Treason to clip, wash, or file Money of the Realm.

[*See Stat. 5 Eliz. c. 11.*]

C A P. VII.

What Justices shall have Authority to hear and determine
the Offences of falsifying of Money.

ALSO, because the counterfeiting, clipping, washing, and other
falsifying of the Money of the Land, is much more used,
and daily doth more abound than it was wont, for that the Punish-
ment of the same pertaineth not to any Judge of the Realm,
except to the King's Justices before himself, or before Justices by
special Commissions thereto assigned, to the probable Destruction
of the said Money, unless the most speedy Execution and Remedy
be ordained, as the King by the grievous Complaint of the Commons
hath perceived: Our said Lord the King, willing to remedy the
same, hath ordained and established, That the King's Justices
assigned and to be assigned to take Assises in all the Counties of
England, shall have Power by the King's Commission to hear and
determine, in their Sessions, as well of the counterfeiting, and of
the bringing of such false Money into *England*, as of clipping,
washing, and every other falsifying of the said Money: And that
the Justices of Peace throughout the Realm shall have Power by
the King's Commission to inquire of all such Matters, and there-
upon to make Process by *Capias* only against those which before
them shall be thereof indicted.

ITEM pur ceo qe contrefaiture tonsure et loture, et autre fauxine
de la'moneie de la terre, est le plus usee, et plus se habunde
de jour en autre, qe ne soleit, a cause qe le punissement dicelles
n'appertient a aucun juge du roialme, finon as justices du Roi de-
vaunt luy mesmes, ou [devaunt justices¹] par especialx commissions
a ceo assignez [a²] verresemblable destruction de la dite monoeie
finon qe plus hastive execution et remedie soit ordeigne, come le
Roi a le grevous compleint des ditz communes ad conceu: Mesme
nostre Seigneur le Roi, voillant ceo remedier, si ad ordeigne et
establie qe les justices du Roi as assises prendre assignez et assig-
nerz en toutz les countees d'Engleterre, eient poair par commission
le Roi doier et terminer en lour sessions, sibien de contrefaiture
et de lapporte de tieux fauxe moneie en Engleterre, come de
tonsure loture et chescune autre fauxine du dite moneie. Et qe
les justices de la pees parmy le roialme eient poair par commission
le Roi, denquerer de toutz tieux maters et sur ceo faire proces
par *capias* tantseulement, vers ceux qi devaunt eux serront ent-
enditez.

¹ P. omits.

² et, *Rot. Parl. P.*

C A P. VIII.

For regulating the Expence of proving Testaments.

“ **O**R'DINARIES shall take no more for proving of Testaments, with the Inventories and other Matters relating thereto, than was taken in the Time of King Edward III.—
 “ This Act to endure for a Year, and to the then next Parliament.”

Anno quarto HENRICI V.

*In the Parliament held at Westminster, 19th October
 A.D. 1416.*

From the Copy given by Hawkins, Cay, &c. as “Ex Rot. in Turr. Lond. m. 3.” compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iv. p. 94, &c.

Chapter of Statute.	Number in printed Roll.	
1,	22	} On Petitions of the Commons.
2,	23	
3,	24	
4,	25	
5,	29	
6,	21 ⁽¹⁾	
7,	31	
8,	30	

(¹) Not in the general Schedule of the Commons Petitions.

*Besides the above, and also several Articles for the Confirmation of existing Statutes, See further
 Printed Rot. Parl. iv.*

- Page. No. } Grant of Two entire Fifteenths and Tenths for Defence of the Realm, payable at the Purification and the Feast of Saint Martin after, on Condition that no other Imposition be charged, imposed, or levied on the Commons in the mean Time; and that the Times for Payment should not be altered.
- 95, 9, }
 10, For securing Repayment to such Chapters of Churches Cathedral or Collegiate, Abbies, Priories, Cities, Towns, or private Persons, as should advance Money on the Credit of the last Instalment of the foregoing Subsidy. The Chancellor, on Certificate by the Treasurer, of such Advance, shall make out sufficient

sufficient and necessary Warrants. And in case of the King's Death before the Instalment becometh payable, the Bishops and Lords present bind themselves to procure the Continuance of the Subsidy for Payment of the Money.

96, 12, *Confirmation of a Pardon made An. 2 H. 5. See p. 2. nu. 23. of that Year.*

14, *The Treaty between King Henry V. and Sigismund King of the Romans confirmed by Parliament.*

99, 15, *The Council empowered to annul certain Securities obtained of Robert Whittington and his Son by Durefs, and to enquire of and punish the Offenders.*

100, 16, *For Restitution of John Holland Earl of Huntingdon.*

103, 26, *For Relief of Tonnage and Prisage for Wine in a Ship captured and restored.*

AT the Parliament holden at *Westminster* the Nineteenth Day of *October*, the Fourth Year of the Reign of King *Henry* the Fifth after the Conquest; our said Lord the King with the Assent of the Prelates, Dukes, Earls, and Barons, and at the special Instance and Request of the Commons, assembled in this present Parliament, hath caused to be ordained and established certain Statutes and Ordinances, in Form following.

AU parlement tenuz a *Westm'* le xix jour d'*Octobr'*, lan du regne le Roy *Henry* quint puis le conqueste, quart, mesme nostre Seignur le Roy del assent des prelatz ducs countz et barons et a les especialx instance et requeste des communes assemblez en cest present parlement, ad fait [ordeine et establie] certains estatutz et ordeinances en la fourme qensult.

¹ ordeigner et establier.

C A P. I.

A Confirmation of all former Statutes not repealed.

FIRST, that the great Charter, and the Charter of the Forest, and all other Statutes and Ordinances made in his Time, and in the Time of his noble Progenitors Kings of *England*, and not repealed, shall be firmly holden and kept in all Points.

PRIMEREMENT qe la grande chartre et la chartre de la foreste, et toutz autres estatutz et ordeinances faitz en son temps, et es temps de ses nobles progenitours Rois d'*Engleterre*, et nient repellez, soient fermement tenuz et gardez en toutz pointz.

C A P. II.

Sheriffs shall have Allowance upon their Accompts of Things casual.

ALSO, That all the Sheriffs of *England* shall have Allowance upon their Accompts, by their Oaths, of Things casual, as of *Estreats* which sound not, nor run in *Ferme* nor in [yearly]

¹ Former Translations read,

74

Demand;

Demand; but of all such Things which do sound, or run in such yearly Firms or yearly Demands, they shall be charged to the King, as the Sheriffs have been charged in that Case in Times past.

ITEM qe toutz les viscontz dEngleterre cient allouance sur lour accompts, par lour serementes, des choses casuels come des extretz qe ne sonnent ne courgent my en ferme nen demande [annuell¹] mes de toutz ceux choses qe sonnent ou courgent en tieux fermes annuelx ou demandes annuelx soient ils chargez envers le Roi, come les viscontz ont estez chargez devant ces heures en le cas.

¹ P. omits.

C A P. III.

None shall make Pattens or Clogs of Asp.

[It appears from printed Rot. Parl. 4 H. 4. nu. 24. that this AB was made to prevent the Consumption of Asp, otherwise than for the making of Arrows. The Penalty on using it for Pattens or Clogs is on Hundred Shillings.—This AB is repealed by Stat. 21 Jac. 1. c. 28. § 11.]

C A P. IV.

For amending Statute 12 R. 2. c. 4.

“THE Penalty for giving or taking of excessive Wages repealed as to the Giver.”—A like Repeal is also enacted by Stat. 4 H. 8. c. 5.

C A P. V.

For regulating Alien Merchants.

Recital of Stat.
5 H. 4. c. 7.
concerning the
using of
Merchants
Strangers;

and of Stat.
5 H. 4. c. 9.
respecting their
Hosts.

ALSO, Whereas in a Statute made in the Time of King Henry the Fourth after the Conquest, the Fifth Year of his Reign, it was ordained and established, That all Merchants Aliens, of what Estate or Condition soever they be, coming, abiding, or remaining within the Realm of England, should be entreated and demeaned within the said Realm in the same Manner, Form, and Condition, as the Merchants Denizens be or shall be entreated or demeaned in Parts beyond the Sea, and in no other Manner, upon Pain to forfeit to the King all the Goods and Chattels of the said Merchants Aliens, and on Pain of Imprisonment of the Bodies of the said Merchants Aliens: And also it was ordained and established in the Time of the said late King Henry, amongst other Things, by Statute, That in every City, Town, and Port of the Sea, in England, where the said Merchants Aliens and Strangers be, or shall be repairing, sufficient Hosts shall be assigned to such Merchants by the Mayors, Sheriffs, or Bailiffs of the said Cities, Towns, and Ports of the Sea; and that the said Merchants Aliens and Strangers, shall not remain in other Places, but with the said Hosts so to be assigned; and that the same Hosts so to be assigned shall take for their Trouble in Manner as was accustomed of old Time: And for as much as our Lord the King hath perceived that the same Statutes have not been

been put in due Execution, he willet and granteth, That the said Statutes shall be firmly holden and kept in all Points, and put in due Execution from henceforth according to the Contents of the same,

The said Statutes confirmed.

ITEM come en un estatut fait en le temps del Roi Henry quarte puis le conquest, lan de son regne quint, ordeine fuit et establee qe toutz les merchantz aliens, de quell estat ou condition qils soient, venantz demorantz ou repairantz deinz le roialme d'Engleterre soient traitez et demesnez deinz mesme le roialme en manere fourme et condition, come les merchantz deinzzeins sont ou ferront traitez ou demesnez es parties de par dela, et en null autre manere, sur peine de forfaire a Roy toutz les biens et chateux des ditz merchantz aliens et sur peine demprisonement des corps de mesmes les merchantz aliens: Et ensement ordeine fuit et establee, en temps du dit nadgairs Roi Henry, entre autres choses, par estatut, qen chescun citee ville et port du meer d'Engleterre, ou les ditz merchantz aliens et estranges sont ou ferront repairantz, soient assignez a mesmes les merchantz sufficien^z hosties par les mairs viscontz ou baillives des ditz ⁽¹⁾ villes et ports du meer; et qe les ditz merchantz aliens et estrangers ne soient demurantz en autre lieu sinon ovesqe les ditz hosties ensi a assigners; et qe mesmes les hosties ensi a assignerz preignent pur lour travail en manere qe fuit accustumez en aucien temps: Et pur tant qe nostre Seignur le Roi ad entendu qe mesmes les estatutz nont este misez en execution, si voet et grante mesme nostre Seignur le Roi tressoverain, qe ycelles estatutz soient fermement tenuz et gardez en toutz points, et mys en due execution de cea enavaunt, solonc la contenu en ycelles.

¹ citees, R.

C A P. VI.

Against *Irishmen* holding Ecclesiastical Dignities or Benefices in *Ireland*; and favouring the Rebel *Irish*.

ALSO, Whereas it was ordained in the Time of the King's noble Progenitors, by a Statute made in the Land of *Ireland*, That none of the *Irish* Nation should be chosen by Election to be an Archbishop, Bishop, Abbot, or Prior, nor in any Manner received nor accepted to any Dignity or Benefice within the said Land; yet so it is, that many such *Irish* People, by Force of certain Letters of Licence to them made by the King's Lieutenants there, to accept and receive such Dignities and Benefices, be promoted and advanced to Archbishopsricks and Bishopsricks within the said Land, who also make their Collations to *Irish* Clerks of the Dignities and Benefices there, against the Form and Effect of the said Statute: and inasmuch as they be called Peers of Parliament in the said Land, they bring with them to the Parliaments and Councils holden there, *Irish* Servants, whereby the Secrets of the *Englishmen* within the same Land have been and be daily discovered to the *Irish* People, Rebels to the King, to the great Peril and Mischief of the King's lawful liege People in the said Land: Our said Lord the King, desiring for the same to provide Remedy, for the Surety of his faithful Subjects, with the

[See printed
Rot. Parl.
4 H. 5. m. 28.
for the Reasons
of this Act]
Recital of *Irish*
Act against
Natives being
Prelates &c.

Assent

The said Act confirmed.

No Collations, &c. shall be made to native *Irish*, nor *Irish* Rebels employed as Servants, &c.

Assent of the Lords aforesaid, and at the Request of the said Commons, willetth and granteth, That the said Statute shall stand in his whole Force, and well and duly be kept and fully executed upon his grievous Indignation. And moreover he hath ordained and established, with the Assent and Request aforesaid, That if any such Archbishops, Bishops, Abbots, or Priors, of the *Irish* Nation, Rebels to the King, do from henceforth make, or have heretofore made, any Collations or Presentations to Benefices of Holy Church in the said Land of *Ireland*, against the Form of the said Statute, or bring with them amongst the *English* there, to Parliaments, Councils, or other Assemblies, within the said Land, any *Irish* Rebels to the King, to know the Secrets and the State of the said *Englishmen*, and the same to discover to the Rebels, that then forthwith from Time to Time, all their Temporalties shall be seised into the King's Hands, there to remain till they have made sufficient Fines to the King in this Behalf. And also that all the Lieutenants of the King and of his Heirs in the said Land of *Ireland*, be utterly forbidden and restrained from henceforth, to have any Manner of Power to give or to grant any such Licences or Pardons in such Case to *Irish* Persons, not *English*. And that all such Licences not executed, heretofore made and granted by the King's Lieutenants in the said Land, and also to be granted by them hereafter, shall be void and of no Force nor Value.

ITEM come ordeine fuit en temps de les progenitours nostre Seigneur le Roi par [estatut¹] [fait en²] la terre d'Irland qe null d'Irrois nation serroit eslu par election en Ercevesque Evesque Abbe Priour, ne en null⁽³⁾ manere receu nacceptee a null dignite ne benefice dedeinz mesme la terre; et soit il qe plusieurs tieux Irrois par force des certains lettres de licence a eux faitz par les lieutenantz du Roi illoeqes, daccepter et receiver tieux dignitees et benefices, sont promotz et avancez as Erceveschees et Eveschees dedeinz la dite terre, les queux sont auxi lour collations as Irrois clerics des dignitees et benefices illoeqes, encontre la forme et effect du dit estatut: Et par la ou ils sont ditez peeres de parlement en mesme la terre, ils amesnent ovesqe eux as parlementz et conseils tenuz illoeqes Irrois servantz par ont les privees de les Engleis en mesme la terre ont este et sont de jour en autre descoverez a les Irrois gentz, rebelx a Roi, a tresgraunde peril et meschief de les loialx lieges du Roi en mesme la terre: Nostre dit Seigneur le Roi desirant a ceo mettre remedie, pur la seurte de ses loialx subgitz, del assent des Seignurs avantditz et a la requeste des ditz Communes, voet et grante qe [le dit estatut⁴] estoile en sa entier force, et qe bien et duement soit gardez et pleinement executz sur sa grievous indignation. Et outre ceo ad ordeigne et establie del assent et requeste avantditz qe si ascuns tieux Ercevesques Evesques Abbes ou Priours del Irrois nation, rebeulx a Roi, sont de cea en avant ou ont faitz en arere collations ou presentementz as benefices de Seinte Eglise en la dite terre d'Irland, encontre la forme de mesme lestatut, ou amesnent ovesqe eux entre les Engleis illoeqes as parlementz conseils ou autres assemblees dedeinz mesme la terre, ascuns Irrois rebeulx a Roi, pur conuistre le,

¹ estatutz, Rot. Parl.

² de, P.

³ autre, P.

⁴ les estatutz, Rot. Parl.

privitees et [estat^s] des ditz Engleis, et les descoverer a les rebentz, qadonques soient maintenant de temps en temps toutz leur temporaltees seisees es mains du Roi a demurrerz en ycelles tanqe ils eient faitz [sufficeantz^o] synes a Roi cell partie. Et auxi qe toutz les lieutenantz du Roi et de ses heirs, en la dite terre d'Irland soient toutoutrement defenduz et restreintz desore enavant de chescun manere poair avoir a doner ou grantier ascuns tiels [licences⁷] ou pardons [en le cas⁸] as persones Irrois nient Engleis. Et qe trestoutz tiens licences nient executz, faitz et granteez par les lieutenantz du Roi en mesme la terre avant ces heures, et auxi par eux a grantier de cea enavant, soient voides et de null force ne value.

⁵ estates, P.

⁶ P. omits.

⁷ benefices, P.

⁸ Rot. Parl. omits.

C A P. VII.

For regulating the granting of Letters of Marque.

ALSO, Because our Sovereign Lord the King hath heard and conceived, at the grievous Complaint of the Commons of his Realm in this Parliament, for that because of a Statute made at his Parliament holden at *Leicester* the last Day of *April*, the Second Year of his Reign, in which Statute it is contained, That the breaking of Truces and of Safe-Conduets, and voluntary Receit, Abetment, Procurement, Counselling, Hiring, Sustaining, and Maintaining of Breakers of Truces, and Safe-Conduets of our Lord the King, to be made by his liege People from thenceforth within the Realm of *England* and *Ireland*, and the Country of *Wales*, or upon the main Sea, should be judged and determined for High Treason done against the King's Crown and Dignity; by Reason of which Statute, though the King's Subjects be ever so much grieved against the Truces they dare not provide Remedy for themselves by any Act, whereby the King's Enemies, as well in the Parts beyond the Sea, as in the Realm of *Scotland*, have hereof taken great Courage to grieve the King's faithful liege People, in slaying some of them, and in taking some of them Prisoners, and also in taking their Goods and Chattels, against the Tenor of the Truces as well upon the main Sea, as upon the Marches of *Scotland* afore said, whereof the said Commons have humbly beseeched our said Sovereign Lord the King to provide Remedy; the King willing, as well in this Case as in other, to take Order for the Indemnity of his liege People and faithful Subjects, hath declared in this present Parliament, That of all Attempts made by his Enemies, upon any of his faithful liege People, against the Tenor of any Truces taken before this Time, wherein is no expresse Mention made, that all Marques and Reprisals shall cease, our said Sovereign Lord the King will grant Marque in due Form to all them that feel themselves in this Case grieved; and our said Lord the King will do the like to all his liege People that shall feel themselves grieved against the Tenor of any Truces, which betwixt him and any of his Enemies shall be newly taken hereafter.

And to the greater Comfort of his faithful liege People, to the Intent that they may the more readily, and without long Delay, have Remedy in this Case, our said Lord the King willeth,

Recital of Stat.
2 H. 5. c. 6.
making Breach
of Truce High
Treason;

whereby,
though Enemies
break the Truce,
Subjects cannot
act against
them.

In case of
Breach of Truce
by Enemies,
Letters of
Marque shall be
granted to
Subjects.

The Manner
how to obtain
Letters of
Marque.

That

That he or they that feel themselves grieved against the Tenor and Form of such Truces within the Realm of *England*, out of the said Marches of *Scotland*, or upon the Sea, or in Parts beyond the Sea, shall complain to the Keeper of the Privy Seal for the Time being; who after such Complaint heard and perceived, thereof shall make for the Party Complainant [if he the same require²] Letters of Request under the Privy Seal in due Form. And if after such Request made, the Party required do not make, within a convenient Time, due Restitution or Satisfaction to the Party grieved, then the Chancellor of *England* for the Time being shall cause to be made to such Party grieved (if he so require) Letters of Marque under the Great Seal in due Form.

ITEM pur ceo qe le Roi nostre souverain Seigneur ad oiez et concieu, a la grievous compleint de la comminalte de son roialme en cest present parlement, de ceo qe, par cause dun estatuit fait en son parlement tenuz a Leycestre le darrein jour d'Averill lan de son regne seconde, en quel estatnt il est contenuz qe les romperies des trieues et fausconduitz et voluntaries receit abettelement procurement conseil lower sustenance et maintenance des rompours de trieues et fausconduitz du Roi nostre souverain Seigneur, par ses lieges affaires delors enavant dedeinz les roialmes d'Engleterre et Irland et la paiis de Gales et sur le haut meer, soient ajuggez es terminez pur haut traïson fait encontre la corone et dignite du Roi; a cause de quell estatut, combien qe les subgitz du Roi soient grevez encontre les trieues, ils noosent soy purvoier de remede par voie de fait, pur tant les ennemys du Roy nostre souverain Seigneur, sibien es parties depar dela la meer, come en roiaume d'Escoce, en ont pris graunde corage de grever les foialx lieges du Roy, en tuant aucuns de eux et aucuns en priegnaunt prisoners, et auxi en priignant lour biens et chateux, encontre le tenure des trieues, sibien sur le haut meer come en les marches d'Escoce desuisdit, dont le suïddit comminalte humblement ad supplie nostre dit Seigneur le Roi de remede; Voillant le Roi nostre dit Seigneur, en ceo cas et autres toudtitz, purvoier a l'indempnitee de ses lieges et foiaux subgitz, ad declarez en cest present parlement, qe de toutz attempstalz faits par ses ennemys, sur aucuns de ses foiaux lieges, encontre le tenure daucunes trieues devant ces heures prises, en les quelles n'est pas fait expresse mention qe toutz marques et reprisaïlles cesseront, mesme nostre Seignur le Roi a toutz qi lour sentiront en tiel cas grevez, voet grauntier marque en due forme; et pareillement ferra nostre dit Seigneur le Roi a toutz ses lieges qi se sentiront grevoz encontre le tenure daucuns trieues, qe [contre¹] luy et aucuns ses ennemys feront de novel prizez en temps avenir.

¹ dentre, *Rot. Parl. P.*

Et a la greindre consolation de ses ditz foiaux lieges au syn qils purront pluis prestement et sanz longes delais, avoir remede en ceo cas, Voet mesme nostre Seigneur le Roi qe celui ou ceux qi se sentira ou sentiront grevez encontre le teneur et fourme de tielles trieues, dedeins le roialme d'Engleterre hors de les suïdditz marches d'Escoce, ou sur le meer, ou es parties pardela, soy compleindra ou compleindront au Gardein du prive seal qi pur le temps ferra; qi.

qi, tiel complaint oïee et entendue, ent ferra pur la partie compleignante ⁽²⁾ lettres de request soutez le prive seal en due fourme. Et si, apres tiel request faite, la partie requise ne ferra, dedeinz temps covenable, due restitution ou satisfaction a la partie grevee, adonques le Chaunceller d'Engleterre pur le temps esteant ferra faire a tiele partie grevee, si le voet demander, lettres de marque desoutz le grande seal en due fourme.

² si voet demander, P. but Rot. Parl. omits.

"In case of Breach of Truce in Scotland, or on the Marches, the King shall commission the Wardens of the Marches to hear all Complaints, and to require Restitution; and on Failure of such Restitution to grant Letters of Marque."

[This Part repealed by Stat. 4 Jac. 1. c. 1. § 1.]

C A P. VIII.

The King's Pardon.

"THIS extends to all Manner of Fines, Issues, and Amerciaments, and all other Forfeitures, pecuniary Pains, Debts, and Demands, not exceeding Twenty-six Shillings and eightpence, fallen due before the First Day of this Parliament. And also all Fines and Amerciaments of and for all Trespasses, Offences, Misprisions, Contempts, Conspiracies, Negligences, Concealments, and Deceits committed before the said Day, where the Amount is or shall be assessed within that Sum; and also Chattels of Fugitives and Felons, Waifs, Strays, Chattels of Outlaws, Felons, &c. &c. to like Amount. And also all Suits for Treason, for Breach of Truce or Safe Conduct. All Subjects, as well of the County Palatine of Lancaster as elsewhere, shall enjoy this Pardon without suing out any Charter or Writ."

Anno quinto HENRICI V.

In the Parliament held at Westminster on the 16th Day of November, A.D. 1417.

This Parliament was held by John Duke of Bedford, the King's Brother, as Lieutenant to the King and Guardian (or Protector) of the Realm. The only Act ever printed in any Collection of the Statutes, was for allowing Persons to make Attornies in Wapentakes, Hundreds, and Court Barons till the ensuing Parliament. For the Petition and Answer on which the Act is founded, see nu. 22. of the Commons Petitions in printed Rot. Parl. of this Year in French. The Act (or Ordinance as it is termed) was printed by Pynson, from a Writ to the

the Sheriff of Yorkshire, in Latin, reciting it and requiring its Publication. The Copy given by Cay, &c. was stated to be taken from Cott. MS. Nero C. 1. agreeing exactly with the Copy in Pynson. The Writ begins "*Rex vic' Ebor' salutem,*" and ends "*T. Johanne Duce Bedford Custode Anglie apud Westm. xvi. die Januarii Anno Regni nostri quinto.*"

Besides the above, and also some Articles for the Confirmation of existing Statutes, See further
Printed Rot. Parl. iv.

- | | | |
|-------|-----|---|
| Page. | No. | } Grant of Two entire Fifteenths and Tenths, payable at the Purification in the next Year and the Year after, so that the Time of Payment be not shortened. |
| 107, | 9, | |
- 11, For confirming the Judgement and passing Sentence of Execution in Parliament against Sir John Oldcastle, as a Heretick and Traitor to God and the King. The Sentence was, that he should be hung, and burned as he hung.
- 111, 15, Confirmation of the King's Letters Patents for securing the Repayment of the Sum of Fourteen Thousand Pounds lent to the King by the Bishop of Winchester, on Assignment of the Subsidies on Wool, &c. and for further Security for which the King's Crown was deposited with the Bishop.
- 113, 16, For securing Preference to the Duke of Exeter for an Annuity of Forty Pounds, notwithstanding Stat. 7 H. 4. c. 16.

On Petitions of the Commons.

- 17, Confirmation of all Liberties "*well used and not repealed, nor by the Common Law repealable.*"—This Form of Confirmation is also used in subsequent Years of this Reign.

ANNO SEPTIMO HENRICI V.

In the Parliament held at Westminster on the 16th Day of October, A.D. 1419.

This Parliament was held before John Duke of Bedford, the King's Brother, as his Lieutenant and Guardian (or Protector) of the Realm.

The only Acts of this Year ever included in the Statute Book were;

I. Against

1. Against malicious Appeals and Indictments in the County of Lancaster; to continue till the next Parliament.

2. For regulating Proceſs againſt Forgers of Deeds.—This latter is repealed by the Operation of Stat. 5 Edw. c. 14. § 11.

These Two Acts are founded on Petitions and Answers of the Commons in French. See printed Rot. Parl. of this Year, p. 120, nu. 17. and 121, nu. 20. They were printed by Pynſon, from a Writ to the Sheriff of Lancaſter, reciting them in Latin, and requiring their Proclamation. The Copy given by Hawkins, &c. as “Ex Rot. in Tur. Lond. m. 3.” agrees very nearly with the Text in Pynſon; but to the latter there is annexed a Note, that by a new Writ in 8 H. 5. on Petition of the Parliament, the first Chapter was again proclaimed. (See printed Rot. Parl. 8 H. 5. nu. 24.) Although these Acts are neither of them any longer in Force, they are here given, as well to ſhow the Form in which they were proclaimed, as to clear some Ambiguities in respect to 9 H. 5. st. 1. c. 1. as to which see the Note under that Year.

Besides the foregoing, and also some Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iv.

Page. No. } Grant of an entire Fifteenth and Tenth, and one
117, 8, } Third Part of a Fifteenth and Tenth, for Defence
of the Realm.

9, For providing for Repayment of Money to be advanced on the Credit of the said Third Part of a Fifteenth, &c. and on the Credit of a Tenth and Half Tenth granted by the Clergy in Convocation, in order to make Provision for resisting the King's Enemies, and in Preservation of his Right and the Safe-guard of his Realm. Provided, that by no Words comprised in this Act, shall the Kingdom of England, or the Estates or Commonalty thereof, be in any Manner charged to support the King's Wars in France or Normandy.

118, 11, } The Council empowered to make Regulations for
12, } preventing the Exportation of Money, and for Expenditure of the Supplies within the Kingdom on Necessaries for the King's Army abroad, &c. and for purchasing and sending Wool into Normandy.

13, For indemnifying such Persons as had, under certain Letters Patent, paid into the Treasury the Rents, &c. formerly assigned to Johane Queen Dowager of England; who (it is stated) was accused of compassing the King's Death and Destruction “in the most terrible Manner that Man could devise.”
(See further printed Rot. Parl. 2 H. 6. nu. 35.)

Page

Page. No.

119, 14, } For annulling feigned Indictments and Process
 15, } made against certain Persons by Conspiracy.

On Petitions of the Commons.

120, 16, Confirmation of Liberties.—As in 5 H. 5. nu. 17.

122, 23, The Council empowered to give Redress to certain Farmers of the Revenues of the Crown, for Annuities paid by them and not allowed at the Exchequer.

HENRY by the Grace of God King of England and France, and Lord of Ireland, to his Chancellor of the County Palatine of Lancaster, Greeting: Know ye, That

[CAP. I.]

On Appeals and Indictments the Justices shall, before Exigent awarded, enquire *ex officio* whether there be any such Place as is named in the Appeal, &c. and if there is not, the Appeal shall be void, and the Appellant punished.

Forasmuch as divers Men of Malice and Envy, and for Gain and Revenge, have often caused to be indicted and appealed divers of our true liege People, of Treasons or Felonies in the County of Lancaster, pretending by those Appeals or Indictments, that the said Treasons or Felonies were committed in a certain Place, where in Truth there is no such Place in the said County where the said Appeal and Indictment is made; to the great Damage and Peril of such our liege People, considering that some so appealed and indicted dare not appear before the Justices in their proper Persons, to answer thereof, for Fear of beating, maiming, or killing of them, by the Conspirators or Procurers of the same Appeals and Indictments; as by the Commons of our Realm of England, being in our last Parliament holden at *Westminster*, by their Petition in that Parliament exhibited, grievously complaining, was shewed: It was ordained in the same Parliament, with the Assent of the Prelates, Nobles, and Great Men of our said Realm of England there being, at the Request of the said Commons, for the common Profit and Quietness of the People of our said Realm; That every Justice who hath Power to hear and determine such Treasons and Felonies within the County aforesaid, by the Oath of Twelve Men (of whom every one shall have Freehold in the same County to the yearly Value of an Hundred Shillings above all Charges) before that the Exigent be awarded without Allegation of the Party, as well in the Party's Absence as his Presence, shall inquire, of Office, whether there be any such Place in the County where such Appeals or Indictments be made or to be made, or not: And if it be found that there is no such Place within the same County, then such Appeals and Indictments, and the Process thereupon made, or to be made, shall be void, and holden for none; and that in such Case the Indictors aforesaid shall be punished by Imprisonment, Fine, and Ransom, by the Discretion of the Justices aforesaid. And that this present Ordinance and Remedy do extend as well to Appeals and Indictments not determined, before this Time taken, as to Appeals and Indictments to be taken hereafter; and if any Exigent from henceforth be awarded, before that such Inquisition of Office as afore is said, be taken, that such Exigent, and the awarding thereof, be likewise void and holden for none. Provided that this present Ordinance have Strength, and extend only until the next Parliament.

And

And also know ye, That in the said Parliament of the Assent and Request aforesaid, it was ordained and enacted,

That in Writs to be purchased against those that forge or make untrue Charters or Muniments, and them proclaim and cause to be read, like Process shall be made by Capias and Exigent, as in Writs of Trespass.

[CAP. II.]
Process against
Forgers of
Deeds.

[Repealed
5 Eliz. c. 14.
§ 11.]

And therefore we command you, firmly enjoining, That immediately after the Sight hereof, you cause the Ordinance and Statute aforesaid openly to be proclaimed in the Places within the same County where shall be most expedient and necessary, as well within Liberties as without; and that also you cause all and singular our Justices, having Power to hear and determine Felonies and Treasons within the said County, fully to be instructed, and without Delay to be certified of the said Ordinance and Statute by your Letters, containing the Tenour of the same. Witness John Duke of Bedford, Protector of England, at Westminster, the [Tenth] Day of December, the Seventh Year of our Reign.

[By Petition in the Parliament holden at Westminster the Second Day of December, the Eighth Year of the same King, a like Writ was made, [including only the first Chapter, and then the Order for Proclamation.] Witness Humfrey Duke of Gloucester, Protector of England, at Westminster, the Tenth Day of January, the Eighth Year; by Petition in Parliament.]

[See printed
Rot. Parl.
8 H. 5. nu. 24.]

HENRICUS Dei gratia Rex Anglie et Francie et Dominus Hibernie Cancellario suo comitatus palatini Lancastrie salutem. Sciatis quod

Pro eo quod gentes nonnullæ, ex malitia et inimicitia, ac propter lucrum et vindictam, diversos fideles ligeos nostros, de proditiombus sive felonis, in comitatu Lancastrie, frequentius indictari et appellari fecerunt, pretendentes per appella seu indictamenta illa quod predictæ proditiões aut felonie perpetrare fuerunt in certo loco, ubi de veritate talis locus in comitatu predicto, in quo appellum vel indictamentum factum existit, non habetur; ad grave dampnum et periculum ligeorum nostrorum hujusmodi, considerato quod quidam sic appellati et indictati, coram iusticiariis ad respondendum inde, ob metum verberationis mahemii seu interfectionis eorundem, per ipsorum appellorum seu indictamentorum conspiratores aut ea fieri procurantes, in propriis personis comparere non audent; prout per communitatem regni nostri Anglie, in ultimo parlamento nostro apud Westm' tento existentem, per petitionem suam in parlamento illo exhibitam fuerat, graviter conquerendo, monstratum: Ordinatum extitit in eodem parlamento, de assensu prelatorum procerum et magnatum dicti regni nostri Anglie ibidem existentium, ad requisitionem dicte communitatis, pro communi utilitate et quiete populi ejusdem regni nostri; Quod quilibet iusticiarius, qui ad hujusmodi proditiões et felonias infra comitatum predictum audiendum et terminandum potestatem habet, per sacramentum duodecim virorum, quorum quilibet liberum tenementum in predicto comitatu valoris annui centum solidorum ultra reprimas optineat, priusquam exigenda adjudicata fuerit, absque partis allegatione, tam in partis absentia quam presentia, inquirat ex officio utrum aliquis talis locus est, in comitatu ubi appella seu indictamenta illa sunt facta sive facienda, necne; Et si comper-

tum

tum fuerit quod talis locus non habetur infra eundem comitatum, tunc appella et indictamenta ipsa, et processus inde factus seu faciendus, sint vacua et pro nullis habeantur; et quod in casu illo indictatores predicti, per imprisonamentum finem et redemptionem, per discretionem iustitiariorum predictorum, puniantur. Et quod presens ordinatio et remedium, tam ad appella et indictamenta non determinata, ante hec tempora capta, quam ad appella et indictamenta in futurum capienda, se extendant; et si que exigenda antequam huiusmodi inquisitio ex officio ut supradictum est capiatur, decetero fuerit adjudicata, quod tunc exigenda et adjudicatio ille similiter sint vacue et pro nullis habeantur. Proviso quod presens ordinatio vigorem habeat et se extendat usque ad parlamentum proximo futurum duntaxat.

Et ulterius sciatis quod in parlamento predicto, de offensu et requisitione predictis ordinatum fuerat et statutum,

Quod in brevibus, versus eos qui fabricant seu faciunt cartas sive munimenta minus vera, et ea proclamant et legi faciunt, perquirendis, fiat processus consimilis per Capias et exigendam ut in brevibus de transgressione.

Et ideo vobis mandamus, firmiter injungentes, quod statim, visis presentibus, ordinationem et statutum predicta, in locis infra comitatum illum ubi magis expediens fuerit et necesse, tam infra libertates quam extra, publice proclamari demandetis; necnon omnes et singulos Justitiarios nostros, potestatem audiendi et terminandi felonias et prodiciones infra comitatum predictum habentes, de dictis ordinatione et statuto, per litteras vestras tenorem eorundem continentes, plenarie instrui et certificari faciatis, indilate. Teste Johanne Duce Bedfordie Custode Anglie apud Westm' [x'] die Decembr' anno regni nostri septimo.

[*Per Peticionem in Parlamento ad P^{li}amentum tentum apud Westm' secundo die Decembris, anno regni ejusdem regis octavo, factum fuit quoddam breve consimile usque ibi "duntaxat" et tunc sic; "Et ideo vobis mandamus," &c. ut supra. T. Humfredo Duce Gloucestrie Custode Anglie ap' Westm' decimo die Januarii anno octavo; per petitionem in Parlamento.—P.]*

xvj. P.

[*REX* vicecomitibus London' salutem. "Sciatis quod pro eo quod gentes," &c. ut supra usque—"ut in brevibus de transgressione." Et tunc sic: "Et ideo vobis precipimus firmiter injungentes quod," &c. ut supra usque ibi—"et necesse" et tunc sic—"publice proclametis seu proclamari faciatis." Teste ut supra.

Consimilia brevvia diriguntur singulis vicecomitibus per Angliam.

HAWK. ex Rot. in Turr.]

Anno octavo HENRICI V.

*In the Parliament held at Westminster 2d December,
A.D. 1420.*

This Parliament was holden before Humphry Duke of Gloucester, the King's Brother, as his Lieutenant and Guardian (or Protector) of England.

The Statute is reprinted from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 2." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iv. p. 124, &c.

Chapter of Statute.

No. in printed Roll.

1,	—	—	7	} On Petitions of the Commons.
2,	—	—	15	
3,	—	—	18	

*Besides the above, and also some Articles for the Confirmation of existing Statutes, See further
Printed Rot. Parl. iv.*

<i>Page. No.</i>	}	<i>For outlawing and punishing certain Malefactors in Westmorland and Derby who had fled from the Law.</i>
124, 10,		
11,		

On Petitions of the Commons.

12, *Confirmation of Liberties.—As in 5 H. 5. nu. 17.*

24, *For continuing Stat. 7 H. 5. c. 1. till the ensuing Parliament. (See Note at the End of Stat. 7 H. 5.)*

25, *That all Women Aliens, married by the King's Licence to Subjects, shall be entitled to Dower.*

AT the Parliament holden at Westminster the Second Day of December, the Eighth Year of the Reign of King Henry the Fifth after the Conquest, our said Lord the King, with the Assent of the Lords Spiritual and Temporal, and at the special Instance and Request of the Commons, assembled in the same Parliament, caused to be ordained and established certain Statutes and Ordinances, in Form following :

AU parlement tenuz a Westm' le second jour de Decembr', lan du reigne le Roy Henry quint puis le conquest, oepitisme, mesme nostre Seigneur le Roy, del assent des Seignurs espirituelx et temporelx, et a les especiale instance et request des Communes, assemblez a ceo mesme parlement, fist ordeiner et establis certains estatutz et ordinances, en la fourme qensuit ;

C A P. I.

Concerning the Dissolution of Parliament.

FIRST, Whereas by the Grace of God a final Peace was late taken betwixt our Sovereign Lord the King and the King of *France* his Father, in such Form, That our said Lord the King shall be named Heir and Regent of the Realm of *France*, during the Life of his said Father; and shall have the Governance of the same; and after the Death of his said Father, the said Realm and the Crown of *France* shall remain to our Sovereign Lord the King, and to his Heirs for ever; It is very likely, that for the good Governance as well of the said Realm of *France* as of this Realm of *England*, our said Sovereign Lord the King sometimes shall be on this Side the Sea, and sometimes beyond the Sea, according as best shall seem to his sage Discretion, for the better Governance of the one Realm and the other: therefore it is ordained and established, That if in Time to come our said Sovereign Lord the King, being beyond the Sea, shall cause his Parliament to be summoned in this Realm by his Writs under the Teste of his Lieutenant, which now is or which for the Time shall be, and after the Summons of such Parliaments issued out of the Chancery, our said Sovereign Lord the King do arrive in this Realm, that by such Arrival of the same our Sovereign Lord, such Parliament shall not be dissolved, but in the same our Sovereign Lord the King may proceed without new Summons of the same.

Parliament
summoned by
Writ under
Teste of the
King's Lieute-
nant (the King
being beyond
Sea), shall not
be dissolved by
the King's
Arrival in the
Kingdom.

PRIMEREMENT, Pur ceo qe par la grace de Dieu final pees se prist nadgairs parentre nostre souverain Seignur le Roy et le Roy de France son pier, en tiel fourme qe nostre dit Seignur le Roy ferra nomee heir et regent du Roialme de France, durant la vie de son dit pier, et avera la governance dicell, et apres la mort de mesme son pier le dit roialme et le corone de France remaindront a nostre souverain Seignur le Roy, et a ses heirs pur toutz jours; Si est il vraisemblable qe pur la bon governance sibien du dit roialme de France, come de cest roialme d'Engleterre, le dit nostre souverain Seignur ascun foitz ferra decea et ascun foitz dela le meer, selonc ceo qe meulx semblera a sa sage discretion, pur la meillour governance de lun et lautre roialme; pur tant ordeignez est et establiz, qe si en temps avenir nostre dit souverain Seignur le Roy, esteant es parties pardela, face summoner son parlement en cest roialme par ses briefs desoutz le teste de son lieutenant, qore est ou qi pur le temps ferra, et apres lez summons de tieux parlements hors du Chauncellerie le Roy issuez, nostre dit Seignur le Roy arrive en cest roialme, qe par tiel arrivaille de mesme nostre Seignur le Roy, tiel parlement ne ferra dissolvee, mes en ycell puisse le Roy nostre souverain Seignur proceder, sanz novell somons dicell.

C A P. II.

Gold or Silver shall be brought to the Mint in proportion to Wool or Tin exported.

ALSO it is ordained and established, That every Merchant Stranger, buying Wools in *England*, to carry them to the western Parts or elsewhere, not coming to the Staple, there to be sold,

fold, shall bring to the Master of the Mint of the Tower of London for every Sack one Ounce of Gold Bullion, and in the same Manner for Three Pieces of Tin, one Ounce of Gold Bullion, or the Value in Silver Bullion, upon Pain of Forfeiture of such Wools and Tin, or the Value of the same to the King.

ITEM ordeinez est et establiz qe cheueun merchant estranger, achatant lains d'Engleterre, pur les amener es parties del west ou aillours, nient venantz a lestaple, pur estre liloques venduz, portera au maistre del mynte de la Tour de Loundres, de cheueun sak un unce de bullion dor, et en mesme la manere de trois peces destein un unce de bullion dor, ou la value en bullion d'argent, sur peine de forfaire mesmes les lains et estein ou la value dicelles au Roy.

C A P. III.

What Things only may be plated with Gold or Silver, and what not. [See also Stat. 5 H. 4. c. 13.]

ALSO that none from henceforth shall gild any Sheaths, nor any Metal, except Silver and the Ornaments of Holy Church; nor shall silver any Metal except Knight's Spurs, and all the Apparel that pertaineth to a Baron, and above that Estate; upon Pain of forfeiting to the King Ten Times as much as the Thing so gild is of Value, and also to have One Year's Imprisonment. And the Justices of Peace shall have Power to inquire thereof, and that to determine; and he that will sue for the King in this Behalf, shall have the Third Part of the said pecuniary Pain.

Provided that this last Ordinance shall begin to hold Place at the Feast of *Easter* next coming.

ITEM qe nulle persone enorre en temps avenir aucuns des [gemes¹] appellees shethes ne metaille sinon argent, et les orna- mentz de Seint Eglise; ne argente null metaille forspris les es- perons des chivalers, et tout l'apparaille qe appartient au baron, et deuis celle estate; sur peine de forfaire au Roy dys soit z a tant come la chose issint enorree soit de value, et averra auxi lem- prisonement dun an. Et eient justices de la pees poair dent en- querrer et ceo terminer; et celuy qi ferra la suit pur le Roy ceste partie ait la terce partie de la dit peine pecuniere.

Purveu qe cest darrain ordeinance comencera a tenir lieu a le fest de Pask prochein avenir.

¹ geynes, Rot. Parl.—gains, P.

ANNO NONO HENRICI V. A.D. 1421.

Two Parliaments were held at Westminster in this Year.

1. By the King, on 2d May:—STAT. I.

2. Before the Duke of Bedford, the King's Brother, as his Lieutenant, and Guardian (or Protector) of England, on 1st December:—STAT. II.

Both Statutes are here reprinted from the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 2. and m. 1." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iv. p. 129, &c.

STAT. I.

Chapter of Statute.			Number in Roll.	
Cap. 1,	—	—	30 ⁽¹⁾	} On Petitions of the Commons.
2,	—	—	31	
3,	—	—	32	
4,	—	—	33	
5,	—	—	36	
6,	—	—	27	
7,	—	—	22 ⁽²⁾	
8,	—	—	14 ⁽²⁾	
9,	—	—	15 ⁽²⁾	
10,	—	—	35	
11,	—	—	7 ⁽²⁾	

(¹) This Chapter is for providing a more extensive and effectual Remedy against malicious Appeals and Indictments than was contained in Stat. 7 H. 5. c. 1. The Copy given by Hawkins, as "Ex Rot. in Turr." agrees with that in Pynson; but in all Translations of the Statutes this Chapter consisted merely of a Continuance of the Statute 7 H. 5. c. 1. till the Parliament next after the King's Return from beyond Sea. See now 18 H. 6. c. 12.

(²) Not in the general Schedule of the Commons Petitions.

STAT. II.

Cap. 1,	—	—	14	} On Petitions of the Commons.
2,	—	—	15	
3,	—	—	16	
4,	—	—	18	
5,	—	—	19	
6,	—	—	20	
7,	—	—	21	
8,	—	—	22	
9,	—	—	24	
10,	—	—	26	
11,	—	—	27	

Besides the foregoing, and also several other Articles for the Confirmation of existing Statutes, See further

In the First Parliament.

Printed Rot. Parl. iv. Part 1,

Page. No. } The Council empowered to remove the Staple from
130, 8, } Calais.

9, The Council empowered to provide for Payment of Money advanced to the King for his Expedition.

10, All Statutes and Ordinances, to be made in any Parliaments to be held before the King's Return to England, shall be made to endure "till the next Parliament after such Return." See the Answer to 18 H. 6. nu. 48. on which c. 12. of that Year is founded.

Printed Rot. Parl. iv. Part. 1,

Page. No. } The Council empowered to regulate the Practitioners
130. 11, } of Physic and Surgery. See the English Petition,
on which this Ordinance is founded, printed Rot.
Parl. iv. p. 158, nu. 1.

12, For enabling the Countess of Arundel to claim her
Dower though an Alien. See 8 H. 5. nu. 26.

13, For allowing Griffith Donne, a Welchman, to purchase
Lands in England. See Stat. 2 H. 4. c. 12.

132, 16, The Mayor of London, as Conservator of the River
Thames, shall Four Times a Year examine the State
of the Fisbery, on Penalty of One hundred Marks for
each Neglect.

17, For securing the Repayment to the Bishop of Win-
chester of Twenty-two thousand Pounds and up-
wards, advanced by him to the King, on the Credit
of the Subsidies.

135, 18, The Peace between King Henry V. and Charles King
of France confirmed and approved by the Oath of
the King, and the Authority of the Three Estates,
as had been done by the King of France and the
Three Estates of his Realm. See also 1 H. 6. nu. 40.

135, } 19, } For ascertaining and settling the Division of the In-
140, } heritance of Humphrey de Bohun, late Earl of He-
reford and Essex, between the King, as Son and Heir
of Mary one of the said Earl's Daughters, and
Anne Countess of Stafford, Daughter and Heir of
Eleanor the other Daughter of the said Earl. The
Particulars of the several Estates are set forth, and
those which are allotted to the Countess, are exempted
from the Operation of the Act respecting the Duchy of
Lancaster (2 H. 5. p. 2. nu. 30.)

140, 20, For granting the Manour of Isleworth (Part of the
Possessions of the Duchy of Cornwall), to the Abbess
and Convent of the Monastery of Sion in Middle-
sex, then lately founded by the King.

[~~As~~ Instead of a Petition and Answer as hereto-
fore usual in the Parliament Roll, this is intro-
duced by a Memorandum, as an Act made by the
King, with the Assent of the Lords and Commons;
and the Royal Assent is stated in the Body of the
Act, and not by way of Answer at the End.]

141, 21, For the Restoration of Thomas Montague Earl of
Salisbury.

143, — 23, For Lucia Countess of Kent.

On the Commons Petitions.

146, — 24, Confirmation of Liberties.—As in 5 H. 5. nu. 17.

In the Second Parliament.

Printed Rot. Parl. iv. Part 2,

Page. No. } *Grant of an entire Fifteenth and Tenth; partly in*
121, 10, } *French and partly in English, the latter relating to*
the Mode of paying the Tax in Gold.

11, *For compelling William Posle, a Trustee for William Lord Clynton, to reconvey certain Premises previously conveyed to him on a secret Trust by Lord Clynton.*

On Petitions of the Commons.

154, 13, *Confirmation of Liberties.—As in 5 H. 5. nu. 17.*

On private Petitions.

163, 1, } *For compelling certain Persons to give Security of the*
164, 3, } *Peace, &c. for Outrages offered and threatened by*
them to the Petitioners.

9 HEN. V. STAT. 1.

AT the Parliament holden at *Westminster* the Second Day of *May*, the Ninth Year of the Reign of King *Henry* the Fifth after the Conquest; our said Lord the King, with the Assent of the Lords Spiritual and Temporal, and at the special Instance and Request of the Commons, assembled in the same Parliament, caused to be ordained and established certain Statutes and Ordinances in Form following:

AU parlement tenuz a *Westm'* le seconde jour de *Maii*, lan du reigne del Roy *Henry* quint puis le conquest, noevesme, mesme nostre Seignur le Roy del assent des Seignurs espirituelx et temporelx, et a les especiale instance et requelle des Communes, assemblez a ceo mesme parlement, fist ordeiner et establir certejns estatutz et ordinances en la fourme gensuiist.

C A P. I.

Against false Appeals and Indictments.

[See Note ante, p. 358, and Stat. 18 Hen. 6. c. 12. where this Act is recited at length, and declared in force, and made perpetual.]

C A P. II.

Concerning Forfeitures on Outlawries in the County of *Lancaster*.

NO Person outlawed in the County of *Lancaster* shall forfeit any Lands or Goods but such as he hath in that County.
The Statute 1 H. 4. c. 18, as to *Chester* shall remain in force.—
This Act shall continue till the Parliament next after the King's Return into *England* from beyond Sea."

[Confirmed by 18 H. 6. c. 13. Further provided for 20 H. 6. c. 2. which was made perpetual by 31 H. 6. c. 6. but repealed by 33 H. 6. c. 2.]

C A P. III.

Concerning Protections of Persons in the King's Service
in War.

[See also Stats.
4 H. 6. c. 2.
14 E. 4. c. 2, &c.]

Affises shall be
taken as
heretofore,

Protections for
Persons in War,

The Council
may give further
Relief,

ALSO, whereas the taking of Affises in general hath long ceased throughout the Realm, because of an Ordinance made by the King at his Second Passage towards the Parts of *Normandy*, and by his Council: the King considering the Diseases and Damage which many of his liege People have had and sustained by such ceasing, hath commanded, That his Justices shall hold the Affises throughout his Realm in Manner accustomed. And that to eschew the Disheritances of such Persons, as now have passed or shall pass in this present Voyage of the King our Sovereign Lord (whom God speed), and also of such Persons as be abiding in the King's Service in the Parts of *Normandy* and *France*, It is ordained and provided, That in every Protection with the Clause *Volumus*, to be made for any of such Persons, in the Clause of the Exception contained in the same, Omission shall be made of these Words "*Affises of novel disseisin*;" and that all such Protections be allowable and allowed for them and every of them, in all the King's Courts and elsewhere, where such Protection is set forth for any such Person, in all Pleas of Affises, as well of *Novel disseisin* as of *Frisk Force*, without Difficulty: Provided always, that the Judgements to be given from henceforth in such Affises, arraigned or to be arraigned, shall not be prejudicial to any of the said Persons so abiding in the King's Service beyond the Sea (as afore is said), who have any Thing in Reversion or in Remainder in Lands or Tenements, whereof such Affises be or shall be arraigned, if they that have in Reversion or Remainder in such Lands and Tenements, be not named in such Affises, but that they be against them wholly void. And this Ordinance shall endure till the Parliament that shall be first holden after the King's next Return into *England*. And if this Ordinance, touching the said Persons so abiding in the King's Service beyond the Sea, and also touching the said Persons who have passed and shall pass in the said Voyage, be not sufficient for the Ease and Surety of them, it is also accorded and assented, That the Lords of the King's Council for the Time being shall have full Power by Authority of this Parliament, to set, ordain, and provide sufficient Remedy, for the Ease and Surety of all such Persons, as for them and every of them shall seem to the said Lords most available and expedient in the Case, according to their good Advice and Discretions.

ITEM par la ou la prise des assises, generalment, ad longement cessiez par tout le roialme par cause dune ordinance fait par le Roy a la seconde passage vers les parties de Normandie, et par son conseil, le Roy considerant les detaillies et damages queux plusieurs de ses lieges ont euz et sustenuz parmy celle cesser ad commandee qe ses justices teignent les assises parmy son roialme par manere accoustume: Et qe pur evitier desheritances des persones qi sont passez ore et passeront en cest present voiage du Roy nostre souverayn Seigneur, qe Dieu lesploie, et auxi de les persones qi sont demourantz en le service du Roy es parties de Normandie et de France, ordeinez est et parveuz qe en chescun protection ove la clause

clause *volumus*, affaire pur queconque de mesmes les personnes, soit, en la clause de exception contenuz en ycell, omission de celles paroles *'assisis nove disseisine*; et qe toutz ceux protections soient alouables et alouez, pur eux et chescun de eux, en toutz les courts du Roy et aillours ou tiel protection soit mys avant pur ascun tiel persone, en toutz ples d'assises sibien de novell disseisine come de fresh force saunz aucune difficultee. Purven toutz voiez, qe les juggementz arendrerz desore enavant en tieux assises, arrannez ou arrannerz, ne soient my prejudicielx a aucunes des ditz personnes issint demurrantz en le service du Roy pardela, come devant est dit, qont ascun chose en reversion ou en remayndre en terres ou tenementz dont tieux assises sont ou seront arranne, sils qont en reversion ou en remaindre en tielx terres ou tenementz ne soient nommes en mesmes les assises, mes queles soient envers eux tout voidez. Et durera cest ordinance tanqe a parlement qe serra primerement tenuz puis la prochein revenue du Roy en Engleterre. Et si cest ordinance, touchant les ditz personnes issint demurrantz en le service du Roy pardela, et auxi touchant les ditz personnes qont passes et passeront en le dit voiage, ne soit my sufficeant pur laise et seurte de eux, accordez est auxi et assentuz qe les Seignurs du conseil du Roy, pur le temps esteantz eient plein poair, par auctorite de cell parlement, de mettre ordeiner et purvoir sufficiant remedie pur le aise et seurte de trestoutz mesmes lez personnes, come pur eux et chescune de eux semblera as ditz Seignurs le pluis vailable et expedient en la cas, solonc lour bones advis et discretions.

C A P. IV.

For amending Defects in Records by Misprision of Clerks.

“THE Statute 14 E. 3. ft. 1. c. 6. recited.—Justices empowered to amend such Defects, as well after Judgement as before.”—See Stat. 4 H. 6. c. 3.

C A P. V.

Concerning the Appointment of Sheriffs and Escheators.

“DURING Four Years the King may assign Sheriffs and Escheators to continue in their Offices above One Year, notwithstanding the Statute of 14 Edw. 3. ft. 1. c. 7. except in the Counties where Persons have Inheritances in such Offices. The Sheriffs shall account yearly.”

C A P. VI.

A Mint shall be established at *Calais* during the King's Pleasure.

C A P. VII.

The Statute 2 H. 5. ft. 1. c. 5. respecting Offenders in *Tyndal* and *Exhamshire* extended to like Offenders in *Rydesdale*.

ALSO whereas in the Parliament holden at *Leicester* the last Day of *April*, the Second Year of the Reign of our Sovereign Lord the King that now is, at the grievous Complaint made to the King there by certain of his Commons, for that many Murders,

Recital of Stat.
2 H. 5. ft. 1. c. 5.
providing for
Outlawry, -
Apprehension,

ders, Treasons, Manslaughters, Robberies, and other Offences against divers of the King's liege People, dwelling within the Franchises of *Tyndal* and *Exhamshire*, where the King's Writ doth not run, were, under Favour of such Franchises, committed, to the great Mischief and Peril of the King's said liege People; it was ordained and established, That if any Person of the same Franchises, resident and abiding within the same, of what Estate or Condition soever he were, commit any Murders, Treasons, Manslaughters, or Robberies, or consent to do the same, out of the said Franchises, Process should be made against him by the Common Law till he were outlawed; and that after such Outlawry pronounced and returned, the Justices before whom such Outlawry should be returned, should thereof make Certificate to such Officers or Officer of the said Franchises, as to them best should seem in this Behalf, according to their Discretion; and such Felon should be taken by such Officer or Officers, and his Lands and Tenements, Goods and Chattels, being within the same Franchises, seized into the Hands of the Lords of the said Franchises for the Time being, as forfeit; and that the other Lands and Tenements, Goods and Chattels of such Felon being out of the same Franchises, should wholly remain to the King, and to the other Lords having thereof Franchises, as forfeit; Saving always to the King the Forfeitures of such Murderers, Traitors, Manslayers, Robbers, and other Offenders whatever, and of other Things to him pertaining as in Right of his Crown: And forasmuch as like Murders, Treasons, Manslaughters, Robberies, Consents, and Offences by divers Persons, Thieves, and Felons, called *Intakers* and *Outputters*, dwelling within the Franchise of *Rydesdale*, in which Franchise the King's Writ doth not run, as it is said have been done now of late in divers Places in the Counties of *Northumberland*, *Cumberland*, *Westmorland*, and elsewhere out of the said Franchise of *Rydesdale*, by Favour and Succour of the said Franchise, whereof no Redress towards them hath been had by the Laws heretofore used, to the great Mischief, Peril, and Damage of the People so grieved, as our Sovereign Lord the King, by the grievous Complaint to him made in this present Parliament, hath fully perceived: Our said Sovereign Lord the King, willing to remedy the same, hath ordained and established in this same Parliament, That such Process, Certificate, and Execution shall be made hereafter against such Murderers, Traitors, Manslayers, Robbers, Consenters, and Offenders abiding or resident within the said Franchise of *Rydesdale*, by reason of their Offences done out of the said Franchise of *Rydesdale*, and also such Manner of Forfeitures shall run in all Points, as well to our Sovereign Lord the King, as to all other Persons, as was ordained against the said Offenders of *Tyndal* and *Exhamshire* by the said Statute made at *Leicester*, and according to the Form and Equity of the said Statute; Saving always to the King that which pertaineth to him in this Behalf, as of the Right of his Crown.

and Forfeitures
of Offenders in
Tyndal, &c.

The Provisions
of the recited
Statute extended
to Offenders in
the Franchise of
Rydesdale.

ITEM come en le parlement tenuz a Leycestre le darrein jour d'Appril, lan del reigne nostre tressoverayn Seignur le Roy qoreit seconde, a la grevous compleint fait au Roy illoques par certains ses communes, de ceo qe plusieurs mures tresons homicides robberies

beries et autres massaitz, as plusieurs ses lieges par gentz demurantz dedeins les franchises de Tyndale et Exhamshire, ou brief le Roy ne court mye, par favour de celles franchises, furent perpetres, a grande meschief et peril des ditz lieges du Roy; ordeigne fuit et estable qe si aucune persone des ditz franchises, resceant ou demurant deinz ycelles; de quelle estate ou condition il fuisse, face murders trefons homicides ou robberies, ou consente de les faire, hors des ditz franchises, proces soit fait devers luy par la commune ley tanqe il soit utlagee; et qe apres tielle utlagarie pronuncie et retournee facent ent les justices devaunt queux tielle utlagarie soit retournee certification, a tiens ministres ou a tiel ministre dez suisditz franchises come a eux semblera meultz celle partie, solonc lour discretjon; et soit tiel selon pris par tiel ministre ou tiens ministres, et ses terres et tenementz biens et chatieux esteantz deinz ycelles franchises seisees es mains des seignurs de mesmes les franchises pur le temps esteantz, come forfaitz; et qe les autres terres et tenementz biens et chatieux de tiel selon, esteantz hors de mesmes les franchises, demurgent entierement au Roy et as autres seignurs aiantz ent franchise come forfaitz: Salvant toutz soitz au Roy les forfaitures dautiels murdours traitours homicidours robbours et autres massaisours queconques, et dautres choses queux a luy apperteignent come de droit de la corone: Et pur tant qe semblables murders trefons homicides robberies consentements et massaites, par diverses persones larons et felons appelez Intakers et [Outputters¹] demurantz deinz la franchise de [Ridesdale,²] en quele franchise le brief du Roy ne court mye, come est dit, ont este faitz jatar en diverses liens en les countees de Northumbr' Cumbr' Westmerl' et aillours hors de mesme la franchise de [Ridesdale,²] par favour et socour de mesme la franchise, dont null redresce vers eux nad este eu par les leies ceo enarere usfz, a tresgraunde meschief peril et damage a le poeple issint grevez. come le Roy par clamours pleint a luy fait, en ceste present parlement, lad pleinement entendu. Nostre souveraigne Seignur, voillant ceo remedier, si ad ordeignes et establez en ceo mesme parlement qe autieux proces certification et execution soient faitz desore enavaunt, vers tiens murdours traitours homicidours robbours consentours et massaisours, demurantz ou resceantz dedeins la dit franchise de [Ridesdale,²] pur cause de lour massaitz faitz dehors mesme la franchise de [Ridesdale²]; et auxi tiens maners forfaitures encourent en toutz pointz, sibien envers le Roy come envers toutz autres persones, come fuit ordeigne vers les ditz massaisours de Tyndale Exhamshire, par le dit estatuit fait a Leycestre, et solonc la fourme et equite de mesme lestatuit: Salvant toutz soitz au Roy ceo qe a luy appartient celles parties come de droit de la corone.

¹ Our porters, P.—Old Translations read "Outparters."

² Ridesdale, P.

C A P. VIII.

For regulating criminal Proceedings against certain Scholars of Oxford.

"AFTER Recital of divers Outrages committed by several Scholars and Clerks of the University of Oxford, it is enacted, That Proceſs, according to the Common Law and Sta-

“ tute, shall issue against all such Scholars offending, till they answer or are outlawed: And, on Certificate of Outlawry from the Judges to the Chancellor of the University, such Scholar shall be banished from the University.—To continue till the Parliament next after the King's Return from beyond Sea.”

C A P. IX.

“ No Abbot or Prior shall be appointed by any Bishop to collect Dismes, or Subsidies out of the County where he dwelleth.”

C A P. X.

Keels that carry Sea Coals in the Port of *Newcastle* shall be measured and marked.

[See Stat.
6, 7 W. 3. c. 10.
and References
there.]

ALSO whereas of every Chaldron of Sea Coals, which be or shall be sold, to People not there franchised, in the Port of the Town of *Newcastle-upon-Tyne*, Two-pence Custom be due to the King; and in the same Port be certain Vessels called *Keels*, by which such Coals be carried from the Land to the Ships in the said Port; and every of the said *Keels* ought to be of the Burthen of Twenty Chaldrons, and according to the same Burthen, the said Custom is thereof taken to the King's Use; there be now certain People, that of late have made such *Keels* of the Burthen of Twenty-two or Twenty-three Chaldrons, whereof the Custom hath been taken according to the Burthen of Twenty Chaldrons only, in Deceit of our Lord the King, as he hath perceived by Complaint in this Parliament; He hath therefore ordained and established against such Deceit, That all the *Keels* which now be, and hereafter shall be in the said Port, shall be measured by certain Commissioners thereto assigned by the King, and marked of what Burthen they be, before that any Carriage be made by the same, upon Pain to forfeit to the King all the Vessels called *Keels*, by which any such Coals shall be carried, before that they be marked in Manner aforesaid.

ITEM par la ou de chescun chaldre de charbons maritimes, qe sont et ferront vendus as gentz nient y franchises, en le port del ville del Novell Chastell sur Tyne, sont dues au Roy deux deniers de custume, et en mesme le porte sont certeinz vesselx appelez Keles par les queux tielx charbons sont caries de la terre jefques a les naefs en le dit port; et doit chescun des ditz keles estre del portage de vint chaldres, et solonc mesme le portage la dite custume ent est pris al oeps du Roy; sont ore certeinz gentz qont fait jatard tieles keles del portage de xxij. ou xxij. chaldres, dont la custume ad este pris solonc le portage de xx. chaldrez tantseulement, en deceite du Roy sicome le Roy lad entendu par compleint en cest parlement; Si ad il ordeine et establiz encountre tiele deceite, qe toutz les keles qore sont et ferront en temps avenir en le dit port, soient mesures par certeinz commissioners a ceo assignerz par le Roy, et merches de quell portage y soient devaunt ceo qe ascun cariage soit fait par icelles; sur peine de forfaire au Roy toutz les vesselx appelez Keles, par les queux ascuns tielx charbons ferront caries, devaunt ceo qe ils soient merchez en le manere avaunt dit.

C A P.

C A P. XI.

No *Englisch* Gold Money shall be received in Payment but by the King's Weight.

ALSO to avoid the Deceits and Perils which long have continued within the Realm among the Washers, Clippers, and Counterfeiters of the Money of *England*, to the great Loss and Damage of all the People of the said Realm; the King, by the Advice and Assent of all the Lords and Commons assembled in this Parliament, hath ordained and established, That from *Christmas* Even next coming, none of the King's liege People shall receive any *Englisch* Gold Money in Payment, but by the King's Weight thereupon ordained.

The King's
Pardon of his
Coinage Due
on Money
recoined before
the ensuing
Christmas.

And because a great Part of the Gold now current in Payment is not of rightful Weight nor of good Allay, the same must be sent to the Mint, to the Intent that it may be newly coined of just Weight and of good Allay; and which will be to the great Loss and Costs of the King's Subjects, unless it please him to relieve them in this Case; our Lord the King, of his special Grace, hath remitted and pardoned to all his liege People, which betwixt this and the said Feast of *Christmas* shall cause to be coined of new at the King's Coinage within the *Tower of London*, their Money of Gold that is not of just Weight nor of good Allay, that is to say, all which to him pertaineth for this new Coinage of such Gold as afore; Saving always to the Master of the Mint, and to the other Officers of the same, that which to them reasonably pertaineth.

ITEM pur ouster periles et deceites queux longement ont continus dedeinz le roialme, parmy les lavours tousours et controfaitours de la monie d'Engleterre, a tresgrandes meschiefs et damages a toutz gents de mesme le roialme, le Roy par advis et assent de toutz les seignurs et communes assemblees en cest parlement ad ordeinez et estables, qe de la veille del feste de Novel prochain avenir enavaunt, null liege du Roy recevra aucune monie dor Engleis en paiment sinon par le pois du Roy sur ceo ordeines.

Et pur tant qe graunde partie del or de present current en paiement nest mye de droiturell pois ne de bone [allaie¹] y faute ceo remettre a le cune, au syne qil poet estre novelment cunez de joust pois et bone [alleie¹] et ceo serra estre a graunde perde et costages des subditz du Roy, sil ne suy plest eux relever en ceo cas, si ad le Roy de sa grace especiale remis et pardonnee a toutz sez liges, qi parentre cy et le dit fest de Novell ferront cuner de novel, a le cunage du Roy dedeinz le Toure de Loundres, leur monie dor qe ne soit de joust pois, ne de bone allaie, cestassavoir tout ceo qi a luy appartient pur cell novell cunage de tiel ore come desuis; Salvez a le mestre del mynte et as autres officers dicelle ceo qi a eux appartient resonablement.

¹ allaie, P.

C A P. XII.

“Writs purchased by the Wardens of *Rocheſter* Bridge, or againſt them, ſhall not abate by their Death or Removal.”

[See printed Rot. Parl. 9 H. 5. nu. 37. (of which this Chapter is only part), making the Guardians, &c. a Corporation. See further Stat. 18 Eliz. c. 17. and References there.]

9 HEN. V. STAT. 2.

AT the Parliament holden at *Westminster* the First Day of *December*, in the Ninth Year of the Reign of King *Henry* the Fifth after the Conquest, our ſaid Lord the King, with the Aſſent of the Lords Spiritual and Temporal, and at the Request of the Commons of *England* aſſembled in this ſame Parliament, hath made certain Ordinances for the common Weal and Profit of the Realm in Form following.

A Parlement tenuz a *Westm'* le primer jour de *Decembr'*, lan du regne del Roi *Henry* quint puis le conquete, noevisme, meſme noſtre Seignur le Roi, del aſſent des Seignurs eſpirituelx et temporelx et a la requelte des Communes d'Engleterre aſsemblez en ceo meſme parlement ad fait certains ordenances pur le commune bien et profit du Roialme en fourme qensuit.

C A P. I—IX.

For regulating Money and Exchanges.

CAP. I.—“All Statutes and Ordinances concerning Gold and Silver Money heretofore made, and not repealed, ſhall be duly kept and executed.”

CAP. II.—“The King will appoint Exchanges for Gold and Silver in *London* and elſewhere, which ſhall be held in open Places in high Streets. All Perſons bringing Money to the Tower to be re-coined, ſhall have ſuch new Coin within Eight Days, according to the true Value of the Money brought by them; paying for the Seignurage and Coinage of Gold after the Rate of Five Shillings for each Tower Pound, and for Silver Fifteen Pence. Such as will not come to the Tower, but to the Exchanges, ſhall pay for the Exchange after the Rate of One Penny per Noble, with the Seignurage and Coinage aforeſaid.”

CAP. III.—“The Maſters and Workers of the Money, and alſo the Exchangers, wherever Money ſhall be made or changed, ſhall be bound to deliver and pay to the People what is due to them, in good and lawful Money of *England*, by and of juſt Weight, or by Tale, at the Eleſtion of the Receiver, without any Delay or Difficulty. In caſe of Money being defective in Weight or Allay, the Party may reſuſe the ſame upon the Spot, and it ſhall be immediately changed for good Money.”

CAP.

CAP. IV.—“ The Officers of the Exchanges out of the Tower shall bring to the Tower all the Gold or Silver which they buy or exchange, to be there melted and re-coined.”

CAP. V.—“ The Mint at *Calais* shall be under the same Regulations as to Weight and Allay of Money as that at the Tower.”

CAP. VI.—“ The Allay and Weight of Money shall remain according to the then present Tower Standard.”

CAP. VII.—“ Good and just Weights of the Gold Noble, Half Noble, and Quarter Noble, shall be made and sent to every City, Borough, and Market Town.”

CAP. VIII.—“ Justices of Peace, Sheriffs, Escheators, and other sufficient Persons to be assigned by the King, shall have Power by Commission to enquire of all Counterfeiters of Money, and Inventors of false Weights, and to take and imprison them without Mainprize; and, on Conviction, such Offenders shall be subject to Imprisonment till they have made Fine and Ransom according to the Discretion of such Justices.”

CAP. IX.—“ Stat. 14 Ric. 2. c. 2. recited, and that Merchants were not able to buy and ship Goods within Three Months, as required by that Statute, and that thereby, in Default of Exchange, the Money of the Realm would, by diverse Colours and Subleties, be exported, and yet the Merchandize not be bought; the Term for buying the Goods is enlarged to Nine Months.” [See Stat. 1 H. 6. c. 6.]

[All the foregoing Ordinances were made to endure only till the ensuing Parliament.]

C A P. X.

For Relief of Collectors of Tenths and Fifteenths.

“ **S**UCH Collectors as are charged in Account for their Companions, shall have an Action of Debt against them, and shall recover the Money paid on such Account, with their double Damages.”

[To continue till the Parliament next after the King's Arrival in England.]

C A P. XI.

Certain Roads and Bridges near *Abingdon* declared to be public Roads and Bridges.

“ **A**FTER Recital that the Road from *Abingdon* towards *Dorchester* in *Oxfordshire*, over the *Thames* by *Burford* and *Culhamford*, between *Abingdon* and *Dorchester*, being the Soil and within the Bounds and Franchises of the Abbot of *Abingdon*, of his Manor of *Culham*, in Right of his Church of our Lady of *Abingdon*, over which the King's Subjects had free Passage for Time out of Mind, had become impassable by Floods, till certain Persons of the Town of *Abingdon*, at their own Expence, and with the Assistance of the Inhabitants thereabouts,

“abouts, had made a Bridge at *Burford*, and another at *Culham-*
 “*ford*, and with the Consent of the Abbot and Convent had
 “enlarged and repaired the Highway between the said Bridges
 “and Places, and had also planted on the Banks of the Ditches,
 “and the Sides of the Roads, Poplars and Willows, for the Pur-
 “pose of repairing the Road when necessary: Considering,
 “therefore; the Utility of the Continuance of these Bridges and
 “Road, it is enacted, That the said Bridges, and the Passages
 “over them, and the said Highway between them, shall be and
 “remain for ever common Bridges, Passages, and a Highway;
 “and that all the King’s Subjects may enjoy and shall repair the
 “same with the said Trees, &c. as often as they please, without
 “any Impediment from the Title or Interest of the said Abbot
 “and Convent in the Soil or the Water of the said Passages,
 “Bridges, or Highway. Saving always the King’s Right, and
 “the Liberties and Franchises of the Abbot and Convent, and
 “their Right of fishing.”—[*See also sub an. 8 H. 6: c. 28.*]

End of the Statutes of King HENRY V.

Anno primo HENRICI VI.

In the Parliament held at Westminster on Monday next before the Feast of Saint Martin (the Feast being 11th November) A.D. 1422.

The Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 12." has been compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iv. p. 169, &c.

Chapter of Statute.	Number in Roll.
1	—
2	42
3	43
4	35
5	36
6	—

} On Petitions of the Commons (1).
 } On other Petitions (1).

(1) *In French.* The other Acts and Proceedings of Parliament are from henceforward sometimes in French, sometimes in Latin, and occasionally in English.

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further Printed Rot. Parl. iv.

Page. No. } *All Commissions to Justices, Sheriffs, &c. and Writs 170, 12, } for summoning the Parliament, issued under the Authority of certain Lords Spiritual and Temporal (in the imminent Necessity resulting from the late King's Death, and the Insanity of the present King) affirmed, authorized, and approved by Parliament, as good and effectual. See also No. 13, 14. as to the Custody of the Great Seal, and the Seal of the Duchy of Lancaster.*

172, 18, *For providing for the Execution of the Will, and Payment of the Debts, of King Henry V.*

173, 19, *Grant of a Subsidy on Wools, &c. exported, Thirty-three Shillings and four-pence per Sack, of English Merchants, and Fifty-three Shillings and four-pence of Merchants Aliens; and Tonnage Three Shillings, and Poundage One Shilling, of Aliens, for Two Years; on Condition that the same be wholly expended in Defence of the Realm of England.*

174, 20, *For delivering over all Persons confined in the Tower, &c. for Heresy or Lollardy, to the Spiritual Jurisdiction of the Ordinary.*

Printed

Printed Rot. Parl. iv.

Page. No. } All Petitions delivered in Parliament, and not answered there, shall be committed to the Council to determine; as well Petitions of the Commons as others.

24, } The Duke of Bedford (and, during the Absence of
176, 33, } the said Duke of Bedford, the Duke of Gloucester,) appointed Protector and Defender of the Realm and Church of England, and the King's principal Counsellor; and certain Lords to be of the Council for assisting the said Dukes respectively in the said Office.

177, 34, The Council empowered to complete the Partition of the Estates belonging to the late Earl of Hereford and Essex, between the King and the Countess of Stafford. (See 9 H. 5. nu. 19.)

178, 38, Confirmation of a Grant by King Henry IV. to Thomas Chaucer, of the Office of Chief Butler.

179, 39, Confirmation of certain Grants by King Henry to the Prior and Convent of Wychurch.

183, 40, For confirming two Grants or Assignments by the King, of certain Lands and Tenements in Part of the Dowry of the Queen Dowager Catherine of France. The first is out of the Possessions of the Crown, with the Principality of Wales, the Duchy of Cornwall, and the County of Chester; and the other out of those of the Duchy of Lancaster.

On Petitions of the Commons.

191, 46, For confirming Grants of Offices made Temp. H. 4. and H. 5. though the Value thereof be not mentioned in the Grant, as required by Stat. 1. H. 4. c. 6.

On several private Petitions Relief is granted by Reference to the Council, or to Chancery; or by affirming certain Grants of the late King, which by his Death had failed of Completion.

AT the Parliament holden at Westminster the Monday next before the Feast of St. Martin, the First Year of the Reign of our Sovereign Lord King Henry the Sixth after the Conquest; the same King, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Instance and Request of the Commons of England, being in the said Parliament, caused to be ordained and established divers Ordinances and Statutes in Form following.

AU parlement tenuz a Westm' le Lundy prochain devant le fest de Seint Martin, lan de regne du Roy Henry sixme puis le conquest, primer, mesme le Roy, de ladvis et assent des Seignurs espirituelx et temporelx et a les especialx instance et request des
Communes

Communes d'Engleterre, esteantz en mesme le parlement, s'at faire ordiner et establire diverses ordinaunces et estatutz en la fourme qensuit.

C A P. I.

The King's Council may assign Money to be coined in as many Places as they will.

FIRST it is ordained, for the Profit of the King, and the Ease of his People, That the Lords of the King's Council for the Time being may assign, by Authority of the said Parliament, Masters and Workmen to make Money of Gold and Silver, and to hold the Exchanges of Money as well in the City of *Tork* as in the Town of *Bristol*; and also in so many Places as to the said Lords shall seem good and necessary, according to their good Advice and Discretion, any Statute or Ordinance made to the contrary notwithstanding.

EN primes ordeines est, pur le profit du Roy et laise de son poeple, qe les Seignurs de le counsell du Roy, pur le temps esteantz, purront assigner par auctorite du dit parlement mestres et operers a faire monoie dor et dargent, et a tenir les eschaunges de monie sibile en la citee d'Everwik come en la ville de Bristuit; et auxi es tants des lieux come semblera as ditz Seignurs bone et necessarie, solonc leur bons avis et discretions; ascun estatute ou ordinaunce fait au contrarie non obstant.

C A P. II.

"All Statutes concerning Purveyors shall be proclaimed in every County four Times in the Year."

C A P. III.

Respecting *Irishmen* residing in *England*.

All Persons born in *Ireland* shall depart out of the Realm of *England*.

ALSO, forasmuch as divers Manslaughters, Murders, Rapes, Robberies, and other Felonies, Riots, Conventicles, and Offences now late have been done in divers Counties of *England*, by People born in *Ireland*, repairing to the Town of *Oxford*, and there dwelling under the Jurisdiction of the University of *Oxford*, to the great Fear of all Manner of People dwelling thereabout, as by all the Commons of the same Realm assembled in this Parliament it was grievously complained; our said Lord the King, by the Assent aforesaid, and at the Request of the said Commons, hath ordained and established, that all People born in *Ireland* shall depart out of the Realm within the Month next after Proclamation made of this Ordinance, upon Pain to lose their Goods and to be imprisoned at the King's Will: Except Graduates in the Schools, and Men having Benefice of Holy Church in *England*, and Men of Law in *England*, and such as have Inheritance in *England*, and such as have Father and Mother being *English* People, religious Persons professed; Merchants, Burgesses, and other Inhabitants within Cities and Boroughs of good Fame, which can find Surety of their good-bearing; and Women married to *English* Men, and also *Irish* Men married to *English* Women, which be of good Fame;

Except Graduates in the University, beneficed Clergy, &c.

who shall find Surety. (See s. H. 6. c. 3.)

Fame; and that all such *Irish* People as have Benefices or Office in the Land of *Ireland* shall abide upon their Benefices and Offices there, upon Pain to lose and forfeit the Profits of their Benefices and Offices, for the Defence of the Land of *Ireland* aforesaid, according to the Ordinance made in the Time of King *Henry* the Fifth, the First Year of his Reign: And that the Graduates and beneficed Men shall find Surety of their good bearing; and that they take not upon them the Principality of any Hall or Hostel, but do remain among the *English* Scholars under the Principality of others. Moreover, that such Scholars of *Ireland* as be no Graduates, and be of the King's Obeisance, shall find Surety of their good bearing in Manner as the said Graduates shall do, in Form aforesaid. And that all the Scholars of *Ireland*, being now in *England*, who will dwell here, every of them on his own Behalf shall bring to the Chancellor of *England* for the Time being, before the Feast of St. *John* Baptist next coming, Letters under the Seal of the Lieutenant or [Justices'] of *Ireland*, testifying that they be of the King's Obeisance: and that of them which bring not such Letters betwixt this and the said Feast of St. *John* Baptist, it shall be done as of Rebels to our Lord the King. And that from and after the said Feast of St. *John*, no Persons born in *Ireland* shall enter the Realm of *England* to dwell in the said University of *Oxford*, or of *Cambridge*, or elsewhere within the Realm of *England*, unless he bring to the said Chancellor such Letters Testimonials, upon Pain to be punished as a Rebel to our Lord the King.

Irish shall reside on their Offices in *Ireland*, as required by Stat. 1 H. 5. c. 8.

Irishmen shall not be Principals of any Hall, &c.

Surety. (See 2 H. 6. c. 8.)

Irishmen shall bring Testimonials of their being of the King's Obeisance.

ITEM pur tant qe diverses homicides murders rapes roberies et autres felonies, riotes conventicles et malefaitz jatarde ount estez faitz, en diverses countees d'Engleterre, par gentz neez en *Irelande* reparantz a la ville de *Oxford*, et illoques demurrantz desoutz la jurisdiction del universite d'*Oxford*, a grand peur de tout manere pueple demurrant la environ, come par toute la Communalte du Roialme assemblez en cest parlement fuisit grevousment de ceo compleint en le mesme; le Roy del assent avaunidit et a la requeste de mesme la Communalte, ad ordeinez qe toutz gentz, neez en *Ireland*, soient voidez hors de Roialme dedeins le mois prochain apres le proclamation faite de ceste ordinance, sur peine de perdre leur biens et destre imprisonez a la voluntee du Roy; surprifez graduates en les escoles, et hommes aiantz benefices de Seint Eglise en Engleterre, et hommes de leye en Engleterre, et ceux qi sont enherites en Engleterre, et ceux qont pierre et miere Englois, religieuses profeslez, merchantz bourgeois et autres enhabitants deins citees et burghes de bone fame, queux purront trover seurte de leur bon port, et femmes maries as Englois, et auxi hommes Irrois mariez as femmes Englois qi sont de bone fame; et qe toutz ceux Irrois qont benefices ou office, en la terre d'*Ireland*, demurgent sur leur benefices et offices illoques sur peine de perdre et forfaire les profits de leur benefices et office, pur le defens de la terre d'*Ireland* avaundit, accordant al ordinance fait en temps du Roy *Henry* quint lan de son regne primer: Et qe les graduates et hommes benefices trovent seurtee de leur bone port, et qils ne preignent sur eux la principaltee d'aucune sale ou hostell, mes demurgent ils entre

autres escolers Englois desoutz la principaltee dautres. Et oultre ceo qe ceux Escolers d'Irland q' ne sont my graduates et sont del obeissance de Roy, trouvent seurte de lour bone porte en manere come les ditz graduates serrent en la fourme avaunt dite. Et qe toutz escolers d'Irland esteantz en Engleterre a present, q' vorront demurrer icy facent aposterer, chescun aparluy, au Chaunceller d'Engleterre par le temps esteant, devaunt le fest de Seint Johan le Baptiste prochein avenir, lettres dessoutz le seal de le lieutenant ou [Justice] d'Irland, tesmoignantz q'ils sont del obeissance du Roy: et qe de ceux q' n'apportent mie tieux lettre parentre cy et le dit fest de Seint Johan soit fait come des rebelles au Roy. Et de celle fest de Seint Johan enavaunt, nule persone neez en Irland entre le Roialme d'Engleterre, a demurrer en la dite universitee d'Oxford ou de Cantebriyg, ou ailleurs dedeinz le Roialme d'Engleterre, fil ne porte au dit Chaunceller autieux lettres tesmonialx sur peine estre puniz come rebell au Roy.

Justices, R.

C A P. IV.

For regulating the Mint and Coinage.

"THE Master of the Mint at the Tower of *London* may hold the King's Exchange in *London*, and shall send to the Mint to be coined all Gold and Silver which shall come to his Hands by Exchange, till the ensuing Parliament."

[See Stat. 2 H. 6. c. 12. and printed Rot. Parl. 2 H. 6. no. 11.]

C A P. V.

"An Allowance made to Captains and others retained to serve King *Henry V.* in his Wars, out of the Ransom of Prisoners, &c. Provision for the Redemption of the Jewels mortgaged by King *Henry V.*"

C A P. VI.

"For continuing Stat. 9 H. 5. c. 2. c. 9. concerning Exchanges, till the next Parliament."

ANNO secundo HENRICI VI.

*In the Parliament held at Westminster, October 20,
A.D. 1423.*

*From the Copy given by Hawkins, Cay, &c. as "Ex Rot,
in Turr. Lond. m. 12." compared with Pynson, &c.*

*The several Chapters of the Statute are founded on the following
Articles in printed Rot. Parl. iv. p. 197, &c.*

Chapter of Statute.					Number in Roll.
1,	—	—	—	—	43
2,	—	—	—	—	37
3,	—	—	—	—	38
4,	—	—	—	—	39, 40
5,	—	—	—	—	41
6,	—	—	—	—	42
7,	—	—	—	—	44
8,	—	—	—	—	47
9,	—	—	—	—	48
10,	—	—	—	—	52
11,	—	—	—	—	53
12,	—	—	—	—	55
13,	—	—	—	—	54
14,	—	—	—	—	58
15,	—	—	—	—	58

(1)

(2)

¹ On Petitions of the Merchants of the Staple. The others are on Petitions of the Commons.

² The Petitions in these Instances are in English; and in many Cases the Answers also.

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iv.

Page. No. } Abolitis delationis et detestionis d'ni de Talbot contra
198, 9, } comitem de Ormond.—A parliamentary Repeal of
Abolition of all Accusations, &c. by Lord Talbot,
the King's Lieutenant in Ireland, against James
Butler, Earl of Ormond, for treasonable Offences
there.

200, 14, Grant of a Subsidy, viz. for the Defence of the Realm,
Thirty-three Shillings and Four-pence per Sack of
English Merchants, and Forty-three Shillings and
Four-pence of Aliens, on Wool, &c. exported; and
also Tonnage of Three Shillings and Poundage of
Twelve-pence from Aliens for Two Years.

202, 16, Parliamentary Affirmance of an Indictment for Treason
against Sir John Mortymer, and Judgement
thereon.

Printed Rot. Parl. iv.

- Page. No. } For confirming certain Letters Patents to the Queen
202, 19, } Dowager concerning her Dowry, in Amendment of
those granted sub An. 1 H. 6. (nu. 40.)
- 206, 20, } Several Acts, making Provision for the Payment of
to the Debts, and Security of the Executors, of King
210, 26, } Henry IV. and King Henry V.
- 211, 27, } For confirming the King's Letters Patent as to the De-
liverance of James King of Scotland.
- 212, 28, } For confirming a Grant of King Henry IV. to Ed-
mund Earl of March, giving him Liberty to marry
as he pleased, in Consideration of Ten thousand
Marks.
- 213, 30, } For acquitting the Treasurer of England of certain
Goods, Chattels, Jewels, and Money delivered by
him, on Behalf of the King, to the Executors of King
Henry V. and for enrolling the Indentures containing
the particulars of such Goods, Jewels, &c.
- 242, 31, } For naturalizing the Duchesses of Gloucester and
32, } Bedford.
- 243, 33, } For confirming certain Grants of King Henry V. to the
Abbeys and Convent of Syon in Middlesex.
- 247, 34, } For exchanging certain French Prisoners against the Earl
of Huntingdon, to which latter Money was due
from King Henry V.
- 35, } For repealing certain Letters Patent granted 7 Hen. 5.
to the Prejudice of Joan then Queen Dowager of
England. (See sub An. 7 H. 5. nu. 13.)
- 249, 36, } For repealing Ten Shillings of the Alien Subsidy of
Fifty-three Shillings and Four pence on Wools, &c.
granted 1 H. 6. (nu. 19.)
- 254, 46, } For compelling Surety of the Peace from John Lord
Talbot and others for certain Offences and Op-
pressions in the Hundred of Wormlow in the County
of Hereford.
- 258, 57, } For granting a Commission for the Preservation of the
River Lea.

[P. and all Edi-
tions previous to
Hawkins omit
this Writ.]

[HENRICUS Dei gratia Rex Anglie et Francie et Dominus Hi-
bernæ vicecomiti Middlesexie salutem. Quedam statuta et ordinationes
in ultimo parlamento nostro edita tibi mittimus in forma patenti; man-
dantes quod statuta et ordinationes illa in locis infra ballivam tuam ubi
magis expediens fuerit publice ex parte nostra proclamari et ea quantum
in te est firmiter observari facias juxta tenorem eorundem.

T. meipso apud Westm^o primo die Julii anno regni nostri secundo.]

AT the Parliament holden at Westm^ons^{ter} the Twentieth Day of
October, in the Second Year of the Reign of King Henry the
Sixth after the Conquest, by the Advice and Assent of the Lords
Spiritual and Temporal, and at the special Instance and Request
of

of the Commons of *England*, being in the same Parliament, certain Ordinances, Declarations, and Statutes were made and established to the Honour of God, and for the Weal of the King and of his Realm, in Form following.

AU parlement tenuz a Westm' le xx^{me} jour d'Octobr' lan du regne del Roy Henry le sisme puis le conquest, second, par avys et assent des seignurs espirituelx et temporelx, et a les especiales instances et request des communes d'Engleterre, en mesme le parlement esteantz, certeinz ordinañces declarations et estatutz furent faitz et establiez al honneur de Dieu, et pur le bien du Roy et de son dit roialme, en la forme ensuivant.

C A P. I.

Confirmation of Liberties.

FIRST, That Holy Church, and all the Lords Spiritual and Temporal, and all other the King's People, having Liberties and Franchises, and also all the Cities and Boroughs, shall have and enjoy all their Liberties and Franchises, well used, and not repealed, nor by the Common Law repealeable.

[**E**T primes¹] qe Seinte Eglise, et toutz les seignurs spirituelx et temporelx, et toutz les autres lieges du Roy, aiantz libertees et franchises, et auxi toutz les citees et burghs, aient et enjoient toutz lour libertees et franchises, bien usez et niens repelez, ne par la commune ley repellablez.

¹ primerement, P.

C A P. II.

A Remedy for the Hospital of *St. Leonard* in *York*, to recover a Throve of Corn due to them, &c.

ALSO, whereas the Hospital of *St. Leonard* of *York*, which is of the Foundation of the noble Progenitors of our said Lord the King, late Kings of *England*, and of his Patronage, in the First Foundation of the same, was endowed, by the said Progenitors of the King, of a Throve of Corn, to be taken yearly of every Plough earing within the Counties of *York*, *Cumberland*, *Westmorland*, and *Lancaster*, within the Province of *York*; of which Thraves the Master and Brethren of the said Hospital, and their Predecessors have been seised, from Time whereof runneth no Memory, as Parcel of the First Foundation of the said Hospital, and the same they have levied and gathered at the Feast of *St. Martin* in Winter every Year, till now late that divers People of the said Counties, within the Province aforesaid, have withholden the same Thraves, whereof the said Master and Brethren have no sufficient nor coverable Remedy at the Common Law, to the great Damage of the said Hospital, and open Subtraction of the Sustenance of the said Master and Brethren, if Remedy be not for them provided, as Complaint was thereof made in the said Parliament: The King considering the Premises, with the Assent and at the Request aforesaid, hath ordained and established, That the said Master and Brethren, and their Successors for the Time being, may levy, gather, and take the said Thraves within the Province aforesaid, in the

The Hospital of *St. Leonard* in *York* was endowed of a Throve of Corn of every Plough ploughing within the Counties of *York*, *Cumberland*, *Westmorland*, and *Lancaster*, in the Province of *York*.

A Remedy given to the Master, &c. of the said

Hospital to
recover the
said Duties.

the Places where they ought of Right, and were wont, after the Custom and Usage had in the same Places heretofore. And also that the said Master and his Successors for the Time being, shall from Time to Time have Actions by Writs or Plaints of Debt or Detinue at their Pleasure, against all them and every of them who detain the same Thaves so of Right due to the said Hospital, or any Part of them, to recover the said Thaves against them, and every of them, with their Damages in this Behalf.

Proviso for
Persons having
compounded
with the Master
and Brethren.

II. Provided always, That the Parties with whom the said Master and Brethren, or their Predecessors, have agreed for such Thaves by Compositions made and sealed betwixt them, shall be charged for no more than is comprised in such Compositions, for the Possessions which the said Parties had at the Time of the making of the Compositions aforesaid.

ITEM come hospitall de saint Leonard d'Everwyk, qi est de la fundacion de les nobles progenitours nostre dit Seigneur le Roy jadis Roys d'Engleterre, et de son patronage en la premiere fundacion dicell, estoit endowe par les ditz progenitours du Roy dun thrave des blees, a prendre annuellement de chefcun charue arant deinz les countees d'Everwyk Cumberland Westmerl' et Lancastre, deinz la province d'Everwyk; des quels thraves les maistre et freres du dit hospitall et leur predecesseurs ont este seizez, du temps dount memorie ne court, come parcell de la primer fundacion du dit hospitall, et icelles ont pris levz et coillez al fest de saint Martya en yver, chefcun an; tanqe ore tarde que diverses gentz dez ditz countees, deinz la province suisdite, mesmes les thraves ont detenuz dount les ditz maistre et freres nount remedie suffisceant ne covenable a la commune ley, a graunt anientissement du dit hospitall, et overt subtraction del sustenance des ditz maistre et freres, si leur ne soit purveu de remedie, come de ceo fuit compleint en le dit parlement: Le Roy, considere les premisses del assent et request avaunt ditz ad ordeinez et establiez qe les ditz maistre et freres, et leur successeurs pur le temps esteantz, puissent lever coiller et prendre les ditz thraves deinz la province suisdite, en les lieux ou il devient de droit, et soloient solonc la custume et usage en mesmes les lieux eux pardevant. Et auxi qe mesme le maistre, et ses successeurs pur le temps esteantz, aient de temps en temps action par brieves ou pleintz de dette ou de detenu, a leur plesir, envers toutz ceux et chefcun de eux qi mesmes les thraves, ensi de droit au dit hospitall duez, detiegnent, ou ascun partie dicell, pur recoverer devers eux et chefcun deux les ditz thraves avec leur damages en cell partie.

II. Purveu toutz soit qe les parties avec queux les ditz maistre et freres, ou leur predecesseurs, sont accordez par tiels thraves par compositions, entre eux faitz et enlealez, ne soient chargez de plus qe nest compris en mesmes les compositions, pur les possessions qe les ditz parties avoient al temps del sefance des compositions avaunt ditz.

C A P. III.

* *John Duke of Bedford, being in the King's Service in France, allowed to appear by Attorney in all Suits.*

CAR.

C A P. IV.

Concerning the Staple at Calais.

“THE Ordinance 1 H. 4. [printed Rot. Parl. nu. 87.] and the
 “ Statute 2 H. 5. ft. 2. c. 6. recited and confirmed.—No Staple
 “ Commodities shall be exported from *England, Wales, or Ireland,*
 “ except to *Calais*, on Forfeiture of the Value, except as is ex-
 “ cepted in the recited Ordinance and Statute. No Licence shall
 “ be granted in future to the contrary, except for the Wools,
 “ Woolfells, and Leather of *Northumberland, Westmorland, Cum-*
 “ *berland*, and the Bishoprick of *Durham*; saving the King’s Pre-
 “ rogative. If, under Colour of such Licence, Wools of the
 “ Growth of *Yorkshire, &c.* shall be exported, they shall be for-
 “ feited.—Till the next Parliament no Licence shall be granted
 “ to export the Right Wools of *Hampshire, Kent, Sussex, and York,*
 “ except to *Calais*.”

C A P. V.

For regulating the Exportation of Wools.

“AFTER reciting, that a new Place of Shipping had been
 “ found at the Peel of *Foddray in Lancashire*, from which
 “ Peel, and other Creeks in the Kingdom, Wool was exported
 “ to *Ernemuth in Zealand*, and other Places beyond Sea, without
 “ Custom or Subsidy paid; and that Merchants came to *Dublin*,
 “ and there took their Cockets, and there paid for each Stone
 “ of Wool Two-pence only, (see Stat. 27 E. 3. ft. 2. c. 18.) to
 “ the great Deceit of the King: It is enacted, that whoever
 “ shall export Wools or Woolfells uncustomed, except to *Calais*,
 “ shall forfeit the Value of the Wools, &c. and be imprisoned till
 “ he hath made Fine and Ransom.”

C A P. VI.

For regulating the Exportation of Gold and Silver.

“ALSO, whereas by King *Henry the Fifth*, Father to our Lord
 “ the King that now is, it was ordained, That a Mint of
 “ Gold and Silver should be holden within the Town of *Calais*,
 “ whereby great Substance of Money of Gold and Silver hath
 “ been brought into the Realm, which Money by divers Persons
 “ hath been and is daily carried out of the same to *Burdeaux, Flan-*
 “ *ders*, and other Places, against the Statute in old Times made and
 “ provided in this Behalf, as hath been grievously complained in this
 “ Parliament; it is ordained and assented, That the same Statute
 “ be holden and kept, and put in due Execution: And more-
 “ over it is ordained and established, That no Gold nor Silver shall
 “ be carried out of the Realm contrary to the said Statute, unless
 “ it be for Payment of Wars, and the King’s Soldiers beyond the
 “ Sea, upon Pain of Forfeiture of the Value of the Sum of Money
 “ which shall be so carried out of the Realm, to be levied of him
 “ that shall bring, carry, or send it out, and that he which espieth
 “ the same, and thereof shall give Notice to the Council, or to the
 “ Treasurer of *England*, shall have the Fourth Part of the Forfeit-
 “ ure so due to the King: Except the Ransoms for Fines of

See Stat.
9 H. 5. ft. 2. c. 6.

A former Statute
(See 5 R. 2. ft. 1.
c. 2.) against
Exportation
of Money
confirmed,
and enlarged.
Reward to
Informers.

Exceptions;
Ransom of
Prisoners, &c.

Merchants
Aliens shall be
bound not to
export Gold
or Silver.

English Prisoners taken and to be taken beyond the Sea, and the Money that the Soldiers shall carry with them for their reasonable Expences, and also for Horses, Oxen, Sheep, and other Things bought in *Scotland*, to be sent and carried to the Parts adjoining; so that the Money to be sent for the Fines of the said Prisoners, or to be carried by the said Soldiers to Parts beyond the Sea, be not done without the King's special Licence.

And because it is supposed that the Money and Gold of the Realm is carried out of the same by Merchants Aliens, it is ordained and established, That the Merchants Aliens shall find Surety in the Chancery, every Company for them of their Company, that none of them shall carry out of the Realm any Gold or Silver against the Form of the said Statute, upon Pain of Forfeiture of the same Gold or Silver, or the Value of the same; and if any of them do the contrary, and that duly proved, and he so doing be gone over the Sea, then the Pledges of his Company shall pay to the King the Forfeiture aforesaid; whereof he that shall espy it, and thereof give Notice to the Treasurer, or to the King's Council, shall have the Fourth Part as is aforesaid.

ITEM come, par le Roy Henry le quint pier a nostre Seigneur le Roy qoreist, estoit ordeignez qe un mynt dor et dargent serroit tenuz dedeins sa ville de Caleys, par la quell graunde substaunce de monoie dor et dargent ad esse apportez deinz le roialme, la quelle monoie par diverses personnes ad esse, et est de jour en autre, asportez hors dicell a Burdeaux et Flaunders et aillours, encontre lestatut fait et purveux celle partie dauncienç temps, come de ceo ad esse grevousempt compleint en cest parlement, Ordinez est et assentuz qe mesme lestatut soit tenuz et gardez et mys en due execution. Et en outre ordinez est et establiez qe null or ou argent soit asportez hors du roialme, au contrarie du dit estatut, sil ne soit pur paiement des guerres et soudiours du Roy de pardela, sur painç de forfaiture de la value de la somme del monoie qensi soit apportez hors de roialme, destre levee de celuy qi la mesnere asportera ou enoiera hors dicell, et qe celluy qi lespiera et serra ent notice au conseil, ou au tresorer dEngleterre, avera la quart partie de la forfaiture ensy duez au Roy: forspris les ranceons pur finaunce des prisoners Englois prisez et apprendes de pardela, et la monoie qe les soudours emporteront avec eux pur lour resonables costages, et auxi pur chivalx boefz berbeis et autres choses acchatez en Escoce, apporterez ou amesnerez as parties adjoiningz; insint qe la monoie a enoier pur finance des ditz prisoners, ou a emporter par les ditz soudours as parties de pardela ne soit fait sanz especiale licence du Roy.

Et pur ceo qil supposez qe la monoie et lor du roialme est asportez hors dicell par merchauntz aliens, ordeinez est et establiez qe les merchantz aliens trovnt seurtee en la Chauncerie, chescune compaignie pur ceux de sa compaignie, qe null deux nameinera hors du roialme null or nargent contre la forme du dit estatut sur la peine de forfaiture dicell or ou argent ou de la value dicell; et si ascun de eux face la contraire, et ceo duement provez, et celuy ensy sescunt soit alez outre le meer, adonques les plegges de [la] compaignie paieront au Roy la forfaiture suisdite; dont celly qi

la, Rot. Parl. P.

lavera

lavera espiez et le done a conuistre au tresorer ou a conseil du Roy, avera la quart partie come deluis.

C A P. VII.

For regulating Cordwayners and Tanners.

“**C**ORDWAINERS shall not use the Trade of Tanning, on Penalty of Six Shillings and Eight pence for every Hide tanned by them. A like Penalty on every Hide defectively tanned by Tanners.”

[*Repealed Stat. 5 Eliz. c. 8.; 1 Jac. 1. c. 22. § 58.*]

C A P. VIII.

For amending Stat. 1 H. 6. c. 3. respecting *Irishmen* residing in *England*.

“**T**HE enacting Part of the Statute 1 H. 6. c. 3. recited at length.—The Chancellors of the Universities of *Oxford* and *Cambridge* shall take the Securities required by that Statute from Scholars in the said Universities, and certify them into Chancery. In other Places Justices of Peace, Mayors, Bailiffs, &c. shall take such Security.”

C A P. IX.

For suppressing the Money called *Blanks*.

“THE Penalties of Stat. 3 H. 5. §. 1. c. 1. are applied to this Money called *blanks*.”

[*In this Place Three Articles were inserted by Hawkins and subsequent Editors, as from the Tower Roll, in French, of which no Notice is taken in any previous Edition or Translation.*]

1. For regulating the Embroiderers of *London*.

[*See printed Rot. Parl. of this Year, nu. 49, in English.*]

2. Concerning Outlawries against Persons abroad in the King's Service.

[*See printed Rot. Parl. nu. 50. in French.*]

3. For removing Weirs, &c. in the *Thames*.

[*See printed Rot. Parl. nu. 51. in French.*]

[*These were all temporary, and to continue only till the ensuing Parliament.*]

C A P. X.

For regulating the Appointment of inferior Officers in the King's Courts.

ALSO, to the Intent that better and more sure Government be had within the Courts of our Lord the King, for his Profit, and Ease of his People, which have to pursue and to do in the same; it is ordained and established, That all the Officers made by Letters

Patent Officers
shall be charged
and sworn to
appoint
sufficient Clerks
and Officers.

Letters Patents Royal within the said Courts, who have Power and Authority, by virtue of their Office of old Times accustomed, to appoint Clerks and Officers within the same Courts, shall be charged and sworn to appoint such Clerks and Officers, for whom they will answer at their Peril, who shall be sufficient, faithful, and attending to that which pertaineth to them in Performaunce of the Busines, as well of the King as of his People.

ITEM al entent qe le plus bone et seure governaunce soit euz, dedeins les courtes nostre Seignur le Roy, a son profit et al ease de son poeple qont a persuer et affaire en yeelles: Ordeinez est et establiz qe toutz les officers, faitz par lettres patantz roialx deins les diis courtes, qont poiar et auctorite, par vertue de leur office dauncien temps accoustumes, de faire clerks et ministres deins mesmes les courtz, soient chargez et jurrez de faire tielx clerks et ministres pur quels ils voillent respoindre a leur perill, qe soient suffiscaantz soialx et entendantz a ceo qe a eux appartient, au esloit sibien de les boisoignes du Roy come de son poeple.

C A P. XI.

The severall Measures of Vessels of Wine; Eels, Herrings, and Salmon.

ALSO, whereas in old Time it was ordained and lawfully used, That Tuns, Pipes, Tertians, Hogsheads of *Gascoign* Wine, Barrels of Herring and of Eels; and Butts of Salmon, coming by Way of Merchandise into this Land out of Strange Countries, and also made in the same Land, should be of certain Measure; that is to say, the Tun of Wine Two hundred and fifty-two Gallons; the Pipe, One hundred and twenty-six Gallons; the Tertian, Eighty-four Gallons; the Hoghead, Sixty-three Gallons; the Barrel of Herring and of Eels, Thirty Gallons, fully packed; the Butt of Salmon, Eighty-four Gallons, fully packed; nevertheless, by Device and Subtilty; now late such Vessels have been made of much less Measure, to the great Deceit and Loss of the King and of his People, whereof special Remedy was prayed in the Parliament: It is ordained and established, That no Man, after the End of Twelve Months next following the Feast of *Easter* next coming, shall bring into the Realm of *England*, from what Country soever it be, nor shall make within the same Realm, a Tun of Wine, except it contain of *English* Measure Two hundred and fifty-two Gallons; the Pipe, One hundred and twenty-six Gallons; and so in Proportion the Tertian and the Hoghead of *Gascoign* Wine, upon Pain of Forfeiture of the same Wine: Nor any Barrel of Herring, nor of Eels, unless they contain Thirty Gallons, fully packed; nor Butt of Salmon, unless it contain Eighty-four Gallons, fully packed; nor Kinderkins, Tertians, and Firkins of Herring, nor of Eels, nor of Salmon, but in Proportion, fully packed, after the Feast of the Nativity of *St. John* the Baptist next coming, upon Pain of Forfeiture of the Herring, Eels, and Salmon aforesaid; so brought or made contrary to this Ordinance, in any City, Borough, and Town of the Realm, or in any Part of *England*, where such Defaults be found, to the Lord of the same Town; and that he who will sue and prove the said Defaults, shall have the

Ancient
Contents of the
Tun, &c. of
Wine; Barrel of
Herring, and
Butt of Salmon.

No Tun,
Barrels, &c.
shall be made of
less Content, on
Pain of
Forfeiture.
[See also, as to
Wine and Oil,
1 Ric. 3. c. 13.]

Justices of
Peace may levy
Forfeitures.

the Fourth Part of the same Forfeiture. And that the Justices of Peace in all the Counties of *England*, and Mayors and Bailiffs, having Power to inquire of the Peace, shall inquire and determine all such Defaults. And that this Ordinance extend and be in force, as well within the County of *Chester*, as elsewhere.

ITEM combien q'en auncien temps fuist ordeinez, et loialment usez, qe toneux pipes terciens hoggeshede de vyn de Gascoigne, barelles de harank et dangouilles, et buttes de samon, veignant par voie de merchandise en cest terre hors des estraunges pais, et auxi faitz en mesme la terre, serroient de certain mesure; cestassavoir le tonell de vyn de xij-xx et xii galons; le pipe de vi-xx et vi galons; la terciens de iiij-xx et iii galons; le hoggeshede de lxiii galons; le barell de harank et dangouilles de xxx galons pleinement pakkez; le butte de samon de iiij-xx et iii galons pleinement pakkez; nientlemains par ymagination et subtilite ontnt jatarde estee faitz tieux vessieux de plus petite mesure, a grande perde et desceit au Roy et de son poeple, dount en ceste parlement fuist priez especialment de remedie: Si est ordeinez et establiez qe null homme, apres le syn de xii moys le fest de Pasque prochein avenir procheinement ensuantz, apporte en le royaume d'Engleterre de quel pais qe ceo soit, ne face deins mesme le royaume tonell de vyn sil ne conteigne del mesure d'Engleterre xij-xx et xii galons; le pipe vi-xx, vi galons; et ensy solonc lassaraunt le terciens et le hoggeshede de vyn de Gascoigne, sur peine de forfaiture de mesme le vyn: Ne barell de harank ne dangouilles sils ne conteignent xxx galons pleinement pakkez; ne butte de salmon sil ne conteigne iiij xx et iiij galons pleinement pakkez; ne kynderkyns terciens et ferdekyns de harank ne dangouilles ne de samon forsqe solonc lassaraunt pleinement pakkez, puis le fest de Nativitee de Seint Johan le Baptistre prochein avenir, sur peyne de forfaiture de les harank angouilles et samon avauntduiz, ensy apportez ou faitz au contrarie de cest ordinaunce, en quell citee burgh et ville du royaume, ou en aucune partie d'Engleterre, qe tieux defautez soient trevez, au Seigneur de mesme la ville; et qe celluy qi voet s'uer et prover les diuz defautz avera la quart partie de mesme la forfaiture. Et qe les justices du p'ees en toutz les countes d'Engleterre, mayors et baillifs aians poair denquerer de peax, enquergeroient et terminent toutz iceux defautz. Et qe cest ordeighaunce soit esteue et est force s'ibien dedeins le countee de Cestre come aillours.

C A P. XII.

The Office and Duty of the King's Assayer, Controullour, and Master of the Mint.

ALSO, to the Intent that the more Bullion may be brought to the Mint, and the greater Plenty of White Money be made and current within the Realm, for the Ease and Profit of the Communakty of the same, it is ordained and established, That the Master of the Mint shall keep his Allay in the making of White Money according to the Form of his Indenture; and that the said Master do receive of every Person, that shall bring any Silver to the Mint, the said Silver at the true Value as it is worth according to the same Allay, upon Pain to pay to the Party his double Damages.

The Master of the Mint shall keep his Allay in making of White Money.

Receiving Bullion.

The Office and
Duty of the
King's Assayer
and Controller
of the Mint.

Images. And also to the Intent that this Ordinance may the better and more justly be observed, it is ordained, That the King's Assayer, who is a Person indifferent betwixt the Master of the Mint and the Merchant; and also the Controller of the Mint, shall be present when any such Silver Bullion is brought to the Mint, to the Intent that the said Assayer may rightfully set the Value of the same according to the Allay, in case of Variance betwixt the Master and the Merchant; and that the Controller may controul as well the Silver that is brought to the said Mint, as carried out of the same; each of them sworn faithfully and indifferently to do their Duty, without taking any Reward other than the Fee which they shall take of the King, upon Pain to yield double Damages, as afore is said: And that such Assayer and Controller be credible, substantial, and expert Men, having perfect Knowledge in the Mystery of Goldsmiths, and of the Mint. And also that neither the Master of the Mint; nor the Exchanger for the Time being, sell, nor cause to be sold, nor aliene to any other Use but to the Coin, any Manner of Gold nor of Silver wrought or unwrought, coined or not coined, or Bullion, which is brought to the Mint; or to the Exchange, but shall apply the same only to the Money, according to the Form of the Indenture aforesaid, upon the Pain contained in the same Indenture.

The Master of
the Mint shall
convert into
Coin all the
Gold and Silver
which he shall
receive.

What Coins
shall be coined
by the Master
of the Mint.

And that the said Master of the Mint do cause to be stricken, from Time to Time, Half-Nobles, Farthings of Gold, Groats, Half-groats, Pence, Half-pence, and Farthings, for the Ease of the People, according to the Tenor of the said Indenture made betwixt the King and him, upon the Pain contained in the same, so that the common People may have Recourse to the Exchange for small Gold and White Money, as they reasonably shall need.

ITEM a l'entent qe le plus greindre bullion puisse estre apporte a le mynte, et le greindre plente de blank money estre faitz et eurrant deinz le roialme, pur le aise et profit du communalte dicelle; ordeinez est et establiz, qe le maistre del mynt garde son allaie en la fescance de la blank monoie solonc la forme de sa indenture; et qe mesme le meistre reseive de chescun homme, qi portera ascun argent a la mynt, mesme l'argent a la vervoie value come il vault solonc mesme l'allaie; sur peine de paier le double damage a la partie. Et auxi al entent qe cest ordeignance puisse le meulx et plus ioustement estre gardez, ordeinez est qe l'assaiour du Roy, qi est persone indifferent parentre le maistre del mynt et le merchant, et auxi le controllour del mynt, soient presentez quant ascun tiele bullion d'argent soit porte a le mynte, a l'entent qe le dit assaiour puis droitement mettre le value dicell solonc l'allaie, en cas del variaunce parentre le maistre et le merchant; et le countroullour a countrouller, sibien l'argent qest apportez en la dit mynt come apportes hors dicell; chescun deux jurrez de faire soialment et endefferement leur devoir, sanz ascun regarde prendre autre qe le fee qils preignent du Roy, sur la peine de paier double damage come dessus: Et qe ceux assaiour et countroullour soientz vaillaintz crediblez et expertz persones aiantz notoir science en le mistier dorfeour et de mynt. Et auxi qe le maistre del mynt, ne le chaungeour pur le temps esteant, vende ne face vendre ne aliene a null autre oeps, forsque a le coigne, null maner dor.

dor ne dargent. aurees ou nient ovres, coignee ou nient coignes, ou bullion, qest portez a la mynt ou a leschaunge, mes icell applie tantfoulment a le monoie, solonc la forme de lendenture avantdite sur la peine contenuz en mesme lendenture.

Et qe mesme le maistre del mynt face serire, de temps en temps, demy nobles, serlynges dor, grosses, demy grosses, deniers males et serlynges. pur le aise du poeple solonc le tenour del dite endenture fait parensre le Roy et luy, sur la peine contenuz en ycell, issint qe le commune poeple puis avoir recours a leschaunge par petit or et blanke monoie come ils resonablement besoigneront.

C A P. XIII.

The Price of a Pound of Silver;

[Repealed Stat.
21 Jac. I. c. 28.
§ 11.]

ALSO, forasmuch as there is great Scarcity of White Money within the Realm, because that Silver is bought and sold uncoined, at the Price of Thirty-two Shillings the Pound of Troy, whereas the same Pound is no more of Value at the Coin than Thirty-two Shillings (¹) (abating for the Coinage Twelve-pence); it is ordained and established, for the Increase of the said White Money, That no Man, of what Estate or Condition soever he be within the Realm, shall buy or sell any Silver in Plate, broken nor in masse, being as good of Alloy as the Sterling, above Thirty Shillings the Pound of Troy, over the Fashion, upon the Pain of Forfeiture of the double Value of as much as he buyeth or selleth contrary to this Ordinance; and that the one half be forfeited to the King's Use, and the other Half to the Use of him that will sue and prove the same Forfeiture. Provided always, that they which go to the Coin, may have and take of the Master of the same Coin, according as is lawfully contained in the Indentures thereof made betwixt the King and the said Master. And also that the Master of the said Mint for the Time being, may take and deliver as is contained in the said Indentures, without taking more, for the Ease and Profit of the common People.

Goldsmiths shall
not sell Silver
for above 30 s.
per lb. Troy,
besides the
Fashion.

Saving as to
Coinage, &c.

¹ "the said Pound of Troy ykoynd."—printed Rot. Parh

ITEM pur ceo qe grande escarcite de blank monoie est dedeinz le roialme a cause qe argent est achatuz et venduz nient coignuez a la price de xxxij s. la li' du troie, la ou mesme le li' nest pluis de value a le coigne qe xxxij. s. abatuz pur le cunage xij d. Ordeinez est et establiz, pur lencrece de la dit blank monoie, qe null homme de quell estate ou condition qil soit deinz le dit roialme, nachate ne vende null argent en plate depeffe ne en masse, esteant si bone dallaie come le sterling, outre xxx s. le livre du troie, outre la facion, sur le peine de forfaiture de le double value dantant come il achate ou vende en contraire de ceste ordonnance; et qe lune moite soit forfait al oeps du Roy et lautre moite al oeps de celui qe voet suer et prover mesme la forfaiture. Purveux toutz soit qe ceux qi alent a le coigne, puissent avoir et prendre del maistre de mesme le coigne, solonc ceo qe est loialment contenuz en les endentures parensre le Roy et le dit maistre ent faitz. Et auxi le maistre de la mynt susdit pur le temps esteant puis prendre et deliverer, sicome il est contenu en

les ditz endentures, sanz plus prendre, pur laise et profit de la commune poeple.

[See also Stat.
17 E. 4. c. 1.
and Notes there.]

None shall sell any Work of Silver, unless it be as fine as the Sterling; nor until it be touched, and marked with the Goldsmith's Mark.

§ See c. 13.

The Penalty on the Keeper of the Touch, who toucheth any Vessel not sufficient in Alloy.

Several Cities and Towns shall have several Touches.

In Places where no Touch is ordained, the Goldsmith shall put his Mark.

Justices of the Peace, Mayors, &c. may inquire of, hear, and determine the Offences aforesaid; except as to the Master of the Mint.

C A P. XIV.

For regulating and ascertaining the Fineness of Silver Work.

ALSO, That no Goldsmith, nor Worker of Silver within the City of *London*, sell any Workmanship of Silver, unless it be as fine as the Sterling, except such as needeth Souder in the making, which shall be allowed according as the Souder is necessary to be wrought in the same. And that no Goldsmith nor Jeweller, nor any other that worketh Harness of Silver, shall set any of the same to sell within the said City, before that it be touched with the Touch [of the Leopard's Head, if it may reasonably bear the same Touch¹] and also with the Mark or Sign of the Maker thereof, upon Pain of Forfeiture of the double, as afore is said²; and that the Mark or Sign of every Goldsmith be known to the Wardens of the same Craft. And if it may be found, that the said Keeper of the Touch aforesaid do touch any such Harness with the Leopard's Head, except it be as fine in Alloy as the Sterling, that then the said Keeper of the Touch for every Thing so proved not as good in Alloy as the said Sterling, shall forfeit the double Value to the King and to the Party, as is above recited.

And also it is in like Manner ordained in the City of *York*, *Newcastle-upon-Tyne*, *Lincoln*, *Norwich*, *Bristol*, *Salisbury*, and *Coventry*, that every one shall have divers Touches, according to the Ordinance of the Mayors, Bailiffs, or Governors of the same Towns; and that no Goldsmith, nor other Workers of Silver, nor Keeper of the said Touches within those Towns, shall set to Sale, nor touch any Silver in other Manner than is before ordained within the City of *London*, upon Pain of the said Forfeiture.

And moreover that no Goldsmith, or other Worker of Silver within the Realm of *England*, where no Touch is ordained as afore is said, shall work any Silver, except it be as fine in Alloy as the Sterling; and that the Goldsmith or Worker of the same Silver shall put upon the same his Mark or Sign before he set it to Sale; and if it be found, that it is not as fine as the Sterling, that then the Worker of the same shall forfeit the double Value, in Manner and Form as before is recited within the City of *London*. And the Justices of Peace, Mayors, and Bailiffs, and all other having Power as Justices of Peace, shall hear, inquire, and determine, by Bill, Complaint, or in other Manner, of all that do contrary to the said Ordinances, and thereof shall make due Execution by their Discretions. Provided always, That if the Master of the Mint, which now is, or which for the Time shall be, do offend, or have offended in his Office of the said Mint, that then he be punished and justified according to the Form of the said Indentures.

¹ P. and old Translations omit,

ITEM qe null orfeour ne overour dargent, deinz la Citee de Loundres, vende null overaigne dargent sil ne soit auxi syne come le sterlyng, forspris ceo qe besoigne soudure en la sescance,
le

le. quell soit alowe solonc ceo qe la soudour soit necessaire pur estre overee en ycell. Et qe null orfeour ne joellour, nautre homme qe oeperer barneis dargent, mette null dicell a vendre deinz la dite citee devant epo qe soit touchee ove le touche [del test de libarde, ceo qe puisse resonablement porter mesme le touche, ¹] et auxi ove un marque ou signe del overour dicell, sur peine de la forfaiture de la double come desuis est dit, et qe le marque ou signe de chescun orfeour soit conuz a les gardeins de mesme le maister. Et sil poet estre trove qe le dit gardein de la touche fuisdite touche ascun del hernoys ovek le test del libard, sil ne soit auxi syne en allaie come lesterlyng, qe adonques le dit gardein de le touche, pur chescune chole ensy prove nient si bon en alaye come le dit lesterlyng, forface la double value au Roy et a la partie come il est icy desuis reci e.

Et auxi semblablement est ordeine en la cite d'Everwyk Novell Chastell sur Tyne Lincoln Norwice Bristowe Salebury et Coventre, qe chescun ait diverses touches, solonc lordinance des mairs baillifs ou governours de mesmes les villes; et qe null orfeour, nautres overours dargent, ne gardeyn des ditz touches dedeins ycelles villes, mette a vente ne touche null argent en autre manere qe nest ordeine pardevant deinz la Citee de Loundres sur peine del forfaiture avantdit.

Et enoutre qe null orfeour nautre overour dargent dedeinz le Roialme d'Engleterre ou null touche est ordine come desuis est dit, overee null argent sil ne soit auxi syn en alaie come lesterlyng; et qe lorfeour, ou loverour dicell argent, mette sur ycell son marque ou signe devant ceo qe le mette a la vent; et sil soit trove qe ne soit auxi fine come lesterlyng qadonq le overour dicell forface le double value en manere et forme come il est devant recitez deinz le Citee de Loundrez. Et qe les justices de la pees mairs et baillifs, et toutz autres aiantz poair come justices de pees, eient enquerger et determinent par bille pleint ou en autre manere, de toutz ceux qi facent le contrair de mesmes les ordinaances, et ent facent due execution solonc leur discretions. Purveux toutz soitz qe si le maistre del mynt qore est ou quy pur le temps serra, offense ou ad offenduz en son office du dit mynte, qadonqz soit il correcte et justifie solonc la forme de les endentures avauntditz.

^a P. and old Translations omit.

[In this Place an Article was inserted by Hawkins and subsequent Editors in French as from the Tower Roll, of which no Notice is taken in any previous Edition or Translation. After reciting the Statute 2 H. 5. c. 4. respecting Servants and Labourers, Justices of Peace were empowered to proceed against the Masters as well as the Servants, and also to regulate Artificers, Vintners, &c. To continue only till the ensuing Parliament. See printed Rot. Parl. of this Year, nu. 56. in English.]

C A P. XV.

No Man shall fasten Nets to any Thing over Rivers.

ALSO it is ordained and established, That the standing of Nets and Engines called *Trinks*, and of all other Manner of Nets, (which be and were wont to be fastened and hanged continually

Penalty of
fastening Trinks
or Nets across
any River, 1000.

Owners of
Trinks may
fish with them
by Hand.

Day and Night, for a certain Time of the Year, to great Posts, Boats, and Anchors, overthwart the River of Thames, and other Rivers of the Realm, which Standing is a Cause of as great and more Destruction of the Good and Fry of Fish, and Disturbance of the common Passage of Vessels, as be the Weers, Kydels, or any other Engines) shall be wholly prohibited for ever; and that every Person who letteth or fasteneth them hereafter to such Posts, Boats, and Anchors, or like Thing, continually to stand as afore is said, and be duly thereof by the Course of the Law convict, shall forfeit to the King One hundred Shillings at every Time that he is so proved in Default. Provided always, That it shall be lawful to the Possessors of the said Trinks, if they be of Affize, to fish with them in all seasonable Times, drawing and pulling them by Hand, as other Fishers do with other Nets, and not fastening or tacking the said Nets to Posts, Boats, and Anchors, continually to stand as afore is said; Saving always to every of the King's liege People their Right, Title, and Inheritance in their Fishings in the said Water.

IT^{EM} ordenez et establis, qe le station des reis et engins, appelez trynkes et de toutes autres maneres de reis qe sont et solent estre fichez et attachez continuellement, de noct et jour par certain temps del an, as grauntz postes batels et anches au travers la riviere de Thamise et autres rivières du Roialme, quele station est cause et occasion del auxi grand et plus destruction del brode et frie de poisson, et destourbance del commune passage del vessels, come sont les weers kydels ou nulles autres engins, soit tout outrement defenduz pur tout temps avenir; et qe chescun qe les mette ou fiche desorenavant as tiels postes batels et anches ou chose semblable, pur continuellement estoiser come dit est, et est soit durement et par cours de ley convict, serface au Roy Ca. a chescun temps qil est ensi provee en default. Purvieu toutfoiz qe bien life as possesseurs des ditz trynkes, ils soient deffise, peschier avec eux en tout temps saisonable, les entrainantz et conversantz par main come autres pescheours font ove autres reis, et non fichantz et attachantz les ditz reys as postes batels et anches pur continuellement estoiser come dit est: Salvant toutfoiz a chescun liege du Roy leur droit titre et enheritance en leur pescheries en la ewe avaunt dit.

[Two Articles were in this Place inserted by Hawkins and subsequent Editors as from the Tower Roll, in French, not noticed in any previous Edition or Translation. By Cay, &c. they were numbered as Caps. XVI. and XVII. of this Year. The first was, for explaining Cap. 4. of Stat. Westm. 2. (13 E. 1.) respecting Remedies against Recoveries by Default. The other was, in Explanation of Stat. 25 E. 3. st 5. c. 2. and declared that the Escape of any Person committed for High Treason should be adjudged and declared to be Treason. Both were to continue only till the ensuing Parliament. See printed Rot. Parl. of this Year, nu. 59, 60.]

ANNO tertio HENRICI VI.

*In the Parliament held at Westminster, 30th April,
A.D. 1423.*

From the Copy given by Hawkins, Gay, &c. as "Ex Rot. in Turr. Lond. m. 9." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl.

Chap. of Statute.	Number in Rot.	
1, —	43	} On Petitions of the Commons. (In English.)
2, —	45*	
8, —	50*	
4, —	48	
5, —	44	

Beside the above, and also several Articles for the Confirmation of existing Statutes; See further

Printed Rot. Parl. iv.

Pages No. } Proceedings in Parliament as to the Rank and Precedence of the Earl Marshal and the Earl of Warwick, which are ended by a Declaration, that the Earl Marshal was entitled to the Rank of Duke of Norfolk, by virtue of a Patent of Creation in Parliament, An. 21 Ric. 2. and that the Power of Creation belonging to the King, and not to Parliament, the Patent was not annulled or affected by the general Revolution of the Parliament 21 Ric. 2. by Stat. 1 H. 4. c. 3. The Earl Marshal took Precedence accordingly as Duke of Norfolk.

275, 17, Grant of a Subsidy for Defence of the Realm, viz. Thirty-three Shillings and four-pence per Sack from English Merchants, and Forty-three Shillings and four-pence from Aliens, on Wool, &c. exported: Also, for Safeguard of the Sea, Tonnage Three Shillings, and Poundage Twelve-pence, of Aliens for Three Years, and of Natives for One Year. With certain Conditions and Provisoes annexed. (But see 4 H. 6. nu. 22.)

276, 18, Respecting the Change of Hostages by the King of Scots.

277, 19, For preventing Battle between the Duke of Gloucester and the Duke of Burgundy.

20, } For securing the Repayment of certain Sums advanced
278, 21, } on the Credit of the Subsidies, &c.

- Page. No. } For Security of the Executors of King Henry IV. re-
 280, 23, } specting certain Debts.
 283, 24, } Respecting the Ransom of the Earl of Hunting-
 to } don, a Prisoner of War to the French.
 284, 27, }
 285, 28, } For Theobald Gorges to have Livery of his Lands,
 as being of full Age, notwithstanding any Inquest
 against him as not being of Age.
 29, } For admitting the Countess of March to her Dower
 on her swearing not to marry without the King's
 Licence.
 286, 30, } For the Duke of Exeter.
 31, } For Alianor de Welle.
 32, } For Sir John Scrope, with a special Proviso by Ad-
 vice of the Lords and the King's Serjeants.
 289, 34, } For securing to the Duke of Gloucester the Sum of
 Twenty thousand Marks agreed to be advanced to
 him; and also for securing the Repayment thereof
 by the Duke, the Commons (by a *Schedula* in Eng-
 lish delivered in Parliament), "forasmuch as the
 Securities may not be ingrossed during Parliament for
 Shortness of Time," give their Assent that the Lords
 Spiritual and Temporal of the King's Council may
 make the Securities by the Authority of Parliament.
 35, } For Relief of Merchants as to the Subsidy on Wools
 lost at Sea.

OUR Lord the King, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Request of the Commons in this Parliament, holden at *Westminster* the last Day of April, the Third Year of his Reign, hath ordained and established certain Ordinances and Statutes, to the Honour of God, and for the Weal of his Realm in Form following.

NOSTRE Seigneur le Roy par advys et assent des Seigneurs espirituelx et temporelx, et a lespécial request des Communes, en ceste parlement tenüz a Westm' le darrein jour d'Averill, lan de son regne tierce, ad ordinez et establiz certains ordinances et estatuts a lonour de Dieu et pur le bien de son roialme en la fourme ensuant.

C A P. I.

Masons shall not confederate themselves in Chapters and Assemblies.

FIRST, whereas by the annual Congregations and Confederacies made by Masons in their General Chapters assembled, the good Course and Effect of the Statutes of Labourers are publicly violated and broken, in Subversion of the Law and grievous Damage of all the Communalty; our Lord the King, willing in this Case to provide Remedy, by the Advice and Assent
 afore-

aforesaid, and at the special Instance and Request of the said Commons, hath ordained and established, That such Chapters and Congregations shall not henceforth be held: And if any such be made, they who shall cause such Chapters and Congregations to be assembled and held, if they shall be thereof convicted, shall be adjudged for Felons; and that all the other Masons who shall come to such Chapters and Congregations shall be punished by Imprisonment of their Bodies, and shall make Fine and Ransom at the King's Will.

EN prime, come par les annuelx congregations et confederacies, faitz par les masons en leur generalx chapitres assemblez, le bon cours et effect des estatuts de laborers sont publiquement violez et desrumppez, en subversion de la leye et grevouise damage de tout le commune, nostre Seigneur le Roi voillant en ceo cas purvoir de remedie, par advis et assent suisditz et a la especial request des ditz communes ad ordinez et establiz qe tieux chapitres et congregations ne soient desore teauz: Et si aucuns tielx soient faitz, soient ceux qi fount faire assembler et tenir iceux chapitres et congregations, s'ils ent soient convictez, adjudgez pur felons; et qe toutz les autres masons qi viegnent as tielx chapitres et congregations, soient puniz par emprisonnement de leur corps, et facent fyn et raunceon a la volente du Roi.

C A P. II.

For preventing the Exportation of Live Sheep.

AFTER reciting that divers Persons carry out of the Realm a great Number of Sheep with Fleeces into *Flanders*, and other Countries beyond Sea, to the great Deceit, Loss, and Damage of the King, of his Customs and Subsidies of the said Wools, and also to the great Hindrance of all the Realm, and Diminution and Abatement of the Price of Wools; it is enacted, That no Person hereafter be suffered to ship within the Realm of *England* any Sheep, fleeced or shorn, for the said Country of *Flanders*, or for other Parts beyond Sea, except to victual the Town of *Calais* and the Marches thereof, without the King's Licence, on Forfeiture of the Sheep, or the Value thereof."

[See Stat. 8 Eliz. c. 3. But that Statute and this repealed and other Provisions made, 28 G. 3. c. 38.]

C A P. III.

The Penalty of a Customor, &c. concealing the King's Custom.

ALSO it is ordained and established, That if any Customor, Collector, or Controller of the King's Customs of Cockets of Cloths, of Subsidies of Tonnage or Poundage, in any Port or Place of *England*, be duly and legally attainted or convict at the King's Suit, or at the Suit of any for the King's Advantage, false concealing of the King's Custom or Subsidy, duly entered and paid by any Merchant, that then the said Customor, Collector,

or Controller so duly attainted and convict by Law, shall lose and forfeit to the King the Treble Value of the Merchandises so duly customed, and make Fine and Ransom. And he that will sue, shall have the Third Part for his Trouble.

ITEM ordinez est et establi, qe si ascune custumer collectour ou countrollour des custumes du Roi, de cokettes de draps, del subsidies del tonage ou pondage, en ascun port ou lieu d'Engleterre, soit duement et loialment atteinte ou convictez al fuyte du Roi, ou al fuyte dascune autre persone pur l'avauntage du Roi, de faux concelement de custume ou subsidie du Roi duement entre et paie par ascune merchant, qadonques le dit custumer collectour ou countrollour ensi duement atteint et convictez par la ley, perde et forfacc au Roi le treble value des merchandises ensi duement custumiez, et face fyn et raunceon. Et si ascun homme le voet suer ait le tierce partie pur son labour.

C A P. IV.

“Licences may be granted for exporting Butter and Cheefe.”
[Set 18 H. 6. c. 3. that they may be exported without Licence.]

C A P. V.

For Preservation of the River *Lea*.

“**R**ECITAL of the Commission granted in the last Parliament [printed Rot. Parl. nu. 57.] The Chancellor empowered to grant Commissions of the like Nature, from Time to Time to indifferent Persons residing near the said River.”

[See also Stat. 9 H. 6. c. 9.]

ANNO quarto HENRICI VI.

In the Parliament held at Leicester the 18th Day of February, A.D. 1425-6.

From the Copy given by Hawkins, Cay, &c. as “Ex Rot. in Turr. Lond. m. 9.” compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. p. 295, &c.

Chapter of Statute.

Number in Roll.

1,	—	32*	} On Petitions of the Commons. * (In English.)
2,	—	38	
3,	—	35	
4,	—	36	
5,	—	37*	

Besides

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iv.

Page. No. } For the Security of Persons advancing Money on the
300, 17, } Credit of the Customs, Subsidies, and other the
King's Revenues.

18, For confirming Letters Patent, remitting Part of the Ransom of Louis de Bourbon Count de Vendosme (a Prisoner taken at the Battle of Agincourt by King Henry V.) in consequence of the Exchange and Release of the Earl of Huntingdon, who had been Prisoner to the French.

19, The Duke of Bedford, Regent of France and Constable of the Castle of Berwick, empowered to appoint a Lieutenant to guard the said Castle.

391, 20, To enable any one of certain joint Feoffees of King Henry V. to take Homage, &c. of the Tenants of Lands conveyed to them, instead of such Homage, &c. being done to all jointly, as required by the Common Law.

21, The Council empowered to answer and determine on Petitions delivered by the Commons for private Persons, and not answered in Parliament. [See printed Rot. Parl. vol V. p. 411, nu. 9. Inrolment of an Act relating to the Dowry of Joan, Queen Dowager of Henry IV.]

301, 22, For declaring (by the King's Commissioner and the Lords) that the Subsidy of Tonnage and Poundage granted in the preceding Parliament [3 Hen. 6. nu. 17.] should be paid to the King at all Events without Condition.

302, 24, } Grant of a Subsidy, viz. Thirty-three Shillings and
303, 28, } four-pence per Sack by Natives, and Forty-three Shillings and four-pence by Aliens, on Wool, &c. exported, for Two Years, after the End of the Grant in 3 Hen. 6. Also Tonnage Three Shillings, and Poundage Twelve-pence, from Aliens for the like Term, and from Natives for One Year. With Provision in case of Wool lost at Sea.

304, 25, For the Naturalization of the Prior and Convent of the Holy Trinity of York.

26, For pardoning Thomas Cornish for Felony.

303, 27, For appointing an Alderman of London to be a Judge of the Merchants of the Hanse there.

On private Petitions.

313, 9, Allowing the Mayor and Corporation of Lincoln to purchase Lands.

Page.

- Page No. } For relieving the Priory of Ware from an Annuity
 313, 10, } charged thereon.
 314, 11, } For the Naturalization of divers Persons.
 to 14, }
 15, That the Return of the Members for Bristol, as Bur-
 gesses of the Town of Bristol only, shall not prejudice
 the Liberties granted by a Charter of 47 E. 3.
 making Bristol a County of itself, &c. (See sub An.
 47 E. 3. nu. 31.)

THESE be the Statutes and Ordinances made by our Sovereign Lord the King, by Advice and Assent of the Lords Spiritual and Temporal, and at the special Request of the Commons of his Realm, being in his Parliament holden at *Leicester*, the Eighteenth Day of *February*, the Fourth Year of his Reign, to the Honour of God, and for the Weal, Ease, and Profit of his Realm.

CEUX sont les estatuts et ordinances faitz par nostre tresoverain Seignur le Roi, par advis et assent des Seignurs espiuelx et temporelx, et a la especial request des Communes de son roialme, en son parlement tenuz a *Leycestre* le xviii. jour de *Feverer*, lan de son regne quart, esteantz, a lonour de Dieu et pur le bien ease et profit de son roialme,

C A P. I.

Concerning Sheriffs.

“EVERY Sheriff shall duly return Writs directed to him at such Days as they be returnable; and shall also warn all Jurors by him impanelled.”—*To continue till the ensuing Parliament.*

C A P. II.

Concerning Protections for Persons in the Wars.

“THE Protection granted by Stat. 9 H. 5. c. 3. (which is recited at length) extended for Three Years to all Persons in the King’s Service in *France* and *Normandy* under the King’s Uncle the Duke of *Bedford*, Regent of *France*.”—*This Chapter follows Cap. 5. upon the [Tower] Roll.*—Cay.

C A P. III.

For confirming and enlarging former Acts as to amending Defects in Records by Misprision of Clerks.

Recital of Stat.
 9 H. 5. st. 1. c. 4.
 reciting Stat.
 24 E. 3. st. 1. c. 6.
 for the Amend-
 ment of Errors
 in Process by
 Misprision of
 Clerks, as well
 after Judgement
 as before.

ALSO, whereas at the Parliament holden at *Westminster* the Second Day of *May*, the Ninth Year of the Reign of King *Henry*, Father of our Lord the King that now is, it was rehearsed, how that at the Parliament holden at *Westminster* the Fourteenth Year of King *Edward* the Third, it was ordained by the Authority of the said Parliament, That by Misprision of a Clerk, in any Court whatsoever, no Process should be annulled or discontinued,

used, by mistaking in writing a Letter [or Syllable^s] too much or too little; but as soon as the Thing were perceived by Challenge of the Parties, or in other Manner, it should be speedily amended in due Form, without giving Advantage to the Party that challengeth the same because of such Misprision; the said late King *Henry*, considering the Diversities of Opinions which Men had upon the said Statute, and to put the Thing in more open Knowledge, did declare and ordain by Authority of the said Parliament holden the said Ninth Year, that the Justices before whom such Plea or Record is made, or shall be depending, as well by Adjournment as by Way of Error or otherwise, should have Power and Authority to amend such Record and Process as before is said, according to the Form of this Statute, as well after Judgement [given on such Plea, Record, or Process, as before Judgement given in such Plea, Record, or Process, while the said Record and Process were before them, in the same Manner as Justices had power to amend such Record and Process before Judgement⁴] given, by Force of the said Statute made in the Time of the said King *Edward*; which Ordinance should endure till the next Parliament, which should be first holden after the Return of the said King *Henry* the Father into *England* from beyond Sea, and which now is determined by the Death of the said late King *Henry* the Father: Our Sovereign Lord the King, by the Advice and Assent aforesaid, hath ordained and established, That the said Statute, and the Effect of the same, made in the said Ninth Year, shall hold Strength, Force, Vigour, and Effect, in every Record and Process, as well after Judgement given upon a Verdict passed, as upon Matter in Law pleaded, as a Statute available and effectual in Law to endure for ever. Provided always, that this Statute extend not to Records and Processes in the Parts of *Wales*, nor to Records and Processes whereby any Person is or shall be outlawed at any Man's Suit.

The said recited Statutes confirmed, as well after Judgement on Demurrer as on Verdict,

ITEM come au parlement tenuz a Westm' le ij. jour du Maij, lan du regne le Roi Henri pier nostre Seignur le Roi qoreist, ix. reherce fuit coment au parlement tenuz a Westm' lan du regne le Roi E. tierce xiiij. ordeigne fuit par auctorite du dit parlement, qe pur mesprison de clerc en queconque place ⁽¹⁾ ceo loit ne soit processe [de plee²] aniente ne discontinue par mesprendre en escrivant une lettre ⁽³⁾ trop ou trop poy mes sitost come le chose serra aperceve par chalange des parties ou en autre manere soit hastivement amende en due fourme sanz doner avantage a partie qe ceo chalange pur cause de tiel mesprison, le dit nadgairs Roi Henri considerant la diversite d'opinions qe lem avoit sur le dit estatuit, et pur mettre le chose en plus overt conysfauns declara ex ordina, par auctorite du dit parlement tenuz le dit an ix. qe les justices devaunt queux tiel plee ou recorde est fait, ou serra pendant, sibien par ajournement come par voie derrorr, ou autrement, eient poair et auctorite damender tielx recorde et processe, come devaunt est dit solonc la fourme de mesme lestatuit, sibien apres jugement [en tiel plee recorde ou processe renduz, come devaunt le jugement renduz en tielx plee recorde ou processe, tant come les ditz recorde et processe soient devaunt eux, en mesme la manere come justices avoient poair damender tielx recorde et processe devaunt

devant jugement ¹] renduz, par force du dit estatuit en temps le dit Roi E. fait come desuis; la quele ordinance endureoit tanqe al prochein parlement qi serroit primerement tenuz apres le revenue du dit Roi Henri le pier en Engleterre de pardela; et la quele ore est determine par le mort du dit sadgairs Roi Henri le pier: le Roi nostre sovereign Seignur, par advis et assent suisditz, ad ordine et establie qe le dit estatuit et effect dicell fait le dit an ix. tiegne force vigour et effect en chescun recorde et processe, sibien apres jugement renduz sur verdit passe, come sur matiere en leie plede come estatut vailable et effectuell en ley a toutz jours adurer. Parveu toutz soitz qe cest estatut ne se extende as recordes et processees es parties de Gales; ne as recordes et processees par queux ascune persone est ou serra utlage al luyt dascuny.

¹ qe, Stat. 14 E. 3. ff. 1. c. 6.

² Stat. 14 E. 3. omits.

³ ou un fillable, Rot. Parl. P. Stat. 14 E. 3.

⁴ These Lines are omitted in P. and former Translations.

C A P. IV.

“ Writs, Suits, and Processees depending against or at the Suit of Persons made Knights during this Parliament, shall not abate for that Cause.”

C A P. V.

For regulating the Exportation of Corn.

“ The Statute 17 R. 2. c. 7. recited and confirmed.”—*See the Note there, and Stat. 31 Geo. 3. c. 30, &c.*

ANNO SEXTO HENRICI VI.

In the Parliament held at Westminster in Fifteen Days of Saint Michael, A.D. 1427.

From the Copy given by Hawkins, Cay, &c. as “Ex Rot. in Turr. Lond. m. 7.” compared with printed Rot. Parl. and Pynson.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iv. p. 316, &c.

Chapter of Statute. Number in Roll.

1	—	28	} On Petitions of the Commons. (All in French.)
2	—	30	
3	—	36	
4	—	38	
5	—	43	
6	—	44	

Besides

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iv.

Page. No. } For Security of Persons advancing Money on the Credit of the Customs, Subsidies, &c.

317, 12, }
318, 13, Grant of Subsidy, viz. Tonnage Three Shillings, and Poundage Twelve-pence, from Natives for One Year. And also a Poll Tax on Inhabitants, Householders in Parishes, of Six Shillings and eight-pence, and Thirteen Shillings and four-pence, according to the Value of the Church in the King's Books; and of Two Shillings in Cities and Boroughs, and Six Shillings and eight-pence by the Possessor of a Knight's Fee in Land.

14, For confirming a College at Higham Ferrers, founded by the Archbishop of Canterbury.

319, 15, For granting Livery of certain Lands to Robert Roos.

320, 16, For acquitting the Duke of Gloucester and the Earl of Salisbury of certain Accounts relative to the Wars of King Henry V.

321, 17, For the Executors of John Harris of Cambridge.

322, 18, For quashing certain Procefs from the Court of Rome against the Archbishop of Canterbury for Misconduct.

19, For recompensing John Meerbury, respecting a Grant to him by King Henry V. while Prince of Wales.

323, 20, For the Executors of King Henry IV. respecting the Payment of certain Debts.

324, 21, A Pardon of all Accounts to the several Officers of the Household of King Henry V.

22, For enabling David ap Thomas, a Welchman, to purchase Lands in England, &c.

326, 23, For granting a Protection cum clausula Volumus to Sir J. Sutton.

334, 45, } [On the last Day of the Parliament.] The Council empowered (with the Assistance of the Judges and others of the Law if need be), to hear and determine such Petitions of the Commons in Parliament as had been delivered and not determined on in Parliament. And which they did accordingly, "*sicome en lendorsement de mesmes les petitions osteantz en un flace de eux fait et leur mesmes il est contenuz pluis au plein.*"

☆ See the Collection usually called Cotton's Abridgement, p. 589, where the Two following Articles are stated as on the Parliament Roll of this Year; but which do not appear in the Printed Rot. Parl.

No. 26, *Alteration of the Incorporation of the Abbess and Nuns of Sion.*

27, *For prohibiting any Man to marry a Queen Dowager of England without the King's Assent, on Forfeiture of Goods and Lands; to which the Clergy assent, so far as it was not contrary to the Law of God, &c.*

The latter of these is noticed as an Act in 4 Infl. 51. and is inserted at length (with the restricted Assent of the Clergy) in Ryley's Plac. Parl. Appendix, p. 672. as from the Petitions in Parliament of this Year. It is also mentioned in the old Abridgement, Tit. "Royne." It seems probable therefore that those were answered by the Council after the rising of Parliament, under the Power before noticed (nu. 45, 46.)

OUR Lord the King, at his Parliament holden at Westminster, in Fifteen Days of St. Michael, the Sixth Year of his Reign, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Instance and Request of the Commons of his Realm, in the said Parliament assembled, hath caused to be made certain Statutes and Ordinances to the Honour of God, and for the Weal and Ease of his People, in the Manner and Form following.

NOSTRE Seigneur le Roy a son parlement tenuz a Westm', a la Quinziesme de Seint Michell, lan de son regne vj. par advys et assent des Seigneurs espirituelx et temporelx, et al especiale ⁽¹⁾ request des Communes de son roialme, en le dit parlement assemblez, ad fait faire certains estatutz et ordinances, a lonur de Dieu et pur le bien et ease de son poeple en [la forme²] qensuyt.

¹ instance et, P.

² le manero et, P.

See further St.
H. 6. c. 10.
no. H. 6. c. 6.]

C A P. I.

For regulating Procefs of *Capias*, *Exigent*, and Outlawry in Indictments.

FIRST, for that divers of the King's faithful Subjects, by false Practice, Covin, and Conspiracy of certain evil Persons, be indicted before the King in his Bench, of divers Felonies and Treasons, by Jurors suspect, and thereto hired and procured by Confederacy and Covin of the said Conspirators; by Force of which Indictments a *Capias* is awarded to the Sheriffs of the County where the said Bench is, returnable within Two or Four Days; at which Day, if the Party indicted come not, an *Exigent* is awarded, whereby the Goods and Chattels of such Persons indicted be forfeit to our Lord the King, to the utter Undoing of divers of the King's faithful Subjects, as our said Lord the King hath conceived by the grievous Complaint of the said Commons, made to him in the said Parliament; Our said Lord the King, willing in this Case to provide Remedy, hath ordained, by the Advice and Assent aforesaid, That before any *Exigent* be

be awarded against such Persons indicted before the King in his said Bench, Writs of *Capias* shall be directed, as well to the Sheriff or Sheriffs of the County wherein they be so indicted, as to the Sheriff or Sheriffs of the County whereof they be named in the Indictments; the same *Capias* having the Space of Six Weeks at the least, or longer Time, by the Discretion of the said Justices, if the Case require it, before the Return of the same; which Writs, so returned, the Justices shall proceed in the Manner as they have done before this Time: And if any *Exigent* be awarded, or any Outlawry pronounced hereafter, against such Persons indicted, before the Return of the said Writs, such *Exigent* so awarded, with the Outlawry thereof pronounced, shall be void and holden for none. And this Ordinance shall endure as long as shall please the King.

Writs of *Capias* in King's Bench on Indictments shall be returnable in Six Weeks, or *Exigent* thereon shall be void.

Continuance of Act
[See also Stat.
8 H. 6. c. 20.
§ 4.]

EN primes pur ceo qe divers des loialx lieges nostre dit Seignur le Roy, par faux ymagination [comettement¹] et conspiracie des certains malefesseurs, sont enditez devant le Roy en son bank, de diverses felonies et tresors par jurrours suspectz, et a ceo, par confederacie et conjecture des ditz conspiratours, lowez et procurez; par force des queux enditementz *Capias* est agarde al viscount del countee ou le dit bank est retournable deinz deux ou quatre jours; a quell jour si la partie endite ne veigne exigend² est agarde, par quoi les biens et chateux des ditz enditz son forfaitz au Roy, a final destruction de divers des loialx lieges de nostre dit Seignur le Roy, si come mesme nostre Seignur ad conceu a la grevoue complaint des ditz communes, a luy faite en le dit parlement: Nostre dit Seignur le Roy, voillant en ceo cas purvoir de remedie ad ordine, par advys et assent⁽²⁾ suifditz; qe avant qe aucun exigende soit agardez envers tielx enditez devant le Roy en son dit bank, soient briefs de *capias* directz, sibien al viscount ou viscountz del countee en le quell ils sont enu enditez, come al viscount ou viscountz del countee dount ils sont nomez en les enditementz; aiantz mesmes les *capias* l'espace des sys sepmaines au meynes, ou plus long temps, par les discretions des justices si le cas ceo requiert, devant la retourne dicelles; les queux briefs issint retournes, procedent les justices en maner come ils ont fait devant ces heures; et si aucune exigende soit agarde, ou aucune utlagarie pronuncie en apres, envers tielx enditez, devant le retourne des ditz briefs, soit celle exigende issint agarde, avec la utlagarie ent pronuncie void et tenuz pur null. Et durera ceste ordinance tanqil perra a nostre Seignur le Roy.

¹ conjectement, *Rot. Parl.*

² des seignurs, P.

C A P. II.

For regulating the Array and Copies of Panels of Juries in special Assises.

[See also Stat.
42 E. 3. c. 21.]

ALSO, because that divers of the King's liege People in Times past have been disherited, for that in special Assises the Tenants and Defendants could not have Knowledge nor Copy of the Panel of such as be impanelled to pass in the said Assises, to inform them of their Right and Titles before the Day of the Session

Juries shall be arrayed, and Copies of Panels delivered Six Days before the Sittings of Justices, &c. at Assizes. By Bailiffs of Franchises Eight Days. Penalty Forty Pounds.

Session that the Assises should be demanded; our Lord the King, willing thereof to provide Remedy, hath ordained and established, That the Panels of the said Assises shall be arrayed, and a Copy indented of the same by the Sheriff delivered to the Plaintiffs, Tenants, and Defendants Six Days at the least before the Session of the Justices, if they the same demand; and as to the Return or Answer of the Bailiffs of Franchises, they shall make their Returns or Answers to the Sheriffs, in such special Assises, [Eight¹] Days before the Session, in the Manner aforesaid; And this upon Pain of Forty Pounds to be paid by the Sheriffs or Bailiffs to our Lord the King, so often as they, or any of them, do contrary to this Ordinance [or Statute.²]

¹ Former Translations erroneously read "Six."

ITEM pur ceo qe divers des lieges nostre Seignur le Roy, avaunt ces heures, ount estez desheritez, a cause qen les especiales assises les tenantz et defendantz ne purront my avoir conissance ne copy de la panell de ceux qi sont empanellez pur passer en les ditz assises, pur eux enformer de leur droit et titles devant le jour de la session qe les assises seront demandez, Nostre dit Seignur le Roy, voillant de ceo purvoir de remedie, ad ordinc et establie qe les panelles des ditz assises soient arraiez, et copie entensee dicelles par le viscount delivree a les plaintifs tenantz et defendantz par vi. jours a meins devant la session des justices, si eux les demandent: Et quant a la retourne ou respounce des baillifs des franchises facent ils leur retournez, ou respounce as viscountz entiel especialx assises [vij.¹] jours devant la session en manere come desuis: Et ceo sur peine de xl. li. a paiers par les viscountz ou baillifs a nostre Seignur le Roy, a tant de foitz come ils ou aucun de eux fount ou face la contrarie de cest ordinaunce (²).

¹ vj. P. but erroneously.

² ou estatut.

[Repealed by the general Words of Stat. 5 Edw. c. 4.]

C A P. III.

For regulating the Rates of Labourers Wages.

RECITAL of Stat. 12 R. 2. c. 3—9. and 13 R. 2. c. 8. "and that they were not executed; the first because Masters could not get Servants without giving higher Wages than allowed by the Statute, and the last because no Penalty was inflicted for Breach of the Statute.—It is enacted, That the Justices shall yearly settle in their Sessions the Rates of Wages, and proclaim the same in Two Sessions between *Easter* and *Michaelmas*, which Proclamation shall be as valid as if it were a Statute.—Servants taking more than allowed, shall forfeit the Value of their Wages, or be imprisoned Forty Days, &c.—To endure till the next Parliament."

[Continued indefinitely 8 H. 6. c. 8.]

C A P. IV.

For amending former Acts respecting the Return of Knights of Shires for Parliament. [See further Stat. 8 H. 6. c. 7.]

RECITAL, at length of Stat. 7 H. 4. c. 15. concerning the Election of Knights of the Shire, and Returns thereof by the Sheriff; and also of Stat. 11 H. 4. c. 1. by which Justices of Assise were empowered to enquire of the Returns of Sheriffs; a Penalty of One hundred Pounds was imposed on the Sheriffs, in case of undue Returns, and Forfeiture of Wages on the Knights unduly returned;—

—to the great Mischief of Sheriffs and Knights of the Shire, which be forebarred and put out of their Answer against such Inquests of Office, taken before the said Justices, because of the Statute and Ordinance aforesaid; Our Lord the King willing in this case to provide Remedy, hath ordained and established, That all the Knights of the Shires, chosen for this present Parliament, and the Sheriffs of such Counties against whom any Inquests or Offices of undue Election be found before the Justices of Assises, shall have their Answers and Traverses to such Inquests and Offices; and also all the Knights from henceforth so to be chosen, and the Sheriffs who shall make such Elections, shall have their Answer and Traverse to such Inquests and Offices before any Justices of Assises, hereafter to be taken. And the said Knights and Sheriffs shall not be endamaged unto our said Lord the King, or his Successors, for any such Inquest taken or to be taken, until they be duly convicted according to Form of Law.

Knights of the Shires chosen, and Sheriffs of Counties may have their Traverse of Office found against them under recited Statutes.

—a tresgraund meschief des viscountz et chivalers des countees, qi sount forbarrez et ousteez de lour respounce encountre tielx enquestes doffice prizez devaunt les ditz justices a cause de les statut et ordeignaunce suisditz; Nostre Seigneur le Roy voillant en ceo cas purvoir de remedie ad ordeigne et establi qe toutz les chivalers des countees pur cest present parlement eslux et les viscountz dicelles countees envers queux aucuns enquestes ou offices de noun due election sont trovez devaunt les justices dassises, aient lour respounces et travers envers les ditz enquestes et offices; et auxi toutz les chivalers desore enavaunt issint a eslierz, et les viscountz qi ferront tielx elections, aient lour respounce et travers envers tielx enquestes et offices devaunt aucuns justices des assises desore apprendre. Et ne soient les ditz chivalers et viscountz endamagex, envers nostre dit Seigneur le Roy ou ses successeurs, par aucun tiel enquest pris ou apprendre, tanqe ils soient duement convictez solonc la forme de la ley.

C A P. V.

For granting Commissions of Sewers.

[See also Stat. 8 H. 6. c. 3.]

ALSO our Sovereign Lord the King, by the Advice and Assent aforesaid, considering the great Damages and Losses, which now late be happened by the great Inundation of Waters in divers Parts of the Realm, and that much greater Damages are very like to ensue, if Remedy be not speedily provided, hath

Commissions of Sewers shall be granted during Ten Years. [Continued for various successors]

Terms by Stats.
 18 H. 6. c. 10.
 23 H. 6. c. 8.
 12 E. 4. c. 6.
 4 H. 7. c. 1.
 6 H. 8. c. 10.]

ordained and granted, That during Ten Years next ensuing several Commissions of Sewers shall be made to divers Persons by the Chancellor of *England* for the Time being, to be sent into all Parts of the Realm where shall be needful, according to the Form that followeth :

ITEM nostre tressoverein Seignur le Roy de ladys et assent suifditz considerantz les graundes damagez et perdes, qore tarde sount avenuz, par les graundes creteines del cawe in diverses parties du roialme, et qe plusours greindres damages sont verisemblablement avenir si remedie ne soit hastivement purveu, ad ordine et graunte qe par dys ans procheinement ensuantz severalx commissions de sewers soient faitz, as diverses persones par le Chaunceller dEngleterre pur le temps esteant, [a nomers¹] en toutz les parties de roialme qe mestier serra solonc la fourme ensuant :

¹ *avenirs, Rot. Parl. P. but see Stat. 8 H. 6. c. 3.*

[*Then follows the Form of the Commission in Latin, the Contents of which are very similar to the new Commission directed by Stat. 23 H. 8. c. 5. which see, and the Notes there.*]

C A P. VI.

For making *Melcombe* a Port of the Staple.

“ **A**LL Merchants, Aliens and Denizens, may ship Staple
 “ Merchandizes in *Melcombe* Haven, and carry them thence
 “ to *Calais*.”

Anno octavo HENRICI VI.

*In the Parliament held at Westminster on the Morrow
of Saint Matthew the Apostle, 22d September,
A.D. 1429.*

*From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in
Turr. Lond. m. 6." compared with printed Rot. Parl. Pynson,
&c.*

*The several Chapters of the Statute are founded on the follow-
ing Articles in printed Rot. Parl. p. 335, &c.*

Chapter of Statute. Number in Roll.

1,	—	—	32	(1)
2,	—	—	33	
3,	—	—	34	
4,	—	—	35	(2)
5,	—	—	36	
6,	—	—	37	(3)
7,	—	—	39	
8,	—	—	48	
9,	—	—	49	(2)
10,	—	—	50	
11,	—	—	51	
12,	—	—	52	(1)
13,	—	—	53	
14,	—	—	54	
15,	—	—	55	(2)
16,	—	—	56	
17,	—	—	59	
18,	—	—	60	(3)
19,	—	—	61	
20,	—	—	62	
21,	—	—	63	(1)
22,	—	—	64	
23,	—	—	65	
24,	—	—	66	(2)
25,	—	—	68	
26,	—	—	67	
27,	—	—	30	(3)
28,	—	—	—	
29,	—	—	—	

*On Petitions as well
of the Prelates and
Clergy as of the
Commons.*

¹ *In Latin as the Statute also is.*

² *In French as the Statute is.*

³ *In English, and several of the Answers also, though the Statute
is in French.*

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. iv.

Page. No.

336, 11,

337, 14,

342, 26,

} *Grants of Two separate Fifteenths and Tenths.*

337, 15, *Grant of a Subsidy, viz. Tonnage Three Shillings, and Poundage One Shilling, till the next Parliament.*

339, 23, *For the Security of Persons advancing Money on Credit of the Customs, Subsidies, &c. [See also printed Rot. Parl. vol. v. p. 418. nu. 12.]*

341, 25, *Grant of a Subsidy of Thirty-three Shillings and Fourpence per Sack from Natives, and Forty-three Shillings and Fourpence from Aliens, on Wool, &c. exported.*

345, 29, *Declaration that a Grant made to the Mayor, &c. of Bourdeaux by King Henry V. during his Pleasure, (for the laying a Tax on Alien Merchants), was become void by his Death.*

346, 31, *For the Warden or Dean of the Chapel Royal of St. George, in the Castle of Windsor.*

350, 40, *For empowering the Council to relieve Sheriffs in their Accounts.*

357, 57, *Respecting the Privileges of Parliament. William Larke, a Servant to One of the Members for the City of London, being committed to the Fleet in Execution, on a Judgement of the Common Pleas, during the Sitting of Parliament, it is enacted, (with the Consent of the Counsel for the Creditor), that he should for the present be delivered; reserving to the Creditor the Right of Execution after the End of the Parliament. [See also sub Annis 39 H. 6. & 14 E. 4.]*

361, 69, *Three Petitions committed to the Council to answer according to their Discretion.*

363, &c. *Certain Petitions ascribed to An. 6, 7, and 8 H. 6.*

2, *For granting certain Letters Patent to the Bishop of Lincoln for making the Church of St. Botolph Collegiate, &c.*

3, *For granting certain Duties for Repairs of the Port of Dover.*

4, *The like for erecting a Light House in the Humber at Ravenserspore.*

5, *For annexing the Vicarage of Clee to the Abbey of Welowe in the Diocese of Lincoln.*

6, *For compelling the Appearance of certain Persons having maimed and ill treated the Abbot of Combe in Warwickshire.*

TO

TO the Laud and Honour of Almighty God, and of the Holy Mother the Church, our most noble Christian Lord *Henry*, by the Grace of God, King of *England* and *France*, and Lord of *Ireland*, in his Parliament holden at *Westminster* on the Morrow of St. *Matthew* the Apostle, the Eighth Year of his Reign, with the Advice and Assent of the Prelates, Nobles, and great Men of his Realm of *England*, and at the special Request and with the Assent of the Commons of the same Realm, being in the said Parliament, hath made certain Statutes and Ordinances for the common Profit of the said Realm, and especially for the good and wholesome Government and due Execution of the Law to be had in the same, in Form following.

AD omnipotentis Dei et sancte matris ecclesie laudem et honorem, christianissimus dominus noster Henricus Dei gratia, Rex Anglie et Francie et Dominus Hibernie illustris, in parlamento suo apud Westm' in crastino sancti Mathei apostoli, anno regni sui octavo, tento, de avisamento et assensu prelatorum procerum et magnatum regni sui Anglie, et ad specialem requisitionem [ac de assensu¹] communitatis ejusdem regni, in parlamento predicto existentium, quedam statuta et ordinationes pro communi utilitate dicti regni. et presertim pro bona et sana gubernatione ac debita legis executione habend' in eodem, fecit, in forma subsequenti.

¹ et assensum, P.

C A P. I.

The Clergy of the Convocation shall have the same Liberties and Immunities as the Lords and Commons of Parliament.

FIRST, because the Prelates and Clergy of the Realm of *England* called to the Convocation, and their Servants and Familiars that come with them to such Convocation, oftentimes and frequently be arrested, molested, and inquired; our said Lord the King, willing graciously in this Behalf to provide for the Security and Quietness of the said Prelates and Clergy, at the Supplication of the same Prelates and Clergy, and with the Assent of the Nobles, great Men, and Commons aforesaid, hath ordained and established, That all the Clergy hereafter to be called to the Convocation by the King's Writ, and their Servants and Familiars, shall for ever hereafter fully enjoy and use such Liberty or Immunity in coming, tarrying, and returning, as the Nobles or great Men and Commonalty of the Realm of *England*, called or to be called to the King's Parliament, do enjoy, and were wont to enjoy, or in Time to come ought to enjoy.

IN primis quia prelati et clerus regni Anglie, ad convocationem evocati, eorumque servientes et familiares, qui cum eisdem ad convocationem hujusmodi veniunt, sepius ac frequenter arrestantur molestantur et inquietantur, volens igitur dictus dominus noster Rex pro securitate et quiete dictorum prelatorum et cleri, in hac parte, prospicere, gratiose ad supplicationem eorundem prelatorum et cleri, et de assensu procerum magnatum et

communitatis predictorum, ordinavit et statuit, quod vocandi in futurum ad convocationem cleri, pretextu brevis regii, eorumque servientes et familiares, eadem libertate sive immunitate veniendo expectando et redeundo, plene gaudeant et utantur, perpetuis futuris temporibus, qua gaudent et gaudere consueverunt, sive gaudere debent in futurum, proceres sive magnates et communitas regni Anglie ad parlamentum domini Regis vocati, sive vocandi.

C A P. II.

For regulating the Trade with *Denmark*.

“ **M**ERCHANTS of *England* shall enter the Dominion of the King of *Denmark* only at *Northbarn*, where the Staple is appointed by the King of *Denmark*; on Pain of Forfeiture of Goods, and Imprisonment at the King's Will.”

[*Repealed by Stat. 1 H. 8. c. 1.*]

C A P. III.

Commissioners of Sewers empowered to execute the Statute
6 H. 6. c. 5.

ALSO, our Lord the King, considering how at the last Parliament holden at *Westminster*, the Sixth Year of his Reign, it was ordained and granted, by Authority of the said Parliament, That several Commissions of Sewers should be made to divers Persons by the Chancellor of *England* for the Time being, to be named in all Parts of the Realm where Need should be, under a certain Form in the said Ordinance and Grant contained; by which Ordinance and Grant the said Commissioners had not Power or Authority to do, perform, nor execute the Things comprised within the said Commissions; and therefore he hath ordained and established, by Authority of this Parliament, That all such Commissioners shall have Power to do, ordain, and execute the Statutes, Ordinances, and other Matters according to the Effect and Purport of the Commissions aforesaid.

[*See Stat.*
23 H. 8. c. 5. § 7.]

ITEM nostre Seignur le Roi considerant coment, au darrein parlement tenuz a Westm' lan de son [roialme¹] sisme, ordine et grante estoit par auctorite du dit parlement qe severalx commissions de sewers ferroient faitz as diverses persones, par le chaunceller d'Engleterre pur le temps esteant, a nomerz en toutz les parties de roialme ou mestier serroit, souz certain forme en les ditz ordonnance et grante contenuz; par quelles ordonnance et grante les ditz commissioners navoient poair ne auctorite, de fair parfourner ne dexecuter les choses comprises deinz les ditz commissions, et pur ceo ad ordine ad establie par auctorite de ceste present parlement, qe toutz tielx commissioners aient poair pur fair ordiner et executer estatuits ordonances et autres affairz solonc leffect et purport dez commissions avaunt ditz.

¹ reigne, *Rot. Parl. P.*

C A P. IV.

For confirming former Statutes against Maintenance by giving of Liveries.

“FOR the Purpose of executing the Statutes 1 H. 4. c. 7.; 7 H. 4. c. 14. &c. against unlawful Liveries, Justices of Peace, &c. are empowered to proceed against Offenders by Attachment, Distrels, *Capias et Exigend*. The Statutes extended also to the Counties of *Chester* and *Lancaster*. Exception as to the Mayor and Sheriffs of *London* while in Office, &c. Persons cloathing themselves at their own Costs in Liveries of the Sort or Suit of any Lord, Lady, Esquire, &c. for Maintenance in any Quarrel, &c. shall be liable to the Penalties of the Acts.” [*Repealed* 3 Car. 1. c. 4. § 27.]

C A P. V.

For confirming and amending former Statutes concerning Weights and Measures; and requiring common Balances and Weights to be kept in all Cities, Boroughs, and Towns.

[See as to *Dorchester Stat.* 9 H. 6. c. 6.]

See *Stats.*

25 Ed. 3. ff. 5.

c. 9, 10.

27 Ed. 3. ff. 2.

c. 10.

13 R. 2. ff. 1. c. 9.

ALSO, whereas by the great Charter of the Liberties of the Realm, of *England*, and by a Statute made the [Twenty-fifth] Year of King *Edward* the Third, it was ordained, and by a Statute made in the Thirteenth Year of King *Richard* the Second, confirmed, that One Weight and One Measure should be through all the Realm of *England*, as well out of the Staple as within; and in the same Statute of the said King *Edward*, it is contained, that the Weight called Auncel, for the great Damage and subtil Deceits done thereby to the common People, should be wholly put out, and that the Woolls, and all other Manner of Merchandises, and all other Things weighable, bought or sold, should be weighed by the Balance, so that the Tongue of the Balance incline not to either Side, with Weights sealed, and according to the Standard of the Exchequer; and he that did contrary, to the Damage of the Seller, should forfeit to our Lord the King the Value of the Goods so weighed or measured; and that the Party Complainant should have his quatreble Damages: And by the said Statute of the said King *Richard*, it was added, that the Offender should be imprisoned by Two Years, and make Fine and Ransom at the King's Will; and that the Justices of Peace should have Power to inquire of the said Defaults, as well at the Suit of our Lord the King as the Party: Our Lord the King, by the Authority of this Parliament, hath ordained, That the Statutes and Ordinances aforesaid shall be firmly kept and holden, and straitly executed.

Former Statutes confirmed.

And moreover, for to eschew divers great Mischiefs which have happened within the said Realm, by the said Auncel, and especially for to destroy the Falshood of the Regrators of Yarn, called *Yarn-Choppers*, it is ordained by our said Lord the King, and by the Authority aforesaid, That in every City, Borough, and Town of the Realm, a common Balance shall be, with common Weights

Every City, Borough, and Town, shall

• See Note to the *French Text*.

D d 4

sealed,

have a common
Balance and
Weights,
[and also a com-
mon Busshel,
11 H. 6. c. 8.]
[See as to Cheefe,
9 H. 6. c. 8.]

sealed, and according to the Standard of the Exchequer, at the common Costs of the said City, Borough, or Town, in the keeping of the Mayor or Constables thereof; at which Balance and common Weights all the Inhabitants of the same City, Borough, or Town, who have not such Weights, and others that have, if they will, may freely weigh without any Thing paying therefore; taking nevertheless of Foreigners for every Draught within the Weight of xl. li. a Farthing, and for every Draught betwixt Forty Pound and an Hundred Pound, an Halfpenny, and for every Draught betwixt an Hundred Pound and a Thousand Pound, a Penny at the most; wherewith the Weights shall be maintained, and the Officer lawfully weighing rewarded, by the Discretion of the chief Men of such City, Borough, or Town, according to his Attendance on the said Business, be it more or less.

* [This part
repealed,
21 Jac. I. c. 28.
§ 11.]

And that no Man [do buy Yarn of Wooll, called Woollen Yarn, unless he will make Cloth thereof; nor *] use Weight nor Measure, nor other Thing in the Place of Weight or Measure, that is not sealed, and according to the said Standard, nor put any Thing to the same by the Way of Hanging or Covering, or in any other Manner that may increase the Measure or Weight, or hinder the Balance from having its natural Course, upon the Forfeiture and Penalty aforesaid. And that the Justices of Peace, Mayors, Bailiffs, and Stewards of Franchises, have Power by Authority aforesaid to examine the Trespassers in this Case, and to enquire in especial of all Offenders against this Ordinance, and to do Execution on them that be found faulty by Inquests, or by Examination to be made by the said Judges or Officers in this Case, in Manner as afore is said.

Penalty on
unduly weighing
recoverable
before Justices
of Peace, &c.

Penalties on
City or Town
being without
common Balance
and Weights.
* [if it be a City,
Borough, or
Market Town,
11 H. 7. c. A.]

And that this Ordinance be holden and observed from the Feast of *Easter* next ensuing, for ever. And that every City, upon Pain of Ten Pounds, every Borough upon Pain of an Hundred Shillings, and every Town where a Constable is * upon Pain of Forty Shillings, have a common Balance with Weights according to the said Standard, within Two Months after Proclamation made of this Ordinance; which Penalties shall be levied to the Use of our Lord the King, as often as they shall be found faulty after the said Proclamation.

ITEM come par la grande chartre dez libertees du roialme et par estatuit fait lan [xxvj.¹] du Roy E. tierce ordine soit, et par estatuit fait lan xiiij. du Roi Richard le seconde confermee, qe une pois et une mesure soit parmy tout le roialme, sibien hors de lestaple come dedein; et en mesme lestaituit du dit Roi E. contenu soit, qe le pois appelez auncell, pur grandes damages et soitilz deceites faitz par icell a le commune poeple, soit tout outrement lessiez; et qe lez lains, et toutz maners dez ⁽¹⁾ choses poissables, achatez ou venduz, soient poisez par la balance issint qe la langede balaunce nencline a lunc partie ne a lautre; ovefque poises ensealez et accordantz a lestandard de leschequer; et celui q

¹ So all printed Copies read, and printed *Rot. Parl.* The Translations read variously, *Rass.* 1591. reads 'Twenty-seventh,' but with a Note at the End of the Preamble, that "it recites the Statutes otherwise than we have them."

² marchandises et touz autres, P.

face le contrarie al damage del vendour forface au Roi la value des biens ensi poisez ou mesurez, et qe la partie compleignant ait sez damages au quatreble: Et par le dit estatuit du dit Roi Richard addez soit, qe le trespasour soit emprisonne par deux ans et face fya et raunceon a la volunte le Roi; et qe les justices du pees aient poair denquerer dez ditz defautes, sibien al suite de Roi come de partie: Nostre Seignur le Roi, par auctorite de ceste parlement, ad ordine qe lez ditz estatuitz ⁽³⁾ soient fermement tenuz et gardez et estroitment executz.

Et enoutre, pur eschuer plusours grandes meschiefs quount avenez, deinz le dit roialme, par lez ditz auncelles, et especialment pur destruer la fauxtee de les regratours du file, appelez Yernchoppers, ordinez est par nostre dit Seignur le Roi, et par auctorite suisdite, qen chescune citee burgh et ville du roialme, soit une commune balance, avec communes poises ensealez, et accordantz a lestandard de leschequer, sur la commune costage qu dite cite burgh ou ville, en la garde del mair ou constables dicell, as queux balaunces et communes poises toutz les [enheritantz ⁴] de mesme la citee burgh ou ville, qi nount tielx poises, et autres qount fils voillent, puissent franchement poiser sanz rien ent paier; preignant nientmeins dez foreins pur chescune trett dedeinz le pois de xl. li. i. qua' et pur chescun trett parentre xl. et C. li. i. ob. et pur chescune trett parentre C. et M. li. i. d. a le plus; dont lez poises serront maintenuz et lofficer loialment poisant regardez par la discretion des chiefs dicell citee burgh ou ville, selonc sa entendance a la dite occupation soit il plus ou meins.

Et qe null homme achate file de laine appelle wollenyern, fil ne voet ent faire drap; ne use pois ne mesure, ne autre chose en lieu de pois ou mesure, qe ne soit ensealez et accordant a le dit estandard, ne mette aucun chose a icell par voie de pendure ou couverture, ou en aucun autre maner qe puisse encrecer la mesure ou le pois, ou empедier la balaunce pur avoir son naturell cours, sur les forfaiture et peine desuidditz. Et qe les justices de pees, mairs, baillifs et seneschalx des fraunchises, aient poair par auctorite suisdite examiner les trespasours en ceo cas, et pur enquerer en especial de toutz trespasours encountre cest ordinance, et a fair execution diceux qi souat trovez defectifs, par enquestes ou par examination affair par lez ditz juges ou officers en ceo cas, en maner come desuis est dit.

Et qe ceste ordinance soit tenuz et observez de le fest de Pasqe proschein ensuant pur toutz jours. Et qe chescun citee sur peine de x. li. chescune burgh sur peine de C. s. et chescune ville ou un constable est sur peine de xl. s. ait une commune balaunce, avec poises, accordantz a le dit estandard, dedeinz deux mois apres proclamation faite de ceste ordinance: les quelles peines serront levez al oeps de Roi, a tant de foitz qils serront trovez defectifs depuis la proclamation desuiddite.

³ et ordinances.

⁴ inhabitants, P.—dwellers, *Rot. Parl.*

C A P. VI.

Against malicious Burning of Houses.

“ **A**FTER Recital that divers Offenders unknown in the Counties of *Cambridge* and *Essex*, had, by Bills directed to certain Persons, demanded Money to be put in a certain Place, threatening great and outrageous Vengeance in case of Failure, and on being disappointed of receiving the Money had feloniously and traiterously burned many Houses, Goods, and Chattels of divers Persons in the said County: It is enacted, That all such burning of Houses shall be adjudged High Treason.”

[See the general Repeal of Treasons by Stat. 1 E. 6. c. 12.; and as to Offences by threatening Letters Stat. 9 Geo. 1. c. 22, &c.]

C A P. VII.

What Sort of Men shall be Choosers, and who shall be chosen Knights of the Parliament.

[See further
23 H. 6. c. 14.]

[See Stat.
7 H. 4. c. 15.
and Notes there.]

ALSO, whereas the Elections of Knights of Shires chosen to come to the Parliaments of our Lord the King, in many Counties of *England*, have now of late been made by very great, [outrageous,¹] and excessive Number of People dwelling within the same Counties [of the Realm of *England*,²] of the which most Part was by People of small Substance, or of no Value, whereof every of them pretended to have a Voice equivalent, as to making such Elections, with the most worthy Knights and Esquires dwelling within the same Counties, whereby Man-slaughters, Riots, Batteries, and Divisions among the Gentlemen, and other People of the same Counties, shall very likely rise and be, unless convenient and due Remedy be provided in this Behalf: Our Lord the King, considering the Premises, hath provided, [ordained, and established,³] by Authority of this present Parliament, That the Knights of the Shires to be chosen within the Realm of *England* to come to the Parliaments of our Lord the King hereafter to be holden, shall be chosen in every County of the Realm of *England*, by People [dwelling and resident⁴] in the same Counties, whereof every one of them shall have [free Land or Tenement⁵] to the Value of Forty Shillings by the Year at the least above all Charges; [and that they which shall be so chosen shall be dwelling and resident within the same Counties;⁶] and such as have the greatest Number of them that may expend Forty Shillings by the Year and above, as afore is said, shall be returned by the Sheriffs of every County, Knights for the Parliament, by Indentures sealed betwixt the said Sheriffs and the said Choosers, thereof to be made. And every Sheriff of *England* shall have Power, by the said Authority, to examine upon the Holy Evangelists every such Chooser, how much he may expend by the Year. And if any Sheriff do return Knights to come to the Parliament contrary to this Ordinance, the Justices of Assise in their Sessions of Assises shall have Power, by the Autho-

Electors shall
have Forty
Shillings a Year
Freehold.

The Knights
shall be returned
by the greatest
Number of such
Electors.

The Sheriff shall
examine Electors
upon Oath,
touching their
Estates.

Justices of As-
sise shall inquire
of the Returns
of Knights to
Parliament.

¹, ² These Clauses repealed by Stat. 14 Geo. 3. c. 58.

³ freehold within the County. Stat. 10 H. 6. c. 2.

rity aforesaid, thereof to inquire; and if by Inquest the same be found before the said Justices, and the Sheriff thereof be duly attainted, that then the said Sheriff shall incur the Pain of an Hundred Pounds, to be paid to our Lord the King, and also that he have Imprisonment for One Year, without being let to Bail or Mainprise; and that the Knights for the Parliament returned contrary to the said Ordinance, shall lose their Wages.

Provided always, That he which cannot expend Forty Shillings by Year, as afore is said, shall in no wise be Chooser of the Knights for the Parliament; and that in every Writ that shall hereafter go forth to the Sheriffs to choose Knights for the Parliament, Mention be made of the said Ordinances.

Penalty on the Sheriff for undue Returns.

(See further Stat. 23 H. 6. c. 14.)

Knights falsely returned shall lose their Wages.

Act shall be noticed in Writs to the Sheriffs.

ITEM come les elections dez chivalers dez countees esluz a venir as parlements du Roi, en plusieurs countees d'Engleterre, ore tarde ont este faitz par trop grande ⁽¹⁾ et excessive nombre dez gentz demurrantz deinz mesmes les countes ⁽²⁾, dount la greindre partie estoit par gentz sinon de petit avoir ou de null vaü, dount chescun pretende d'avoir voice equivalent, quant a tielx elections faire, ove les plus valantz chivalers ou esquiers demurrantz deinz mesmes les countees, dount homicides rioters bateries et divisions, entre les gentiles et autres gentz de mesmes les countes, verisemblablement sourdront et ferreront, si convenable remede ne soit purveu en celle partie; Nostre Seigneur le Roy, considerant les premisses, ad purveu [et ordene ³] par auctorite de cest parlement, qe les chivalers des countes deins le roialme d'Engleterre a esliers, a venir a les parlements ⁽⁴⁾ en apres a tenirs, soient esluz en chescun counte par gentz demurrantz et rescantz [en icelles ⁵] dount chescun ait frank ⁽⁶⁾ tenement a le value de xl s. par an al meins, outre les reprises: Et qe ceux qi ferront ensy esluz soient demurrantz et rescantz deins mesmes les countes; et ceux qi ont le greindre nombre de yeulx qi poient expendre par an xls. et outre come desuis est dit, soient retournez par les viscountz de chescun countee chivalers pur le parlement, par indentures enfealtes parentre les ditz viscountz et les ditz eslisours ent affaires. Et eit chescun vicont d'Engleterre poair, par auctorite suisdite, d'examiner sur les seintz Evangelies chescun tiel eslisour come bien il poet expendre par an: Et si ascun viscount retourne chivalers pur venir au parlement au contrarie de ycest ordonnance, qe les justices des assises en lour sessions des assises aient poair par auctorite suisdite de ceo enquerer; et si par inquest ceo soit trove devant mesmes les justices, et le viscount de ceo duement atteint, qadonqz le dit viscount encouree la peine de C. li. a paiers a nostre Seigneur le Roy, et auxi qil ait imprisonment par un an, sanz estre lessz au baille ou mainprise; et qe les chivalers pur le parlement au contrarie la dite ordonnance retournez perdent lour gages.

Purveu toutfoitz qe celluy qi ne poet expendre xls. par an come desuis est dit, ne soit en ascun manere eslisour des chivalers pur le parlement. Et qe en chescun brieve qe issira en apres as viscount pur eslier chivalers pur le parlement, soit mention fait des ditz ordinances,

¹ outrageouse, P.

² ordene et establi, P.

³ en mesmes icelles countees, P.

⁴ du roialme d'Engleterre, P.

⁵ n're Seigneur le Roi, P.

⁶ libre ou, P.

C A P. VIII.

For continuing Statute 6 Hen. 6. c. 3. concerning Labourers Wages.

[*The Statute is continued till the King shall otherwise declare his Will in full Parliament.—See the general Words of Repeal in Stat. 5 El. c. 4.*]

C A P. IX.

For confirming and amending former Statutes respecting Forcible Entries.

“RECITAL of Stat. 15 Ric. 2. c. 2. at length,” (*see also Stat. 4 H. 4. c. 8.*)

The Defects of
the Statute of
25 R. 2. c. 2.

[II.]

Confirmation of
former Statutes
against forcible
Entries, &c.

One Justice of
Peace may
execute the
recited Statute.

[III.]

Whether the
Party making
forcible Entry or
keeping Posses-
sion be present or
absent, One
Justice may de-
liver Possession
to the Party
ousted.

[By Stat.

21 Jac. 1. c. 15.
extended to
Leaseholders, &c.
ousted.]

And for that the said Statute doth not extend to Entries in Tenements in peaceable Manner, and after holden with Force, nor if the Persons which enter with Force into Lands and Tenements, be removed and avoided before the coming of the said Justices or Justice, as before, nor any Pain ordained if the Sheriff do not obey the Commandments and Precepts of the said Justices, for executing the said Ordinance; many wrongful and forcible Entries be daily made into Lands and Tenements by such as have no Right; and also divers Gifts, Feoffments, and Discontinuances sometimes made to Lords, and other powerful Persons, and Extortioners within the said Counties where they be conversant, to have Maintenance, and sometimes to such Persons as be unknown to them so put out, to the Intent to delay and defraud such rightful Possessors of their Right and Recovery for ever, to the final Disherison of divers of the King's faithful liege People, and likely it is daily to increase, if due Remedy be not provided in this Behalf: Our Lord the King considering the Premises, hath ordained, That the said Statute, and all other Statutes of such Entries or Alienations made in Times past, shall be holden and duly executed; adding thereto, that if from henceforth any doth make any forcible Entry in Lands and Tenements, or other Possessions, or them do hold forcibly, after Complaint thereof made within the same County where such Entry is made, to the Justices of Peace, or to One of them, by the Party-grieved, that the Justices or Justice so warned, within a convenient Time shall cause, or One of them shall cause, the said Statute duly to be executed, and that at the Costs of the Party so grieved.

And moreover though that such Persons making such Entry be present, or else departed before the coming of the said Justices or Justice, nevertheless the same Justices or Justice in some good Town next to the Tenements so entered, or in some other convenient Place, according to their Discretion, shall have, or either of them shall have, Authority and Power to inquire by People of the same County, as well of them that make such forcible Entries into Lands and Tenements, as of them which the same hold with Force; and if it be found before any of them, that any doth contrary to this Statute, then the said Justices or Justice shall cause the Lands and Tenements so entered or holden as afore to be resealed, and shall put the Party so put out in full Possession of

of the same Lands and Tenements so as aforesaid entered or holden And if any Person, after such Entry into Lands or Tenements holden with Force, make a Feoffment or other Discontinuance to any Lord or other Person, to have Maintenance, or to take away and defraud the Possessor of his Recovery in any wise, if afterwards in Assise, or other Action thereof to be taken or pursued before Justices of Assise, or other the King's Justices whatsoever, by due Inquiry thereof to be taken, such Feoffments and Discontinuances may be duly proved to be made for Maintenance, as aforesaid, that then such Feoffments, or other Discontinuance, so as before made, shall be void, frustrate, and holden for none.

And also when the said Justices or Justice shall make such Inquiries as before, they shall make, or One of them shall make, their Warrants and Precepts directed to the Sheriff of the same County, commanding him on the King's Behalf to cause to come before them, and every of them, sufficient and indifferent Persons, dwelling next about the Tenements so entered as before, to inquire of such Entries, whereof every Man, which shall be impanelled to inquire in this Behalf, shall have Land or Tenement of the yearly Value of Forty Shillings by Year at the least, above Reprises. And that the Sheriff return Issues upon every of them at the Day of the First Precept returnable, Twenty Shillings; and at the Second Day, Forty Shillings; and at the Third Time, an Hundred Shillings; and at every Day after, Double. And if any Sheriff, or Bailiff within a Franchise, having Return of the King's Writ, be slack, and make not Execution duly of the said Precepts to him directed to make such Inquiries, that he shall forfeit to the King Twenty Pounds for every Default, and moreover shall make Fine and Ransom to the King.

And that as well the Justices or Justice aforesaid, as the Justices of Assise, at their coming into the Country to take Assises, shall have, and every of them shall have, Power to hear and determine such Defaults and Negligences of the said Sheriffs and Bailiffs, and every of them, as well by Bill at the Suit of the Party grieved, to sue for himself as for the King, as by Indictment only to be taken for the King. And if the Sheriff or Bailiff be duly attainted in this Behalf by Indictment, or by Bill, that he which sueth for himself and for the King have the One Moiety of the Forfeiture of Twenty Pounds, together with his Costs and Expences. And that the same Process be made against such Persons indicted or sued by Bill in this Behalf, as should be against Persons indicted or sued by Writ of Trespass done with Force and Arms against the Peace of the King.

And moreover, if any Person be put out, or disseised of any Lands or Tenements in forcible Manner, or put out peaceably, and after holden out with strong Hand; or, after such Entry, any Feoffment or Discontinuance in any wise thereof be made, to defraud and take away the Right of the Possessor; that the Party grieved in this Behalf shall have Assise of *Novel disseisin*, or a Writ of Trespass against such Disseisor. And if the Party grieved recover by Assise, or by Action of Trespass, and it be found by Verdict, or in other Manner by due Form in the Law, that the Party Defendant entered with Force into the Lands and Tenements,

All Conveyances for Maintenance declared void.

[IV.]

The Justices Precept to the Sheriff to return a Jury to inquire of forcible Entries.

Juror shall have Forty Shillings per Annum.

Penalty on Sheriff for omitting his Duty, 20*l*.

[V.]

Process against the Sheriff, for the Penalty.

[VI.]

Assise of *Novel disseisin* or Action of Trespass given against him who doth enter or keep Possession with Force.

The Authority
of the chief
Officers in Cities,
&c. as Justices.

ments, or them after his Entry did hold with Force, that the Plaintiff shall recover his Treble Damages against the Defendant; and moreover, that he make Fine and Ransom to the King. And that Mayors, Justices or Justice of Peace, Sheriffs, and Bailiffs of Cities, Towns, and Boroughs, having Franchise, shall have in the said Cities, Towns, and Boroughs, like Power to remove such Entries, and in other the Articles aforesaid, arising within the same, as the Justices of Peace and Sheriffs in Counties and Countries aforesaid have.

[VII.]
They may keep
their Land by
Force who have
had Three Years
Possession.

[This Section
confirmed,
31 Eliz. c. 11.]

Provided always, That they which keep their Possessions with Force in any Lands and Tenements, whereof they or their Ancestors, or they whose Estate they have in such Lands and Tenements, have continued their Possessions in the same by Three Years or more, be not endamaged by Force of this Statute.

ET pur taunt qe le dit estatut nextende my as entres en tenementz en peisible manere, et apres tenuz ove force, ne si les perones qentront ove force en terre ou tenementz soient remoevez et voidez, devant le venu des ditz justices ou justice come devant, ne null peine ordine si le viscount ne obeie my les maundementz et precepts des ditz justices pur executier lordinance suisdit, plousours torcenouses et forcibles entres sont faitz de jour en autre en terres et tenementz par ceux qi droit nount; et auxi diverses douns feoffementz et discontinuances, aucun soit faitz as seignurs et autres perones puissantz, et extortioners deins les countes ou ils sont conversantz, pur maintenance avoir, et aucuns soitz as tiels perones ensy oustez disconuz, a tiel entent pur delaier et defrauder tiels droiturelx possesseurs de leur droit et recoverer a toutz jours, a final disheritacion de plusieurs des foials lieges de Roy, et semblable est dencreaser de jour e autre si du remedie ne soit purvee celle partie: Nostre Seignur le Roy considerant les premisses ad ordene qe le dit estatut, et toutz autres estatutz de tiels entres ou alienation devant faitz, soient tenuz et duement executz: Ajoustant a icelle qe si desore en avant aucun face tiel forcible entre en terres tenementz ou autres possessions, ou eux tiegne forciblement, apres compleint ent fait deins mesme le counte lou tiel entre soit fait, as justices de peas ou un de eux par la parte greve, qe les justices ou justice ensy garny, deins temps covenable facent ou face duement executer le dit estatut et ceo as costages del partie ensy greve.

Et outre ceo coment qe tiels perones, faisantz tiel entre, soient presentz ou voidez devant la venu des ditz justices ou justice, nientmeins mesmes les justices ou justice en aucun bone ville plus prochain as tenementz ensy entrez, ou en aucun lieu covenable selonc loure discretion, eient, et chescun de eux eit, auctorite et poair denquerer, par gentz de mesme le countee auxibien de ceux qi sont tiels forcibles entrees en terres et tenementz, come de ceux qi eux tiegnent ove force; et si trove soit devant aucun deux qe aucun face le contraire de cest estatut, adoncs les ditz justices ou justice facent ou face reseiser les terres et tenementz, ensy entrez ou tenuz come devant, et mettre la partie ensy ouste en plein possession de mesmes les terres et tenementz come devant entrez ou tenuz. Et si aucune persone, apres tiel entre en terres ou tenementz tenuz ove force, face feoffement ou autre discon-

discontinuance a ascun seigneur ou autre persone, pur maintenance avoir, ou pur toller et defrauder le possesseur de sa recoverer en ascun maner, si apres en assise ou autre action ent destre prise ou pursuez devaunt justices des assises, ou autres justices le Roy qiconqs, par deu enquerre ent apprendre, purra duement estre prove mesmes les seoffementz et discontinuances estre faitz pur maintenance, come desuis est dit, qe adonques tielx seoffementz ou autre discontinuance ensy come devaunt faitz soient voidez irritez et tenuz pur nulle.

Et auxi quant les ditz justices ou justice ferront tielx enquerrez come devaunt, facent ou face lour garrantz et precepts directz al viscount de mesme le counte, luy comendant depar le Roy de fair venir devaunt eux et chescun deux, persones sufficientz et indifferenz pluis proscheins demurrantz entour les tenementz ensy entrez come devaunt denquerre de tielx entreez, dount chescun qi serra empanelle denquerer en celle partie ait terre ou tenement de annuel value de xl. s. par an au meins outre les reprises. Et qe le viscount retourne issuez sur chescun deux au jour de primer precept retournable xx. s. et al seconde jour xl. s. et al tierce soitz C. s. et au chescun jour apres le double. Et si ascun viscount, ou bailly deinz franchise aiantz retourne de brieve du Roy, soit lacche et ne face duement execution des ditz preceptz a luy directz, pur tielx enquerrez faire, qil forcase devers le Roy xx. li. pur chescun default et outre face fyn et raunceon au Roy.

Et qe auxibien les justices ou justice avaunt ditz, come les justices des assises a lour venir en pais pur assises prendre, eient et chescun de eux ait poair doier et terminer tielx defautes et negligences des ditz viscountz et baillifs et chescun de eux, auxibien par bille al suite del partie greve, pur luy mesme come pur le Roy a fuier, come par enditement a prendre pur le Roy soulement. Et si le viscount ou bailly soit duement atteint en celle partie par enditement ou par bille, qe celui qi sue pur luy et pur le Roy eit une moitee de la forfaiture de xx. li. ensemblement ove ses costages et expenses. Et qe mesme la processe soit fait vers tielx enditees ou suez par bille en celle partie sicome ferroit vers enditez ou suez par brieve de trespass fait ove force et armes encountre la peas du Roy.

Et outre ceo si ascun persone soit ouste ou disseise dascuns terres ou tenementz ove forcible manere, ou ouste paisiblement et apres tenuz dehors ove forte main, ou apres tielle entre ascun seoffement ou discontinuance en ascune manere ent soit fait, pur defrauder et toller le droit del possesseur; qe la partie greve en celle partie eit assise de novell disseisine ou brieve de trespass vers tiel disseisour. Et si la partie greve recovere par assise, ou par action de trespass, et trove soit par verdit ou en autre manere par due forme en ley, qe la partie defendant entra ove force en terres et tenementz, ou eux par force apres son entree tiendra, qe le pleyntif recouvrera ses damages au treble vers le defendant; et outre ceo qil face fyn et raunceon au Roy. Et qe mairs justices ou justice de peas viscountz et baillifs des citees villes et burghs, aiantz franchise, eient en les ditz citees villes et burghs autiel poair de tielx entrees oustier, et en autres articles desuisdites, emergentz deinz ycelles, come ount les justices de peas et viscountes en countees et pais suisdites.

Purveu toutz foitz qe ceux qi gardent par force leur possessions en aucuns terres ou tenementz dount ils ou leur auncestres, ou ceux queux estat ils ont en tiels terres et teneme tz ount contenuz leur possessions en ycelles par trois ans ou pluis, ne soient my endamagex par force de celle estatut.

C A P. X.

[See also Stat.
10 H. 6. c. 6.]

For regulating Proceſs of *Capias*, Exigend, and Outlawry, on Indiſtments and Appeals againſt Perſons not dwelling in the Counties where the Indiſtment or Appeal is found.

Inconveniencies
of indiſting or
appealing any
Perſon in one
County who is
living in another.

ALSO, our Lord the King conſidering how divers Perſons for their private Revenge, and not of Right, maliciously by ſubtle Imagination have cauſed, and procured many of his faithful liege People falſely to be indiſted and appealed of ſeveral Treasons, Felonies, and Trespases, before Juſtices of the Peace, and other Commiſſioners and Juſtices, and others having Power to take Indiſtments or Appeals, in divers foreign Counties, Liberties, and Franchiſes of *England*, in which the ſaid Lieges be not, nor at any Time were, converſant nor dwelling; by Force of which Indiſtments and Appeals, and the Proceſſes thereon made in the ſaid Counties, Franchiſes, and Liberties, the ſaid Perſons, ſo indiſted, have been, and daily be put in *Exigent*, and afterwards outlawed, and thereupon their Goods and Chattels, Lands and Tenements forfeit, and they in great Jeopardy of their Lives, whereas the ſaid Perſons ſo indiſted, appealed, or put in *Exigent*, or outlawed, never had Knowledge of ſuch Indiſtment, Appeals, *Exigents*, nor Outlawries; which Falſehood and Malice daily doth abound and increaſe in divers Counties, Liberties, and Franchiſes of *England*, in great Hindrance, Leſs, and perpetual Deſtruction of many of his ſaid faithful and innocent liege People, and very likely it is to increaſe hereafter, if convenient Remedy be not ordained and provided in this Behalf:

[II.]

On Indiſtments,
&c. againſt
Perſons not
dwelling in the
County where
the Indiſtment,
&c. is found,
after the firſt
Capias, a ſecond
ſhall be awarded
into the County
where the De-
ſendant dwells,
returnable in
Three or Four
Months; and on
Proclamation
thereon in two
County Courts,
Exigent may be
awarded.

*[See as to
Indiſtments

And therefore our ſaid Lord the King, of his ſpecial Grace, and by Authority of this Parliament, for the Eaſe, Safety, and Tranquillity of his faithful Lieges of this Realm, hath cauſed to be ordained and eſta bliſhed, That upon every Indiſtment or Appeal by the which any of the ſaid Lieges dwelling in other Counties than there where ſuch Indiſtment or Appeal is or ſhall be taken of Treason, Felony, and Trespas, to be taken hereafter before Juſtices of Peace, or before any other having Power to take ſuch Indiſtments or Appeals, or other Commiſſioners or Juſtices in any County, Franchiſe, or Liberty of *England*, before any *Exigent* awarded upon any Indiſtment or Appeal in the Form aforeſaid to be taken, that preſently after the firſt Writ of *Capias* upon every ſuch Indiſtment or Appeal awarded and returned, that another Writ of *Capias* ſhall be awarded, directed to the Sheriff of the County, whereof he which is ſo indiſted is or was ſuppo ſed to be converſant by the ſame Indiſtment, returnable before the ſame Juſtices or Commiſſioners before whom he is indiſted or appealed *, at a certain Day, containing the Space of Three Months from the Date of the ſaid laſt Writ, where the County Courts be holden from Month to Month; and where the County Courts be

holden from Six Weeks to Six Weeks, it shall have the Space of Four Months, until the Day of the Return of the same Writ; by which Writ of second *Capias*, be it contained and commanded to the same Sheriff, to take him which is so indicted or appealed, by his Body, if he can be found within his Bailiwick; and if he cannot be found within his Bailiwick, that the said Sheriff shall make Proclamation in two County Courts before the Return of the same Writ, that he which is so indicted or appealed shall appear before the said Justices or Commissioners in the County, Liberty, or Franchise where he is indicted or appealed, at the Day contained in the said last Writ of *Capias*, to answer to our said Lord the King, and to the Party, of the Felony, Treason, or Trespas, whereof he is so indicted or appealed; after which second Writ of *Capias* so served and returned, if he which is so indicted or appealed come not at the Day of the same Writ of *Capias* returned, the *Exigent* shall be awarded against such Persons indicted or appealed, and every of them.

removed into
K. B.
§. 10 H. 6. c. 6.]

III. And if any *Exigent* hereafter be awarded upon any such Indictment or Appeal against the Form aforesaid, or any Outlawry be thereupon pronounced, as well such *Exigent* so awarded, as the Outlawry thereupon pronounced, and every of them, shall be holden for null and void; and that the Party against whom such *Exigent* contrary to the Form aforesaid is awarded, or Outlawry pronounced, be not endamaged, nor put to Loss of his Goods or Chattels, Lands or Tenements, nor of his Life.

Exigent, or
Outlawry, to
the contrary,
declared void.

IV. Provided always, That the Statute made in the last Parliament, of Processes to be made in such Case before the King in his Bench, stand in his Force.

Stat.
6 H. 6. c. 1.
confirmed.

And moreover, our said Lord the King hath granted by the Authority aforesaid, That every Person indicted or appealed in the Form aforesaid from henceforth, after that he be duly acquit by Verdict, he shall have a Writ and Action upon his Case, against every Procurer of such Indictments or Appeals; and like Process shall be upon aid in the same Writ, as in a Writ of Trespas done with Force and Arms; and if such Procurer be attained in this Behalf, that the Plaintiff shall recover his treble Damages.

If the Party be
acquitted by
Verdict, he may
recover his
Treble Damages
by Action on
the Case.

V. Provided always, That this Ordinance shall not extend to Indictments or Appeals taken or to be taken within the County of *Chester*.

Exception as to
Chester.
(See Stat.
1 H. 4. c. 13.)

VI. Provided also, That if any of the said Lieges, or any of their Heirs, be or shall be appealed or indicted of Felony or Treason, and at the Time of the same Felony or Treason supposed, he is or was conversant within the County whereof the Indictment or Appeal maketh Mention, that such Process shall be made against such Person so indicted or appealed, as hath been used always before this Time.

Persons indicted
in the County
where they live,
shall be
prosecuted as
formerly.

ITEM nostre Seigneur le Roy considerant coment diverses personnes pur leur singuler vengeance, & nient de droit, malicieusement par sottile ymagination, ont faitz et procurez de fauxment enditer et appeller diversez de sez soiaix lieges, de diverses trefons felonies et trespas, devaunt justices de peas et autres commissioners et justices, et autres aiantz poair de prendre enditementz ou ap-

pelles, en diverses foreins countees libertees et fraunchises d'Engleterre, es queux les ditz lieges ne sount ne unques feussent convcrsantz ne demurantz ; par force des queux enditementz et appellez, et les proceses sur eux faitz en les ditz countees fraunchifez et libertees, les ditz perſones enſy enditez ount eſte, et de jour en autre ſount, mys en exigent et puis utlagez, et ſur ceo lour biens et chaticux terres et tenementz forſaitz, et eux en grande perile de lour vies ; la ou les ditz perſones, enſy enditez appelez ou mys en exigent ou utlagez, navoient unqs coniffance de tielx enditementz appelez exigentz ne utlagaries ; les queux fauxine et malice de jour en autre habundant et encreſcent, en divers countees libertees et fraunchises d'Engleterre, en graunt anientement perde et perpetuell deſtruction de pluſours de ſez ditz ſoialx et innocent lieges, et veriſemblable eſt dencreſcer en apres, ſi remedeſe covenable ne ſoit ordene et purveu en celle partie :

Et pur ceo meſme noſtre Seignur le Roy, de ſa grace eſpeciale et par auctoritee de ceſt parlement, pur eaſe ſalvation et tranquillite de ſez ſoialx lieges de ceſt Roialme, ad fait ordiner et eſtablir ; Que ſur cheſcun enditement ou appelle, par le quelle aſcuns des ditz lieges, demurrantz en autres countees qe la ou tiel enditement ou appell ſoit ou ſerra pris de trefſon felonie et trefpaſe, apprendre en apres devant juſtices de peas, ou devant aſcun autre aiant poair de tielx enditementz ou appellez prendre, ou autres commiſſioners ou juſtice en aſcun countee franchiſe ou libtee d'Engleterre, devant aſcun exigend' agarde ſur aſcun enditement ou appelle, en la forme avaunt dite aprendre, qe maintenant apres le primere brieſe de capias, ſur cheſcun tiel enditement ou appelle agarde et retourne, qe un autre brieſe de capias ſoit agarde, directe ad viſcount del countee dount celly, q' eſt enſy enditez, eſt ou fuiſt ſuppoſe deſtre converſant par meſme lenditement, retournable devant meſmes les juſtices ou commiſſioners devant queux il eſt endite ou appelle, a un certain jour contenant la ſpace de trois mois de la date du dit darrein brieſe, ou les countes ſe tiegnent de mois en mois ; et la ou les countees ſount tenuz de ſys ſepmains en ſys ſepmains, ait leſpace de quatre mois tanqal jour de retourne de meſme le brieſe : Par quel brieſe de ſeconde Capias ſoit contenuz et comande a meſme le viſcount de prendre celuy, q' eſt enſy endite ou appelle, par ſon corps ſil poet eſtre trove deins ſa baillie ; et ſil ne poet mye eſtre trove deins ſa baillie, qe le dit viſcount face proclamation en deux countees, devant le retourne de meſme le brieſe, qe celuy qeſt enſy endite ou appelle appierge, devant les ditz juſtices ou commiſſioners en le countee libtee ou franchiſe ou il eſt endites ou appelez, al jour contenu en le dit darrein brieſe de Capias, a reſpoudre a noſtre dit Seignur le Roy, et au partie de la felonie trefſon ou trefpaſe dount il eſt enſy enditez ou appelez ; apres quel ſecond brieſe de Capias, enſy ſervy et retournee, ſi celuy q' eſt enſy enditez ou appelez ne veigne al jour de meſme le brieſe de Capias retourne, ſoit exigend' agardez envers tielx endites ou appelez et cheſcun de eux.

Et ſi aſcun exigend' enapres ſoit agarde ſur aſcun tiel enditement ou appelle, coudre la forme avaunt dite, ou aſcun utlagarie ſur ceo pronunciez, ſoit ſibien cell' exigend' enſy agarde come la utlagarie ſur ceo pronuncie, et cheſcun de eux tenuz pur null et voidé :

et qe la partie sur qi tiel exigend' encountre la forme avaunt dite soit agarde, ou utlagarie pronuncie, ne soit endamage ne mys a perde de ses biens ou chatieus terres ou tenementz ne de sa vie.

Purveu toutz soitz qe lestatut fait en le darrein parlement des processess affaires en tielx cascs devaunt le Roy en son Bank estoise en sa force.

Et enoutre mesme nostre Seignur le Roy ad grantee par anctorite fufdite qe chescun enditez ou appelle en la forme avaunt dite, de cy enavaunt, apres ceo qil soit par verdit duement acquitee, qil eit brieft et action sur son cas envers chescun procurour de tielx enditementz ou appelez; et soit autiele processse, sur et en mesme le brieft, come en brieft de trespas fait ove force et armes; et si tiel procurour soit atteint en celle partie qe le pleintif recovere sez damages au treble.

Purveu toutz soitz qe cest ordinance ne se extende mye as enditementz ou appelez prizez ou apprendrez deinz le countee de Cestre.

Purveu auxi qe si ascun des ditz lieges, ou ascun de lour heirs, soit ou serra appelle ou enditez de felonie ou treson, et au temps de mesme le felonie ou treson supposez, est ou feust conversaunt deinz le countee dount lenditement ou appelle fait mention, qe autielle processse soit fait vers tiel endite ou appelle, come ad este use devaunt ces heurs.

C A P. XI.

Concerning Apprentices in *London*.

"**T**HE Citizens of *London* may take Apprentices according to their ancient Customs, notwithstanding the Restriction in Stat. 7 H. 4: c. 17." See the Note there.

C A P. XII.

What Defects in Records and Process may be amended by the Judges, and what not. Punishment for Stealing of Records. [See also Stat. 8 H. 6. c. 15. 27 Eliz. c. 5.]

ALSO, our Lord the King hath ordained and established, by the Authority of this present Parliament, That for Error assigned, or to be assigned, in any Record, Process, Warrant of Attorney, Writ original or judicial, Panel or Return, in any Places thereof rased or interlined, or in any Addition, Subtraction, or Diminution of Words, Letters, Titles, or Parcels of Letters, found in any such Record, Process, Warrant of Attorney, Writ, Panel, or Return, which Rasings, Interlinings, Addition, Subtraction, or Diminution, at the Discretion of the King's Judges of the Courts and Places, in which the said Records or Process by Writ of Error, or otherwise, be certified, do appear suspected, no Judgement nor Record shall be reversed nor adnulled. And that the King's Judges of the Courts and Places in which any Record, Process, [Word,'] Plea, Warrant of Attorney, Writ, Panel, or Return, for the Time shall be, shall have Power to examine such Records, Processes, [Words,'] Pleas, Warrants of Attorney, Writ, Panel, and Return, by them and their Clerks, and to reform and amend (in

No Judgment nor Record shall be reversed nor avoided, for Rasures, Interlineations, or literal Errors.

¹ Query, "Imparllance."

E c 2

Affirmance

[11.] The Judges may amend Defects in Records from Misprision of the Clerk, in Affirmance of Judgments.

Not to extend
to Appeals,
Indictments,
Outlawries, &c.

Variance al-
leged between
a Record and
the Certificate
thereof, may be
amended.

Embezzling of
a Record,
whereby any
Judgment shall
be reversed,
declared Felony.
(See 3 *Inft.* 70.)

Records exem-
plified under the
Great Seal, and
inrolled in the
Chancery, shall
not be reversed.

Affirmance of the Judgements of such Records and Proseses) all that which to them in their Discretion seemeth to be Misprision of the Clerks in such Record, Proseses, [Word,¹] Plea, Warrant of Attorney, Writ, Panel, and Return; except Appeals, Indictments of Treason and of Felonies, and the Outlawries of the same, and the Substance of the Proper Names, Surnames, and Additions left out in Original Writs and Writs of Exigent, according to the Statute heretofore made the [First²] Year of King *Henry*, Father to our Lord the King that now is, and in other Writs containing Proclamation: So that by such Misprision of the Clerk no Judgement shall be reversed nor adnulled. And if any Record, Proses, Writ, Warrant of Attorney, Return, or Panel be certified defective, otherwise than according to the Writing which thereof remaineth in the Treasury, Courts, or Places from whence they be certified, the Parties, in Affirmance of the Judgements of such Record and Proses, shall have Advantage to alledge, that the same Writing is variant from the said Certificate, and that being found and certified, the said Variance shall be by the said Judges reformed and amended according to the first Writing.

III. And moreover it is ordained, That if any Record, or Parcel thereof, Writ, Return, Panel, Proses, or Warrant of Attorney in the King's Courts of Chancery, Exchequer, the one Bench or the other, or in his Treasury, be wilfully stolen, taken away, withdrawn, or avoided by any Clerk, or other Person, by reason whereof any Judgement shall be reversed: that such Stealer, Taker away, Withdrawer, or Avoider, their Procurers, Counsellors, and Abettors, being thereof indicted, and by Proses thereupon made thereof duly convicted, by their own Confession, or by Inquest to be taken of lawful Men, whereof the One half shall be of the Men of any Court of the same Courts, and the other half of other, shall be adjudged for Felons, and shall incur the Pain of Felony. And that the Judges of the said Courts of the one Bench or of the other, have Power to hear and determine such Defaults before them, and thereof to make Punishment as afore is said.

IV. Provided always, That if any such Record, Proses, Writ, or Warrant of Attorney, Panel, or Return, or Parcel of the same, be now, or hereafter shall be exemplified in the King's Chancery under his Great Seal, and such Exemplification there of Record inrolled without any Rasing in one and the same Place in such Exemplification and the Inrollment of the same, that then, for any Error assigned, or to be assigned in the said Record, Proses, Writ, Warrant of Attorney, Panel, or Return, in any Letter, Word, Clause, or Matter thereof varying, or contrary to the said Exemplification and the Inrollment, no Judgement of the said Records and Proseses shall be reversed nor adnulled.

² Query; Stat. 1 H. 5. c. 5.

ITEM nostre Seigneur le Roy ad ordine et estable, par auctorite de cest present parlement, qe pur erreur assigne ou assigner, en ascune recorde processe garaunt dattourne brief original ou judicial panell ou retourne, en ascuns lieux dicelz rasez ou entrelinez, ou en ascun addition subtraction ou diminution des paroles lettres titles ou parcelles des lettres, troves en ascun tiel recorde processe garaunt dattourne brief panell ou retourne, queux rasures entrelinez addition

addition subtraction ou diminution, al discretion des Juges le Roi des courtes et places en queux les ditz recordes ou processe, par brief derrouer ou autrement sount certifiez, appiergent suspectz, ne soit ascune juggement ne recorde reverse ne adnulle : Et qe les Juges le Roi des courtes et places, en queux ascun recorde processe parole plee garaunt dattourne brief panell ou retourne pur le temps soit, eient poair dexaminer tielx recordes processe paroles ples garrauntz dattourne brief panell et retourne par eux et lour clerks, et de reformer et amender, en affermance des juggementz de tielx recordes et processe, tout ceo qe a eux en lour discretion semble estre mesprison de clerk, en tielx recordes processe parole plee garraunt dattourne brief panelle et retourne; forprise appelez, enditementz de trefon et des felonies et lutlagaries dicelles, et la substance de propres nouns furnouns et additions entrelessez en briefs originalx briefs dexigent, selonqe lestatut autre soit fait lan [seconde¹] le Roi Henri pier nostre Seigneur le Roi qor est, et en autres briefs contenantz proclamation : Issint qe par tiel mesprison de clerk ne soit ascun juggement reverse ne adnulle. Et si ascun recorde processe briefe garraunt dattourne retourne ou panell soit certifie defective, autrement qe accordant a la scripture qe ent demoert en les Tresorie Courts ou lieux dount ils sount certifiez, eient les parties, en affermance des juggementz de tielx recorde et processe, avauntage dalegger qe mesme la scripture est variaunt al dit certificate, et ceo trove et certifie soit mesme la variaunce par les ditz Juges refourme et amende accordant a dit primer scripture.

Et outre ceo est ordine qe si ascun recorde, ou parcell dicell, brief retourne panell processe ou garaunt dattourne, en les Courtes le Roi de Chauncellerie Eschequer lun bank ou lautre, ou en fa tresorie, soit voluntierment emble emporte retreit ou avoide par ascun clerk ou autre persone, a cause de quelle ascun juggement soit reverse, qe tiel emblour emportour retreior et avoidour, lour procuratours counseillours et abbettours, ent enditez et par processe sur ceo fait ent duement convictez, par lour propre confession ou par enqueste apprendre des loialx hommes, dount la moite soit des hommes dascun Court, de mesme les Courtes, et lautre moite dautres, soient adjudgez pur felons et encourgent la peine de felonie. Et qe les Juges de les ditz Courts de lun bank ou lautre eient poair doier et terminer tielx defautes devaunt eux et dent faire punition come devaunt est dit.

Purveu tontz soit qe si ascun tiel recorde processe briefe garraunt dattourne panell ou retourne, ou parcell dicel, soit a present ou en apres serra exemplifie en la Chauncellerie le Roi soubz son grande seal, et tiel exemplification illoeqes de recorde enrolle, saunz ascun rasure en une mesme lieu, en mesme lexemplification et lenrollement dicell, qe alors pur null erreur assigne ou assigner en les ditz recordes processe briefs garaunt dattourne panell ou retourne, en ascun lettre parole clause ou matier dicell, variaunt ou contrariaunt a dite exemplification et lenrollement, ne soit nulle juggement des ditz recordes et processe reverse ne adnulle.

¹ *Rot. Parl.* and *P.* agree herewith.

C A P. XIII.

Concerning Protections.

“ **I**N Protections for those that shall go with the King into France, Assises of *Novel Disseisin* shall not be excepted.”

C A P. XIV.

For the Apprehension and Punishment of fugitive Felons.

The Statute
2 H. 5. p. 1.
c. 9. directing
Process of
Capias and
Proclamation
against
Offenders
withdrawing
themselves
recited, and
made perpetual.

ALSO, for that great and grievous Complaint was made to King Henry, late King of England, Father to our Lord the King that now is, at his Parliament holden at *Leicester* the Second Year of his Reign, by the Commons of his Parliament aforesaid, of divers Murders, Manslaughters, Robberies, Batteries, Assemblies of People in great Number in Manner of Insurrections, and of divers other Rebellions and Riots; and after such Offences the said Felons and Offenders did flee and withdraw themselves to divers Woods and Places secret and unknown, and elsewhere, to the Intent and Purpose, to avoid the Execution of the Common Law, and that they might not be brought to answer according to Process of the Law: Whereupon the said late King considering the aforesaid Complaint, by the Assent of the Lords Spiritual and Temporal in the same Parliament assembled, did ordain and establish, at the Request of the said Commons, That if any hereafter do come into the Chancery, and make Complaint duly, that any such Felon or Offender as aforesaid hath fled or withdrawn himself to any such Place, or elsewhere, to the Intent aforesaid, upon such Complaint a Bill shall be sufficiently made for the King; and the Chancellor of England for the Time being, after such Bill to him delivered, if he may be duly informed that such Bill containeth Truth, shall have Power by his Discretion to award a Writ of *Capias* at the Suit of the King, directed to the Sheriff of the County or Counties where the said Murders, Manslaughters, Robberies, Batteries, and other Offences be supposed by the said Bill to be done and committed, returnable in the said Chancery at a certain Day; and if the Persons specified in the said Writ be taken by the said Sheriff, or yield themselves in the same Chancery, that then such Persons be put in Prison or to Mainprise, according to the Discretion of the Chancellor; and moreover it shall be commanded to inquire of such Offences, and upon that shall be done as the Law requireth: And if the Sheriff return, at the Day of the *Capias* returnable, that the Persons therein comprised, for any of the same Causes aforesaid, cannot be taken by him, and such Persons do not yield themselves in the said Chancery, that then the said Chancellor shall cause to be made a Writ of Proclamation, directed to the Sheriff, returnable in the King's Bench at a certain Day, that he make Proclamation in two County Courts, that the Persons named in the said Writ do come at the said Day into the aforesaid Bench, there to answer to the Matter comprised in the said Bill, upon Pain to be convicted of the Matter comprised in the said Bill; and in every such Writ of Proclamation shall be contained the Substance of the Matter comprised in the said Bill; and if they come not at the Day of such Proclamation returned, then they shall be holden and adjudged for convicted, and attainted as afore is said; and if they do come at the

the

the Proclamation it shall be inquired of them, and done in the Manner as afore is said. Provided that the Suggestions of such Riots be certified to the Chancellor of *England* by Letters sealed under the Seals of Two Justices of the Peace at the least, and the Sheriff of the County where such Riots shall be, before that such Writ of *Capias* be granted; in which Writ of *Capias* the Matter which is comprised within the same Bill shall be expressed as well as in the Writ of Proclamation thereof to be made. And if such a Case happen in the County Palatine of *Lancaster*, or elsewhere in Franchises where there is a Chancellor and a Seal, that then the said Chancellor of *England* cause to be written or sent by the King's Writ to the Chancellor of such County or Franchise; all the Suggestion in the said Bill comprised, commanding him to do such Execution as in the said Article is comprised; so always that the King's Writ out of the Chancery of *England* run not in such County or Franchise otherwise than hath been used in Time passed; and that the said Ordinance should remain in his Force till the End of the next Parliament: Our Lord the King, considering that divers Murders, Manslaughters, Robberies, Batteries, Assemblies of People in great Number in Manner of Insurrections, and divers other Rebellions and Riots, have been made in divers Parts of the Realm since the making of the said Statute, not punished, because that the said Statute was in Force only until the End of the Parliament then next following; hath ordained and established, by Authority of this present Parliament, That the said late Statute shall now be kept, and firmly holden for a Statute for ever, as well of Murders, Manslaughters, Robberies, Batteries, Assemblies of People in great Number in Manner of Insurrections, and divers other Rebellions and Riots made and perpetrated before the Beginning of this present Parliament, as in Time to come.

Provision for
County of
Lancaster, and
other Franchises.
(See f. 2.)

II. Provided always, That it be certified by Two Justices of the Peace of the Counties where such Riots shall be supposed, that the common Fame and Voice runneth in the same Counties of such Riots, before that the Writ of *Capias* shall be awarded. Provided also, That if any such Case happen in the said County Palatine of *Lancaster*, or elsewhere in a Place enfranchised, where there is a Chancellor and a Seal, that then the said Chancellor of such County or Place enfranchised, for the Time being, after Complaint to him duly made and certified by the Justice, or Lieutenant of the Justice, and Sheriff of such County Palatine or Place enfranchised, for the Time being, in the Foris aforesaid, shall have like Power to award *Capias* and Writs of Proclamation aforesaid, as the said Chancellor of *England* for the Time being hath.

Certificate of
Justices requisite
before issuing
Capias.

Proceedings in
the County of
Lancaster, and
other Franchises.

ITEM pur ce qe grande et grevouise complaint fust feit a Roi Henri. jadis Roi d'Engleterre, pier nostre Seigneur le Roi qoreist, a son parlement tenuz a Leycestr' lan de son regne seconde, par les communes de son parlement avaudit, de diverses mures homicides robories batteries assemblees des gentz en grande noubre par maner d'insurrections, et de diverses autres rebellions et riotes; et apres tielx messaites les ditz felouns et messaisours sensurent et retraherent as diverses boys et lieux covertez et disconuz, et aillours, a lentent et purpos de voider l'execution de la commune

ley, et qils ne ferroient [mesnez¹] a respounce solonc proces de la ley: Sur qoy le dit nadgairs Roi considerant la suifdit compleint, par assent des Seignurs espirituelx et temporelx en mesme le parlement assemblez, avoit ordinez et establiez, a la request des ditz Communes, qe si ascuny en temps avenir veigne en la Chauncellerie, et face compleint duement qe ascun tiel selon ou malefaisour come avant est dit, sen est fuy [et²] retrahet a ascun tiel lieu ou aillours, al entent suifdit, soit sur tiel compleint une bille sufficeantment fait pur le Roy; et eit le Chaunceller dEngleterre pur le temps esteant, apres tiel bille a luy lyvere, fil poet estre enformeiz duement tiel bille contenir verite, poair de faire solonc sa discretion un brief de *capias* a la suite du Roy direct al viscount de countee ou countees, ou les dites murdres homicides roberies bateries et autres mesfaitz sount supposez par la dite bille estre faitz et perpetrez, retournable en la dite Chauncellerie a certeine jour; et si les perones en le dit brief contenuz soient prisez par le dit viscount, ou soy [reddent³] en mesme la Chauncellerie, qadonques soient tielx perones mys en garde ou a maynprise, solonc la discretion du Chaunceller, et outre soit maunde denquerer de tielx mesfaitz et sur ceo soit fait come la ley demaunde: Et si le viscounte retourne, a jour de *capias* retournable, qe les perones en icell comprifez par ascun de les causes suifdites ne purront estre par luy prisez, ne mesmes les perones ne soi rendent en la dite Chauncellerie, qadonques face le dit Chaunceller faire briefe de proclamation, direct a dit viscounte retournable en bank le Roi a certain jour, qil face proclamation en deux countees qe les perones en le dit brief nomez veignent a dit jour en le suifdit bank pur y respoudre a la matier compriz [deinz⁴] la dite bille, sur peine destre convictez de la matier compriz deinz la dite bille; et en chescun tiel brief de proclamation soit contenuz la substaunce de la matier compriz deins la dite bille; et sils ne vieignent a jour de tiel proclamation retourne soient adonques tenez et adjudgez pur convictez et atteintez come defuis est dit: Et sils vieignent a la proclamation soit de eux enquis et fait en la maner come defuis est dit. Purveu qe les suggestions de tielx riotes soient tesmoigneiz a le Chaunceller dEngleterre, par lettres ensealez defoubz les sealx de deux justices de pees au meins, et le viscounte del countee ou tielx riotes serrount devaunt ceo qe tiel brief de *capias* soit graunte; en quell brief de *capias* soit sibien la matier expresse quele est compris deins mesme la bille come en le brief de proclamation ent affaire. Et si tiel cas aveigne en le counte palatyn' de Lancastr' ou aillours en fraunchise la ou il y ad Chaunceller et seal, qadonques le dit Chaunceller dEngleterre face escriver ou envoyer, par brief du Roi, a le Chaunceller de tiel countee ou fraunchise, tout la suggestion en la dite bille compris, commandant a luy de faire tiel execution come en le dit article est compris: issint toutz soitz qe brief du Roi hors de la Chauncellar' dEngleterre ne courge en tiel countee, ou fraunchise, autrement qe nad estece usce en temps passe: Et qe la dite ordinaunce estoiserait en sa force tanqe al fin del prochein parlement: Nostre Seigneur e Roi, considerant qe diverses murdres homicides roberies bateries assemblees des gentz en grande noubre par maner

¹ amefnez, ff. 2 H. 3.² rendent, ff. 2 H. 5.³ ou, ff. 2 H. 5.⁴ es, ff. 2 H. 5.

de insurrections, et diverses autres rebellions et riotes, ount eslee faitz en diverses [parties^s] du roialme puis la faisaunce de dit estatuit, nient puniez a cause qe le dit estatuit ne tenoit forsque a la fin del parlement adonques profchen ensuant; ad ordine et establie par auctorite de cest present parlement qe la dit jadis estatuit ore soit tenuz, et fermement gardez pur estatuit en tout temps avenir, sibien de murdres homicides robories bateries assemblees des gentz en grande noubre par manere de insurrections, et de divers autres rebellions et riotes faitz et perpetrez devant le commencement de cest present parlement come en temps avenir.

II. Purveu toutz soit qe tesmoigne soit par deux justices de peas, des countees ou tielx riotes ferront suppozez, qe commune fame et voice court en mesmes les countees de icelx riotes devant ceo qe le brief de *capias* serra agarde. Purveu auxi qe si ascun tiel case aveigne en le dit countee palatyn de Lancaestre, ou aillours en lieu enfranchise, la ou y ad Chaunceller et seal, qe adonques le dit Chaunceller de tiel countee ou lieu enfranchise, pur le temps esteant, apres compleint a luy duement fait et tesmoigne par Justice ou Lieutenant de Justice et viscount de tiel countee palatyn, ou lieu enfranchise, pur le temps esteant en la forme suivdit, eit semblable poir de agarder *capias* et briefs de proclamation avaunt ditz, come le dit Chaunceller d'Engleterre pur le temps esteant ad.

^s countees, P.

C A P. XV.

For amending Errors in Records and Proceß by Misprision of Clerks.

[See Stat.
9 H. 5. §. 1. c. 4.]

ALSO it is ordained and established, That the King's Justices, before whom any Misprision or Default is or shall be found, be it in any Records and Proceßes which now be, or shall be, depending before them, as well by Way of Error as otherwise, or in the Returns of the same, made or to be made by Sheriffs, Coroners, Bailiffs of Franchises, or any other whatever, by Misprision of the Clerks of any of the said Courts of the King, or by Misprision of the Sheriffs, Under-Sheriffs, Coroners, their Clerks, or other Officers, Clerks, or other Ministers whatsoever, in writing One Letter or One Syllable too much or too little, shall have Power to amend such Defaults and Misprisions according to their Discretion, and by Examination thereof by the said Justices to be taken where they shall think needful. Provided that this Statute do not extend to Records and Proceßes in the Parts of *Wales*, nor to Records and Proceßes of Outlawries of Felonies, and Treasons, and the Dependencies thereof.

Proceßes in
Wales, and
Outlawries.

ITEM ordeigne est et establie, qe les Justices du Roy devant queux aucune mesprision ou defau e soit ou serra trove, soit il en ascun recordes et proceßes qore sont ou serount, en tantz devant eux, sibien par voie derroure come autrement, ou en l'z retournez dicelles, faitz ou affairez par viscountz coroner. bailiffs des traunchises ou autres qconques, par mesprision des clerks dascun des ditz Courtz du Roi, ou par mesprision dez viscountz soutezviscountz coroners lour clerks ou autres officers clerks ou ministres qconques, en escrivant un lettre ou un silable trop ou trop poie, aient poir

damender

damender tielx defautes et mesprisions solonc leur discretion. et par examination ent par le ditz justices aprendre ou leur semblera bo-soignable. Purveu qe cest estatut ne se extende as recordes et proceses es parties de Gales; ne as recordes et proceses dutlagaries des felonies et tresons, et les dependantz dicelles.

C A P. XVI.

[See also Stats.

23 H. 6. c. 16.

1 H. 8. c. 8.

1 & 3 E. 6. c. 8.]

For regulating Inquests of Office by Escheators and others; and Grants of Lands seised thereon.

ALSO to eschew the Dolours, Grievances, and Discherisons, which daily do happen to many of our Lord the King's liege People by the Escheators, for that they take Inquests, to inquire before them, as well by virtue of our Lord the King's Writs, as of their Office favourably and not duly, by People not impanelled nor returned to them by the Sheriffs of the Counties, and more often for their private Gain, and for the Discherison of our Lord the King's liege People, than for the Profit of our said Lord the King; and also for that the Lands and Tenements of many of our Lord the King's liege People be seised into the King's Hands upon such Inquests, and others, and let to ferm by the Chancellor or Treasurer, before such Inquests be returned in the Chancery of our Lord the King; It is ordained, by the Authority of this present Parliament, that no Escheator nor Commissioner do take in any wise any Inquest to inquire, except by People returned and impanelled by the Sheriffs in the County within which he is Escheator or Commissioner. And if any Escheator or Commissioner do take any Inquest by People which be not impanelled nor returned by the Sheriff, as is aforesaid, and thereof by Examination, or otherwise, at the Suit of the Party, who will sue for himself or for the King, or of any other Person, be duly convicted, for every Inquest so taken that he incur the Pain and Forfeiture of Forty Pounds; to be paid, that is to say, the one Half to the King, and the other Half to the Party at whose Suit he shall be convicted.

Escheators, &c. shall take their Inquests only by Persons returned by the Sheriff, on Penalty of Forty Pounds.

Lands seised into the King's Hands upon an Inquest of Office, shall not be let to ferm, till the Inquest is returned into the Chancery or Exchequer: and if the Party grieved traverse the Inquest within a Month, [three Months, 1 H. 3. c. 10] they shall be let to ferm to him, as under Stat. 36 E. 3. c. 13. by the Chancellor. [and the Treasur. Stat. 18 H. 6. c. 7.]

And that no Lands nor Tenements seised into the Hands of our Lord the King, upon Inquests taken before the Escheators or Commissioners, shall be in any wise let nor granted to ferm by the Chancellor or Treasurer of *England*, or any other Officer whatever of our Lord the King, until the same Inquests and Verdicts be fully returned in the Chancery, or in the Exchequer; but all such Lands and Tenements shall entirely and continually remain in the Hands of our Lord the King, until the said Inquests and Verdicts be returned, and for One Month after such Return; if it be not so that he or they which feel them grieved by such Inquests, or putting out of their Lands and Tenements, do come into the Chancery, and proffer themselves to traverse the said Inquests, and offer themselves to take the same Lands or Tenements to ferm; and if they so do, that then such Lands or Tenements be committed to them, if they shew good Evidence, proving their Traverse to be true, after the Form of the Statute made the Thirty-sixth Year of King *Edward III.* after the Conquest, to hold until the Issue be taken upon such Traverse and determined, for the King, or for the Party; finding sufficient Surety to pursue the said Traverse with Effect, and to render and pay to our Lord the King the yearly Value of the Tenements

Tenements whereof the Traverse shall be so taken, if it be determined for the King. And if any Letters Patents of any Lands or Tenements be made to the contrary, to any other Person, or let to ferm within the said Month, after the said Month of the Return, they shall be holden for none. And that the Escheators or Commissioners, upon Pain of the Forfeiture of Twenty Pounds, to be paid, that is to say, the one Half to the King, and the other Half to the Party at whose Suit he shall be convicted, shall return the Inquests before them taken into the Chancery of our Lord the King, or into the Exchequer, within One Month next after the taking of the same. And every Man which will sue for the King shall have the Suit in this Behalf. Provided always, that this Statute begin and take Effect and Force in the Feast of *Easter* next coming, and not before, to endure for ever.

Letters Patent or Leases to the contrary void.
[As also Letters Patents before Inquest taken, 18 H. 6. c. 6, 7.]
Escheators, &c. shall return their Offices into Chancery within One Month, on Pain of Twenty Pounds.
[and Damages to the King, 18 H. 6. c. 7. and see 1 H. 8. c. 8.]

ITEM pur eschuer lez dolours grevancez et disheretifions qi, de jour en autre, aveignent as plusieurs lieges nostre Seigneur le Roy, par les eschetours, de ceo q'ils preignent enquestes denquerer devant eux sibien par vertue des briefs nostre Seigneur le Roy, come de leur office, faviourablement et noun duement, par gentz nient empanellez ne retournez a eux par les viscountz des countes, et pluistost pur leur propre gayne et pur disheretifion des lieges nostre Seigneur le Roy qe pur profit mesme nostre Seigneur le Roy; et auxi de ceo qe les terres et tenementz des plusieurs lieges nostre Seigneur le Roy sont seizez es mains nostre Seigneur le Roy sur tielx enquestes et autres et lessiez par le Chaunceller ou Tresorer a ferme, devant ceo qe mesmes les enquestes soient retournez en la Chauncellerie nostre Seigneur le Roy: Est ordene, par auctorite de cest present parlement, qe nul eschetour ne commissioner preigne ascunement ascun enquest denquerer, sinon des gentz retournez et empanellez par le viscount en le counte deins quell il est eschetour ou commissioner. Et si ascun eschetour, ou commissioner, preigne enqueste des gentz qi ne sont mye empanellez ne retournez par le viscount, come dessus est dit, et ent par examination ou autrement al suite de partie, qe pur luy mesmes ou pur le Roy ou autre persone qeconque voille pursuer, soit conviēt duement, pur chescun enquest ensy priz qe encourge la peine et forfaiture de xl. li. a paiers cestassaver lun moite au Roi et lautre moite au partie (1) a qi fuyte il sera conviēt.

Et qe nulles terres ne tenementz, seizez es mayns nostre Seigneur le Roy, sur enquestez prizez devant les eschetours ou commissioners, ne soient ascunement lessiez ne grauntez a ferme, par le Chaunceller ou Tresorer d'Engleterre, ou autre officer nostre Seigneur le Roi qiconque, tanqe qe mesmes les enquestes et verditz soient retournez pleinement en la chauncellerie ou en l'exchequer; mes demoergent toutz tielx terres et tenementz entierment et continualment es mains nostre Seigneur le Roy, tanqe les ditz enquestes et verditz soient retournez, et par un mois apres mesme le retourne; si issint ne soit qe celui ou ceux qi sente ou sentent eux grevez par mesmes les enquestes ou oustez de leur terres ou tenementz, viengent en la chauncellerie et soy proferont de traverser les ditz enquestes, et soy offeront de prendre mesmes les terres et tenementz a ferme; et qe si issint sont qe adonques mesmes lez terres et tene-

1 greve, P.

mentz

mentz soient commiz a eux, fils monstrent bones evidencez prouvantz leur travers estre verrois, solonc la fourme de lestatut fait lan [xxxj.²] le Roy E. tiers puis le conquest; a tenir tanqe lissue sur mesme le travers pris soit et discussu pur le Roy ou par le partie; trovant sufficient seurte de fuir le dit travers ove effect, et de rendre et paier a nostre Seignur le Royle annuel value des tenementz dont le travers ensi serra priz fil soit discussu pur le Roy. Et si ascuns lettres patentz des ascuns terres ou tenementz soient faitz au contraire a aucun autre persone, ou lessiez a ferme deins le dit moys, apres le dit mois du retourne, soient voidez et tenuz pur null. Et qe les eschetours et commissioners sur peine de forfaiture de xx. li. a paiers cestassavoir lun moite al Roi et lautre moite al partie a qi suyt il serra convict, retournent en la chauncellerie nostre Seignur le Roy ou en leschequer lez enquestes devaunt eux prisez, deins un moys profscheyn apres la prise dicelles. Et cyt chescun qi voet suyr pur le Roy la suyte en cell partie. Purveu toutz soit qe cest estatut commence et preigne effect et force en la fest de Pasqe profscheyn avenir, a durer perpetuelment, et nemye devaunt.

² xxxvj. Rot. Parl. P.

C A P. XVII.

Concerning the Staple at *Calais*.

“**N**O Wools, Woolfels, Leather, Lead, nor Tin, shall be exported from *England, Wales, or Ireland*, to any Place, except the Staple at *Calais*, on Penalty of forfeiting double the Value, and Two Years Imprisonment of the Offender. With Exceptions for the Merchants of *Genoa, Venice, Tuscany, Lombardy, Florence*, and *Catalonia*, and for the Burgeesses of *Berwick-upon-Tweed*.”

[See Stat. 2 H. 6. c. 4. and Note there.]

C A P. XVIII.

Ordinances for the Maintenance of the Staple and Mint at *Calais*.

“**T**HE Price of Staple Commodities shall be increased.—All Payments for the same shall be wholly in Money. Bullion shall be carried to the Mint at *Calais*, in Proportion to the Price of the Goods sold.—Partners shall divide their Gains jointly.—No Money received for Staple Commodities shall be returned to th: Buyer by way of Loan, &c.—To continue for Three Years.”

[Continued for Three Years further, Stat. 11 H. 6. c. 13.]

C A P. XIX.

Against illegal Exportation of Staple Merchandises.

“**I**F any Master or Owner of a Ship (Alien or other) receive into his Ship any Staple Merchandises, to export them to any other Place than to the Staple at *Calais*, the Ship and Goods shall be forfeited.”

C A P. XX.

“No Merchant resident in *Calais* shall buy Staple Merchandises there.”

C A P. XXI.

“For repealing Licences granted to Men of *Newcastle* and *Berwick*, to export Staple Merchandises, except to *Calais*; and for preventing Staple Merchandises being carried into *Scotland*.”

C A P. XXII.

Against Deceits by forcing and clacking of Wools, and in packing and winding thereof.

[See Stat.
28 G. 3 c. 38.
and the Notes
there.]

ALSO for as much as great Hinderance cometh to the King in his Customs and Subsidies by them that do clack and force the good Wools of the Realm, to carry them out of the same into strange Countries; It is ordained, That no Stranger shall cause to be forced, clacked, nor bearded, any Manner of Wools, to carry them out of the Realm, upon Pain of Forfeiture of the same Wools with the double Value of the same, and of Imprisonment of his Body. And that no Woolpacker shall make within the Realm, but good and due Packing; and that no Man make any Inwinding within the Fleece of Wools at the [rolling up¹] of his Wools, nor put therein Locks, Peltwool, [Tar, Stones,²] Sand, Earth, Grasse, nor any other Dirt; and if any do, he that feeleth him grieved shall have his Action at the Common Law, of Trespals and Deceit.

None shall force,
clack, or beard
Wools.

Deceits in
winding.

¹ wyndyng, *Rot. Parl.*

² terre stone, *Rot. Parl.*

ITEM pur ceo qe graunt arerifment aveigne au Roy de sez custumes et subsidies, par ceux qi clakkent et forcent les bones lains du roialme, pur eux carier dehors dicell en esstraunges pais; ordinez est qe null esstraunger ne face forcer clakker ne barder null maner des leins pur carier hors du roialme, sur peine de forfaiture de mesmes lez lains ovesqe le double value dicell et demprisonement de son corps. Et qe null pakkur dez lains ne face deins le dit roialme, forsqe bone et due pakkure; ne qe null face null inwynde deins la tesone des lains, a lenrollement de ses lains, ne mette en icell lokkes pelwool tarre peers sablon terre ne herbe ne null ordeur; et qique le face eit la partie qe se sente greve envers luy sa action a la commune ley de trespas et deceit.

C A P. XXIII.

No Thrums of Woollen Yarn shall be exported.

ALSO because the Weavers within this Realm be and heretofore have been accustomed, when they wrought a Cloth near the End, to cut away for their private Profit the Threads which are left unwoven, and call the same Thrums, to the great Deceit of the Owners of the same Cloths; and such Thrums they sell to Persons

Persons who carry them to *Flanders*, and other strange Countries, as good Merchandize, though our Lord the King have thereof no Profit of Custom nor Subsidy; for under the Colour of such Thrums divers Persons, as well Strangers as Denizens, do ingross and gather, in divers Parts of the said Realm, great Quantity of fine Woollen Thread called Woollen Yarn, and the same do carry to the said strange Parts, and thereof make good Cloths; so that under this subtil Colour our Lord the King is every Year greatly defrauded of his Customs and Subsidies, which ought to arise to him, if they were fully wrought within the said Realm, or else if they were not wrought, but carried in Wools to the Staple of *Calais*: Wherefore it is ordained, That no Man shall carry or convey out of the said Realm any Manner of Thrums, nor Threads of Wool called Woollen Yarn, under Colour of Thrums, upon Pain of Forfeiture of double the Value of the same.

ITEM pur taunt qe les textours deinz le roialme fount et devaunt ces heours ount estez accoustumez, quant ils ount overez un drap bien pres le fin, de trencher a part a lour singuler avantage les files qi demuront nient texez et les appellent thrommes, a graunde deceit de ceux as queux les dit draps fount, et mesmes les thrommes vendout a tielx persones qe icelles amesnent en Flaundes et autres estraunges pais, come bone merchandise, tut soit qe nostre Seigneur le Roy ent nad null profit de custume ne subsidie; qar desoubz le colour de tielx thrommes diverses persones, sibien estraungiers come deinszeins, engrocent et coillent es diverses parties du dit roialme, graunde quantite des files des fines lains appelez Wollenyarn, et icelles amesnent es dites estraunges parties et ent facent bones draps, ency qe desoubz cest subtile colour nostre Seigneur le Roy est chefcun an graundement defraudez de sez custumes et subsidies, qe a luy devoient fourder s'ils feussent pleinement oeverez deinz le dit roialme, ou autrement s'ils ne feurent oeverez mes en lains amesnez a lestaple de *Calais*: Pur qoy ordinez est qe null homme ne carie ne amesne hors du roialme null maner des thrommes, ne files des lains appelez Wollenyarn, desoubz colour de thrommes, sur pain de forfaiture de la double value dicell.

C A P. XXIV.

For regulating the Trade in *England* with Alien Merchants.

ALSO, for that the Merchants Aliens of late have taken in Custom, that when they sell any of their Merchandizes to any Person within the Realm, they will not demand nor receive for any Payment for the same any Manner of Silver, as they were wont to do, but only Gold, Nobles, Half Nobles, and Farthings, which from Time to Time they do carry out of the Realm into other strange Countries, where they be changed to their Increase, and forged into other Coins, so that they gain in the Allay of every Noble Twenty Pence, against the Tenour of the Statutes thereof made, and to the great Prejudice of his whole Realm: Our Lord the King, willing in this Case to provide Remedy, hath ordained, That no Merchant Alien shall constrain nor bind any of the King's liege People by Promise, Covenant or Bond, to make Payment to him

Payments to
Aliens shall be
made in Silver,
and not in Gold.

him in Gold, for any Manner of Debt which to him may be due ; nor shall refuse to receive Payment in Silver for any Manner of such Duty or Debt, upon the Pain of double the Value thereof.

And also to eschew the great Loss which divers Persons of this Realm have had, and also be likely to have, by their Loans made of their Merchandises to Merchants Aliens, which have fled with the same, and daily take Sanctuaries, it is ordained, That no *Englismen* shall from this Time forth sell within this Realm, or cause to be sold, to any Merchant Alien, any Manner of Merchandises, but only for ready Payment in Money, or else in Merchandises for Merchandises, to be paid and contented in Hand, upon Pain of Forfeiture of the same.

No Englismen shall sell Goods to Aliens except for Money in Hand, or other Merchandise. [But see Stat. 9 H. 6. c. 2.]

ITEM pur ceo qe les merchants aliens jatarde ount prise en custume, qe quant ils vendont ascuns de leur merchandises a ascun persone deins le roialme, ils ne voillent demaunder ne receiver pur ascun paiement pur icell, null maner d'argent, sicome ils soloient faire, mes soulement or nobles dimi nobles et serlyngs les queux de temps en temps ils amesnent hors du roialme en autres estraunges pais, lou ils sount chaungiez a leur encrece, et forgez en autres coignes, ensy qils gagnent en lallaie de chescun noble xx. d. encontre le tenure des estatutz ent faitz, a graunde prejudice du Roi et de son roialme universell: Nostre dit Seigneur le Roi, en ceo cas voillant purvoir de remedie, ad ordine qe null marchant alien ne ferra arter ne lier ascun des lieges du Roi par pact covenant ne lige, de luy faire paiement en or, pur nulle manere de dette qi a luy poet estre due ; ne refuse de receiver paiement en argent pur ascun maner de tiel duete ou dette, sur peyn de double value dicell.

Et auxi pur escheuer le graunde perde qe divers persones de cest roialme ount eux et sont semblablez d'avoir, par leur apprestz faitz de leur merchandises as merchantz aliens, qount enfuez avec icelles et de jour en autre preignent sanctuaries ; ordinez est qe null Englois ne vende deinz cest roialme ne face vendre, de cest jour en avaunt, a null marchant alien null maner de merchandises, mes soulement pur prest paiement en moneye, ou autrement en merchandises pur merchandises pur estre paieez et content en main, sur peyn de forfaiture dicell.

C A P. XXV.

“ The present Mayor of the Staple of *Calais* shall continue Two Years in his Office.”

C A P. XXVI.

Against depriving Corporations and Lords in ancient Demesne of their Franchises by Collusion.

ALSO it is ordained by the Authority aforesaid, That in all Writs of Assises, and of Actions personal, sued or to be sued before the King in his Bench, the Justices of the Common Bench, or any other the King's Justices for the Time being, of any Lands, Tenements, or other Things being or arising within any Seignory, Franchise, or antient Demesne, whereof the Cognizance or Jurisdiction ought to pertain to any Lords, Mayors, Bailiffs, Citizens, Burgesses,

In all Writs of Assise or personal Actions for Lands or Matters within the Jurisdiction of Corporations, or Lords in ancient Demesne, if the Defendant make

Default to
deprive the
Corporation, &c.
of Jurisdiction,
and it be so
found by the
Assise or Jury,
the Writ shall
abate, &c.

Burgesses, or Commonalty of such Seignories, Franchises, or antient Demesne, that then if any Defendant in any such Assise, or other Actions personal, make Default, to put out, exclude, and expel the said Lords, Mayors, Bailiffs, Citizens, Burgesses, or Commonalty from their Franchise or Cognizance, that the Justices, at the Request of the said Lords, Mayors, Bailiffs, Citizens, Burgesses, or Commonalty, shall make Inquiry by the Assise, where such Exception is alledged in Assise, and in Actions personal by Inquests to be taken before the Justices, whether such Defaults shall be made as afore is said, or not; in which Assise and Inquest so to be taken, as well the Plaintiffs, as the Lords, Mayors, Bailiffs, Citizens, Burgesses, and Commonalty may have their Challenge; and if it be found by such Assises or Inquests so to be taken, that such Defaults be made by Collusion, to put out and exclude the said Lords, Mayors, Bailiffs, Citizens, Burgesses, or Commonalty from their Franchise, Liberties, Cognizances, or Jurisdiction, that in such Cases the said Writs shall be abated, and the Plaintiffs shall be in the King's Mercy: Considering that it is ordained by the Statute made in the Ninth Year of the Reign of King Henry, Grandfather to our Lord the King, That if any Mayor, Bailiff, Commonalty, or Lord of antient Demesne be named in Writs of Assises by Collusion, to put them out of their Cognizance or Jurisdiction in this Behalf, that the Justices first shall inquire by the Assise of the Country, of such Collusion, if the said Lords, Mayors, Bailiffs, or Commonalty the same require; and if it be found by such Inquisition, that they be so named by Collusion, that then the Writ shall abate.

[See Stat.
9 H. 4. c. 5]

ITEM ordinez est par auctorite desusdite qen toutz briefs daffises, et dactions personelx, suez ou a suers deuant le Roi en son bank, justices de commune bank, ou autres justices le Roi qiconque pur le temps esteantz, dascuns terres tenementz ou autres choses, esteant ou surdaunt deinz ascun seignurie fraunchise ou auncien demesne, dount la conuissance ou jurisdiction doit aperteigner as ascuns seignurs mairs baillifs citezeins burgeys ou communalte de tielx [seignurs¹] fraunchises ou auncien demesne, qe adonques si ascun defendant en ascun tiel assise ou autres actions personelx, face defaulte pur oustier [et excluder²] les ditz seignurs mairs baillifs citezeins burgeys ou communalte, de leur fraunchise ou conuissance, qe les justices, al request dez ditz seignurs mairs baillifs citezeins burgeys ou communalte, facent enquerer par lassise, ou tiel exception est alegge en assise, et en actions personelx par enquestz apprendre deuant les justices, si tielx defaultes soient faitz come desuis est dit ou nemye; en queulx assise et enquest issint apprendre sibien les pleintifs come les seignurs mairs baillifs citezeins burgeys et communalte purront aver leur chalaunge; et si trove soit, par tielx assises ou enquestes issint apprendres, qe tielx defaultes soient faitz par collusion, pur oustier et excluder les ditz seignurs mairs baillifs citezeins burgeys ou communalte, de leur franchise libertees conuissances ou jurisdiction qe en tielx cases les ditz briefs soient abatuz et les pleintifs soient en la mercy le Roy; par consideration qil est ordene par lestatuit fait lan du reigne le Roy Henry aiel nostre Seignur le Roi ix. qe si ascun mair baillif communalte ou seignur

¹ seignouries, P.

² excluder et expeller, P.

dauncien

dauncien demene soit nome en briefs daffise, par collusion, pur eux oustier de lour conufance ou jurisdiction en cell partie, qe les justices primes enquergerent par lassise du pais, de tiel collusion, si les ditz seignurs mairs baillifs ou communalte le demandent; et si trove soit par tiel inquisition qils soient issint nomez par collusion qadonques le brief abatera.

C A P. XXVII.

A Remedy for the Inhabitants of *Tewkesbury* in the County of *Gloucester*, against the Commonalty of the Forest of *Dean*, for certain Robberies and Injuries on the *Severn*.

[*This Remedy is by a General Action of Debt, "founded on Consideration of the Statute of Winchester."*]

C A P. XXVIII.

For building a Bridge made over the Water of *Burford*, and another over the Water of *Culhamford*, in the County of *Oxford*.

[*Cay says this is not on the Roll in the Tower; nor is it in Pynson; but it is given in the earliest English Edition by Berthelet, 1543.*]

C A P. XXIX.*

*[XXVIII. P.]

For confirming so much of Stat. 28 E. 3. c. 13. as relates to Inquests *De medietate linguæ*.

ALSO whereas in the Parliament holden at *Westminster* the Twenty-eighth Year of King *Edward* the Third, amongst other Things in Favour and Liberty of the Merchants Strangers repairing into the Realm of *England*, it was ordained, &c.

[*Reciting so much of Stat. 28 E. 3. c. 13. as relates to the Trial of Matters between Aliens by a Jury partly of Aliens.*]

Sithence which Ordinance the said Merchants Aliens have been always demeaned and ruled, as well in the said Staples, as in others of the King's Courts, after the Form of the said Ordinance, until now of late they have been thereof restrained and impeached by Colour of another Statute made in the Parliament holden at *Westminster* the Second Year of King *Henry*, Father to our Lord the King that now is; by which Statute, for the great Mischiefs, &c.

[*Reciting Stat. 2 H. 5. §. 2. c. 3. requiring Jurors to have Forty Shillings a Year.*]

Because of which Restraint and Impeachment so made to [divers²] Merchants Aliens, many of such Merchants Aliens have withdrawn, and daily do withdraw themselves, and eschew to come and be conversant on this Side the Sea, and likely it is, that all such Merchants Aliens will depart out of the same Realm of *England*, if the said last Statute be not more plainly declared, and the said Merchants Aliens ruled, governed, and demeaned in such Inquests, according to the Form of the First Ordinance aforesaid, to the great diminishing of the King's Subsidies, and grievous Loss and Damage of all his said Realm aforesaid: Our said Lord the King, considering the Premises, and how that it was not the Mean-

St. 28 E. 3. c. 13.
that Inquests
shall be *De*
medietate lingue,
where an Alien
is Party,
confirmed.

Stat.
2 H. 5. ft. 2. c. 3.
limited to
Inquests taken
between
Denizen and
Denizen.

ing of the said late King, nor of the Lords Spiritual and Temporal of his said Parliament, to hinder or prejudice the said First Ordinance by the said last Statute; and that the said last Statute was made in respect of the Mischiefs and Disherifons that happened by the false Oaths of the common Jurors of the Realm as it appeareth by expresse Words of the same Statute, and how that the said Merchants Aliens be not common Jurors, nor [inheritable²] within the said Realm; nor cannot purchase nor enjoy any Lands or Tenements in the same, without the King's special Licence: And our said Lord the King therefore willing to provide for the Weal and Profit of him and his said Realm, and to eschew the Damages and Inconveniencies which may easily happen in this Behalf, and also to give to the said Merchants Aliens the greater Courage and Desire to come with their Wares and Merchandises into this Realm, by the Advice and Assent of the Lords Spiritual and Temporal, being in this present Parliament, hath declared the said last Statute, made in the Time of his Father, to be in no wise prejudicial to the said First Ordinance, nor to extend itself but only to the Inquests to be taken between Denizen and Denizen, and not to the other Inquests and Proofs aforesaid; and the said First Ordinance to be effectual and to stand in its Force, and to be put in due Execution according to the Form of the same, notwithstanding the said last Statute, or that the Aliens have not Lands or Tenements to the Value of Forty Shillings by the Year, according to the Purport of the same last Statute and Ordinance.

² Former Translations read "inhabiting."

ITEM come en le parlement tenuz a Westm' lan [xxvijme.] du Roi E. tierce entre autres choses en faveur et liberte des merchantz estraungiers repairantz en le roialme d'Engleterre ordinez soit, &c.

Depuis quell ordinance les ditz marchantz aliens ont este, tout temps demesnez et reulez, sibien en les ditz estaples come en les autres courtes du Roy, solone la forme dicell ordinance, tanqe jatarde qils ent ount este restraints et empeschiez par colour dun autre estatut fait en le parlement tenuz a Westm', lan du reigne le Roi H. pier nostre Seigneur le Roi qorest seconde; par quell estatut pur les grandes meschies, &c.

A cause de quell restraint et empeschement ensy faitz as [ditz²] merchantz aliens, plusours de mesmes lez marchantz aliens lour ount retrayhes et se retrahent de jour en autre, et eschuent de venir et converser par decea; et verisemblable est qe trestoutz mesmes les marchantz aliens lour voillent departier hors de mesme le roialme, si le dit darrein estatut ne soit plus overtement declarez, et lez ditz marchantz aliens reulez gouvernez et demesnez en tielx enquestes, solonc la fourme del primer ordinance desuivdite, a tresgrande amenuisement des subsidees du Roi et grevouise perde et damage a tout son roialme avautdit: Nostre dit Seigneur le Roi, considerant les premisses et qil ne fust my lentention du dit nadgairs Roi, ne de les seignurs espirituelx et temporelx de son dit parlement, de derogier ou prejudicier a le dit primer ordinance par le dit darrein estatut, et qe mesme le darrein estatut fust fait a cause des meschies et desheritances qavenoient per les faux serementz

² xxvj. P. See 27 E. 3. ft. 2. c. 8. and 28 E. 3. c. 13.

² diverses, P.

des communes jurours du roialme, sicome il appiert par expressees paroles de meisme lestatut, et coment les ditz marchantz aliens ne sont mye communes jurours ne [enheritables³] deinz ledit roialme; ne purront purchacer nenjoier aucuns terres ou tenementz en icell, sanz especial licence du Roi: Et voillant pur ceo mesme nostre Seignur le Roi purveier pur le bien et profit de luy et de son dit roialme, et pur eschuer les damages et inconveniences qi purront legierment avenir en cell partie, et auxi pur doner as ditz marchantz aliens le greindre corage et talent de venir, ove lour merces et merchandises en cest roialme, de ladys et assent des seignurs espirituelx et temporelx esteantz en cest present parlement, ad declaree le dit darrein estatut, fait en temps de son dit pier, noun estre aucunement prejudiciell au dite primere ordinaunce, ne se extendre mes tantfoulement a les enquestes aprendres parentre deinszein et deinszein, et nemy a les autres enquestes et prooves desuzdites; et la dite primere ordinaunce destre effectuell et estoier en la force, et destre myz en due execution, solonc la forme dicell, le dit darrein estatut, ou ceo qe lez aliens nount my terres ou tenementz a le value de xl. s. par an, solonc la contenue de mesme le darrein estatut, (⁴) nient contriteant.

3 enhabitable, P.

4 et ordinaunce, P.

Anno nono HENRICI VI.

In the Parliament held at Westminster on the Friday next before the Feast of Saint Hillary, (12th January), A.D. 1430-31.*

*Printed
Rot. Parl.

From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. compared with printed Rot. Parl. Pynson, &c."

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iv. p. 367, &c.

Chapter of Statute.

Number in Roll.

Cap. 1,	—	—	28
2,	—	—	31
3,	—	—	32 ⁽¹⁾
4,	—	—	36
5,	—	—	38
6,	—	—	40
7,	—	—	41
8,	—	—	42
9,	—	—	43
10,	—	—	44
11,	—	—	27 ⁽¹⁾

On Petitions of
the Commant.

1 In English.

*Besides the foregoing, and also several Articles for the Confirmation of existing Statutes, See further,
Printed Rot. Parl. iv.*

- Page. No. } Grant of a whole Fifteenth and Tenth, and One-third
368, 13, } of a Fifteenth, &c. for Defence of the Realm.
369, 14, } Grant of Tonnage Three Shillings, and Poundage of
Twelve-pence on Denizens, for Two Years; also
on Aliens Three Shillings additional Tonnage on
Sweet Wines, and Sixpence additional Poundage;
and Thirty-three Shillings and four-pence per Sack
of Wool for One Year from the Expiration of a
former Grant.
- 15, Subsidy of Twenty Shillings on every Knight's Fee;
and on every Twenty Pounds' of Freehold Land or
Rent, &c. (*Repealed 10 H. 6. nu. 50.*)
- 370, 16, Giving the Corporation of London Power to distrain
for a Rent devised by Sir John Pulleney for the
Relief of the Prisoners in Newgate.
- 371, 17, A like Power given to the Prior of Christchurch, Can-
terbury, on a similar Devise.
- 18, Empowering the Council, &c. to make a Treaty of
Peace with Charles, Dauphin of France.
- 372, 19, For Relief of Louis John against the Effect of an Out-
lawry against one of the same Name.
- 20, For naturalizing Rys-ap-Madok, a Welchman.
- 21, For Lewin the Clerk Burges of Gant to recover a Debt
in England.
- 373, 22, For John Lord Tiptoft respecting an Agreement with
King Henry V.
- 23, For paving the Town of Northampton.
- 374, 24, For granting to William Pope Esquire the Office of
Bailiff of Winchelsea.
- 26, For Security of Persons advancing Money on the Credit
of the Customs, Subsidies, &c.
- [See also printed Rot. Parl. vol. v. p. 420, nu. 13.]
- 382, 46, For exempting the Isle of Ely from the Expences of
the Knights of the Shire for Cambridge.

On private Petitions.

- 385, 3, For respiting the Payment of the Fifteenth, &c. in
Malberthorp, Lincoln.
- 386, 4, 5, For Relief to private Persons in Suits at Law.
- 6, For naturalizing Henry Hansforth.
- 7, ————— Gabriel Corbett.
- 388, 8, ————— William Claydon.
- 9, ————— John Asger, his Wife and Son.

AT the Parliament holden at *Westminster* the Friday next before the Feast of St. *Hillary*, the Ninth Year of the Reign of our Lord the King that now is, divers Statutes and Ordinances were made and established by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Request of the Commons of the Realm assembled in the said Parliament, in Form following.

AU parlement tenuz a Westm' le Vendredy prochein devant le fest de Saint *Hillary*, lan du regne nostre Seigneur le Roi qorest noehisme, diversez estatutz et ordenaunces seurent faitz et ordinez par advis et assent des seignurs espirituelx et temporelx et a la especiall request des communes du roialme, en le dit parlement assemblez, en la fourme qensuit.

C A P. I.

All Assises and *Nisi prius* shall be adjourned during Parliament, until certain Days.

FIRST, considering how that in all the Counties of *England*, the Days of the Assises of *Novel disseisin* and of *Nisi prius* then were prefixed very likely to be holden during the high Court of the said Parliament, in which Court of Parliament many of the King's liege People were by his Commandment, of which many were Plaintiffs and many Defendants in such Assises and *Nisi prius*, and in the said Assises and *Nisi prius*, such Plaintiffs and Defendants were likely to be disinherited, if Remedy were not provided in this Behalf: Wherefore, by the Advice and Assent of the said Lords Spiritual and Temporal, and at the special Request of the said Commons, it is ordained by Authority of the said Parliament, to prorogue all Manner of Assises and *Nisi prius* before prefixed, until a certain Day, by the Chancellor of *England* for the Time being, after the Third Day of *March*, in the said Ninth Year to come, to be limited: and that the said Days so by the said Chancellor to be limited, have Relation in Law to the Days of Assises and *Nisi prius* then so prefixed, in such wise, that by this Prorogation such Assises and *Nisi prius*, shall not be holden nor reputed nonsued, nor discontinued. And that in every of the said Counties Proclamations be made by the Sheriffs Fifteen Days before the said Days, so by the Chancellor to be limited, that the Plaintiffs and Defendants, and all other, which have to do in the said Assises and *Nisi prius*, may keep their Days to be limited in such Proclamations so to be made. Which Proclamations shall have the Effect and Force of Attachments, without that that it shall be behoveful to make any new Attachments for the same.

EN primez considere coment en toutz les countees d'Engleterre les jours d'assises de Novell disseisine et de *Nisi prius*, adonques seurent prefixez verisemblablement, destre tenuz durant le haute courte du dit parlement, en quel courte de parlement plusours des lieges du Roi seurent par son commaundement, des queux plusours seurent pleintifs et plusours defendantz en ycelles assises et *Nisi prius*; et en les ditz assises et *Nisi prius* mesmes les pleintifs et defendantz seurent verisemblables destre diheritez, si remedie ne

teust purveu en celle partie; et pur taunt par advis et assent des ditz seignurs espirituelx et temporelx et a la especiall request des ditz communes, ordeigue est par auctorite du dit parlement, de proroger toutz maners d'assises et Nisi prius devaunt prefixez, tanqe a certain jour par le chaunceller d'Engleterre pur le temps esteant, apres le tierce jour de Marce le dit an ix. avenir, a limitiers: et qe les ditz jours issint par le dit chaunceller a limitiers eient relation en ley a les jours d'assises et Nisi prius adonques issint prefixez, tielment qe par cest prorogation ne soient ycelles assises et Nisi prius tenuz ou reputez nounfueez ne discontinuez. Et qe en chescun des countez suifditz soient proclamations faitz par les viscountz, xv. jours devaunt les ditz jours issint par le dit chaunceller a limitiers qe les pleintifs et defendantz et toutz autres, qont affaires en les ditz assises et Nisi prius poient garder leurs jours a limitiers en les dites proclamations issint affaires; les quelles proclamations aient effect et f rce des attachementz, saunz ce qe coviendra pur ceo ascuns autres novelx attachementz faire.

C A P. II.

For amending Stat. 8 H. 6. c. 24. respecting the Trade in
England with Alien Merchants.

“**R**ECITAL of the latter Part of Stat. 8 H. 6. c. 24. as to
“ the ready Payment by Aliens for Goods, in Money, or by
“ Merchandize: *English* Merchants allowed to give Aliens Six
“ Months Credit, notwithstanding the said Statute.—This Ordinance to continue during the King's Pleasure.”

C A P. III.

For confirming all former Proceedings against *Owen Glendour.*

“**A**LL Proceedings by Indictment, Statute, or otherwise,
“ against *Owen Glendourdy of Wales*, for Rebellion and Treason, shall stand good against him and his Heirs, notwithstanding
“ any Error, Misprision, &c. but shall not prejudice his Heirs as to
“ Lands entailed.”

[See Stat. 4 H. 4. c. 34.]

C A P. IV.

A Writ of *Idemtitate nominis* shall be maintainable by Executors, to reverse the Outlawry of their Testator.

ALSO, for that before this Time, many Outlawries have been pronounced against divers of the King's liege People, as well before the Statute of Additions made at *Westminster* the First Year of King *Henry* the Fifth, Father to our Lord the King that now is, as since, by reason of which Outlawries, the Bodies of other Persons having such and like Names as they had which were outlawed indeed, have been taken and imprisoned, and their Goods and Chattels for this Cause seised by the Escheators of our said Lord the King and of his noble Progenitors: And although that by the Common Law of the Realm a Writ of *Idemtitate nominis* hath been maintainable for the Person himself, who in Form aforesaid was molested and grieved; nevertheless if any Person of
the

[See printed
Rot. Parl. iv.
p. 372, nu. 19.]

Stat.
1 H. 5. c. 5.

[See Stat.
27 E. 3. c. 2.]

the said Lieges, having like Name as any other Person of the same liege People, who was outlawed in Deed, had made his Executors, and died, often it happened, that by Malice and subtil Imaginations the Goods and Chattels of such Testator, who had the same Name as he had which was outlawed in Deed, were seised and escheated into the Hands of our said Lord the King and of his said Progenitors, in Retardation of the Execution of the Testament of every such Testator, for the Doubt which hath been, whether any Executors may by the Common Law have a Writ of *Idemptitate nominis*, or not: Wherefore to take away and remove all such Doubts and Ambiguities in this Case hereafter, by the Assent and Advice aforesaid, and at the special Request of the said Commons, it is ordained and established by Authority of this Parliament, That a Writ of *Idemptitate nominis* be and may be granted and made good and maintainable for the Executors of every Testator, and of the same Effect as the said Action of *Idemptitate nominis* was maintainable before this Parliament for any Person himself who was or might have been molested or grieved because or by Colour of any such Outlawry. And that this Ordinance shall have Relation and Force by the Authority aforesaid, for the Executors of every Testator, as well of every Outlawry pronounced against any Person at any Time before this Parliament, as of all Manner of Outlawries to be pronounced against any Person in Time to come.

An *Idemptitate nominis* shall be maintainable by the Executors of a Testator wrongfully molested by Colour of any Outlawry.

ITEM pur ceo qe avant ces heures, diverses utlagaries ount este pronunciez en divers des lieges du Roi, sibien devaunt lestatut dadditions fait a Westm' lan primer le Roi Henri quint, pier a nostre Seigneur le Roi qorest, come depuis, a cause des queles utlagaries les corps dautres gentz, ciantz autielx et semblables nouns come ceux qi feurent utlagez en fait avoient, ount este prisez et emprisonnez et leurs biens et chateux pur celle cause par leschetours nostre dit Seigneur le Roi, et ses nobles progenitours, seisez: Et combien qe par le commune ley du roialme brief de *Idemptitate nominis* ad estece maintainable pur mesme la persone qe en la fourme suisdite fuist moleste et greve; nepurquant si ascune persone des ditz lieges ciant semblable noun come ascun autre persone de mesme les lieges, qen fait fuist utlage avoit fist ses executours et morust, sovent avient qe par malice et subtilx ymaginations les biens et chateux de tiel testatour, qe avoit mesme le noun come celuy qi fuist utlage en fait avoit, estoient seisez et eschetez es mains nostre dit Seigneur le Roi et de ses ditz progenitours, en retardation del execution del testement de checun tiel testatour, pur le doute qad estece de ceo qe ascuns executours purroient par la commune ley avoir brief de *idemptitate nominis* ou noun: Sur quoy pur toller et remover tontz tielx doutes et ambiguites en cest cas en apres, del assent et advis suisditz et a la especial request des ditz communes, ordeinez est et establez par auctorite de cest parlement, qe brief de *Idemptitate nominis* soit et poet estre graunte et done bone et maintainable pur les executours de checun testatour auxibien, et de mesme leffect come la dite action de *Idemptitate nominis* fuist maintainable devaunt cest parlement, pur ascune persone mesme qi fuist ou purroit avoir este moleste ou greve par cause ou colour dascune tiel utlagarie. Et qe ceste ordenaunce ait relation

et forcé, par lauctorite suisdite, pur executours de chescun testatour, sibien de chescune utlagarie pronuncie en ascun persone a ascun temps devaunt cest parlement, come de toutz maners dutlagaries pronunciez en ascun persone en temps avenir.

C A P. V.

All Men shall have free Passage in *Severn* with Goods, Chattels, &c.

[See further St.
19 H. 7. c. 18.
28 H. 8. c. 12.]

ALSO, because the River of *Severn* is common to all the King's liege People, to carry and re-carry within the Stream of the said River, to *Bristol*, *Gloucester*, and *Worcester*, and other Places adjoining to the said River, all Manuer of Merchandises and other Goods and Chattels, as well in Trowes and Boats, as in Flotes otherwise called Drags, in every Part adjoining to the said River; within which River many *Welshmen* and other Persons dwelling in divers Places adjoining to the said River, have now late assembled in great Number, arrayed in Manner of War, and taken such Flotes, otherwise called Drags, and them have hewed in Pieces, and with Force and Arms beaten the People which were in such Flotes, to the Intent that they should hire of the said *Welshmen* and other Persons, for great Sums of Money, Boats, and other Vessels for Carriage of such Merchandises, and other Goods and Chattels, to the evil Example and great Impoverishment of the said liege People, if Remedy be not speedily provided; It is ordained by Authority of this Parliament, That the said liege People of the King may have and enjoy their free Passage in the said River with Flotes and Drags, and all Manner of Merchandises, and other Goods and Chattels, at their Will, without Disturbance of any; and if any be disturbed of his free Passage in the said River, the Party grieved shall have his Action according to the Course of the Common Law.

ITEM pur tant que la ryver de Severne est commune a toutz les lieges du Roi, de carier et recarier deinz le streme du dit ryver, a Bristol, Gloucestre et Worcestre, et autres lieux au dit river adjoynantz, toutz maners des merchandises et autres biens et chateux, sibien en trowes et batelx come en flotes autrement appelez dragges, en chescun partie adjoynant au dit river: deinz quell river divers Gala's et autres persones, demurantéz en divers lieux adjoynantz au dit river, ount ore tarde assemblees en grande noubre arraeiz en faire de guerre, et pris tielx flotes autrement appelez dragges, et eux ount trenchez en peccs, et ove force et armes batuz lez gentz queux seurent en tielx flotes, a l'entent q'ils lowerent, des ditz Galeys et autres persones pur grande somme de moneye, batelx et autres vessels pur cariage des tielx merchandises, et autres biens et chateux; a malveis ensample et grande empoverissement des ditz lieges s'ils ne soient hastiment remediéz; Si est ordinez par auctorite de cest parlement que les ditz lieges du Roi purront avoier et enjoier leur frank passage en le dite river ove flotes et dragges et toutz maners des merchandises et autres biens et chateux a leur volonte saunz desturbaunce de nully; et si ascun soit destourbe de son frank passage en le dit river ait la partie greve sa action solonc le cours de la commune ley.

CAP.

C A P. VI.

For explaining Stat. 8 H. 6. c. 5. concerning Weights and Measures, so far as relates to the Burgeses of *Dorchester*.

ALSO it is ordained and assented, That by Force of the Statute made in the last Parliament, for Weights according to the Standard of the Exchequer to be had in every City, Borough, and Town within the Realm, the Burgeses of the Borough of *Dorchester* shall not be disturbed of their Right, to use their weighing by Twelve Miles round the same Borough, using always such Weights as in the said Statute be expressed; and that no Right nor Title of weighing do accrue to any by Force of the same last Statute, in Disturbance of the Right of the Burgeses of the Borough of *Dorchester* aforesaid.

Under Stat. 8 H. 6. c. 5. the Burgeses of *Dorchester* shall not be disturbed in their Franchise, &c.

ITEM ordeignez est et assentuz, qe par force del estatut fait en le darrein parlement, des poises accordantz a lestandard de lescquer a estre euez en chescune citee burgh et ville deinz le roialme, ne soient les burgeis del burgh de *Dorchester* destourbez de leur droit, de user leur poitures par xij. leuges environ mesme le burgh; usantz toutz soitx tielx poises come en le dit estatut sount exprimez: et qe null droit ou title de poisure soit accrue a ascuny par force de mesme le darrein estatut, en destourbaunce del droit des burgeis del burgh de *Dorchester* desuisdit.

C A P. VII.

For restraining Extortions by the Sheriff of the County of *Hereford*.

AFTER Recital of the Misconduct of the Sheriff of *Herefordshire*, it is enacted, That no Sheriff nor Under Sheriff of the said County shall, by Colour of his Office, take any Indictment or Inquest of Office in his Tourn contrary to Law; nor by Colour of his Office take any Inquest of Office or Indictment in any other Place after his Tourn is held and finished; nor take any Fines or Amerciaments for any Thing or Cause not belonging to his Tourn or Office, nor any unreasonable Fine of any for not coming to his Tourn, or for any other Cause by Colour of his Office, on Penalty of Ten Pounds to the King. This Ordinance to endure for Three Years."

[It was continued for Three Years further by Stat. 11 H. 6. c. 7.]

C A P. VIII.

The Weight of a Wey of Cheefe.

ALSO, Whereas it hath been of old Times accustomed in all the Counties of *England*, that all the Cheeses which ought to be sold by the Wey, should be weighed by the Auncel; and whereas at the last Parliament holden at *Westminster* it was ordained, That the said Auncels, in respect of the great Deceit of the same, should be destroyed, and other [Balance Weights] should be in this Behalf ordained; and it is so, that the poor People of the Realm be greatly deceived by the said [Balance Weights] for

See Stat. 8 H. 6. c. 5.]

Former Translations read "Weights catching." See the Stat. 8 H. 6. c. 5. that

A Weigh of
Cheese by the
Balance, Thirty-
two Cloves of
Seven Pounds
each :
i. e. 224 lb.

that they know not how many Pounds the Wey of Cheese doth contain by the said [Balance Weights¹] : And therefore to the Intent that the said poor People shall not be in this Behalf deceived, as they have been since the said last Parliament, it is ordained by the Authority of this Parliament, That the Weight of a Wey of Cheese may contain Thirty-two Cloves, that is to say, every Clove Seven Pounds by the said [Balance Weights.¹]

ITEM come il ad eſte dauncien temps accuſtumez en toutz les countees d'Engleterre, qe les formages qe duſſent eſtre venduz par la wey ſerroit poiſee par le auncell ; et pur ceo qe a le darrein parlement tenuz a Weſtm' fuiſt ordeigne qe les ditz auncelles a cauſe de la grande deceite dicelles ſerroient deſtruitz et autres poiſes couchantz ſerroient celle partie ordeinauz ; et eſt ainſi qe les poverez gentz du roialme ſount graundement deceux par les ditz poiſes couchantz a cauſe qils neient conſaunce combien des livres le wey de formage tient par les ditz poiſes cochauntz ; Et pur ceo au ſin qe les ditz poverez gentz ne ſerroient en celle partie deceux, ſicome ils ount eſtee depuis le dit darrein parlement, ordine eſt par auctorite de ceſt parlement, qe le pois dun wey dun formage puiſſe tenir xxxij. cloves ceſtaſſavoir cheſcun clove vij. li. par les ditz poiſes cochantz.

C A P. IX.

For preſervation of the River *Ley*.

THE Chancellor of *England* empowered to grant Commiſſions to certain Perſons to ſcour and amend the River *Ley* in the Counties of *Essex*, *Hertford*, and *Middleſex* ; and to enable them to take a Toll of Four-pence of Veſſels in the ſaid River for the Expences incurred."

[See Stat. 13 Eliz. c. 18.]

C A P. X.

For continuing Stat. 3 H. 5. c. 2. empowering certain Religious Perſons to make Attornies.

AFTER Recital of Stat. 3 H. 5. c. 2. *verbatim*, and that on the Expiration thereof the Evils thereby to be remedied had again occurred ; and moreover that the Stewards and Bailiffs of the Courts mentioned in that Statute would receive no Plea or Answer from the Abbots, &c. except their Wager of Law only, to the Intent to compel the ſaid Abbots, &c. to appear perſonally ; it is enacted, That the Stat. 3 H. 5. c. 2. ſhall be held and obſerved as good and effectual, during the King's Pleaſure."

[See the general AB, 15 H. 6. c. 7.]

C A P. XI.

Proclamations before a Writ be awarded to the Biſhop to certify Baſtardy.

ALSO, whereas by a Supplication delivered in this preſent Parliament by the Commons of the ſame, it was declared by *Margaret Dutchels of Clarence*, *Johan Dutchels of York*, *Sisters*, and (amongſt

Recital of a
particular Caſe.

(amongst others) Heirs to *Edmond* Earl of *Kent*; *Richard* Duke of *Tork*, *Richard* Earl of *Salisbury* and *Alice* his Wife, *Ralph* Earl of *Westmorland*, *John* Lord of *Typtoft* and of *Powys*, and *Joyce* his Wife, and *Henry Gray*, Cousins, and other of the Heirs of the said *Edmond* late Earl, as in the same Supplication is supposed; that is to say, the said Duke, Son to *Anne* Daughter to *Alianour*, another of the Sisters of the said *Edmond*; the said *Alice*, Daughter to *Alianour*, another Sister of the said *Edmond*; the said *Ralph*, Son to *Elizabeth* another Sister of the said *Edmond*; the said *Joyce*, Daughter to the same *Alianour* Mother of *Anne*; and the said *Henry Gray*, Son to *Johan* Daughter of the same *Alianour*: That whereas *Alianour*, Wife to *James* Lord *Audley*, pretending, calling, and affirming herself Daughter and Heir to the said *Edmond* late Earl of *Kent*, and begotten and born in Marriage pretended, had betwixt him and *Custance* late Wife of *Thomas* Lord [*Despenser*,¹] where by the said Supplication it is supposed, that the said *Alianour*, Wife to the said *James*, is Bastard, and never was any Marriage indeed had, nor solemnized betwixt the said *Edmond* and *Custance*, but that the said *Edmond* (by the Ordinance, Will, and Agreement of King *Henry* the Fourth, Grandfather to our Lord the King that now is, after great, notable, and long Ambassage had and sent to the Duke of *Milan*, for a Marriage to be had betwixt the said *Edmond* and *Luce*, Sister to the said Duke of *Milan*), did take to Wife, and openly and solemnly married the said *Luce* at *London*; the said *Custance* then living, and being there present, not claiming the said *Edmond* to her Husband, nor any Dower of his Lands after his Decease; which Marriage betwixt the said *Edmond* and *Luce* so had and solemnized, continued without any Interruption of the said *Custance*, or of any other, during the Life of the said *Edmond*, as divers Lords and other credible and notable Persons of the said Realm do well remember; and how after the Decease of the said *Edmond*, the said *Luce* was endowed of his Lands as his lawful Wife, continuing thereof her Estate peaceably all her Life;

Nevertheless the said *Alianour*, the Wife of *James*, upon great Subtily, Process imagined, privy Labour, and other coloured Means and Ways, to the Intent that she should be certified *Mulier* by some Ordinary, in case that Bastardy were alledged in her Person, hath brought (as it is said) in Examination before certain Judges in Court Christian and Spiritual, not informed, nor having Knowledge of the said Subtily, imagined Process, privy Labour, and coloured Means and Ways, certain suborned Proofs and Persons of her Assent and Covin, deposing for her, as in Espousals had and solemnized betwixt the said *Edmond* and *Custance*, and the said *Alianour*, the Wife of *James*, to be begotten and born within the same Espousals; the said Dutcheß, Duke of *Tork*, Earl of *Salisbury*, *Alice*, Earl of *Westmorland*, *John* the Lord of *Typtoft*, *Joyce*, and *Henry*, nor any of them warned, nor knowing thereof until long Time after the said Deposition made; wherefore the said Suppliants do fear them to be grieved and impeached of their Inheritance had by the said *Edmond*, by other Subtily and Working in the Temporal Law, to be practised and wrought by the said Lord of *Audley* and *Alianour* his Wife; as if they would take an Action against

A secret Practice in such Case to prove one *Mulier* in the Spiritual Court, who was a Bastard; and then to obtain a Certificate thereof in an Action at Common Law.

¹ *Spencer, Rot. Parl.*

A Practice to
prove one *Mulier*
by the Common
Law, who is
indeed a
Bastard.

some Persons of their Assent and Covin, or otherwise make some Persons of such Assent and Covin to take an Action against them, as it is supposed that they intend to do; in which Action, by the Covin and Assent aforesaid, Bastardy should be alledged in the Person of the said *Alianour*, Wife of *James*, and thereupon by Assent and Covin an Issue to be taken, and a Writ to be sent to some Ordinary (where it please them, not advertised of the said Subtily, Assent, and Covin) to certify whether the said *Alianour*, the Wife of *James*, be *Mulier* or not, before which Ordinary the said *Alianour*, Wife of *James*, will alledge, to prove herself *Mulier* by the said Depositions of the said suborned Proofs, and then the Party reputed as Adversary against the said Lord of *Audley* and *Alianour* his Wife, in the said Action, taken or to be taken by the Assent and Covin aforesaid, will alledge no Proof nor Matter, nor make any Defence before the said Ordinary, against the said Lord of *Audley* and *Alianour* his Wife, but there suffer the Matter before the said Ordinary to proceed according to the Intent of the said Lord of *Audley* and *Alianour* his Wife; so that it is very likely that the same Ordinary would certify the said *Alianour*, the Wife of *James*, *Mulier*; which Certificate so had and made, should by the Law of *England* disinherite the said Dutchess, Duke of *York*, Earl of *Salisbury*, *Alice*, Earl of *Westmorland*, *John* Lord of *Typtoft*, *Alice*, *Joyce*, and *Henry*, and their Issue for ever, of the whole Inheritance aforesaid: Whereupon the Premises tenderly considered, and to eschew such subtil Dishonours, as well in the said Case as in other like Cases in Time to come, by the Advice and Assent of the Lords Spiritual and Temporal, and also at the special Request of the said Commons, in this Parliament assembled, it is ordained and established, by Authority of the said Parliament, That if the said *Alianour*, the Wife of *James*, be certified *Mulier* in any Court before this Time, that no Manner of such Certificate heretofore made for the said *Alianour*, Wife of *James*, shall in any wise put to prejudice, bind, indamage, nor conclude any Person or Persons but him and his Heirs that was made Party to the Plea.

No Certificate
made in the
particular Case
mentioned shall
bind any but
Parties to the
Suit.

Whenever
Bastardy shall
be alledged,
the Court, before
a Writ is issued
to the Ordinary,
shall certify the
Cause into
Chancery, where
Proclamation
shall be made
that Parties
interested may
object before
the Ordinary;
and such Procla-
mations being
certified by the
Chancellor, (and
Proclamation
made also in the
Court where the
Plea depends) a
Writ shall issue
to the Ordinary
to certify,

And that from henceforth all Justices of or in the Courts where any Plea is or shall be depending, taken, or moved, in which Pleas so made depending, taken, or moved, Bastardy is or shall be alledged against any Person Party to the same Plea, and thereupon Issue joined, or to be joined, which by the Law ought to be certified by the Ordinary, that the Judges, or One Judge of or in the Courts where the said Plea is or shall be depending, taken, or moved, before the Time that any Writ of Certificate pass out of that Court to the Ordinary, to certify upon the Issue so joined, or to be joined, shall make out a Remembrance under their Seals, or his Seal, at the Suit of the Demandant or Tenant, Plaintiff or Defendant in the Plea, in which the Bastardy is or shall be alledged, reciting the Issue that is joined in the same Plea of Bastardy, and certifying to the Chancellor of the King of *England* for the Time being, to the Intent that thereupon Proclamation be made in the said Chancery by Three Months, once in every Month, that all Persons pretending any Interest to object against the Party which pretendeth himself to be *Mulier*, may sue to the Ordinary to whom the Writ of Certificate is or shall be directed, to make their Allegations and Objections against the Party which pretend-

eth

eth him to be *Mulier*, as the Law of Holy Church requireth; and the said Chancellor having Notice of the said Remembrance and Issue joined, and being required by the said Demandant or Tenant, Plaintiff or Defendant aforesaid, having the said Remembrance, to make the said Proclamation as afore is said, the same Chancellor for the Time being shall cause to be made Proclamation in the Form aforesaid, and the Proclamation so made shall certify into the Court where the said Plea in which the Bastardy is alleged shall be depending: And that the Judges of or in the Court where the same Plea is or shall be depending, taken, or moved, before any Proclamation so to be made in the Chancery, make once like Proclamation openly in the same Court, [and also another Time when the Proclamations shall be certified by the Chancellor of *England*, and made in the Form above rehearsed; and then²] the said Judge shall award the said Writ of Certificate to the Ordinary, to certify upon the Issue so joined, or to be joined: And if any Writ of Certificate be made or granted, before that all the said Proclamations in the Form afore rehearsed be made and certified, that then that Writ of Certificate, and the Certificate of the Ordinary thereupon made or to be made, shall be void in Law, and of none Effect.

And if any Writ before this Time be directed to any Ordinary, to certify whether the said *Alianour*, Wife of *James*, be Bastard or not, and at this Time not certified, if it be certified hereafter by virtue of the said Writ, that the same Certificate of the said Ordinary so made, be void and of none Effect.

As to Writ not certified in the particular Case recited.

² 'and afterwards when the Writ of Proclamation is returned with Proclamation made, and the Proclamation be certified by the Chancellor, and in the Form rehearsed done, then'—*printed Rot. Parl.*

ITEM come par une supplication baille en cest parlement par les communes dicell estoit declarez, par Margarete Duchesse de Clarence Johan Duchesse d'Everwyk, soers et entre autre heirs a Edmond nadgairs Count de Kent, Richard Duc d'Everwyk, Richard Count de Sarisbirs et Alece sa femme, Rauf Count de Westmerland, John Sire de Tiptost et de Powys et Joieuse sa femme, et Henri Gray, cosyns et autres des heirs du dit Edmond nadgairs Count sicome en mesme la supplication est supposez, cestavoir; le dit Duk fitz a Anne file a Alianore une autre des soers du dit Edmond; la dite Aleyse file a Alianore une autre soer du dit Edmond; le dit Rauf fitz a Elizabeth une autre soer du dit Edmond; la dite Joieuse file dite Alianore mere a Anne; et le dit Henri Grey fitz a Johanne file a mesme la Alianore; qe la ou Alianore femme a James Sire d'Audeley pretendant appellant et affermant luy mesme file et heir au dit Edmond nadgairs Count de Kent, et engendre et nee en espouselx pretensez, euez parentre luy et Custance nadgairs femme a Thomas Sire Despenfer, la ou par la dit supplication est suppose qe la dite Alianore, femme au dit James, est bastard et jammes nulles espouselx feurent en fait euez, ou solempnisez parentre les ditz Edmond et Custance, mes qe le dit Edmond (par lordinaunce volunte et agreement du Roi Henri le quart, aiel nostre Seigneur le Roi qorest, depuis graunde notable et longe ambassiat euez et [enjoiez¹] a le Duke de Melayne pur ma-

¹ envoiez, P,

riage a'estre euez parentre le dit Edmond et Luce foer au dit Duk de Melayne) prist a femme et overtement et solempnement espousa la dite Luce a Loundres, vivant cell temps la dite Cusaunce, et illoques esteant present, nient clamant le dit Edmond a son baron ne aucun dower de ses terrez puis son decesse; les queux espouffilles, parentre le dit Edmond et Luce ensi euz et solempnisiez, continuèrent saunz aucun interruption du dite Cusaunce, ou d'aucun autre durant la vie du dit Edmond, sicome divers seignurs et autres credibles et notables persones du dit roialme ount bien en leur memorie; et coment puis la decesse du dit Edmond l'avaundite Luce fust endowe de ses terres come sa loyall femme, continuant en son estate paisiblement par tout sa vie:

Nientmeins la dite Alianore, femme James, sur grande subtilite, processe ymagine, prive labour et autres menes et voies coloures, a sentent quele deveroit estre certez muliere par aucun ordinarie, en cas qe bastardie serroit allegge en sa persone, ad porte, a ceo qe il dit, en examination devaunt certains jugges, en courts Christien et espirituel, nient enfourmez ne aiantz conisaunce du dit subtilite, processe ymagine, prive labour, colourez mesmes et voies, certaines subornatz proves et persones, de sa assent et corise, depousantz pur ele come en espoufelx euez et solempnisiez parentre les ditz Edmond et Cusaunce, et la dite Alianore femme James pur estre engendrez et neez dedens mesmes les espoufelx, les ditz Duchesse Duke d'Everwyk Count de Sarisbirs Aleise Count de Westmeiland John Sire de Tiptoft Joyouse et Henri, ne null deux, ent nient garniz ne sachantz, tanqe par long temps apres la dite deposition fait; dount les ditz suppliantz se doutent estre grevez et empeschez des leur enheritaunce euez par le dit Edmond, par autre subtilite et labour en ley temporell, a estre laboure et oevre par les ditz Sire d'Audeley et Alianore sa femme; sicome ils voloient prendre aucun action envers aucunes persones de leur assent et covyne, ou autrement faire aucuns persones de tiel assent et covyne prendre une action envers eux, sicome il est suppose qils leur ordignent a ceo faire, en la quell action par les assent et covyne fuisditz bastardie deut estre allegge en la persone du dit Alianore femme James, et sur ceo, par assent et covyne, issue estre pris et un brief destre envoie a aucun ordinarie, ou leur pleroit nient advertie des ditz subtilite assent et covyne, pur certefier si la dite Alianore femme James fust muliere ou nemye; devaunt quell ordinarie mesme la Alianore femme James voet allegger de prover luy mesmes muliere, par la dite deposition des ditz subornatz proves, et adonques la partie eu come adversarie envers les ditz Sire d'Audeley et Alianore sa femme, en la dit Action pris ou apprendre par assent et covyne fuisditz, ne veulle null prove ne matier allegger, ne defense fair devaunt le dit ordinarie, envers mesmes les Sire d'Audeley et Alianore sa femme, mes la fuffer la matier devaunt le dit ordinarie proceder folone sentent des ditz Sire d'Audeley et Alianore sa femme; pareusi qe verisemblable est qe mesme l'ordinaire verroit certifier la dite Alianore femme James muliere, la quelle certificat issint eu et fait deussit par la ley d'Engleterre dismerier les ditz Duchesse Duke d'Everwyk Count de Sarisbirs Aleise Count de Westmeirl' John Sire de Tiptoft Joyouse et Henri, & leur issue pur toutz jours, de l'entier enheritaunce avaundit: Sur qy les premies teadierment considerez, et pur. eviter. tielx subtils disheritaunces, sibien

fibien en le dit cas come en autres cafes semblables en temps avenir, del advis et assent des Seignurs espirituelx et temporelx et auxi a la special request des ditz communes, en cest parlement assemblez, ordeinez est et establez par auctorite de mesme la parlement; Que si la dite Alianore femme James soit certifie muliere en aucun court devant ces heures, qe null maner de tiel certificat pardevant fait pur la dite Alianore femme James, mette a aucun prejudice, lye, endamage, ne corclude aucun persone ou persones, forsque celui et ses heirs qi fuist fait partie a la plee.

Et qe desore enavaunt toutz juges de ou en les courtz, la ou aucun plee est ou serra pendant pris ou moeve, en queux ples ensi faiz pendantz pris ou moevéz, bastardie est ou serra allegge envers aucun persone partie a mesme le plee, et sur ceo issue joinee ou a joyner, le quell par la ley doit estre certifie par lordinarie, qe lez juges ou un juge de ou en les courtz ou le dit plee est ou serra pendant pris ou moeve, devant le temps qe aucun brief de certificat passe hors de cell court al ordinarie pur certifier sur lissue ensi joyne ou a joyner, face une remembrance defouth tour seax ou son seal, al suyt le demandaunt ou tenant pleintif ou defendant en le plee, en quell bastardie est ou serra allegge, recitant lissue qest joyne en mesme le plee de bastardie, et certifiant a le chaunceller du Roi d'Engleterre pur le temps esteant, qe lentent qe sur ceo proclamation soit fait en la dite chauncerie par trois moys, un soitx en chescun moys, qe toutz les persones qi pretendent aucun interesse pur objecter encoutre la partie qe luy pretende destre muliere, qils fissent al ordinarie a qi le brief de certificat est ou serra direct, pur faire lour allegaunces et objections envers la partie qe luy pretende destre muliere, sicome la ley de Seint Eglise requiert; Et le dit Chaunceller eiant notice del dit remembraunce et issue joynee, et requis par le dit demandaunt ou tenant pleintif ou defendaunt avauntdit, aiant mesme la remembraunce, de fair la dite proclamation come desuis est dit, mesme le chaunceller pur le temps esteant serra fair proclamation en la fourme avauntdit; et la proclamation ensi fait certifiera en la court ou le dit plee en quell la bastardie est allegge alors serra pendant: Et qe les juges de ou en la court ou le dit plee est ou serra pendant pris ou moeve devant aucun proclamation ensi affaire en la chauncerie, facent un soitx antiel proclamation overtement en mesme la court [et auxi autre soitx quant les proclamations serront certifiez par le chaunceller et en la fourme reherce faitz; et adonques²] le dit juge agardera le dit brief de certificat al ordinarie pur certifier sur lissue issint joynee ou a joyner: Et si aucun brief de certificat soit fait ou graunte devant ceo qe toutz les ditz proclamations en la fourme devant reherce soient faitz et certifiez qe adonques cell brief de certificat et le certificat del ordinaire sur ceo faite ou affaire soit voide en ley et de null effect.

Et si aucun brief devant cest temps soit direct a aucun ordinarie, pur certifier si la dite Alianore femme James soit bastard ou nemye, et a cest temps nient certifie, sil soit certifie enapres par vertu du dit brief qe mesme le certificat du dit ordinarie ensi fait soit voide et de null effect.

² P. agrees with the Text.

Anno decimo HENRICI VI.

*In the Parliament held at Westminster on Monday 12th
May, A.D. 1432.*

*From the Copy given by Hawkins, Cay, &c. as "Ex Rot.
in Turr. Lond." compared with printed Rot. Parl. Pynson, &c.
The several Chapters of the Statute are founded on the following
Articles in printed Rot. Parl. iv. p. 388, &c.*

<i>Chap. of Stat.</i>	<i>No. in Roll.</i>	
1,	29	} <i>On Petitions of the Commons.</i>
2,	33	
3,	34	
4,	41 ⁽¹⁾	
5,	42	
6,	46	
7,	51 ⁽¹⁾	

¹ *In English.*

*Besides the above, and also several Articles for the Confirmation
of existing Statutes, See further
Printed Rot. Parl. iv.*

*Page. No. } Grant of Half a Fifteenth and Half a Tenth, for
389, 11, } Defence of the Realm.*

*12, Grant of Five Nobles (Thirty-three Shillings and four-
pence) per Sack of Wool, &c. for a Year from Mar-
tinmas 1434; as also Tonnage Three Shillings, and
Poundage Twelve-pence, on Denizens for Two
Years; also on Aliens Three Shillings additional
Tonnage on sweet Wines, and Sixpence additional
Poundage.*

*390, 13, Repeal of the last mentioned Grant of Sixpence addi-
tional Poundage.*

*391, 15, Respecting the Detention of certain Goods and Jewels
of the Bishop of Winchester Cardinal of England at
Sandwich, and the Advance of Money by the Bishop
for the Service of the King.*

*392, 16, Pardon to the said Cardinal and others for any Breach
of the Statutes against Provisors.*

*17, Parliamentary Declaration of the Innocence of Ralph
Lord Cromwell, removed from the Office of Chum-
berlain.*

*18, For confirming the Foundation of a Chapel, &c. by the
Executors of Richard Whityngton Citizen and
Mercer of London.*

393, 19, For the Clerks of the Chapel to King Henry V.

Printed

Printed Rot. Parl. iv.

Page N. } For settling the Payment of the Fees, &c. of the King's
394, 20, } Justices, Serjeants, and Attorney.

☞ This was given by Cay, &c. as Stat. 2. of this Year. It is noticed in several old Abridgements of the Statutes as "*Statutum per se*;" a Term also applied in those Abridgements to Stat. 25. E. 3. st. 2. *de natis ultra mare*, and in other Instances). There are several erroneous and confused Conjectures as to this Article in the Prefaces to Cay and Ruffhead. See printed Rot. Parl. 1 E. 4. vol. v. p. 473 and 490.

395, 21, For the Prior and Convent of the Charter House, London.

22, For the Abbess and Convent of Syon.

396, 23, For Margaret Sarnesfield.

397, 24, For pardoning the Arrears of certain Officers of the Household.

25, For granting Livery out of the King's Hands of the Lands, &c. of the Duke of York.

398, 26, For founding a Charity in the Church of Trebesh.

399, 27, For providing for fulfilling the Will of King Henry V.

On Petitions of the Commons.

409, 50, Repeal of the Subsidy granted 9 H. 6. nu. 15.

On Private Petitions.

414, &c. 1, For Relief of W. Brampton against Securities illegally made by his Brother in his Name.

414, 2, For the Abbot and Convent of St. Peter's Westminster to purchase Lands.

3, For empowering the Corporation of Lancaster to take Statutes Merchant under the Stats. 11 & 13 E. 1.

4, For Owen Fitz-Meredith, enabling him to purchase Lands in England.—See Stats. 2 H. 4. c. 16—20.

5, 7, For Anne Countess of Stafford.

8, For empowering the Customers of Southampton to appoint Deputies in the Ports of Lymington, Newport, and Portsmouth.

9, For enabling the Corporation of Lincoln to purchase Lands.

10, For granting to William Pope Esq. the Office of Usher of the Order of the Garter; for his Life.

11, For granting a Protection in a Suit at Law. (See sub. An. 9 H. 6. Pa. 386. nu. 4, 5.)

OUR Lord the King, at his Parliament holden at Westminster the Twelfth Day of May, the Tenth Year of his Reign, to the Honour of God, and for the Weal of him and his Realm, and

for the Tranquillity and Ease of his People, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Request of the Commons in the same Parliament assembled, hath caused to be enacted and established divers Statutes and Ordinances in the Form following.

NOSTRE Seigneur le Roi a son parlement tenuz a Westm' le xij. jour de Maij lan de son regne disme, a lonour de Dieu et pur le bien de luy et son roialme, et pur la tranquillite et ease de son poeple de ladvis et assent des seignurs espirituelx et temporelx, et a la especiale request des Communes en mesme le parlement assemblez, ad fait ordeiner et establer diverses estatuitz et ordinaunces en la fourme qensuist.

C A P. I.

“Recognisances taken before the Mayor and Constables of the Staple of *Calais* shall be as effectual as any taken in *England*.”

C A P. II.

For amending Stat. 8 H. 6. c. 7. respecting Electors of Knights of Parliament.

Recital of Stat.
8 H. 6. c. 7.

Electors shall
have 40s. a Year
within the
County.

ALSO, Whereas at the Parliament holden at *Westminster* the Morrow of St. *Matthew* the Apostle, the Eighth Year of the King that now is, it was ordained by the Authority of the same Parliament, That the Knights of all counties within the Realm of *England*, to be chosen to come to the Parliaments hereafter to be holden, should be chosen in every County by People dwelling and resident in the same, whereof every one should have Freehold to the Value of Forty Shillings by Year at the least, above all Charges, upon a certain Pain contained in the same Statute; not making expresse Mention in the same, that every Man that should be chooser of any such Knights, should have Freehold to the Value of Forty Shillings at the least, above all Charges, within the same County, where such Chooser with other like shall make such Election, or elsewhere: And therefore our Lord the King, willing to make full declaration of the said Statute, with the Advice and Assent aforesaid, and at the special Request of the said Commons, hath ordained, That the Knights of all Counties within the said Realm, to be chosen to come to Parliaments hereafter to be holden, shall be chosen in every County by People [dwelling and resident in the same⁽¹⁾] whereof every Man shall have Freehold to the Value of Forty Shillings by the Year at the least, above all Charges, within the same County where any such Chooser will meddle of any such Election.

(¹) This Part repealed by Stat. 14 G. 3. c. 58.

ITEM come au parlement tenuz a Westm', lendemain de Saint Mattheu l'apostolle, lan du regne nostre Seigneur le Roi oepziesme, ordiue estoit et estable par auctorite de meisme le parlement, qe les chivalers des toutz countees deins le roialme d'Engleterre, a eschier pur venir as parlementz en apres a tenirs, soient esluz en chescun countee par gentz demurantz et rescantz en icelles, dount chescun

chescun ait frank tenement a la value de xl. s. par an au meins, outre les reprises, sur certain peine contenuz en mesme lestatut; nient fessant expresse mention en icell, qe chescun qi serroit eslisour dascun tielz chivalers averoit frank tenementz a la value de xl. s. au meins, outre les reprises, deins mesme le countee, ou ascun tiel eslisour ovefse autres semblables serroit tiel election, ou aillours: Et pur taunt nostre Seignur le Roi voillant faire du dit estatut plein declaration, del advi et assent suisditz, et a la request des dites Communes, ad ordine qe les chivalers de toutz les countees deins le dit roialme, a esliers pur venir a les parlamentz en après a tenirs, soient esluz en chescun countee par gentz demurantz et reseauts en icelles, dount chescun ait frank tenement a la value de xl. s. par an au meins, outre les reprises, deins mesme le countee ou ascun tiel eslisour soi voet meller dascun tiel election.

C A P. III.

For providing Remedy to the King's Subjects, having Goods taken from them by Subjects of *Denmark*.

"AFTER Recital of the Complaint of the Commons, That many of the King's faithful liege People be greatly impoverished, undone, and in point to be destroyed, by the King of *Denmark* and his Lieges, which be of the Amity of the King our Sovereign Lord, because that they do daily take of his said faithful Subjects their Goods, so that they have taken of Merchants of *York* and *Kingston* upon *Hull* Goods and Merchandises to the Value of Five Thousand Pounds within a Year, and of other Lieges and Merchants of the Realm of *England* Goods and Chattels to the Value of Twenty Thousand Pounds, whereof they have no Remedy of the said King of *Denmark*, nor of none other, forasmuch as none of them come within the Realm of *England*, nor nothing have in the same Realm of *England*, and that the Goods be taken out of the same Realm: It is enacted, That if the Goods of any of the King's Subjects be taken by the said King of *Denmark*, or any of his said Lieges, the Keeper of the Privy Seal for the Time being shall have Power to make to the Party grieved Letters of Request under the Privy Seal, without any other Pursuit to be made to any, for Restitution to be had of the Goods so taken and to be taken; and if Restitution be not made by such Letters, the King, by Advice of his Council, shall provide Remedy to the Party grieved as the Case requireth."

C A P. IV.

"For preventing False Entries of the Appearance of the Plaintiff in certain Suits."

[This Act is recited at length, continued, confirmed, and amended by Stat. 18 H. 6. c. 9. which see.]

C A P. V.

For reviving the Statute 21 R. 2. c. 18. for the Maintenance of the Harbour and Fortifications of *Calais*.

“AFTER Recital of Stat. 21 R. 2. c. 18. and that it was repealed by the general Words of Stat. 1 H. 4. c. 3. It is enacted that the said Stat. 21 R. 2. c. 18. shall henceforth be a Statute effectual and holden, kept and put in due Execution for ever according to the Tenor thereof.”

C A P. VI.

For extending Stat. 8 H. 6. c. 10. to Process on Indictments removed into the King's Bench.

Recital and Confirmation of Stat.
8 H. 6. c. 10 § 2.

ALSO, Whereas in the Parliament holden at *Westminster* the Eighth Year of the Reign of the King that now is, it was ordained, That upon every Indictment or Appeal, by the which any of the King's liege People, dwelling in other Counties than where such Indictment or Appeal was or should be taken, of Treason, Felony, or Trespass, to be taken thereafter before Justices of Peace, or before any other, having Power to take such Indictments or Appeals, or other Commissioners or Justices in any County, Franchise, or Liberty of *England* before any Exigent awarded upon any Indictment or Appeal in the Form aforesaid to be taken, that presently after the first Writ of *Capias* upon every such Indictment or Appeal awarded and returned; that another Writ of *Capias* should be awarded, directed to the Sheriff of the County, whereof the person so indicted or appealed was supposed to be conversant, by such Indictment or Appeal, returnable before the same Justices or Commissioners, before whom he is indicted or appealed, at a certain Day, containing the Space of Three Months from the Date of the same Writ to the Return of the same, as by the same Statute fully appeareth: by which Clause of the same Statute, that is to say, ‘Returnable before the same Justices or Commissioners, before whom he is indicted or appealed,’ some do understand that the Writ of *Capias* ordained by the said Statute, which shall be directed to the Sheriff of the County whereof he that is so indicted or appealed is or was supposed to be conversant, by the same Indictment or Appeal, shall be returned before the same Justices or Commissioners, or others before whom the Indictment or Appeal was taken, and not elsewhere: and imagining to defraud and make frustrate the said Statute, do sue to remove such Indictments and Appeals out of the Hands of the Justices and Commissioners aforesaid, into the King's Bench and elsewhere by *Certiorari* and otherwise, unknown to the Party so indicted or appealed, and thereupon do sue the Process used at the Common Law before the making of the said Statute, in the King's Bench and elsewhere, after such removing, to the great Impoverishing and Vexation of the King's faithful Subjects. Wherefore our said Lord the King, by the Advice and Assent aforesaid, and at the special Request of the said Commons, by Authority aforesaid, hath ordained, That the said Statute be holden and kept, and put in due Execution in all Points: adding thereto, that if any such Indictments taken, or to be

On Indictments,
&c. removed
into the King's
Bench Process of

be taken, before any Justices of Peace, or before any other having Power to take such Indictments or Appeals, or other Justices or Commissioners in any County, Franchise, or Liberty of *England*, shall be removed before the King in his Bench or elsewhere, by *Certiorari* or otherwise, that then after such removing, before any Exigent awarded upon any such Indictment or Appeal in the Form aforesaid taken, or to be taken, that presently after the first Writ of *Capias* upon every such Indictment or Appeal awarded and returned, that another Writ of *Capias* be awarded, directed to the Sheriff of the County, whereof he that is so indicted or appealed is or was supposed to be conversant, by the same Indictment or Appeal, returnable before the King in his Bench at a certain Day, containing the Space of Three Months or Four from the Date of the said last Writ of *Capias*, according to the Manner and Form that the Justices of Peace, and others in the said first Statute contained, ought to have done, before such removing after the making of the said first Statute, [and moreover Process thereon made according to the Effect and Purport of the said first Statute.] And if any Exigent be hereafter awarded upon any such Indictment or Appeal after such removing against the Form aforesaid, or any Outlawry thereupon pronounced, as well such Exigent so to be awarded, as the Outlawry thereupon to be pronounced, and every of them, shall be holden for null and void, according as in the said first Statute is more fully contained.

second Capias shall be made returnable there in like manner as before Justices, &c. under Stat. 8 H. 6. c. 10. § 2.

Otherwise Exigent and Outlawry shall be void.

ITEM come au parlement tenuz a Westm' lan du reigne nostre Seigneur le Roi qor est viij. ordinc estoit, qe sur chescune enditement ou appell par la quell aucuns des lieges du Roi, demurrantz en autres countees qe la ou tiel enditement ou appell soit ou serra pris, de treson, felonie ou trespals, apprendre en apres devaunt Justices de peas ou devaunt aucun autre, eiant poiar de prendre tielx enditementz ou appelez, ou autres commissioners ou justices en aucun countee franchise ou liberte d'Engleterre, devaunt aucun exigent agarde sur aucun enditement ou appell en la fourme avaunt-dite apprendre, qe maintenant apres le primer brief de capias, sur chescun tiel enditement ou appell agarde et retourne, qe un autre brief de Capias soit agarde, direct al viscount del countee dount celuy qest ensy endite ou appelle est ou fust suppose destre conversant par mesme lenditement ou appell, retournable devaunt mesmes les justices ou commissioners devaunt queux il est endite ou appelle a un certia jour conteignant l'espace de trois mois del date de mesme le brief, et le retourne dicell, come par mesme estatuit pleinement appiert: Par quell clause du dit estatuit cestassavoir 'retournable devaunt mesme les justices ou commissioners devaunt queux il est endite ou appelle' aucuns entendout qe le brief de Capias ordinc par le dit estatuit, qe serra direct al viscount del countee, dount celuy qest ensy endite ou appelle est ou fust suppose destre conversant, par mesme lenditement ou appell, serra retourne devaunt mesme les justices ou commissioners ou autres devaunt queux lenditement ou appell fust pris, et nounpas aillours: et ymaginantz pur defrauder et anientiser le dit estatuit, fuent pur remoever tielx enditementz et appelez hors des mains les justices et commissioners avaunditz, en le Bank le Roi et aillours par *Certiorari* et autre-

ment, les parties ensi enditz ou appelez nient sachantz, er sur ceo suent processe use a la commune ley, devaunt la sesaunce du dit estatuit, en le Bank le Roi et aillours appres tiel remoevement, en graunde empoverissement et vexation des loialx lieges du Roy. Pur qoy nostre Seignur le Roi, del advis et assent susditz et al especiall request des ditz communes, par auctorite suisdite, ad ordine qe le dit estatuit soit tenuz et gardez et mys en due execution en toutz pointz. Adjoustant a icell, qe si ascuns tielx enditementz, prisez ou apprendrez devaunt ascuns des justices du peas, ou devaunt ascun autre eiant poiar de prendre tielx enditementz ou appell, ou autres justices ou commissioners en ascun countee fraunchise ou libertee dEngleterre, soient remoevez devaunt le Roi en son Bank, ou aillours, par Certiorari ou autrement, qe adonques appres tiel remoevement, devaunt ascun exigend' agarde sur ascun tiel enditement ou appell, en la fourme avauntcite pris ou apprendre, qe maintenant apres le primer brief de Capias sur chescun tiel enditement ou appell agarde et retourne, qe un autre brief de Capias soit agarde, direct al viscount del countee dount celuy qest enditee ou appelle est ou fust suppose destre conversant par mesme lenditement ou appelle retournable devaunt le Roi en son Bank a un certain jour, conteignant l'espace de trois mois ou quatre mois, del date del dit darrein brief de Capias, solonc les maner et fourme qe les justices de peas et autres en le dit primer estatuit contenuz, deussent avoir fait avaunt tiel remoevement puis la sesaunce du dit primer estatuit, [et enoustre de ent faire processe solonc leffect et purport del dit primer estatuit.] Et si ascun exigende soit agarde enapres sur ascun tiel enditement ou appell, apres tiel remoevement encontre la fourme avauntcite, ou ascun utlagarie sur ceo pronuncie, soit sibien celle exigende ensi agarder, come lutlagarie sur ceo a pronuncier, et chescun de eux tenuz pur null et void, solonc ceo qen le dit primer estatuit est contenuz plus au plein.

† P. and old Translations omit.

C A P. VII.

For regulating the Exportation of Wool.

"ALL Wools and Woolfels that shall be exported elsewhere than to *Galais* shall be forfeited."

Anno undecimo HENRICI VI.

*In the Parliament held at Westminster on July 8,
A.D. 1433.*

☞ *This Parliament was on the 13th of August prorogued to 15 Days after Michaelmas, Anno 12 H. VI. All the Acts were passed after that Prorogation;—they are accordingly cited in subsequent Years in printed Rot. Parl. as of 12 H. 6.*

From the Copy given by Hawkins, Cay, &c. as “Ex Rot. in Turr. Lond.” compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. p. 419, &c.

<i>Chapter of Statute.</i>	<i>Number in Roll.</i>	
1,	42 ⁽¹⁾	} <i>On Petitions of the Commons.</i>
2,	44	
3,	45	
4,	47	
5,	48	
6,	49	
7,	53	
8,	54	
9,	56 ⁽¹⁾	
10,	59	
11,	60	
12,	61	
13,	63 ⁽¹⁾	
14,	64	
15,	66 ⁽¹⁾	
16,	67	

⁽¹⁾ *In English.*

*Besides the above, and also several Articles for the Confirmation of existing Statutes, See further
Printed Rot. Parl. iv.*

*Page. No. } For restraining Assignments at the Treasury; to pro-
420, 12, } vide Money for the Expenses of the Household.
423, 17, } Proceedings as to regulating the Government during
424, 19, } the King's Minority, under the Guardianship of the
Duke of Bedford.*

*425, 20, Grant of a 15th and a 10th (except 4000l. to be de-
ducted for Relief of Poor Towns, &c.)*

*426, 21, Grant of a Subsidy of 12d. per £. on Woollen Cloth
exported; as also 3 s. Tonnage on Wine and 1 s.
Poundage on all other Merchandise imported or ex-
ported; on Depizens for two Years;—3 s. addi-
tional Tonnage and 1 s. additional Poundage, and
53 s. 4 d. per Sack on Wool, &c. exported, by
Aliens, for three Years.*

Printed Rot. Parl. iv.

- Page No. } For Security of Persons advancing Money on the
 426, 22, } Credit of the Customs, &c.
 439, 26, For naturalising the Duchefs of Bedford.
 27, ————— Andsea Ogard.
 440, 29, For preventing Suits against the Earl of Somerset re-
 specting the Estates granted to him on the Forfeiture
 of Owen Glendourdy by R. H. 4.
 441, 31, For naturalising Thomas Gower and Joan his Wife.
 443, 36, For confirming certain Grants to the Duke of Gloucester.
 444, 38, } For making the Town of Poole a fortified Port; and
 39, } to annul the Port of Melcombe; and to transfer a
 Charge in favour of Sir John Radcliffe accordingly.
 455, 69, For providing for the taking an Oath or Assurance
 throughout the Kingdom, for the Support of the
 Law and Preservation of the public Peace, such
 Oath having been previously taken by the Peers
 and Members of Parliament. — See also printed
 Rot. Parl. sub hoc An. iv. p. 421. nu. 14. and
 also sub An. 8 H. 6. nu. 27. pa. 343.

On Private Petitions.

- 459, 2, For assuring the Dower of the Queen Dowager Kath-
 erine. — See 2 H. 6. nu. 19.
 460, &c. 3, } For confirming certain Grants to the Duke of
 4, 6, } Bedford.
 463, 5, For securing the Repayment of certain Sums advanced
 by the Archbishop of Canterbury to the King, out of
 Possessions of the Duchy of Lancaster.
 466, 8, For effecting an Exchange of Lands between the Duke
 and Duchefs of Gloucester and the Prior of Shene.
 467, 9, The like between the Abbess and Convent of Shaftsbury
 and Robert Long.
 467, 10, For enabling the Priorefs and Nuns of Litilmore in
 Oxfordshire to take a Grant of Lands, &c.
 470, 15, For the Creditors of the late Earl of March.
 471, 16, For Sir Robert Shotesbroke.
 17, For John Leventhorpe Esq.
 473, 19, For naturalising John de Signorelli.
 21, For Ralf King and Ux. to reverse a Fine levied by an
 Idiot.
 474, 22, For securing out of the Customs to the Merchants of the
 Staple at Calais the Repayment of certain Sums
 advanced by them.
 475, 23, For William Warwick, for Losses sustained from the
 Lord of Mountaffilond in Britanny.

QUR Sovereign Lord the King, at his Parliament holden at
 Westminster the Eighth Day of July, the Eleventh Year of his
 Reign, to the Reverence of God, and for the Weal of the People
 of

of his Realm, by the Advice and Assent of the Lords Spiritual and Temporal of the same Realm, and at the special Request of the Commons of his said Realm in his said Parliament assembled, by Authority of the same Parliament, hath made, ordained, and established divers Statutes, Declarations, and Ordinances, in Form following.

NOSTRE Seignur le Roy a son parlement tenuz a Westminster le viij. jour de Jule lan de son regne unizisme, a la reverence de Dieu et pur le bien du poeple de son roialme del advis et assent des seignurs espirituelx et temporelx de mesme le roialme et a la especiale request dez communes de son dit roialme en son dit [roialme'] esteantz, par auctorite de mesme le parlement, ad fait ordeigne et estable certains estatuitz declarations et ordenaunces en la fourme qensuit.

• Parlement, P.

C A P. I.

“They that dwell in the Stews in *Southwark* shall not be impannelled in Juries, nor keep any Inn or Tavern except there.”

C A P. II.

Sheriffs shall not be fraudulently named Disseisors in Assises of *Novel disseisin*.

ALSO, Whereas several Persons do often sue Assises of *Novel disseisin* before Justices assigned, against divers Persons, and by Craft and Collusion, to have their Writs of their said Assises directed to the Coroners of the Counties where the tenements be, to make Execution of the said Writs, do name in their said Assises the Sheriff of the same County one of the Disseisors, where he is not, neither ever was Disseisor or Tenant of the Tenements in Demand, whereby oftentimes the said Assises be awarded by the Default of the Tenants which have no Knowledge of those Assises, for that they found not any Assise against them in the File of the Sheriff, nor have any Suspicion of any such Assise taken against the Sheriff and them; our Lord the King, willing in this Case to provide Remedy, by the Assent and Authority aforesaid, hath ordained, That in all such Assises purchased, and at this Time depending, or hereafter to be purchased, between any Persons whatsoever they be, before any such Justices, in which Assises any such Sheriff is named Disseisor, if the Tenants in the said Assises or any of them will aver, that the said Sheriff is not, nor ever was, Disseisor, nor Tenant of the Tenements in Demand, but was named Disseisor by Collusion, the Averment shall be received: And if it be found by the said Assise, that the said Sheriff is not, nor ever was, Disseisor nor Tenant of the Tenements in Demand, but was named Disseisor by Collusion, then the said Justices shall cause to be abated and quashed the said Writ purchased, or to be purchased in the Form aforesaid; and that the Plaintiffs on Plaintiff be in the grievous Mercy of the King;

If a Sheriff is named Disseisor with others by Collusion, an Averment thereof shall be admitted and the Writ shall be quashed.

ITEM

ITEM come divers gentz sovent foitz fuent assises de novell disseysyn devaunt justices assignez, envers diversez persones, et par subtilite et collusion pur avoir lour brefs de loures ditz assises directz as coroners dez countees ou les tenementz sount, pur faire execution dicell brefs, sount nomer en loures ditz assises le viscount de mesme le counte une dez disseisoures, lou il nest ne unques fust disseisour ne tenaunt dez tenementz en demaunde, parount sovent foitz lez ditz assises sount agardez par defaute dez tenantz, quez nount my consaunce de ceuz assises, en tant qils ne trovent my aucune assise envers eux en la felace de viscount, et nount aucune suspecion de aucune tiel assise priz envers le viscount et eux, nostre Seigneur le Roi, voillant en ceo cas purvoir de remedic, del assent et auctorite suisditz ad ordeigne, qen tous tiels assises purchasiez et a present pendantz, ou a purchasiers desore enavaunt, parentie queconques persones devaunt aucuns tieux justices, en queux assises aucune tiel viscount soit nomez disseisour, si lez tenantz en lez ditz assises, ou aucun de eux, voil averrer qe le dit viscount nest ne unques fust disseisour ne tenaunt dez tenementz en demaunde, mais fust nome disseisour par collusion, soit laverrement receuz: Et si trove soit par la dit assise qe le dit viscount ne soit, ne unques fust disseisour, ne tenaunt dez tenementz en demaunde, mais fust nome disseisour par collusion, adonques lez ditz justices facent abater et casser le dit brief purchase ou purchaser en la fourme suisdit; et qe lez pleintifs ou pleintise soient ou soit en le greve mercy le Roi.

C A P. III.

For amending the Statute (4 H. 4. c. 7.) against fraudulent Feoffments.

4 H. 4. c. 7.
(explaining
1 R. 2. c. 9.)

ALSO, Whereas by a Statute made the Fourth Year of the Reign of King Henry, [Grandfather¹] of our Lord the King that now is, amongst other Things it was ordained, That the Disseisees should have their Actions against the Disseisors during the Lives of the said Disseisors, so that such Disseisors thereof took the Profits at the Time of the Suit commenced, as in the said Statute is contained more at large; the which Statute, according to the Opinion of many, hath been intended in Writs of Assise of *Novel disseisin* only, and as great Mischief it is to the Parties Demandants in other Writs sued and grounded upon *Novel disseisin*, as in Assise; Wherefore our Lord the King, willing all Manner of Opinions and Doubts in that Behalf to cease, hath ordained by the Assent and Authority aforesaid, That in all Manner of Writs grounded upon *Novel disseisin*, the Disseisees shall have their Recoveries, if they will, by such Writs, against the Disseisors or their Feoffees, as well as they should have in Assise of *Novel disseisin*, so that the said Disseisors, or their Feoffees, against whom the Writ shall be brought, thereof take the Profits at the Time of the Writ purchased; notwithstanding any Gifts or Feoffments made to other Persons for to delay the Demandants.

Disseisees may recover in any Writ grounded on *Novel disseisin* in the same Manner as in Assise of *Novel disseisin* under recited Act.

¹ So all Translations read.

ITEM come par estatuit fait lan quart le Roy Henry [pier¹] nostre Seigneur le Roi quorest, entre autres ordene, soit qe les disseisez eient lour action envers lez disseisoures, durant la vie mesmes

mesmes lez disseisoures, parensi qe tiels lez disseisoures ent preigne lez profettes al temps del sute commence, sicome en mesme lestatut est conteuuz pluis au plein; le quell estatut solonge loppinion dez plusours ad este entenduz es brefs daffises de novel disseisin tantloement, et si graundement meschefe est a les parties demaundantz en autres brefs, suex et foundus sur novell disseisin come en assise; et voillant par tant mesme nostre Seigneur le Roi tous maners oppinions et doutes en cest parte cesser, ad ordene par lasent et auctorite suisfritz qen tous maners dez brefs founduz sur le novell disseisin, lez disseisez eient lour recoverer, sils voillent, par tiels brefs envers lez disseisoures ou lour seffees, auxibien come ils averoient en assise de novell disseisin; parissint qe mesmes lez disseisoures ou lour seffees, vers qui ou quex le brefe serra porte, ent pregne ou pregnant lez profettz al temps del bref purchase, nient contrestenant ascuns dons ou seffementz faitz as autres perones pur delaier lez demaundantz.

¹ So in all Editions, and Rot. Parl.

C A P. IV.

For punishing False Pleas in Writs of Attaint against Jurors.

[See further Stat. 23 H. 8. c. 3. and Notes there]

ALSO our Lord the King, by the grievous Complaint of his Commons, considering the great Mischiefs had within the Realm, and yet not remedied, and also the great Damage and Disheerison that cometh by the usual Perjury of Jurors impanelled upon Inquests, as well in the Courts of our Lord the King, as of other, the which Perjury doth abound and increase daily more than it was wont, for the great Gifts that such Jurors take of the Parties in Pleas sued in the said Courts; inasmuch that the greater Part of the People that have to sue in the said Courts, leave their Suits for the Mischief aforesaid, and namely in respect of the Delays that be in the Writs of Attaints; for that that in Times past in Writs of Attaint, when the Grand Jury had appeared in Court, and were ready to pass, one of the Tenants or Defendants, or of the petty Jurors named in such Writs, sometime have pleaded false and faint Pleas, which were not triable by the Grand Jury of the Attaint, and by that Means delayed the taking of such Grand Juries until such Pleas were tried; and after such Pleas tried and found for the Plaintiffs, another of the Jurors, Tenants, or Defendants, might plead another such false and faint Plea after the last Continuance in the same Attaints; and so every one of the Defendants Jurors, or Tenants, after the other, might plead such false and faint Plea, and delay the Grand Jury when it was ready to pass; and though that all such false and faint Pleas were found against them which pleaded them, no Pain was given against them by the Common Law; by reason of which Delays, the Grand Juries in Attaints have been often grievously vexed and travelled, and the Plaintiffs in such Attaints put to so great Costs, and so impoverished, that they could not prosecute their said Suits, wherfore the Jurors be the more encouraged to be perjured, and to make their false Oaths in such Cases: And our said Lord the King, willing thereof to provide Remedy, at the Request of the said Commons, and by the Assent of the Lords aforesaid, hath ordained and established, That the Parties Plaintiffs in all such Attaints shall recover their Damages

The several Pleas and Delays that were in Attaint at the Common Law.

Plaintiffs shall recover Costs and Damages against Defendants, &c. pleading false Pleas.

gages and Costs against all such Tenants, Jurors, and Defendants, which they have sustained in that Behalf; And that this Statute extend as well to Writs of Attaints now depending, as to Writs of Attaints to be purchased hereafter.

ITEM nostre Seigneur le Roi, par la grevousse complaint dez lez communes, considerant lez grandes meschefs ewez deinz le roialme, et unqore nient remedeiz, et auxi le grande damage et disheretifon qavient par le usuell perjure dez jurours enpanellez en enquestes, sibien en lz courtes du Roi come dautres, la quell perjure habunde et encrece de jour en autre pluis qe soloit, pur lz grandes dounes que tiels jurours preignent de lez parties es ples suex en lez ditz courtes; a taunt qe le greindre partie dez gentz qount a suer en lez ditz courtes lessent lour futes par lenchefon suifdit, et nomement a cause qe lez delaies que sont en lez brieis datteintes; purceo qe avaunt cez heures en brieis datteint, quant le grande jure ad apparue en court et fuist prest de passer, un dez tenantz ou defendantz, ou des petites jurours nomez en tiels brieis, a le foich oont pledes feintes et fauxes ples, queux ne fuerent triablez par la grande jure de latteint, et par celle cause delaiez la prise dez tielx grandes jurices tanque tiels ples fuerent trieiz; et apres tielx ples trieiz et trovez pur le pleintifs, une autre dez jurours tenauntz ou defendantz purront pleder une autre tiel fauxe et feinte plee, puis la darrein continuance en mesmes lez atteinteiz; et issint chescune dez defendantz jurours ou tenantz, apres lautre, purroit pleder tiel fauxe et feinte plee, et delaier la grande jurice quant il fuist prest de passer: et combien qe tous tiels faux et feinte ples furent trovez envers eux qui eux plederent nulle peine fuist done envers eux par la commune ley; a cause dez quex delaiez lez grandes jurices en atteintes oont este souvent grevoussement vexez et laborez, et lez pleintifs en tiels atteinteiz myz a si grande costages et ensi enpoverez, qils ne purroient suer avaunt lour ditz suites, par que lez jurours oont este meulx embaudez destre perjurez et fair faux serementz en tielx cases: Et voillant sur ceo nostre dit Seigneur le Roi purvoier de remedie, a la request dez ditz communes et de lassent des seignurs desuifditz, ad ordene et estable qe les parties pleintifs en tous tiels atteinteiz recoverount lour damages et costages, envers tous tielx tenauntz jurours et defendantz qils oont sustenez en cele partie: Et qe cest estatuit soy extende auxibien as brieis datteinteiz ore pendantz come as brieis datteinteiz a purchaserez en temps avenir.

C A P. V.

For Remedy in Cases of Waste, where Tenants assign their Estate but take the Profits.

ALSO, Because that divers People in Times past have let their Lands and Tenements to divers Persons, that is to say, some for Term of Life or for Term of another Man's Life, and some for Term of Years, the said Tenants have oftentimes granted and let their Estate which they had in the same Lands and Tenements, to many Persons, to the Intent that they in the Revershon, that is to say, their Lessors, their Heirs, or their Assigns, might not have Knowledge of their Names, and afterwards the said first Tenants

Tenants continually occupy the said Lands and Tenements, and thereof take the Profits to their proper Use, and in the said Lands and Tenements commit Waste and Destruction, to the Disheritance of them in the Reversion: It is ordained and established, That they in the Reversion in such Case may have and maintain a Writ of Waste against the said Tenants for Term of Life, of another's Life, or for Years, and so recover against them the Place wasted, and their treble Damages, for the Waste so by them done, as they might have done for Waste committed by them before the said Grant and Lease of their Estate. Provided always, That this Ordinance hold not Place except where the first Tenants before the Lease and Grant of their said Estate, in the Manner and Form abovesaid, were punishable of Waste; and also where after the said Grant and Lease the said first Tenants of the said Lands and Tenements take the Profits to their own proper Use at the Time of the Waste done. And this Ordinance shall extend as well to Waste by such Tenants done before this Ordinance, as after.

If Tenant for Life or Years assign his Estate the Lessor may maintain Action of Waste against him as before such Assignment, if he continue to take the Profits.

ITEM pur ceo qe lou diverses gentz devant cez heures ount lessiez leur terres et tenementz a diverses persones, cestassavoir a terme de vie ou a terme dautre vie, et ascunes a terme dez anz, lez ditz tenauntz sovent foitz ount graunte et lessie leur estate, quex avoient en lez ditz terres et tenementz, a plusieurs persones, al entent qe ceux en la reversion cestassavoir loure lessours leurs heires ne leur assignes, ne [duecent¹] avoir consauance des loures nours, et puis lez ditz premer tenauntz continuellement occupient lez ditz terres et tenementz, et eut pregnant lez profettes a leur propre use, et en lez ditz terres et tenementz fount wast et destruction a disheritance de ceux en la reversion: Ordeigne est et estable qe ceux en la reversion, en tiel cas, purroient avoir et maintenir brief de wast envers lez ditz tenauntz a terme de vie dautre vie et dez anz, et issint recoverer envers eux le lieu waste et leurs trebles damages pur le wast issint par eux fait, sicome ils [duecent¹] avoir fait pur le wast par eux fait devant lez ditz graunte et lessie de leur estate. Purveu toutz foitz qe cele ordenaunce ne teigne lieu, forsque lou lez premiers tenauntz, devant lez lessie et le graunte de leur dit estate en le manere et fourme suisditz, fuerent punishablez de wast; et auxi lou, apres le ditz graunt et lessie, lez ditz premiers tenauntz dez ditz terres et tenementz pregnant lez profettes a leur propre opse demesne al temps de wast fait. Et qe cest ordenaunce soy extende auxibien al wast par tielx tenauntz, fait devant cest ordenaunce, come apres.

¹ duissent, Rot. Parl. P.

C A P. VI.

No Suit pending before any Justices of Peace shall be discontinued by a new Commission.

[See also Stat. 1 E. 6. c. 7. § 6.]

ALSO, Our Lord the King, considering the great Losses and Damages which oftentimes have come, and be likely to come hereafter, as well to himself as to many of his Lieges, for that where as well divers Indictments and Suits for our Lord the King, as other Suits between Party and Party, have been taken before divers Justices of the Peace, assigned by several Commissions of our said

said Lord the King in divers Counties of *England*, and divers Pleas and Processess upon those Indictments have often been made, and depending before the same Justices not determined, the which Pleas and Processess have been often discontinued, by making of new Commissions of the Peace in those Counties, to the great Loss of our said Lord the King and of his Subjects, in Delay of the same Pleas and Suits, and of the Deliverance of his said Subjects: And thereupon our said Lord the King willing to provide Remedy, by the Assent and Authority aforesaid, hath ordained and established, That in all such Suits, Pleas, and Processess in them to be taken and to be made, before Justices of the Peace in any County of *England*, the said Pleas and Processess in such Suits to be made shall not be discontinued by such new Commission. of the Peace to be made, but those Pleas and Processess shall stand in their Force: And the Justices in the same new Commissions so assigned, after that they shall have the Records of the same Pleas and Processess before them, shall have Power and Authority to continue the said Pleas and Processess; and the same Pleas and Processess, and all that depend upon them, to hear and finally to determine, as the other Justices could and might have done of and in the same, if no new Commission had been made.

ITEM nostre Seigneur le Roi, considerant lez grandes perdes et damages que souvent foitz ount avenuz et verisemblablement avenderount apres, sibien a luy mesmes come as plusours dez sez lieges, de ceo qe la ou sibien diversez enditementz et sutes pur nostre Seigneur le Roi, come autres sutes parentre [part¹] et [part¹], ount este prisez devaunt diversez justices de pees, assignez par diversez commissions de Roi en diversez countes d'Engleterre, et diversez plees et processess sur icelles enditementz ount souvent este faitez, et pendantz devaunt mesmes les justices nient determinez, lez queux plees et processess souvent ount este discontenuz, par faisaunces de novell commissions du pees en icelles countes, a grande perde nostre dit Seigneur le Roi et dez sez lieges et en retardation dez mesmes lez plees et sutes, et de la delivraunce dez sez ditz lieges: Et sur ceo nostre dit Seigneur le Roi, voillant purvoier de remedie, de lassent et auctorite suisditz ad ordene et estable, qen tous tielx sutes et plees et proces en icelles apprendres et affaires devaunt justices de pees en ascune counte d'Engleterre, lez ditz plees et proces en tielx sutes affaires ne soient my discontenuz par tielx novell commissions de pees affaires, mes estoient mesmes lez plees et processess en leur force. Et eient lez justices, [de²] mesmes lez novell commissions ensi assignez, apres ceo qils averount lez recordes dez ditz plees et processess devaunt eux, poair et auctorite de lez ditz plees et processess continuer; et mesmes lez plees et processess et tous lez dependantz dicelles oier et finalement determiner sicome lez autres justices purrount et duissent avoir fait, de et en icelles, si null novell commission eust elle fait.

¹ partie, *Rot. Parl. P.*

² en, *Rot. Parl. P.*

C A P. VII.

" For restraining Extortions by the Sheriff of the County of *Hereford*."

[*The Stat. 9 H. 6. c. 7. recited at Length verbatim, and continued for Three Years.*]

C A P. VIII.

For confirming and amending former Statutes concerning Weights and Measures.

" **R**ECITAL at Length of the enacting Part of Stat. 1 H. 5. c. 10. for confirming prior Statutes; and directing the buying of Corn by the Quarter of 8 Bushels stricken, on Penalty of " 100 s."

And notwithstanding any Ordinances and Statutes, as well the Bakers, and all other Merchants and Buyers within the Franchises and City of *London*, as the King's Purveyors of Corn, and all other Merchants and common Buyers of Corn in many other Cities, Towns, Boroughs, and Counties of *England*, continually from Day to Day, do buy and take nine Bushels for the Quarter, that is to say, the Bakers, Buyers, and Merchants within the City and Franchises of *London*, by a Vessel called the *Vat*, which containeth eight Bushels of Corn with another Bushel of Corn put to that for a Quarter, and do make the Sellers of the same Corn against their Will to pay one Halfpenny for the measuring of every Quarter, and all the other Purveyors, Buyers, and Merchants of the said Corn, nine Bushels stricken for the Quarter, against the Form of the said Ordinance and Statutes, and in Contempt of our Lord the King; because that the said Statutes and Ordinances be not proclaimed nor put in Execution, nor the said Penalties and Forfeitures, limited by the said Statute, levied according to the Effect of the same Statute: Our said Lord the King, willing the said Statute and Ordinances to be duly holden and kept, by the Assent and Authority aforesaid, hath ordained, That as well the said Statutes, as the Statute of Weights and Measures, made at the Parliament of our Lord the King that now is, the Eighth Year of his Reign, be proclaimed, as well in the City of *London*, as in all other Cities, Boroughs, and Counties of *England*, and put in due Execution after the Form and Effect thereof; adding to the said Statute made the said Eighth Year, that in every City, Borough, and Town of the Realm, there shall be a common Bushel sealed, and agreeing with the Standard of the Exchequer, in the same Manner and Form, and upon the same Pain, as in the said Statute is specified, concerning a common Balance to be in every such City, Borough, and Town. And that the Mayor of the said City of *London*, and all other Mayors of all other Cities and Boroughs of *England*, where there is a Mayor, and all Bailiffs of Cities and Boroughs where there is no Mayor, and all Justices of the Peace in every County of *England* for the Time being, shall have full Power to put all the Statutes and Ordinances aforesaid in due Execution, and to hear and determine all the Defaults, Misprisions, Offences, and Trespases against the Form and Effect of the said Statutes and Ordinances done, or to be done or committed, as well at the Suit

The *London* Measure called the *Vat*.
(See Stat. 1 H. 5. c. 10.)

Confirmation of Stat.
1 H. 5. c. 10. &c.
and 8 H. 6. c. 5.

There shall be a common Bushel in every Town, under like Penalties as in 8 H. 6. c. 5. respecting common Balances.
[See also Stat. 11 H. 7. c. 4.]
Mayor of *London*, &c. and Justices of the Peace empowered to determine Offences against all the said Statutes, by Jury or otherwise.

Recovery of
Penalty, under
Stat. 1 H. 5.
c. 10.

Mayor of
London, &c.
shall be sworn
to execute all
Statutes touching
Weights and
Measures;
and shall ac-
count for
Forfeitures to
the King under
the said Statutes.
General Saving
of Liberties of
Lords, Cities,
&c.
and of Stat.
2 H. 5. c. 10. &c.

Suit of the King, as of the Party who in such Case feeleth himself grieved, and of any other of the King's liege People, who in this Behalf will sue for the King; and that as well by Examination of the Parties, or any of them, according to the Discretion of the said Mayors, Bailiffs, and Justices of Peace, as by Issues to be tried, by Inquisitions duly to be taken, and other Pleas and Processes of the Law of the Land; and that as well the Party grieved, as any other liege Man of the King, that will sue for the King, shall have the Suit in that Case at his Will: And he that is so attainted of any Default, Misprision, Offence, or Trespass done against the said Statute made the said first Year, shall pay to him at whose Suit he is thereof attainted, One hundred Shillings, and the reasonable Costs of his said Suit, and to the King another One hundred Shillings. And that as well the Mayor of London for the Time being, after that he is chosen Mayor, and sworn within the said City, at his first coming to the Exchequer before the Treasurer of England, and the Barons of the Exchequer of our Lord the King, as every of the said other Mayors and Bailiffs, in their Oaths to be made for their said Offices, shall be charged and sworn to do, keep, and execute all the Statutes aforesaid: And that all the Mayors and Bailiffs of the Cities and Boroughs of the Realm, accountable in the said Exchequer, do yearly account in the said Exchequer for the Profits and Forfeitures that may or ought to pertain to our Lord the King by the Form of the said Statutes. Saving alway to Lords, Cities, and Boroughs, their Liberties and Franchises granted to them by our said Lord the King, or any of his Progenitors, not revoked, repealed, or annulled; and saving always, That the said Statute made in the said First Year of King Henry the Fifth, and all other statutes of Measures and Weights afore made, stand in their Force.

Et nient obstant aucuns ordenances et estatutz sibien lez pistours, et tous autres marchantz et achatours, deins le franchises et cite de Londres, come lez purveours le Roi dez blees, et touz autres marchautz et communes achatours de blees en plusours citees villes burghes et countees d'Engleterre, continuelement de jour en autre achatent et pregent noef busselx pur le quarter; cessassavoir lez pistours achatours et merchantz deins le franchises et cite de Londres par une vessell appelle le Fat, que contient viij. busselx dez blees ove un autre bussell myz a icell pur une quartre, et fount lez vendours dez ditz blees encounter leur volente de paier une maille pur le mesurage de chescun quarter, et tous lez autres purveours achatours et merchantz dez ditz blees, noef busselx rafez pur le quarter, encounter la fourme dez ditz ordenances et estatutz et en contempt du Roi, a cause qe lez ditz estatutz et ordenances ne sount myz proclaymez ne myz en execution, ne lez ditz peynes et forfaitures par le dit estatut limitez levez solouque lefect de mesme lestatut: Nostre dit Seigneur le Roi voillant mesmes lestatut et ordenances estre dument tenuz et gardes par assent et auctorite suiffditz, ad ordene qe sibien les ditz estatutz come lestatut dez poies et mesours, faitz au parlement nostre dit Seigneur le Roi quorest, lan de son regne viij. soient proclaymez, sibien en la dite cite de Londres come en tous autres citees burghes et countes d'Engleterre, et myz en due execution solouque

solonque la fourme et leffect dicelles; adjoustant a dit estatuit fait le dit an viij. qen chescun cite burgh ou ville du roialme soit une commune bussell encale, et accordant a lestandard de lefchekker, en mesme le manere et fourme et sur mesmes lez peines come en mesme lestatuit est specifie de une commune balaunce a estre en chescune tiel cite burgh ou ville. Et qe le mair de dit cite de Londres, et tous autres mairs dez tous autres citees et burghs dEngleterre, ou il y ad mair, et tous baillifs dez citees et burghes ou mair nest, et tous justices du pees de chescun counte dEngleterre pur les temps esteant, eit et eient plein poair de mettre tous lez stutuitz et ordenances avaunt ditz en deu execution, et de oire et terminer tous les defautes mesprisions offenses et trespas encountre la fourme et leffect dez ditz estatuitz et ordenances faitz ou affaires ou perpetrez, sibien al suit du Roi come de parte qen ceo cas se sent greve, et de chescun autre lieges du Roi qen celle parte voill fuer pur le Roi; et ceo sibien par examination dez parties, ou ascune deux, solonque la discretion dez ditz mairs baillifs et justices de peas, come par issues a trier par inquisitions quement apprendre, et autres ples et proceses de la ley de la terre; et qe sibien la parte greve come chescun lege de Roi qui fuer voill pur le Roi eit la suit en ceo cas a sa volunte: Et qe celly qui issint soit atteint dascune defaute mesprision offenses ou trespas, fait encountre le dit estatuit fait le dit an premer, paie a cely a qui sute il soit atteint C.s. et lez costagez resonablez de sa dit suit, et au Roi autre C.s. Et qe sibien le mair de Loundres pur le temps esteant, apres ceo qil esluz soit mair et jure deins la dite citee, a son premer venue a lefcheker devant le Tresorer dEngleterre et lez Barons de lefchekker nostre Seigneur le Roi, com chescune dez ditz autres mairs et baillifs, en lour serementz affaires pur leurs ditz offices, soit charge et jure de faire garder et executer tous lestatuitz suifditz. Et qe tous lez mairs et baillifs dez citees et burghes du roialme, accoumplantz en le dit eschequer, facent annuelment acompt en mesme lefchekker des profettes et forfaitures que apperteigner puissent ou duissent a Roi, par la forme dez ditz estatuitz: Savant tout soit as Seignurs cites et burghs loures libertees et fraunchises grauntez a eux, par nostre dit Seigneur le Roi ou ascune dez sez progenitours, nient revokez repellez ou anientz: Et savant tous soit qe le dit estatuit fait le dit an premer de Roi Henry quint, et tous autres estatuitz des mesures et poies avaunt faitz, estoient en lour force.

C A P. IX.

“ For regulating Cloths called *Streits*.”

[See Stat. 5 & 6 E. 6. c. 6.]

C A P. X.

For regulating Proceedings on Writs of *Scire facias*, to defeat Executions on Statutes Staple.

ALSO, because divers Persons within this Realm in Times past often have been taken and arrested by divers Sheriffs and other Officers of the King, by Writs issuing as well out of the Chancery of the King, as of his Progenitors, to have Execution of divers

Recognisances made before the Mayors of the Staples, of divers Sums, of which Sums such Persons, to whom the Duty belonged, had no convenient Remedy, other than the said Executions; which Persons, so taken and arrested for Execution of the same Recognisances, be oftentimes brought by divers Writs *De corpus cum causa* before the King in his Chancery, out of the Prisons in the which they be so kept by Force of such Execution, and there they do sue, shewing forth divers Indentures, and other Things in Defalcance of such Recognisances, desiring Writs of *Scire facias* to warn the Party or Parties at whose Suit they be taken and arrested, to answer thereunto; and thereupon, by Surety found to the King in the Chancery, have been delivered out of Prison, notwithstanding their said Arrest for the Execution of such Recognisances, as above is said, no Surety found to the Recognisees to whom they be so bound to satisfy them of their Duties, in case that the Matters comprised within the said Writs of *Scire facias* be not found nor adjudged for the Recognisors so bound; whereby the said Recognisees have been sometime greatly delayed of their Execution, and sometime their Execution utterly lost, and in Time to come likely to be lost, for that no Advantage nor Avail thereof might come, be, or accrue to the said Recognisees, to whom such Persons be so bound, by the said Surety so found to the King, seeing the same Persons so bound may by the King's Pardon be acquit and discharged for ever: Our Lord the King, considering that the said Recognisees, to whom Persons be bound, are oftentimes without Remedy, if so be that the said Recognisors would not pursue forth their said Writs of *Scire facias* with Effect; or otherwise, that the Matters of their said Writs of *Scire facias* be found or adjudged against them, and thereupon they withdraw them to Places privileged, or eloign them out of the Realm, or otherwise do not appear, so that their Bodies might be put in Execution; to the great Hindrance and Undoing of such Recognisees in Time to come; and also because that the King is inherited of the taking of such Sureties to himself by the Course of the Chancery; the King doth will, that from henceforth such Sureties be made severally, as well to the King as to the Party.

Recognisee in a Statute Staple, suing out *Scire facias* in Chancery, to prevent Executions, shall find Surety to the Recognisor, as well as to the King.

ITEM pur ceo qe diversez persones deinz cest roialme, devaunt cez heures, sovent soitiz ount este pris et arestes par diversez viscountes et autres ministres de Roi, par breffs issantz sibien hors de Chauncery de Roi, come de sez progenitours, pur execution avoir de diversez reconisaunces faitz devaunt lez mairs de lestaples, de diversez sommes, dez quex sommes icells persones as quex la duite appent nount remede covenable autre qe lez ditz executions; lez quex persones, ensi prisez et arestuz pur l'execution de mesmes lez reconisaunces, sount sovent faitz venir par diversez breffs *De corpus cum causa* devaunt le Roi en sa Chauncery, hors dez prisonnes es quex ils sount issint detenuz a cause de tiel execution, et illoeqs suent en monstrent diversez endentures et autres choses en defaillances de tiel reconisances, [enprisantz] bref de *Scire facias*, de garnier la partie ou lez parties a qui pursuit ils sount ensi prisez et arestuz, a respondre sur icelles; et sur ceo ⁽²⁾ suerte trove au Roi en sa Chauncery, ount este deliverez hors du prisonne nient ob-

¹ empriaunces, P. en priantz, *Rot. Parl.*

² per, *Rot. Parl.* P.

flapz leur dit areste pur lexecutions dez tielz reconusaunces, come desuis est dit, nulle ⁽³⁾ trovez as reconusez as quex ils sont issint obligez, de eux sateher dez leurs duetees, en cas qe lez maters compria deinz lez ditz breifs de *Scire facias* ne soient trovez ne adjudgez pur lez reconussours ensi obligez; parount lez ditz reconuseez ount ascun soit graundement este delaiez de leur execution, et ascun soitz leur execution ent toutoutrement perduz, et en temps avenir verisemblablement a perdre, a cause qe null avantage ou avall ent purra venir estre ou acrescere as ditz reconusez, as quex tiels perones sont issint obligez, par la dit suerte ensi trovez au Roi, pur ceo qe mesmes les perones issint obligez par pardon de Roi pourrout estre quitez et dischargetz pur tous jours: Nostre Seignur le Roi, considerant qe lez ditz reconusez as quex perones sont obligez, soient soitz sont sanz remede si ensi soit qe mesmes lez reconussours nemy voillont pursuer avau t les ditz breifs de *Scire facias* ovesque effect; ou autrement qe la matere de leur ditz breifs de *Scire facias* soit trove ou adjudge countre eux, et sur ceo ils soy retraihent as lieux privileggez, ou eux aloient hors du roialme, ou autrement qils ne my appergerent issint qe leur corps puissent estre myz en execution, a tresgraunde arrerisement et anientissement dez tielz reconusez en temps aveigner; et auxi pur ceo qe le Roi est enheriteez de la prisez de tieux suertes a luy mesmes, par la cours de la Chauncery; le Roi voet qe tiels suertees desore en avaunt soient faitz severalment sibien a Roi come a parte.

³ seurte, *Rot. Parl. P.*

C A P. XI.

For the Protection of Lords and Members of Parliament.

[See as to the
Servants of
Members,
stat. 5H. 4. c. 6.]

ALSO, the King, willing to provide for the Ease and Tranquillity of those who shall come to the Parliaments or Councils of the King, by his Commandment, hath ordained and established, That if any Assault or Affray be made to any Lord Spiritual or Temporal, Knight of the Shire, Citizen or Burghers, come to the Parliament, or to the Council of the King by his Commandment, and there being and attending at the Parliament or Council, that then Proclamation shall be made for Three several Days, in the most open Place of the Town, where the Assault or Affray shall be so made, that the Party who made such Affray or Assault do yield himself before the King in his Bench, within a Quarter of a Year after the Proclamation made, if it be in the Time of the Term, or otherwise at the next Day in the Time of the Term following the said Quarter; and if he do not, that he shall be attainted of the said Deed, and shall pay to the Party grieved his double Damages, to be taxed by the Discretion of the Justices of the said Bench for the Time being, or by Inquest, if it be needful, and shall make Fine and Ransom at the King's Will; and if he come, and be found guilty by Inquest, by Examination, or otherwise, of such Affray or Assault, then he shall pay to the Party so grieved his double Damages found by the Inquest, or to be taxed by the Discretion of the said Justices, and shall make Fine and Ransom at the King's Will, as above is said.

If any Assault be made on any Lord, Knight of the Shire, &c. coming to Parliament or Council, the Offenders shall forfeit double Damages to the Party, and be punished by Fine and Ransom.

ITEM le Roi, voillant purvoier pur la ese et tranquillite de eux qui viendront as parlementz ou consels du Roi, de son commandement, ad ordeigne et estable, qe si ascune asaut ou asray soit fait a ascune Seignur espirituel ou temporel, chivaler de counte, citezin ou burgeis, venuz au parlement ou a counseill du Roi, par son commandement, et la esteant et entendant a parlement ou a counseill, qadonques soit proclamation fait, par trois jours severaux, en le plus overt lieu de la ville ou lassaut ou affraie serra ensi fait, qe la parte qui face tiel affraye ou assaute soy rende devaunt le Roy en son Banke, deins une quarter dune an apres la proclamation fait, fil soit el temps du terme, ou autrement al pro-schein jour en le temps du terms ensuant le dit quarter; et sil ne face qil soit atteint de le fait suisdit, et paie al parte greve sez damages a double, a taxer par la discretion dez Justices du dit Bank pur le temps esteant, ou par enqueste fil bosoigne; et face fyn et ranceon a la volente du Roi: et sil viegne et trove soit coupable par enquest, par examination ou en autre maner, de tiel affraie ou assaute, paie il adonques a parte ensi greve sez damages a double trovez par enquest, ou a taxer par la discretion dez ditz Justices, et face fyn et ranceon a la volente du Roi come desuis est dit.

C A P. XII.

Concerning Wax-Chandlers, the Price of Candles, and other Things wrought of Wax.

“**N**ONE shall sell any Candles, Images, Figures, or other Works of Wax, at a Price beyond the Rate of Three-pence per lb. more than the Price of the Wax. Justices of Peace, Mayors, &c. empowered to execute the Statute; but which shall not extend ‘as herces affaires pur les nobles tref-passantz,’ which the Translations render ‘hearces [query, ‘funeral lights’] for Nobles that do die.”

[*Repealed 21 Jac. 1. c. 28. § 11.*]

C A P. XIII.

For continuing the Ordinances for Maintenance of the Staple at Calais.

“**S**TAT. 8 H. 6. c. 18. recited and continued for Three Years, with Power to the King and Council to modify the same.”

C A P. XIV.

For regulating the Exportation of Staple Merchandises.

“**I**T shall be Felony to ship or export any Merchandises of the Staple from Creeks, during Three Years.”

[*See Stat. 14 H. 6. c. 5.*]

C A P. XV.

Customers shall give Warrants of Discharge to Merchants having paid their Custom.

ALSO, for that our Lord the King, by a Petition to him delivered in the same Parliament, by the Commons of the same, for the Merchants of the Realm, hath perceived, That forasmuch as the Customers and Controulers in the King's Ports do not write any Warrants in Discharge of the said Merchants of their Merchandises by them shewed and duly customed, some as well coming into the Realm, as passing out of the same, the same Customers and Controulers do embezzle the King's Customs, and the said Merchants be greatly hindered, because that the Warrants might plainly shew and declare their due Custom, when they be often unduly impeached in the King's Exchequer; Our said Lord the King, considering the said Deceits, by the Advice, Assent, and Authority aforesaid, hath ordained, That the said Customers and Controulers shall write, and deliver sufficient Warrants, sealed with the Seal of their Office thereto ordained, to the said Merchants, and to every of them, for all and every of their Merchandises every Time by them to the Customers and Controulers duly shewed; and that the said Merchants, nor any of them, shall any Thing pay for the said Warrants, but only their due Custom. And in case that any Customer or Controulers, in any of the said [Ports¹] do the contrary, that then every Merchant so grieved may have an Action, by virtue of this Ordinance, to pursue against every Customer or Controulers that doth the contrary, in every Court of Record; and then every Customer and Controulers so attainted shall forfeit to the King for every Default Ten Pounds, and to the Merchant so grieved, that will sue, a Hundred Shillings.

Penalty on Customers, &c. not duly discharging Merchants, rel. to the King, and 5l. to the Merchant.

¹ So all Translations, and printed *Rot. Parl.* in English.

ITEM pur ceo qe nostre Seignur le Roi, par une petition a luy baillie en mesme le parlement, par lez Communes dicell pur les merchauntz du roialme, ad entendu qe pur tant qe lez customers et countrollours, en lez portes du Roi, nescrivent ascuns garrantz en discharges des ditz merchauntz de leur merchandises par eux monstrez et duement customez, ascuns sibien viegnauntz en le roialme come passantz hors dicelle, mesmes lez customers et countrollours embeslent lez customes du Roi, et lez ditz merchauntz sount grandement anientisez, a cause qe les ditz garrantz purroient overtement desclarer et monstrez leur due custome, quant ils sount sovnt nonduement enpechez en leschequer du Roi; Mesme nostre Seignur le Roi, considerant lez ditz disseites, de lavis assent et auctorite suisditz, ad ordeine qe lez ditz customers et countrollours escrivent et deliverent sufficientz garrantz, enselez ovesqe le seal de leur office, a ceo ordeinez, as ditz merchauntz et a chescun de eux, pur tous et chescune de leur merchandises, chescun soit par eux as ditz customers et countrollours duement monstre, mesmes lez merchauntz ne null de eux rien paient pur lez ditz garrantz mes solement leur due custome. Et en cas qe chescun customer ou countrollours en aucune dez ditz [pointes¹] face le contrarie, qadonques chescun merchant ensi greve poet avoir action, par vertue de ceste ordonnance, a pursuer envers chescun customer

¹ portez. P.

H h 3

ou

ou countrollour qui face le contrarie, en chescune court de recorde ;
et adonques chescun customer et countrollour issint atteint, puisse
forfaire au Roi pur chescun defaute x li. et a le merchant ensi
greve qui voill fuer C. s.

C A P. XVI.

To prevent Frauds in the Customs.

“ CUSTOMERS, &c. giving, and Merchants receiving blank
“ Cockets, to deceive the King of his Customs, shall forfeit
“ their Goods as Felons, and be imprisoned for Three Years.”

[The AB to continue for Three Years.]

Anno decimo quarto HENRICI VI.

*In the Parliament held at Westminster on the Tenth Day
of October, A.D. 1435.*

*From the Copy given by Hawkins, Cay, &c. at “Ex Rot.
in Turr. Lond.” compared with printed Rot. Parl. Pynson, &c.*

*The several Chapters of the Statute are founded on the following
Articles in printed Rot. Parl. iv. p. 481, &c.*

Chapter of Statute.		Number in Roll.	
1	—	18	} On Petitions of the Commons.
2	—	19 ⁽¹⁾	
3	—	20	
4	—	21 ⁽¹⁾	
5	—	22 ⁽¹⁾	
6	—	23	
7	—	24 ⁽²⁾	
8	—	28	

¹ In English ; the Answers in French.

² The Answer in English.

*Besides the above, and also several Articles for the Confirma-
tion of existing Statutes, See further
Printed Rot. Parl. iv.*

Page. No. } For Security of Persons advancing Money on the
482, 9, } Credit of the Customs, &c.

484, 11, }
486, 12, } A Subsidy made payable at the ensuing Easter, by all
Persons seised of Manors, Lands, Tenements, Rents,
Annuities, Offices, or other Possessions temporal, as
of Freehold, in England, of the yearly Value of

5l. - - - 11s. 6d.

Above 5l. to 100l. - 6d. }
100l. to 400l. - 8d. } in the Pound.
400l. and upwards 2s. }

to be levied by Commissioners, on the Oaths of the
Parties chargeable.

Printed.

Printed Rot. Parl. iv.

Page. No. } *Grant of a Tenth and Fifteenth; and the Manner*
 487, 13, } *of collecting thereof.*

488, 14, *Grant of a Subsidy of Five Nobles (33s. 4d.) per Sack on Wool, &c. exported by Denizens; and Seven Nobles (46s. 4d.) per Sack on Wool exported by Aliens; also, Tonnage, 3s. and 3s. more on sweet Wines; and Poundage, 12d.; all payable by Aliens.*

16, *For settling the Ransom of Sir Thomas Rempston, Knight.*

489, 17, *For pardoning William Morfote, for Breach of Prison.*

OUR Lord the King *Henry* the Sixth after the Conquest, at his Parliament holden at *Westminster* the Tenth Day of *October*, the Fourteenth Year of his Reign, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Request of the Commons of the Realm, being in the same Parliament, hath caused to be made divers Statutes and Ordinances, to the Honour of God, and for the Weal of him and his Realm, in Form following.

NOSTRE Seigneur le Roi *Henri* le sixme apres le conquest, a son parlement tenuz a *Westm'* le x. jour d'*Octobre*, lan de son regne qatorziesme, de ladvis et assent des Seignurs espirituelx et temporelx, et a la especiale request des communes du roialme, en mesme le parlement esteantz, ad fait faire diverses estatutes et ordinances, a lounor de Dieu et le bien de luy et son dit roialme en la forme ensuant.

C A, P. I.

Justices of *Nisi prius* empowered to give Judgement, and award Execution, in Cases of Felony and Treason.

FIRST; Our said Lord the King hath ordained, by the Authority of the said Parliament, That the Justices before whom Inquisitions, Inquests, and Juries, from henceforth, shall be taken by the King's Writ called *Nisi prius*, according to the Form of the Statute thereof made, shall have Power in all Cases of Felony and Treason, to give their Judgements, as well where a Man is acquit of Felony, or of Treason, as where he is thereof attainted; at the Day and Place where the said Inquisitions, Inquests, and Juries be so taken, and then from thenceforth to award Execution to be done by Force of the same Judgements.

[See Stat.
Westm. 2.
(13 E. 1. c. 30.)

EN primes; Nostre dit Seigneur le Roy adordine, par auctorite del dit parlement, qe les Justices devaunt queux inquisitions enquestes et jurres enavaunt soient prisez, par brief du Roi de *Nisi prius*, joust la forme de lestatut ent fait, eient poair en toutz casez de felonie et trefon, de rendre lour jugement, sibien lou home est acquite de felonie ou de trefon come lou il est ent atteint, a jour et lieu ou les ditz inquisitions enquestes et jurres issint soient prises, et adonques illoques de agarder execution de estre fait par force de mesmes les jugementz.

C A P. II.

For the Maintenance of the Staple at *Calais*.

“**N**O Licences shall be granted to ship Wools to *Calais*, contrary to the Provision of Stat. 8 H. 6. c. 17, 18. and 11 H. 6. c. 13.; and all Wools exported shall be duly sent to “*Calais*.”

C A P. III.

Where the Justices of Assize of *Cumberland* shall hold their Sessions.

6 R. 2. stat. 1.
c. 5.

ALSO, whereas by a Statute made in the Time of King *Richard* the Second, it was ordained, That the Justices assigned, and to be assigned, to take Assizes and deliver Gaols, should hold their Sessions in the principal and chief Towns of every County, that is to say, where the Shire-Courts of the Counties then were, or thereafter should be holden; our Lord the King, willing the same Statute to be observed and kept in the County of *Cumberland*, considering that the City of *Carlisle* is the principal and chief City and Town of the said County, and in the which the Shire Court of the same County hath been holden before this Time; hath granted and ordained, by Authority of the same Parliament, That the Session of the Justices to take Assizes, and to deliver Gaols in the said County of *Cumberland*, be holden, in Time of Peace and of Truce, in the said City of *Carlisle*, and in none other Place within the same County, as it hath been used and accustomed of old Time.

ITEM come par estatut fait en temps le Roi Richard (¹), ordine soit que le Justices, dassises prendre et gaoles deliverer assignez et assigners, tiegnerent leur sessions en les principalx et chiefs villes des singuliers countees, cestassavoir la ou les countees dicelles countees alors seurent ou delors serroient tenuz; nostre Seigneur le Roi voillant mesme lestatut en le countee de *Cumberland* estre observez et gardes, considerant que la citee de *Cardoill* est la principal et chief citee et ville du dit countee, et en la quelle la countee de mesme la countee ad etsee tenuz devaunt ces hoeures, ad grante et ordine, par auctorite de mesme le parlement, que la session des Justices dassises prendre et de gaoles deliverer, en le dit countee de *Cumberland*, soit tenuz en temps de pees et des trieux, en la dite citee de *Cardoill*, et en null autre lieu ou place deins mesme la countee, come il ad etsee use et accustoms dauncien temps.

¹ le secoude, Rot. Parl. P.

C A P. IV.

For regulating the Sessions of the Justices of the Peace in *Middlesex*.

See Stat.
36 E. 3. c. 12.
72 R. 2. c. 10.
6 H. 5. c. 4.

ALSO, whereas it is ordained by Statute, That the Justices of Peace of all the Counties of *England*, for the Time being, shall sit and hold their Sessions Four Times in the Year, to inquire and execute all Charges contained in their Commission, which they be sworn to do according to the Form of the said Statute, upon a great

great Pain, as by the same Statute more fully appeareth: Our Lord the King, considering that all his high Courts do sit, and are holden in the County of *Middlesex*, continually, during all the Four Term Times, by which Term Times the Commons and Inhabitants in and of the same County, must attend from Time to Time to inquire of all the Articles to the said Courts belonging, as Reason and Law requireth; and that presently after every of the said Terms ended, the said Justices of the Peace of the said County of *Middlesex*, do sit and hold their Sessions in the same County, as they ought to do, by Force of the said Statute, more to avoid the said Penalty, than for any other necessary Thing there to be inquired, at which Sessions they cause to come before them a great Part of the Inhabitants and Commoners of the said County of *Middlesex*, to inquire of all Manner of Things as to them they are given in Charge; and by that Means they be vexed and charged throughout all the Year, as well out of the Term-Time, as in the Term-Time, so that they have no Rest, nor Time to do their Husbandry, and their Labour, to get their Living in any wise, to their utter Undoing if they be not relieved in this Behalf: and therefore our said Lord the King, willing in this Case to provide for them a Remedy, hath ordained, by the Advice and Assent aforesaid, and at the Request of the said Commons of the Realm, That the Justices of Peace which now be, and all others for the Time being hereafter, in the said County of *Middlesex*, shall be clearly discharged of the said Penalty, by Authority of the same Parliament, for ever hereafter, the Court of King's Bench being sitting within the said County of *Middlesex*. Provided always, That the said Justices of Peace of the said County of *Middlesex*, for the Time being, do keep, observe, and execute the Court of the Sessions of the Peace, twice in the Year at the least; and oftener if Need be, for any Riot, or forcible Entry done within the said County of *Middlesex*; and that upon the Pain and Forfeiture of such Sums as be for that ordained by any Law made before this Time: to the End and Intent that the said Commons and Inhabitants of the said County of *Middlesex*, be not enforced nor compelled to appear before the Justices of Peace of the said County for the Time being, except at such Times as shall seem, by the Discretions of the said Justices of Peace, necessary and needful.

On account of
the Sitting of
the Superior
Courts in
Middlesex

The Justices of
the Peace for
that County
shall be exempted
from all
Penalties, for
not holding their
Sessions quarterly:
but such
Sessions shall be
held twice a
Year at least,
and oftener, if
Need be, in case
of Riots, &c.

ITEM come ordne soit par estatut, qe les justices de pees de toutz les countees d'Engleterre, pur le temps esteantz, seiront et tiendront lour sessions quatre temps par an, pur enquerer et ex-cuter toutz charges contenuz en lour comyssion, le quel ils sount jurrez de faire selonc la forme du dit estatut, sur grande peine, sicome par mesme estatut pluis pleinement appiert; Nostre Seigneur le Roi considerant qe toutz ses hautz Courtes sount assiz et tenuz en le countee de Midd' continuelment, durantz toutz les quatre temps de terme, par les quelz temps de terme les communes et enhabitantz en et de mesme le counte coviendront entendre de temps en temps, denquerer toutz les articles as ditz Courtes appartenantz come reason et ley requirent; et qe maintenaunt apres checun des ditz termes fines les ditz justices du peas, du dit countee de Midd', seient et teignent lour sessions in mesme le countee, come

come ils deussent faire par force du dit estatut, puis pur eviter la dit peine qe pur ascun autre chose necessarie illoeqes desfre enquis, a les quelles sessions ils sount faire venir devaunt eux grande partie des enhabitanz et communers du dit countee de Midd', pur enquerre des toutz maners des choses, come lour sount donez en charge; et issint ils sount vexez et chargez parmye tout lan, sibien hors le temps de terme come en le temps de terme, si qe ils nount ascun repose ne temps de faire lour husbandriez et lour labour, pur lour vivre en ascun maner gayner, a lour final destruction sils ne soient succurrez en celle partie; Et voillant purtaunt mesme nostre Seignur le Roi en-ceo cas lour purvoier de remedie, ad ordine par advis et assent suiffditz et a la request des ditz Communes du roialme, qe les justices du peas qore sount et toutz autres pur le temps desore esteantz, en le dit countee de Midd' soient tout outrement dischargetz de la dite peine, par auctorite de mesme le parlement, a toutz temps desore avenirs, la Court du Bank le Roi esteant seant en le dit countee de Midd'. Purveu toutz foitz qe les ditz justices du peas del dit countee de Midd' pur le temps esteant, gardent observent et executent la courte des sessions du peas deux foitz en lan au meyns et plusours de temps sil bosoigne par ascun riote ou forcible entre fait deins mesme le countee de Midd'; et ceo sur le peine et forfaiture de tielx sommes come sount pur ceo ordinez par ascun ley fait devaunt ces hoeures: au syn et entent qe les ditz communes et enhabitants del dit countee de Midd' ne soient artes ne compelles pur apparer devaunt les justices de peas de mesme le countee pur le temps esteant, forsque a tiel temps qi sembleront, par les discretions de mesmes les justices du peas, necessaries et bosoignables.

C A P. V.

For regulating the Exportation of Staple Merchandizes.

“ **A**LL Staple Merchandizes found shipped in any Creeks, contrary to Stat. 11 H. 6. c. 14. shall be forfeited; and if any do ship Staple Merchandizes for Exportation, and they do not arrive at the Staple, the Shipper shall forfeit as much in Value. Merchandises laid in secret Places by the Water-side to be exported, without due Entry, shall be forfeited.”

C A P. VI.

For confirming and amending Stat. 6 R. 2. c. 10. respecting the Sale of Fish and Victuals by Aliens.

“ **R**ECITAL at length of Stat. 6 R. 2. c. 10. as confirmed by Stat. 1 H. 4. c. 17. The said Statutes confirmed, any Statutes or Ordinances made to the contrary notwithstanding.”

Penalty on disturbing Aliens bringing Victuals to sell in Grofs or by Retail, 40l.

Adding thereto, That if any Man disturb any Foreigner or Alien in selling their Fish in Grofs or at Retail, in Part or in Whole, contrary to the said Ordinances, and thereof be duly attainted at the Suit of the King, or of the Party, that then he shall forfeit [Forty Pounds¹]; And he that will sue for our Lord the King, or for himself, shall have the One-half, and the King the

¹ All former Translations read “x li.” or “Ten Pounds.”

other

other Half; and such Suit shall be taken for any Offence committed in the City of *London* against the said Ordinance, for him which will sue for our Lord the King, or for himself, in what County that pleaseth him, of the Counties of *Middlesex, Hertford, Essex, Kent, Surrey*, or in the City of *London*.

Action for Penalty in *London* may be brought in neighbouring Counties.

Ajoustantz a icell qe si ascun homme destourbe ascun forein ou alien de vendre lour peissons en groos ou retaile, en partie ou en tout, au contrarie dez ditz ordinaunces, et de ceo soit duement atteint al suite de Roi ou de partie, qadonques il forsera xl. li.; Et celuy qi voudra suer pur le Roi, ou pur luy mesmes, avera lune moitee et le Roi lautre moitee; et soit tiel suyte pris pur ascun offense fait en la citee de Loundres, encountre le dit ordinance, pur celuy qi veudra suer pur le Roi ou pur luy mesmes, en quel countee qe luy plerra, des countees de Midd' Hertf' Essex Kent' Surr' ou en la citee de Loundres.

C A P. VII.

Merchandises taken in Enemies' Ships may be retained, though belonging to foreigners in Amity.

ALSO our Sovereign Lord the King, considering by the grievous Complaint to him made by the said Commons, how that Aliens of the King's Amity do freight and lade the Ships and other Vessels of the Enemies of our said Sovereign Lord, Spanish and others; which Thing doth support and greatly enforce the Navy of the said Enemies, and it is also the strongest Means of enforcing them of *Rebel*, and divers other of the King's Adversaries; and if it happen that any Ships or Vessels of the said Enemies, so laden with any Merchandises, be taken by the King's liege People upon the Sea, the said Aliens of the Amity aforesaid, by Colour of false Charter-parties, Double Letters, counterfeited Marks, and false Testimonials of their Country, do claim and demand the Goods and Merchandizes of the said Enemies, so taken upon the Sea, as their proper Goods, and to the same Goods and Merchandizes be restored, to the great Hindrance of those which have taken them, and Abashment of the Courage of the said Liege People: Therefore our Sovereign Lord the King, willing to provide a Remedy, hath granted and ordained by the Authority aforesaid, so far as is not contrary to the Leagues made betwixt him and some of his Allies, That if it happen that any Merchandizes of Aliens of the Amity aforesaid, be taken by the said Lieges, after the Feast of Saint *Michael* the Archangel, next coming, [in³] any Ships or Vessels of the said Enemies of our said Sovereign Lord the King, not being under the King's safe Conduct or Protection, that then the said Lieges may them retain and enjoy without any Impeachment or Restitution thereof to be made; and this Ordinance shall endure for Three Years next ensuing, and longer, if it please our said Sovereign Lord the King.

³ Former Translations read "or"

ITEM nostre Seignur le Roi, considerant par le grevous com-
 pleint a luy fait par les ditz communes ⁽¹⁾ les aliens del amiste
 du Roi frettent et chargent les niefs et autres vesselx des enemys
 nostre dit Seignur d'Espayne et autres; quelle chose supporte et
 grandement enforce la naveye des ditz enemys, et auxi il est
 le plus fort mesme qe enforce ceux de la Rochell, et autres divers
 adversaries du Roi; et sil aveigne qascuns niefs ou vesselx des ditz
 enemys, ensi ove ascuns merchandises charges, soient prises par
 les lieges du Roi sur le meer, les ditz aliens del amiste avaunt dite
 par colour de faux chartres, double lettres, merchies contrefaitz et
 faux tesmoignes de leur nation, clayment et demandent les biens et
 merchandises des ditz enemys ensi prises sur le meer, come leur
 biens propres, et a mesmes les biens et merchandises sont restores,
 a grande arrierisment de ceux qi les ont prises et abbaisement du
 corage des ditz lieges: Et pur taunt nostre dit Seignur le Roi voil-
 lant purvoier de remedie ad graunte et ordine, par auctorite fuisdite,
 entaunt qil ne soit contrarie a les [lieges²] faitz parentre luy et
 ascuns de ses alies, qe sil aviegne qascuns merchandises des aliens,
 del amiste avaunt dite, soient prises par les ditz lieges, apres le fest
 de Seint Michell larchangell prochain veignaunt, [en³] ascuns niefs
 ou vesselx de ditz enemys nostre dit Seignur le Roy, nient
 esteantz desoubz le sauf conduit ou protection du Roi, qadonques les
 ditz lieges eux purront reteigner et enjoier saunz ascun empesche-
 ment ou restitution ent affaire. Et durera ceste ordinaunce pur
 trois ans prochain ensuuant et a plus long temps sil pleasc au Roy.

¹ que come, P.

² "liges," in the English Answer to the Petition—*printed Rot. Parl.* 3^o ou, P.

C A P. VIII.

"The Statute of 2 Henry 5. stat. 1. cap. 6. concerning
 Breakers of Truces and Safe-Conducts, suspended for
 Seven Years."

[*For the Inconvenience resulting from the Statute, see Preamble to
 Stat. 4 H 5. c. 7.—See also 20 H. 6. c. 11. suspending the Penalties
 of Treason.*]

Anno decimo quinto HENRICI VI.

In the Parliament holden at Westminster the 21st Day of January, A.D. 1436-7.

From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. iv. p. 495, &c.

Chapter of Statute.	Number in Roll.	
1	20	} On Petition of the Commons.
2	21 (1)	
3	24 (1)	
4	25 (2)	
5	26 (1)	
6	35	
7	36	
8	37	

¹ In English and the Answers also (except 26).

² This Chapter, relating to the Jurisdiction of Chancery, is stated by Cay not to be on the Roll in the Tower. The Copy of it, in French, given by Cay, agrees with that in Pynson. The Answer in the Parliament Roll, on which the Act is founded, is in English, as well as the Petition. See printed Rot. Parl. i H. 6. nu. 41. and Stat. 17 R. 2. c. 6. and post, nu. 39. of this Year.

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further
Printed Rot. Parl. iv.

Page. No. } For incorporating the Prior and Convent of Friars
497, 13, } Preachers within Ludgate, London.

14, For compelling the Appearance of William Pulle, accused of a Rape on Isabella Butler; or, in Default of Appearance, attainting him.

498, 15, For enabling the said Isabel to pursue an Appeal of Rape against the said Pulle, although she was married to him by Force.

17, For licensing Humphry Duke of Gloucester, and Eleanor his Wife, to inclose 200 Acres, and make a Park at Greenwich, and also to build Towers with Battlements there.

502, 28, Grant of a Fifteenth and a Tenth.

503, 29, Grant of Subsidy on Wool, &c. exported, viz. by Aliens, 53s. 4d.; Denizens, 33s. 4d. per Sack; also, Tonnage, 3s. and 3s. additional of Aliens, on sweet Wines; Poundage, 12d.

Printed

Printed Rot. Parl. iv.

Page. No. } *For Security of Persons advancing Money on the*
504, 30, } *Credit of the Customs, &c.*

31, *A general Pardon; (with certain Exceptions).*

505, 32, *For providing for the Execution of the Will of Catherine, Queen Dowager, deceased.*

506, 33, *For empowering the Council to hear and determine*
[March 27.] *Petitions in Parliament; and which shall be accordingly enacted, enrolled, and put on Record in the Parliament Roll.*

34, *It is stated, that certain Petitions were, on the 22d Day of June following, heard and determined by the Council accordingly, the Tenor of which Petitions, and the Answers thereto, are set forth at length, viz.*

507, 35, 36, } *The Petitions and Answers on which Cap. 6, 7,*
508, 37, } *and 8. of the Statute are founded.*

509, 39, *For empowering the Chancellor to afford Relief to Thomas Norton, and others, against certain feigned Suits of Thomas Stamford. See Cap. 4. of this Session, and Note above as to that Chapter.*

OUR Sovereign Lord, King Henry the Sixth after the Conquest, at his Parliament holden at *Westminster* the One-and-twentieth Day of *January*, in the Fifteenth Year of his Reign, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Instance and Request of the Commons of the Realm, being in the same Parliament, hath caused to be ordained and established certain Statutes and Ordinances, to the Honour of God, and the Weal and Profit of him and his said Realm, in Form following.

[N]OSTRE souverain Seigneur le Roy Henry le sixme apres le conquest, a son parlement tenuz a *Westm'* le xxj. jour de Januaire lan de son regne xv.¹ de ladvis et assent des Seignurs espirituelx et temporelx et a lespecialle instance et requeste de les communes du roialme en mesme le parlement esteantz [ad fait ordenez et establiez²] certains statutz et ordonances al honour de Dieu et le bien et profit de luy et de son dit roialme en la fourme qensuist.

¹ Au p^{re}lement tenuz a *Westm'* le xxi jour de Januer^e, lan du regne du Roi H. vi ap^{re}s le co^uquest xv. P.

² mesme n^{re} dyt seigneur le Roi ad fait ordiner et establi^r, P. [Former Translations agreed with the Form in P.]

C A P. I.

In a Suit before the Marshal, the Defendant may plead, that the Plaintiff or he are not of the King's Household.

FIRST; Because that the Steward and Marshal of the King's Household, and their Deputies, before this Time have holden before them Pleas of Debt, Detinue, and other Pleas personal, moved betwixt People which were not of the said Household; making

ing Mention in their Record, that the Plaintiffs and Defendants of the same Pleas were of the said Household, and do not allow to the Parties Defendants in the same Pleas their Challenges and Exceptions by them alledged, that they themselves, or the Plaintiffs in the same Suits, be not of the same Household, against the Laws and Statutes before this Time had and made; whereby divers of the King's liege People, in his Court holden before the said Steward and Marshal, oftentimes against the Law be grievously vexed and troubled to their great Damage and Hindrance: Our said Lord the King, considering the Premises, hath ordained by Authority of the same Parliament, That in every Suit from henceforth against the said Defendants to be taken, they shall not be estopped by such Record, to say that themselves, or the Plaintiffs in the same Record specified, were not at the Time of the said Plea or Suit commenced, of the King's Household, as by the same Record is supposed; but the Defendants shall have their Averment to say, That they themselves, or the said Plaintiffs, were not of the said Household, at the Time of such Plea or Suit commenced, the said Record or any Matter in the same contained notwithstanding.

[See Stat.
28 E. 1. st. 3.
c. 3. and Re-
ferences there.]

EN primes; Pur ceo qe les Seneschall et Marschall de Hostel du Roy, et lour deputees, avaunt cez heures ount tenuz devaunt eux plees de dette, detenu; et autres plees personelx, moevez parentre gentz q' ne furent de mesme hostell; en lour recorde faisantz mention qe les pleintifs et defendants de mesme les plees furent del dit hostell, et a lez parties, defendants en mesmes les plees, ne allowent lour chaleng et exceptions par eux aleggez, qe ils mesmes ou les pleintifs en mesmes les suites, ne sount pas de mesme hostell, encountre les leys et estatuts ent avant ces heures eus et faitz; parountz divers des lieges nostre dit Seigneur le Roi, en sa Court devant les ditz Seneschall et Marschall tenuz, sovent soitz encountre le leie sount grevousment vexez et entroublez a lour graunde damage et anientissement; Nostre dit Seigneur le Roi, les premises consideret, ad ordeine par auctorite de mesme le parlement, qe en chescun [seurte¹] desore enavaunt [pur²] les⁽³⁾ defendants aprendre, ils ne soient estoppes par tiel recorde, a dire qils mesmes ou lez pleintifs en mesme le recorde especifiez, ne furent al temps du dit plee ou suit commence, del hostell du Roy, come par mesme le recorde est suppose; eins eient les ditz defendants lour averement a dire, qils mesmes ou les ditz pleintifs ne furent de mesme hostell, a temps de tiel plee ou suit commence; le dit recorde ou aucun matier deinz icell continuz nient obstant.

¹ sure, Rot. Parl. P. as Text.

² per, Rot. Parl. P.

³ ditz, Rot. Parl. P.

C A P. II.

For regulating the Exportation of Corn.

ALSO whereas, by the Law ordained, no Man can carry nor take Corn out of the Realm of England without the King's Licence, by Reason whereof Farmers and other Men which use Manurement of their Land, cannot sell their Corn but at a low Price, to the great Damage of all the Realm: Our Lord the King, willing in this Case to provide Remedy, hath ordained by Authority

[See Stat.
17 R. 2. c. 7.
and Note there;
and post,
20 H. 6. c. 6.
23 H. 6. c. 5.]

Authority aforesaid, That it shall be lawful to every Person to ship and carry all Manner of Corn and Grain out of this Realm to whatever Place he pleases, except only to the King's Enemies, so often and as long as a Quarter of Wheat [exceeds not the Price of Six Shillings and Eight-pence, and a Quarter of Barley, Three Shillings, in the Port where the Wheat¹] or Barley is so shipped; and that without suing any Licence for the same: all other Ordinances before this Time thereof made. to the contrary notwithstanding. Provided always, That the King be satisfied his Customs and Duties. And this Ordinance shall endure till the next Parliament.

ITEM pur ceo qe par la leie ordeinee null home poet carier ne amener bles hors du roialme dEngleterre saunz licence du Roy, par cause de quell fermours et autres homes qi usent manoverement de lour terre ne poent vendre lour bles sinon a baes prises a graunde damage de tout le roialme: Nostre Seigneur le Roi voillant en ceo cas purvoier de remedie, ad ordeinee, par anstorite dessuiscite, qe bien lirra a chescun homme eskipper et carier toutz maners de bles et graines hors de ceste roialme a qiconqe lieu qi luy plerra. forspris tant seulement a les enemies nostre dit Seigneur le Roy, si sovent et tant longement come un quarter de frument [n'excede pas le price vj. s. viiij. d. et un quarter dorge iii. s. en icelle porte lou frument¹] ou orge est tielment eskippes, et ceo saunce ascun licence suier pur icell; toutz autres ordinaances ent avant ces heures faitz a contrarie nient obstantz. Purveu toutz soit qe le Roy soit content des sez custumes et devoirs. Et durera icelle ordinance tanqe al procheine parlement.

¹ omitted in P. and all Translations, which are also very faulty in other Particulars.

[See also Stats.

18 H. 6. c. 8.

20 H. 6. c. 1.

31 H. 6. c. 4.

14 E. 4. c. 4.]

[See printed
Rot. Parl.

15 H. 6. nu. 24,

for the Reason
of this Act.]

C A P. III.

For regulating the Form of a Safe Conduct.

ALSO whereas our said Lord the King of late had granted his Letters of Safe Conduct to certain Persons to come and go in and out of the Realms and Seigniories of *England, France, and Irelund*, with a certain Number of Ships laden with their Merchandises, and that Faith and Credit should be given as well to the Copy called *Vidimus*, sealed under Seals authentique and approved, as to the Original of the said Letters; one *John le Gauvier*, one of the Persons aforesaid, granted and delivered the *Vidimus* of the said Safe Conduct to such and to as many as him pleased, sealed with the Seal of him that calleth himself King of *France*; under the Colour of which *Vidimus* a great Navy of the adverse Party was assembled, and did take many Ships and Lieges of the King, and did victual the Towns and Fortresses of the Adversaries, to the great Damage of the King and of his liege People aforesaid, as our said Lord the King, at the grievous Complaint to him thereof made by the said Commons, hath fully perceived: Our said Lord the King, considering the great Inconveniencies which might ensue by such Persons and others who do evilly use his Letters of Safe Conduct, and that under Colour of such *Vidimus* all an whole Navy of Enemies might be coloured, and daily victual, supply, and refresh their Party, in great Damage of his Realms, and specially of his Realm of *England*, [doth will,

will, and hath commanded by the Authority aforesaid,¹] to the Keepers of his Great and Privy Seals, that they shall not suffer such Clause of *Vidimus* to be put in any Safe Conduct from henceforth to be granted, unless it so be, that some great or notable Cause or Matter move our said Lord the King to grant the same in such wise: And willeth also, that in all Safe Conducts to be granted from henceforth, to any Person or Persons, the Names of them, of the Ships, and of the Masters, and the Number of Mariners, with the Burthen of the Ships, shall be expressed.

The Clause of *Vidimus* shall not be inserted in Safe Conducts, unless upon some special Cause.

Particulars which shall be inserted in Safe Conducts.

ITEM par la ou nostre dit Seigneur le Roy nadgairs avoit graunte les lettres de sauf conduyt as certains persons, pur venir et aler en et hors de les roialmes et seignuries d'Engleterre Fraunce et Irlande, ovesqe certaine nombre des niefs charges ovesqe leur marchandises, et qe soie et credance ferroit done sibien a la copie appelez Vidimus ensealez soubz seales autentiques et appovez, come al originall de lez ditz lettres, un John le Gautier, un de les persons desuisditz, graunta et delivera le Vidimus du dit sauf conduyt, as tielx et as tauntz come luy pluist, ensealez soubz le seale celuy qi soy appelle Roy de Fraunce; soubz umbre de quel Vidimus un grande navie de la partie adversarie fust assemble et prist plusours niefs et lieges du Roy, et vitaille lez villes et fortresses de les parties adversaries, a grande damage du Roy et de sez lieges suisditz, si come nostre dit Seigneur le Roy a la grevouise compleint a luy en fait par les ditz communes lad pleinment entenduz: Mesme nostre Seigneur, considerant lez grandes inconvenientz queux purroient eschier, par tielx et autres qi malement usent sez lettres de sauf conduyt, et qe soubz umbre de tielx Vidimus tout un entier navie des adversaries poet estre umbrez, et journement vitailer estofer et resfresher leur partie en grande damage de sez roialmes et specialment de le roialme d'Engleterre, [voet donner en commandement¹] a les gardeins de ses grande et prive sealez, qils ne soeffrent pas tiel clause de Vidimus estre mys en null sauf conduyt, a grauntiers de cy enavaunt, sil ne assint soit qe ascun grande ou notable cause ou matier moeve mesme nostre Seigneur le Roy pur ceo tielment graunter. Et voet auxi [par auctorite suisdite²] qe en toutz sauf conduyts de cy enavaunt a graunterz, a ascun person ou persons, les nouns de iceux, de les niefs, et de les maistres et le nombre de mariners, ovesqe le portage des niefs soient expressez.

¹ voet & ad comande p' auctorite suisdit, P.—The Text agrees with the King's Answer in printed Rot. Parl

² P. omits.—See Note 1.

C A P. IV.*

None shall sue a *Subpœna* until he find Surety to satisfy the Defendant his Damages, if he do not verifiy his Bill.

ALSO, for that divers Persons have before this Time been greatly vexed and grieved by Writs of *Subpœna*, purchased for Matters determinable by the Common Law of this Land, to the great Damage of such Persons so vexed, in Subversion and Impediment of the Common Law aforesaid; Our Lord the King willeth, That the Statutes thereof made be duly observed according to

* See Note at Head of this Year.

the Form and Effect of the same, and that no Writ of *Subpena* be granted from henceforth until Surety be found to satisfy the Party so grieved and vexed for his Damages and Expences, if so be that the Matter cannot be made good which is contained in the Bill.

ITEM pur ceo qe diverses persones ont avant cez heurez este graundement vexes et grevez, per briefes de subpena purchaces, pur matiers determinablez per la comen ley de cest terre, a graund damage de tielx personez issint vexes, en subversion et impediment de la comen ley suisdite; Nostre Seigneur le Roy voet que les estatuitz ent faitz soient dument gardes solonque la fourme et effect dicelles; et que null brieve de subpena soit graunte de cy enavant, tanqe seurtee soit trove, pur satisfaire la partie enfy greve et vexé pur ses damages et expences, si issint soit que le matier ne poet pas estre fait bon, quele est contenu en la bille.

C A P. V.

For regulating Proceedings in Writs of Attaint.

[See Stat. 11 H. 7. c. 21. *as to Attaints in London*; and also Stat. 23 H. 8. c. 3. and Notes there.]

ALSO our Lord the King (considering that the Trial of Life and Death, of Lands and Tenements, Goods and Chattels of every Person of his liege People of this Realm, touching Matters in Deed, by the Law of the same Realm doth remain and stand, and daily is very likely to be had and made, by the Oaths of Inquests, of Twelve Men duly summoned in his Courts; and also that the great ⁽²⁾ Perjury, which horribly continueth, and daily increaseth in the common Jurors of the said Realm, is most likely to tend to the greatest Mischief which may fall to the said Realm; and that it is to be supposed, by reason that the more sufficient that Men be of Lands and Tenements, the more unlikely they are to be drawn or moved to Perjury by Brocage, [Power,³] or Corruption; and that in every Action and Writ of Attaint at the least there must be Thirteen Defendants, unless that the Death of any cause the contrary; of which Thirteen Defendants every Person by the Law may have a several Plea and Answer, triable in whatsoever County that him pleaseth of the said Realm; and every of the same Thirteen Pleas and Answers triable out of the County in which the Action and Writ of Attaint is sued, shall cause the Delay of the taking of the Grand Jury of Attaint, until the Time that every of the said foreign several Answers be tried: And although that all these Thirteen several Answers and Pleas, every one after other, to cause more delays, be pleaded, tried, and found against these Thirteen Defendants, they themselves have no Prejudice by the same, nor the Plaintiffs in the said Actions and Writs of Attaint no other Advantage, but that the King's Court shall then proceed to the taking of the said Grand Jury, which by Subtilty that daily increaseth may cause the Delay of the Plaintiffs in the said Actions and Writs of Attaint by Ten Years or more, by common Estimation); hath ordained by the Authority aforesaid,

[See Stat.
21 H. 6. c. 4.]

² dredeles and unshamefast, *Rot. Parl.*

³ Fear, *Rot. Parl.* reads 'by Corruption, Brocage, or Drede.'

for Part of the Remedy of the said Mischief, That no Sheriff, Bailiff of Franchise, nor Coroner, in Actions or Writs of Attaint of Plea of Land, of the yearly Value of Forty Shillings, or more, nor Action of Detinue of Deeds concerning Lands or Tenements of like Value, or more, nor ⁽⁴⁾ personal, whereof the Judgement of Recovery shall extend to the Sum of Forty Pounds, or more, shall return nor impanel in any Inquisition nor Inquest, any Persons but such as be inhabiting within his Bailiwick, which ⁽⁵⁾ have Estate to their own Use, or such to whose Use other Persons have Estate, of Fee Simple, Fee Tail, or Freehold, in Lands and Tenements, of the yearly Value of Twenty Pounds, or more, in his Bailiwick, out of ancient Demesne, the Five Ports, and the Tenure of Gavelkind; nor shall return in the King's Court less Issues in the said Actions of Attaint, than Forty Shillings at the First Writ of Distress, and One hundred Shillings at the Second Writ of Distress, and the Double at every other Writ of Distress against the Persons impanelled and returned to be sworn in the same Actions. And that no Person of less Sufficiency of Freehold than of the yearly Value of Twenty Pounds, in the Form aforesaid, shall be sworn in the King's Court upon any Issue in the said Actions of Attaint, if he be for the same by the Plaintiffs in due Form challenged. And that so often as any Sheriff, Bailiff of Franchise, or Coroner, do contrary to this Ordinance, he shall pay, and by this Statute be bound to pay to the King Ten Pounds, and to the Plaintiffs in the said Actions and Writs of Attaint for their Delay other Ten Pounds.

And that if any of the said foreign Answers and Pleas be tried and found against any of the said Defendants, that then the same Judgement against the same Defendants, and for the said Plaintiffs, shall be given by the King's Justices, and the Consideration of his Courts, as by Law should be given against the same Defendants, in case that the Grand Jury in the said Actions and Writs of Attaint, upon the Points and Articles of the same Writs, had passed against the same Defendants, and with the said Plaintiffs: and that by the same Judgements, no other of the said Defendants, but they against whom the aforesaid foreign Answers and Pleas be found and tried, shall be prejudiced or endamaged.

And that this Statute touching the Office of Sheriff, Bailiff of Franchise, and Coroner, in returning of Persons of the Sufficiency of Freehold of the yearly Value of Twenty Pounds, and that no Person of less Sufficiency of Freehold be sworn in the said Actions and Writs of Attaint, shall not extend to Cities and Boroughs within the said Realm, nor to the Inhabitants in the same.

Provided always, That if in any of the said Counties there be not Persons [inhabiting⁷] (under the Estate of a Baron) [of Possession⁸] of Lands and Tenements of the yearly Value of Twenty Pounds in the same County, in the Form aforesaid, to suffice the Number to be impanelled and returned in the said Actions and Writs of Attaint, that then the Sheriff, Bailiffs of Franchises, and Coroners of the same County, shall impanel and return in the same Actions and Writs, Persons there [inhabiting⁷] of the most suffi-

Jurors in Attaint shall have 20 l. per Annum in Lands.

[The Exception of Gavelkind repealed

18 H. 6. c. 2.]

Issues returned upon every Juror in an Attaint.

Jurors not qualified shall be challenged. Penalty on Sheriffs for Neglect, 10 l. to the King, and 10 l. to the Party.

[But see 23 H. 8. c. 3.]

On a foreign Plea pleaded by a Defendant, the Judgement against him shall be final; but shall not prejudice other Defendants.

This Act shall not extend to Cities or Boroughs.

[See as to London 11 H. 7. c. 21, &c.]

[There be not sufficient having Lands of the yearly Value of 20 l. others may be returned.

[See 23 H. 8. c. 3 § 7.]

⁴ of Plea, Rot. Parl.

⁷ inhabitantz, Rot. Parl. inheriting.

⁸ of the liffode (livelihood), Rot. Parl.

⁵ then, Rot. Parl.

Penalty on
Sheriff, &c. for
Neglect, 10 l.
to the King,
and 10 l. to the
Party.

cient [of Possession⁸] of yearly Value of Lands and Tenements within the yearly Value of Twenty Pounds in the same County in the Form aforesaid; and that to such Persons the aforesaid Challenge extend not, that they are not of [Possession⁹] of Lands and Tenements of the yearly Value of Twenty Pounds in the same County; and that as often as any of the same Sheriffs, Bailiffs, or Coroners do contrary to this present Article, he shall pay to the King Ten Pounds and to the Plaintiffs Ten Pounds in the Form aforesaid.

⁹ *liffode, Rot. Parl.*

ITEM nostre dit Seigneur le Roy, (considerant que le triall de vie-
et de mort, terres et tenementz, biens et chateux de chescun
person de ses lieges diceste Roialme, touchant matiers en fait par
le leie de mesme le Roialme remaigne et [estaa¹] et de jour en
jour verisemblablement est pur estre eue et fait, par les serementz
des enquestes de xij. hommes duement summones en sez Courtes, et
auxi que les graundes pourlesse et inhonteuse perjurie que orriblement
continue, et journement encreffe en les communes jurours du dit
Roialme, a la pluis graunde verisemblable meschief que puis cheier
al dit roialme; et qil est a supposer par reson que le pluis sufficiantz
que hommes soient des terres et tenementz le pluis nonsemlablement
ils sont a estre tretez ou moevez a perjure par brocage poure ou
corruption; et que en chescun action et brief dateint, au meyns y
faut estre xiiij. defendantz, sil ne soit que mort dascun de eux cause
le contrarie; des queux xiiij. defendantz chescun person par la leie
poet avoir severall plee et response, triable en quecqñe countee
que luy pleast del Roialme avaunt dit, et chescun de icelles xiiij. plees
et responses triables hors del countee quel laction et brief dateint
est pursue, causera la delaie de la prise de graunde jure dateint,
jesques au temps que chescun des ditz foreins severalx responses soit
trie: Et tout soit que toutz iceux xiiij. foreins severalx responses et
plees, chescun apres auter pur causer plusours delaies, soient plees
tries et trovez contre iceux xiiij. defendantz, ils nount ascun pre-
judice par icels, ne les pleintifs en les ditz actions et briefs dateintz
null autre avantage, mes que le court du Roy adonques de proceder
a la prise du dit graunde jure, la quell par subtilitee, que de jour en
jour encreffe, purroit causer la delaie des pleintifs en les ditz actions
et briefs dateint par x. ans ou pluis par commune estimation);
ad ordeine par lauctorite avaunt dite pur partie de remedie de la
mescheef suisdit, que null viscount baillif du franchise ne coroner,
en actions ou briefs dateint du plee du terre dannuell value de xl. s.
ou pluis, ne daction de detenue des faitz concernants terres et te-
nements de semblable value ou pluis, ne de plee personell dount
le jugement de recoverer extende a la somme de xl. li. ou pluis,
retourne ne empanell, en null inquisition ne enquest, nulles per-
sones mes ceux enhabitantz dedeins sa baille, queux a cell temps
eient estate a lour propre oepe, ou ceux as queux oepe autres per-
sones ount estate de fee simple fee taill ou frank tenement, en
terres et tenements dannuell value de xx. li. ou pluis dedeins sa
baille hors del auncien demesne les Cynk portes et tenure de Gavel-
kynde; ne meindres issues, en les ditz actions dateint retourne
en la court du Roy, que xl. s. a le primer brief de destresse, et

¹ *estaa, P.*

cent

cent soulz a le secunde brief de distresse, et le double a chescun autre brief de distresse, envers les personnes empanelles et retournes pur estre jurrez en mesmes les actions. Et qe null persone de meindre sufficiente du frank tenement, qe dell annuell value de xx. li. en la fourme deffuisdit, soit jurrie en la court du Roi sur null issue en les ditz actions atteint; sil soit pur icell par les pleintifs en due fourme chalanges. Et qe auxi sovent qe ascun viscount, baillif du franchise, ou coroner, face le contrarie de ceste ordonnance, qil paie, et par cest estatut soit tenuz a paier au Roy x. li. et a les pleintifs en les ditz actions et briefs atteint pur lour delais autres x. li.

Et qe si ascun des ditz foreins responses et ples soit trie et trove encountre ascun des ditz defendantz, qadonques mesmes les juggements countre mesmes les defendantz, & pur les ditz pleintifs, soient dones par les justices du Roy. et consideration de ses courts, si come par la leie serroit donec envers les mesmes defendants, en cas qe le graunde jurie en les ditz actions et briefs atteint, sur les points et articles de mesmes les briefs passez encountre mesme les defendants, et ovesqe les ditz pleintifs; et qe par mesmes les juggements null autre des ditz defendantz, sinon ceux vers queux les avaunt-ditz foreins responses et ples sont troves et trie, soit blesez ne endamages.

Et qe [si⁶] estatuit, touchant l'office de viscount baillif de franchise et coroner, en retournant des personnes de la sufficientee du frank tenement dannuell value de xx. li. et qe null persone de meindre sufficiente du frank tenement soit jurie en les ditz actions et briefs atteint, ne extende pas as citees et burghs de le dit roialme ne a les enhabitantz en icelles.

Purveu toutz soit qe si, en ascun de les ditz countees, ne soient personnes enhabitantz desoubz le state de baron del possession dez terres et tenementz dannuell value de xx. li. en mesme le counte, en la fourme avantdit, a suffire le nombre pur estre empanelles et retournes en les ditz actions et briefs atteint, qadonques le viscount baillifs de franchise et coronours de mesme le counte, empanell et retourne en mesme les actions et briefs, parsones illoques enhabitantz de la plus sufficiente du possession dannuell value de terre et tenementz, deinz la value de xx. li. par an en mesme le counte en la fourme avantdit; et qe a ceux personnes nextende pas lavaunt dite chalanges, qils ne soient del sufficiente des terres et tenementz dannuell value de xx. li. en mesme le counte; et ceo auxi sovent qe ascun de mesmes les viscountz baillifs ou coroners face le contrarie de cest darrein article qil paie au Roy x. li. et au ditz pleintifs x. li. en la fourme avantdite.

⁶ Query 'cy.'

C A P. VI.

For the Regulation of the Ordinances of Guilds, Fraternities, and Companies.

[See Stat. 19 H. 7. c. 7. reciting this Act, and that it was expired; and making other Regulations for like Purposes.]

C A P. VII.

All Persons Religious and Secular may make their general Attornies to sue or plead for them in every Hundred and Wapentake.

[See Stat. 3 H. 5. c. 2. confirmed by Stat. 9 H. 6. c. 10. for temporary Provisions of a similar Nature.]

Religious Persons in certain Wapentakes in *Yerishire* may make their Attornies to appear in the Courts there.

Stewards shall allow such Attornies, &c. Penalty 10 l.

Like Provisions extended to religious Persons in all Hundred Courts in the Realm.

ALSO our said Lord the King, by the Assent of the Lords and Commons aforesaid, hath ordained and established by the Authority aforesaid, That from henceforth all the Abbots, Priors, and other religious Persons, and their Successors, and every of them, who have any Lands, Tenements, or other Possessions within any of the Wapentakes of *Staincliffe* Wapentake and *Frendesles* Wapentake in *Craven* in the County of *York*, may make their Attornies or Attorney general in all the Courts within the said Wapentakes and every of them, that is to say, every of the said Abbots, Priors, and religious Persons severally under the Common Seal of his House, to win and lose in every Manner of Plea, for any or against any of them in the said Courts, or any of them moved or to be moved. And that the said Abbots and Priors, and other religious Persons, and their said Attornies and every of them, may plead in the said Courts and every of them, all Manner of Pleas, which be pleadable in Law, and in the Law allowable; and that every Steward and Bailiff of or in any of the said Courts for the Time being, shall as well receive any Attorney in Manner aforesaid to be made, as the said Pleas by the said Abbots, Priors, and religious Persons, and by their said Attornies, and by every of them to be pleaded, without amercing the said Abbots, Priors, or religious Persons, or any of them, in the Manner aforesaid*, or otherwise than secular Persons in like Case without Fraud should be amerced. And that every of the Stewards and Bailiffs aforesaid, at every Time that he doth contrary to this Ordinance, shall forfeit and incur to the King the Penalty of Ten Pounds, and that every Person who will sue for the King in this Case, shall have a Writ of Debt founded upon this Statute, and shall have the Half for his Labour, and the King the other Half.

And that in the same Manner all other Abbots, Priors, and other religious Persons and their Successors, and all other secular Persons whatever within this Realm, in every Hundred and Wapentake within the said Realm, may make their Attornies general, to plead for them and every of them in the Form aforesaid, that is to say, the said Abbots, Priors, and religious Persons under the Common Seal, and the secular Persons under their Seals. And if the Stewards, Bailiffs, or any Minister of any such Hundred or Wapentake do contrary thereto, every of them shall forfeit to the King Ten Pounds as afore said; And this Statute and Establishment shall endure as long as it shall please the King.

* See printed Rot. Parl. nu. 36. reciting Stat. 3 H. 5. c. 2.

ITEM nostre dit Seignur par assent des seignurs et communes avauunt ditz, ad ordeinee et estable par auctorite suisdite qe desore enavaunt toutz les abbes priours et autres religioeses et lour successeurs, et chescun deux, qe ount ascun terres tenementz ou autres

autres possessions deins aucun de les wapentakes de Stanclyf wapentake & Frendeles wapentake, en Craven en le counte d'Everwyk, purront faire lour attournes ou attournee generalx ou general, en toutz les courts deinz les ditz wapentakes et chescun de eux, cestassavoir chescun des ditz abbes priours et religieuses ferveralment desoubz le commune seale de sa meason, pur gayner et perdre en chescun maner de plee, pur aucun ou vers aucun deux en les ditz courtes ou aucun deux moevee ou amoeverz: Et qe les ditz abbes et priours, et autres religieuses, et leurs ditz attournes et chescun deux purront pleder en les ditz courts, et chescun de eux, toutz maners des plees qe sont en ley pledables et en ley allowables, et qe chescun seneschall et baillif de ou en aucun de les ditz courtes pur le temps esteant resceive auxibien chescun attourney en le manere suisdite destre fait, come les ditz plees par les ditz abbes priours et religieuses et par leur ditz attournes et par chescun deux destre pledes, saunce amercier les ditz abbes priours et religieuses ou aucun de eux en le manere dessusdit, ou autrement qe persones seculers en semblables cas saunz fraude ferront amerciez; Et qe chescun des seneschalx et baillifs suisditz, a chescun foitz qil face le contrarie de cest ordonnance, forface et encourage la peine de x. li. au Roi, et qe chescun persone qi voet suer pur le Roi en cell cas eit brief de dette, foundu sur cest estatut et eit lun moite pur son labour et le Roy lautre moite.

Et qe en mesme la manere toutz autres abbes priours et autres religieuses et leur successeurs, et autres seculers qiconques deinz cest roialme, en chescun hundreth et wapentake deinz mesme le roialme poient fair leur attournes generalx ou general, pur pleder pur eux et chescun de eux en la fourme suisdit, cestassavoir les ditz abbes priours et religieuses desoutz le commune seale et les seculers persones desoubz leur sealex. Et si les seneschall baillifs ou aucun ministre de aucun tiel hundreth ou wapentake face le contrarie dicelle forface chescun deux au Roy x. li. come dessus est dit. Et dureront icestes ordonnance et establement tant come y plerra au Roy.

C A P. VIII.

For regulating the Exportation of Staple Merchandizes.

“ **A**LL such Merchandizes shall be shipped at the Wharfs and
 “ Keys assigned by Statute, where the King's Weights and
 “ Beams are placed. Masters of Ships shall find Surety to land
 “ such Goods at *Calais*, and bring back a Certificate thereof.
 “ Saving for the Merchants of *Genoa*, &c.”

[See Stat. 8 H. 6. c. 17. and Notes there.]

Anno decimo octavo HENRICI VI.

In the Parliament held at Westminster on the Morrow of Saint Martin, the 12th Day of November, A.D. 1439.

[*On the 21st December the Parliament was adjourned till the Morrow of St. Hillary, at Reading. Query, if on account of the Plague. See printed Rot. Parl. nu. 11. and nu. 58.*]

From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. v. p. 3, &c.

<i>Chapter of Statute.</i>	<i>Number in Roll.</i>
Cap. 1,	36
2,	37
3,	38 ⁽¹⁾
4,	38 b
5,	39
6,	40
7,	41
8,	44
9,	45
10,	46
11,	47
12,	48
13,	49
14,	51
15,	54
16,	55 ⁽¹⁾
17,	56
18, }	{ 62 ⁽¹⁾
19, }	{ 63 ⁽¹⁾

*On Petitions of
the Commons.*

^x *In English, as are also the Answers to several others. See nu. 37, 38 b, 39, 49.*

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. v.

Page. No. } *Grant of a Fifteenth and Tenth, and Half a Fifteenth and Tenth.*

5, 13, *Grant of a Subsidy of Fifty-three Shillings and Fourpence per Sack of Wool, &c. exported by Aliens, and Thirty-three Shillings and Fourpence by Denizens, for Three Years; Tonnage Three Shillings of Denizens and Aliens, and Three Shillings additional on Sweet Wines exported by Aliens; Poundage Twenty Pence * on Denizens and Aliens for Three Years.*

Printed

Printed Rot. Parl. v.

- Page. No. } Grant of a Subsidy, payable by Aliens, viz. Sixteen
6, 14, } Pence per Head by Householders, and Sixpence by
Non-householders; except Women Aliens married
to English or Welch Men, Religious, and Children
within Twelve Years of Age; for Three Years.
- 15, For securing Payment of Money advanced on the Credit
of the Customs, Subsidies, &c.
- 7, 16, } For applying the Revenues of the Duchies of Lancaster
8, 19, } and Cornwall to defraying the Expences of the King's
Household.
- 7, 17, For empowering the Council to make Regulations re-
specting Purveyance for the King's Household.
- 9, 20, For empowering the Council and Two Chief Justices
to make Regulations respecting the Corporation of
Plymouth. (And see nu. 32.)
- 21, For the Dean and Chapter of the Cathedral of St.
Paul, London, to recover certain Sums under the
Will of Sir J. Poultney. See 9 H. 6. nu. 16.
- 10, 22, For confirming an award between the Dean of Lincoln
and the Chapter there.
- 23, For confirming an Exchange between the King and
the Prior and Convent of Saint Oswald de Nostell
in the County of York.
- 11, 24, For conferring on Lewes Archbishop of Roan (perpe-
tual Administrator in Spirituals and Temporals of
the Church of Ely), the Jurisdiction, &c. of Bishop
of Ely.
- 25, For the Heirs of Henry Percy, &c. Recital of Stat.
5 H. 4. c. 1. (printed Rot. Parl. 5 H. 4. nu. 56.)
and also of Stat. 7 H. 4. c. 5. (printed Rot. Parl.
7 H. 4. nu. 111.) and that it was not the Intent
of the Commons in either Case that the said Henry
Percy, &c. should forfeit any Lands held in Fee
Tail; and that the Words of Proviso [by which
the Forfeiture of the Lands of the Parties was
declared] put in the King's Answer in the said
Seventh Year, nor the Matter therein contained,
were not comprised in the Petitions of the said Com-
mons in the said Parliament, but were only the Words
of the said late King; yet, because the Words of the
said Petitions and Answers were general, doubtful,
and obscure, the Judges doubted whether the said
Forfeitures extended to Lands entailed, as well as to
Fee Simple Lands: It is enacted, that no Lands
entailed (of the Parties) shall be forfeited; the said
Petitions, Answers, Statutes, Ordinances, or any
other Statute or Record notwithstanding.

Printed

Printed Rot. Parl. v.

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|-------|-----|---|---|
| Page. | No. | } | <i>Respecting Administration of the Goods of Alexander de Ferentinis, a Merchant of Florence, having died in London, indebted to the Bishop of St. David's and others.</i> |
| 13, | 26, | | |
| | 27, | | <i>For Payment of the Salaries of the King's Justices, &c. and particularly for the Portion of the Year in which they may die or be removed.</i> |
| 14, | 28, | | <i>For Margaret Widow of Sir Thomas Mallefaute Knight, to afford her Remedy in a Case of forcible Marriage.</i> |
| 15, | 29, | | <i>For naturalizing William ap Gwilym ap Gruffz, a Welchman, provided that he should not marry a Welch Woman, nor hold any Office in Wales. [but see 20 H. 6. nu. 16.]</i> |
| 16, | 30, | | <i>For the Apprehension of certain Offenders in Derbyshire, &c. having been guilty of a Rescue, and who, 'in Manere of Insurrection went into the Wodes in that Contre, like as it hadde be Robynhode and his Meyne.'</i> |
| 17, | 31, | | <i>For the Apprehension and Punishment of certain Offenders against John Stuche of Salop.</i> |
| 18, | 32, | | <i>For incorporating the Mayor and Commonalty of the Town of Plymouth, &c. (See No. 20, ante).</i> |
| 22, | 33, | | <i>For Security of the Executors of the Duchess of Clarence.</i> |
| | 34, | | <i>For confirming the Foundation of the Monastery of our Lady of Mountgrace in Yorkshire.</i> |
| 23, | 35, | | <i>For the Prior of St. John of Jerusalem, respecting Two Forges in Fleet Street, removed for the Improvement of the Street.</i> |

On Petitions of the Commons.

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|-----|-----|--|
| 31, | 58, | <i>For avoiding Danger to the King in Cases of Inflection, it is enacted, that in doing Homage to the King, the Tenant shall not kiss him as heretofore.</i> |
| 32, | 61, | <i>For applying Part of the Fifteenth and Tenth granted this Parliament to the Expences of the King's Household.</i> |
| 34, | &c. | <i>A Petition and Answer as of this Year, respecting the Conservancy of the Waters of Thames and Medway, by the Mayor of London; to continue to the next Parliament.</i> |

OUR Lord King Henry the Sixth after the Conquest, at his Parliament holden at *Westminster* the Morrow after St. *Martin*, in Winter, the Twelfth Day of November, the Eighteenth Year of his Reign, to the Honour of God, and for the Weal of him and of his Realm, by the Advice and Assent of the Lords Spiritual

Spiritual and Temporal, and the Commons, in the same Parliament assembled; hath caused to be ordained and established divers Statutes and Ordinances in Form following.

NOSTRE Seigneur le Roi Henry le fisme apres le conquest, a son parlement tenuz a Westm^r le lendemayn de Seint Martin en iver, le xij. jour de Novembre, lan de son reigne xvij. al onour de Dieu et pur le bien de luy et son roialme, de ladvs et assent des Seignurs espirituelx et temporelx, & les communes, en mesme le parlement assemblez ad fait ordeigner et establior diverses estatuitz et ordinances en la fourme qensuit.

C A P. I.

For regulating Grants by the King.

FIRST; Whereas by Suit made to the King by divers Persons, it hath been desired by their Petitions, to have Offices, Fermes, and other Things of the Gift and Grant of the King, by his gracious Letters Patents thereof to them to be made, desiring by the same Petitions, the same Letters Patents of the King to bear Date at a certain Day limited in the same, the which Day is often long before the King's Grant to them [made of their said Petitions, whereby the King's Letters Patents to them¹] thereupon made have born such Date, by reason whereof divers of the King's liege People having such Offices, Fermes, and other Things of the Gift or Grant of the King, by his gracious Letters Patents thereof to them long Time before duly made, by such subtil Imaginations of such Antedates desired by such Petitions, from such Offices, Fermes, and other Things, often have been put out, amoved, and expelled, against Right, good Conscience, and Reason: Our said Lord the King, willing to put out such Imaginations, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Request of the said Commons, hath ordained, by Authority of the same Parliament, That of every Warrant hereafter addressed by our said Lord the King, or his Heirs, to the Chancellor of *England* for the Time being, the Day of the Delivery of the same to the Chancellor shall be entered of Record in the Chancery; and that the Chancellor do cause Letters Patents to be made upon the said Warrants, bearing Date the Day of the said Delivery into the Chancery, and not before, in any wise; and if any Letters Patents be from henceforth made to the contrary, they shall be void, frustrate, and holden for none.

The Day of the Delivery of the King's Warrant to the Chancellor shall be entered of Record; and the Letters Patents thereon shall bear Date on that Day.

PRIMEREMENT; Come par suite fait au Roy par divers gentz, ad este desire par lour petitions, daver offices fermes et autres choses del don et graunte du Roy, par sez gracious lettres patentz ent a eux a faire, desirauntz, par icell petitions, mesmes les lettres patentz du Roy de porter date a certain jour limite en icell, le quell jour est sovent longement devaunt le graunte du Roy a eux [faitz de lour ditz petitions, parount les lettres patentz du Roy a eux¹] sur ceo faitz ount porte mesme la date, a cause de quell divers lieges du Roy, eiantz tiel offices fermes et autres choses du don ou graunte du Roy, par sez gracious lettres patentz a

¹ P. and all Translations omit.

eux

eux longe temps devaunt quement fait, par tielx subtils ymaginations de tiels antedates desirez par tiels petitions, de tiels offices fermes et autres chosez, sovent ount este oustes amoves et expelles encountre droit bon conscience et reason: Nostre dit Seigneur le Roy, voillant oustier tiels ymaginations, del avys et assent des Seignurs espirituelx et temporelx, et al especiale request des ditz communes, ad ordine par auctorite de mesme le parlement, qe de ceconge garrant en apres, par mesme noltre Seigneur le Roy ou sez heires al chaunceller d'Engleterre pur le temps esteant adresse, le jour du livre dicell al chaunceller soit entre du recorde en la chauncerie; et qe le chaunceller face faire lettres patentes sur mesmes les garrantz, portantz date le jour du dit liere en la chauncerie, et nemy devaunt en null manere; et si ascuns lettres patentes soient desore faitz al contrarie, soient voidez irritez et tenuz pur nulles.

C A P. II.

For amending Stat. 15 H. 6. c. 5. respecting the Qualification of Jurors in Attaints.

15 H. 6. c. 5.

AL SO, whereas in the Parliament of our Lord the King, holden at *Westminster* the Fifteenth Year of his Reign, among other Articles it was ordained, That no Sheriff, Bailiff of Franchise, nor Coroner, in Action or Writs of Attaint of Plea of Land of the yearly Value of xl. s. or more, nor in Action of [Attaint¹] of Deeds concerning Lands and Tenements of the yearly Value of xl. s. or more, nor in personal Action, whereof the Judgement of Recovery extends to xl. li. or more, should return or impanel in any Inquisition or Inquest, any Persons but such Inhabitants within his Bailiwick, which have Estate to their Use, or such to whose Use other Persons have Estate of Fee-simple, Fee-tail, or Free-hold, in Lands and Tenements of the yearly Value of xx. li. or more, within his Bailiwick, out of antient Demean, the Five Ports, and the Tenure of Gavelkind; in respect of which Ordinance, seeing that within the County of *Kent* there be but Thirty or Forty Persons at the most, which have any Lands or Tenements out of the Tenure of Gavelkind, because the greater Part of the said County, or well nigh all, is of the Tenure of Gavelkind, which Persons be continually impanelled and returned in the said Actions of Attaints, to the great Hindrance and Impoverishment of the same Persons; our said Lord the King, considering the Premises, hath granted, ordained, and established, by the Authority aforesaid, That those Men which have Estate to their Use, and also they to whose Use other Men have Estate, of Fee-simple, Fee-tail, or Free-hold, in Lands and Tenements of the yearly Value of xx. li. of the Tenure of Gavelkind, shall be returned and impanelled in all such Attaints as be above recited, which Attaints be not now depending, but may depend in Time to come, in the same Manner and Form as any other Person may be returned and impanelled by Force of the said Statute made in the said Fifteenth Year,

Persons having a Freehold Estate of 20l. per Ann. in Gavelkind Lands may be Jurors in Attaint.

ITEM

ITEM come al parlement nostre Seignur le Roy, tenuz a Westm³ lan de son reigne xv^{me}, entre autres articles soit ordeigne, qe null viscount baille de fraunchis ne coroner, en action ou briefes datteyntes de plee de terre de annuell value de xl. s. ou pluis nen action de [attheynt¹] des faitz concernantz terres et tenementz de annuell value de xl. s. ou pluis, ne personell action dount le jugement de recovere extend al somme de xl. li.' ou pluis, retourne ne empanelle en null inquisition ne enqueste, nulles persones mes ceux enhabitauntz deinz sa baille qi ount estate a lour oeys, ou ceux as queux⁽²⁾ autres persones ount estate de fee simple fee taille ou franc-tenement, en terres et tenementz, de annuell value de xx. li.' par an ou pluis deins sa baille, hors de auncien demesne, cynk portz et la tenure de Gavylkynde; par cause de quel ordonnance a cause qe, deins le counte de Kent, sont qe trent ou quarrant persones a pluis qe ount ascuns terres ou tenementz hors de tenure de Gavylkynde, pur ceo qe la grendre partie du dit counte, ou bien pres tout, est de tenure de Gavylkynde, les queux persones sont continualment empanellez et retourner en les ditz actions datteintes, a graunde anientifment et empoverissement des mesmes les persones: Nostre dit Seignur le Roy considerant les premisses ad graunte ordine et establie par lauctorite defuisdit qe iceux hommes qi ount estat a lour oeys, & auxint iceux as queux oeys autres hommes ount estat, de fee simple fee taille ou franc-tenement es terres & tenementz dannuell value de xx. li., de la tenure de Gavylkynde, soient retournez et empanellez en autiels atteintes come sont desoubz reciteez, les queux atteintes ne sont pas ore pendantz, mes purront pendre en temps avenir, mesmes en les manere et fourme come ascun autre persone poet estre retournez et empanellez par force du dit estatuit fait le dit an quindisisme.

¹ Query, 'detirue,' see Stat. 15 H. 6. c. 5.² 'oeys,' Stat. 15 H. 6. c. 5.

C A P. III.

Butter and Cheefe may be exported without Licence.

[The King impowered to restrain such Exportation when he pleaseth.]

See Stat.
1, 2 P. & M.
c. 5.

C A P. IV.

For regulating Alien Merchants.

ALSO, Whereas great Damages and Losses daily come to the King and to his People, as well by the Buyings and Sellings that Merchants Aliens and Strangers do make at their proper Will and Liberty, without any Notice, Governance, and Survey of any of the King's lawful liege People, as by such Buyings and Sellings which they use together of all Manner of Merchandises, every of them with other, and also by Covins and Compassings, which they make to impair and abate the Price and Value of all Manner of Merchandises of this noble Realm, and to increase and inhance the Price of all their own Merchandises, whereby the said Merchants Aliens be greatly enriched, and the King's Subjects Merchants Denizens of the same Realm grievously impoverished, and great Treasure by the same Aliens carried out of this Realm, the Customs and Subsidies for them due to the King for the Causes aforesaid greatly diminished, and the Navy of the said Realm

See Stats.

4 H. 4. c. 15.

5 H. 4. c. 9.
and References
there.

Realm greatly destroyed and hindered; and whereas by divers Statutes before this Time made it was ordained, That in every City, Town, and Port of the Sea in *England*, where the Merchants Aliens and Strangers be or shall be repairing, sufficient Hosts shall be assigned to the same Merchants, by the Mayor, Sheriffs, or Bailiffs of the said Cities, Towns, and Ports of the Sea, and that the said Merchant Aliens and Strangers shall not be dwelling in any other Place but with the said Hosts so to be assigned, which Statute be not sufficient and convenient Remedies enough against the Damages and Inconveniences aforesaid;

“IT is enacted, That no Alien Merchant shall sell Merchandises to another Alien on Pain of Forfeiture: That all Alien Merchants shall be under the Survey of certain Persons, to be called Hosts or Surveyors, to be appointed by the Mayors of the several Cities, &c. within Four Days after the Arrival of such Aliens; the said Hosts to be good and credible Natives, expert in Merchandise, but not of the same Trade as the Alien under their Survey: Such Hosts shall be privy to all Sales and Contracts of the Alien.—Aliens shall sell all their Merchandises (except Cloths of Gold, Silver, and Silk) within Eight Months, and shall employ the Produce (except their reasonable Expences) in purchasing Merchandises of the Growth or Product of this Realm, on Pain of Forfeiture of all Money not so employed: All Merchandise sold by Aliens after the said Eight Months shall be forfeited. The Hosts shall keep Books, in which they shall register all the Contracts, &c. of Aliens, and deliver a Transcript thereof to the Treasurer and Barons of the Exchequer twice a Year. The Host shall have 2*d.* in the *£.* on all such Contracts.—The Host shall be sworn to his faithful Conduct, and may be removed by the Mayor, &c.—Any Alien Merchant refusing to submit to these Regulations shall be imprisoned till he gives Security to comply with them, and shall be fined at the King's Will; and if he make any Contract without the Privy of his Host, shall forfeit the Value of the Goods.—Penalty on Mayors for Neglect in enforcing this Act 20*l.*—Penalty on Persons refusing to be Hosts 10*l.*—The Act to continue for Seven Years—Commissions to be made out to all Mayors, &c. of Cities, containing the Tenor of the Act, and requiring its Execution.—Act shall not extend to Merchants of the *German Hanse*, nor affect any Alliance or Truce made by the King.”

ITEM, come grandes damages et perdes de jour en autre aveignent au Roy et a son people, taunt parmy les vendes et achates qe les merchauntz aliens et estraungiers facent a lour propre volunte et liberte, sanz ascun notice governance et survieu dascun de loialx lieges du Roy, comé par tiels vendes et achates quils facent ensemble de toutz maners marchandises, chescun de eux ovesqe autre, et auxi par les covyns & compassementz qils facent dempeirer et abatier le price et value de toutz maners merchaundises dicest noble Roialme, et encrecer et enhauncer le price de toutz lours propre marchandises, parount mesmes les merchauntz aliens graundement sount enrichez et les subgitz du Roy marchauntz deinzseins dicell Roialme grevousment empoverez; et graundè

grande tresour par mesmes les aliens amefne hors de ycest Roialme, les custumes & subsidies a Roy pur eux deus par les causes fuissiditz graundement sustreitz, et la navye du dit Roialme graundement amenusez et anientifez; et come par divers estatuitz devaunt cez heures faitz soit ordeignez, qe en chescun citee ville et port du meer dEngleterre, ou les merchauntz aliens et esstraungiers sount ou serront repairantz, soient assignez a mesmes les merchauntz, sufficeantz hostes par les mair viscountz ou baillifs des ditz citees villes et portes du meer, et qe les ditz merchauntz aliens et esstraungiers ne soient demurauntz en autre lieu sinon ovefque les ditz hostes ensy assigniers, les queux estatuitz ne sount assez convenablez et sufficeantz remedies encountre les damages et inconvenientz fuissiditz.—(See ante, p. 494.)

C A P. V.

Respecting Collectors of Subsidies.

“**N**ONE appointed to be a Collector of a Tenth in a City,
“ shall be also Collector of a Fifteenth in the same County,
“ except he hath Lands there to the Value of 100s. per Annum.”

C A P. VI.

No Lands shall be granted by Letters Patents, until the King's Title be found by Inquisition.

ALSO Whereas in a Parliament holden at *Westminster* the Morrow after St. *Matthew* the Apostle, in the Eighth Year of the Reign of our Lord the King that now is, among other Things it was ordained, That no Lands nor Tenements seised into the King's Hands upon Inquests taken before the Escheators or Commissioners, should be any Way granted or let to ferm by the Chancellor, or Treasurer of *England*, or any other the King's Officer, until such Inquests and Verdicts were fully returned into the Chancery, or into the Exchequer, but all such Lands and Tenements should wholly and continually remain in the King's Hands, until the said Inquests and Verdicts were returned, and for one Month after such Return; if it were not so that he or they which feel themselves grieved by the same Inquests, or put out of their Lands or Tenements, come into the Chancery, and proffer themselves to traverse the said Inquests, and offer to take such Lands or Tenements to ferm; and if they so do, that then such Lands and Tenements should be committed to them, if they shew good Evidences proving their Traverse to be true, according to the Form of the Statute made the Six and Thirtieth Year of *Edward* the Third, to hold until the Issue taken upon the same Traverse be found and discussed for the King, or for the Party, finding sufficient Surety to pursue the said Traverse with Effect, and to yield and to pay to the King the yearly Value of the Lands or Tenements, whereof the Traverse shall be so taken, if it be adjudged for the King; and if any Letters Patents of any Lands or Tenements were made to any other Person to the contrary, or let to ferm within the said Month of the Return, they should be void, and holden for none: The which good Statute and Ordinance divers Persons devising to subvert, and by their Subtilty to serve as for

Recital of Stat.
8 H. 6. c. 16
as to Grant of
Lands by the
King after Office
found.

36 E. 3. c. 13.

No Grant of
Lands shall be
made by the
King before
Office found and
returned; unless
where the
King's Title is
of Record, &c.

no Purpose, do sue to obtain such Gifts and Grants, and Firms, by the King's Letters Patents, before any Inquisition or Title found for the King of the same, pretending that such Gifts and Grants are not comprised nor remedied by the said Statute, notwithstanding that it is in like Mischief of the said Statute: Our Lord the King, considering the Premises, and willing to provide due Remedy in this Behalf, hath ordained, by the Authority aforesaid, That no Letters Patents shall be made to any Person or Persons of any Lands or Tenements, before Inquisition of the King's Title therein found, returned in his Chancery or Exchequer, if the King's Title in the same be not found of Record; nor within the Month after such Return, excepting to him or them which tender their Traverses as afore is said; and if any Letters Patents be made to the contrary, they shall be void, and holden for none.

ITEM comé en le parlement tenuz a Westm', lendemain de Seint Mathe lappostel lan du reigne nostre Seigneur le Roy qoreft viij. ordine soit entre autres, qe nullez terres ne tenementz seïsez en mayns le Roy, sur enquestes prises devaunt les eschetours ne commissiouners ne soient ascunement lesez ne grauntez a ferme, par Chaunceller ou Tresorer d'Engleterre ou autre officer le Roy qe conqe, tanqe mesmes les enquestes et verditz soient retournez plainement en la chauncerie ou en leschequer, mes demurgent toutz tielx terres et tenementz entierment et continuelment en lez mayns le Roy, tanqe les ditz enquestes et verditz soient retournez et par un moys apres mesme le retourne; si issint ne soit qe ceux ou celui qï sente ou sentent eux grevez par mesmes les enquestiz ou oustes de lour terres ou tenementz, veignent en la chauncery et soy proferont de traverser les ditz enquestes et soy offeront de prendre mesmes les terres et tenementz a ferme ⁽¹⁾ soient commys a eux, s'ils monstrent bons evidences provauntz lour traverse estre verroiez, solonc la fourme de lestatuit fait lan xxxvi^{me} le Roy E. tierce, a tener tanqe lissue sur mesme le traverse pris soit trove et discusse pur le Roy ou pur le partie, trouant suffisaunt surete de fuer le dit traverse ove effecte, et de rendre et paier au Roy le annuell value des terres ou tenementz dount la traverse ensy serra pris, s'ils soit discusse pur le Roy; et si ascuns lettres patents des ascuns terres ou tenementz soient faitz a contrarie a ascun autre persone ou leste a ferme deinz le dit moys de retourne soient voidez et tenuz pur null: Le quel bon estatuit et ordonnance divers persones ymaginantz a subverter, et par lour subtilite de servir come de null, pursuovunt daver tielx dones grauntes et fermes par lettres patentes du Roy, devaunt ascun inquisition ou title trove pur le Roy dicelx, pretendautz tielx dones et grauntes nient estre comprise ne remedies par le dit estatuit, nient oblant qil est en owell meschief de le dit estatuit: Nostre Seigneur le Roi, considerant les premisses et voillant en ceo partie purvoier de remedie, ad ordeigne par lauctorite desuisdit, qe nullez lettres patentes soient faitz a ascun persone ou persones dascunes terres ou tenementz, devaunt inquis' de title du Roy en yceux

¹ 'Et que si issint souint que adonques mesmes les terres et tenements,' *Stat. H. 6 c. 16.* but omitted in printed *Rot. Parl. P.* and all former Editions of the French Text of the Statutes.

trove, en la chauncerie ou en son eschequyr retourne, si tulle du Roy en yceux ne soit trove de recorde; ne deinz le moys apres mesme le retourne, sil ne soit a celuy ou ceux qi tende ou tendent lour traversez come desuis est dit; et si aucuns lettres patentes soient faitz a contraire soient voides et tenuz pur null.

C A P. VII.

For amending Statute 8 H. 6. c. 16. respecting Offices of Escheators.

ALSO it is ordained by the Authority aforesaid, That in case that any Escheator do take any Office before him, and return not the same Office into the King's Chancery, or Exchequer, within the Month after the taking of the same, he shall, (besides the Penalty of xl. li. which he hath forfeited by the Statute made in the Eighth Year of the Reign of our said Lord the King) also be bound to pay to our said Lord the King as much as he is indamaged by Reason of the not returning of such Office.

Escheators not duly returning Offices shall pay Damages to the King.

And that the Chancellor of *England* do call to him the Treasurer of *England* in letting such Fermes, for making due Execution of the said Statute made the said Eighth Year.

The Treasurer shall join the Chancellor in Execution of Stat.

ITEM ordeigne est, par lautorité desuisdit, qe en cas qe aucun eschetour preigne aucun office devaunt luy, et ne retourne mesme l'office en la chauncerie ou leschequyr du Roy deins le moys apres la prise dicell, qil, outre la peyne de [xl. li.] les queux il ad forfait par lestatut fait lan du reigne nostre dit Seigneur le Roy oepisme, soit tenuz a paier a mesme nostre Seigneur le Roy a taunt come il est endamage a cause de non retourne de tiel office:

8 H. 6. c. 16.

Et qe le Chaunceller d'Engleterre appelle a luy le Tresorer d'Engleterre en lessant tieux fermes pur due execution faire de dit estatut fait le dit an oepisme.

¹ So *Rot. Parl.* and *Pynson* read; but the Penalty for this Neglect, in Stat. 8 H. 6. c. 16. is only 20 l. yet see Stat. 1 H. 8. c. 8.

C A P. VIII.

For the further Regulation of Safe Conduits.

ALSO, Whereas many People of the Commons aforesaid, Owners of Ships and Vessels of the King's Realm, the Masters and Mariners of such Ships, Takers of the Ships and Vessels of *Spain*, and of other Parties, Adversaries and Enemies to our said Lord the King, by the Suit of Merchants Aliens of the King's Amity, made before the King and his Council, and sometimes before the Chancellor of *England*, have been greatly vexed, and be daily, for that the said Takers did take their Goods and Merchandises laden in the said Ships and Vessels of *Spain* and other Parts, Enemies aforesaid, and sometime by false Witnesses, Marks, and Letters Testimonials contrived, they be restored to the said Goods and Merchandises with their Damages and Expences; to the great and grievous Loss of the said Owners, Masters, and Mariners, Takers aforesaid, and Discouragement to the King's liege People to make such Ships and Vessels, and in Annihilation of the Navy of the Realm aforesaid; our said Lord the King, considering the

[See further Stats.
31 H. 6. c. 6,
14 E. 4. c. 4.]

Alien Merchants
may lade Ships
of Enemies
under the King's
Letters of Safe
Condukt.

See Stat.

15 H. 6. c. 3.

Captures from
Ships not having
Safe Condukt
on board or
enrolled in
Chancery valid.

[See also Stat.

20 H. 6. c. 1.]

See Stat.

2 H. 5. c. 6.

14 H. 6. c. 7.

Commencement
of Act; and
Proclamation
thereof.

matter aforesaid, and how the Goods and Merchandises of the King's liege People in like case laden and taken be forfeit to the King, hath ordained and granted by the Authority aforesaid, That the said Merchants Aliens, at their Pleasure, may lade such Ships and Vessels of *Spain*, and of other Parts, Adversaries and Enemies of the King; if the Masters, Owners, or Merchants of such Vessels and Ships have the King's Letters Patents of his Safe Condukt, Surety, or Safeguard for such Ships or Vessels, and Merchandises, making Mention of the Name of the Ships or Vessels, and of the Name of the Master of such Ships and Vessels, as the Manner is: And if any such Ships or Vessels, laden with any Merchandises of such Merchants aforesaid, be taken upon the Sea by the King's liege People, not having the King's Letters Patents, as afore is said, on board of such Ships or Vessels, at the Day of the Taking, and no such Letters Patents, at the Day of the Taking, be in the King's Chancery enrolled of Record, that then the Takers and Owners may, the Goods and Merchandises so taken, enjoy and hold; any Statute or Ordinance made to the contrary notwithstanding.

And that this Statute and Ordinance shall begin to have its Force at the Feast of St. *Michael* next coming; and that Proclamation be thereof made upon the Sea Coasts incontinently after this Ordinance, to the Intent that the said Merchants Aliens may have Knowledge of the same Ordinance.

ITEM come plusieurs gentz des communes suisditz, possesseurs de nefs et vesseaux du Roialme nostre souveraine Seigneur, les maistres et mariners de tielx nefs et vesseaux parnours des nefs et vesseaux de *Spayne*, et dautres parties adversaries et enemys au dit nostre souveraine Seigneur, par le suyte des merchauntz aliens del amite du nostre Roy, fait devant le Roy et son counsaill, et ascun soitz devant le Chaunceller dEngleterre, ount este grandement vexez et sont de jour en autre, de ceo qe les ditz parnours pristeront leur biens et merchaundises, chargez en mesmes les nefs et vesseaux de *Spayne* et autres parties enemys suisditz, et ascun soitz, par faux tesmoignes marques et lettres testimonialx contrevez, sont restorez as ditz biens et merchaundises ove leur damages et expenses; a grande et grevouise damage des ditz possesseurs maistres et mariners, parnours suisditz, discourge as lieges nostre dit Seigneur le Roy a faire nefs et vesseaulx, et en [ameusement¹] du navie du Roialme suisdit: Nostre dit Seigneur le Roy considerant la matier suisdit, et coment les biens et merchaundises des lieges du Roy en semble cas chargez et preiez sont forfaitz au Roy, ad ordeignez et grauntez par lauctorite desuisdit qe des dit merchauntz aliens, a leur volunte, purront charger tieulx nefs et vesseaulx de *Spayne*, et dautres parties adversaries et enemys du Roy; si les maistres possesseurs ou merchauntz de tielx vesseaulx et nefs eient les lettres patentes du Roy de son sauf-conduit suerte ou saugarde pur tielx nefs vesseaulx et merchaundise, faisant mention du noun de nefs ou vesseaulx et de noun de mestre dicelles nefs et vesseaulx si come le manere est; (²) si ascuns tielx nefs ou vesseaulx, chargez ove ascunes merchaundises de tielx merchauntz avaunt ditz, soient preiez sur meer par lieges du Roy,

¹ anientissement, *Rot. Parl.*

² et, *Rot. Parl. P.*

non eiant les lettres patentz du Roy, come avaut est dit, dedeins le bord de tielx nefs ou vesseaulx, a jour de la prise, ne que tielx lettres patentz, le jour de la prise, soient en la Chauncellerie du Roy enrollez de recorde, que adonques les parnours possesseurs les biens et merchaundises ensy prizez pourront enjoyer et tenir, ascun estatuit ou ordenaunce fait en la contrarie non obstant.

Et que cest estatuit et ordeinaunce soit commence a tenir sa force a la fest de Seint Michell prochain veignaut; et que proclamation en soit fait sur les costes de le meer, tost apres cest ordeinaunce, la entent que les ditz merchauntz aliens pourrout avoir conisaunce de mesme l'ordenaunce.

C A P. IX.

For confirming and amending Stat. 10 H. 6. c. 4. against false Entries of the Appearance of the Plaintiff in certain Suits.

ALSO, Whereas in a Statute expired, made in the Tenth Year of the Reign of our Lord the King that now is, it was contained, "That seeing divers of the King's liege People before this Time have been outlawed, vexed, and greatly disquieted in divers Suits, as well before the King himself in his Bench, as in the Common Bench, in the Records of which Suits the Entries have been made, that the Plaintiffs in the same Suits *Obtulerunt se in propria persona sua*, where such Plaintiffs in such Suits did not appear to such Suits, nor had any Knowledge of the same, to the great Mischief of the said liege People, if Remedy should not be provided in this Behalf: Our Lord the King, willing in this Case to provide a Remedy, did ordain, by Authority of the same Parliament holden the same Year, That no Fyliser, Exigenter, nor any other Officer, from the same Time should make any such Entry in any Suit, except that the same Plaintiff in the same Suit, before any such Entry should be made, did appear in his proper Person before some of the Justices of the Place where the Plea was or should be depending; and there should be sworn upon a Book, that he was the same Person in whose Name the said Suit was sued; or that some other credible Person of his Council should make such Oath for him: And that the said Ordinance should endure until the next Parliament following:" Our said Lord the King, considering moreover like Damages, which happen as well to him, as to his poor liege People and Subjects, for that in the Records of divers and many Outlawries, the Entry is, that the Parties do appear by their Attornies, where the Attornies have no Warrant of Record, by reason whereof the said Outlawries be reversible, and for the most Part reversed, hath ordained, by Authority of this Parliament, That the said Statute be affirmed, holden, and kept to endure for ever. And that no Officer contained in the said Statute shall do to the contrary of the same, upon Pain of Forfeiture of Forty Shillings to the King, every Time that he thereof shall be attainted, by due Examination made by any of the Justices of the same Court, before whom any Entry or Record is. And that every Attorrey which hath not his Warrant entered of Record in all his Suits wherein Process of *Capias* and *Exigent* be awardable, the same Term in which the *Exigent* is awarded, or before, and upon that he be attainted by like Examination, for every Time that he so offendeth he shall incur the Pain aforesaid.

K k 2

[See also Stats. 32 H. 8 c. 30. § 2. 18 Eliz. c. 14. § 3. and References there]

Recital of Stat. 10 H. 6. c. 4.

whereby it is enacted that no Entry of the Appearance of the Plaintiff in Person shall be made except on Oath.

The said Stat. 10 H. 6. c. 4. made perpetual. Penalty on Officers of Courts for Neglect 40s. Like Penalty on Attorneys not recording his Warrant (in Cases of Outlawry) the same Term the *Exigent* is awarded.

ITEM

ITEM come en un estatuit determine, fet lan de reigne nostre Seigneur le Roy qorest x^{me}, fust contenuz, 'Coment pur ceo qe divers lieges le Roy avancez heures ount este utlages verez et graundement disseiz en divers suytes, sibien devaunt le Roy mesme en son bank come en le commune Bank, en les recordes les queux suytes les entres ount este faitz qe le pleintifs en mesme le suytes *Optulerunt se in propria persona sua*, lou mesme les pleintifs en mesme les suytes nappareunt as tielx suytes, ne consuance avoient de cell; au graund mischief des ditz lieges si remedie ne serroit purveoir de cell partie; nostre Seignour le Roy voillant en ceo cas purveoir de remedie, ordeigna, par auctorite du parlement tenuz mesme lan, qe null philicer exigenter ne autre officer depuis mesme le temps serroit tiel entre en aucun suyte, sinon qe le pleintif en mesme le suyte, avaunt qe aucun tiel entre serroit fait, appa- rage en le propre persone devaunt aucun des justices de lieu lou le plee fust ou serroit pendant, et illoeqs serroit jure, sur un livre, qil fust mesme la persone en qe noun le dit suyte fust suye; ou qe autre creable persone de sone counsaill serroit tiel serment pur luy; Et qe le dit ordeinaunce dureroit tanqe al prochein parlement apres ceo: Nostre dit Seigneur le Roy, considerant outre ceo semblable damagez, le quel avient sibien a luy come a ses povre lieges et sub- jectz, pur ceo qe en les recordes des divers et plusieurs utlagaries lentre est qe les parties apparent par lour attourneys, lou les attour- neys nount garraunt de recorde, a cause de quel les ditz utlagariez sont reverlable, et pur le greindre partie reversez, ad ordeigne par auctorite dicest parlement qe le dit estatuit soit afferme tenuz et garde a durer a toutz jours. Et qe null officer contenuz en le dit estatut face le contrarie dicell sur peyne de forfere xl. s. a Roy chescun soit qe il est de ceo atteint, par due examination seet par aucun des justices de mesme le place, devaunt qe aucun entre ou recorde est. Et qe chescun attorney qe nad son garraunt entre de recorde, en toutz sez suytz en les queux proc' de *capias* et exigent est agardable, mesme le terme en le quel lexigent est agarde, ou devaunt, et sur ceo atteint par semblable examination, pur chescun soit qe il issint offense encouree la peyne avaunt dit.

[See Stat.
6 H. 6. c. 5.
and Notes there.]

C A P. X.

For granting Commissions of Sewers.

"**R**ECITAL of Stat. 6 H. 6. c. 5. Commissions of Sewers shall be granted for Ten Years, in the Form directed by that Statute; which the Commissioners shall have Power to execute."

[See Stat. 8 H. 6. c. 3.]

C A P. XI.

The Qualification for a Justice of Peace.

1E.3. ff. 2. c. 16.
18E.3. ff. 2. c. 2.
23R.2. ff. 1. c. 7.

ALSO, Whereas by the Statutes made in the Time of the King's noble Progenitors, it was ordained, That in every County of *England* Justices should be assigned of the most worthy of the same Counties, to keep the Peace, and to do other Things, as in the same Statutes fully is contained; which Statutes notwithstanding, now of late in many Counties of *England*, a greater Number have been deputed and assigned than before this Time

were not wont to be, whereof some be of small Substance, by whom the People will not be governed nor ruled, and some for their Necessity do great Extortion and Oppression upon the People, whereof great Inconveniencies be likely to arise daily if the King thereof do not provide Remedy :

“ None shall be appointed a Justice of Peace unless he have 20 *l.* a Year in Lands.—Penalty on unqualified Persons acting 20 *l.*—“ Exception as to Corporations, &c.”

[See new Stats. 5 Geo. 2. c. 18.; 18 Geo. 2. c. 20.; 1 Geo. 3. c. 13. and References there.]

ITEM come par les statutz, faitz en temps du nobles progenitours du Roy, ordeigne soit qe en chescun counte d'Engleterre soient assignez justitez de la plus vailount du mesmes les countees, pur garder la peas et autres choses affaire, come en mesmes estatutz pleinement est contenuz; les queux estatutz nient obstantz, en plusours countees d'Engleterre ore tarde ount este deputez et assignez plus grande noubre qe ne soleit avaunt cez heures, dount ascuns sount de petit avoir, par queux les gentz ne voillent estre gouvernez ne demesnez, et ascuns pur leur necessite sount grande extortion et oppression sur le people, dount graundez inconvenientz sount semblablez de surdier de jour en autre, si remedie ent par le Roy ne soit purveux.

C A P. XII.

Against False Appeals or Indictments.

ALSO, Whereas in the Parliament holden at *Westminster* the Second Day of *May*, the Ninth Year of the Reign of King *Henry* the Fifth, Father to the King that now is, amongst other Things it was ordained and established; For that many People by Malice, Envy, and Revenge, cause often the King's liege People to be appealed or indicted in divers Counties of Treasons or of Felonies, supposing by the said Appeals or Indictments, that the said Treasons and Felonies were done in a certain Place in such County where the Indictment is made, or such a Place as is or shall be declared by the said Appeals, where there is no such Place in the same County, that the Process of the same be void, and holden for none; and that the Indictors, Procurators, and Conspirators, be also punished by Imprisonment, Fine, and Ransom for the King's Advantage, by the Discretion of the Justices; and that the said Appellees or Indictedes may have Writs of Conspiracy against their Indictors, Procurators, and Conspirators, and shall recover their Damages: And that this Ordinance stand in his Force until the next Parliament to be holden after the Return of the said late King into *England*, from beyond the Sea: which Statute, by the Decease of the said late King, in the Opinion of some is expired, and in the Opinion of some, is not expired: Our said Lord the King that now is, considering that the said Ordinance was good and profitable for the Weal of him and his liege People, hath declared and ordained by Authority of this present Parliament, That the said Ordinance made in the said Ninth Year, and so by the Death of his said Father, as some think, expired, and not otherwise

Recital of Stat.
9 H. 5. c. 1. c. 3;

Whereby, in Cases of Indictment and Appeals falsely laid they were declared void, and a Writ of Conspiracy maintainable against the Indictors, &c.

The said recited Statute declared perpetual.

wife repealed, shall be and abide an effectual and available Statute and Ordinance in Law perpetually to endure.

ITEM come al parlement tenuz a Westm' al seconde jour de May, lan du regne du Roy Henry quint, pier au Roy qorest ix^{me}, entre autres ordeigne fust & establie, pur ceo qe plusieurs gentz par malice enmite & vengeance, facent sovent foytz des foialx lieges du Roy estre appelez ou enditees, en divers countees, des trefons ou des felonies, supposantz par les ditz appellees ou enditementz qe les ditz trefons & felonies furent faitz en un certain lieu en tiel countee ou lenditement est fait, ou tiel lieu come est ou serra declare par les ditz appellees, lou null tiel lieu est en mesme le countee, qe le processe dicell soient voidez & tenuz pur null; et qe les enditours procuratours & conspiratours soient auxint puniz par imprisonment fyn & ranseon pur avantage du Roy, par discretion des justices; et qe les ditz appellez ou enditees purront aver briefs de conspiracie vers lour enditours procuratours & conspiratours, & recoverer lour damages; Et qe cest ordenaunce estoise en sa force tanqe a prochein parlement a tenir puis la revenue le dit nadgairs Roy en Engleterre de pardela: le quel estatuit par le trespassement du dit nadgairs Roy, par oppinion des ascuns est expire & par oppinion de ascuns nient expire: Mesme nostre Seignur le Roy qorest considerant qe la dit ordenaunce fust bon & profitable pur le bien de luy & sez lieges, ad declare & ordeigne par auctorite dicest present parlement, qe la dit ordenaunce fait le dit an ix^{me} & ensy par la mort de son dit pier, come ascuns entendent, expire, & nient autrement repelle, soit & demurge effectuell & availlable estatuit & ordenaunce en ley perpetuelment a durer.

C A P. XIII.

For confirming the Statute 9 *Hen. 5. c. 2.* concerning Forfeitures on Outlawries in the County of *Lancaster*.

“ **A**FTER Recital of Stat. 9 *H. 5. c. 2.* at Length, and that by
“ the Death of K. *Hen. V.* it had remained doubtful whether
“ the said Statute was in Force; It is enacted, that the said Sta-
“ tute shall be and remain as an effectual and available Statute and
“ Ordinance in Law, to endure till the next Parliament, and
“ thence for ever unless then altered or repealed.”

[See Stat. 20 *H. 6. c. 2.*]

C A P. XIV.

The Penalty for taking Bribes for the arraying of a Jury.

ALSO, forasmuch as great Perjuries do daily abound within the Realm of *England*, more than were wont to be in Times past, by Occasion of favourable Arrays and Panels made by Sheriffs and Undersheriffs, which have Power to make or array such Arrays or Panels for great Gifts and Rewards that they take for the same; whereby divers of the King's liege People be disherited and hindered, and others put to great Loss of their Goods and Chattels, and some to great Peril of their Lives, against Right, good Faith, and

and Conscience: the King considering the Premises, and also willing to avoid such Perjuries, hath ordained and granted by the Authority aforesaid, That if any Sheriff, Underheriff, or other, which have Power to make and array such Arrays and Panels, do take by himself or by any other to his Use, any Hire, Gift, or Reward to make or array such Arrays and Panels, that he which feeleth himself grieved in this Behalf, shall have his Suit by Writ or by Bill against the Sheriff, Underheriff or others which make such Arrays or Panels, before the Justices where the said Arrays and Panels shall be returned, to recover Ten Times as much as they shall receive for making such Arrays or Panels. And the said Justices shall have Power by the Authority aforesaid, to hear and determine such Suits, as well by Examination of the Defendants in these Suits, as by Trial of Inquests thereof to be taken, and to give Judgment for the said Plaintiffs, against the said Defendants, and every of them which so shall be found guilty, and thereupon to award Execution: and in every such Suit by Writ, such Process shall be awarded as should be awarded in a Writ of Trespass done against the King's Peace. Provided, That every Suit which shall be taken against the Sheriffs, Underheriffs, or other, which shall make or array such Arrays or Panels, be taken in the same Counties where they shall be Sheriffs, Underheriffs or Officers, at the Time of such Panels or Arrays to be made or arrayed.

Sheriffs, &c.
taking Bribes to
array any Jury,
&c. shall forfeit
Ten Times as
much to the
Party grieved.

And that this Ordinance shall begin to hold Place at the Feast of *Easter* next coming, and shall endure till the next Parliament; and if at the next Parliament it shall seem to the King and to the Lords, which then shall be in the same Parliament, that this Ordinance is good for the Weal of the King and of his Realm, then this Ordinance shall endure for ever; saving always to every Person his Liberty and Franchise.

Continuance of
the Act.

ITEM come les grandes perjuries de jour en autre haboundent deinz le Roialme d'Engleterre, pluis qe ne soloient en temps passe, a cause des favourables arraiez et panelx, fait par viscount futhviscountz et autres qi ount poer affaire ou arraier tielx arraiez ou panelx, pur grandes dons et regarades qils preignout pur ycelles; parount divers des lieges du Roy sount disheritez et anientisez, et autres mys a grande perde de lour biens et chateux, et ascuns a grande peril de lour vies, encountre droit bon foye et conscience: Le Roy, considerant les premises et auxi voillant oustier tielx perjuries, ad ordeigne et graunte, par auctorite desuisdit, qe si ascun viscount futhviscount ou ascun autre, qi ad poer affaire et arraier tielx arraiez et panelx, preigne, par luy ou par ascun autre a son oeps, ascun lower don ou regarde pur faire ou arraier tielx arraiez et panelx, qe celluy qi foy sent greve en cell partie, eit sa fuyte par brief ou par bill, vers le viscount southviscount ou autres qi ferront tielx arraiez ou panelx, devaunt les Justices ou les ditz arraiez et panelx ferront retournes, de recoverer dys soitz a taunt qils rescieveront pur tielx arraiez ou panelx affaire. Et eient les ditz Justices poer, par auctorite suisdit, doier et terminer tielx fuytz sibien par examination des defendauntz en ycell fuytz, come par triel denquestes ent apprendre, et de doner juggement pur le les ditz pleintifs, envers les ditz defendauntz et chescun de eux, qi

ensy ferront trevez coupablez, et de ceo agarder execution; et en chescun tiel suyt par brief soit agarde tiel processe come serra agarde en brief de trespas fait encountre le peas du Roy. Purveu qe chescun suyt, qe serra pris envers viscountz suthviscountz ou autres qi ferroient ou arraieront tielx arraiez ou panelx, soit pris en mesmes les countees ou ils ferront viscountz suthviscountz ou officers a temps de tielx panelx ou arraiez affairs ou arraierz:

Et qe cest ordenaunce comencea tenir lieu al fest de Pasqe prochein avenir, et durera tanqe a prochein parlement et si a prochein (1) semblera au Roy et a les Seignurs qi adonques ferront en icell parlement cest ordenaunce destre bone ordenaunce pur le bien du Roy et de son Roialme adonques icell ordenaunce tendurera perpetuelment; savant tout temps a chescun persone sez liberte et fraunchise.

¹ parlement, Rot. P.

! C A P. XV.

For preventing the illegal Exportation of Wool

ALSO, the King understanding how divers Persons, by divers subtil Imaginations of Deceit, do carry, take, and bear away Wools and Woolfels out of this Realm, to other Places than to the Staple of *Calais*, in deceiving the King of his Customs and Subsidies, and to the Destruction of the said Staple of *Calais*: hath ordained by the Authority aforesaid, That no Manner of Person, of what Condition soever he be, shall carry, or cause to be carried any Wools or Woolfels customable out of this Realm, to other Places than to the Staple of *Calais*, without the King's special Licence, upon Pain of Felony: And if any Person from henceforth do contrary to this Ordinance, and thereof be convict or attainted, that he be adjudged to a Felon; and that as well Commissioners to be assigned as the Justices, in every County where such Wools and Woolfels shall be so carried out, shall have Power and Authority by the same Ordinance to inquire of the Premises, and them to hear and determine. Provided always that the Wools, which pass the Streights of *Marrock*, shall be in no wise comprised within this Ordinance.

ITEM le Roy, entendant coment diversez persons, per diversez foteils imaginations de disceit, carient amesnent et emportent lains et pealz lanuz hors de cest Roialme, as aultres lieux qe al estaple de *Caleys*, en disceyvant le Roy de sez custumes et subsidies, et en destruction del dit estaple de *Caleys*; ad ordeigne, par lauctorite deusuidit, qe null persone de quel condition qil soit ne carie ou face carier aucuns lains ou pealz lanuz cultumables, hors de cest Roialme as aultres lieux qe al estaple de *Caleys* saunz especial licence du Roy sur peyne de felonie: Et si ascun persone desore enavaunt face a contrarie de cest ordenaunce et ent soit co. victe ou atteint qil soit ajuge pur felon; et qe sibien commissioners assignerz, come les justicez en chescun countee ou tiels lains pealz lanuz soient issint hors cariez, eient power et auctorite par mesme lordenaunce denquerer de les premisses et eux oier et terminer. Purveu toutz soit qe les laines qe passent les streites de *Marrock* ne soient acunement comprisez deinz cest ordenaunce.

CAP.

*This Statute is
not expired.
See 3 Inf., 96.*

Penalty of
Felony on ex-
porting Wool,
except to *Calais*,
or beyond the
Straits of
Morocco;
[*Gibraltar*.]

C A P. XVI.

For regulating the Measure of Woollen Cloth.

“**T**HERE shall be but One Measure of Woollen Cloth through the Realm by the Yard and the Inch, and not by the Yard and the Handful, according to the *London Measure*.—The Dozen Yards of watered Cloth shall measure Twelve Yards and Twelve Inches, and of dry Cloth not watered Fourteen Yards and Fourteen Inches.”

[To continue only till the next Parliament.]

C A P. XVII.

Vessels of Wine, Oyl, and Honey, shall be gauged.

ALSO, Because all the Tuns, Pipes, Tertians and Hogsheds of Wine, Oyl, and Honey, vendible within the Realm of *England*, ought and were wont according to the antient Assise of the same Realm, to contain One certain Measure, that is to say, every Tun Twelve-score and Twelve Gallons, every Pipe Six-score and Six Gallons, every Tertian Four-score and Four Gallons, and every Hoghead Three-score and Three Gallons; and by divers Statutes it hath been ordained, That the Tuns and Pipes of Wine shall be gauged; but for the Gauging of Tuns, and Pipes of Oyl and Honey, or of Tertians and Hogsheds of Wine, no Ordinance hath been made in certain before this Time, to the great Damage of the King and of his People: The King willing against this Damage to provide a Remedy in this Behalf, hath granted and ordained by the Authority aforesaid, That from henceforth all Manner of Tuns, Pipes, Tertians, and Hogsheds, as well of Wine as of Oyl and Honey, to be sold within the said Realm, shall be well and lawfully gauged by the King's Gauger, or by his Deputy, before they be sold, upon Pain to forfeit to the King all the Wine, Oyl, and Honey, to the contrary sold, or the Value of the same. And in case that any Person, of what Country soever he be, from henceforth sell to any of the King's liege People, for any Price in certain, any Tun, Pipe, Tertian or Hoghead of Wine, Oyl, and Honey, which wanteth in any wise of the Assise and Measure aforesaid, that he allow and abate of the same Price to the Buyer of such Wine, Oyl, and Honey, so much as such Default after the Rate shall amount unto; upon Pain to forfeit to the King the Value of all the Wine, Oyl, and Honey to the contrary sold; any privy Covenant made or to be made betwixt the Seller and the Buyer contrary to this Ordinance notwithstanding. And every Person that espieth any of the Forfeitures aforesaid, and thereof doth inform the Treasurer of *England*, or the Barons of the Exchequer, shall have the Half of the same Forfeitures for his Labour.

Provided always, That the said Gauger take and have for his Labour about the gauging of every Tun and Pipe of Oyl and Honey, as he taketh and hath of every Tun and Pipe of Wine; and for every Tertian and Hoghead in Proportion.

[See also Stat.
28 H. 8. c. 14.
particularly § 5.
and Stat.
2 R. 3. c. 13.]

See Stat. 27 E. 3.
§. 1. c. 8.;
31 E. 3. §. 1.
c. 5.; 4 R. 2.
c. 1.

All Vessels of
Wine, Oil, and
Honey shall be
gauged.

Abatement shall
be made by the
Seller of the
Price for the
Quantity
wanting, on
Pain of
Forfeiture.

The Gauger's
Fee for gauging
of a Tun or Pipe
of Honey or Oil.
[See also Stat.
23 H. 6. c. 16.]

ITEM pur ceo qe toutz les tonels pipes tertians et hoggeshedes de vin oyle et mele, vendables deins le Roialme dEngleterre, doient et soloient solonc launcien assise de mesme le Roialme, contenir un certain mesure cestassavoir chescun tonell xij^{xx}. xij. galons chescun pipe vj^{xx}. vj. galons chescun tertiane iiij^{xx}. iiij. galons chescun hoggeshed ij^{xx}. iiij. galons; et par divers estatutz soit ordeigne qe les tonels et pipes de vin soient gaugez, mais pur le gauger de tonels et pipes de oyle et mele, ne de tertians et hoggeshedes de vin null ordenaunce de certain estoit fait devant cez heures, au grande damage du Roy et du son people: Le Roy, voillant, encountre cest damage purvoir de remedic, en cest partie, ad graunte et ordeigne par auctorite desuiddit, qe desore enavaunt toutz maners tonels pipes tertians et hoggeshedes tant de vin come de oyle [et mele] a vendre deins le dit Roialme soient bien et loialment gaugez, par le gaugeour du Roy, ou par son depute, devaunt qe ils soient venduz; sur peyne de forfaire au Roy tout le vin oyle et mele en contrarie venduz ou la value dicell. Et en cas qe ascun persone de quelque pais qil soit desore enavaunt vende a ascun liege du Roy, pur ascun price en certain, ascun tonell pipe tertian ou hoggeshed de vin oyle ou mele, qe defaille ascunement del. assise et mesure avaunt dit, qil alowe et rebate de mesme la price a lachatur de tiel vin oyle et mele, a taunt come tiel default par la rate amontera; sur peyne de forfaire au Roy le value de tout le vin oyle et mele au contraire venduz; ascun prive covenant fait ou affaire entre le vendour et lachatur au contraire de cest ordenaunce non obstant. Et eit chescun qi espie ascun des forfaitures avaunt ditz, et ent enforme le Tresorer dEngleterre ou les Barons del Eschequer, le moite de mesme les forfaitures pur son travail.

Purvenx toutz soit qe le dit gaugeour preigne et eit pur son labour entour le gaugeur de chescun tonell et pipe de oyle et mele, sicome il prent et ad de chescun tonell et pipe de vin; et pur chescun tertiane et hoggeshed solonc lasserant.

¹ P. and former Translations omit in this Place.

C A P. XVIII.

For Punishment of Captains detaining any Part of their Soldiers Wages.

“**C**APTAINS receiving Wages for their Soldiers shall not make any Abatement thereof, except for their Clothing, viz. if they be waged for Half a Year, Ten Shillings for a Gown for a Gentleman, and Six Shillings and Eight-pence for a Yeoman; Penalty Twenty Pounds for every Spearman, and Ten Pounds for every Bowman.”

[See the English Petition in printed Rot. Parl. 18 H. 6. nu. 62.]

C A P. XIX.

For Punishment of Soldiers not going with, or departing from, their Captains without Licence.

ALSO, Whereas divers and many Soldiers before this Time, which have taken Parcel or half their Wages of their Captains, and so have mustered and been entered of Record the King's Soldiers before his Commissioners, for such Terms for which their Masters

[See also Stats. 7 H. 7. c. 1. ; 2, 3 E. 6. c. 2. and R. firrines shert.]

Masters have indented, have sometime presently after their Muster, and the Receipt of Part or of the Whole of their Wages, departed and gone where they would, and have not passed the Sea with their said Captains; and some passed the Sea, and long within their Terms departed from their Captains and the King's Service, without Licence appearing to them granted by their said Captains; whereof hath grown so great Damage to the King and to his Realm, and so many Inconveniencies, which cannot easily be expressed, as of long Time Experience hath shewed; and the which Soldiers so doing, as much as in them was, [decayed¹] the Honour and Reverence of the King, and have been many great Cauſers of the Losses which have ensued in his Lands and Seignories beyond the Sea, and [the Adventure²] also of the Persons of the Lords and Captains which did conduct them: The said King considering the Premises, and willing against such Inconveniencies and Damages to provide a Remedy, hath ordained by the Authority aforesaid, That every Man so mustering and receiving the King's Wages, which departeth from his Captain within his Term, in any Manner aforesaid, (except that notorious Sickness or Impediment by the Visitation of God, which may reasonably be known, suffer him not to go; and which he shall certify presently to his Captain, and shall repay his Money, so that he may provide him for another Soldier in his Place,) shall be punished as a Felon; and that the Justices of Peace shall have Power to inquire thereof, and to hear and determine the same. And likewise hath ordained by the same Authority, That no Soldier, Man of Arms, or Archer, so mustered of Record, and going with his Captain beyond Sea, shall return hither into *England* within the Term for which his Captain [hath retained him;³] nor leave his Captain there in the King's Service, and in Adventure of the War, except that he hath reasonable Cause shewed by his Captain, and by him to the chief in the Country having [Royal Power,⁴] and thereupon shall have Licence of the said [Captain⁵,] witnessed under his Seal, and the Cause of his Licence. And who that so doth muster of Record, and come without Letters Testimonials of the [Captain⁵] (as afore is said) within his Term, on this Side the Sea, that the Mayors, Bailiffs, and other the King's Ministers, at what Port or Place he or they shall arrive, shall have Authority to put them in Arrest, and them there to keep until it be of them inquired; and if it be found by Inquiry before Justices of Peace, and proved that they have so mustered of Record, and departed from their Captains aforesaid, without Licence, as afore is said, that then they shall be punished as Felons.

If a Soldier leave his Captain without Licence, he shall be guilty of Felony.

Chief Officers of Ports, &c. shall arrest Soldiers returning from beyond the Sea, and detain them until the Cause of their Return be tried. [Extended to Mariners and Gunners.

5 El. c. 5. § 27.]

¹ jeoparded (i. e. hazarded) Rot. Parl.

² shall indent for, Rot. Parl.

³ Chifteyne, Rot. Parl.

⁴ the jeopard, Rot. Parl.

⁵ the King's Power, Rot. Parl.

ITEM pur ceo qe diverses et plusieurs foldeours devaunt cest temps, les queux ont prizez leur gages parcell ou dimi de leur capitains, et issint ont monstrez et entreez de recorde lez foldeours du Roy devaunt sez commissioners, pur tielx termes pur quels leur maistres ont endentez, ont ascun temps maintenant apres leur monstre, et la receipt de leur gages partie ou tout, departez et alez lou

lou ils voillent et nount my passez le meer ove lour ditz capitains ; et ascuns passez le meer, et longement deinz lour termes departez a lour capitains et a le service du Roy, saunce licence apparent grauntez a eux par lour ditz capitains ; dount ad crewe sy grande damage au Roy et a son Roialme, et si pluisours inconveniements qe ne poient legierment estre expressez, sicome de longe temps la experience ad monstre ; et les queles soldeours issint faisantz, en taunt come en eux fust, anienteront lonour et la reverence du Roy, et ount estez pluisours grandes causeours des damages qe ount cheiez en sez terres et Seignuries de pardela, et laventure auxint de les persones de les Seignurs et capitains qi eux conduciroint : Mesme le Roy consideraunt les premisses, et voillant encounter tielx inconveniencies et damages purvoir de remedię, ad ordeigne par lauctorite suifdit qe chescun homme issint monstrant et receyvant les gages le Roy, le quel departe a son capitain deins son terme, en ascun manere avaunt dit, (ovesqe ceo qe notoire maladie ou impediment par la visitation de Dieu, le quel poet estre conuz, raisonable, ne luy lessuet, et le quel il certifie maintenant a son capitain et repaie sa money, sicome il poet purvoir luy pur un autre soldour en son lieu,) soit punyshe come un felon ; et qe les justices de la peas eient poair denquerrer de ceo et doier et terminer en icell. Et semblablement ad ordeigne, par mesme lauctorite, qe null soldour home darmes ne archer, issint monstrez de recorde et alant ovesqe son capitain de pardela, reveigne ycy en Engleterre deins le terme pur qi son capitain endentera ; ne lessa son capitaigne la en le service du Roy, et en aventure de la guerre, saunz ceo qil eit cause raisonable monstre par son capitain et par luy a le chief en le pays eiant le poair roial, et sur ceo eit licence de la dit chifteyne tesmoigne desoubz son seal et la cause de sa licence. Et qi issint monstre de recorde, et veigne saunz lettres testimonialx de le chifteyn, come desuifdit, deins son terme, de pardececa, qe les mairs baillifs et autres ministres du Roy de quel port ou lieu en qi il ou ils arrivount, eient auctorite de eux mettre en arest et de eux la garder tanque de eux soit enquiz ; et sil poet estre trove par enquerre devaunt justices de la peas et procevez qils ount issint monstrez de recorde et departiez a lour capitains desuifditz saunz licence come est desuifdit, qe adonques ils soient puniz come felons.

Anno vicesimo HENRICI VI.

*In the Parliament held at Westminster on the Conversion
of Saint Paul (25th January), A.D. 1441-2.*

*From the Copy given by Hawkins, Cay, &c. as "Ex Rot.
in Turr. Lond." compared with printed Rot. Parl. Pynson, &c.*

*The several Chapters of the Statute are founded on the following
Articles in printed Rot. Parl. v. p. 35, &c.*

Chap. of Stat.	Numb. in Roll.	
1,	—	18
2,	—	19
3,	—	20
4,	—	21
5,	—	22 (1)
6,	—	23
7,	—	24
8,	—	25
9,	—	28
10,	—	31 (1)
11,	—	37
12,	—	38 (1)

*On Petitions
of the Commons.*

In English.

*Besides the above, and also several Articles for the Confirmation of existing Statutes, See further
Printed Rot. Parl. v.*

- Page. No. } Grant of a Fifteenth and Tenth.
- 37, 5, }
- 38, 6, Grant of a Subsidy of Fifty-three Shillings and Fourpence per Sack of Wool, &c. exported by Aliens, and Thirty-three Shillings and Fourpence by Denizens, for Two Years.
- 7, Grant of a Subsidy, payable by Aliens, Sixteen Pence and Sixpence per Head; as in 18 H. 6.
- 39, 8, Grant of a Subsidy of Tonnage, Three Shillings; and Three Shillings additional of Aliens (on Sweet Wines); and Poundage Twelve Pence; for Two Years.
- 9, For securing Payment of Money advanced on the Credit of the Customs, &c.
- 40, 11, For Protection of John Lord Talbot in certain Suits.
- 41, 12, For John Lord Scrope. Recital of the Act 3 H. 6. and the Proviso annexed thereto by the Advice of the Lords and the King's Serjeants. (See sub An. 3 H. 6.)

Printed Rot. Parl. v.

Page. No. } 3 H. 6. nu. 32.)

41, 12, }
(continued)

"whereby it appeareth openly that the said Clause of Purveu [Proviso] was made without Knowledge or Assent of your said Commons, and against the Statute in such Case made in Time of the said King your noble Father, of the which Statute a Copy is annexed to this Bill." The Statute alluded to, as annexed to the Bill, does not, however, appear in printed Rot. Parl. in this Place. [But see printed Rot. Parl. 1 H. 4. nu. 79. 2 H. 4. nu. 21. 7 H. 4. nu. 65. under those Years respectively.] It is enacted, that the Title of the said John Lord Scrope shall not be affected by the said Proviso.

- 43, 13, For the Abbot of the Monastery of our Lady of the Vale Royal, in the County of Cheshir, respecting certain Suits against him.
- 14, For rebuilding a Bridge called Turnbridge in the Parish of Snayth, in Yorkshire, over the Dike there.
- 44, 15, For William Bedford, respecting the seizing of the Scotch Ship Christopher of Aberdeen.
- 45, 16, For enabling William ap Gwilym ap Gruffz to hold Offices. (See 18 H. 6. nu. 29.)
- 45, 17, For confirming and enlarging certain Letters Patent 11th October and 25th March 19 H. 6. for the Foundation of "the King's College of our Lady of Eton beside Windsor."

On Petitions of the Commons.

- 56, 29, For the Feoffees of King Henry V. respecting the Execution of his Will.
- 59, 30, For providing Eight great Ships for Defence of the Sea, with their Boats, Men, Victualling, &c.
- 63, 36, For the Reformation of the King's Household.
- 64, 38, For regulating the Staple at Calais.
- 39, For suspending the Privileges of the Merchants of Prussia and the Hans, in consequence of certain Restrictions on English Merchants abroad.

OUR Lord the King, at his Parliament holden at Westminster, the Day of the Conversion of St. Paul, the Five and twentieth Day of January, the Twentieth Year of his Reign, to the Honour of God, and for the Weal of him and of his Realm, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Request of the Commons in the same Parliament assembled, hath caused to be ordained and established divers Statutes and Ordinances in Form following.

NOSTRE Seignur le Roy, a son Parlement tenuz a Westm' le jour de Conversion de Sainte Paule, le xxv. jour de Januar' lan de son regne xx. a lonour de Dieu et pur le bien de luy et son roialme, de ladvis et assent des Seignurs espirituelx et temporelx, et a la especial request des communes en mesme le parlement assembleez, ad fait ordeigner et estableir diversez estatuitz et ordinaunces en la fourme genluit.

C A P. I.

All Letters of Safe Conduet shall be inrolled in Chancery.

[*See ante Stat. 15 H. 6. c. 3. 18 H. 6. c. 8. and further 31 H. 6. c. 4. 14 E. 4. c. 4.*]

FIRST; Whereas poor Merchants of this Realm be daily robbed by the King's Enemies, upon the Sea, and in divers Rivers and Ports within the said Realm, of their Ships, and Goods, and Merchandises, of great Riches, and their Bodies taken and imprisoned with great Durels, and put to great Fines and Ransoms; and the King's poor Subjects dwelling nigh the Sea Coasts, out of their own Houles, with their Chattels and Infants upon Land taken, and carried by the said Enemies where it please them; which Mischiefs come by reason that the said Merchants be discouraged with Force and Puissance of Ships, and of People defensible, to guard the Sea and the Coasts of the same, for that the Ships, Goods, and Merchandises by them taken from the said King's Enemies, be sometimes claimed by the King's Enemies, by Colour of Safe Conduets not duly purchased, nor enrolled of Record, so that the King's Subjects may have Notice of them; and sometimes be claimed by Merchants Strangers of the King's Amity, to be belonging to them, by Colour of false Testimonials of their Country, and by Marks, Letters, and Charter Parties by them counterfeited, and by such Proofs upon such Claims be restored to the said Goods and Merchandises very often taken in Ships and Vessels belonging to the King's Enemies, and the said King's Subjects put to great Vexation, and Loss of their own Goods; whereby the said King's Enemies be greatly enriched, and their Navy strongly increased, and the Navy and Merchandise of the said Realm of our Lord the King greatly diminished; and such Damages and Inconveniencies daily be likely to increase and come to the said Realm of our said Lord the King, if speedy Remedy in this Case be not provided: Our said Lord the King considering the Premises, and that if People of the King's Amity be feared and discouraged to freight the Ships and Vessels of the King's Enemies and Adversaries, their Navy in Time to come will be decreased and diminished, and the Navy of the King's Subjects and Friends increased and enlarged; by the Advice and Assent aforesaid, and at the special Request of the said Commons, to eschew the Mischiefs aforesaid, hath ordained by Authority of the said Parliament, That all Letters of Safe Conduet to be granted to the King's Enemies and Adversaries, or any other People whatsoever, shall be inrolled in the King's Chancery of Record, before that such Letters shall be in any wise delivered to them to whom the said Letters shall be granted; and that all such Letters of Safe Conduet hereafter to be granted not inrolled of

Mischiefs
arising from the
Non-inrollment
of Letters of
Safe Conduet,
&c.

[*See 14 H. 6. c. 7.*]

All Letters of
Safe Conduet
shall be inrolled
in Chancery
before they are
delivered to
the Parties, or
otherwise they
shall be void.

Record

[See Stat.
18 H. 6. c. 8.]

Record in the said Chancery, before the Delivery to them to be made in Manner as is said, shall be void, and of no Force nor Effect.

Prizes of Goods
or Merchandizes
taken from the
King's Enemies
not having Let-
ters of Safe
Conduet inrol-
led, shall be
good.

And moreover, if hereafter any Goods or Merchandises be taken by the said Subjects of our Lord the King upon the Sea, or the Coasts of the same, laden in any Ship or other Vessel, which is belonging to the Enemies or Adversaries of our Lord the King, for the Time being, not having sufficient Letters of Safe Conduet inrolled in Form aforesaid, that they which shall so take such Goods and Merchandises shall them enjoy without any Restitution thereof to be made in any wise; to whatsoever Person the same Goods and Merchandises so taken, at the Time of the taking of the same, or before, were belonging.

If Letters of
Safe Conduet
are inrolled,
though not on
board, the Cap-
tors shall be
indemnified, on
Restitution, after
Notice of the
Inrollment.

Provided always, That if the said Subjects of our Lord the King, taking such Ships laden with Merchandises, not having and shewing such Letters of Safe Conduet within the said Ships at the Time of the said taking, do bring them by Force to a certain Port or Place within the said Realm, they shall not be endamaged in their Person nor Goods for such taking, if they be ready to make full Restitution of the said Ships and Merchandises, within reasonable Time, after that full Notice is given to them of sufficient Letters of Safe Conduet for the same Ships and Merchandises, inrolled in the said Chancery of Record before the taking of them.

Commencement
of Act.

Provided also, That this Ordinance shall begin to hold his Force at the Feast of St. *Michael* the Archangel next coming.

PRIMEREMENT; Come poverez merchantz dicest roialme de jour en autre sont disrobbedes par les enemys du Roy, sur le mer et deins (¹) mesme le roialme, de leurs niefs et biens et merchaundises de grande richesse, et leur corps prizez emprisonnez ove grande dureste, et myz a grande finauces et raunson; & les poverez lieges du Roy demurantz pres les costes du meer, hors de leurs propre meason ove leur chateux et ensauntz sur le terre prizez et ove les ditz enemys ou leur plest amefnez; queux meschies veignent pur ceo qe les ditz merchauntz sont discourgez ove force et puissans de niefs, et de gentz defensibles, de gardier le meer et les costes dicell, a cause qe les niefs biens et merchaundises par eux prises des ditz enemiz du Roy, sont aucun soitz clamez par les enemys du Roy par colour de saufconduets nient duement purchacez, ne de recorde enrollez, ensy qe les subgetz du Roy purrount aver notice de eux; et aucun soitz sont claymez par marchantz estrangez del amiste du Roy, destre a eux appurte-nauntz, par colour de tesmoignes meins verrois de leur nation, et par merches lettres et chartres parte par eux countrefaitz, et per tielx provez, sur tielx clames, sont restorez a mesmes les biens et merchaundises tressuvent soitz prizez en niefs et vesselx appurte-nauntz a les enemyes du Roy, et les ditz (²) enemyz du Roy graundement sont enrichez, et leur navie fortement encrece, et la navie et merchaundise du dit roialme nostre dit Seignur le Roy grevousment amenusez, et tielx damages et inconvenientisez de jour en autre sont verisemblable dencrecer et avenir a dit

¹ 'divers rivers et portes deins,' *Rot. Parl. P.*

² 'subgitez du Roy mys a grand vexation & perde de leur propre biens, p'ount les ditz' *Rot. Parl. P.*

roialme (3): Nostre dit Seignur le Roy, consideraunt les premisses et qe si gentz del amistee du Roy eient pavoire et discouragement d'affretter les niefs et vessels de les enemyes et adversaries du Roy, lour navie en temps avenir serra decreesse et amenuise, et la navie des subgitz et amyez du Roy encreesse et enlarge; del advys et assent desuidit, et a lespecial requeste des ditz communes, pur eschewer les myschies suidditz ad ordeigne par auctorite du dit parlement, qe toutz lettres de sauf conduit a grauntierz a les enemyes adversaries du Roy, ou autre gentz qeconques, soient enrollez en la chauncerie du Roy de recorde, avant qe tielx lettres serrount (4) grauntez; et qe toutz tielx lettres de saufconduit en apres a grauntiers, nient enrollez de recorde en la dit Chauncerie, avant le livre a eux affaire en la manere come est dit, soient voidez et de null force et effect.

Et enoutre si, en apres, ascuns biens ou merchandises soient prisez, par les ditz subgitz du Roy, sur le meer ou les costes dicell, chargez en aucun nief ou autre vessel qest appartenant a les enemyes ou adversaries du Roy, pur le temps esteauntz, nient eiantz lettres de saufconduitz suffisantz, en la fourme suiddit enrolles, de ceux qe mesmes les biens et merchandises ensy prenqueront les enjoyent, sanz aucun restitution ent affaire, en aucun manere; a qeconque persone mesmes les biens et merchandises ensy prisez, al temps del pris de yeux ou devaunt, furent appartenantz.

Purveu toutz soit qe si les ditz subgitz du Roy preignantz tielx niefs, chargez ove merchandises, nient eiantz et monstrantz tielx lettres de saufconduit deins mesmes les niefs al temps del dit pris, les amesnent par force a un certain port ou lieu deins le dit roialme, ne soient endamagez en lour person ne biens pur tielx pris, s'ils soient prestez a faire plain restitution des mesmes les niefs et merchandises, dedeins temps resonable apres ceo qe plain notice est fait a eux de lettres de saufconduit suffisantz, pur mesmes les niefs et merchandises, enrollez en la dit Chauncerie de recorde devaunt le pris de yeux.

Purveu auxi qe cest ordinaunce comence a tenir son force a le feste de seint Michell larchaungell prochain avenir.

3^e nostre dit Seignour le Roy si hastif remedie en ceo cas ne soit purveu:
Rot. Parl. P.

4^e en aucun manere delivrez as eux, a queux mesmes les lettres serrount:
Rot. Parl. P.

C A P. II.

Concerning Forfeitures on Outlawries in the County of
Lancaster.

[To continue for Seven Years: made perpetual by 31 H. 6. c. 6. but repealed by 33 H. 6. c. 2.—See the Recital in the latter Act for the Effect of this.]

C A P. III.

Concerning *Welshmen*.

“ **A**FTER Recital of Stat. 2 H. 4. c. 16. against the Violence
“ of *Welshmen*, and that the said Statute was insufficient,
“ and that it could not be put in Execution, by reason of the
“ Outrages practised by the *Welch*, it is enacted, That if any
Vol. II. L I “ Subj. &c.

“ Subjects, of the Counties of *Hereford, Gloucester, or Salop,* or
 “ their Goods or Chattels, be wrongfully taken in the said Coun-
 “ ties, by any *Welshmen*, and carried away into the Marches of
 “ *Wales*, all such Offenders shall be deemed guilty of High Treas-
 “ on, and proceeded against accordingly. The Act to continue
 “ for Six Years.”—[Continued by Stat. 27 H. 6. c. 4. till the then
 next Parliament.]

C A P. IV.

For regulating the Customs on the Exportation of Staple
 Merchandises.

“ **A**LL Wool, Woolseils, and Tin, exported by the King’s
 “ Licence to any Place other than the King’s Staple, shall
 “ pay such Customs and Duties as if exported by Aliens.”

C A P. V.

For preventing Officers of the Customs from being concerned
 in Merchandise.

Stat. of Stat.
 27 H. 6. c. 2.
 no com-
 Hostler
 be a Cust-
 Controller,
 or Searcher.

ALSO, whereas in the Parliament holden at *Westminster* the
 Eleventh Year of the Reign of King *Henry* the Fourth, it
 was ordained and established, That no Man that held a common
 Hoftry in any City or Borough of this Realm, should be Customer,
 Controller, [Weigher¹] nor Searcher; and that in order to eschew
 the Damages and Prejudices which thereof might grow, by the
 Favour that such common Hostlers might and would do to Mer-
 chants, and to others their Guests in their Offices: And now of
 late divers Customers, Controllers, and also Searchers, Controllers,
 and Surveyors of [Searchers,²] have divers Persons to be their
 Clerks, Deputies, and Ministers in their said Offices, of which
 Clerks, Deputies, and Ministers, some have Ships of their own,
 and some of them meddle with the Freighting of Ships, and also
 buy and sell divers Merchandises, and have and occupy to their
 own Use divers Wharfs and Keys, being by the Water’s Side,
 where common Discharge of divers Merchandises is had in divers
 Ports of this Realm, by the which as well great Deceit and Da-
 mage daily do grow to the King of his Customs and Subsidies, as
 a great Loss to Merchants repairing to the Ports where the said
 Clerks, Deputies, and Ministers, [do occupy the said Offices; of
 which Clerks, Deputies, and Ministers,³] also many hold Hoftries
 and Taverns, and also keep Wharfs, and they and their Servants
 be Factors and Attornies for Merchants, Denizens, and Aliens, by
 which great Damage and Loss daily doth grow to the King in
 his Customs and Subsidies, by the Favour which such Clerks,
 Deputies, and Ministers holding such Hoftries, Taverns, and
 Wharfs, do to Merchants and to others their Guests, in the said
 Offices, and greater Damage is like thereof to grow in Time to
 come, if speedy Remedy be not provided: Our said Lord the
 King, willing against such Damages and Losses to provide a Re-
 medy in this Behalf, hath ordained and established by the Authority
 aforesaid, That no Customer, nor Controller of the Custom, Clerks,
 Deputies, or Ministers, nor their Servants, or Factors, nor Searchers,

Customer
 Controller,
 Clerk,
 Deputy, or
 Minister in the

² Searchers, Rot. Parl.—see post.

Controllers or Surveyors of Searches, nor their Clerks, Deputies, Ministers, or Factors, shall have any Ships of their own; nor shall buy or sell by Way or by Colour of Merchandise; nor they shall not meddle with Freighting of Ships; nor have or occupy any such Wharfs or Quays; nor shall hold any Hostries or Taverns; nor shall be any Factors or Attornies for any Merchant, Denizen, or Alien; nor shall be Hosts to any Merchant Alien; upon the Pain of Forty Pounds, to be forfeit as often as they do the contrary; that is to say, the One Half to the King, and other Half to him that will sue in this Case against any such Person doing the contrary. This Ordinance to begin at the Feast of Saint *Michael* next coming.

Customs, shall have any Ship of their own, or be a Merchant; or be concerned in freighting Ships, or have any Wharf or Tavern; or be a Factor, or Host to an Alien.—
Penalty 40l.

ITEM come al parlement tenuz a Westm' lan de regne du Roi Henrie le quart xj. ordeine fust et establie qe null home qi tient commune hostrie en ascun citee ou burgh dicest roialme soit custumer countrollour ⁽¹⁾ ne sercheour, et ceo pur eschuer les damages et prejudices qi dent purront acrescier par le favour qe tielx communes hostlers purroient et voudroient faire as marchauntz et as autres lour hostes en lour offices: Et jatarde divers custumers countrollers et auxi sercheours countrollours et surveours des sercheours, ount divers hommes pur estre lour clerkes deutes et ministres en lour ditz offices, des queux clerkes deutes et ministres ascuns ount niefs de leurs propres, et ascuns eux intromettent del frette des niefs, auxint achatent et vendount diverses merchaundises, et ount et occupiount a lour propre oepe diverses wherves et keyes, esteantz par les ripes del ewe, lou commune discharge des merchaundise eit eue, en diverse portz dicest roialme; par qe sibien graunde deceit et damage journement acrescent au Roy de sez custume et subsidees, come graunde perde as marchauntz repirauntz a les portz ou les ditz clerks deutes et ministres [occupient les ditez offices des queux clerks deutes et ministres ²] auxi pluifsours teignent hostries et tavernes, et auxi gardent wharves, et eux et lour servitours sont factours et attournes pur marchauntz, deinsins et aliens; par qe grandes damages et perdes journement acrescent au Roy en sez custumes et subsidies, par le favour qe tielx clerks deutes et ministres, tielx hostries tavernes et wharves teygnauntz, facent as marchauntz et as autres leurs hostes, en les ditz offices; et plus greindre damages est sembleable dent acrescier en temps avenir si hastif remede ne soit purveu: Nostre dit Seignur le Roy, voillant encoutre tielx damages et perdes purvoier de remede en cest partie, ad ordeigne et establie, par l'auctorite suifdit, qe null custumer, ne countrollour de la custume, clerks deutes ou ministres, ne lour servauntz ou factours, ne sercheours countrollours ou surveours des serches, ne lour clerks deutes ministres ou factours, eient ascuns niefs de leur propres; ou achatent ou vendent par voie ou par colour de merchaundise; ne eux entremettent de frette de niefs; ou eient ou occupient ascuns tielx wherves ou keyes; ou teignent ascuns hostries ou tavernes; ou soient ascuns factours ou attournes pur ascun marchaunt [deniez ⁴] ou alien; ne soient hostes a ascun

¹ tronour, ff. 11 H. 4. c. 2.

² P. and former Translations omit.

⁴ deinzain, P.

marchaunt alien : sur le peine de xl li. destre forfait si sovent coment ils fount la contrarie, cestassavoir lune moite au Roy, et a celuy qe voet fuer en cest cas envers ascun tiel persone faisante contrarie lautre moite. Cest ordinaunce a commencer a le fest de seint Michell profschein avenir.

C A P. VI.

For regulating the Exportation of Corn.

“ **T**HE Statute of 15 H. 6. c. 2. respecting the Exportation of Corn recited at length, and revived and continued till the next Parliament, if one be held within Ten Years; or if no Parliament be so held, then for Ten Years from the *Lady-day* next after this Act.” [See Stat. 23 H. 6. c. 5.]

C A P. VII.

Concerning Importation and Exportation in *Wales*.

“ **I**F any import Merchandises into *Wales*, and after bring them into *England*, or ship Staple Merchandises for Exportation from *Wales*, without Custom paid, they shall be forfeited.”
[To continue till the next Parliament.]

C A P. VIII.

For regulating Purveyance.

“ **F**ORMER Statutes concerning Purveyors confirmed. If any Purveyor attempt to take or make Purveyance of any Thing of the Value of Forty Shillings, or under, without making ready Payment in Hand, the Subject may resist him in so doing; for which all Constables, Tithingmen, &c. shall give their Assistance; and none shall be prosecuted or hurt for such Resistance.—This Ordinance shall be proclaimed as directed by Stat. 1 H. 6. c. 2.—The Stat. 36 E. 3. c. 6. shall be duly put in Execution.”

C A P. IX.

Noble Ladies shall be tried by Peers.

Magna Carta,
c. 29.

ALSO whereas it is contained in the Great Charter, amongst other Things, in the Form which followeth: “No Freeman shall be taken or imprisoned, or disseised of his Freehold, or his Liberties, or free Customs, or shali be outlawed or banished, or in any wise destroyed, nor [We will¹] go upon him, nor send upon him, but by the lawful Judgement of his Peers, or by the Law of the Land.” In which Statute is no Mention made how Women, Ladies of great Estate, in respect of their Husbands, Peers of the Land, married or sole, that is to say, Dutcheffes, Countesses, or Baronesses, shall be put to answer, or before what Judges they shall be judged upon Indictments of Treasons or

¹ All Translations previous to Pult. 1618. omitted these Words; in other respects they agree in this Translation of Cap. 29. of *Magna Carta*, which is different from that adopted in Stat. 16 (or 17) Car. 1. c. 10.—See *Mag. Cart.* c. 29. and Note there.

Felonies by them done, by reason whereof there is a Doubt in the Law of *England*, before whom, and by whom such Ladies so indicted shall be put to answer, and be judged; Our said Lord the King, willing to put out such Ambiguities and Doubts, hath declared, by the Authority aforesaid, That such Ladies so indicted, or hereafter to be indicted, of any Treason or Felony by them done, or hereafter to be done, whether they be married or sole, that they thereof shall be brought to answer, and put to answer, and judged before such Judges and Peers of the Realm, as [other²] Peers of the Realm should be, if they were indicted or impeached of such Treasons or Felonies done, or hereafter to be done, and in like Manner and Form, and none otherwise.

ITEM come contenue soit en la Graunde Chartre entre autres en la fourme qensuyt : " Nullus liber homo capiatur aut imprisonetur aut dissiciatur de libero tenemento suo, aut libertatibus aut liberis consuetudinibus suis, aut utlagetur, aut exulet, aut aliquo modo destruat, nec super eum mittemus nec super eum ibimus nisi per legale iudicium parium suorum, vel per legem terre." En quele estatuit nest my mention fait coment femmes, dames de graunde estate, par cause de lour barons peres de la terre, covertez ou soulezes, cestassaver duchesses countesses ou baronesses, seront mys a responder, ou devaunt queux juges els ferront juggez sur enditementz de tresons ou felonies par eux faitz, a cause de quell il est une ambiguite et doute en la ley devaunt queux et par queux tielx dames issint enditez ferront mys a resprendre et estre adjudgez : Nostre dit Seigneur le Roy, voillant oustier tielx ambiguites et doutes ad declaree par lauctorite desuisdit, qe tielx dames issint enditez, ou en apres a enditerz, de alcun treson ou felonie par eux faitz, ou en apres affaires, coment qe eles soient covertes de baron ou soules qe eles ent soient mesnez en responce, et mys a resprendre, et adjudgez devaunt tielx jugges et peres de le roialme, sicome [autres²] peres de le roialme ferroient, fils fussent enditez ou empeschez de tielx tresons ou felonies faitz, ou en apres affaires; et en autiel maner et fourme, et en null autre.

² P. omits.

C A P. X.

For regulating the Worsted Weavers of *Norwich*.

[To continue for Three Years. See Stat. 7 E. 4. c. 2. and the References there.]

C A P. XI.

For amending the Statute 2 Hen. 5. ff. 1. c. 6. concerning Truces and Safe Conduicts.

RECITAL of Stat. 2 H. 5. ff. 1. c. 6. against Breakers of " Truce and Safe Conduict: and also of Stat. 14 H. 6. c. 8. suspending the same for Seven Years, which was nearly expiring.—No Subject, by force of the said Statute 2 H. 5. for " any Thing by him attempted, or done, or to be done hereafter " against the Form and Tenour of the said Statute, as to the " Pain of Treason therein, shall be in any Manner punished, " molested,

“molested, or grieved, nor incur any Penalty thereby otherwise than he would before the making of the said Statute, but that he, his Heirs and Successors, of all Pains and Forfeitures of Treason, because of the said Statute, against the King, his Heirs and Successors, shall be wholly quit and discharged.— This Ordinance to endure till the next Parliament.”

[See Stat. 14 E. 4. c. 4.]

C A P. XII.

For the better Disposall of Wools at the Staple at Calais.

“CERTAIN Regulations required to be made for the Sale of Wools at Calais, and for the Payment of a Third Part thereof in Bullion at the Mint of Calais to be coined there, are referred by the King to be settled by the Mayor and Company of the Staple at Calais; or on Failure in their so doing, the Regulations required shall be in force for Seven Years.”

Anno vicesimo tertio HENRICI VI.

In the Parliament held at Westminster on the 25th Day of February, A.D. 1444-5.

[Several Prorogations of this Parliament appear in printed Rot. Parl. nu. 10, 11, 12.—1st. On the Fifteenth Day of March, over Easter, to the 29th April (23 H. 6. A.D. 1445.) 2^d. On 5th June (the Plague then beginning) to 20th October (24 H. 6. A.D. 1445.) 3^d. On the Fifteenth Day of December, to 24th January 24 H. 6. A.D. 1445-6. The last Day of the Parliament was on April 9th, (24 H. 6. A.D. 1446.) See printed Rot. Parl. nu. 15.]

From the Copy given by Hawkins, Cay, &c. as from Cott. MS. Nero, C. 1, compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. v. p. 66.

Chapter of Statute. Number in Roll.

Cap. 1,	—	—	25*
2,	—	—	28
3,	—	—	30
4,	—	—	31*
5,	—	—	33*
6,	—	—	34
7,	—	—	35
8,	—	—	37
9,	—	—	39
10,	—	—	40
11,	—	—	43
12,	—	—	44
13,	—	—	47
14,	—	—	48*
15,	—	—	49
16,	—	—	50
17,	—	—	51

} On Petitions of the Commons.

* These are in French; all the rest are in English, as is the Answer
to No. 49.

Befides

Besides the foregoing, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. v.

Page. No. } For relieving the Merchants of Genoa from Skewage
68, 13. } (Scavage) in London.—This Act is complete in its Form, and is thus introduced on the Roll. “Item quidem Actus factus fuit in Parlamento predicto, per prefatum Dominum Regem, de Avisamento et Assensu Dominorum Spiritualium et Temporalium in eodem Parlamento existen^t pro mercatoribus Janue in hec Verba.” (See also nu. 24.)

14, Grant of a Fifteenth and Tenth, with certain Exceptions and Deductions.

69, 15, Further Grant of a Fifteenth and Tenth, and a Half Fifteenth and Half Tenth, with certain Deductions.

16, Grant of a Subsidy, viz. Fifty-three Shillings and Fourpence per Sack of Wool, &c. exported by Aliens, and Thirty-three Shillings and Fourpence by Denizens; Tonnage Three Shillings, and Three Shillings additional on Aliens; Poundage Twelve Pence; all for Four Years.

70, 17, For confirming several Grants of certain Lands of the Duchy of Lancaster to Trustees in Trust for the King.

73, 18, } Parliamentary Declaration of the Acquittal and Merits
74, 19, } of the Marquis and Earl of Suffolk. (And see Appendix to printed Rot. Parl. v. p. 447. nu. 34.)

20, For incorporating the Master and Brethren of the Hospital of St. Thomas (Becket) the Martyr, of Acres, in the City of London.

75, 21, For confirmation of several Grants to Eton College. (See 20 H. 6. nu. 17.)

87, 22, For confirming the Incorporation of the Provost and Scholars of the College Royal of our Lady and St. Nicholas (King's College) Cambridge; and also several Grants for the Endowment of the said College.

102, 24, Repeal of so much of the Act (9 H. 5. nu. 18.) as required the Assent of the Three Estates of the Realm to any future Peace between England and France. [This Act is complete in its Form, and introduced in a Manner similar to nu. 13.]

On Petitions of the Commons.

106, 32, For remedying the Collusion of a Debtor, who being a Clergyman, and in Execution on a Statute Staple, procured himself to be appealed of Felony, and confessing the same, had his Clergy allowed, and was removed to the Ordinary's Prison.—The Ordinary is directed to deliver up the Debtor, on Penalty of paying the Debt.—As to the Part of the Petition requiring a general Law on the Subject, “the King will be advised.”

Printed. Rot. Parl. v.

*Page. No. } For regulating the Coinage of Silver (the Pound to be
108, 36, } coined into Thirty-three Shillings), and for providing
Half-pence and Farthings.*

On private or separate Petitions.

118, 1, *For settling the Queen's Dower.*

Appendix,

446, 32, *(from Rot. Pat. 24 H. 6. p. 1, m. 2.)*

*Exemplification of an Act of this Session for confirming
certain Grants to Edmund Marquis of Dorset.*

AT the Parliament holden at Westminster the Twenty-fifth Day of February, the Twenty-third Year of the Reign of our Lord King Henry the Sixth after the Conquest, our said Lord the King, by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons, being in the said Parliament, and by the Authority of the same Parliament, caused to be ordained and established divers Ordinances and Statutes in Manner and Form following.

EN parlement tenuz a Westm' le xxv. jour de Fevever, lan du reigne nostre Seigneur le Roi Henry le vi. apres le conquest xxiii. mesme nostre Seigneur le Roi, del advys et assent de les seignurs espirituelx et temporelx et les Communes eleantz en le dit parlement, et par auctorite de mesme le parlement, fist ordeigner et establier diversez ordeignauncez et estatutz en le maner et fourme que ensuist.

C A P. I.

For confirming and amending former Statutes concerning Purveyors.

[This is numbered as Two Chapters in Pynson and all Editions previous to Cay, which consequently alters the Numbering of all the subsequent Chapters.]

RECITAL of Stat. 36 E. 3. c. 2. and 3. at length. The said Statutes confirmed. Purveyors shall be sworn. The Appraisers and all other Persons may oppose Purveyors acting illegally. The Party wronged by the Purveyors may either have an Action of Debt against the Appraisers, &c. not resisting the Purveyors, or against the Purveyors, to recover Treble Damages, which Damages shall be paid by the Serjeant of the Catery (de la Chaerie)."

[Cap. III.
P. &c.]

C A P. II.

For preventing the Exportation of Thrums and Threads of Wool.

WHOEVER shall pack or ship Thrums or Threads to pass beyond the Seas, during Three Years next coming, shall forfeit the same, or the Value, and be imprisoned One Year. Stat. 8 H. 6. c. 23. shall remain in Force."

CAP.

C A P. III.

For regulating the Worsted Weavers of *Norwich*.[Cap. IV.
P. &c.]

“THE Statute 20 H. 6. c. 10. recited at length and amended.

“ This Act to continue for Three Years.”

[See Stat. 7 E. 4. c. 2.]

C A P. IV.

Concerning *Welchmen*.[Cap. V.
P. &c.]

“ *WELCHMEN* indicted or outlawed of Treason or Felony, repairing into *Herefordshire*, shall be apprehended and imprisoned by the Sheriff, &c. and if they escape, shall be pursued by the Hue and Cry. Penalty on the Sheriff and his Officers, for Neglect, Fine and Ransom to the King; on others not pursuing the Hue and Cry, One hundred Shillings if a Knight, Forty Shillings if a Squire, and all others Twenty Shillings.—The Stat. *Westm.* 1. 3 E. 1. c. 9. shall be duly executed.”

C A P. V.

For regulating the Exportation of Corn.

[Cap. VI.
P. &c.]

“THE Statute 15 Hen. 6. c. 2. respecting the Exportation of Corn, recited verbatim, and made perpetual.”

[See Stat. 15 H. 6. c. 2. and Notes there, and Stat. 31 Geo. 3. c. 30.]

C A P. VI.

The Gathering of Head Pence by the Sheriff of *Northumberland* shall cease.[Cap. VII.
P. &c.]

ALSO whereas the poor Commons, and the King's faithful liege People of his County of *Northumberland*, have been of long Time oppressed and surcharged by the Sheriffs of the said County for the Time being, levying or causing to be levied of their Goods and Chattels, to the Sum of [Forty Pounds,¹] and more, called Head Pence, Two Times in Seven Years, that is to say, every Third Year, and every Fourth Year, to their own Avail, without any Account, Profit, or Advantage to the King, and without any lawful Cause or Ground, but of their great Extortion, which causeth divers Men to labour and expend great Goods to be Sheriff when the said Years come, to the great Oppression of the said Commons; Our said Lord the King, considering the Premises, hath ordained and granted by the Authority aforesaid, That the said gathering of the said Head Pence shall be clearly put out for ever, any Use or Custom to the contrary notwithstanding, upon Pain of an Hundred Pounds to be paid, the One Half thereof to the King, and the other Half to the Party which will sue for the Forfeiture against the Sheriff. This Ordinance to begin at the Feast of the Nativity of Saint *John* Baptist, which shall be in the Year of our Lord One thousand four hundred and forty-six.

¹ lx. li. Rot. Parl.

ITEM come lez poverez communes et foialx liegez du Roy de son counte de Northumbr' ount elle de longe temps oppressez et furchargez, per lez viscountz du dit countee pur le temps esieantz, levauntz et facentz leve de lour biens et chateux a la somme de [lx. li.¹] et puis, appelez Hede-penez, deux foiz en vij. ans, seilicet chescune tierce an et chescune iiij. an, a leur propre availle, saunz afeune accompt, profit, ou availle a Roi, et saunz ascun loial avyee ou foundement, sinoun de leur graund extorsion, le quele causa diversez hommez de laborer et expender graundez biens destre viscount, quant les ditz ans viegnent, a les plus greindre oppression de les ditz communes: Nostre dit Seigneur le Roy, considerant lez premisiez, ad ordeigne et gĩaunte per l'auctorite suiffdite, que le dit collect de lez ditz hede-penez soit tout oultrement oultez pur toutz jours, ascun use ou custume eue a le contrarie nient obstaunt, sur payne de C. li. destre paieiz, lune moite dicelle a Roi, et lautre moite dicelle a la partie qui sua la forfaiture envers le viscount. Cest ordeignauce a commencer a la fest de la Nativite de Seint John le Baptiste que sera en lan nostre Seigneur M.CCCC.XLVI.

¹ quarante li. P.

[Cap. VIII.
r. &c.]

C A P. VII.

No Man shall be Sheriff, Under Sheriff, or Sheriff's Clerk above a Year.

Recital of Stat.
14 E. 3. ft. 1.
c. 7.

[See also Stat.
23 E. 3. c. 7.]

42 E. 3. c. 9.

1 R. 2. c. 11.
against Sheriffs,
Under Sheriffs,
&c. continuing
in Office above
a Year.

ALSO whereas King *Edward* the Third, for divers and special Causes, in his Parliament holden at *Westminster*, the *Wednesday* next after *Midlent*, the Fourteenth Year of his Reign, for that several Sheriffs in divers Counties in *England* then being, had their Offices, some for a Term of Years for the King's Grant, and some trulking of longer Continuance in their Offices, by Procurement, &c. were greatly encouraged, and did take upon them to do many and divers Oppressions to the King's liege People, unduly, and evilly, and falsly served the King and his People, did ordain and establish, that no Sheriff should tarry nor abide in his Office above one Year, and that then another meet and sufficient Man should be assigned in his Place by the Chancellor and Treasurer of *England*, and the Chief Baron of the Exchequer, and other, every Year in the Morrow of *All Souls*, as it appeareth in the said Statute; and after the said Statute so made, by another Statute made at *Westminster*, in the Parliament of the said King, holden the First Day of *May*, the Forty-second Year of his Reign, he ordained and made, that no Sheriff, or Under Sheriff, nor Sheriff's Clerk, should tarry or abide in his Office over One Year, as was ordained by other Statutes before that Time; as it appeareth more plainly by the said Statute of the same Forty-second Year: And moreover, by another Statute made at *Westminster* in Fifteen Days of Saint *Michael*, the First Year of the Reign of King *Richard* the Second, it was ordained and made, that no Man which had been Sheriff of any County by one whole Year, should be another Time chosen nor put in the said Office within Three Years then next ensuing, except that there were not other sufficient within the said County, as it appeareth more fully by the said Statute of King

King *Richard*: And whereas in divers Counties in *England*, after the making of the said Statutes, many and several Sheriffs have been made, and have occupied within the said Counties, some Ten Years, and some Twelve Years, and more, to the great Damage of the King that now is, his Progenitors, and their People within the said Counties, contrary to the said Statutes, and all other good Rule, and very like in Time to come to be importable Damage, open Disfranchisement, and upholding of Mauelaughter, Perjury, and great Oppression to many of the King's liege People, considering the great Consanguinity, Alliance, and Familiars of the Sheriff, as well of them who have been before this Time, as of them which now be in the said Counties; our said Lord the King, considering the Premises, hath ordained, by the Authority aforesaid, That the Statutes before recited, and every of them, shall be duly observed in every County of *England*; (the Under-Sheriffs, and all other Officers within the City of *London*, which now be, or shall be, at all Times excepted; and such Counties only except, in which divers of the King's liege People be inheritable to the Office of Sheriffs at this Day, and also such Persons as have Estate of Freehold in the Office of Sheriffs at this Day, and except the Letters Patents made to them of the Office of Sheriffs, and their Under-Sheriffs and Clerks.)

The recited Statutes confirmed; except as to Under-Sheriffs, &c. in *London* and Sheriffs, &c. inheritable.

And if any Sheriff, [or Under-Sheriff,²] or Sheriff's Clerk, occupy the Office of Sheriff, Undersheriff, or Sheriff's Clerk, contrary to any of the Statutes afore recited, or against the Effect or Intent of any of them (except before excepted) that then he which doth so occupy, shall forfeit the Sum of CC li. yearly, so long as he occupieth contrary to the Effect of the said Statutes. And that every Pardon hereafter to be made for such Offence or Occupation, or Forfeiture of the Sums before recited, shall be void, and not available; and all Patents made, or to be made, of any the said Offices for Term of Years, for Term of Life, or in Fee-Simple, or in Fee-Tail, to any of the King's liege People (except before excepted) shall be void, and of no Value, by the same Authority, any Clause or Word of *Non obstant*e in any wise put or to be put in such Patents to be made notwithstanding. And moreover, whosoever will take upon him or them, to accept or occupy the said Office of Sheriff, by virtue of such Grants or Patents now to be made for Term of Years, for Term of Life, Fee-Simple, or Fee-Tail, shall stand for ever and at all Times disabled to be or bear the Office of Sheriff within any County in *England* by the same Authority. And that every liege Man which will sue for the said Sum forfeit, against him or them which in such Manner doth or do forfeit, shall be received and admitted to sue an Action of Debt in his own Name; our Lord the King to have the One Half of all that shall happen by the same Action to be recovered by such Suit, and he or they that so pursue to have the other Half.

The Penalty for occupying the Sheriffwick, &c. above one Year, 200 l. per Year. [See 28 H. 6. c. 3. and 12 E. 4. c. 1. enabling the Sheriff to act in Michaelmas Term after the End of his Year.]

All Pardons and Patents to the contrary declared void.

Penalty recoverable by any Party suing; half to the King, &c.

ITEM come le Roi E. le tierce, pur diversez et notablez causez en son parlement tenuz a Westm' le meskerdy profchein apres le di. quaresme lan de son reigne [xiiij.¹] pur cause que diversez viscountz en diversez counteez d'Engleterre adonques esteauntz avoient lour officez, ascuns pur terme dans de graunte du Roi, et

¹ xiiij. Rot. Parl. P.

ascuns confiantz en pluis longe continuance en lour officez par procurement &c. furent graundement esbaudez, et pristeront sur eux, de faire plusours et diversz oppressions a le liege poeple du Roy, meyns dument, et malement et fausement servoient le Roi et son poeple; ordeigna et fist, que nulle viscount demurerait ne expecteroit en son office oultre un an, et que adonques un autre convenable et sufficient homme serroit ordeine en son lieu per le Chaunceller et Tresorer d'Engleterre et le chief Baron del Eschequer et autres chescune an en lendemayn dez touz almez; sicome il appiert en le dit estatut: et apres cell estatut issint fait, per un autre estatut fait a Westm' en le parlement du dit Roi tenuz le prim' jour May lan de son reigne xlii. ordeigna et fist, que null viscount, southviscount, ne clerk de viscount, demurerait ou expecteroit en son office oultre un an; sicome est ordeigne per autres estatutz faitz devaunt celle temps; sicome il pluis pleinement appiert per le dit estatut del xlii. an. Et ouir' ceo per un autre estatut fait a Westm' en le xv. de Saint Michell lan du reigne du Roy Richard le seconde primer, fuist ordeigne et fait, que nulle homme que avoit este viscount dascun counte pur un entier an ne serroit eslieu autrefoitz, ne mys en la dit office, deinz trois ans adonques profcheinz ensuantz; sinoun que ne soit ascun autre sufficient deinz le dit countee; sicome il pluis pleinement appiert per le dit estatut du Roi Richard: Et come en diversz counteez d'Engleterre apres la fesaunce dez ditz estatutz plusours diversz viscountes ount estez faitz, et ount occupiez deinz lez ditz counteez, ascuns x. ans, et ascuns xij. ans, et pluis, a le graund damage du Roi qorest, sez progenitours, et leur poeple deinz lez ditz counteez, contrarie a lez ditz estatutz, et tout autre bon rule, et veraie semblablement en temps avenir destre importable damage, overt disheritaunce, et suppartation domicidie et perjurie, et graund oppression a plusours du liege poeple du Roi, considerez lez graundez consanguinite alliance les famuliers des viscountes, sibien de ceux que ount estez devaunt cest temps, come de ceux que ore sont en les ditz countees: Nostre dit Seignur le Roi, considerant les premises, ad ordeigne per lauchorite suisdit, que les estatutz devaunt recitez et chescun de eux soient duement observez en chescune countee d'Engleterre; (les Southviscounts et tous les autres officers deinz la Citee de Loundres, que ore sont ou serrount tout temps excepts; et autielx countees tantseulement exceptz, en queux divers de le liege poeple du Roi en l'office de viscount a cest jour sont enheritez; et auxint tielx persones que ount eslate de frank tenement en le ffe: de viscount meisme cest jour, et lettres patents a eux faitz del office de viscount, et leur Southviscounts et Clerks excepts.)

Et si ascun Viscount⁽¹⁾ ou Clerk de Viscount occupia office de Viscount, Southviscount, ou Clerk de Viscount, contrarie a ascuns de les estatutz avaunt recitez, ou encountre leffect ou entent dascun de eux (exceptz devaunt exceptz) que adonques cestuy que issint occupa, forsaira la somme de CC li. annuellement, auxi longement come il occupia contrarie al effect dez ditz estatutz. Et que chescune pardon en temps avenir destre fait pur tiel offense, occupation, ou surfaiture dez sommes avaunt recitez, serroit voides et nient advailables; et toutz patentz, fait et affairs, de ascun de les ditz offices pur terme dans, terme de vie, en fee simple, ou fee taile, a

¹ ou Southviscount, P. with which *Rot. Parl.* agrees.

aucun de lez liegez du Roi, exceptz deuant exceptz, soient voides et de null value per mesme lauctorite, aucun clause ou parole de non obstante en aucun mys ou a mettre en tielx patentz destre fait nient obstantz. Et oustre ceo quiconque presume sur luy ou sur eux, daccepter ou occuper la dit office de viscount per vertue dautielx grauntez ou patentz ore affaitez pur terme dans, a terme de vie, fee simple, ou fee taille, destroier disab'e perpetuellement et tout temps, destre ou porter l'office de viscount deinz aucun Countee en Engleterre per mesme lauctorite : Et que chescune liege homme que voet fuer pur la dit somme forfait envers celluy ou ceux que en tiel manere forface ou forfacent ferra rescu et admys de fuer action de dette en son propre noun, le Roy davori lune moite de tout ceo que aveignera per icelle action destre recovrez per tiel suite, et celluy ou ceux qui issint pursuera ou purueront daver lautre moite.

C A P. V I.

For granting Commissions of Sewers.

“ **R**ECITAL of Stat. 6. H. 6. c. 5.—Commissions of Sewers under that Act shall be granted for Fifteen Years ensuing.”

[Cap. IX.
P. &c.]

[Sec Stat.
6 H. 6. c. 5. and
Note there.]

C A P. IX.

For regulating the Office of Sheriffs, Bailiffs, and others.

[Cap. X.
P. &c.]

See 14 E. 3. c. 9.

ALSO, The King, considering the great Perjury, Extortion, and Oppression which be and have been in this Realm by his Sheriffs, Under-Sheriffs, and their Clerks, Coroners, Stewards of Franchises, Bailiffs, and Keepers of Prisons, and other Officers in divers Counties of this Realm, hath ordained by the Authority aforesaid, in eschewing of all such Extortions, Perjury, and Oppression, that no Sheriff shall let to ferm, in any Manner, his County, nor any of his Bailiwicks, Hundreds, nor Wapentakes; nor that the said Sheriffs, Under-Sheriffs, Bailiffs of Franchises, nor any other Bailiff, shall return, upon any Writ or Precept to them directed to return any Inquests in any Panel thereupon to be made, any Bailiffs, Officers, or Servants to any of the Officers aforesaid, in any Panel by them so to be made.

No Sheriff shall
let his County,
&c. to farm.

No Officers of
Sheriffs or
Bailiffs shall be
returned upon
Inquests.

Nor that any of the said Officers and Ministers, by Occasion, or under Colour of their Office, shall take any other Thing by themselves, nor by any other Person to their Use, Profit, or Avail, of any Person by them, or any of them, to be arrested or attached, nor of none other for them, for the omitting of any Arrest or Attachment to be made by their Body, or of any Person by them or any of them, by Force or Colour of their Office, arrested or attached, for Fine, Fee, Suit of Prison, Mainprise, letting to Bail, or shewing any Ease or Favour to any such Person so arrested, or to be arrested, for their Reward or Profit, but such as follow; that is to say, For the Sheriff xxd. the Bailiff which maketh the Arrest or Attachment, Four-pence, and the Gaoler, if the Prisoner be committed to his Ward, Four-pence; and that the Sheriff, Under-Sheriff, Sheriff's Clerk, Steward or Bailiff of Franchise, Servant of Bailiff or Coroner, shall not take any Thing by Colour of his Office, by himself nor by any other Person to his Use, of any Person for the making of any Return or Panel; and for the Copy of any Panel, but ixd.

Fees on Arrests,
Attachments,
&c.

No Fee for Re-
turns of Panels :
for Copy thereof
4d.

And

Sheriffs; &c.
shall let to Bail
all Parties ar-
rested (except in
Execution, &c.)

How the Bond
shall be taken on
such bailing, by
the Sheriff, &c.

And that the said Sheriffs, and all other Officers and Ministers afore said, shall let out of Prison all Manner of Persons by them or any of them to be arrested, or being in their Custody, by Force of any Writ, Bill, or Warrant in any Action Personal, or by Cause of Indictment of Trespass, upon reasonable Sureties of sufficient Persons, having sufficient within the Counties where such Persons be so let to Bail or Mainprise, to keep their Days in such Place as the said Writs, Bills, or Warrants shall require: Such Person or Persons which be or shall be in their Ward by Condemnation, Execution, *Capias Utlagat* or *Excommunicatum*, Surety of the Peace, and all such Persons which be or shall be committed to Ward by special Commandment of any Justice, and Vagabonds refusing to serve according to the Form of the Statute of Labourers only except. And that no Sheriff, nor any of the Officers or Ministers afore said, shall take or cause to be taken, or made, any Obligation for any Cause afore said, or by Colour of their Office, but only to themselves, from any Person, nor for any Person which shall be in their Ward by Course of the Law, but by the Name of their Office, and upon Condition written, that the said Prisoner shall appear at the Day contained in the said Writ, Bill, or Warrant, and in such Places as the said Writ, Bill, or Warrant shall require. And if any of the said Sheriffs, or other Officers or Ministers afore said, take any Obligation in other Form by Colour of their Offices, that it shall be void; and that he shall take no more for the making of any such Obligation, Warrant, or Precept by them to be made, but Four-pence.

Sheriffs shall
make Deputies
in the King's
Courts.

And also that every of the said Sheriffs shall make yearly a Deputy in the King's Courts of his Chancery, King's Bench, Common Place, and Exchequer, of Record, before that they shall return any Writs, to receive all Manner of Writs and Warrants to be delivered to them.

Penalty on
Sheriffs and
others transgres-
sing this Act.
treble Damages
to the Party,
and 40 l. Half to
the King, &c.

And that all Sheriffs, Under-Sheriffs, Clerks, Bailiffs, Gaolers, Coroners, Stewards, Bailiffs of Franchises, or any other Officers or Ministers, which do contrary to this Ordinance, or any Point of the same; shall lose to the Party in this Behalf indamaged or grieved, his treble Damages, and shall forfeit the Sum of xl. li. at every Time that they or any of them do the contrary thereof in any Point of the same: whereof the King shall have the One Half, to be employed to the Use of his House, and in no other wise, and the Party that will sue the other Half. And that the Justices of Assises in their Sessions, Justices of the one Bench and of the other, and Justices of Peace in their Counties, shall have Power to inquire, hear, and determine of Office without special Commission, of and upon all them that do contrary to these Ordinances in any Article or Point of the same.

Justices of
Assises, &c.
shall inquire of
Offenders.

Sheriff returning
Capi Corpus, &c.
shall be bound
to produce the
Party.

And if the said Sheriffs return upon any Person, *Capi Corpus*, or *Reddidi se* that they shall be chargeable to have the Bodies of the said Persons at the Days of the Returns of the said Writs, Bills, or Warrants, in such Form as they were before the making of this Act.

Exception for
Warden of the
Fleet and of the
Palace of West-
minster.

Provided always, That the Warden of the King's Gaol of the Fleet, and of the King's Palace of Westminster for the Time being, shall not be endamaged nor prejudiced by this Ordinance in the Duty

Duty of his Office. And also that this Ordinance shall begin at the Feast of *Easter*, which shall be in the Year of our Lord MCCCC xlvj.

ITEM le Roi considerant lez graundez perjurie extortion et oppression, queux sont et ont estez en cest Roialme per sez Viscountz, Southviscountz, et leur Clerks, Coroners, Seneschalx dez Fraunchisez, Bailliffs et Gardeinz dez prisons, et autres Officers en diversez Counteez dicest Roialme, ad ordeigne per l'autorite suisdit, en eschuyng dez toutz tielx extorsions, perjurie, et oppression, que nulle Viscount leste a ferme en aucun manere son Counte, ne aucun de sez Baillifwiks, Hundrede, ne Wapentakez; ne que lez ditz Viscountz, Southviscountz Baillifs dez fraunchisez, ne aucun autre Baillif, retourne sur aucun brieve ou precept a eux direct, de retourner aucuns enquestez [ou'] aucuns panellez sur ceo destre fait, aucuns Baillifs, Officers, ou servauntz a aucun de lez officers suisditz, en aucun panelle per eux issint affaire.

Ne que null de lez ditz Officers et Ministrez, per occasion, ou south colour, de leur office, preigne aucun autre chose per eux ne per aucun autre persone a leur oepe⁽²⁾ ou aaille, d'aucun persone per eux ou aucuns de eux destre arrestuz ou attachez, ne de nulle autre pur eux, pur le lesser d'aucun arrest ou attachment destre fait per leur corps, ou de aucun persone per eux ou aucun de eux per force ou colour de leur office arrestuz ou attachez, pur fyn, fee, fewet de prison, maynpris, lessance a baille, ou monstraunce aucun ease ou favour a aucun tiel persone issint arrestuz ou arrestier, pur leur regard ou profit, si noun tiel come ensuist, scilicet pur le Viscount xxd. le Bailliff qe face larrest ou lattachement iiijd. et le Gaoler, si le prisoner soit commis a sa garde, iiijd. Et que le Viscount, Southviscount, Clerk de Viscount, Seneschall ou Baillif de fraunchise, servaunt ou Baillif, ne Coroner, preigne per colour de son office, per luy ne per aucun autre persone a son use, d'aucun persone pur la faisure d'aucun retourne ou panelle aucun chose, et pur la copie dun panell iiij d.

Et que lez dit Viscountz, et toutz autres Officers et Ministrez avantditz, lesseront hors du prison toutz maners dez personez per eux ou aucun de eux arrestiers ou esteant en leur garde per force d'aucun brieve, Bille, ou garraunt en aucun action personell, ou per cause d'enditement de trespass, sur resonable suerte dez sufficeantz personez eiantz sufficeaunte deinz lez Counteez lou tielx personez sont issint lessz a baille ou maynpris, de garder leur jours en tielx lieux come lez ditz briefs billez ou garrauntz requierent; tiel persone ou personez qui sont ou serrount en leur garde per condemnation, execution, capias utlagatum, ou excommunicatum, suerte de peas, et toutz tielx personez qui sont commys a gard per especial commandement d'aucun Justice, et vagerauntz refusauntz de servir solonque la fourme del estatut dez laborers, tauntfoulement exceptz. Et que nulle viscount, ne nulle dez officers ou ministrez suisditz, preigne ou face de prendre ou faire aucun obligation pur aucun cause suisditz, ou colour de leur office, sinon tauntfoulement a leur mesme, d'aucun persone,

¹ en, P. wherewith Rot. Parl. agrees.

² profite, P.

ne pur aucun persone, qui soit en leur garde per le cours de la leye, forsque sur le noun de leur office, et sur condition ⁽³⁾ que la dit prisonner appierge a le jour conteignuz en le dit briefe bille ou garrant et en tielx lieux comme le dit briefe bille ou garrant requiert. Et si aucuns de lez ditz viscountz ou autres officers ou ministrez suiffditz preigne aucun obligation en autre fourme per colour de leur officez, qil soit voide; et qil ne preigne plus pur la fesaunce dascun tiel obligation, garrant, ou precept, per eux destre fait, forsque iiij d.

Et auxint que chescune de lez ditz viscountz face annuelment un depute en lez courtz du Roi de la Chauncerie, Bank du Roy, Commune Bank, et Leschequer, de recorde, devaunt ceo qils retournent aucuns briefs, de recevoir toutz maners dez briefs et garrantz a eux destre deliverez.

Et qe toutz lez viscountz, southviscountz, clerks, baillifs, gaolers, coroners, seneschallx, baillifs dez fraunchisez, ou aucuns autres officers ou ministrez, queux fount le contrarie dicest ordeignauce, ou dascun point dicelle, perde a la partie en ycelle endamage ou greve sez treblez damages et forface la somme de xl. li. a chescune temps que eux ou aucun de eux fount le contrarie dicelle en aucun point dicelle; dount le Roi davoir lune moite, ceo destre employez a le use de son hostiel, et en null autre manere, et lautre moite a celluy qui ceo voet fuer. Et que lez Justices dez assisez en leur sessions, Justices del un Bank et del autre, et Justices de la peas en leur pais, eient poair denquerer, oier et terminer, doffice, saunz especial commission, de et sur toutz iceux, qui ferount le contrarie dicest ordeignauce en chescune article ou point dicelle.

E si lez ditz viscountz retournent sur aucun persone *Cepi Corpus*, ou *Reddit se*, qils soient chargeablez davoir le corps dez ditz personez a lez jours de la retourne dez ditz briefs, billez, ou garrants, en tiel fourme come ils furent devaunt la fesaunce dicest acte.

Purveu toutz soit, que per cest present ordeignauce le Gardeyn de la gaole le Roy de le Flete, et de la paleys du Roi a Westminster, pur le temps esteant, ne soit endamage ne prejudice en son duete de son office. Et auxint que cest ordeignauce commencera en la fest de pasque que sera en lan de nostre Seigneur Jesu Crist Mⁱ. CCCC xlvj^e.

³ estre, P. erroneously for 'escrit' 'written,' *Rot. Parl.*

[Cap. XI.
P. &c.]

C A P. X.

The Order of levying the Wages of the Knights of the Parliament.

[See 35 H. 3.
c. 11. as to
Wales.]

ALSO, Whereas before this Time divers Sheriffs in divers Counties of *England*, by Colour of Writs to them directed, to levy the Wages of the Knights of the Shires for the Time being, of the Parliaments of the King that now is, and of his noble Progenitors, have levied more Money than hath been due to the said Knights, and more than they have delivered unto them, keeping and retaining great Part of the said Money to their own Use and Profit, and to their Officers and Servants, to the great Loss of the

the common People of the said Counties: The King, considering the Premises, hath ordained by the Authority aforesaid, That the Sheriff of every County for the Time being, in the next County Court holden in their Counties, after the Delivery of the said Writs made to them, shall make open Proclamation, that the Coroners, and every chief Constable of the Peace of the said Counties, and the Bailiffs of every Hundred or Wapentake of the same County, and all others which will be at the assessing of the Wages of the Knights of the Shires, shall be at the next County Court there to be holden, to assess the said Wages of the said Knights; and that the Sheriff or Under Sheriff, Coroners, or Bailiffs for the Time being, be there at the same Time in their proper Persons, upon Pain of Forfeiture to the King, of every of them that maketh Default, Forty Shillings. At which Time the said Sheriff or Under Sheriff, in the Presence of them that shall at that Time come, and of the Suitors of the same Counties, then being there, in the full County well and duly shall assess every Hundred thereto assessable by itself, at a certain Sum to be paid for the Wages of the Knights of the Shire, so that the whole Sum of all the Hundreds do not exceed the Sum which shall be due to the said Knights; and after that in the same County, they shall assess well and lawfully every [Village²] within the said Hundreds thereto assessable, at a certain Sum for the Payment of the said Wages; so that the whole Sum of all the Towns within any of the said Hundreds, do not exceed the Sum assessed upon the Hundred of which they be. And that the said Sheriffs, Under Sheriffs, Bailiffs, nor any other Officer, for the Cause aforesaid, shall levy more Money of any [Village²] than that whereunto they were assessed, [and in Manner and Form as they are assessed³]: And if any do or will assess any Hundred or [Village²] otherwise than is aforesaid, that they shall forfeit for every Default to the King Twenty Pounds, and to any Man which will sue in this Case Ten Pounds. And that the said Sheriffs well and duly shall levy the Money so assessed upon the aforesaid [Villages,²] as speedily as they well may after the said assessing, and the same shall deliver to the said Knights, according to the Writs thereof to be made, upon the said Penalties.

And he that will sue in this Case, shall be thereunto admitted, and shall have for his Action in this Case a *Scire facias* against him that offendeth contrary to this Ordinance; and if the Defendant, duly warned in the same, make Default, or else appear, and be in the same convict, that then the Plaintiffs shall recover against them which be so convict, Ten Pounds to their own Use, over the said Twenty Pounds, with their Treble Damages for the Costs of their Suits.

And that the Justices of the King's Bench, and of the Common Pleas, Justices of Assises, and Gaol Delivery, and Justices of Peace in their Counties, shall have Power to inquire, hear, and determine of all the said Defaults, as well by Inquiry at the King's Suit, as by Action at the Suit of the Parties: And that all such Expences of Knights shall not be levied of any other [Villages, Seignories,⁴] or Places, but of such whereof it hath been levied

² Township, *Rot. Parl.*

⁴ Townships, Lordships, *Rot. Parl.*

Appointment of County Court to assess the Wages of Knights of the Shire.

Penalty on Sheriffs, &c. for Absence, 40 s.

At which County Court each Hundred and every Township therein shall be assessed.

Penalty on levying more than is assessed, 20 l. to the King and 10 l. to any Party suing.

Sheriffs shall pay the Knights accordingly.

Actions for Penalties, with Treble Costs.

Knights Wages shall be levied only in the accustomed Places.

before this Time : And that in every such Writ from henceforth to be made to levy the Wages of the said Knights, this Act shall be comprehended therein.

ITEM come devaunt cest temps diverséz viscountz, en diverséz counteez Dengleterre qount per colour des briefs directz a eux, pur lever lez gagez de lez chivalers de lez counteez pur le temps esteantz, de lez parlementz du Roy qorest, et de lez noblez progenitours, ont leve plus de money, que ad este due as lez ditz chivalers, et plus qils ont deliverez a eux, gardauntz et preignauntz grande partie du dit money a lour use et profit demesme, et lour officers et servauntz, a tresgrande damage de la commune people de lez ditz counteez : le Roi considerant lez premisses, ad ordeigne per lauctorite suisdit, qe le viscount de chescune countee pur le temps esteant, en le prochein countee tenuz en lour counteez apres la delivraunce de lez ditz briefs fait a eux, face overt proclamation, que lez coroners, et chescune chief constable de la peas des ditz countees, et les baillifs de chescun hundred ou wapentake de mesme le countee, et toutz autres qui voillent estre a le assesseance de lez gagez dez chivalers de lez counteez, soient a le prochein countee illoquez a tenir, dasseier les gagez de lez ditz chivalers ; et que le viscount, ou southviscount, coroners, ou baillifs, pur le temps esteantz, soient illoquez a mesme a le temps en leurs propres persones, sur la peyn de forfaiture a Roi, de chescune diceux qui face defaute xl. s. A quel temps le viscount ou southviscount, en presence diceux qui a celle temps viendront, et de lez suitours dez ditz counteez adonques esteantz la, en le pleyn countee bien et dument [cessa ¹] chescune hundred a ceo assessable per luy mesme a un certain somme, de paier pur les gages des ditz chivalers de les counteez, issint que lentier somme dez toutz lez hundredz nexcede la somme que serra dewe a lez ditz chivalers : et apres ceo en mesme le countee assesse bien et dument chescune [village ²] deinz lez ditz hundredz a ceo assessable, a un certain somme pur le paiement de lez ditz gagez, issint que lentier somme dez toutz lez villez deinz aucun de lez ditz hundredz nexcede la somme assesse sur le hundred de quell eux sount. Et que lez ditz viscountz, southviscountz, baillifs, ne null autres officers pur la cause suisdit leva plus de money de nulle village, que ceo a que ils furent assessez, [et en manere et fourme come ils sount assessez ³] Et si aucune face ou voille assesser aucun hundred ou village autrement que est avaunt dit ; qils forcent pur chescun default a Roy xx. li. et a chescune homme, qui voet fuer en cest cas x. li. Et que les ditz viscountz bien et dument levent la money issint assessez sur lez ditz villagez, auxi hastifment come ils poient bonement apres le dit assesseance, et icelle delivrent as les ditz chivalers, accordant a lez briefs de ceo destre faitz, sur lez ditz peynez.

Et celluy qui voet fuer en cest cas soit admys a ceo, et eit pur sa action en cest cas un Scire facias envers celluy qui offense encountre cest ordeignauce ; et si le defendant dument garnia en ycelle face defaulte, ou autrement appierga et soit en ycelle

¹ assessa, P.—*Query*, assessera.

² P. and former Translations omit. *Rot. Parl.* agrees with the Text.

convict; que adonques lez pleintifs recoverent envers eux qui issint sont convictez x.li. a leur propre use oultre lez ditz xx. li. ove leur damages pur les costagez de leur suitz a le treble.

Et que lez justices de le bank le Roi justices de commune bank, justices daffisez et gaole deliverer, et justices de la peas en leur pais, eient poiar denquerer, oier et terminer, dez toutz lez ditz defaultz, sibien per enquerre a la suite du Roi, come par action a la suite de partie. Et que toutz tielx expensez dez chivalers ne soient levez dascuns autres villages, seignouries, ou lieux, forsque dez tielx come ils ount este duement levez devaunt cest temps; Et que en chescune tiel brieve desore affaire pur lever lez gagez dez chivalers soit cest act comprehenduz.

C A P. XI.

[Cap. XII.
P. &c.]

For preventing vexatious Pleas.

“ **W**HEN the Tenant or Defendant in any Action, real or
 “ personal, after an Issue joined, pleadeth a foreign Plea,
 “ such Plea shall be tried where the Suit is brought, and by the
 “ Jury so returned.”

[To continue till the next Parliament.]

C A P. XII.

[Cap. XIII.
P. &c.]

For regulating Labourers, Husbandmen, and Artificers.

“ **A** Servant in Husbandry purposing to depart from his Master
 “ must give him Half a Year’s Warning, or else he shall
 “ serve him the Year following. The several Wages of Servants
 “ in Husbandry, and of Labourers and Artificers, with Meat and
 “ Drink, and without. The Rates of Wages are as follows; viz.
 “ A Bailiff of Husbandry, Twenty three Shillings Four-pence *per*
 “ *Annum* and Clothing of the Price of Five Shillings; chief Hind,
 “ Carter, and chief Shepherd, Twenty Shillings, Clothing of
 “ Four Shillings; a common Servant of Husbandry, Fifteen
 “ Shillings, Clothing of Forty Pence; a Woman Servant Ten
 “ Shillings, Clothing of Four Shillings; a Child under Fourteen,
 “ Six Shillings, Clothing of Three Shillings; with Meat and
 “ Drink to all the foregoing. From *Easter* to *Michaelmas* the
 “ Wages of a Free Mason and Master Carpenter shall not exceed
 “ Four-pence a Day; a Master Tiler or Slater, Rough Mason,
 “ and mean Carpenter, Three-pence; every other Labourer Two-
 “ pence. From *Michaelmas* to *Easter*, Three-pence, Two-pence
 “ Halfpenny, and One Penny Halfpenny. And in all Cases Meat
 “ and Drink, or One Penny Halfpenny *per* Day in lieu thereof.
 “ For Harvest Labourers; a Mower Four-pence a Day, a Man
 “ Reaper or Carter Three-pence, Women and other Labourers
 “ Two-pence Halfpenny, with Meat and Drink, or Two-pence
 “ a Day in lieu thereof. For Holidays Labourers shall take only
 “ for the Time they work.—Justices of Peace required to enforce
 “ the Statute.”

[Repealed by the general Words of Stat. 5 Eliz. c. 4. § 1, 2.]

[Cap. XIV.
P. &c.]

C A P. XIII.

For preventing Purveyance by Subjects.

“ IF the Buyer or other Officer of the Duke of *Gloucester* [who
“ seems to have been named invidiously] or any other Lord, or
“ Person of any Degree, take any Victuals, Corn, &c. of any
“ against their Will, except for the King and Queen and their
“ Households, such Buyer, &c. shall be arrested and imprisoned
“ till he restore the Thing taken, or the Value thereof. Penalty
“ on Sheriffs, &c. not executing this Act, Twenty Pounds.
“ Penalty on such Buyers, Treble Value, Double Costs, and
“ Fine.”

[Cap. XV.
P. &c.]

C A P. XIV.

Who shall be Knights for the Parliament. The Manner of
their Election. The Remedy where one is chosen and
another returned.

1 H. 5. c. 1.

ALSO; Whereas by Authority of a Parliament holden at *West-*
minster the First Year of the Reign of King *Henry*, Father
to the King that now is, amongst other Things it was ordained,
that the Citizens and Burgesses of Cities and Boroughs, coming
to the Parliament, should be chosen Men Citizens and Burgesses
resident, abiding, and free in the same Cities and Boroughs, and
none other; as in the same Statute more fully is contained; which
Citizens and Burgesses have always in Cities and Boroughs been
chosen by Citizens and Burgesses, and no other, and to the Sheriffs
of the Counties returned, and upon their Returns received and
accepted by the Parliaments before this holden. And also, whereas
by Authority of a Parliament holden at *Westminster*, the Eighth
Year of the Reign of the King that now is, it was ordained in
what Manner and Form the Knights of the Shires coming to the
Parliaments from thenceforth to be holden should be chosen, and
how the Sheriffs of the same Counties thereupon should make their
Returns, as in the same Statute more fully appeareth; by force of
which Statute Elections of Knights to come to Parliament some-
times have been duly made, and lawfully returned, until now of
late, that divers Sheriffs of the Counties of the Realm of *England*,
for their singular Avail and Lucre, have not made due Elections
of the Knights, nor in convenient Time, nor good Men and true
returned, and sometime no Return of the Knights, Citizens, and
Burgesses lawfully chosen to come to the Parliaments; but have
returned such Knights, Citizens, and Burgesses which were never
duly chosen, and other Citizens and Burgesses than those which by
the Mayors and Bailiffs were to the said Sheriffs returned; and
sometimes the Sheriffs have not returned the Writs which they
had to make Elections of Knights to come to the Parliaments, but
the said Writs have imbeisled; and moreover made no Precept to
the Mayor and Bailiff, or to the Bailiffs or Bailiff where no Mayor
is, of Cities and Boroughs, for the Election of Citizens and Bur-
gesses to come to Parliament, by the Colour of these Words con-
tained in the same Writs; *Quod in pleno comitatu tuo eligi facias*
pro comitatu tuo duos Milites, et pro qualibet civitate in comitatu tuo
duos Cives, et pro quolibet burgo in comitatu tuo duos Burgeses;
and

8 H. 6. c. 7.

The several
Defaults of
Sheriffs in
returning of
Knights, &c.
to serve in
Parliament.

and also because sufficient Penalty and convenient Remedy for the Party in such Case grieved is not ordained in the said Statutes against the Sheriffs, Mayors, and Bailiffs, which do contrary to the Form of the said Statutes: The King considering the Premises, hath ordained by Authority aforesaid, That the said Statutes shall be duly kept in all Points: And moreover that every Sheriff, after the Delivery of any such Writ to him made, shall make and deliver without Fraud a sufficient Precept under his Seal to every Mayor and Bailiff, or to the Bailiffs or Bailiff where no Mayor is, in the Cities and Boroughs within his County, reciting the said Writ, commanding them by the same Precept to choose, if it be a City, by the Citizens of the same City, Citizens, and in the same Manner and Form, if it be a Borough, by the Burgesses of the same, [Burgesses] to come to the Parliament. And that the same Mayor and Bailiffs, or Bailiffs or Bailiff where no Mayor is, shall return lawfully the said Precept to the same Sheriff, by Indentures betwixt the same Sheriff and them to be made of the said Elections, and of the Names of the said Citizens and Burgesses by them so chosen; and thereupon that every Sheriff shall make a good and rightful Return of every such Writ, and of every Return by the Mayors and Bailiffs, or Bailiffs or Bailiff where no Mayor is, to him made. And that every Sheriff at every Time that he doth contrary to this Statute, or any other Statutes for the Election of Knights, Citizens, and Burgesses to come to the Parliament, before this Time made, shall incur the Pain contained in the said Statute made the said Eighth Year; and moreover shall forfeit and pay to every Person hereafter chosen Knight, Citizen, or Burgess in his County, to come to any Parliament, and not duly returned, or to any other Person, which in Default of such Knight, Citizen, or Burgess, will sue, an Hundred Pounds, whereof every Knight, Citizen, and Burgess so grieved, severally, or any other Person which in their Default will sue, shall have his Action of Debt against the said Sheriff, or his Executors or Administrators, to demand and have the said Hundred Pounds, with his Costs in that Case expended: And that in such Action taken by virtue of this Statute, the Defendant shall not wage his Law of the Demand aforesaid in any wise, and that no Defendant in such Action shall have any Essoin. And in the same Manner at every Time that any Mayor and Bailiffs, or Bailiffs or Bailiff where no Mayor is, shall return other than those which be chosen by the Citizens and Burgesses of the Cities or Boroughs where such Elections be or shall be made, shall incur and forfeit to the King Forty Pounds; and moreover shall forfeit and pay to every Person hereafter chosen Citizen or Burgess to come to the Parliament, and not by the same Mayor and Bailiff, or Bailiffs or Bailiff where no Mayor is, returned, or to any other Person which in Default of such Citizen or Burgess so chosen will sue, Forty Pounds; whereof every of the Citizens and Burgesses so grieved severally, or any other Person which in their Default will sue, shall have his Action of Debt against every of the said Mayor and Bailiffs, or Bailiffs or Bailiff where no Mayor is, and against their Executors or Administrators, to demand and have of every the said Mayors and Bailiffs, or Bailiffs or Bailiff where no Mayor is, Forty Pounds, with his Costs in that Case expended; and that in such Action of Debt, taken by force

The Statutes
1 H. 5. c. 1. &c.
8 H. 6. c. 7.
confirmed.

[But see as to
Residence of
Electors and
Elected, the
Repeal by
14 G. 3. c. 58.]

The Sheriffs
shall send
Precepts to
Mayors, &c.
of Cities and
Boroughs, to
elect Citizens
and Burgesses to
Parliament, who
shall return such
Precept to the
Sheriff, and he
shall return
them to
Parliament.

Penalty on
Sheriff trans-
gressing this or
any former
Statute, 100 l.
to the King,
(See Stat.
8 H. 6. c. 7.)
as also 100 l. to
the Party
grieved, or any
that will sue.

Penalty on a
Mayor, &c.
making undue
Return of
Citizens or Bur-
gesses, 40 l.
to the King, and
40 l. to the
Party, &c.

Knights for the Shire shall be chosen between Eight and Eleven in the Morning. [See 25 G. 3. c. 84, &c.]

Penalty on Sheriff not making Return, 100*l.* to the King, and 100*l.* to any who will sue.

Suits to be commenced by Parties grieved within Three Months after the Parliament begun.

Penalty on Person unduly returned acting as a Member, 100*l.* to the King, and 100*l.* to the Party, if sued for in Three Months, &c.

What Sort of Persons shall be chosen Knights of the Shires.

of this Statute, no Defendant in any wise shall wage his Law of the said Demand, nor have any Effoin.

II. And that every Sheriff that maketh not due Election of Knights to come to the Parliament in convenient Time, that is to say, every Sheriff in his full County, betwixt the Hour of Eight and the Hour of Eleven before Noon, without Collusion in this Behalf; and that every Sheriff that maketh not good and true Return of such Elections of Knights to come to the Parliament in Time to come, as to them pertaineth in Manner and Form afore said; shall forfeit to the King an Hundred Pounds, and also shall incur the Pain of an Hundred Pounds to be paid to him that will sue against him, his Executors or Administrators, for this Cause, by way of Action of Debt, with his Costs in this Behalf expended, without waging of Law of his Demand, or having Effoin, as afore is said. Provided always, that every Knight, Citizen, and Burghers to come to any Parliament hereafter to be holden, in due Form chosen and not returned as afore is said, shall begin his Action of Debt afore said within Three Months after the same Parliament commenced, to proceed in the same Suit effectually without Fraud; and if he so do not, any other that will sue shall have the said Action of Debt (as it is before said) and shall recover the same Sum with his Costs in this Behalf expended, in Manner and Form afore said, so that no Defendant in such Action shall wage his Law, nor be effoined in any wise as afore is said.

III. And if any Knight, Citizen, or Burghers, hereafter returned by the Sheriff to come to the Parliament in the Manner afore said, after such Return, be by any Person put out, and another put in his Place, that such Person so put in the Place of him which is put out, if he take upon him to be Knight, Citizen, or Burghers, at any Parliament in Time to come, shall forfeit to the King an Hundred Pounds, and an Hundred Pounds to the Knight, Citizen, or Burghers so returned by the Sheriff, and after, as afore is said, put out. And that the Knight, Citizen, or Burghers which is so put out shall have an Action of Debt of the same One hundred Pounds against such Person put in his Place, his Executors or Administrators; provided always, that he shall begin his Suit within Three Months after the Parliament commenced; and if he do not, then he that will sue shall have an Action of Debt of the same One hundred Pounds against him which is put in Place of him that is so put out after such Return, his Executors, or Administrators; and that no Defendant in such Action shall wage his Law, nor be effoined; and that such Process shall be in the Actions afore said, as in a Writ of Trespass done against the Peace at the Common Law.

So that the Knights of the Shires for the Parliament hereafter to be chosen, shall be notable Knights [of the same Counties for the which they shall be chosen,¹²] or otherwise such notable Esquires, [Gentlemen,¹³] [of the same Counties,¹²] as shall be able to be Knights; and no Man to be such Knight which standeth in the Degree of a Yeoman, and under.

¹² See Stat. 14 Geo. 3. c. 58. that they need not be resident in the County.

¹³ 'Gentlemen of Birth,' *Ret. Parl.* in the King's Answer, which is in *English*, so the Petition in *French*.

ITEM ; Come per auctorite dun parlement tenuz a Westm' lan du reigne de le treshonorable pier du Roi qorest primer, entre autrez chosez ordeigne fust, que lez citezeins et burgeisez, des citeez et burghs venauntz au parlement, ferroient eslieux hommes citezeins et burgeisez resceantz demurrauntz et enfraunchisez en mesme les citeez et burghs, et null autres ; come en mesme lestatut pluis pleynement est conteignuz : les queux citezeins [burgeisez¹] et nullé autres ount tout temps en citeez et burghs estez eslieuz, et as viscountz dez counteez retournez, et sur leur retournez resceuz et acceptez per lez parlementz devaunt cez heurez tenuz ; Et auxint come per auctorite dun parlement tenuz a Westm' lan du reigne le Roi qorest oepisme, ordeigne fust, en quell manere et fourme lez chivalers dez counteez a venir as parlementz enapres teniers ferroient eslieux, et comment lez viscountz dez mesme les counteez sur ceo ferroient leur retournez, come en mesme lestatut pluis pleynement appiert : per force de quele estatut elections des chivalers a venir a parlement ascun foitz ount estez duement faitz et loialment retournez, tanqe a ore tarde, que diverser viscountz dez counteez du roialme dEngleterre pur leur singuler availle et lucre ne ount iaitz due elections des chivalers, ne en temps covenable, ne bons et verroiez retournez, et ascun foitz null retournez des chivalers citezeins et burgeisez loialment esluz pur venir as parlementz ; mez ount retournez tielx chivalers citezeins et burgeisez, que ne furent unquez duement eslieux, et autres citezeins et burgeisez, que ceux que per mairs et baillifs as ditz viscountz furent retournez : Et ascun foitz lez viscountz ne ount retourne les briefs qils avoient pur faire elections des chivalers a venir as parlementz, ejnz les ditz briefs ount embesillez ; et oultre nulle precept as mair et baillifs, ou as baillifs ou baillif ou mair nest, dez citees et burghs pur elections des citezeins et burgeisez de venir as parlementz, firent, per colour de cestz parolx contenuz en les ditz briefs, “Quod in pleno comitatu tuo eligi facias pro comitatu tuo duos milites et pro qualibet civitate in comitatu tuo duos cives et pro quolibet burgo in comitatu tuo duos burgenfes.” Et auxint pur ceo que sufficeant peyne et covenable remedie pur la partie en tiel cas greve ne sont pas ordeignez en les ditz estatutz vers lez viscountz et mairs et baillifs qui facent encountre la fourme dez ditz estatutz : le Roi considerant lez premissez, ad ordeigne par auctorite suifdit, que lez ditz estatutz soient duement gardez et observez en toutz pointz : Et oultre ceo, que chescune viscount apres la livere [de chescune²] tiel brieve a luy fait, ferra et delivra saunz fraude un sufficeant precept desouth son seal a chescune mair et baillif, ou as baillifs ou baillif ou mair nest, [deinz³] citees et burghs deinz son countee, recitant le dit brieve, eux commandant per mesme le precept, deslier, si soit citee, per (⁴) citezeins de mesme la citee [deux⁵] citezeins, et en mesme la fourme si soit burgh, (⁶) burgeisez, de venir al parlement. Et que mesme lez mair et baillifs, (⁷) ou baillif ou mair nest, des citeez et burghs retourment (⁸) loialment le dit precept a mesme le viscount per endenturez entre mesme le viscount et eux affaire,

¹ et burgeisez per citezeins et burgeises, *Rot. Parl. P.*

² de ascun, *Rot. Parl. P.*

³ des, *Rot. Parl.*

⁴ les, *Rot. Parl.*

⁵ P. and *Rot. Parl.* omit.

⁶ per les, P.—*Rot. Parl.* as Text.

⁷ ou baillifs, *Rot. Parl. P.*

⁸ ou retourne, *Rot. Parl. P.*

de lez ditz elections, et dez nouns dez ditz citezeins et burgeisez issint per eux eslutz ; et sur ceo que chescune viscount face bone et droit retourne de chescune tiel briefe, et de chescune retourne per mair et baillifs, (7) ou baillif ou mair nest, a luy fait. Et que chescune viscount, a chescune soitz qui il face le contrarie dicest estatut, ou dascun autre estatut pur election dez chivalers citezeins et burgeisez de venir al parlement devant cez hocurez fait, encourage la peyne contenu en le dit estatut fait le dit an oep-tisme ; et oustre ceo forface et paie a chescune persone en apres eslieu chivaler citezein ou burgeis en son counte de venir a ascun parlement, et nemye per luy duement retourne, ou a ascun autre persone que, en defaute de tiel chivaler, citezein, ou burgeis, fue le voet, C. li. dont chescun chivaler, citezein, et burgeis issint greve severalment, ou ascun autre persone qui en lour defaute fuer voet, eit sa action de dette envers le dit viscount, ou sez executours ou administratours, a demaunder et aver lez ditz C. li. ove sez costagez en cest cas despenduz. Et que en tiel action pris ver vertue dicest estatut le defendaut ne gagera sa ley de la demaunde suisdit en null manere ; et que nulle defendaut en tiel action avera ascun esfoyn. Et en mesme le manere a chescune soitz que ascune mair et baillifs, ou baillifs ou baillif ou mair nest, retournent ou retourne autres que ceux qui sont esluz per lez citezeins et burgeisez dez citeez et burghs, ou tielx elections sont ou seront faitz, encourage et forface a Roi xl. li. et enoultre forface et paie a chescune persone en apres eslieu citezein ou burgeis a venir al parlement, et nemye per mesme lez mair et baillifs, ou baillifs ou baillif ou mair nest, retourne, ou (9) autre persone qui en defaute de tiel citezein ou burgeis issint eslieu fuer voet, xl. li. dont chescune des citezeins et burgeisez issint greve severalment, ou ascun autre persone qui en lour defaute fuer voet, ait sa action de dette envers chescune des ditz mair et baillifs, ou baillifs ou baillif ou mair nest, et envers lour executours ou administratours, a demaunder et aver de chescune dez ditz mair et baillifs, ou baillifs ou baillif ou mair nest, xl. li. ove sez costagez en cest cas expenduz : et que en tiel action de dette pris per force dicest estatut null defendaut gagera sa ley de la dit demaunde en null manere, ne avera ascun esfoin.

Et que chescune viscount qui ne face due election dez chivalers pur venir al parlement en temps covenable, scilicet chescune viscount en son pleyu counte per entre le houre de viij. et le hocure de xj. devant le none, sanz collusion en cest partie ; et chescune viscount, qui ne face bon et verray retourne dez tielx elections dez chivalers de venir al parlement en temps a venir, come a eux appartient, en manere et fourme suisditz, forface envers le Roi C. li. et encourage la peyne de C. li. a paier a celluy qui voet fuer envers luy, sez executours ou administratours, pur cest cause, per voie daction de dette, ove sez costagez en celle partie expenduz sanz gager de ley de celle demaunde, ou aver esfoin, come devant est dit. Purveu toutz soitz, que chescun chivaler, citezein, et burgeis, pur venir a ascun parlement en temps aveigner a tenir, en due fourme eslieu, et noun pas retourne come desuis est dit, commence sa action de dette suisdit deinz trois mois apres mesme le parlement commence, a proceder en la dit suite effectuellement, sanz fraude ; et si issint ne face, eit [un ¹⁰] autre qui fuer le voet le dit action de dette,

3^o a P. Rot. Parl.

3^o Rot. Parl. omitt.

come

come devaunt est dit, de aver et recoverer mesme la somme, ove sez costagez en cest partie dispenduz, en manere et fourme avaunt-dit; issint que null defendaunt en tiel action gagera sa ley, ne soit essoin en null manere, come desuis est dit.

Et si ascune chivaler, citezein, ou burgeis, en temps aveignir retourne per le viscount de venir al parlement en la manere suiddit, apres tiel retourne per ascun persone soit ouste, et un autre mys en son lieu: que tiel persone issint mys en le lieu cestuy qui est ouste, sil accepte sur luy destre chivaler, citezein, ou burgeis, a ascun parlement en temps avenir, forface devers le Roy C. li. al chivaler, citezein, ou burgeis, issint retourne per le viscount, et apres come devaunt est dit ouste. Et que cest chivaler, citezein, ou burgeis, qui est issint ouste, avera action de dette dez mesmez C. li. vers tiel persone issint mys en son lieu, ses executours ou administratours; purveu toutz soit, que il commence sa suite deinz trois moys apres le parlement commence; et si il ne face, que celluy qui voet suer avera action de dette dez mesmez les C. li. envers cestuy qui est mys en le lieu cestuy qui est issint apres tiel retourne ouste, sez executours ou administratours; et que null defendaunt en tiel action gagera sa ley, ne soit essoin, et que autiel processe soit en les actions avaunt ditz, come est en brieve de trespas fait encounter la peas [de¹¹] la commune ley.

Issint que lez chivalers dez counteez pur le parlement en apres a esliers soient notablez chivalers dez mesmez lez counteez, par les queux ils ferront issint esluz, ou autrement tielx notablez esquiers, gentils hommez [del nativite,¹²] dez mesmez lez counteez, come soient ablez destre chivalers, et null homme destre tiel chivaler qui estoise en la degree de vadlet et desouth.

¹¹ 2, Rot. Parl.¹² de la naissance, P.

C A P. XV.

The Duty of a Gauger, and when he shall have his Gauge-Penny.

[Cap. XVI. P. &c.]

[See also Stat. 28 H. 8. c. 14. § 3.]

ALSO the King hath ordained and provided by the Authority aforesaid, That the Penny which is called the Gauge Penny, shall not be paid to the Gauger, nor to any other in his Name, until he or his Deputies have gauged the Wines, and then he to take and receive his Penny for the same in Gree, without more Increase or Advantage claiming therefore; and also that he or his Deputy be ready to do the Office of Gauger in all Places, when he to that by the Party shall be required; and that to be observed through all the Realm of *England*, upon the Pain comprised in the Statute made the Seven and twentieth Year of the noble King *Edward* the Third, of the gauging of Red Wine and White Wine, duly to be executed.

27 E. 3. A. 1. c. 8.

ITEM le Roi ad ordeigne et purveu, per lauctorite suiddit, que le denier que est appelle le gauge peny ne soit paie a le gaugeour, ne a ascun autre en son noute, tanqe il ou son depute eie gauge lez vinez, et adonques luy de prendre et resceiver son denier pur ceo, en gree, sanz plus encrece ou avauntage pur ceo claymer: et auxint qil soit prest, ou son depute, de faire loffice de gaugeour en toutz lieux, quant il a ceo per la partie soit requis; et

et ceo destre observez per mye tout le roialme du Roi, sur la peyne comprise en lestatut fait lan xxvij. du Roy Edward le tierce, de gaugier dez vinez rouge et blanc, duement estre execut.

[Cap. XVII.
P. &c.]

[See further St.
1 H. 6. c. 8, &c.]

C A P. XVI.

When and where an Escheator shall take his Inquest of Office, and his Fee,

ALSO it is ordained by the Authority aforesaid, That every Escheator shall take his Inquests of Office by virtue of the Writs of *Diem clausit extremum*, and all other Writs, within the Month after the Delivery of such Writs; and also that all such Inquisitions shall be taken in good Towns and open Places; and that none of them shall take privily nor openly by himself, nor by other, nor any mean Person, for the Execution of any such Writs in one County, nor by the Occasion thereof, above the Sum of Six Shillings and Eight-pence, or Thirteen Shillings and Four-pence; or above, where his Labour and his Costs shall require it, so that the Sum which he shall so take do not exceed in the Whole the Sum of Forty Shillings, for the Execution of any such Writ in one County; and if any Escheator do contrary to any of the Premises, that then he shall forfeit the Sum of Forty Pounds. Also if any Man traverse any Office taken before any Escheator or Commissioner, and thereupon hath any *Scire facias* against any Patentee, that in this Case no Protection shall be allowed, nor allowable; and as to any Grant or Lease to be made to any Person which shall traverse any such Office, that the Statutes in that Case, before this Time made, shall be duly observed: and that the King shall have the Half of the said Forfeiture of Forty Pounds, and the Party, which in this Behalf will sue for the King and himself, shall have the other Half of the same.

Leases to
Persons tra-
versing Offices.

[See Stat.
36 E. 3. c. 13.
8 H. 6. c. 16.
18 H. 6. c. 6.]

ITEM ordeigne est per lauctorite suisdit, que chescune eschetour preigne sez enquestez doffice per vertue dez briefez de *Diem clausit extremum*, et toutz autres-briefs, deinz le mois apres la delivrance dautielx briefs; et auxint que toutz autielx inquisitions soient prisez en bonez villkz, et lieux overtez; et que nulle de eux preigne, privement ne appiert, per luy ne per autre, ne per ascune mesue persone, pur lexecution des ascunes tielx briefs en un countee, ne per loccasion de ceo, oustre la somme de vi. s. viij. d. ou xiiij. s. iiij. d. ou desouth lou son labour et sez costages ceo demaunderent, issint que la somme qil autielment prendra nexceda en tout la somme de xl. s. pur lez executions dascune tiel brief en un countee. Et si ascune eschetour face le contrarie dascune de lez premisses, que adonques il forface la somme de xl. li. Auxint que si ascune homme traverse ascun office prise devaunt ascun eschetour ou commissioner, et dent eit ascun *Scire facias* envers ascun patentee, que en cell case null protection soit allowe ne allowable; et quant a ascun graunt ou leez a faire a ascune persone qui traverse ascun tiel office, que lestatutz en tiel cas devaunt cest estatut faitz soient duement observez; et que le Roi eit la moite de la dit forfaiture de xl. li et que la partie qui en cest partie voet fuer pur le Roi et luy mesmes eit lautre moite dicelle.

CAP.

C A P. XVII.

For Protection of Merchants trading to *Gascoyn* and *Guyen*.[Cap. XVIII.
P. &c.]

“ **N**O new Impositions shall be laid upon Merchants buying
 “ Wines in *Gascoyn* or *Guyen*, by any of the King's Officers
 “ in those Parts, upon Pain of Forfeiture of Twenty Pounds, and
 “ Treble Damages.”

Anno vicefimo quinto HENRICI VI.

*In the Parliament holden at Bury St. Edmunds on the
 Feast of St. Scolastica, 10th February, A.D. 1446-7.*

*The only Act of this Parliament ever printed in the Statute-
 Book was for confirming all former Statutes against Welchmen,
 which was expressly repealed by Stat. 21 Jac. 1. c. 28. § 11.
 See nu. 23. of the printed Rot. Parl. of this Year, for the Peti-
 tion (in English) on which the Act (which was in French) was
 founded.*

For other Acts passed in this Parliament, See

Printed Rot. Parl. v.

Page. No. } For compelling Performance of the Will of John
 129, 11, } Brokley, late Alderman of London, by his Ex-
 } ecutors, for charitable Purposes, by Process in
 } Chancery.

130, 12, *For restoring certain Lands to the Master and Chap-
 lains of Trinity House, Pomfret, in Yorkshire.*

13, *For confirming certain Grants to Eton College.*

132, 14, *The like for King's College Cambridge.*

133, 15, *For assuring the Queen's Dower.*

135, 16, *For granting Letters of Mark and Reprisal to cer-
 tain Merchants against the Bretons.*

17, *For barring the Duchesses of Gloster of all Dower in
 her Husband's Lands.*

18, *For providing for the Security of Persons advancing
 Money on the Credit of the Customs, Subsidies, &c.*

On Petitions of the Commons,

137, 19, *For establishing Schoolmasters in Four Parishes in
 London, viz. Allballows the Great; St. Andrew's,
 Holborn; St. Peter's, Cornhill; and St. Mary,
 Colechurch.*

Anno vicefimo feptimo HENRICI VI.

*In the Parliament held at Weftminfter on the 12th Day
of February, A.D. 1448-9.*

*See printed
Rot. Parl.
vol. 10, 12.*

*[On the 4th of April this Parliament was prorogued to the 7th
May, A.D. 1449; and on the 30th of May to the 16th of
June, A.D. 1449, at Wincheſter; on account or under Pretext
of the Plague.]*

*From the Copy given by Hawkins, Cay, &c. as "Ex Rot.
in Turr. Lond." compared with printed Rot. Parl. Pyn-
ſon, &c.*

*The ſeveral Chapters of the Statute are founded on the following
Articles in printed Rot. Parl. v. p. 141, &c.*

<i>Chap. of Stat.</i>	<i>No. in Roll.</i>	
1,	20	} <i>On Petitions of the Commons, all in Engliſh. (1)</i>
2,	19	
3,	(1)	
4,	21 (2)	
5,	24	
6,	25	

¹ *No. 4. of the ſeparate Petitions, p. 155.*

² *And alſo No. 3. of the ſeparate Petitions.*

³ *Cap. 5. and 6. are in Latin in the Statute, the other Caps. in
French.*

*Befides the above, and alſo ſeveral Articles for the Confirmation
of exiſting Statutes, See further*

Printed Rot. Parl. v.

*Page. No. } Grant of Half a Fifteenth and Half a Tenth, with
142, 8, } certain Deductions.*

*9, Grant of Poundage Twelve-pence, (extended to the
Merchants of the Hanſe), Tonnage Three Shil-
lings, and Three Shillings additional on Aliens,
for Five Years.*

*143, 11, For ſecuring Payment of Money advanced on the Cre-
dit of the Subſidies.*

*13, Grant of another Half Fifteenth and Tenth, with
certain Deductions.*

*144, 14, Grant of a Subſidy, viz. on Alien Houſholders Six-
teen Pence, Non-houſholders Sixpence, Alien Mer-
chants Six Shillings and Eight-pence, their Clerks
Twenty Pence, for Three Years; on all Priests
Secular, Stipendiaries, and Chauntry Priests Six
Shillings and Eight-pence, at the enſuing Michael-
mas. [As to this laſt, ſee Cap. 6. of the Statute.]*

Printed

Printed Rot. Parl. v.

Page. No. } *Grant of a Subsidy on Wools exported; viz. Thir-*
 144, 15, } *teen Shillings and Four-pence per Sack on Wools*
of the Growth of Westmorland, Cumberland, and
between the Teys and Tweed; of the Growth of
other Parts, Thirty-three Shillings and Four-
pence, payable by Denizens; Fifty-three Shillings
and Four-pence on all Wools exported by Aliens,
for Four Years.

146, 16, *For Payment of the Soldiers Wages at Calais.*

On private or separate Petitions (ascribed to this Year).

157, &c. 5, *For acquitting the Inhabitants of the Isle of Ely*
from Payment of the Wages to the Knights for
Cambridgeshire, on Consideration of the Payment
of Two hundred Pounds.

6, *For Payment of the Serjeants, Gentlemen, and*
Yeomen of the King's Household out of the
Profits of Wardships, &c.

7, *The like for the Priests and Clerks of the Household.*

8, *For securing a certain Annuity to John Bury, one*
of the King's Serjeants at Arms.

9, *For Confirmation of certain Grants to Eton College.*

10, *The like for King's College, Cambridge.*

11, *For confirming the Grant of a Thousand Pounds*
per Annum, in Part of the Dowry or Marriage
Gift [dotis sive dotalicie] of Queen Margaret.

12, *For confirming certain Grants of Lands of the*
Duchy of Lancaster to Trustees, to the King's
Use.

13, *For confirming Letters Patent appointing Sir J.*
Talbot Chancellor of Ireland.

14, *For securing a certain annual Fee (Fifty Pounds)*
to the Master of the King's Buck Hounds, out
of the Issues of the Counties of Surrey and Suffex.

15, *For reversing an Act (23 H. 6.) for attainting*
certain Persons for an Assault on Sir Thomas
Parr, one of the Knights of the Shire for Cam-
berland. [There seems some Error in the Dates
recited in the Act as printed. See printed Rot,
Parl. 23 H. 6. nu. 41.]

AT the Parliament holden at *Westminster* the Twelfth Day of *February*, the Seven and twentieth Year of the Reign of our Lord King *Henry* the Sixth after the Conquest, our said Lord the King, by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons, being in the said Parliament, and by Authority of the same Parliament, hath caused to be ordained and established divers Ordinances and Statutes in Manner and Form following.

AU parlement tenuz a Westm' le xij. jour de Febr' lan du reigne nostre Seignur le Roy Henry vj. apres le conquest xxvij. mesme nostre Seignur le Roy del advis et assent des Seignurs espirituell et temporell et lez communes esteantz en le dit parlement, et par auctorite de mesme le parlement, ad fait ordener et establier diverses ordinances et estatutes en lez manere et fourme ensuantz.

C A P. I.

For regulating the Trade with *Brabant, Holland, and Zealand.*

“ **I**F Woollen Cloths manufactured in *England* shall be prohibited in *Brabant, Holland, and Zealand*, then no Merchantise of the Growth or Product of the Dominions of the Duke of *Burgundy* shall come into *England*, upon Pain of Forfeiture.”

[*To continue till the next Parliament.—See further 28 H. 6. c. 1. 4 E. 4. c. 5.*]

C A P. II.

For restoring the Staple at *Calais*.

“ **A**FTER Recital that the King's Revenues from the Staple at *Calais* had decreased from Sixty-eight thousand Pounds to Twelve thousand Pounds, by Means of Licences to ship Staple Merchandises to other Places, and of several Frauds committed in the exporting of such Merchandises; it is enacted, That the Company of Merchants of the Staple there shall enjoy all their former Privileges; and that all Licences to export Wool, Woolfels, or Tin, to any other Place than *Calais*, shall be void, &c.”

[*To continue for Five Years.*]

C A P. III.

For preventing the exporting of Gold and Silver by Alien Merchants.

“ **R**ECITAL of Stat. 4 H. 4. c. 15. requiring Merchants Aliens to employ all their Money in purchasing *English* Goods; and that several Alien Merchants importing Corn and Provision, receive Money for them, and take it out of the Realm, contrary to the said Act: Power is given to the Mayor, &c. and to the Customers of the Places where such Corn or Provisions are imported, to arrest the Ships and take Security that the Money produced by the Sale shall be employed in the Purchase of *English* Goods; and if any Gold or Silver shall be exported by such Alien Merchants, the Customers, &c. shall forfeit the Value of the Corn, &c. so sold.”—*To continue till the next Parliament.*

C A P. IV.

Concerning *Welshmen*.

“ **T**HE statute of 20 H. 6. c. 3. against *Welshmen* taking *Englishmen*, their Goods and Chattels, and carrying them into the Marches of *Wales*, recited and continued till the next Parliament; then to expire.”

C A P.

C A P. V.

Certain Days wherein Fairs and Markets ought not to be kept.

ALSO, considering the abominable Injuries and Offences done and committed to Almighty God, and to his Saints, always Aiders and singular Affliters in our Necessities, because of Fairs and Markets upon their high and principal Feasts, as in the Feast of the *Ascension* of our Lord, in the Day of *Corpus Christi*, in the Day of *Whit-sunday*, in *Trinity Sunday*, with other *Sundays*, and also in the high Feast of the *Assumption* of our blessed Lady, the Day of *All Saints*, and on *Good Friday*, accustomedly and miserably holden and used in the Realm of *England*; in which principal and festival Days, for great earthly Covetise, the People is more willingly vexed, and in bodily Labour [foiled,¹] than in other ferial Days, as in fastening and making their Booths and Stalls, bearing and carrying, lifting and placing their Wares outward and homeward, as though they did nothing remember the horrible defiling of their Souls in buying and selling, with many deceitful Lyes, and false Perjury, with Drunkennells and Strifes, and specially in withdrawing themselves and their Servants from Divine Service; * the foresaid Lord the King, by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons of this Realm of *England*, being in the said Parliament, and by Authority of the same Parliament, hath ordained, That all Manner of Fairs and Markets in the said principal Feasts and *Sundays*, and *Good Friday*, shall clearly cease from all shewing of any Goods or Merchandises (necessary Victual only except), upon Pain of Forfeiture of all the Goods aforesaid so shewed, to the Lord of the Franchise or Liberty where such Goods, contrary to this Ordinance, be or shall be shewed; (the Four *Sundays* in Harvest except). Nevertheless, of his special Grace, by Authority aforesaid, granting to them Power, which of old Time had no Day to hold their Fair or Market but only upon the Festival Days aforesaid, to hold the same by Authority and Strength of their old Grant, within Three Days next before the said Feasts, or next after, Proclamation being first made to the simple common People; upon which Day the aforesaid Fairs shall be holden, always to be certified, without any Fine or Fee to be taken to the King's Use. And they which of old Time have, by special Grant, sufficient Days before the Feasts aforesaid, or after, shall in like Manner as is afore said, hold their Fairs and Markets the full Number of their Days, the said Festival Days, and *Sundays*, and *Good Fridays* except.

Provided always, That this present Ordinance shall begin to take Effect at the Feast of Saint *Michael* next coming, and not before, and shall endure until the next Parliament; and so forth; except in the said Parliament a reasonable Cause be alledged, shewed, and proved, for the which it shall seem not expedient that the foresaid Ordinance so shall endure.

Whoever shall keep Fairs or Markets upon *Sundays*, &c. shall forfeit the Goods shewn.

Saving for Fairs granted to be held on those Days, &c.

¹ defouled, *Rot. Parl.*—troubled, *Translations previous to Pulton.*

* See the remarkable and more extended Preamble in printed *Rot. Parl.*

ITEM, consideratis abhominabilibus injuriis et offensis omnipotenti Deo nostro Sanctisque suis, nostris semper in necessitatibus adjutoribus et succursoribus singularibus, causa seriarum et mercatorum super eorum summa et principalia festa veluti in festo Ascensionis Domini, die corporis Christi, die Pentecostes, die Dominica Sancte Trinitatis, cum aliis diebus Dominicis, ac etiam in summo festo Assumptionis Beate Marie, die Omnium Sanctorum, et in die Parasceves, consuetudinaster et miserrime in regno Anglie tentorum et usitatorum factis et perpetratis, in quibus principalibus festivalibusque diebus, pro magna cupiditate terrena populus voluntarie plus vexatus et in labore corporali deturbatus, existit, quam aliis diebus ferialibus videlicet in infingendo et faciendo bothas et stallas, portando et vehendo levando et collocando mercimonia sua extrorsum et domorsum, quasi nichil habentes in memoria horribilem inquisitionem animarum suarum in emptione et venditione, deceptivis multimodis mendaciis et falso perjurio cum ebrietate et contentionibus, et specialiter se ipsos et eorum servientes a divino servitio subtrahendo; prefatus dominus Rex, de Avisamento et assensu dominorum spiritualium et temporalium ac communitatis regni sui Anglie in dicto parlamento existentium, nec non autoritate ejusdem parlamenti, ordinavit, quod omnimoda ferie et mercata in dictis principalibus festis et diebus Dominicis ac die Parasceves, penitus cessent ab omnimoda monstratione aliquorum bonorum vel mercandiarum, necessariis victualibus exceptis, sub pena forisfacture omnium bonorum predictorum sic monstratorum domino franchise ubi hujusmodi bona in contrarium istius ordinationis sunt vel erunt monstrata; quatuor diebus Dominicis in autumno exceptis. Nichilominus ex sua gratia speciali, auctoritate supradicta, concedens potestatem illis qui ex antiquo nullum diem ad tenendum feriam vel mercatum suum, nisi solummodo super diebus festivalibus predictis, habent, ad tenendum ea, auctoritate et vigore antike concessionis sue, infra tres dies prox' ante festa predicta vel prox' post, cum proclamatione prius facta ad simplicem vulgarem populum: super quem diem feria predicta tenebitur, semper certiorand' absque aliquo sine seu feodo ad usum domini Regis capiendo. Et illi qui habent ex antiquo, per specialem concessionem, dies sufficientes ante supradicta festa vel post, plenum numerum dierum suorum observent consimili supradicto modo ad tenend' suas ferias vel mercata, dictis diebus festivalibus et Dominicis ac die Parasceves exceptis.

Proviso semper quod presens ordinatio incipiat sumere effectum ad festum sancti Michaelis proximo futurum, et non ante; et durabit usque ad proximum parlamentum et sic deinde; nisi in dicto prox' parlamento allegetur monstretur et probetur causa rationabilis pro qua videbitur non expediens quod ordinatio predicta sic perdurabit.

C A P. VI.

The King's Pardon to the Clergy.

IN Consideration of a Grant by the Clergy, in Convocation, of a Poll Tax of Six Shillings and Eight-pence on all Secular Priests (*See printed Rot. Parl. nu. 14. in Note at the Head of this Year*), the King pardons all Priests for all felonious Rapes, and all Forfeitures for taking excessive Salaries."

Anno vicefimo octavo HENRICI VI.

*At the Parliament held at Westminster on Thursday
6th November, A.D. 1449.*

[In the course of the Session the Parliament was adjourned into London, at the House of the Friars Preachers, and on the 4th of December back to Westminster. On the 17th of December it was prorogued till 22d January, A.D. 1449-50; and again on the 30th Day of March was prorogued and adjourned till the 9th Day of April, A.D. 1450, at Leicester.]

Printed
Rot. Parl.
nu. 8, 9, 14

From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Tur. Lond." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. p. 171, &c.

Chapter of Statute.	Number in Roll.	
1	-	57
2	-	59
3	-	58
4	-	55
5	-	54

On Petitions of the Commons;
all in English, (as also the
Answer to nu. 59.)

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. v.

Page. No. } Grant of a Subsidy, viz. on all Persons and Cor-
172, 12, } porations having Freehold or Copyhold Lands,
&c. of the yearly Value of 20 s. and thence
to 20 l. - - - 6 d.
above 20 l. - 200 l. 12 d. } in the Pound.
above 200 l. - - - 2 s.

On Persons having any Office Wages or Fee for Term
of Years, or otherwise than Freehold, of the yearly
Value of 40 s. - - - 12 d.*
40 s. and thence to 20 l. 6 d. } in the Pound,
20 l. - - - 200 l. 12 d.
200 l. and upwards 2 s.

With a Protest that this Grant be not drawn into
Example, but as a Thing granted for Defence of the
Realm in the Time of the King's greatest Necessity.

13, For appropriating certain Sums out of the King's
Revenue for the Expences of his Household. (See
31 H. 6. nu. 43, 44.)

* Query, if this is not an Error in the Print for 6 d. See Carte,
and Cott. Abr. and see 29 H. 6. nu. 7.

On Petitions of the Commons.

Printed Rot. Parl. v.

- Page. No. } For resuming all Grants of Lands, either of the
 183, } 51, } Crown or the Dutchy of Lancaster, since the First
 199, } Day of the King's Reign; and for annulling all
 Grants out of any Part of the Revenue, Grants of
 Offices in Fee, Releases of Corodies, Grants of Pro-
 fits, Franchises, and Privileges, and all Letters
 Patent, by which the Crown suffered in its Income.
 The great Debts incurred by the Crown, the De-
 ficiency of the Revenue, and the heavy Taxes imposed
 on the People, are assigned as Reasons for this
 Resumption. Several Exceptions are made as to
 Grants for good Consideration.—The King gives
 his Assent, with a Proviso, that all Exceptions,
 Moderations, Foreprises, and Provisions, by him
 granted and put in writing during the Parliament,
 should be available in Law, and that the Grants so
 excepted should remain in Force, notwithstanding this
 Act of Resumption. Then follow a great Number of
 Exceptions; the first extending to all Grants to Per-
 sons in Calais or Ireland, and the others to a great
 Variety of Persons and Corporations specified.
- 200, 56, For apprehending and securing William Talbois for a
 violent Riot and Attempt against the Life of Lord
 Cromwell, one of the Council.

On private or separate Petitions.

- 206, 5, For empowering the Chancellor to declare void all Gifts
 made by the Abbot and Convent of Alcester, in War-
 wickshire, without good Consideration.
- 6, For Payment of the Soldiers at Calais.
- 208, 7, For providing for the Re-payment to the Company of the
 Staple at Calais of Two thousand Pounds, advanced
 by them to the King; out of the Subsidy on Wools.

TO the Honour of God and of Holy Church, and for the
 Common Weal and Profit of all the Realm of England, our
 Lord King Henry the Sixth after the Conquest, by the Advice
 and Assent of the Lords Spiritual and Temporal, and at the special
 Instance and Request of the Commons assembled in his Parliament,
 holden at Westmynster the Sixth Day of November, the Eight and
 twentieth Year of his Reign, by Authority of the same Parlia-
 ment, hath ordained and established certain Statutes and Ordinances
 in Manner following.

AL honneur de Dieu et de Seint Eglise, et pur les commune
 bien et profit de tout le roialme d'Engleterre, nostre Seigneur
 le Roy Henry puis le conquette sismc del advis et assent des seignurs
 espirituels

espirituelx et temporelx et a les especialx instance et request des communes assemblez au son parlement tenuz a Westm' le sisme jour de Novembr' lan de son reigne xxvii. par l'autorite de mesme le parlement ad ordeignez et establiez certains estatutz et ordonances par manere qe ensuit.

C A P. I.

To continue the Stat. 27 H. 6. c. 1. for regulating the Trade to *Brabant, Holland, and Zealand.*

“**R**ECITAL of Stat. 27 H. 6. c. 1. at length.—Proclamation shall be made in *London* and elsewhere, before the Feast of *St. Peter ad vincula* next ensuing, for continuing the Provisions of the recited Statute, unless due Redress was provided in *Brabant* before *Michaelmas* ensuing.—This Ordinance to endure for Seven Years, unless Redress should be in the mean Time afforded.”

C A P. II.

For preventing Abuses in Purveyance of Horses and Carts.

“**A**FTER reciting that divers Innkeepers, Brewers, and other Victuallers, had obtained Patents from the King for their Lives, to take Horses and Carts for Carriage for the King and Queen, which they employed more for their own Gain, than the Royal Service, and frequently took Money of Persons to excuse them from such Purveyance; it is enacted, That all such Grants shall be void, and that Persons taking any Horse or Cart without the View of the Sheriff, &c. and the Consent of the Owner, shall be liable to Treble Damages, to be recovered in an Action of Trespass.”

C A P. III.

The King's Pardon to Sheriffs, &c. for holding their Offices above one Year.

“**S**HERIFFS, Under Sheriffs, and their Clerks, having held their Offices beyond the Year in the Twenty-seventh of the King, discharged and acquitted of all Penalties under Stat. 23 H. 6. c. (7) 8, for having so done from the Morrow of *All Souls* to the Feast of the *Purification.*”

[See Stat. 12 E. 4. c. 1.]

C A P. IV.

For preventing undue Distresses in *Wales* and *Lancashire.*

“**I**F any Man in the Shires or Lordships Royal in *Wales*, or in the County of *Lancaster*, do take other Men, their Goods or Chattels, under Colour of Distress, where they have no Cause, they shall be guilty of Felony.”

[To continue for Five Years.]

C A P. V.

For punishing Extortion by Officers of the Customs.

“**A**LSO, whereas divers Water Bailiffs, Searchers, Comptrollers of the Search, and others their Deputies and Servants within the Ports of this Realm, and specially within the Ports of *Fowey*, *N u a* *Plymouth*,

Plymouth, Dartmouth, and Pool, by Colour of their Offices, daily do wrongfully charge and take, by Constraint of Distresses, and Arrests upon the Ships, Barges, Balengers, and other Vessels, Goods, and Merchandises of the King's liege Merchants of this said Realm, and among all other upon the King's liege Merchants of *Gascoign, Guien, Ireland, Guernsey, and Jersey*, in their coming and going into the said Ports, great Charges and Impositions; that is to say, for every Piece of Crece Cloth Four-pence, for every Hundred of Canvas Sixpence, for the Weight of every Ton of Iron Twelve-pence, and sometime more, and in like wise of all other Goods and Merchandises of the said liege People and other Merchants of the King's Amity; and by such wrongful Distresses, Arrests, Charges, and Impositions, they do discourage the said Merchants from coming freely into this said Realm, and to return; contrary to all Law and Conscience, (beyond all Customs and Subsidies due to our said Lord the King), to the great Prejudice of our said Lord the King, in Loss of his said Customs and Subsidies, and to the great Damage and Hindrance of the said Merchants and their Successors, unless due Remedy thereof be had in the same: by the Advice, Assent, and Authority aforesaid, it is ordained and established, That the said Merchants, and their Successors, and every of them, of all such Injuries, Distresses, Arrests, Charges, and Impositions afore recited, to be done to them, or any of them, as well by such Water Bailiffs, Searchers, and Comptrollers of the Search, as by Collectors of the said Customs and Subsidies, Comptrollers of the same, Surveyors of the Customs and Subsidies, and of the Search, Packers, or any other Officers, or their Deputies or Servants by their Commandment, or any of them hereafter, may have thereupon a general Writ of Trespass against such Offenders, and every of them, according to the Form of the Law, and to recover against them, and every of them thereof so convicted, Forty Pounds: And that the said Merchants, their Successors, and every of them so grieved as afore is said, shall pursue the said Writ of Trespass against the said Offenders, and every of them, for such Injuries, Distresses, Arrests, Charges, and Impositions so to be made as afore is said, within Two Months next after such Injuries, Distresses, Arrests, Charges, and Impositions to be made by them, or any of them, as before is said; and in case that the said Merchants, their Successors, or some of them, do not pursue the said Writ of Trespass for such Injuries, Distresses, Arrests, Charges, and Impositions aforesaid, against the said Offenders, nor any of them, within the said Two Months, that then it shall be lawful to every other Person of the King's liege People to pursue the said Writ of Trespass for such Injuries, Distresses, Arrests, Charges, and Impositions, to be made as is aforesaid against all such Offenders, and every of them, according to the Form of Law, and to recover against them, and every of them thereof so convicted, Forty Pounds; the King to have the one Half, and he or they which will pursue, the other Half.

When an Officer of the Customs doth make any Distresses or Arrest upon any Ships for an unlawful Cause, he shall forfeit Forty Pounds to the Merchant suing within Two Months, &c.

ITEM come diverses baillifs de leaues sercheours cuntroullours du serche, et autres leur deputees et servauntz, dedeins les portes de cest roialme et en especiall dedeins les portes de Fowey, Plymouth Dertmouth et Pole par colour de leur offices torceoument

ment chargeont et priegnant, ore de jour en autres par dureffe de destresses et arestes sur les niefs barges ballengiers et autres vesseaulx biens et merchaundises des lieges du Roy merchauntz de cest dit roialme, et entre toutz autres sur les lieges du dit Roy marchauntz de Galcoigne Guyan Irland Gernesey et Gersey, en lour venant et alant en les ditz portz graundz chargez et impositions cestassavoir pur chescun pece de crececloth iiii. d. pur chescun centz de canvas vj. d. pur pois de chescun tonell de ferre xij. d. et ascune soitz pluiz, et semblablement de toutz autres biens et merchaundises de les ditz lieges et dautres merchauntz damitee nostre dit souveraine Seigneur le Roy ; et par tielx enjuriosez destressez arestes charges et impositions empechent les ditz merchauntz franchement a venir en cest dit roialme, et a passer, encountre toutz leyes et conscience, outre toutz custumes et subsidies duez a nostre dit Seigneur le Roy, en anientisment des ses dite custumes et subsidies et en grand damage et arrierisment de les ditz merchauntz et lour successeurs, finon du remedie ent ne soit eue : par advis assent et auctorite dessuifditz ordeignez est et establiez, qe les ditz merchauntz lour successeurs et chescun deux, de toutz tielx enjuriez destresses arestes chargez et impositions desuis recitez, affaires a eux ou a ascun deux sibiën par tielx baillifs del eaus sercheours et countrollours de Terche, come par collectours des ditz custumes et subsidies countrollours de les mesmes, surveiours des custumes et subsidies et du serche, pakkers ou ascuns autres officers, lour deputees ou servauntz, par lour commaundment, ou ascun deux enapres, peussent avoir sur ceo generail bref de trespas encountre tielx messaisours et chescun deux, solonc la fourme de ley, et a recouperer encountre ceux et chescun deux ensi de ceo convictez xl. li. Et qe lez ditz merchantz lour successeurs et chescun deux, ensi grevez come devaunt est dit, pursueront et pursuera le dit brief de trespas encountre les ditz messaisours, et chescun deux, de tielx enjuries destresses arestes charges et impositions ainsi affaires come devaunt est dit, dedeins deux mois proschein apres tielx enjuries destresses arestes charges et impositions affaires par eux ou ascun deux come devaunt est dit ; et en cas les ditz merchantz lour successeurs ou ascun deux ne pursuent mie le dit brief de trespas, de tielx enjuries destresses arestes charges et impositions dessuifditz, encountre les ditz messaisours ne null deux dedeins les ditz deux mois, qe lors il lirra a chescun autre persone de les lieges du Roy a pursuer le dit brief de trespas de tielx enjuries destresses arestes charges et impositions affaires comé devaunt est dit, encountre toutz tielx messaisours et chescun deux solonc la fourme de ley, et a recouperer encountre ceux et chescun de ceux ensi dent convictez xl. li. le Roy davoir ent lune moitee et il ou ilz qi pursuer vorroiet ou vorroient lautre moitee.

Anno vicesimo nono HENRICI VI.

In the Parliament held at Westminster on the Feast of Saint Leonard (6th November), A.D. 1450.

Printed
Rot. Parl.
nu. 10, 11.

[On the 18th of December this Parliament was prorogued over Christmas, till the 20th Day of January, A.D. 1450-51; and on the 29th of April, over Easter, till the 5th of May, A.D. 1451.]

From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. p. 210, &c.

Chap. of Statute. Numb. in Roll.

1	—	19	} These Two on Petitions of the Commons, in Englishb.
2	—	20	
3	—	21 ⁽¹⁾	

¹ This is noted as a private Act in Cay, &c. but query, as the Assent is "Le Roy le voet;" and though on the Petition of the Mayor and Citizens of York, it is included in the Petitions delivered by the Commons.

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. v.

Page. No. } For levying the Subsidy granted by 28 H. 6. nu. 12.
211, 7, } and providing that no Person shall be chargeable
for Freeholds under Forty Shillings, or Offices under
Three Pounds.

212, 8, } For apprehending or attainting certain Persons con-
9, } cerned in the violent and riotous Murder of William
Tresham.

214, 12, For confirming the Act 18 H. 6. nu. 27. concerning
Payment of the King's Justices, &c.

13, An Act of Preferment for the King. The Sum of
Twenty thousand Pounds made payable, for the De-
fence of the Realm, out of certain Customs, in pre-
ference to all other Payments.

216, 14, } Providing for Payment for certain Allum belonging
15, } to some Genoese Merchants taken in the Port of
Southampton for the King's Service.

On Petitions of the Commons.

Printed Rot. Parl. v.

Page. No. } *An Act of Resumption of the King's Grants.—See the*
 217, 17, } *Act of Resumption, 28 H. 6. nu. 51. which, it*
 220, 18, } *appears, was not sufficiently executed. The Effect*
 214, } *of the present Act is similar as to the Resumption of*
 all Grants, &c. from the Beginning of the King's
 Reign; such Resumption to begin to take place at
 Lady Day 29 H. 6. with several Provisions or
 Exceptions.

225, 22, *For excepting, out of a Pardon to the Abbot of Bury*
 St. Edmunds, a Debt due from him, for Money col-
 lected on account of a Tenth granted to the King.

OUR Sovereign Lord King *Henry* the Sixth after the Conquest,
 at his Parliament holden at *Westminster* on the Feast of *St.*
Leonard the Nine and twentieth Year of his Reign, by the Advice
 and Assent of the Lords Spiritual and Temporal, and at the Re-
 quest of the Commons in the same Parliament assembled, and by
 the Authority of the same, hath ordained and established divers
 Ordinances and Statutes in Form following.

NOSTRE souveraine Seigneur le Roy *Henry* puis le conquete
 sisme, a son parlement tenuz a *Westm'* en le fest de *Saint*
Leonard, lan de son reigne vint novesme, del advis et assent des
 seignurs espirituelx et temporelx et a la request des communes en
 mesme le parlement assemblez, et par lauctorite dicell ad or-
 deignez et establiez diverses ordenaunces et estatutz en la fourme
 qe enseute.

C A P. I.

John Cade attainted of Treason, his Lands and Tenements
 declared forfeited to the King, and his Blood corrupt.

FIRST, whereas the false Traitor *John Cade*, naming himself
John Mortimer, late named Captain of *Kent*, the Seventh
 Day of *July*, in the Twenty-eighth Year of the Reign of our said
 Sovereign Lord the King, at *Southwark* in the County of *Surrey*,
 and the Ninth Day of *July*, the aforesaid Year, at *Derisford* and
Rocheſter in the County of *Kent*, also at *Rocheſter* aforesaid, and
 elsewhere, the Tenth and Eleventh Days of *July* then next en-
 suing, within the Realm of *England*, falsely and traitorously im-
 agined the King's Death, and the Destruction and Subversion of
 this said Realm, in gathering and levying a great Number of the
 King's People, and them exciting to make Insurrection against the
 King falsely and traitorously in the Places aforesaid, and at the
 Times before recited, against the King's Royalty, Crown, and
 Dignity, and there and then made and levied War falsely and
 traitorously against the King and his Highness: and although he
 be dead and mischieved, yet by the Law of the Land not pun-
 nished: Our said sovereign Lord the King considering the Pre-
 mises, to put such Traitors in Fear so to do in Time coming, and

for saving of himself and of his Realm, by Advice of his Lords Spiritual and Temporal, in the said Parliament assembled, and at the Request of his Commons, hath ordained by the Authority of the said Parliament, That he shall be of these Treasons attainted, and that by the same Authority he shall forfeit to the King all his Goods, Lands, Tenements, Rents, and Possessions which he had the said Seventh Day of *July*, or after, and his Blood corrupt and disabled for ever, and to be called within the said Realm a false Traitor for ever.

PRIMEREMENT qe come le faux traitour Johan Cade, nomant soy mesme Johan Mortymer, nadgaires nomeez Capeteyne du Kent, le septisme jour de Julie lan du reigne nostre dit Seigneur le Roy vint oepisme, a Suthwerke en le counte de Surrey, et noveisme jour de Julie lan desuisdit, a Dertford et Rouchestre en le counte du Kent, auxi au Rouchestre suisdit et aillours le disme et unszime jour de Julie, donques proschein ensuantz, deins le roialme dEngleterre fausement et tratourousment ymagenala mort du Roy, destruction et subversion du cest dit roialme, en coillant et levant graunde nombre du poeple de Roy, et culx excitant densurrer encountre le Roy fausement et traitourousment en les lieux avaunteditz, et les temps devant recitez, encountre le roialte corone et dignite du Roy, et illeokes et adonques fist et leva guerre fausement et traitourousment encountre le Roy et sa hautesse : et combien il y a qe il est mort et mescheve, enquire par la ley de la dite terre nient punys ; Nostre dit Seigneur le Roy, considerant les premissez, pur botier tielx traitours en doute ainsi affaire en temps avenir, et pur salvation de luy mesme et de son reame, par advis des ses seignurs espirituelx et temporelx en le dit parlement assemblez, et a la request de ses Communes, ad ordeignez par lauctorite du dit parlement, qil soit atteint de cestez treasons, et par mesme lauctorite forface au Roy toutz ses biens terres tenementz rentes et possessions, queux il avoit le dit septisme jour de Julie ou apres, et son sang corruptez et disables pur toutz jours, et a nomerz deinz le dit roialme faulx traitour pur toutz jours.

C A P. II.

[See Stat. 2 H. 5. st. 1. c. 6. and Notes, and also 14 E. 4. c. 4.]
For confirming and amending Stat. 2 H. 5. st. 1. c. 6. against Breakers of Truces and Safe Conduits.

ALSO it is ordained and established, That the Statute made the Second Year of the late victorious and noble King *Henry*, Father to our Sovereign Lord the King that now is, concerning the Breakers of Truces and Safe Conduits upon the main Sea and other Places, stand in Force and be confirmed. Adding thereto, that the Chancellor of *England* for the Time being, calling to him one of the Chief Justices of the one Bench or of the other, shall have like Power as the Conservators and other Commissioners in the said Statute specified have ; saving where it is contained in the said Statute, that if he or they, upon whom Complaints shall be made, do not appear at a certain Time, as is there contained, that then a *Capias* and *Exigend* shall be awarded against him or them upon whom such Complaint is made, as well to the Sheriff of the County of the which they be supposed to be, as to the Sheriff of the

The Chancellor and one Chief Justice shall have like Power as the Conservators and Commissioners under said Stat. 2 H. 5. st. 1. c. 6.

the County where the said Complaint shall be made: It is ordained in this present Parliament, That there be awarded a Writ of *Capias* to the Sheriff of each of the said Counties, commanding him, upon Pain of a Hundred Pounds, to make open Proclamation in the Five succeeding County Courts, that the Party or Parties of whom Complaint is made, do appear at a certain Day contained in the same Writ, before the said Chancellor, if the Complaint of the Premises be made before him, after the Form contained in the said Statute; and if they appear not at the said Day, that then they shall be attainted and convicted, to the Party so complaining, of the Offences in the said Complaint specified: And that the said Party complainant shall be preferred to have Execution before any Seiser to be had for the King in this Behalf, notwithstanding that they who shall so make Default be attainted of Treason. And it is ordained, that no Person who appears upon any such Complaint or Writ to be awarded, shall incur the Penalty of Treason contained in the said Statute. Provided also, that if any Person, against whom such Writ or Proclamation shall be awarded, be out of this Realm by Feat of Merchandise, or in the King's Service by his Commandment, at the Time of the first Proclamation made upon such Writs, that then such Person shall not be indamaged by this Act, so that he appear personally before the King in his Chancery within a Month next after his coming into this Realm, to answer to such Complaints. Provided also, that no Owner, Victualler, nor Setter-forth of any Ship or Vessel, which shall not be Party to any such Offence, nor Procurer, Counsellor, nor Abettor to the doing thereof, nor knowing nor willingly receiving or taking any Part of the Goods so robbed or spoiled upon the Sea, shall be indamaged by this Ordinance. And that this Ordinance shall begin and be in force the First Day of this present Parliament, and not before, and shall endure for Five Years next ensuing: And that no Charter of Pardon hereafter to be granted shall be allowable to any Person or Persons for any Offences done contrary to the said Statute.

Process on Complaints before them.

On Non appearance Offenders shall be convicted.

No Person appearing shall be liable to Penalty of Treason.

Owners, &c. not being Parties to Offences, shall not be hurt.

Continuance of Act Five Years.

No Pardon allowable against the Statute.

ITEM ordeignez est et establiez qe le statute fait lan seconde du le nadgaires victorious et noble Roy Henry, pier a nostre souveraine Seignur le Roy qi orest, des rumpours des treuez et faufoonduites sur le haute meere et autres lieux, estoise en la force et soit confermez; Adjoustant a ycell qe le Chaunceller d'Engleterre pur le temps esteant, appellant a luy un des chiefs justices d'une Bank ou de lautre, eit semblable poiar sicome ont lez conservateurs et autres commissiouners en mesme lestatute especifiez; Sauf ou il est contenuz en le dit estatute qe si il ou ilz sur queux compleintz serrent faitz nappierent mye al certain temps, sicome il est la contenuz, qe donques serroient agardez *Capias* et Exigend' encountre luy ou ceuz, sur qi ou queux il est compleine, auxibien a viscount du countee de qi ils sont suppozez destre, come al viscount du countee ou la dite compleinte serroit faite; ordeignez est en cest present parlement qe il soit agarde brief du *Capias* al viscount de chescun de les ditz counteez, commaundant luy sur peine de cent li. affaire overt proclamation en cynk counteez continuelz, qe la partie ou parties, sur quel ou queux il est compleine, appierge ou appiergent al certain jour contenuz en mesme

mesme le brief, devant le dit Chaunceller, si le compleinte de les premisses soit fait devant luy, solonc la fourme contenuz en le dit estatut ; et si ils nappiergent mye a mesme le jour qe donques ils soient atteiatz et conviëtz, al partie ensi compleignaunt, de les offenses en le dite compleint especifiez ; et qe la dit partie compleignaunt soit preferre davoir execution devant ascun [sefe¹] pur le Roy davoir en cest partie, nient obstant qe ils qi ensi ferront defaute ferront atteintz de treason. Et ordeignez est qe null persone qe appiert sur ascun tiel compleint, ou brief destre agarde, encourage en la peine de treason contenuz en le dit estatute. Purveu auxi, qe si ascune persone, encontre qel tiel brief ou proclamation serra agardez, soit hors de cest roialme par feete de merchaundise, ou en le service du Roy par son commandement, le temps de la primer proclamation fait sur tielx briefs, qe donques mesme la persone ne soit endamage par ceste acte, ainsi qe il appierge personnelment devant le Roy en sa Chauncerie, dedeins une mois proschein apres son venue en cest roialme, a respoudre a tielx compleintz. Purveu auxi qe null possesseur vitailer ne setterforth dascun nief ou vesseau, qi ne serra point partie a ascun tiel offense, ne procurour conseilour ne abettour a le fait ent, ne scientement ne voluntariement rescieve ou preigne ascun partie de lez biens ensi robbez et despoilez sur le meere, soit endamagex par cest ordenaunce. Et qe cest ordenaunce commencera et serra en sa force le primer jour de cest present parlement, et nemye devaunt, et endurera par cynk ans proschein ensuantz ; et qe null chartre du pardon en apres a grauntiers soit allouable a ascune persone ou persones, pur ascuns offensez faitez contrarie du dit estatut.

¹ seyfin, P.

[See Note at
Head of this
Year.]

C A P. III.

All Letters Patents granted to the Citizens of *York* to exempt them from certain Offices, shall be void.

ALSO whereas great Inconveniencies and Damages have come now of late in the City of *York*, and more in Time to come be like to happen, if Provision thereof be not had ; for that divers and certain Persons, Citizens of the said City, have purchased and gotten of our Sovereign Lord the King several Letters Patents, thereby, to be exempted of the Offices and Occupations of Mayoralty, Sheriff, Chamberlain, Collector of Dismes and Quinzismes, and Citizen of the said City to come to the Parliaments of our Sovereign Lord the King and his Heirs within the said City : Our said Sovereign Lord the King, considering the Premises, by the Advice and Assent aforesaid, hath ordained and established, That all such Letters Patents made or granted, or to be made or granted to any Person or Persons, now Citizens of the said City, or which in Time coming shall so be, shall be void, and of none Effect. And moreover, that if any Citizen of the said City now being, or which in Time coming shall be, do purchase, admit, take, or get any such Letters Patents, thereby to be exempt of any of the Offices or Occupations aforesaid, within the same City, shall forfeit Forty Pounds, the one Half to our Sovereign Lord the King, and the other Half to the Mayor and Citizens of the said City, and their Successors ; and that the Mayor for the

Time

Penalty on
Persons suing
Letters Patents
of Exception
from Offices
in *York*, 40 l.

Time being and his Successors may have and maintain an Action of Debt, to demand the said Forty Pounds against every of the said Person or Persons, purchasing, admitting, taking or getting such Letters Patent of Exemption, the one Half of the said Forty Pounds so recovered, to be to the Use of our said Sovereign Lord the King and his Heirs, and the other Half of the said Forty Pounds to be to the Use of the Mayor of the said City for the Time being, and of the Citizens of the same City, and their Successors; and that in such Actions of Debt hereafter to be pursued, the Party or Parties Defendant or Defendants in no wise shall be admitted to their Law.

ITEM qe come graundez enconvenienchez et damagez ont avenuz ore tard en la cite d'Everwik et plusours en temps avenir sont semblablez de venir si provision ent ne soit eue, pur ceo qe diversetz et certeinz perones citezeins du dit citee ont purchasetz et gaignez du nostre souveraine Seigneur le Roy severalx lettres patentz, eux par ent destre exemptz de lofficez et occupations du mairalte viscounte chamberleyn collectour dez dismes et quinzimez, et citezein du dit citee pur venir as parlementz nostre dit souveraine Seigneur le Roy et sez heires, deinz la dit citee: Nostre dit souveraine Seigneur le Roy, considerant lez premissez par advis et assent desuissditz, ad ordeigne et establie qe toutz tielx lettres patentz, a ascun persone ou perones ore citezeins du dit citee ou qi en temps avenir serront, faitez grauntez, ou affaires ou a grauntiers, soient voides et de null effect: Et outre ceo si ascun citezein du dit citee ore estant, ou qi en temps avenir serra, purchace admet preigne ou gaigne ascuns tielx lettres patentz, par ent destre exemptez dascun de lez officez ou occupations devaunt ditz deinz mesme la citee, forface xl. li. lune moite a nostre dit Seigneur le Roy et lautre moitee a les maire et citezeins du dit citee et leur successeurs: et qe le maire pur le temps esteant et sez successeurs puet et puissent avoir et maintenir action du dette a demaunder lez ditz xl. li. encountre chescunny de la dit person ou personz, tielx lettres patentz dexemption purchasant admittant preignant ou gaignant; lune moitee de les ditz xl. li. ainssi recoverez destre al oepe nostre dit Seigneur le Roy et sez heires et lautre moitee de les ditz qarant li. destre al oepe del maire du dit citee pur le temps esteant et de lez citezeins de mesme la citee et leur successeurs; et qe en tielx actions du dette en apres a pursuerz lez parties defendantz ne le partie defendant en null maner soient ne soit admis a leur ley.

Anno tricesimo primo HENRICI VI.

*In the Parliament held at Reading on the 6th Day
of March, A.D. 1452-3.*

Printed
Rot. Parl. m. 12,
20, 22, 23, 24.

[On the 28th of March (A.D. 1453,) this Parliament was pro-
rogued and adjourned till the 25th Day of April at Westminster;
and again on the 2d of July till the 12th November (32 H. 6.
A.D. 1453), at Reading, when and where it was again ad-
journed till the 11th of February, (A.D. 1453-4), at Reading;
and again on that Day till the 14th of February, at Westminster.—
The printed Roll is entitled as of 31 and 32 H. VI.]

From the Copy given by Hawkins, Cay, &c. as "Ex Rot.
in Turr. Lond. m. 5." compared with printed Rot. Parl.
Pynfon, &c.

The several Chapters of the Statute are founded on the following
Articles in printed Rot. Parl. v. p. 227, &c.

Chapter of Statute.	Number in Roll.	
1 - -	63	} On Petitions delivered by the Commons; (in English.)
2 - -	65	
3 - -	66	
4 - -	68	
5 - -	69	
6 - -	70	
7 - -	67	
8 - -	71	
9 - -	72	

Besides the above, and also several Articles for the Confirmation
of existing Statutes, See further

Printed Rot. Parl. v.

Page. No. } Grant of a Fifteenth and Tenth.
228, 7,

8, Grant of Tonnage and Poundage to the King for
his Life, viz. Tonnage Three Shillings, and Three
Shillings additional on Sweet Wines imported by
Aliens; and Poundage, Two Shillings from Aliens,
and One Shilling from Denizens. (See c. 8. of the
Statute.)

229, 9, Grant of a Subsidy on Wools, &c. exported, (for the
King's Life) viz. Forty-three Shillings and Four-
pence per Sack on Wools, &c. and One hundred
Shillings per Last on Hydes, by Denizens; One
hundred Shillings per Sack of Wool, and One hun-
dred and Six Shillings Eight-pence per Last of
Hydes, by Aliens; to be applied in Part for Pay-
ment of the Garrison at Calais. (See c. 8.)

Printed

Printed Rot. Parl. v.

Page. No. } Grant of a Subsidy on Aliens, viz. On every Alien
230, 10, } Householder in the Realm Sixteen Pence, Non-
householders Sixpence; Alien Merchants, Brokers,
Factors, or Attornies, Householders, Forty Shillings,
Non-householders being for Six Weeks in the Realm,
Twenty Shillings; Alien Merchants, Brokers, &c.
made Denizens, Ten Marks (6l. 13 s. 4d.); all
payable yearly for the King's Life.

11, Grant of Twenty thousand Archers 'ore tenus facta,'
by the Commons.

231, 13, } Release, by the King, of Seven thousand of the said
14, } Twenty thousand Archers; and Provision for raising
233, 15, } the other Thirteen thousand to serve for Half a
Year; and apportioning the Number to be raised in
each County, on Three Months Notice.

16, For paying certain Sums of Money out of certain
Customs to the Duke of Somerset, for the Garrison
at Calais.

234, 17, } For appropriating certain Sums out of the Subsidies
235, 18, } to the Repairs at Calais, and to the victualling the
Soldiers there.

236, 19, Grant of a Half Fifteenth and Tenth.

237, 21, Provisoos, to be annexed (as it seems) to an Act re-
lating to the King's Household. (See post, nu. 43.)

In the Session begun 14th February, 32 H. VI.

240, 31, } Proceedings and Acts in the Name of the King, by
243, 38, } the Assent and Advice of Parliament, for appointing
the Duke of York Protector and Defender of the
Realm, and the King's Chief Counsellor (in conse-
quence of the King's Indisposition or Incapacity to
govern), until the King's eldest Son, Edward, should
come to Years of Discretion, and take on himself
the said Offices.

39, Appointment of the Prince to the said Offices, on his
coming to Years of Discretion and assenting to the
Appointment.

40, For empowering the Protector for the Time being to
nominate to certain Offices and Ecclesiastical Pre-
ferments; and for settling an Allowance of Two
thousand Marks a Year on the Duke of York, as
Protector.

244, 41, For applying the Subsidy of Tonnage and Poundage
for the Safeguard and Keeping of the Sea, under
the Direction of certain Noblemen named, for Three
Years,

Printed

Printed Rot. Parl. v.

- Page. No. } For raising One thousand Pounds by way of Loan in
 245, 42, } certain Cities, to be applied to the said Safeguard
 and Keeping of the Sea, and repaid out of the Sub-
 sidies of Tonnage and Poundage, viz. London, Three
 hundred Pounds; Bristol, One hundred and Fifty
 Pounds; Southampton, One hundred Pounds; Nor-
 wich and Yarmouth, One hundred Pounds; Ipswich,
 Colchester, and Maldon, One hundred Pounds; New
 Sarum, Poole, and Weymouth, Fifty Pounds; York
 and Hull, One hundred Pounds; Lyme, Fifty
 Pounds; Boston, Thirty Pounds; Newcastle on
 Tyne, Twenty Pounds.
- 246, 43, } For appropriating certain Sums of Money out of the
 44, } King's Revenues to the Expences of his Household;
 and repealing a former Act for that Purpose,
 28 H. 8. nu. 13. (and see p. 272, nu. 1.)
- 247, 45, For levying the Sum due on Recognizances forfeited
 by Robert Poynings, one of the Adherents of Jack
 Cade.
- 248, 46, For imposing Fines on the Lords who had not attended
 at this Parliament pursuant to Summons.
- 47, For Repayment to the Company of the Staple at Calais
 of Ten thousand Marks, lent by them for Payment
 of the Soldiers there.
- 250, 50, } For naturalizing Edmund de Hadham and Jasper
 Sc. } de Hatfield, the King's uterine Brothers, Sons of
 Katherine, Queen Dowager of England; and for
 creating the former Earl of Richmond, and the
 latter Earl of Pembroke, with Grants of the re-
 spective Counties, Honours, and Domains of Rich-
 mond and Pembroke.
- 253, 53, Grant to the Earl of Richmond of Manors, &c. in
 Lancashire, Westmoreland, and Yorkshire, late be-
 longing to the Duke of Bedford.
- 257, 57, For confirming a Grant by James Earl of Wiltshire
 and Ormond to the Hospital of St. Thomas of Acres
 (Becket).
- 258, 58, For establishing a Chauntry in the Parish of St. Benet
 Shorhog, in London, according to the Will of Thomas
 Romain.
- 59, For confirming a Grant of One thousand Pounds a
 Year to Queen Margaret, out of the Customs at the
 Port of Southampton.
- 260, 60, For confirming a Grant of certain Lands to the Queen,
 in Exchange for others previously settled on her for
 her Dower, and given by her Consent to the Earl
 of Pembroke.

Printed

Printed Rot. Parl. v.

*Page. No. } For securing Payment, out of the Subsidy on Wools,
263, 61, } to John Earl of Shrewsbury of certain Sums due
to him.*

*Appendix, } For reversing a Judgement of Treason against Sir
449, 36, } Roger Chamberlain.*

AT the Parliament holden at *Reading* the Sixth Day of *March*, the One and thirtieth Year of the Reign of our Lord King *Henry* the Sixth after the Conquest, Our said Lord the King, by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons being in the said Parliament, and by Authority of the same Parliament, hath caused to be ordained and established divers Ordinances and Statutes in the Manner and Form following.

AU parlement tenuz a Redyng le sisme jour de Marche, lan du reigne nostre Seignur le Roy Henry vj. puis le conquest xxxj. mesme nostre Seignur le Roy del advis et assent des Seignurs espirituelx et temporelx, et les communes esteantz en le dit parlement, et par auctorite de mesme le parlement, fist ordeigner et establier divers ordenaunces et estatutes en les maner et fourme ensuantz.

C A P. I.

All Indictments and Acts done during the Rebellion of the Traitor *John Cade*, and during future Rebellions, declared void.

FIRST; Whereas the most abominable Tyrant, horrible, odious, and errant false Traitor *John Cade*, calling and naming himself sometime *Mortimer*, sometime Captain of *Kent*, which Name, Fame, Acts, and Feats be to be removed out of the Speech and Memory of every faithful Christian Man perpetually: falsely, and traitorously purposing and imagining the perpetual Destruction of the said King's Person, and final Subversion of this noble Realm, taking upon him Royal Power, and gathering to him the King's People in great Number by false subtil imagined Language, and seditiously, made Commotion, Rebellion, and Insurrection under Colour of Justice and Reformation of the Laws of the said King, robbing, slaying, and spoiling great Part of his faithful People: our said Sovereign Lord the King, considering the Premisses, with many other which were more odious to remember, by Advice and Assent of the Lords aforesaid, and at the Request of the said Commons, and by the Authority aforesaid, hath ordained and established, That the said *John Cade* shall be reputed, had, named, and declared a false Traitor to our said Sovereign Lord the King, and that all his Tyranny, Acts, Feats, and false Opinions shall be voided, abated, annulled, destroyed, and put out of Remembrance for ever. And that all Indictments, and all Things depending thereof, had and made under the Power of his Tyranny, shall be likewise void, annulled, abated, repealed, and holden for none; and that no Man's Blood be thereby defiled nor corrupted, but
by

All Indictments
under rebellious
Power declared
void.

by the Authority of the said Parliament cleared and declared for ever. And all Indictments in Time to come, in like Case made under Power of Tyranny, Rebellion, and Commotion, shall be of no Record nor Effect, but void in Law. And all the Petitions delivered to the said King in his last Parliament holden at *Westminster*, the Sixth Day of *November*, the Nine-and-twentieth Year of his Reign, against his Mind by him not agreed, shall be taken and put in Oblivion out of Remembrance, quashed, voided, annulled, and destroyed for ever, as a Thing purposed against God and Conscience, against the King's royal Estate and Pre-eminence, and also dishonourable and unreasonable.

EN primes; *Qe come le plus abhominable tyranne horrible odious et erraunt faulx traitour Johan Cade appellant et nommant soy mesme ascune foitz Mortymer aucune foitz Capteyn du Kent, le quel noun fame actes et sectes sount a removeier hors la langage et memorie de chescun foiall Cristian home perpetuellement, fausement et traieroufment purposant et ymaginaunt la perpetuell destruction del persone du dit Roy et final subversion de cest noble reame, preignant sur luy poiar roiall, et coillant a luy le peuple du Roy en graunde nombre par faulx subtil ymaginouse langage et seduciousment fist commotion rebellion et insurrection soubz colour de justice et reformation des leyes du dit Roy, robbant tuant et despoillant graunte partie de son foiall peuple: Nostre dit Seigneur le Roy les premiffes, ovefque plusours autres queux furent pluis odious a remembrier, considerant, par advis et assent des Seignurs avaunditz, et a la request dez ditz Communes et par auctorite desuifditz, ad ordeigne et establie qe le dit Johan Cade soit repüte ewe nomme et declare faulx traitour au nostre dit souveraine Seigneur le Roy; et qe toutz sez tyrannye actes sectes et fauz opynions soient voides casses adnulles anientifsez et oustez de remembraunce perpetuellement. Et qe toutz enditementez et lez dependauntez ent ewes et faitz subz la poiar de sa tyranny ensement soient voides adnulles cassez repellez et tenuz pur null; et qe le sang de nully soit ent desoule ne corrupte, mes par l'auctorite du dit parlement cleere et declare perpetuellement. Et toutz enditementez en temps avenir en semblable case soubz poiar, de tyranny rebellion et comotion euez, soient de null recorde ne effeete mes voides en ley. Et toutz lez petitions bailles au dit Roy en son darrein parlement tenuz a *Westm'* le fisme jour de *Novembre* lan de son reigne xxix^e, encountre sa entent par luy nient agreez, soient prisez et rebotez en oblivion hors de remembrance, cassez voides adnulliez et anientifsez perpetuellement, come chose purpose encountre Dieu et conscience, encountre sa regalie estate et pre-emyence, et auxi dishonorable et nient resonable.*

C A P. II.

For compelling Obedience to the King's Writs, &c. against Rioters and others.

AFTER Recital, that in several Cases of great Riots, Extorsions, Oppressions, and grievous Offences, the Offenders had been commanded by the King's Writs, &c. to appear in

“Chancery or before the Council, but had disobeyed such Writs, it is enacted, That if any such Writ, or Letters under the Privy Seal, shall be in future disobeyed, on Certificate thereof to the Council, the Chancellor shall issue Writs of Proclamation for the Offender to appear within One Month; which Writs shall be duly executed by the Sheriffs on Penalty of Two hundred Pounds. If the Party do not then appear, he shall, if a Lord, forfeit all his Offices, Fees, and Possessions held under the King’s Grant, and in Default on a Second Writ of Proclamation shall forfeit his Title and Place in Parliament, for his Life, &c. other Persons having any Estate shall forfeit such Estate; and Persons having no Estate shall be put out of the King’s Protection.—Proviso for Persons out of the Realm, &c. and that no Matter, determinable by the Law of the Realm, shall by this Act be determined in any other Form than according to the Course of the same Law in the King’s Courts, having Determination of the same Law.”—[*To continue for Seven Years.*]

C A P. III.

March-Law shall not be used out of the Circuit of the Counties of *Northumberland, Cumberland, and Westmorland*, and the Town of *Newcastle*.

“**R**ECITAL that the Wardens of the Marches adjoining to *Scotland*, called the East March and West March, used to make Attachments in *Northumberland*, &c. on Indictments taken in the Warden Courts: and that those Attachments had been unduly extended into the County of *York*, &c.—An Action of Trespass and false Imprisonment is given in all such Cases to the Party grieved, with Treble Damages; and the Offender to be imprisoned Two Years and fined Five Pounds to the King.”
[*Repealed 4 Jac. 1. c. 1. § 4.*]

C A P. IV.

For providing Redress for Aliens injured in Breach of Amity, Truce, or Safe-Conduct.

[*See Stats. 29 H. 6. c. 2. and 14 E. 4. c. 4. See also Stat. 2 H. 5. c. 6. and Notes there.*]

ALSO, Our Sovereign Lord the King, by the Authority aforesaid, hath ordained and established, That if any of his Subjects attempt or offend upon the Sea, or in any Port within the said Realm, under the King’s Obeisance, against any Person or Persons Strangers, being upon the Sea, or any other Port aforesaid by way of Amity, League, or Truce, or by Force of the King’s Safe-Conduct or Safeguard, in anywise, and especially in attaching of any such strange Person, robbing or spoiling of him, his Ship, or any other Manner of Goods, or against any other Person of his *hege* People; the Chancellor of *England* for the Time being (as well for the Deliverance of any such Person so attached to be had, as to make Restitution to every such Person so robbed or spoiled of Ship or Goods, or of the Value thereof) shall have Authority, calling to him any of the Justices of the one Bench or of the other, upon a Bill or Bills of Complaint to him made

In case of Injury to the Body or Goods of Aliens in Amity, League, or Truce, or under Safe-Conduct, the Chancellor and any One Judge of K. B. or C. P. on Complaint may proceed against the Offender, to compel Restitution of the Body or Goods of the Aliens so injured.

in this Behalf, to make such Proceſs out of the ſaid Chancery, as well againſt all ſuch Offenders, to bring them into the King's Chancery, there to answer to the Parties ſo grieved in this Behalf, as againſt any other Perſon or Perſons to whoſe Hands any ſuch Perſon ſo attached, Ship or Goods ſhall come, as for the Delivery and Reſtitution by them to be made of the ſaid Perſon, Ship, and Goods, as ſhall ſeem to the ſame Chancellor moſt expedient and neceſſary. And upon ſuch Proceſs ſo made out of the ſaid Chancery, the ſaid Chancellor further to proceed in this Matter, if the Caſe do ſo require, by Advice of any ſuch Juſtice, to make the Perſon and Perſons Strangers ſo grieved to have full Delivery and Reſtitution of any ſuch Perſon ſo attached, and of all ſuch Ships and Goods, and alſo of all their Coſts, Expences, and Loſſes made and ſuffered by them in this Behalf; and thereupon to award all Manner of Execution out of the ſaid Chancery, in ſuch Form as ſhall ſeem to the ſaid Chancellor moſt expedient and neceſſary for ſuch Delivery and Reſtitution to be had, calling to him any ſuch Juſtice as afore is ſaid. This Act to begin and take Effect the Firſt Day of May, the Two-and-thirtieth Year of the ſaid King.

ITEM, Noſtre dit ſoverayne Seigneur le Roy, par auctorite deſuiſdit, ad ordeigne et eſtablie qe ſi aucun de ſez ſubgiettz attempt ou offende ſur le meer, ou en aucun port dedeins le dit Roialme, ſoubz lobeiſaunce du Roy, encoſtre aucun perſone ou perſones eſtranges, eſteantz ſur le meer ou en aucun port deſuiſdit, per voye damyte liege ou treues, ou par force du ſaufconduyt ou ſaufgarde du Roy en aucun manere, et en eſpeciall en attachant dascun tiel eſtraunge perſone, robbant ou deſpoillant de luy de nief ou aucuns autres maners des biens, ou encontre aucun ſautre perſone de ſon liege people, le Chaunceller dEngleterre pur le temps eſteant, come pur la delivraunce dascune tiel perſone iſſint attache deſtre ewe, et come pur reſtitution affaire a cheſcun tiel perſone enſi robbe ou diſpoile de nief ou biens, ou de la value ent, eit auctorite appellant a luy aucun des Juſtices de lune ou de lautre bank, ſur bille ou billes du compleint fait a luy en ceſt partie, pur faire autiell proceſſe hors de la dit Chauncellerie, ſibien encontre toutz tielx offendours a les amener en la Chauncerie du Roy, illeokes a reſpondre as parties iſſint greves en ceſt partie, come encontre aucun autre perſone ou perſones as quelx mains aucun tiel perſone iſſint attache, nief ou biens ferra ou ferount venuz, come pur delivraunce et reſtitution par eux affaires de meſmez les perſone nief et biens, come ſemblera a meſme le Chaunceller pluis expedient et neceſſarie. Et ſur telle proceſſe enſi fait hors de la dit Chauncellerie, le dit Chaunceller, plus avant a proceder en cell matier ſi le caſe enſi requiert, par advis dascun tiel Juſtice, de faire la perſone et perſones eſtranges iſſint greves davor pleyn delivraunce et reſtitution, dascun tiel perſone enſi attache, et de toutz tielx niefs et biens, et auſſi de toutz leurs coſtes expences et deperdes faitz et ſuffrez par enx en ceſt partie; et tout maner dexecution ſur ceo de faire hors de la dit Chauncerie, en tiel fourme come ſemblera au dit Chaunceller plus expedient et neceſſarie pur tiel delivraunce et reſtitution deſtre euez, appel-
lant

lant a luy ascun tiel Justice come devant est dit. Cest acte a commencer et prendre effect le primer jour de Maij lan du dit Roy xxxij.

C A P. V.

For confirming and amending *Stat. 17 R. 2. c. 5.* respecting the Tenure of certain Offices of the Customs.

ALSO, Whereas it was ordained by the Statute made in the Time of King *Richard* the Second, That no Searcher, Gauger of Wines, Aulneger, Tronour, Weigher, Collector of Customs and Subsidies, or Comptroller, should have Estate in his Office for Term of Life, or for Term of Years, but that the said Officers should remain under the Government of the Treasurer of *England* for the Time being; and whereas it was ordained by the Statute made in the Time of King *Henry* the Fourth, That the Aulnage of Cloths within this Realm might be committed to Ferm, or in Approvement, according to the Direction of the Treasurer of *England* for the Time being, as in the said Statutes more fully is declared; yet notwithstanding this, divers Persons have obtained the King's Letters Patents of the said Offices and Aulnage, some for Term of Life, and some for Term of Years, to the great Prejudice of the King, and of his People, and contrary to the said Statutes: Our said Lord the King considering the Premises, hath ordained by the Authority aforesaid, That all Letters Patents made of any of the said Offices or Aulnage to any Person, against the Effect of the said Statutes, shall be void, and of no Force; and that no Letters Patents of any of the said Offices, or Aulnage, shall be made hereafter, but by Warrant of Bill sealed by the Treasurer of *England* for the Time being, sent by him into the Chancery, as it hath been accustomed before this Time: and that all Letters Patents made, or to be made hereafter, of the said Offices or Aulnage, by other Warrant than by Bill of the Treasurer, shall be void, and of no Effect.

17 R. 2. c. 5.

4 H. 4. c. 24.

Grants of Offices contrary to 17 R. 2. c. 5. declared void.

In what Form Patents of such Offices shall be made.

Proviso for certain Grants.

Provided always, That this Act shall not extend, nor be prejudicial nor hurtful to our Sovereign Lady the Queen, the Prince, the Duke of *Buckingham*, to the Heirs of *Henry* late Duke of *Warwick*, nor to the Mayor and Commonalty of *London*, nor to the Mayor, Bailiffs, and Commonalty of the City of *Winchester*, as to any Grant or Grants, Demise or Demises of the Aulnage, or any Grant or Grants of any Sum or Sums of Money of the Ferm of the Aulnage, to them granted, made, or confirmed; nor to any Comptroller having any Offices out of the King's Ports; nor to *John Penycok* Esquire, *Gyles Seinclo* Esquire, nor to any of the King's or Queen's Household Servants, of any Grant or Grants of any Office or Offices to them made before this Time, with the Fees and Wages of old Time due and accustomed.

ITEM qe come estoit ordeigne par lestatute fait en le temps du Roy Richard secund qe null sercheour, gaugeour del vyne, aulnour, tronour, poissour, collectour des custumes et subsidies, ou controllour, averoit estate en son office pur terme de vie ou terme des ans, mes qe les ditz officez demurroient desoubz la gouvernaunce du Tresorer d'Engleterre pur le temps estant; auxi estoit ordeigne par

par lestatut fait en temps du Roy Henry le quart qe launage de draps deins cest Roialme poet estre commis a ferme ou en approvement solonc ladvys du Tresorer d'Engleterre pur le temps esteant ; come en les ditz estatutez plus plainement soit declare : Unqore ceo nient obstant diversez persones ont opteigneiz lettres patentes du Roy des ditz offices et aulnage, ascuns pur terme de vie et ascuns par terme des ans, au graunde prejudice da Roy et du people et encountre los ditz estatutez : Nostre dit Seignur le Roy, considerant les premiffes, ad ordeigne per auctorite desuisdit, qe toutz lettres patentes, faitz dascun des ditz offices ou aunage, al ascun persone encountre leffectes de les ditz estatutez soient voides et de null force ; et qe nullz lettres patentes dascun des ditz offices ou aunage soient faitz en apres, mes par garrant de bille enscale par le Tresorer d'Engleterre pur le temps esteant, envoiez par luy en la Chauncellerie, come il ad este accoustume devaunt cest temps : et qe toutz lettres patentes faitz ou affaires en apres des ditz offices ou aulnage par autre garraunt qe par bille du Tresorer soient voides et de null effect.

Purveu toutz foiz qe cest acte nextende pas ne soit prejudicial ne damageous a nostre sowerays Dame la Roigne, le Prince, le Duc de Buk', as enheriters de Henry jades Duc de Warr', ne as Maire et Comminalte de Loundres, ne as les maire baillifs et comminalte de cite de Wynchestre, come a ascune graunte ou grauntes dimise ou dimises del aulnage ; ou ascun graunte ou grauntes dascun somme ou sommes de money del ferme del aulnage a ceux grauntez faitz ou confermez ; ne a null countroller ciant ascuns offices hors du portes du Roy ; ne a Johan Penycok esquier, a Gyles Seinclo esquier, ne a ascun des meniall servauntes du Roy ne servauntez du Roigne, dascun graunte ou grauntes dascun office ou offices fait a ceux devaunt cest temps, ove les fees et gages de launcien temps duez et accoustumez.

C A P. VI.

The Statute 20 *Hen. 6. c. 2.* concerning Forfeitures on Outlawries in the County of *Lancaster*, made perpetual.

[*Repealed 33 H. 6. c. 2. which see.*]

C A P. VII.

For exempting Fees, Wages, and Profits of the King's Officers, from the Effect of certain Acts of Resumption.

“ **R**ECITAL of the Act of Resumption, 28 *H. 6. (nu. 51.)*—
 “ The said Act and Ordinances shall not be prejudicial
 “ to any of the King's Officers, so far as relates to the Fees,
 “ Wages, Rewards or Profits due or appertaining to such Off-
 “ cers : but such Fees, &c. may be taken and enjoyed, the said Act
 “ or any Act of Resumption to the contrary notwithstanding.”

C A P. VIII.

For exempting Natives from a Portion of certain Subsidies.

“ **R**ECITAL of the Grant by Parliament this Year of the
 “ Subsidy of Poundage, Twelve-pence, and the Subsidy on
 “ Wool, Forty-three Shillings and Four-pence per Sack, &c.—

“ All Denizen Merchants being natural born Subjects exempted
 “ from Ten Shillings of the said Forty-three Shillings and Four-
 “ pence; and also from the said Poundage on all Woollen
 “ Cloths.”

[See Note at the Head of this Year, from printed Rot. Parl.
 nu. 8, 9.]

C A P. IX.

For providing a Remedy for Women enforced to be bound
 by Obligation.

ASLO, Whereas in all Parts of this Realm divers People of
 Power, moved with insatiable Covetousness, against all Right,
 Humanity, Integrity, and good Conscience, have sought and found
 new Inventions, and them [continually¹] executed to the Danger,
 Trouble, and mistreating of all Ladies, Gentlewomen, and other
 Women sole, having any Substance of Lands, Tenements, or
 other moveable Goods within this Realm, perceiving their great
 Innocence and Simplicity, will take them by Force, or otherwise
 come to them, seeming to be their great Friends, promising them
 their faithful Friendship, and so by great Dissimulation, or other-
 wise, get them into their Possession, conveying them into such
 Places where the said Offenders be of most Power; and when
 any Women by such Means, or by any other Means be in their
 Government, the said evil disposed Person or Persons will not
 suffer them to go at large, and be at their Liberty, until that they
 will bind themselves to the said Offenders, or other Person or
 Persons to their Use, in great Sums, by Obligation or Obligations,
 as well simple as conditional, or by Obligation or Obligations of
 Statute-merchant, made before a Mayor or Bailiff, having Power
 to take such Recognizances: Also they will many Times compel
 them to be married by them, contrary to their own Likings, or
 otherwise they will cause to be levied the said Sum or Sums on
 their Lands and Goods, and put their Person or Persons in Dan-
 ger, to their great Damage; which hath been, and is like to be
 an universal Prejudice to the Law of Holy Church, and the Law of
 this Realm, unless due Remedy thereupon be provided: Our said
 Lord the King, considering the Premises, hath ordained and esta-
 blished, by Authority of this present Parliament, That in all such
 Cases aforesaid, the Party bounden may have a Writ out of the
 Chancery, containing all the Matter of their unreasonable Treat-
 ment, directed to the Sheriff of the County where any such
 Offences were so done, or hereafter shall be done, commanding
 him, that he, by Force of that Writ, do make Proclamation in the
 full County, in the next County-Court after the Receipt of the
 said Writ, that the Person or Persons contained in the said Writ
 shall appear at a certain Day and Place prefixed in the said Writ,
 before the Chancellor of *England* for the Time being; or other-
 wise before the Justices of Assize in the said Counties where the
 said Offences were done; or else before some other notable Person
 to be assigned by the Chancellor of *England* for the Time being;
 at the which Day and Place, if the said Parties appear, that then
 the said Chancellor, Justice, or other Person so to be assigned by

Where Women
 are by Force
 compelled to
 sign Obliga-
 tions, they may
 sue out a Writ
 to the Sheriff of
 the County, to
 make Procla-
 mation for the
 Party to com-
 pelling them to
 appear, and on
 Examination as
 to the Validity
 of such Obliga-
 tion, the same
 shall be declared
 void, &c.

¹ busily, Rot. Parl.

the said Chancellor for the Time being, by virtue of this Ordinance, shall duly examine the said Parties upon the Premises; by which Examination, if they can find the said Obligation or Obligations, or any of them, to be made in such wise as is aforesaid, that then the said Obligation or Obligations, and all Process and Execution sued, or to be pursued thereupon, shall be void, and of no Force nor Effect. And if it be found by Examination before them, that the said Obligation or Obligations, or any of them, were made, or shall be found to be made, for a true Duty, and by no such Means as afore is said, that then the said Obligation or Obligations, and all the Process and Execution sued, or to be pursued thereupon, shall stand good and effectual. And if it be so that the Person or Persons in such Writs named, or to be named, against whom any such Writs hereafter shall be sued, do make Default at the Day and Place limited in the same Writ or Writs, that then all and every such Obligation or Obligations as be before specified, and in the said Writ or Writs expressed, and all Manner of Process and Execution sued, or to be sued thereupon, shall be void: And that the Sheriff or Sheriffs, to whom such Writ or Writs upon this Ordinance hereafter to be conceived, shall be directed, shall cause the said Writs to be executed according to the Tenour of the same, upon Pain of Three hundred Pounds; whereof our Sovereign Lord the King to have the One Half, and the other Half to the Party which shall sue the said Writ of Proclamation. And that the said Party so grieved may have an Action of Debt in every such Case against the said Sheriff, for the Half of the said Three Hundred Pounds so forfeit, with Process of Outlawry. And that the Party or Parties Defendants in any such Action hereafter to be pursued against any Sheriff or Sheriffs, shall alledge no Protection, nor shall wage his Law, nor shall be received to make or plead any foreign Plea, to be tried in any other Place than there where the said Writ grounded upon this Ordinance is sued.

Penalty on
Sheriff not
executing the
King's Writ of
Proclamation,
300 L.

ITEM, *Qe* come en touz parties de cest Roialme dyvers gens de poiar, moevez de insatiable covetyse, encountre tout droit gentilles verite et bone conscience, ont labores et trevez noveix inventions, et eux asseduouslyment executes, a lendaungeraunce trouble et mavailx traiter de toutz damez gentilx femmes et autres femmes esteantz soulz, eiantz ascune substaunce des terres tenementes ou autres moebles biens deins cest dit reame, entendauntz la graunte innocencie et [simples²,] de eux, voillent prendre ceux par force, ou autrement veinent a eux ressemblantez estre leur tresgrandeuz amis promettantz eux leur soiall amite, et issint par grande diffimulation ou autrement gaignent eux en leur possession, conveniauntz eux en autielx lieux ou lez ditz meffisours sont de plus poiar; et qant ascuns femmes par tielx moiens ou par ascune autre moien sont en leur governaunce, la dit mavailx dispose persone ou personnes ne voillent fuffrer eux daler a large, et estre a leur libertee, jusques a ceo qe els voillent obliger ceux a les ditz meffisours, ou autre persone ou personnes a leur oepe, en grandes sommes par obligation ou obligations, sibien symplez come conditionelx, ou par obligation ou obligations destatute merchaunt faitz devaunt maire

² sympleneste, P.

ou baillif eiant poiar a prendre tielx reconisauntz : Auxi m^{ultz} foitz i's voillent compeller eux destre maries par eux, contrarie a leur propre desires, ou autrement ils voillent faire lever la dit somme ou sommes de leur terres et biens et dendaunger leur persone ou persones, a leur tresgraunde damage ; qe ad este et est semblable estre universall prejudice al ley del eglise et la ley de cest Roialme, saunz ceo qe due remedie sur ceo soit purveu : Nostre dit Seignur le Roy, considerant les premissez, ad ordeigne et estable par lautorite de cest present parlement, qe en toutz tielx cases desuisditz la partie oblige poet avoir brief hors del Chauncerie, conteignant tout la matier de leur derefonsable entraiter, direct al viscount del counte ou ascuns tielx offenses furent ensi faitz, ou en apres serrount faitz, commaundant luy qe il par force de cell brief face proclamation en le plein counte, en le proschein counte puis la reseipt de le dit brief, qe la persone ou persones conteignuz en le dit brief appierge ou appiergent, as certeinz jour et lieu prefixez en le dit brief, devaunt le Chaunceller d'Engleterre pur le temps esteant ; ou autrement devaunt les Justices dez assise en lez ditz counteez ou les ditz offenses furent faitz ; ou autrement devaunt ascun autre notable persone dassigner par la Chaunceller d'Engleterre pur le temps esteant ; as queux jour et lieu, si les ditz partiez appierent, qe lors le dit Chaunceller, Justice, ou autre persone ensi dassignier par le dit Chaunceller pur le temps esteant, par vertue de cest ordenaunce, face examiner duement les ditz parties sur cestez premissez ; par quell examination ils poient trover la dit obligation ou obligations, ou ascun de eux, estre faitz tielment come desuis est dit, qe donque la dit obligation ou obligations et tout processe et execution suiez ou a pursuers sur ceo, soient voidez et de null effect. Et sil soit trove par examination devaunt eux, qe la dit obligation ou obligations, ou ascune de eux, furent faitz ou serront trovez faitz pur verraie duete, et per null tiel moien come devaunt est dit, qe donque la dit obligation ou obligations et tout le processe et execution suiez ou a pursuers sur ceo estoient bonez et effectuelx. Et sil ensi soit qe la persone ou persones en tielx briefs nommes, ou a nommers, encountre quel ou quelx ascun tielx briefs enapres serront suiez, facent ou face defaulte a lez jour et lieu limitez en mesme le brief ou briefs, qe adonques toutz tiel obligation ou obligations come soient devaunt especifiez, et en le dit brief ou briefs expressez, et tout maner processe et execution suiez ou a pursuers sur ceo, soient voidez : Et qe le viscount ou viscountes a queux tiel brief ou briefs, sur cest ordenaunce en apres destre conceups serra ou serront directes, face executer lez ditz briefs accordaunt al tenure diceux, sur peine de trois centz livreze ; dount le Roy nostre sverayn Seignur davoir lune moite et lautre moite a la partie qe suera le dit brief de proclamation. Et qe la dit partie issint greve poiet avoir action de dette, en chescun tiel cas, encountre le dit viscount pur la moitee dez ditz trois centz livreze issint sorsaitz ove processe del utlagarie. Et qe la partie ou parties defendantz en ascun tiel action, de cy en apres encountre ascun viscount ou viscountes a pursuers, allegera null protection ne gaigera la ley, ne serra resceu affaire ou pleder ascun forein plee destre trie en ascun autre lieu qe la le suisdit brief foundu sur cest ordenaunce est suiez.

Anno tricesimo tertio HENRICI VI.

In the Parliament held at Westminster, on Wednesday, the Ninth Day of July, A.D. 1455.

*Printed For.
Parl. No. 28:
49.*

[*This Parliament was prorogued on 31st July to 12th November following (34 H. 6. A.D. 1455) at Westminster; and again on the 13th of December to the 14th of January, (34 H. 6. 1455-6.)*]

From the Copy given by Hawkins, Cay, &c. as "Ex Rot. in Turr. Lond. m. 3." compared with printed Rot. Parl. Pynson, &c.

The several Chapters of the Statute are founded on the following Articles in printed Rot. Parl. v. p. 278, &c.

<i>Chapter of Statute.</i>	<i>Number in Roll.</i>	
1	51	} <i>On Petitions of the Commons; all in English; but the Statute is drawn up in Latin.</i>
2	52	
3	53	
4	54	
5	55	
6	56	
7	57	

Besides the above, and also several Articles for the Confirmation of existing Statutes, See further

Printed Rot. Parl. v.

Page No. } Parliamentary Pardon, or Recognition of the Innocence of Richard Duke of York, Richard Earl of Warwick, Richard Earl of Salisbury, and their Adherents, respecting the Battle at St. Alban's, in May preceding.

25, The Oath of Allegiance by the Lords to the King.

283, 27, The Earl of Salisbury, &c. exonerated from the safe keeping of the Sea, under the Act of 31 H. 6. (nu. 41.)

*284, 31, } Certain Acts and Proceedings for the parliamentary
289, 40, } Appointment of the Duke of York to be Protector: very similar to those in 31 & 32 H. 6. nu. 33. to 40.; but to continue till the Duke should be exonerated from that Office by the King, with the Advice of Parliament; or till the Prince, on coming to Years of Discretion, should take the Office upon him.—(See post, nu. 50.)*

290, 42, For confirming the Creation of Prince Edward to be Prince of Wales and Earl of Chester, and certain Grants to him to maintain those Dignities.

Printed

Printed Rot. Parl. v.

- Page. No. } For granting Livery to the Prince of the Duchy of
 293, 43, } Cornwall, "the King considering that his said well
 beloved first begotten Son at the Time of his Birth
 is Duke of Cornwall, and ought of Right to have
 Livery of the said Duchy."—The Prince to remain
 in the King's Court till he is 14 Years old, and the
 King during that Time to receive all the Revenues
 of the Duchy to his own Use, after Payment of the
 proper Officers, and allowing the Prince for his
 Wardrobe, Servants, &c. 1000l. a year till he is
 8 Years old; and 2000 Marks from thence till he
 is 14. (See 38 H. 6. nu. 29.)
- 295, 45, } For providing for Payment of the Soldiers at Calais,
 297, 46, } and for Re-payment of Loans of Money advanced
 by the Company of Merchants of the Staple there for
 that Purpose.
- 302, } 47, Act of Resumption of all Grants of Lands, Offices,
 320, } &c. made by the King since the First Year of his
 Reign; with several Provisions and Exceptions.
- 322, 50, Parliamentary Exoneration of the Duke of York, from
 the Office of Protector. (See ante, 31.)
- 320, 48, Appropriation of certain Revenues to the Expences of
 the King's Household.
 On private or separate Petitions.
- 329, 2, Repeal of an Act of Resumption, 31 H. 6. (See ante,
 nu. 47.)
- 335, 12, For declaring the Innocence of the late Duke of Gloucester.
- 340, 21, For relieving Henry Woodhouse against certain Feof-
 ments made by him in prospect of a Marriage, which
 did not take place.
- 341, 22, For the Earl of Warwick, appointed Governor of
 Calais; that he should not be answerable for any
 Damage arising before the Town was peaceably
 delivered to him.
- 342, 23, For resuming all Grants made to Thomas Thorp and
 William Joseph.
- 24, For pardoning Sir Walter Devereux.
- 25, For relieving Richard Ford, Remembrancer of the
 Exchequer, against a Bond.
- 343, 26, For appropriating the Church of Middleton to the
 Monastery of Kirkstall in Yorkshire.
- 344, 27, For the Heirs of Richard Earl of Warwick: to con-
 firm certain Letters Patent, &c.
- Appendix, } Repeal of Attainder (by Acts of this Parliament) of
 451, 40, } Sir William Oldhall Knight:

HENRY by the Grace of God King of *England* and *France*, and Lord of *Ireland*, the Sixth after the Conquest, at his Parliament holden at *Westminster* the Ninth Day of *July*, the Three-and-thirtieth Year of his Reign, by the Advice and Assent of the Lords Spiritual and Temporal, and of the Commons of his Realm of *England*, being in the same Parliament, and by Authority of the same Parliament, hath caused and ordained certain Ordinances and Statutes, to be made and established for the common Weal of the same Realm, in Form following.

HENRICUS Dei gratia Rex Anglie et Francie et Dominus Hibernie, post conquestum sextus, ad parlamentum suum apud Westm' nono die Julii, anno regni sui tricesimo tertio, tentum, de avisamento et assensu dominorum spiritualium et temporalium, ac Communitatis regni sui Anglie, in eodem parlamento existentium, nec non auctoritate ejusdem parlamenti, quedam ordinationes et statuta pro communi utilitate ejusdem regni fieri et stabiliri fecit et ordinavit, in forma sequenti.

C A P. I.

A Remedy for Executors against Servants that imbezzle their Masters Goods after his Death.

FIRST; Our foresaid Lord the King, considering, how that of late Time divers [Household-Servants¹] as well of Lords, as of other Persons of good Degree, shortly after the Death of their said Lords and Masters, violently and riotously have taken and spoiled the Goods which were of their said Lords and Masters at the Time of their Death, and the same distributed amongst them, to the Impediment of the Execution of the Will of their said Lords and Masters, and to the great Displeasure of God, and also contrary to the Duty and Truth which they ought to have had towards their said Lords and Masters, and to a perilous Example in Time to come, unless due Remedy in this Behalf be provided: Wherefore our said Lord the King, by the Advice, Assent, and Authority aforesaid, hath ordained and established, That after full Information made to the Chancellor of *England* for the Time being, by the Executors of any such Lord or Person, or Two of the said Executors, of any such Riot, Taking, and Spoil made, or hereafter to be made, by the [Household-Servants¹] of their said Testator after his Death, the same Chancellor, by the Advice of the Chief Justices of the King's Bench, and of the Common Bench, and Chief Baron of the Exchequer for the Time being, or Two of them, shall have Power to make so many, and such Writs, to be directed to such Sheriffs by their Discretion, as to them in that Behalf shall seem necessary, to make open Proclamation in such [Cities, Boroughs, Towns, or Places²], Two Market-Days within Twelve Days next after the Delivery of the same Writs, as to the same Chancellor, by the Advice aforesaid, shall seem reasonable, That the said Offenders shall appear before our Lord the King, or his Heirs, in his Bench, at such a Day as by the said Writ shall be limited, so that the said last Pro-

[See Stat.
21 H. 8. c. 7.
and Note there]

If Servants
embezzle Goods
after their
Master's Death,
the Chancellor,
&c. on Com-
plaint of the
Executors [or
Administrators,
2 Inst. 104.]
shall issue Writs
of Proclamation
against the
Offenders to
appear; and on
their Non-
appearance they
shall be con-
victed of Felony.

¹ menyell servauntes, Rot. Parl.

² Cities, Burghs, or Towns, Rot. Parl.

clamation be made by Fifteen Days before the same Day of Appearance; and if any such Writ be returned at the Day contained in the said Writ, and the Writ be executed, so that Proclamation be thereupon had and made according to the Ordinance aforesaid, and then if the said Persons or Person, which should appear by reason of the said Proclamation, make Default at the Day specified in the said Writ, and do not appear, then [he or she³] so making Default shall be attainted of Felony.

And if such Persons or Person do or doth appear at such Day, then the Justices of the said King's Bench shall have Power, by this said Ordinance, to commit such Person or Persons, so appearing, to Prison; there to remain according to the said Justices' Discretion, until the said Offenders in the said Bench do answer to the said Executors in such Actions, which the said Executors will declare against them, or any of them, by Bill or by Writ, for the Riot, taking, and spoiling aforesaid; and that the same Actions be determined: so that the same Actions be pursued with Effect, and not [slackly⁴,] to the Intent to keep the said Person or Persons in Prison.

And if such Persons or Person be set at Liberty out of Prison by the said Justices, that then such Persons or Person shall find sufficient Persons to be bounden with them, to the said Executors, by way of Recognisance in the said Bench, by Discretion of the Justices, to keep such Days as he or they shall have by the same Court: And if the Keepers of the Prison, whereunto the said Person or Persons be committed, do let them go at large out of the Prison of his own Authority, without the Consideration and Order of the said Justices, then the said Keeper shall forfeit and lose [Four hundred⁵] Pounds to the said Executors; and that no Protection be allowed in any Action to be taken upon the said Ordinance.

On Appearance the Offenders shall be committed, to answer the Executors in an Action.

Penalty on Gaoler for setting at Liberty a Prisoner committed to his Custody by Force of this Statute, 400*l*.

IN primis; Prefatus Dominus Rex considerans qualiter jampri-
dem diversi servientes familiares, tam dominorum quam aliarum
personarum boni gradus, cito post mortem dictorum dominorum
et magistrorum suorum, bona que fuerunt ipsorum dominorum et
magistrorum tempore mortis eorundem, violenter et riotose ceperunt
dispoliaverunt, et ea inter se distribuerunt, in executionis volun-
tatis dictorum dominorum et magistrorum suorum impedimentum,
ac gravem Dei displicentiam, nec non contra fidem et veritatem
quas ipsi penes dominos et magistros suos habere debuissent,
exemplumque imposterum valde periculosum, nisi debitum in ea
parte provideatur remedium: Quamobrem idem dominus Rex, de
avisamento assensu et auctoritate predictis, ordinavit et stabilivit,
quod post plenam informationem, Cancellario Anglie pro tempore
existenti, per executores aliquorum hujusmodi dominorum sive
persone, aut duos eorundem executorum, factam, de aliqua hujus-
modi riota captura et dispoliatione factis, aut imposterum faciendis,
per familiares servientes dicti testatoris sui, post mortem suam, idem
Cancellarius, de avisamento Capitalium Justiciariorum de Banco
ipsum Domini Regis et de communi Banco, ac Capitalis Baronis

³ they or he, *Rot. Parl.*

⁴ feyntly, *Rot. Parl.*

⁵ "Forty" in all Editions previous to *Gay*.

Scaccarii pro tempore existentis, aut duorum eorum, habeat potestatem faciendi tot et talia brevia, dirigenda talibus vicecomitibus per eorum discretionem, quot et qualia eis in ea parte videbuntur necessaria, ad faciend' publicam proclamationem in talibus civitatibus burgis sive villis [²] duobus diebus mercatoris infra duodecim dies prox' post deliberationem eorundem brevium, quibus eidem Cancellario de avisamento predicto videbitur rationabile, quod dicti malefactores compareant coram ipso Domino Rege, seu heredibus suis in Banco suo, ad talem diem qualis per dictum breve erit limitatus, sic quod dicta ultima proclamatio per quindecim dies ante eundem diem apparitionis fiat: Et si aliquod hujusmodi breve retornatum sit, ad diem in eodem brevi contentum, et breve sit executum quod proclamatio superinde habita et facta, ordinationi predictæ concordans, existat, et tunc si dictæ persone vel persona, que comparerent vel compareret ratione dictæ proclamationis, ad diem in dicto brevi specificatum defaultam faciant vel faciat, et non compareant, vel non compareat ipse vel ipsa defaultam sic facientes vel faciens sint vel sit attinç' de feloniam.

Et si hujusmodi persone vel persona ad talem diem compareant vel compareat, tunc Justiciarii de dicto Banco Domini Regis habeant potestatem, per ordinationem predictam, committendi talem personam vel personas, sic comparentem vel comparentes, prisonæ; ibidem juxta discretionem dictorum Justiciariorum moratur' quousque dicti malefactores, in banco predicto, prefatis executoribus respondeant in talibus actionibus, quales dicti executores versus ipsos seu aliquem ipsorum per billam vel per breve prioria captura et dispoitione predictis declarare volunt, et quod eedem actiones sint determinate: Ita quod actiones predictæ prosequantur cum effectu et non remissa ea intentione ad dictas personas vel personam in prisona custodiend'.

Et si hujusmodi persone vel persone, extra prisonam per dictos Justiciarios fuerint vel fuerit elargat' quod tunc eedem persone vel persona inveniant vel inveniatur sufficientes personas secum obligandas prefatis executoribus, per viam recognitionis in dicto Banco per discretionem Justiciariorum, ad custodiend' tales dies quales ipsa vel ipse habebit vel habebunt per eandem Curiam. Et si custodes prisonæ ubi dictæ persone vel persona committentur vel committitur, ipsas extra prisonam auctoritate sua propria, absque consideratione et ordinatione dictorum Justiciariorum elargaverint tunc dictus custos [quadragintas³] libras prefatis executoribus forisfaciat et perdat, et quod nulla protectio in aliqua actione super ordinatione predicta capienda allocetur.

² vel locis, P.

³ quadragintas, P. CCCC li. *Rest. Parl.*

C A P. II.

For repealing former Acts concerning Forfeitures on Outlawries in the County of *Lancaster*; and for regulating the Qualifications of Jurors on Indictments of Persons in or belonging to the said County.

Recital of
the Statute of
31 H. 6. c. 6.

ALSO, Because that the humble and faithful liege People of the King, his Subjects inhabiting within the County Palatine of *Lancaster*, to do the King Service be and at all Times were ready,

ready, and have done to him and his Progenitors, as well in the Realm of *England*, as in *Scotland*, *France*, and other Parts, and have been governed by the King's Laws, and not [damoified¹] by the same, otherwise than other of the King's liege People inhabiting in the Realm of *England* out of the same County, until now of late by a certain Statute at the last Parliament holden at *Reading*, it was ordained, That none of the King's liege People, against whom any Exigent should be awarded, or Outlawry pronounced at the Suit of the King or of any Party in the said County, should forfeit any Goods or Chattels, Lands and Tenements in any County, but only the Goods and Chattels, Lands and Tenements, which the Persons so outlawed, or they against whom such Exigents in the said County should be awarded, have in the same County of *Lancaster*; and by reason of any such Outlawry at the Suit of the King, or at the Suit of any other Person, pronounced within the same County, should not be barred or disabled of any Manner of Action, nor to claim any Manner of Inheritance out of the same County, (²) notwithstanding any Outlawry against them pronounced; as in the same Act doth more plainly appear:

And by reason of the same Act, if any Foreigner should come into the said County Palatine, and should slay any of the liege People of our Lord the King, or else should commit any Treason, Murder, Rape, Robbery, or any other Felony or Trespas, or make any Contract, or do any other Offence within the said County of *Lancaster*, that then he should have no other Punishment nor Forfeiture in this Behalf, but only of such Goods which such Foreigners, doing and committing such horrible Offences, have within the said County Palatine, which for the most Part have nothing within the same County; for which Cause, the said Foreigners, knowing no Peril, Punishment, nor Loss of Goods in the Law, to bridle or restrain them from such Treasons, Murders, and Felonies, be caused and encouraged daily to commit such Things within the said County, against the Laws of the King, his Crown and Dignity, in that Behalf, and also in Restraint of the King's Laws, to the great Loss and final Destruction of the said liege People and Subjects in the said County Palatine: Wherefore our said Lord the King considering the Premises, by the Advice, Assent, and Authority aforesaid, hath willed, granted, ordained, and established, That the Act before rehearsed and made at the said last Parliament holden at *Reading*, shall be adnulled, void, and stand in no Force.

And further, for the Conservation, Tranquillity, Quietness, and Peace of all his liege People, as well within the said County Palatine, as of other his liege People out of the said County within the Realm of *England*, our said Lord the King, by the Authority aforesaid, hath granted, ordained, and established, That every Indictment hereafter to be taken before any Justice of our said Lord the King within the said County Palatine of *Lancaster*,

for making perpetual the Stat. 20 H. 6. c. 2. that they which be outlawed in the County of *Lancaster* shall forfeit no Lands nor Goods that they have in other Counties.

The Inconveniencies ensuing by the said Stat. 31 H. 6. c. 6.

The said Statute 31 H. 6. c. 6. repealed.

¹ hurt, *Rot. Parl.*

² "nor disabled to sue any Manner of Action [neither to claim any Manner of Inheritance out of the same County, nor disabled to sue any Manner of Action] out of the same County." *Rot. Parl.*—The Words in Brackets are tautologous, and are not contained in 20 H. 6. c. 2. or 31 H. 6. c. 6.

Qualifications
for Jurors on
Indictments in
the County of
Lancaster, of
Foreigners
dwelling in
other Counties,
Five Pounds *per
annum* in the
County of
Lancaster; or
Indictment
shall be void.

Jurors on
Indictments in
another County,
of any Person
dwelling in the
County of
Lancaster, shall
have the like
Qualification
in such said
County.

or before any Sheriff in his Tourn in the said County, whereby any Person or Persons be supposed by the same Indictment to be or to have been inhabiting or conversant out of the said County of *Lancaster*, and within any other County within the Realm of *England*, shall be taken and had by the Verdict of Twelve Men, every of them, (or some other Person or Persons to their Use,) having Lands and Tenements within the same County of *Lancaster*, to the yearly Value of an Hundred Shillings. And no Process shall be made out of any such Indictment, before it be duly inquired and examined before the King's Justices, within the said County of *Lancaster* for the Time being, whether the said Indictors, and every of them, at the Time of such Indictment [so taken³,] had Lands and Tenements within the said County of *Lancaster* to the yearly Value of an Hundred Shillings above all Charges. And if it be found by Examination of the said Justices for the Time being within the said County, that the said Indictors, and every of them, at the Time of such Indictment so taken, had not Lands and Tenements to the yearly Value aforesaid, that then the same Indictments, as to such Person or Persons so indicted, supposed by the said Indictments to be inhabiting and conversant out of the said County of *Lancaster*, shall be void and of no Effect.

And also our said Lord the King, by the Advice and Authority aforesaid, hath willed, granted, ordained, and established, That every Indictment from henceforth to be taken within any County of his said Realm, and out of the said County of *Lancaster*, before any Justice, or Sheriff in his Tourn, whereby any Person or Persons [supposed⁴] by the same Indictment to be or to have been conversant or inhabiting within the said County of *Lancaster*, and without such County where such Indictments shall happen to be taken, shall be taken by Verdict of Twelve Men, every of them, (or some other Person or Persons to their Use,) having Lands and Tenements within the same County, where the said Indictments shall be taken, to the yearly Value of an Hundred Shillings. And that no Process be made out of any such Indictments before it be duly examined and inquired before the King's Justices, having Power to award any Process upon such Indictments, whether the said Indictors, and every of them, at the Time of such Indictments taken, (or some other Person or Persons to their Use,) had Lands or Tenements to the yearly Value of an Hundred Shillings, above all Charges, within the same County, where such Indictments happen to be taken. And if it be found before our Lord the King, or any of his Justices, that the said Indictors, or any of them, had not at the Time of such Indictments taken, nor that none other to their Use had, Lands and Tenements to the Value of an Hundred Shillings by the Year, that then the said Indictment, as to any such other Person or Persons supposed by the same Indictment to be or to have been inhabiting or conversant within the said County of *Lancaster*, shall be void and of no Effect.

⁴ Query 'be supposed.'

ITEM pro eo quod humiles et fideles ligei et subditi regii, infra comitatum palatinum Lancastrie inhabitantes, servitium Domino Regi impensuri sunt et cunctis temporibus fuerunt parati, ac etiam sibi et progenitoribus suis impenderunt, tam in regno Anglie quam in Scotia Francia et aliis partibus, ac sub legibus Regis gubernati et non per eandem aliter quam alii ligei regni extra dictum comitatum in regno predicto inhabitantes dampnificati, quousque jam noviter per quendam actum ad ultimum parliamentum apud Redyng tentum, exiterit ordinatum, quod nulle persone ligeorum dicti domini regis, contra quas aliquod exigendum esset adjudicatum aut utlagaria pronunciata, ad sectam Regis vel ad sectam partis in dicto comitatu, forisfacerent aliqua bona sive catalla terras et tenementa in aliquo alio comitatu, set solummodo bona et catalla terras et tenementa que persone sic utlagate, aut ipse contra quas hujusmodi exigend' adjudicaretur, in dicto comitatu, habent in eodem comitatu Lancastrie; ac ratione alicujus hujusmodi utlagarie ad sectam Regis et ad sectam alicujus alterius persone pronunciate infra eundem comitatum non essent barrate neque inhabilitate de quacunque actione, neque ad clamand' qualemcunque hereditatem extra eundem comitatum nec inhabilitate ad prosequend' quamcunque actionem [neque ad clamand' qualemcunque hereditatem extra eundem comitatum nec inhabilitate ad prosequend' quamcunque actionem²] extra eundem comitatum non obstante hujusmodi utlagaria contra ipsas pronunciata; prout in eodem actu plenius apparet:

Ac ratione ejusdem actus si aliquis forinsecus in dictum comitatum palatinum veniret, et aliquem ligeorum domini Regis interficeret, aut aliter aliquam prodicionem murdrum raptum roberiam seu aliquam aliam feloniam sive transgressionem perpetraret, sive aliquem contractum faceret, vel aliquam aliam offensam committeret infra dictum comitatum Lancastrie quod tunc ipse nullam aliam punitionem neque forisfacturam in hac parte haberet, nisi solummodo de hujusmodi bonis que hujusmodi forinseci, tales horribiles offensas perpetrantes et committentes, infra dictum comitatum palatinum habent, qui pro majori parte nichil infra eundem comitatum habent; qua de causa dictis forinsecis scientibus nullum periculum punitionem neque deperditum bonorum in lege ad refrenandum sive restringendum ipsos de hujusmodi prodicionibus murdris et felonis, eos talia perpetrare infra dictum comitatum causat et indies audaciam prebet, contra leges coronam et dignitatem regias in ea parte, ac etiam in restrictione legum dicti Domini Regis, ad grave dampnum ac finalem destructionem dictorum subditorum nec non ligeorum in comitatu palatino predicto: Quapropter prefatus Dominus Rex, premissa considerans, de avisa mento assensu et auctoritate predictis voluit concessit ordinavit et stabilivit, quod dictus actus superius recitatus, et ad dictum ultimum parliamentum apud Redyng editus, aduulletur vacuetur et nullius vigoris existat.

Et ulterius pro conservatione tranquillitate quiete et pace omnium ligeorum suorum, tam infra dictum comitatum palatinum, quam aliorum ligeorum suorum extra comitatum predictum infra regnum Anglie, idem Dominus Rex auctoritate predicta concessit ordinavit et stabilivit, quod quodlibet indictamentum tempore futuro

² These tautologous Words are in Pynson; see the Translation.

capiendum coram aliquo Justitiaro dicti Domini Regis infra dictum comitatum palatinum Lancastrie, aut coram aliquo vicecomite in turno suo in comitatu predicto, per quod aliqua persona vel persone supposit' per idem indictamentum esse vel fuisse inhabitant' sive conversant' extra dictum comitatum Lancastrie, et infra aliquem alium comitatum infra regnum Anglie, capietur et habebitur per veredictum duodecim virorum, quolibet eorum habente terras et tenementa, aut aliqua alia persona vel personis ad eorum usum, infra eundem comitatum Lancastrie ad annuum valorem centum solidorum. Et nullus processus fiet, extra aliquod hujusmodi indictamentum, antequam debite inquiretur et examinetur coram Justitiariis dicti Domini Regis, infra dictum comitatum Lancastrie pro tempore existentibus, utrum predicti indictatores et eorum quilibet tempore hujusmodi indictamenti ⁽³⁾ terras et tenementa, infra dictum comitatum Lancastrie, ad annuum valorem centum solidorum ultra omnia onera, habuerunt et habuit. Et si inveniatur per examinationem dictorum Justitiariorum, pro tempore existentium infra dictum comitatum, quod indictatores predicti et eorum quilibet tempore hujusmodi indictamenti sic capti terras et tenementa ad annuum valorem supradictum non habuerunt, quod tunc idem indictamentum, quoad hujusmodi personam vel personas sic indicat' supposit' per dicta indictamenta esse inhabitant' vel conversant' extra dictum comitatum Lancastrie vacuum et nullius effectus existat.

Ac etiam idem Dominus Rex, de avisamento et auctoritate predictis, voluit concessit ordinavit et stabilivit, quod quodlibet indictamentum tempore futuro capiendum, infra aliquem comitatum dicti regni sui, et extra dictum comitatum Lancastrie, coram aliquo justitiaro vel vicecomite in turno suo, per quod aliqua persona vel persone supposit' per idem indictamentum esse vel fuisse inhabitant' vel conversant' infra dictum comitatum Lancastrie, et extra talem comitatum ubi hujusmodi indictamenta capi contigerint, capietur per veredictum duodecim virorum quolibet eorum habente terras et tenementa, (aut aliqua alia persona vel personis ad eorum usum) infra eundem comitatum ubi indictamenta predicta capiuntur, ad annuum valorem centum solidorum. Et quod nullus processus fiet extra aliqua hujusmodi indictamenta, antequam debite examinetur et inquiretur coram Justitiariis ipsius Domini Regis, habentibus potestatem adjudicandi aliquem processum super hujusmodi indictamenta, utrum indictatores predicti et eorum quilibet, tempore hujusmodi indictamentorum captorum, habuerunt terras et tenementa (aut aliqua alia persona vel persone ad eorum usum) ad annuum valorem centum solidorum infra eundem comitatum ultra omnia onera ubi hujusmodi indictamenta capi contingunt. Et si inveniatur coram Domino Rege, vel coram aliquo justitiariorum suorum, quod dicti indictatores aut aliquis ipsorum tempore hujusmodi indictamenti sic capti non habuerunt vel non habuit, nec aliquis ad eorum usum habuit, terras et tenementa ad valorem centum solidorum per annum, quod tunc indictamentum predictum quoad aliquam hujusmodi aliam personam vel personas supposit' per hujusmodi indictament' esse vel fuisse inhabitant' sive conversant' infra dictum comitatum Lancastrie, vacuum et nullius effectus existat.

³ sic capti, P.

C A P. III.

For remedying several Extortions committed by the Officers of the Exchequer.

“**T**HE Fees of Officers of the Exchequer, in passing the Accounts of Sheriffs, &c. and in entering Pleas, Pardons, Writs, Judgments, &c. ascertained.—With a Proviso, that Order should be taken for settling them by the Council before the *Michaelmas* ensuing; or otherwise this Ordinance shall continue in Force for Five Years.”

C A P. IV.

For preventing Brewers in *Kent* from being Maltsters.

“**N**O Person brewing Ale or Beer in *Kent* for Sale, shall make above an Hundred Quarters of Malt annually to his own Use; Penalty Ten Pounds.”

[To continue for Five Years. See the Preamble to this Act in printed Rot. Parl. nu. 54.]

C A P. V.

For the Encouragement of Silkwomen and Throwsters.

“**N**O wrought Silk, Ribbons, Laces, &c. shall be brought into the Realm by Way of Merchandise; on Penalty of Forfeiture and Twenty Pounds.”

[To continue for Five Years.]

C A P. VI.

Certain Privileges granted to the Abbot of *Fountain* in the County of *York*.

“**A**FTER Recital of various Inconveniencies, which had been experienced by the Abbot in Suits against him in certain Wapentakes, which Inconveniencies were not sufficiently provided for by the Stat. 15 H. 6. c. 7. it is enacted, That the Abbot and his Successors may wage their Law by Attorney or Attornies, to be appointed in Manner directed by the Act; and a Penalty of Twenty Pounds is imposed on the Bailiffs or Stewards of such Courts preventing the Execution of this Act, or offending against the same.”

C A P. VII.

For regulating the Number of Attornies in *Norfolk*, *Suffolk*, and *Norwich*.

“**R**ECITAL of a Practice of contentious Attornies, to stir up Suits for their private Profits, to the Vexation of the People, and the Destruction of the Courts Baron, It is enacted, that there shall be but Six common Attornies in *Norfolk*, Six in *Suffolk*, and Two in *Norwich*.—To be admitted by the Two Chief Justices.—Justices of Peace empowered to inquire of Offenders.—Penalty on Offenders, Twenty Pounds.—Proviso that the Act shall take Effect from *Easter*; if it seem reasonable to the Judges.” [See 2 Geo. 2. c. 23. and References there.]

Anno tricesimo octavo HENRICI VI.

In the Parliament held at Coventry on Tuesday, 20th
November, A.D. 1459.

No Statutes of this Year have ever been printed in any Edition of the Statute Book.—By 39 H. 6. c. 1. this Parliament of 38 H. VI. was declared invalid, and all the Acts made therein annulled.

See printed Rot. Parl. v. page 345, &c. for the Acts of this Parliament, 38 H. VI. of which the following is an Abstract.

Page. No. } Attainder of Richard Duke of York, Edward Earl
346, 7, } of March, Richard Earl of Warwick, Richard
351, 25, } Earl of Salisbury, and others their Adherents, for
High Treason, in being engaged in Battle against
the King at Blore-heath in Staffordshire, and Lud-
ford in Herefordshire; and Forfeiture of their
Lands, &c. accordingly.

352, 27, For making an Exchange between the King and Queen
of the Manors of Havering at Bower in Essex, and
Corbam in Wiltshire.

28, For vesting certain Possessions of the Duchy of Lan-
caster in Trustees for the King's Use, some of the
former Trustees having died. (See 23 H. 6. nu. 17.)

356, 29, Respecting the Duchy of Cornwall.—Reciting at
Length the Creation by K. Ed. III. in the 11th
Year of his Reign, of his first begotten Son to be
Duke of Cornwall, and of certain Grants made by
K. Ed. III. to the Prince in consequence; (See
5 H. 4. nu. 22. where this Creation and those
Grants are alluded to.)—Reciting also the Act
33 H. 6. (nu. 43.) for granting Livery to the
Prince with certain Restrictions:—It is enacted
that the Prince shall enjoy the Duchy freely with-
out the Restrictions imposed by the said Act,
33 H. 6.

363, 30, } For confirming former Grants to Eton College, and
364, 31, } King's College, Cambridge.

365, 32, For confirming certain Grants of K. Henry V. to the
Convent of the Charterhouse of Shene.

On Petitions of the Commons.

366, 33, For Resumption of all Grants made by the King to
any Persons engaged against him in the Battles at
St. Alban's, (See 33 H. 6. nu. 18.) Bloreheath,
or Ludford. (See ante, nu. 7—25.)

Printed

Printed Rot. Parl. v.

Page. No. } For revoking Patents to Sheriffs and Escheators for
366, 34, } their Life, in the Counties of Chester, Flint, &c.

367, 35, } For rendering valid the Election of Knights of the
Shire, made by virtue of Letters under the Privy
Seal, and for indemnifying Sheriffs having exercised
their Office beyond the Year, for the Purpose of such
Elections. (See 23 H. 6. c. 7.)

36, For compelling the Appearance of certain notorious
Offenders, or in Default attainting them of the
Offences charged against them.

368, 37, For pardoning certain Rebels on Fines to be paid by
them.

On Petition of Sir P. Wentworth.

371, For reversing an Agreement and Judgment relating to
the Wardship of an Heir.

Appendix, } Writ to the Collectors of the Subsidy on Wools ex-
454, 44, } ported at Yarmouth, reciting an Act of this Par-
liament for appropriating 6s. 8d. per Sack of
Wool, Part of the Subsidy to the Payment of Money
advanced by the Merchants of the Staple at Calais.

Anno tricesimo nono HENRICI VI.

In the Parliament held at Westminster on Tuesday,
7th October, A.D. 1460.

From the Copy given by Hawkins, Cay, &c. as "Ex Rot.
in Turr. Lond. m. 1." compared with printed Rot. Parl.
Pynson, &c.

The Two Chapters of the Statute are founded on the following
Articles in printed Rot. Parl.

Chapter of Statute.

Number in Roll.

1	—	—	8 ⁽¹⁾	} In English.
2	—	—	36 ⁽²⁾	

¹ On Petition of the Commons.

² On a private Petition.

See further

Printed Rot. Parl. v.

Page. No. } Concerning Privilege of Parliament.—After reciting
374, 9, } that Walter Clark, Burgefs for Chippenham, was
during Parliament arrested and committed to the
Fleet, in Execution at the Suit of certain Persons,
and for certain Fines due to the King, it is enacted
that the Chancellor may, by Writ to the Warden
of the Fleet, require him to bring the said Walter
into Court, and there discharge him, so that he may
attend Parliament.—Saving to the King and the
Creditors their Right of Execution after the Dissolu-
tion of Parliament.

Printed Rot. Parl. v.

- | | | | |
|-------|-----|---|---|
| Page. | No. | } | <p><i>Claim made by Richard Duke of York to the Crown, as the Son of Anne, the sole surviving Daughter and Heir of Roger Mortimer, who was the Son of Phillippa, Daughter to Lionel Duke of Clarence, third Son of King Edward III. (Son of K. Ed. II., eldest Son of King Edward I., who was eldest Son of K. Hen. III.) [K. Hen. VI. being lineally descended from K. Hen. IV., Son of John of Gaunt, Fourth Son of K. Ed. III.]; after several Discussions before the Lords, it is enacted, That K. Henry VI. shall keep the Title of King for his Life, and the Duke of York shall be declared Heir Apparent, and he and his Heirs shall succeed to the Crown on the Decease or Resignation of K. Hen. VI.—That the compassing the Death of the Duke of York shall be High Treason.—That all Statutes for entailing the Crown, made in the Time of K. Hen. IV. (See 1 H. 4. nu. 71, &c. 5 H. 4. nu. 17. 7 H. 4. c. 2.) shall be repealed.—But all other Acts and Statutes ‘made before this Time by Authority of any Parliament, not repealed or annulled by like Authority, or otherwise void,’ shall remain in force.</i></p> |
| 375, | 10, | | |
| 379, | 28, | | |
| 380, | 30, | } | <p><i>For assuring Estates to the Value of 10,000 Marks to the Duke of York, and his Sons Edward Earl of March, and Edmund Earl of Rutland.</i></p> |
| 381, | 31, | | |
| 382, | 32, | | <p><i>The Duke of York empowered to repress all Insurrections, &c. in the Kingdom, in which all Sheriffs, &c. shall assist him.</i></p> |
| 383, | 33, | | <p><i>For repealing certain Letters Patents of new Offices in the Duchy of Lancaster; for regulating the Management of the Revenues of the Duchy; and for vesting certain of the said Revenues in Trustees for the Use of the King. (See 38 H. 6. nu. 28.)</i></p> |

[TO the Honour of Almighty God, and the Reverence of Holy Church, for to nourish Peace, Unity, and Concord in all Parts within this Realm of *England*, and for the Relief and Sustentation of our Lord the King, and of this his Realm, the same our Sovereign Lord King *Henry* the Sixth after the Conquest, at his High Court of Parliament holden at *Westminster* upon the Seventh Day of the Month of *October*, the Nine-and-thirtieth Year of his noble and gracious Reign, by the Advice and Assent of his Lords Spiritual and Temporal, and at the special Request of the Commons of his said Realm, assembled in the same Parliament, and by the Authority of the same Parliament, hath ordained these Things underwritten¹.]

¹ This Introduction is given in Berthelet, 1:43, and all other English Editions; but none such appears in Pynson, &c.—See Note 1. to Cap. 1.

C A P. I.

The Parliament holden at *Coventry*, Anno 38 Hen. 6. repealed, and all Acts, Statutes, and Ordinances, made by Authority of the same, reversed.

[AT the Parliament holden at *Westminster* the Seventh Day of *October*, in the Thirty-ninth Year of the Reign of King *Henry* the Sixth after the Conquest, it was shewn by the said Commons, in the said Parliament assembled, That whereas¹] divers seditious and evil disposed Persons, having no regard to the Fear of God, nor to the Damage of the prosperous Estate of [our said Sovereign Lord the King,] nor his Realm, sinisterly and importunately did labour the said King to summon a Parliament to be holden at his City of *Coventry*, the Twentieth Day of the Month of *November*, the Thirty-eighth Year of his [noble] Reign, only to destroy certain of the great Nobles, faithful and lawful Lords and Estates of the King's Blood, and other of the faithful liege People of the said Realm [of *England*,] for the great [Rancour,²] Hatred, and Malice, which the said seditious Persons of long Time have had against them; and their greedy and insatiable Covetousness to have the Lands, Hereditaments, Possessions, Offices, and Goods of the said Lords and faithful liege People: by which [sinister] labour certain Acts, Statutes, and Ordinances, against all good Faith and Conscience, in the said Parliament were made finally to destroy the said lawful Lords, Estates, and liege People and their Issues, as well Innocents as other and their Heirs for ever: which Parliament was unduly summoned, and a great Part of the Knights for divers Counties of this Realm, and many Burgesses and Citizens for divers Boroughs and Cities in the same appearing, were named, returned, and accepted, some of them without due and free Election, some of them without any Election,³ against the Course of the King's Laws and the Liberties of the Commons of this Realm, by the Means and Labours of the said seditious Persons, whereby many great Jeopardies, Enormities, and Inconveniencies, well nigh to the Ruin, Decay, and universal Subversion of the said Realm, have ensued: Our said [Sovereign] Lord the King, considering the Premises, and that the said Lords, Estates, and other his liege People, against whom the said Acts, Statutes, and Ordinances were made, have always had great and faithful Love to the Preferment and Surety of the Welfare of his royal Person, according to their Duty: and that few of the Acts [or Ordinances] in the said Parliament, holden at *Coventry*, were made for the Weal of the King nor of [his] said Realm, but the greater Part of the Acts, Statutes, and Ordinances therein made, were laboured by the Conspiracy, Procurement, and Excitation of the said evil disposed Persons, for the Introduction and Accomplishment of their Rancour and inordinate Covetise, hath by the Advice and Assent of the Lords Spiritual and Temporal, and at the Request of the said Commons, in the said

¹ Former Translations read "First; Whereas it hath been shewn to the King our Sovereign Lord, by his liege and faithful Commons in this present Parliament, that" — observe also the Words contained in Brackets throughout this Chapter.

² All former Translations read 'rumour.'

³ See Note, sub. an. 38 H. 6. nu. 35.

Parliament assembled, and by [the same Authority⁴,] ordained and established, That the said Parliament holden at the said City of *Coventry* be void, and holden for no Parliament. And that all Acts, Statutes, and Ordinances, by the Authority of the same made, be reversed, annulled, [undone⁵,] repealed, revoked, voided, and of no Force nor Effect.

⁴ Authority of the same Parliament, *Rot. Parl.* ⁵ cassed, irrité, *Rot. Parl.*

[A U parlement tenuz a Westm^r le septisme jour de Oçobr^r lan du reigne du Roi Henry puis le conquest sime xxxix^e monstre fuist par les Communes en icell parlement assmblez qe come¹] diversez seditiousz et mavailx disposez personez, nulle regarde ciantz a paour Dieu, ne al damage del prosperous estate du dit Roi ne son reame, senestrement et enportunement laboroient le dit Roi de sommoner une parlement a teniers a la citee de Coventre, le vintisme jour de Novembre lan de son reigne [trent septisme²] tantfoulement a destroier certains des grandes noblez foialx et loialx Seignurs et estates du sang roiall, et autres del foial liege people du dit Roialme pur les grandes rancour haite et malice qe lez ditz seditiousz persones de longe temps avoient contre ceux, et leur insatiable covetyse davoit les terres enheritammentez possessions offices et biens des ditz Seignurs et foialx lieges; par quel labour certains actes statutes et ordenances contre tout bone foye, et conscience, en le dit parlement furent faitz, a destroier finalment lez ditz loialx Seignurs estates et liege people et leur issuez, sibien innocentz come autres et leur heirs pur toutz jours; quel parlement fuist nondument sommonnez, et grande part de lez chivalers pur diversez counteez cesty Roialme, et plusours citezeins et burgeisez pur diversez citees et burghs en icell apparantz, furent nommez retournez et acceptez, ascuns deux saunz due et frank election, ascuns deux saunz null election, encountre le cours des loies du Roi et les liberties des Communes du dit Roialme, par lez moyens et labours lez ditz seditiousz persones; paront plusours grandes jeopardies et enconveniences bien pres al ruyne et universall subversion le Roialme avantdit ount ensuez: Nostre dit Seigneur le Roi les premisses considerant et qe lez ditz Seignurs estates et autres sez lieges, envers queux les ditz actes estatutez et ordeignementz furent faitz, ount toutz jours cuez grande et foial amour au preferement et suerte le bien valoir de sa persone roiall leur duete accordant; et que poie des actes ou ordenancez, en le dit parlement tenuz a Coventre, estoient faitz pur le bien du Roi ne du dit Roialme, mes la greindre part de les actes statutes et ordenancez, en icell faitez, fuist laboree par le conspirement procurement et excitement lez ditz mavailx disposez persones, pur lentreduction et accomplishment de leur rancour et enordynate covetyse, ad par ladvis et assent des Seignurs espirituelx et temporelx en le dit parlement assemblez al request des ditz Communes, et par lauctorite mesme le parlement, ordeigne et establie qe le dit parlement tenuz au dit citee d^r Coventre soit voide et tenuz pur null parlement. Et qe toutz actes statutes et ordenances, par lauctorite del mesme faitez, soient reversez adnulliez cassez irritiez repellez revoques voides et de null force neffecte:

¹ The French Text as given by Pynson agrees with this.

² xxxvlij. P. query if the print in Gay is not erroneous, for 'trent septisme.'

C A P. II.

A Woman being Fourteen Years of Age at the Death of her Ancestor shall have Livery of her Land.

ALSO by the Advice, Assent, and Authority aforesaid, it is ordained and established, that Women being of the Age of Fourteen Years at the Time of the Death of their Ancestors, without Question or Difficulty shall have Livery of their Lands and Tenements descended to them. For so the Law of this Land willeth that they then should have.

ITEM de avifamento assensu et auctoritate predictis ordinatum est et stabilitum quod mulieres existentes etatis quatuordecim annorum tempore mortis antecessorum suorum absque questione seu difficultate habeant liberationem terrarum et tenementorum suorum sibi descensorum; quia sic lex illius terre vult quod tunc ipse haberent.

End of the Statutes of King HENRY VI.

[*But see sub an. 10 EDW. IV. or 49 HEN. VI.*]

Anno primo EDWARDI IV.

*In the Parliament held at Westminster on Wednesday,
4th November, A.D. 1461.*

[See printed
Rot. Parl.
nu. 38.]

[This Parliament was on 21st December prorogued to 16th May,
(2 E. 4. A.D. 1462.) on which Day it was dissolved by
Commission.]

*From the Copy given by Hawkins, Cay, &c. as "Ex Rot.
in Turr. Lond. m. 11." compared with printed Rot. Parl. and
Pynson.*

*The several Chapters of the Statute are founded on the following
Articles in printed Rot. Parl. v. p. 489. &c.*

Chapter of Statute.	Number in Roll.	
1,	—	41, } On Petition of the Commons;
2,	—	42, } in English.

See also

Printed Rot. Parl. v.

Page. No. } *Declaratio Tituli Regii et Restitutio ad eundem.* —
463, 8, } *After reciting the Title of Richard Duke of York
(in the same Terms as in 39 H. 6. nu. 10. &c.),
and that it had descended on his Death to his Son
Edward; reciting also the Circumstances attending
the Accession of K. Henry IV.; the said K. Henry IV.,
and also K. Hen. V. and VI. are declared Usurpers;
and K. Edw. IV. is declared restored to the Crown,
and all the Possessions thereof, from the Fourth Day
of March preceding, as fully as King Richard II.
held the same, on the Feast of St. Matthew the
Apostle, in the 23d Year of his Reign.—All Statutes,
Acts, and Ordinances made against the Right and
Title of the said K. Richard are repealed and an-
nulled.—K. Henry IV. and his Heirs are disabled
from holding any Estate or Dignity whatever.—The
Conditions of the Act or Agreement in 39 H. 6.
whereby K. Hen. VI. was allowed to enjoy the
Crown for his Life, are declared to have been broken
by K. Hen. VI.; and the said Act is therefore
annulled.—The Royal Assent is given, subject to
certain 'Moderations, Provisions, and Exceptions,'
in Favour of the Grantees of the Crown in certain
Cases.—See also Cap. 1. of the Statute.*

Printed

Printed Rot. Parl. v.

- Page. No. } *Attainder of Treason against K. Hen. VI.; and his*
 476, 17, } *Duchy of Lancaster declared forfeited to K. Edward IV., and to become a County Palatine.*
 479, 27, } *Attainder of Queen Marguret, and she and her Son Edward declared incapable of any Dignity or Estate.—Attainder of the Duke of Somerset and others, her Adherents and Assistants in the Death of Richard Duke of York.*
 483, 29, *Attainder of Sir John Skydmore for adhering to K. Hen. VI. after 4th March preceding. (Repealed, see 12 and 13 E. 4. nu. 31.)*
 30, *For compelling the Appearance of John Waleys and others, and on Failure attainting them of High Treason.*
 31, *For securing the Payment of an Annuity to the Dukes of York, K. Edw. IV.'s Mother.*
 484, 32, } *The Judgment of Treason and Affirmance thereof in*
 33, } *Parliament, 3 H. 5. (nu. 6.) against Richard E. of*
 34, } *Cambridge, (Grandson of K. Edw. III. and Grandfather to K. Edw. IV.) reversed.—The Declarations and Judgment of Parliament, 2 H. 4. (nu. 30.) against the Earl of Salisbury and Lord Le Despencer, also reversed.—(See also nu. 37.)*
 485, 35, *For restoring James Strangway and Ux. and John Conyers and Ux. to certain Lands forfeited to the King under an Act made in the Parliament of Ireland in 38 H. 6.*
 36, *For compelling David ap Ieun ap Emyon, Constable of the Castle of Hardelegb in Wales, and others, to deliver up the said Castle on Pain of being convicted of Treason.*
 486, 37, *For reversing the Judgment in Parliament, 2 H. 4. (nu. 30.) against Sir Ralph Lumley. (See ante, nu. 32, &c.)*

EDWARD, by the Grace of God King of England and of France, and Lord of Ireland, the Fourth after the Conquest, to the Honour of God and of Holy Church, to nourish Peace, Unity, and Concord within this Realm of England (which he most entirely desireth), by the Advice and Assent of the Lords Spiritual and Temporal of the same Realm, and at the special Request of the Commons of his said Realm, at his First Parliament holden at Westminster upon the Fourth Day of November, in the First Year of his Reign, met and assembled, and by Authority of the same Parliament, hath caused to be ordained and established certain Statutes, Declarations, and Ordinances, in Form following.

EDWARD par la grace de Dieu Roi d'Engleterre et de France et Seigneour d'Irland, puis le conquest quart, al honneur de Dieu et de Seint Esglise pur nurrer peas unite et contorde deins son Roialme d'Engleterre, le quell il desire moult entierment, del advia et assent des Seignurs espirituelx et temporelx de mesme Roialme, et a lespciale request dez communcz de son dit Roialme, á son primer parlement tenuz a Westm' le quart jour de Novembr' lan de son reigne primer venuz et assemblez, et par lauctorite de mesme le parlement, ad fait ordeigneir et establier certains statutez declarations et ordenaunces en la fourme qe ensuit.

C A P. I.

What Acts done by or during the Reigns of King *Henry IV.* King *Henry V.* and King *Henry VI.* shall continue valid.

Confirmation of
Judicial Acts.

FIRST; That for eschewing of Ambiguities, Doubts, and Diversities of Opinions, which may rise, ensue, or be taken of and upon judicial Acts, and Exemplifications of the same made or had in the Time or Times of *Henry the Fourth*, *Henry the Fifth* his Son, and *Henry the Sixth* his Son, late in Deed and not in Right, successively Kings of *England*, or of any of them: Our said Lord the King, by the Advice and Assent of the Lords Spiritual and Temporal, and at the Request of the said Commons, in the said Parliament assembled, and by Authority of the same, hath declared, established, and enacted in the said Parliament, That all Fines and final Concords, levied or made of any Lands, Tenements, Possessions, Rents, Inheritances, or other Things, and all judicial Acts, Recoveries, and Processes, determined, or commenced, (not revoked, reversed, nor annulled), made or had in any Court or Courts of Record, or any Court or Courts holden in any of the Times of the pretended Reigns of any of the said late Kings, in Deed and not in Right, (other than by Authority of any Parliament holden in any of their Times,) and Exemplifications of the said Fines, Acts judicial, and Recoveries, out of any of the said Parliaments, and every of them, shall be of like Force, Virtue, and Effect, as if the said Fines, final Concords, Acts, Recoveries, Processes, and other the Premises, had or made out of any of the said Parliaments, and Exemplifications of the same, had been commenced, sued, had, or determined, in the Time of any King lawfully reigning in this Realm, and by just Title obtaining the Crown of the same.

II. And also, That all Letters Patents made by any of the said pretended Kings to any Person or Persons, of Creation, ennobling, or Erection of any of them to any Estate, Dignity or Pre-eminence, shall be to the said Person or Persons, and to such of their Heirs, as be contained in the said Letters Patents, of like Force, Value and Effect, as touching such Creation, ennobling, or Erection, as if the same Letters Patents had been made or granted to them by any King, lawfully reigning in this Realm, and by just Title obtaining the Crown of the same. And that they being so created, ennobled or erected, shall have new Grants of the King of their Annuities for the Maintenance of their Estates,

Fines, Recoveries, &c. except in Parliament.

[See Note sub an. 39 H. 6. nn. 10—28. and printed Rot. Parl. vol. 5. p. 490. c. and 491. k. as to Statutes passed temp. Hen. IV., V., & VI.]

Creations of Noblemen.

Estates, as hath been of old Time accustomed: Except Such Persons, and every of them, whom our Sovereign Lord the King reputeth and holdeth for his Rebels and Enemies.

III. And moreover, the excessive Charges and Costs which the Cities, Boroughs, Towns, the Cinqueports of this Realm, and also the Town of *Calais*, with the Marches of the same, have endured and suffered, and the great Poverty amongst the People of the same considered; for the Ease and Relief of the same, the King hath ordained, granted, established, and enacted by the Assent and Authority aforesaid, That all Manner of Liberties, Privileges, Franchises, Powers, Jurisdictions, Profits, Immunities, Corporations, Munitions, Enlargements, Annexions, Unions, Severings from Counties, and making of Counties by themselves, and all Manner of Grants, Leases, Licences, Pardons, Discharges, Exemptions, Releases, Fairs and Markets (not revoked, repealed, nor annulled by Authority of Parliament, or otherwise by Process of the Law) granted in the Times of *Henry* the Fourth, *Henry* the Fifth, or *Henry* the Sixth, late in Deed and not in Right, Kings of *England*, to any Mayor, Bailiff or Bailiffs, Sheriff or Sheriffs; Mayor and Sheriff; Sheriff and Bailiffs; Mayor and Bailiffs; Commonalty; Citizens; Mayor and Commonalty; Mayor, Commonalty and Citizens; Mayor and Citizens; Mayor and Aldermen, and their Successors; Mayor and Citizens, their Heirs and Successors; Mayor and Commonalty, their Heirs and Successors; Citizens and their Heirs; Citizens, their Heirs and Successors; Bailiffs and Citizens, their Heirs and Successors; Mayor and Aldermen; Mayor, Aldermen and Burgeses; Mayor and Burgeses; Mayor, Aldermen and Sheriff or Sheriffs; Mayor, Burgeses and their Successors; Mayor, Burgeses, their Heirs and Successors; Mayor, Sheriffs and Burgeses; Mayor, Bailiffs and Commonalty; Alderman and Commonalty; Alderman, Bailiffs and Commonalty; Aldermen and Bailiffs, their Heirs and Successors; Bailiffs and Commonalty; Bailiffs and Burgeses; Citizens, Burgeses and Commonalty; Mayor, Bailiffs and Burgeses, their Heirs and Successors; [the discreet Men¹] their Heirs and Successors; Portreves, Bailiffs and Commons; Stewards, Burgeses, and [the discreet Men¹]; Portreves, Barons and Men; Mayor, Barons and Commonalty; Mayor and Barons; Barons and Commonalty; Barons; Jurates; Barons and Jurates; Men Inhabitants; Mayor, Constables and [Company²] of Merchants of the Staple at *Calais*; and to every of them, and to their Heirs, and to the Successors of every of them; and to the Masters, Brethren, and Sisters of Guilds, and Fraternities; Masters and Commonalty, their Heirs and Successors; and Wardens and Masters of Crafts; Wardens of the Commonalty of the [Mystery³] of Mercers of the City of *London*; or to any of them before named, and to the Successors of every of them, having Corporation, by whatsoever Name or Names they or any of them be called or named in any of the said Grants: (⁵) they shall stand in like Strength and Virtue, as if they had been granted by any King or Kings lawfully reigning in this Realm of *England*; and in like Manner and Form to have Confirmations [in Chancery of the said Liberties, Privileges, Fran-

Except Rebels to K. Edw. IV

Liberties, Franchises, Division of Counties, &c. and Grants of Incorporations by the several Names of the Bodies Corporate.

¹ Worthy Men, Rot. Parl.

² Fellowship, Rot. Parl.

³ Craft, Rot. Parl.

⁵ See printed Rot. Parl. v. p. 489. Query, if any Omission here?

chises, Corporations, and other the Premises, as they should have of⁶] Grants made in the Times of *Edward the Third*, and *Richard the Second*, late lawful Kings of *England*.

Licences or
Pardons of
Alienations, or
to enter with out
Livery into
Lands descended
after an An-
cestor's Death.

IV. And moreover it is ordained, granted, established and enacted, by the Advice, Assent and Authority aforesaid. That all Manner of Licences, Gifts and Grants, by any of the foresaid late pretended Kings to any Person or Persons, to give, grant, aliene, purchase, or receive any Lands, Tenements, Rents, Possessions or other Hereditaments, holden of any of the said late pretended Kings in any Manner, or to enter into any Lands or Tenements, Rents, Possessions or other Hereditaments, after the Death of any of their Ancestors, without due Livery thereof sued by due Process, according to the Course of the common Law of this Realm; or Pardons made by any of the said late pretended Kings, to any Person or Persons for any Alienations made of any Lands, Tenements, Rents, Possessions, or other Hereditaments, holden of any of the said late pretended Kings of *England*, or Pardon or Pardons granted by any of them to any Person or Persons, for any Entry or Entries made in any Lands, Tenements, Rents, Possessions, or other Hereditaments, which descended, reverted, remained, or in any other Manner came to them, or any of them, after, or by the Death of any of their said Ancestors, or any other Person or Persons, without due Livery thereof sued, according to the Course of the Chancery, and Law and Custom of this Land; Or Licence made by any of the said late pretended Kings, to any Person or Persons, to found, erect, or establish any Abbey, Priory, House of Religion, College, Chantery, Hospital, or other House or Place Spiritual, or of Alms: Or Licence made by any of the said late pretended Kings to any Person or Persons, to found or erect any Fraternity, Guild, Company, or Fellowship, or other Body Corporate, or to give and grant any Lands, Tenements, Rents, Possessions, or other Hereditaments, to any Person or Persons Corporate, or having perpetual Succession: Or Licence made by any of the said late pretended Kings, to any of these aforementioned, for the Acceptance and Receipt of any Thing by any such Gift or Grant: Or Licence made by any of the said late pretended Kings, to any Person or Persons to hold or retain any Advowson, or Church in proper Use, by way of Licence or Appropriation, or to make any Elections, so that any such Advowson pertain not to the Crown: Or Pardon or Pardons made by any of the said late (¹) Kings, to any Body or Persons Corporate, or having perpetual Succession, for Purchase, Perquisition, or Receipt of any of the Premises, or Liveries, or Restitutions of Temporalities made by any of the said late pretended Kings to any Archbishop, Bishop, Abbot, Prior, Dean, Chapter, or other Person or Persons spiritual; — shall be of like Force, Virtue and Effect, as if the said Licences, Pardons, and Liveries had been granted by any King in this Realm lawfully reigning, and by just Title obtaining the Crown of the same: so that the same Licences, Restitutions, and Liveries, were executed in the Time of any of the said late pretended Kings; [and if any such Licence granted in the Time of the pretended Reign of any of the said late pretended Kings²,] in Deed and not in Right, were executed within the same Time in Part and not in

Licences to
found any
spiritual Place
or House; or
any Fraternity,
Guild, &c. or
to give any
Lands to them.

Licences of
Appropriation,
or to make
Elections.

Pardons to
Corporations;
Liveries or
Restitutions of
Temporalities.

¹ 'pretended,' *Rot. Parl.*

the Whole, that the same Licences, as to that Part so executed, shall be of like Force, Virtue, and Effect, as if the said Licences had been granted by any King lawfully reigning in this Realm, and by just Title obtaining the Crown of the same. And if any of the said late pretended Kings, in Deed and not in Right, hath by their Letters Patents, or by Authority of their Parliaments, founded or established any Abbey, Priory, House of Religion, College, Chantry, Hospital, or any other House or Place spiritual or of Alms, that all such Foundations, as to the Corporations and Scites of the same, shall be of like Force, Virtue, and Effect, as if such Foundations had been made by any King lawfully reigning in this Realm, and by just Title obtaining the Crown of the same: So that this present Article concerning the Foundations or Establishments aforesaid, or any of them, shall not extend nor be prejudicial in any Manner to the King, or to any other Person or Persons, for any Lands, Tenements, Rents, Possessions, Hereditaments, or any Manner of Advowsons to the King, or to any other Person or Persons, in any wise pertaining; other than such which be and make the Scite or Scites of any such Abbey, Priory, House of Religion, College, Chantry, Hospital, or other House or Place aforesaid.

Royal Foundations of religious Houses, &c. so far as relates to the Incorporation and Scites of the same.

V. And that all Grants and Assignments of Dower, made by any of the said late pretended Kings, to any Woman after the Death of her Husband, to hold for Term of her Life, by any Letters Patents made of special Grace by any of the said late pretended Kings, or Assignments of Dower made to any such Wife after the Death of her Husband in the Chancery, after the Course of the same, in the Time of the pretended Reign of any of the said late pretended Kings, shall be of like Force, Virtue, and Effect, as if the said Grants and Assignments had been made by any King lawfully reigning, and by just Title obtaining the Crown of the same. Provided always, That this present Article do not extend, nor in any wise be prejudicial to the King, for any Lands, Tenements, Rents, Possessions, or Hereditaments, belonging to the King, in Right of his Crown, the First Day of *November* last past. Provided always also, That by this present Act no Prejudice be done to the Dutcheſs of *Bedford*, as to for and concerning her Dower.

Assignment of Dower to any Woman during her Life.

VI. And that where any Lands, Tenements, Rents, Possessions, Hereditaments, or other Things, have been given to any of the said pretended Kings by any Person or Persons, to the Intent that Gifts should be thereof made by the said Kings, or any of them, by any of their Letters Patents, by way of *Mortmain* for ever, that all Grants and Letters Patents made by any of the same late pretended Kings, for the amortising of any such Lands, Tenements, Rents, Possessions, Hereditaments, or other Things, shall be of like Force, Virtue, and Effect, as if the same Grants had been made by any King lawfully reigning in this Realm, and by just Title obtaining the Crown of the same: so that any of the said late pretended Kings by whom any such Letters Patents were made, were never seised of the said Lands, Tenements, Rents, Possessions, or Hereditaments, but only by virtue of such Feoffments, Grants, Gifts, or other Estates made to them, or any of them. And so always, That this Act extend not to any Lands,

Lands assured in *Mortmain* by any of the said Kings, which were given to them to that Intent.

Act shall not extend to Lands

affured to the
King by way
of Exchange.

Tenements, Rents, Possessions, Advowsons, Hereditaments, or other Things that were given to any of the said late pretended Kings, by way of Recompence or Exchange for any Lands, Tenements, Rents, Possessions, Advowsons, Hereditaments, or other Things which in any wise pertained to the Crown; although no mention were made in any Letters Patents or other Writings of any Recompence or Exchange.

Collations,
Gifts, and
Presentations
to Benefices
during the
Incumbents
Lives:

VII. And that all Grants, Collations, Gifts, and Presentations, made by any of the said late pretended Kings, to any Person or Persons not corporate, nor having perpetual Succession, of any Benefice, Dignity, Church, Prebend, Hospital or Chapel, shall be of like Force, Virtue, and Effect, as if the same Grants, Collations, Gifts, and Presentations, had been made by any King lawfully reigning in this Realm, and by just Title obtaining the Crown of the same; during the Life or Lives of the said Person or Persons being Incumbents, Possessors or Occupiers in the same, or any of them. Provided always, That those Persons which be attainted in this present Parliament, and such that be out with the King's Enemies, shall take no Benefit nor Advantage by this Act.

Except to the
King's open
Enemies and
Persons
attainted.

VIII. And that all Grants made by any of the said late pretended Kings, by any their Letters Patents, to any Person or Persons of any Wards or Marriages, shall be of like Force, Virtue, and Effect, as if the said Grants had been made by any King lawfully reigning in this Realm, and by just Title obtaining the Crown of the same.

Grants of Wards
and Marriages.

IX. And also that all Grants and Letters Patents made by any of the said late pretended Kings, to any Person or Persons, to have any Fair or Fairs, Market or Markets, at any Town or Towns, or other Place or Places, all such Grants and Letters Patents, as to such Fairs and Markets, and every of them, shall be of like Force, Virtue, and Effect, as if the same Grants and Letters Patents had been made by any King lawfully reigning in this Realm, and by just Title obtaining the Crown of the same.

Grants of
Liveries of
Lands, since the
Commencement
of this Reign.

X. And also if any Person or Persons hath sued, obtained, and had any Livery by the Course of the Common Law of this Realm, or otherwise, of any Lands, Tenements, Rents, Possessions, Advowsons, or other Hereditaments, which descended, reverted, remained, or in any other Manner came to them, or any of them, by any Livery suing after or by the Death of any of their Ancestors, or any other Person or Persons, since the Fourth Day of *March* last past, that all such Liveries shall be of like Force, Virtue, and Effect, as they were at the Time of the said Liveries sued: so that the said Lands, Tenements, Rents, Possessions, Advowsons, or other Hereditaments, or any Parcel thereof, were not belonging to the King in the Right of his Crown. Provided always, That this Article extend not to any Lands, Tenements, or other Things which do belong or ought to come into the King's Hands, by reason of any Attainder in this present Parliament.

Wards or
Marriages
granted by
K. Ed. IV.

XI. And also, That all Letters Patents and Grants, made by our said Lord the King to any Person or Persons, since the Fourth Day of *March* last past, of any Wards or Marriages, of any Person or Persons being within Age, shall be of like Force and Effect to them, and every of them, as they were at the Times of the Grants and Letters Patents thereof made to them, or any of them: any

Act

Act or Ordinance in this present Parliament made or to be made notwithstanding. Provided always, That this Article extend not to any Wards or Marriages of any Person or Persons, which do pertain, or ought to come to the King's Hands, by reason of any Attainder in this present Parliament.

XII. And also, That all Grants made by our said Sovereign Lord the King by his Letters Patents, since the Fourth Day of *March* last past, to any of his faithful liege Men that were not against him in any Field since the First Day of his Reign, nor against the high and mighty Prince, Father to the said King, in the Field and evil Journey of *Wakefield*, of any Office or Offices which such Person or Persons by the King's discreet Consideration hath or have deserved, the Effect of such Grant or Grants shall be of like Force, Virtue, and Effect, as they or any of them were at the Time of such Grants, Letters Patents, and every of them made: any Statute, Act, or Ordinance, made or to be made in this present Parliament notwithstanding. Provided always, That this Act be not prejudicial nor hurtful to any Person or Persons, for any Grant or Grants made to him, or them, or any of them, of any Annuity, Fee, or Pension, or of any Deanry, Hospital, or Benefice, or of any Office or Offices, being an Office or Offices in the Time of the King's Progenitors, with the Fees and Wages thereto due and accustomed by the King, by his Letters Patents made since the Fourth Day of *March* last past; his Letters Patents made of all the Offices of Serjeants at Arms, and of the Offices of Justices of the one Bench and of the other, Barons of his Exchequer, Keeper of the Rolls of his Chancery of *England*, Keeper of the Rolls of his Chancery of his Land of *Ireland*, Clerk of his Council, Secondary in the Office of his Privy Seal, Clerk or Keeper of his Hamper of his said Chancery of *England*, Keeper of his Parks of [*Hellebury* and *Lantgles*¹] in the County of *Cornwall*, Clerk of the Market of his Household, the Office of Chirographer and Keeper of the King's Writs and Records of his common Bench, of his Glazier, Messengers of his Exchequer, Broiderer, Plumber, Joyner, [*Fletcher*²] within the Tower of *London*, chief Carpenter within the Palace of *Westminster*, Receivers, all Offices accountable, Bailiff of *Havering*, Bailiff of *Surrey*, and of his Auditors in the Counties of *Chester* and *Flin*, and of *South Wales*, [*Purveyor*³] and Comptroller of the Search in his Port of *London*, Keeper of his Armour in the Tower of *London*, Maker of his Poincts, Constable of his Castle or Lordship of *Hadleigh*, Clerk in his great Wardrobe, Purveyor of all Manner of Stuff for his Works within his Palace of *Westminster*, and the Tower of *London*, and the Captain of his Castle of *Hamme*, excepted: The same Letters Patents so excepted, to endure and be of Force, Virtue, and Effect, at the King's Will and Pleasure.

K. Ed. IV.'s Letters Patents made to several Persons of Offices.

Proviso for certain antient Officers to whom the King had granted their Offices.

Certain Offices to continue during the King's Pleasure.

XIII. And also, That all Confirmations, Ratifications, Approbations, Leases, and Grants of all Franchises, Liberties, Privileges, Customs, or any other Commodities, Profits, or Advantages, and every of them, Distinctions, Severances from Counties, and making of Counties by themselves, Grants, Releases, Diminutions and Pardon of Fee-Ferms, and every of them, made and granted by our said Sovereign Lord the King, by his Letters Patents, since

K. Ed. IV.'s Grants to divers Corporations, &c. since the Beginning of his Reign.

¹ Maker of Arrows, *Rot. Parl.*

² Proviseur, *Rot. Parl.*

the Fourth Day of *March* last past, in Relief and Benefit of any City, Town, or Borough of this his Realm, to any Mayor, Bailiff or Bailiffs, Sheriff or Sheriffs, Mayor and Commonalty, Mayor and Citizens, Mayor and Aldermen, Mayor and Sheriff, Mayor, Bailiff, and Commonalty, Citizens, Bailiffs and Citizens, their Heirs and Successors, and the Heirs and Successors of every of them, by whatsoever Name or Names they or any of them is or are called or named in the said Grants or other the Premises, or any of them, shall be of like Force and Effect, as they or any of them were at the Time of the Grants, and Letters Patents thereof made.

Fees upon
Trust to the late
Kings, to the
Use of others.

XIV. And also if any of the said late pretended Kings, or any of their Ancestors, hath been infeoffed by any Person or Persons, of or in any Lands, Tenements, Rents, Possessions, Advowsons, or other Hereditaments, only upon Trust and Confidence to refoff the said Person or Persons, or their Heirs or Assigns, of any of the same, at such Time as they should be thereto required, That all Grants, Feoffments, or other Estates, made by any of the said late pretended Kings, or any of their Ancestors, of any such Lands, Tenements, Rents, Possessions, Advowsons, or other Hereditaments, to any such Person or Persons, their Heirs or Assigns, or to the Heirs or Assigns of any of them, shall be of like Force and Effect in the Law, and available to the said Person or Persons, and to the Heirs and Assigns of them, and every of them, as they were at the Times of the said Grants, Feoffments, or other Estates to them or any of them made; any Act or Ordinance in this present Parliament made or to be made notwithstanding: so that none of the said pretended Kings, nor any of their Ancestors, since the last Day of the Reign of King *Edward* the Third, Progenitor of our said Lord the King, were at any Time seised of the Lands, Tenements, Rents, Possessions, Advowsons, or other Hereditaments, nor of any Parcel thereof, but only by virtue of such Feoffments made to them or any of them upon Confidence in Manner and Form aforesaid, and in no other Manner; and that the same Lands, Tenements, Rents, Possessions, Advowsons, or other Hereditaments, and every of them, be holden of the same chief Lords immediate, or of their Heirs, and by the same Services, as they were holden at the Time the same Feoffments made to any of the said late pretended Kings, or to any of their Ancestors; any Possession of the late pretended Kings, or any of their Ancestors, since the last Day of the Reign of King *Edward* the Third, notwithstanding: so that no Person attainted in this present Parliament take any Benefit or Advantage thereby.

King Ed IV.'s
Letters Patents
made to the
Lord Chancellor,
Lord Treasurer,
Judges,
&c.

XV. And also, That all Letters Patents granted and directed by our said Lord the King, since the First Day of his Reign, to his Chancellor or Treasurer of this Realm, Justices of the Pleas to be holden before the King, Justices of the Common Bench, or Barons of his Exchequer, or to any of them, for the Exercise of any such Thing as pertaineth to the Office or Offices, Authority and Power of them, or any of them, by reason of any of the said Letters Patents and Grants, shall be of like Force, Virtue, and Effect, as they or any of them were the First Day of *November* last past; any Statute, Act, or Ordinance made in this present Parliament notwithstanding: so that the Barons of the Exchequer shall

shall occupy, or exercise their Offices at the King's Pleasure, as the Judges do.

XVI. And also, That every Commission made, granted, and directed by any of the said late pretended Kings in any of their Times, to any Person or Persons, for the Peace in every or any County of this Realm to be established and kept, and to hear and determine all Manner of Felonies, Trespases, and other Offences in the said Commissions, and every of them specified, done or committed in any of the said Counties, or to deliver any Gaol or Gaols within this Realm, or in any other Place or Places under the Obeisance of the Crown, of the Prisoners being in any of the said Gaols in the Time of any of the said late pretended Kings, ⁽¹⁾ or to hear and determine all Manner of Treasons, Felonies, Trespases, and other Offences done in any of the said Counties, or in any Place or Places under the Obeisance of the Crown of the said Realm, in every of the said Commissions specified, assigned; or for Sewers, Walls of Marshes, Ditches, Gutters, Causeys, and Bridges, and other Defaults in any Marsh or Marshes, in any Part of this Realm, in the same Commissions specified, and every of them, to oversee and cause to be repaired and amended, assigned; and all other Commissions made by any of the said late pretended Kings, to any Person or Persons before the Fourth Day of *March* last past, and all Processess, Determinations, Executions, Incidents, [Adminicles,²] and other Circumstances to the same Commissions, and every of them belonging, not void, repealed, or annulled, shall be of like Force, Virtue, and Strength, as if the same Commissions and every of them had been made and granted by any King lawfully reigning in this Realm, and by just Title obtaining the Crown of the same: [so that a special Act be made for such Persons who were before this Time indamaged for the King³.]

Commissions of the Peace, of Gaol-delivery, and to hear and determine; or of Sewers, and all other Commissions.

XVII. And also, That all Manner of Acts and Ordinances, made by Authority of any Parliament or Parliaments, holden in the Time of any of the said late pretended Kings, for the Conservation and keeping of the Town of *Shrewsbury*, and of the good, peaceable, and quiet Rule and Government within the said Town, betwixt the Inhabitants of the same, and every of them, shall be of like Force, Virtue, and Effect, as if the same Acts or Ordinances, and every of them, had been made in the Time of any King or Kings lawfully reigning in this Realm, and by just Title obtaining the Crown of the same.

Acts of Parliament for Shrewsbury.

XVIII. And also, whereas the said pretended King *Henry* the Sixth, late in Deed and not in Right King of this Realm, by his Charter indented under the Seal of the Duchy of *Lancaster* sealed, bearing Date the Twentieth Day of *March*, the Twenty-fourth Year of his usurped Reign, did give and grant, and by the same Charter confirmed to *William* Abbot of *Biland* the Manor of *Kilbourn*, with the Appurtenances, in the County of *Tork*, with all the Knights Fees, Views of Frankpledge, Franchises, Liberties, Commodities, Profits, and Appurtenances to the same Manor in any wise belonging or appertaining, to have and to hold the same Manor, with the other Premises to the said Abbot, and his

K. Hen. VI's. Grant to the Abbot of Biland of the Manor of Kilbourn in the County of York.

¹ being to be delivered, assigned, *Rot. Parl.*

² no such Word is in *Rot. Parl.* Cotgrave renders 'adminicule' 'an Aid, Help, Support.'

³ This does not appear in *Rot. Parl.*

Successors for ever, yielding therefore to the said pretended King *Henry* the Sixth, and his Heirs Dukes of *Lancaster*, Twenty-one Pounds yearly, (where the said pretended King, nor any of his Ancestors Dukes of *Lancaster*, before that Time were ever answered of the yearly Issues and Profits of the same Manor, but of Sixteen Pounds by Year only) the said Twenty-one Pounds to be paid at the Feasts of *Pentecost* and *St. Martin* in Winter, by even Portions, for all secular Services, with Clause of Disres for Default of Payment of the said Rent by half a Year, in all the Manor, Lands, and Tenements of the said Abbot and Convent within the same County, as in the same Charter thereof made more plainly appeareth: that the same Charter, Gift, and Grant shall be, until this Time, and from henceforth to the said Abbot and Convent, and to their Successors, of like Force and Effect, as they were the First Day of *March* last: any Act or Ordinance made in this present Parliament notwithstanding.

Grants to
Abbots, Priors,
&c. to make
free Election.

XIX. And also, That all Grants and Licences made by Letters Patents of any of the said late pretended Kings, to any Abbot and Convent, or Prior and Convent, or to any other Person or Persons, to have and make, by free Election within themselves at every Voidance, an Abbot or a Prior, and to be conventual, perpetual, and elective, where before they were dative and removable, shall be of like Force, Virtue, and Effect, as if the same Grants and Licences, or any of them, had been made by any King lawfully reigning in this Realm, and by just Title obtaining the Crown of the same.

Recognizances
and Deeds
inrolled.

XX. And also, That all Records of Recognizances and Deeds inrolled, made, had, and done in any Court or Courts of Record, or before any Justice of Record, in the Time of the Reigns of any of the said late pretended Kings, shall be of like Force, Virtue, and Effect, as if the same Records had been made, had, or done, in the Time of any King lawfully reigning in this Realm, and by just Title obtaining the Crown of the same.

Licences for
Parks, Chases,
free Warrens,
or to make
Castles, Towers,
or Fortresses.

XXI. And also, That all Licences and Grants made by any of the said late pretended Kings to any Person or Persons, to make, have, inclose, and enjoy any Park or Parks, Warren or free Chase, or to embattle, carnell, maseall, or to make any Tower, Castle, or Fortres, within this Realm, shall be of like Force, Virtue, and Effect, as if the said Grants and Licences had been made by any King lawfully reigning in this Realm, and by just Title obtaining the Crown of the same.

Proviso for
Grants to Cecily
Duchess of
York, the
King's Mother.

XXII. Provided always, That this present Act do not extend nor be prejudicial to the right noble high and mighty Princess, *Cecily* Duchess of *York*, Mother unto our said Sovereign Lord the King, of any Grant or Grants made to her by the King by his Letters Patents before the First Day of this Parliament; by whatsoever Name or Names she be called in the same Letters Patents, but that the same Letters Patents, and every Grant therein contained, be of like Force and Effect, as they were before the First Day of this Parliament; this Act, or any other, made or to be made in this present Parliament notwithstanding.

Proviso for
Lands forfeited
to the King by
Attainder.

XXIII. Provided always, That this Act, nor any Article thereof, extend not to any Lands, Tenements, Possessions, Hereditaments, or other Things, which the King ought in any wise to have

have by Force of any Act of Attainder of any Person or Persons made in this present Parliament.

XXIV. Provided also, That no Person or Persons attainted in this present Parliament, or being out with the King's Enemies, take any Benefit or Advantage by this Act, nor any other Act made or to be made in the said Parliament. Proviso against Persons attainted.

PRIMEREMENT; Que en eschuer des ambiguites doutes et diversitez des oppinions, quels purroient surdre ensuer ou estre prisez de et sur actes judiciels et exemplifications dicelx, faitz ou euez en le temps de Henry le quart, Henry le quint son fitz, et Henry le sixme son fitz, nadgairs en fait et nient en droit successivement Roies d'Engleterre, ou dascun de ceux; Nostre dit Seigneur le Roi del advis et assent des Seignurs espirituels et temporels et a la request des ditz Communes en le dit parlement assemblez, et par auctorite dicell, ad declare establie et enacte en le dit parlement, qe toutz finez et finalls concordcs levez ou faitz dascuns terres tenementez possessions rentes enheritementez ou autres choses, et toutz actes judiciels recovrez et processez determinez ou commencez, nient revoques reversez ou adnullcz, faitz ou euez en aucun court ou courtz de recorde, ou aucun court ou courtes tenuz en aucun des temps de lez pretensez reigneiz dascun de lez ditz nadgairs Roies, en fait et nient de droit, autres qe par auctorite dascun parlement tenuz en aucun de leur temps et exemplifications de lez ditz finez actes judiciels et recovrez, hors dascun de lez ditz parlements, et chescun deux, soient de tout autiel force vertue et effect sicome lez ditz finalx concordcs actes recovres processez et autres premisses, euez ou faitz hors dascun de lez ditz parlements, et exemplifications diceux feussent commencez suez euez ou terminez en temps dascun Roi loialment reigning en cest Roialme et par just title la corone del mesme opteignant.

Et auxi qe toutz lettres patentez faitz, par ascun de les pretensez Roies, al ascun persone ou persones del creation ensignition ou erection dascun dyceux au ascun estate dignite ou preeminence, soient a la dite persone ou persones, et as tielx de leur heires queux sont conteignuz en liz ditz lettres patents, dautiel force value et effect come touchantz tiel creation ensignition ou erection sicome mesmes les lettres patentes feussent faitz ou grauntez au ascun deux par ascun Roi loialment reigning en cest Roialme et par just title opteignaunt la corone del mesme: et qils issint creez enseigneiz ou erectez aient novelx grauntes du Roi de leur annuitez pur la sustentation de leur estates, come il ad este dauncien temps accoustume: Forsprisez les persones et chescun deux quelles nostre dit Seigneur le Roi repete et tient pur sez rebelles ou enemiez.

Et outre ceo, les emportablez charges et collez queux les cities burghs villes les v. portes de cest Roialme et la ville de Calais ove les marches illecoques, ount sustenuz et la grande povertee entre les gentz diceux considerez, pur ease et releve des mesmes, ad ordeigne graunte establie et enacte par assent et auctorite suisditz, qe toutz maners liberteez privileges franchises poiars jurisdictions profitz immunitees corporations munitions enlargements annexions unions, severauncez a counteez et feisauntez counteez par soy mesmez, et toutz maners grauntes lesez licenzez pardons dis-

charges exemptions releses feires et merchees (nient revequez repellez ou adnullez per auctorite de parlement ou autrement par processe de ley) grauntez es jours del Henry le quart Henry le quint ou Henry le sixme nadgairs en fait et nient de droit Roies d'Engleterre, al ascun maire baillif ou baillifs, viscount ou viscountes; maier et viscount; viscount et baillifs; maire et baillifs; comminalte; citezeins; maire et comminalte; maire comminalte et citezeins; maire et citezeins; maire et aldermen et lour successeurs; maire et citezeins lour heires et successeurs; maire et comminalte lour heires et successeurs; citezeins et lour heires; citezeins lour heires et successeurs; baillifs et citezeins lour heires et successeurs; maire et aldermen; maire aldermen et burgeisez; maire et burgeises; maire aldermen et viscount ou viscountz; maire burgeisez et lour successeurs; maire burgeisez lour heires et successeurs; maire viscountes et burgeisez; maire baillifs et comminalte; alderman et comminalte; alderman baillifs et comminalte; aldermen et baillifs lour heires et successeurs; baillifs et comminalte; baillifs et burgeises; citezeins burgeises et comminalte; maire baillifs et burgeises lour heires et successeurs; proudes homes lour heires et successeurs; portreves baillifs et communez; seneschalles burgeisez et proudes homes; portreves barons et homes; maire barons et comminalte; maire et barons; barons et comminalte; barons; jurates; barons et jurates; homes enhabitauntz; maire constablez et companie des marchauntz del staple au Caleis; et a chescun deux et a lour heires, et successeurs de chescun de ceux; et a lez maistrez frerez et soers des gildes et fraternitez; maistrez et comminalte lour heires et successeurs; et gardeins et maistrez dez [artez³;] gardeins de la comminalte del mestier des mercers de la Cite de Londrez; ou au ascun deux avauant nomez, et a les successeurs de chescun de ceux aiantz corporation, par queconque nune ou nunez ceux ou ascun deux soient ou soit appelez ou nomez en ascun de les ditz grauntez, estoient en semblable force et vertue sicome les feussent grauntez par Roi ou Rois loialement reigning ou reignantz en cest Roialme; et en semblable fourme davoit confirmacions [en la Chauncerie de les ditz libertees privileges fraunchises corporations et autres les premiffes sicome ils avoient des⁶] grauntes faitz es jours Edward le tierce et Richard le seconde nadgairs loialx Roies d'Engleterre.

Et enoutre ad ordeigne estable et enacte par ladvis assent et auctorite suifditz, qe toutz maners licences donez et grauntez, par ascun de lez ditz nadgairs pretenfes Roies, al ascune persone ou persones a doner graunter alierer purchaser ou resceivoir ascunz terres tenementz rentes possessions ou autres enheritementz, tenez dascun de lez ditz nadgairs pretenfes Roies en ascun manere, ou dentrer en ascuns terres ou tenementz rentes possessions ou autres enheritementz apres la mort dascun de lour auncetres, saunz due livere suez ent par due proces solonc le cours de la commune ley de cest Roialme, ou pardons faitz, par ascun de les ditz nadgairs pretenfes Roies, al ascune persone ou persones pur ascuns alienacions faitz dez ascuns terres tenementz rentes possessions ou autres enheritementz, tenez dascun de lez ditz nadgairs pretenfes Roies, ou pardon ou pardons faitz par ascun deux au ascun persone ou

³ So Pynson reads; but *Res. Parl.* 'craftes.'

⁶ P. and former Translations omit.

persones, pur ascun entre ou entrez faitz en ascuns terres tenementez rentes possessions ou autres enheritementez queux descenderent reverterent remainerent ou en ascun autre manere deviendrent a ceux ou ascun deux, apres ou par mort dascun de lour auncestrez, ou ascun autre persone ou persones, saunz due livre ent suez solone le cours de la Chauncerie et leie et custume de cest terre: ou licence fait, par ascun de lez ditz nadgairs pretensez Roies, au ascune persone ou persones de fonder erecter ou establier ascun abbathe, priorie meason de religion college chaunterie hospital ou autre meason ou lieu espiituell ou dalmoiné: ou licence fait, par ascun de lez ditz nadgairs pretenfes Rois, al ascune persone ou persones de fonder ou erecter ascune fraternite gilde compaignie ou selesheppe, ou autre corps corporat, ou a doner et graunter ascuns terres tenementes rentes possessions ou autres enheritementez au ascun persone ou persones corporez ou aiantez succession perpetuall: ou licence fait par ascun de lez ditz nadgairs pretenfes Rois au ascuny dyceux avaunt ditz pur lacceptation et receiptment dascune chose par ascun tiel doon ou graunte: ou licence fait, par ascun de lez ditz nadgairs pretenfes Rois, al ascune persone ou persones a tener ou reteigner ascun advouson ou esglise en propre oeps, par voie de licence dappropriation ou de faire ascuns elections, issint qe ascun tiel advouson napperteigne mie a la corone; ou pardon ou pardons faitz par ascun de les ditz nadgairs Rois al ascun corps ou persones corporez, ou aiantz succession perpetuell, pur purchase perquisition ou receiptment dascun de les premisses: ou livez ou restitutions des temporaltees, faitz par ascun de lez ditz nadgairs pretenfes Rois, al ascun Archevesqe Evsque Abbe Priour Dean Chapitre, ou autre persone ou persones espiituels;—soient et soit dautiel force vertue et effect sicome les ditz licences pardons et livez feussent grauntz par ascun Roi en cest Roialme loialment reigning, et par just title la corone dicell opteignaut; parensi qe les mesmes licencez restitutions et livez furent executez en temps dascun de les ditz nadgairs pretenfes Rois [et si ascune tiel licence grauntez en temps del pretenso reigne dascun de les ditz nadgairs pretenfes Rois²] de fait et nient de droit, feust execute deins ycell temps en part et nient en tout, qe mesmes les licences, quaut a cell part issint execute, soient dautiel force vertue et effect sicome les ditz licences feussent grauntez par ascun Roi loialment en cest Roialme reigning, et par just title la corone dicell opteignaut. Et si ascun de les ditz nadgairs pretenfes Rois, en fait et nient de droit, ad par leurs lettres patentz ou auctorite de leurs parlementz foundu ou establie ascun Abbathe priorie meason de religion college chaunterie hospital, ou autre meason ou lieu espiituell ou dalmoine, qe toutz tielx fundacions quaut a lez corporations et lez sites diceux, soient dautiel force vertue et effect sicome tielx fundacions feussent faitz par ascun Roi loialment en cest Roialme reigning et par just title la corone dicell opteignaut: Issint qe cest present article concernant les fundacions ou stablisementes avaunt ditz, ou ascun deux, nextende pas ne soit prejudicial en ascune manere au Roi ou al ascune autre persone ou persones, pur ascuns terres tenementes rentes possessions enheritementez ou ascuns maners advousons au Roi ou au ascune autre persone ou persones ascunement appen-

² P. and former Translations omit.

daunt; autres qe autielx quellx sount et sount le site ou sites dascun autiell Abbathie Priorie meafon de religion college chaunterie hospitall ou autre meafon ou lieu avaunteditz.

Et qe toutz grauntes et assignations de douair, faitz par ascun de lez ditz nadgairs pretendes Rois, au ascune femme apres la mort de son baron, a tener pur terme de sa vie, par ascuns lettres patentz despeciall grace faitz par ascun de lez ditz nadgairs pretendes Rois, ou assignations de douair faitz au ascune autiel femme apres la mort de son baron, en la Chauncellerie soloneqe le cours dicell, en temps del pretendse reigne dascun de lez ditz nadgairs pretendes Rois, soient dautiell force vertue et effect sicome les ditz grauntes, et assignations feussent faitz par ascun Roi loialment reynaunt, en cest Roialme et par juste title opteignaunt la corone del mesme. Purveu toutz soit qe cest present article nextende pas ne en ascun manere soit prejudiciall au Roi pur ascuns terres tenementes rentes possessions ou enheritementz au Roi regardauntez en droit de sa corone le primer jour de Novembr' darrein passe. Purveu auxi tout soit qe par cest present act null prejudice soit fait a Duches de Bedford quaut au et pur sa douair.

Et qe par la ou ascuns terres tenementes rentes possessions enheritementz ou autres choses ount este donez al ascun de lez ditz pretendes Rois, par ascun persone ou personnes a l'entente qe par les ditz Rois ou ascun deux done ent serroiet fait, par ascuns de leurs lettres patentz par voie damortisement pur toutz jours, qe toutz grauntes et lettres patentz faitz par ascun de lez mesmes pretendes Rois, damortisement dascuns autielx terres tenementes rentes possessions enheritementz ou autres choses, soient dautiell force vertue et effect sicome mesmes les grauntes feussent faitz par ascun Roy loialment reynaunt en cest Roialme, et par juste title opteignaunt la corone del mesme; Ilint qe ascun de lez ditz nadgairs pretendes Rois, par qe ascuns autielx lettres patentz furent faitz, ne feust jammez seilli de lez ditz terres tenementes rentes possessions ou enheritementz, forsque seulement par le vertue dautielx feoffementz grauntez dons ou autres estalez a ceuz ou ascun deux faitz. Parendi toutz soit qe cest acte nextende pas as ascuns terres tenementes rentes possessions advousons enheritementz ou autres choses queux furent donez au ascun de les ditz pretendes Rois par voi de recompense ou eschaunge pur ascuns terres tenementes rentes possessions advousons enheritementz ou autres choses quelles en ascun manere appendroient a la corone; tout soit qe null mention fuit fait en ascunez lettres patentz ou autres escriptes dascun recompense ou eschaunge.

Et qe toutz grauntes collations dons et presentations, faitz par ascun de lez ditz nadgairs pretendes Rois al ascune persone ou personnes nient corporez, naiantz succession perpetuel, dascun benefice dignite esglise prebende hospitall ou chapel, soient dautiell force vertue et effect sicome mesmes les grauntes collations dons et presentations feussent faitz par ascun Roi loialment reynaunt en cest Roialme et par just title opteignaunt la corone del mesme; durantz les vies des ditz persone ou persones esleantz encumbentes possesseurs ou occupiours en les mesmes ou ascun de ceuz. Purveu toutz soit qe ceuz persones quelx sount atteintz en cest present parlement et tielx quelx sount dehors ove les enemies du Roi null benefice ne avantage preignent par cest acte.

Et que toutz grauntez, faitz par ascun des ditz nadgairs pretenfes Rois par ascuns de leurs lettres patentz, au ascune persone ou personnes dascuns gardes ou mariages, soient dautiel force vertue et effect sicome mesmes les grauntez feussent faitz par ascun Roy loialment reynaunt en cest Roialme et par juste title opteignaunt la corone del mesme.

Et auxi que toutz grauntez et lettres patentez, faitz par ascun des ditz nadgairs pretenfes Rois, au ascune persone ou personnes davoit, au ascune ville ou villes ou autre lieu ou lieux, ascun seire ou seires marche ou merchez, que toutz tielx grauntez et lettres patentez quaut as ditz seirez et merchez et chescun diceux soient dautiel force vertue et effect sicome mesmes les grauntez et lettres patentez feussent faitz par ascun Roy loialment reynant en cest Roialme et par juste title opteignaunt la corone del mesme.

Et auxi si ascun persone ou personnes ount suez obeigneiz et euez ascun livre par cours del commune ley de cest Roialme, ou autrement, dascuns terres tenementes rentes possessions avoufons ou autres enheritementz, queux descenderent reverterent remaindrent ou en ascun autre manere deviendrent as eux ou ascun deux, par ascun livre poursuite, apres ou par mort dascun de leur auncestres ou ascun autre persone ou personnes, depuis le quart jour de Marche darreinere passe, que toutz tielx liverez soient dautiel force et effect come les furent le temps des ditz liverez pursuez; parensi que les ditz terres tenementes rentes possessions avoufons ou autres enheritementz ou ascun parcell ent ne soient ou soit regardantz ou regardant au Roi en droit de sa dit corone. Purveu toutz soitz que cest article nextende pas as ascuns terres tenementz ou autres choses queux appendent ou durent devieudre as mains du Roi par reason dascune atteindre en cest present parlement.

Et auxi que toutz lettres patentez et grauntez faitz par nostre dit Seigneur le Roi al ascune persone ou personnes, depuis le quart jour de Marche darreinere passe, dascuns gardes ou mariages dascune persone ou personnes esteantz deins age, soient de semblable force et effecte as eux et chescun deux, come ceux furent es temps de lez grauntez et lettres patentz ent as eux ou ascun deux faitz; ascun acte ou ordonnance en cest present parlement fait ou affaire nient contrileant. Purveu toutz soitz que cest article nextend pas as ascuns gardes ou mariages dascune persone ou personnes queux appendent ou devieudre durent as mains du Roi par reason dascun atteindre en cest present parlement.

Et auxi que toutz grauntz faitz, par nostre dit soverayn le Roi par ses lettres patentez depuis le quart jour de Marche darreinere passe, al ascun de sez foialx lieges homes qui ne furent contre le Roi en ascun champ depuis le primer jour de son reigne, nencontre le hault et puisfaunt Prince peer du dit Roy al champ et malvais journey de Wakefeld, dascun office ou officez quel persone ou personez par discrete consideration du Roi ad ou ount deserve ou deservez, leffect dicell graunte ou grauntz soient dautiel force vertue et effect come ceux ou ascun deux furent ou fuist al temps de lez grauntez mesmes les lettres patentz et chescun deux faitz; ascun statute acte ou ordonnance en cest present parlement fait ou affaire nient obstant. Purveu toutz soitz que cest acte ne soit prejudiciall ou damageous al ascune persone ou personnes, dascun graunte ou grauntez a cellai ou ceux ou ascun deux dascun annitee fee ou pension, ou dascune

deanrie hospitall ou benefice, ou dascun office ou offices, esteantz office ou offices en le temps des progenitours du Roy, ove les fees et gagez a ceo duez et accoustumez, par le Roi par ses lettres patentez faitz depuis le quart jour de Marche darrein passez; sez lettres patentez faitz de toutz lez offices des sergeantz darmes, et des offices des Justices del une bank ou de lautre bank, Barons de son Eschequer, Gardein dez Rolles de sa Chauncerie d'Engleterre, Gardein dez Rolles de sa Chauncerie de sa terre d'Irlande, clerk de son counseill, secundarie en loffice de son prive sealls clerk ou gardein de son hanaper de sa dit Chauncerie d'Engleterre, gardein de sez parks de [Hallebury et Lanteglos¹] en le counte de Cornewail, del clerk del merche de son Hostiell, office de cirographer et gardein dez briefs et recordes du Roi de son commune banc, de son vitrier, messagiers de son Eschequer, brouderer, plumber, joynour, seifour des seetz deins la Toure de Loundrez, chief carpenter deins le paleis de Westm' reseivours, toutz offices accomplablez, baillif de Haveryng, baillif de Surr' et de sez auditours en lez countees de Chestre et Flynte et Southegales, purveieur et controllour du serche en son port de Loundrez, gardein de son armure en la Toure de Loundres, seifour de ses pointez, constable de son chastell ou Seignourie de Hadlegh, clerk en sa graunde garderobe, purveieur de tout manere flusse pur sez overeigne deins son Palais de Westm' et Toure de Loundrez et le capitaigne de son chastell de Hammes, surprises: Mesmes les lettres patentes ensy surprisez dendurer et estre de force vertue et effect au pleaser et volentee du Roy.

Et auxi qe toutz confirmacions ratifications approbations lefes et grauntes, de toutz franchises liberttez privileges custumes, ou ascuns autres commoditeez profittez ou avantagez, et chescun deux, distinctions, severaunces a countees et fesauntes countees par eux mesmes, grauntez relesez anientismentz et pardons des fee fermez, et chescun deux, faitz et grauntez par nostre dit souverayne Seigneur le Roy par sez lettres patentes depuis le quart jour de Marche darrein passe, en relese et confort dascun cite ville ou burgh de cest son reame, al ascun maire baillif ou baillifs, viscount ou viscountez, maire et comminalte, maire et citezeins, maire et aldermen, maire et viscount, maire baillif et comminalte, citezeins, baillifs et citezeins lour heires et successeurs, et a les heires et successeurs de chescun deux, par queconque nune ou nunez ils, ou ascun deux, soient ou soit appelez ou nomez en lez ditz grauntez ou autres premisses ou ascun deux, soient dautiel force et effect come ceux ou ascun deux feurent al temps de lez grauntez et lettres patentez diceux faitz.

Et auxint si ascun de lez ditz nadgairs pretendes Rois, ou ascun de lour auncestours, ad este enfeffez par ascune persone ou persones de ou en ascuns terres tenementes rentes possessions advoufons ou autres enheritementz, tantfoulement de confiance a refferer le dite persone ou persones ou lour heires ou assignees dascun diceux, au tiel temps come ils a ceo serroient desirez, qe toutz grauntes seoffementz ou autres estates faitz par ascun de lez ditz nadgairs pretendes Rois, ou ascun de lour auncestours, des ascuns tielx terres tenementes rentes possessions advoufons ou autres enheritements, al ascun tiel persone ou persones lour heires ou assignees,

¹ Hellebury and Lanteglos, *Rot. Parl.*

ou a lez heires ou assignez dascun diceux, soient dautiel force et effect en ley, et vailablez a la dite persone ou persones, et a les heires ou assignez diceux et chescun deux, come ceux furent al temps de lez ditz grauntez feoffementz ou autres estates as eux ou ascun deux faitz; ascun acte ou ordenaunce en cest present parlement fait ou affaire nient obstant: issint qe null de lez ditz nadgairs pretendes Rois, ne null de leur auncestours, depuis le darreine jour del reigne du Roi Edward le tierce, progeniteur nostre dit Seigneur le Roy, ne fust unques sésie de lez ditz terres tenementz rentes possessions advoucons ou autrez enheritementz ne null parcell ent forsque soulement par vertue dautielx feoffementz faitz as eux ou ascun deux de confiance es manere et forme avaunt-ditz et en null autre manere et qe mesmes les terres tenementz rentez possessions avoucons ou autres enheritementz et chescuns deux soient tenuz de mesmes les chiefs Seignurs immediat ou de leur heires et par mesmes les services come ils furent tenuz le temps de les ditz feoffementz diceux al ascun de les ditz nadgairs pretendes Rois ou ascun de leur ditz auncestours faitz; aucune possession dascun de les ditz nadgairs pretendes Rois ou ascun de leur auncestours depuis la dit darreine jour del reigne du dit Roi Edward le tierce nient obstant. Parensi qe nulle persone atteint en cest present parlement preigne ascun aide ou avantage parent.

Et auxint qe toutz lettres patentes grauntez et directes par nostre dit Seigneur le Roy, depuis le primer jour de son reigne, au son Chaunceller ou Tresorer de cest Roialme, Justices as ptees devaunt le Roy a teniers, Justices del commune banc, ou Barons de son Eschequer, ou al ascun deux, pur l'exercise dautiel chose quel al office ou officez poair et auctorite deux ou ascun deux appartaignoit, par reason dascun de lez ditz lettres patentes et grauntez, soient dautiel force vertue et effect come ceux ou ascun deux furent ou feust le primer jour de Novembr' darreine passe; ascun statute acte ou ordenaunce en cest present parlement fait nient obstant: Issint qe les Barons deschequer occupient ou exercent leur offices au plesair du Roi sicome les Justices fount.

Et auxi qe chescun commission, fait graunte et directe par ascun de les ditz nadgairs pretendes Rois, es ascuns de leur temps, au aucune persone ou persones pur la peaix en chescun ou ascun countee de cest Roialme destre conservez et gardez, et doier et terminer toutz maners feloniez trespassez et autrez meffaitz en les mesmes commissions et chescun dicelles especifiez, en ascun de lez ditz counteez faitz ou perpetrez, ou de deliverer ascun gaole ou gaoles deins cest Roialme, ou en autre lieu ou lieux desoubz lobeisaunce de la corone, del mesme dez prisons en ascun de lez ditz gaoles en temps dascun de lez ditz nadgairs pretendes Roies, esteantz, destre deliverer assigne ou assignez, ou doier et terminer toutz maners treasons feloniez trespassez et autrez meffaitz perpetrez en ascun de lez ditz counteez, ou en ascun autre lieu ou lieux desoubz lobeisaunce de la corone du dit reame, en chescune de les mesmes commissions especifiez assigneez; ou pur sewers wallez des marelhez fossez gutterez caulcez et pontz, et autres defautez en ascun marelhe ou marelhes en aucune part de cest Roialme, en les mesmes commissions especifiez, et chescun deux de surveier et faire estre repairez et emendez, assignez; et toutz autres commissions faitz par ascun de les ditz nadgairs pretendes Rois, al aucune persone

sone ou personez devant le quart jour de Marche darreine passez ; et toutz processez determinations executions encidentez admynuclez et autres circumstauncez as icells commissions et chescun deux appendantz, nient voidez repellez ou adnullez, soient de semblable force et effect sicome mesmes les commissions et chescun deux feussent faitz et grauntez par ascun Roi loialment reignaunt en cest Roialme, et par juste title opteignaunt la corone del mesme : [Issint qe une speciall acte soit fait pur autielx personez quells furent endamagez devant cest temps pur le Roy³.]

Et auxint qe toutz manerez actes et ordeignaunces, faitz par auctorite dascun parlement ou parlementez tenuz en le temps dascun de lez ditz nadgairs pretensez Rois, pur la conservation et garde del ville de Shrewesbery, et de bone paisible et quiete rule et governaile deinz la dite ville, entre les enhabitauntez dicell, et chescun deux soient de semblable force virtue et effect sicome les mesmes actz ou ordenauncez et chescun deux feussent faitz en temps dascun Roi ou Rois loialment reignauntz en cest Roialme et par juste title opteignauntz la corone del mesme.

Et auxint par la ou le dit pretensez Roi Henri le sisme, jadis en fait et nient de droit Roi de cest Roialme, par sa chartre endenteez desoubz le seale del duchie du Lancastre ensealez, portant date le vintisme jour de Marche lan de son reigne usurpez xxiiij., dona et graunta, et par mesme la chartre conferma au William labbe de Bylond, le manere de Kilbourne ove lez appartenances, en le counte dEverwyk, ove toutz seez des chivalers vieue de francplegg⁴ fraunchisez liberteez commoditeez profittees et appartenances, a mesme le manere en ascun manere regardauntz ou appendauntz, davoire et tenir mesme la manere ove lez autres premissez al dit Abbe et as sez successeurs pur toutz jours, rendant ent au mesme le pretense Roi Henri le sisme et sez heirs Dues de Lancastre xxj. li. annuellement, (lou le dit pretense Roi ne null de sez auncestrez Ducs de Lancastre avant cell temps ne feust unques respoignez de lez annuels issuez et profitz de mesme le manere forsqe de xvj. li. par an tantsolement) les ditz xxj. li. a paiers a les festes de Pentecoste et Saint Martyn en yverne par owels portions, pur toutz servicez seculers, ove la clause de destresse pur defaute del paiement du dit rent par demi an, en toutz les manerez terrez et tenementez du dit Abbe et Covent deinz mesme le countee, come en mesme la chartre ent fait pluis pleinement appiert ; qe mesmes les chartre done et graunt soient, jusques a cest temps et decy enavaunt al ditz Abbe et Convent, et a lour successeurs, de semblable force et effect come les furent le primer jour de Marche darreine passez ; ascun act ou ordenaunce en cest present parlement fait nient obstant.

Et auxi qe toutz grauntes et licences, faitz par ascuns lettres patentez dascun de les ditz nadgairs pretensez Rois, al ascun Abbe et Convent, ou Priour et Convent, ou al ascune autre persone ou personez davoire et faire par franc election deins soy mesmes al chescun voidauncé, Abbe ou Priour, et destre conventuell perpetuall et elective, lou paravaunt ils furent datifs et remuablez, soient de tout autiel force vertue et effecte sicome mesme les grauntes et licences, ou ascun deux, feussent faitz ou grauntez par ascun Roi loialment reignaunt en cest Roialme, et par juste title opteignaunt la corone del mesme.

³ P. agrees herewith.

Et auxint qe toutz recordes des reconisaunces et faitz enrollez, faitz euez et fetes en aucune courte ou courtiez de recorde, ou devaunt aucun justice de recorde, en le temps des reigneiz dascun de les ditz nadgairs pretensez Rois, soient de semblable force vertue et effect sicome mesmes les recordes feussent faitz euez ou fetes en le temps dascun Roi loialment reynaunt en cest Roialme et par juste title opteignaunt la corone del mesme.

Et auxint qe toutz grauntez et licences, faitz par ascun de les ditz nadgairs pretensez Rois, al aucune persone ou personnes pur faire avoir enclouser et enjoyer ascun parke ou parkes, warein ou franc chace, ou denbateller carneller mascoller, ou de faire ascun toure chasteil ou fortresse deins cest Roialme, soient de semblable force vertue et effecte, sicome les ditz grauntez et licences feussent faitz par ascun Roi loialment reynaunt en cest Roialme et par juste title opteignaunt la corone del mesme.

Purveu toutz soitz qe cest present acte nextende pas, ne soit pre-judiciall, a tres noble haut et puissant Princeesse Cecille Duches d'Everwyk, Meere au nostre dit souveraigne Seigneur le Roy, dascunes grauntes ou graunte de par le Roy faitz par sez lettres patentez a elle, devaunt le primer jour de cest present parlement; par qeconqe noute ou nunez elle soit nomez en mesmes les lettres patentez; eins qe icelles lettres patentz et chescun graunt en iceux conteignuz soient de tout autiel force et effect come les furent avant le primer jour de cest present parlement; cest act ou ascun autre en cest present parlement fait ou affaire nient obstant.

Purveu touterfoitz qe cest acte ne null article dicell nextende pas as ascuns terres tenementes possessions enheritementz ou autres choses, quelx le Roy doit avoir en ascun manere par force dascun acte datteindre dascune persone ou personex fait en cest present parlement.

Purveu auxi qe nulle persone ou personnes atteint ou atteintz en cest present parlement, ou estant ou estantz dehors ove les ennemyes du Roy preigne ou preignent ascun benefice ou avauntage par cest act, ne null autre act fait ou affaire en le dit parlement.

C A P. II.

Justices of Peace in Sessions shall try and determine Indictments taken in Sheriffs Tourns.

[See also Stat.
11 H. 7. c. 15.]

ALSO whereas many of the King's faithful liege People, as well Spiritual as Temporal, by the inordinate and infinite Indictments and Presentments, as well of Felony, Trespasser, and Offences, as of other Things, which of long Time have been taken, had, and used within the Counties of this Realm, and taken before Sheriffs for the Time being in the Counties severally, their Under-Sheriffs, their Clerks, Bailiffs, and Ministers, at their Tourns or Law-Days, holden before them severally in the Counties, which Indictments and Presentments be oftentimes affirmed by Jurors having no Conscience, nor any Freehold, and little Goods, and often by menial Servants and Bailiffs of the said Sheriffs and their Under-Sheriffs; by which Indictments and Presentments the said lawful liege People be attached and arrested by their Bodies, and put in Prison by the said Sheriffs, Under-Sheriffs, their Clerks, Bailiffs, and Ministers, to the great duresse of

The Inconveniences of Trial of Indictments in Sheriffs Tourns by mean Persons.

of their Persons; and they so being in Prison by the said Sheriffs, Under-Sheriffs, Clerks, Bailiffs, and their Ministers, do constrain the said liege People to make grievous Fines and Ransoms with them, and also levy of them great Fines and Amerciaments for the said Indictments and Presentments, in great Hindrance and utter Undoing of the said liege People; after which Fines, Ransoms, and Amerciaments so, by the said Sheriffs, Under-Sheriffs, Clerks, Bailiffs, and their Ministers, made, had, and levied, the People aforesaid be enlarged out of Prison, and the said Indictments and Presentments be purloined, imbezilled, and withdrawn: Our said Lord the King considering the Premises, by the Advice and Assent of the Lords Spiritual and Temporal, and at the Request of the Commons in this present Parliament assembled, and by Authority of the same, hath ordained and established, That whatever Indictments and Presentments shall be taken hereafter before any of his said Sheriffs of his Counties for the Time being, their Under-Sheriffs, Clerks, Bailiffs, or Ministers, at their Tourns or Law Days before mentioned, they nor any of them shall not have Power or Authority to arrest, attach, or put in Prison, or to levy any Fines or Amerciaments of any Person or Persons so indicted or presented, by reason or colour of any such Indictment or Presentment taken before them or any of them, nor to make or take of any such Person or Persons so indicted or presented, any Fine or Ransom; but that the said Sheriffs, and their Under-Sheriffs, Clerks, or Bailiffs, and their Ministers, shall bring, present, and deliver all such Indictments and Presentments taken before them, or any of them, in their Tourns or Law-Days aforesaid, to the Justices of Peace, at their next Sessions of the Peace that shall be holden in the County or Counties where such Indictments and Presentments shall be taken, before the said Justices of such County or Counties for the Time being: And if any of the said Sheriffs, Under-Sheriffs, Clerks, Bailiffs, and their Ministers, do not bring, deliver, and present all such Indictments or Presentments so taken before them and every of them in their Tourns or Law-Days, as before is recited, at such Sessions of the Peace, before the said Justices of Peace, that then all such Sheriffs, Under Sheriffs, Clerks, Bailiffs, and their Ministers, and every of them that so shall fail in bringing, delivering, and presenting of such Indictments and presentments, shall forfeit to the King Forty Pounds at every Time that they or any of them doth the contrary: And that the said Justices of Peace shall have Power and Authority to award Process upon all such Indictments and Presentments, as the Law doth require, and in like Form, as if the said Indictments and Presentments had been taken before the said Justices of Peace in the said County or Counties; and also to arraign and deliver all such Person or Persons so indicted and presented before the said Sheriffs, Under-Sheriffs, their Clerks and Bailiffs, and their Ministers, or any of them in their Tourns or Law-Days; and all such Persons or Person which be indicted or presented of Trespases, to make with them and every of them such Fine as shall seem lawful by their Discretions; and the Estreats of the said Fines and Amerciaments shall be enrolled, and by Indenture be delivered to the said Sheriffs, Under-Sheriffs, Clerks, Bailiffs, or Ministers, or some of them, to the Use and Profit of him that was Sheriff

No Sheriff shall arrest or fine Persons indicted in their Tourns.

But all Indictments and Presentments in the Sheriffs Tourn shall be transmitted to the Justices of Peace at their next Session for the County. Penalty on Sheriffs neglecting to transmit such Indictments 40l.

Justices shall award Process against Parties indicted in the Sheriffs Tourn, and arraign and deliver the Offenders;

and fine them.

The Estreats of such Fines shall be indented and delivered by the

Sheriff in any County at the Time of such Indictments or Presentments taken. And if any of the said Sheriffs, their Under-Sheriffs, Clerks, Bailiffs, or Ministers, do arrest, attach, or put in Prison, or cause any Fine or Ransom to be taken, or any Amerciament levied of, any Person or Persons so indicted or presented, by reason or colour of any such Indictment or Presentment taken before them at their Tourns or Law-Days above rehearsed, before that they have Process from the said Justices of Peace, or Estraits delivered out of the said Indictments or Presentments so brought, delivered, and presented to them, that then the said Sheriffs which so do, shall forfeit an Hundred Pounds, the one Half thereof to be employed to the Expences of the King's House, and the other Half to the Party or Parties which is or are indamaged; and he or they shall have therefore an Action of Debt at the Common Law, and like Process as is in an Action of Debt at the Common Law. And that the Defendant or Defendants in such Suits, or Actions of Debt, shall not beessoined, nor wage their Law; and if he or they, or any of them against whom the said Action shall be taken, do offer or cast any Protection, in Impediment, or Retardation of the said Suits or Actions, that shall not be allowed unto him.

Justices of the Peace to the Sheriff.

Penalty on Sheriffs arresting or fining Persons without Process from the Sessions 100l.

Provided always, That this present Ordinance do not extend, nor in any wise be prejudicial to the Sheriffs of the City of *London* now being, or which at any Time hereafter shall be, concerning any Indictments or Presentments to be taken within the said City of *London*.

Proviso for the Sheriffs of *London*.

Provided also, That this Ordinance extend not, nor be prejudicial, to any Person or Persons, which hath Grants of any Fines or Amerciaments by any Letters Patents of our said Sovereign Lord the King, or of any of his Progenitors or Predecessors, bearing Date before the Tenth Day of *December* next after the Beginning of this Parliament: And that this Ordinance do not extend, nor be prejudicial, to any Person or Persons having any Liberties or Franchises by any of the said Letters Patents, or in any other Manner by Prescription.

Proviso for Grantees of Fines and Liberties.

And that this Ordinance be in his Force, and begin to take Effect at the Fortieth Day next after the Sixth Day of *May* next after the Beginning of this present Parliament, upon the which Sixth Day the said Parliament was dissolved.

Commencement of Act.

ITEM qe come plusours del foiall liege people du Roi, sibien espirituelx come temporelx, par les enordinez et desmesurablez enditementz et presente mentz, sibien de felonie trespaiz et offensez come dautres choses, queux de long temps ouant este prisez euez et usez deinz les counteez de cest Roialme, et prisez devant viscountez pur le temps esleantz es counteez severalment, lours suthviscountez lours clerkes baillifs et leur ministrez, al leur tournes ou lawe-daies tenuz devant eux severalment en les counteez, les quelx enditementz et presentementz sount sovent foitz affermez par jurours null conscience eiantz, ne franc tenement, et petit des biens, et souvent foitz par servauntez menialx et baillifs de lez ditz viscountez et lours suthviscountez; par quelx enditementz et presentementz le dit foiall liege people, par lez ditz viscountez suthviscountez leur clerkes baillifs et leur ministres, sont

font attachez arestutz par leur corps et misez en prison, au giraund dureffe de leurs persones ; et ceux issint esteantz en prison par lez ditz viscountez, suthviscountez clerkes baillifs et leurs ministres le dit foiall liege people ensi en prison contraignont et fount ceux de faire oveqe eux graund fines et raunsons, et auxi de ceux levent graundz fines et amerciamentez pur les ditz enditementz et presentementz, en grand prejudice et anientisment du liege people avaunt dit ; apres quelx fines raunsons et amerciaments ensi, par lez ditz viscountez suthviscountez clerkes baillifs et leur ministres issint faitz, euez et levez, le people avaunt dit est enlarge hors del prison et lez ditz enditementz et presentementz sont aloignez embesiles et suffreitz : Nostre dit foverayn Seignur le Roi les premissez considerez par ladvis et assent des Seignurs espirituelx et temporelx, et a la request dez Communes en la dit parlement assemblez et par auctorite dicell ad ordeigne et establie ; qe toutz manerez d'enditementz et presentementz quelx seront prisez en apres, devant ascun des ses viscountez de sez counteez pur le temps esteantz, leur suthviscountz clerkes baillifs ou ministres, a leur turnez cu lawedaies desuis especifiez, naient ne null de ceux ait poair ne auctorite darester attacher ou mettre en prison, ou lever ascuns fines ou amerciamentz dascun persone ou persones issint enditez ou presentez, par reson ou colour dascun tiel enditement ou presentement devant ceux ou ascun deux prise, ne de faire ou prendre dascun tiel persone ou persones issint enditez ou presentez ascun fine ou raunsome : mes qe les viscountez suisditz leur suthviscountz clerkes ou baillifs et leur ministres, toutz autielx enditementz et presentement prisez devant eux ou ascun deux en leurs tournes ou lawedaies desuis nommez, amesnent presentent et deliverent, a les justicez du peax au leur prochein session de peax, qe ferra tenuz en le counte ou counteez lou autielx enditementz et presentementz seront prisez devant lez ditz justices dautiel counte ou countees pur le temps esteantz. Et si ascun des viscountez suthviscountez clerkes baillifs et leurs ministres namesne delivre et presente pas toutz autielx enditementz ou presentementz issint prisez devant eux et chescun deux en leur turnes ou lawedies, come devant est recitee, as tielx sessions de peax devant les ditz justices de peax, qe donques toutz tielx viscountez suthviscountez clerkes baillifs et leurs ministres et chescun deux, qi ou queux issint fauldra ou fauldront dameignaunce deliverance et presentation de tieux enditementz et presentementz forface et forfacent au Roy xlii. a taunt de soitz qe ceux ou ascun deux ferront ou ferra le contraire. Et qe les ditz justices de peax aient poair et auctorite dagarder processe sur toutz tielx enditementz et presentementz, come la ley requiert, et en fourme semblable si come les ditz enditementz et presentementz feussent prisez devant les ditz justices de peax en le dit counte ou countees ; et auxi darrainer et deliverer toutz tielx persones ou persone issint enditez et presentez devant les ditz viscountez suthviscountez leur clerkes et baillifs et leur ministres ou ascun deux en leur ditz tournes ou lawedaies ; et toutz tielx persones ou persone qe fount ou est enditez ou presentez endite ou presente de trespas, defaire oveqe eux et chescun deux tiel fine, come loialment par leurs discretions semblera ; et les escretez de les ditz fines et amerciamentz soient enrollez, et par endenture destre delivererz a les ditz viscountz suthviscountz clerkes baillifs ou ministres

ministres ou ascun deux, al oeps et prouffit celuy qi fuist viscount en ascun countee au temps de les ditz enditementz et presentementez prisez. Et si ascun des ditz viscountez, lour suthviscountz clerkes baillifs ou ministres, face arestier attacher ou mettre en prison, ou face faire ou prendre ascun fine raunsom ou lever amerciament, dascune persone ou persones ensi eudites ou presentez, par reason ou colour dascun tiel enditement ou presentement, devaunt luy a les tournes ou lawedaies desuis recitez prise, avaunt qils ount p.ocesse de les ditz justices de peax, ou estretez deliverez hors de les ditz enditementz ou presentementz issint ameignez deliverez et presentez as eux qe adonques lez ditz viscountez qi issint fount forfacent C.li. une moite dent destre emploiez a lez expensez du lostell de Roy, et lautre moite al partie ou parties qe ou quelx est ou sont endamagiez ; et ait ou aient ent action de dette al commune ley, et semblable processe come est en action de dette al commune ley. Et qe le defendaunt ou defendautz en tielx sutes ou actions de dette ne soit ou soient essoinez ne gage ou gagent leur ley. Et sil ou ceux ou ascun deux encontre qi ou queux la dite action serra prise, offre ou mette, offrent ou mettent, ascun protection [en^r] espediment ou retardance de les ditz sutes ou actions, qil ne soit a luy allowe.

Purveu toutz soitz qe cest present ordeignauce nextende pas ne ne soit prejudiciall en ascun manere a les Viscountez del Cite de Loundrez ore esteantz, ou qenapres ascun soitz ferront, quaut as ascuns enditementez ou presentementz destre prisez deins la dite Cite.

Purveu auxi qe cest ordenaunce nextende pas ne ne soit prejudiciall al ascun persone ou persones qe ad ou ount graunts dascuns fines ou des ascuns amerciamentez par ascuns lettres patentez nostre dit souveraigne Seignur le Roi, ou dascun de ses progenitours ou predecesseurs, portantz date devaunt le disme jour de Decembr^r proschein apres le commencement de cest parlement. Et qe cest ordeignauce nextende pas ne ne soit prejudiciall al ascune persone ou persones aiant ou aiantz ascuns liberties ou fraunchises par ascuns des ditz lettres patentes ou en autre maner par prescription.

Et qe cest ordeignauce soit en sa force et commence dapprendre effect a la quarantisme jour proschein apres le vij^{me} jour de May proschein apres le commencement de cest present parlement ; le quel sime jour le dit parlement fuist dissolve.

¹ ou, P.

Annis tertio et quarto EDWARDI IV.

In the Parliament held at Westminster on the 29th Day of April, 3 Ed. IV. and continued into the Fourth Year: A.D. 1463, 4, & 5.

See printed Rot. Parl. nu. 9, 10, 12, 13, 14, 15, 16.

[*This Parliament was, on 17th June 1463, prorogued to the ensuing 4th of November at Westminster, on which Day it was prorogued and adjourned to 20th February, 3 E. 4. 1463-4, at York; and on that Day it was prorogued to the 5th May, 4 Ed. 4. A.D. 1464.; and thence to the 26th Day of November ensuing, at the same Place; and thence to the 21st Day of January, 4 E. 4. A.D. 1464-5, at Westminster.—No Acts were passed between 4th November, 3 E. 4. and 21st January, 4 E. 4.*]

The several Chapters of the Two Statutes, separately entitled 3 E. 4. and 4 E. 4. (here given from the Text of Hawkins, Cay, &c. as from "Rot. in Turr. Lond. m. 8. & m. 6." compared with printed Rot. Parl. Pynson, &c.) are founded on the following Articles in printed Rot. Parl.—The Roll appears to be continued and numbered in an uninterrupted Series, through the different Years in which this Parliament was held.

<i>Chap. of Statute.</i>		<i>Numb. in Roll.</i>	
3 E. IV.	1	—	18
	2	—	19
	3	—	21
	4	—	22
	5	—	20
4 E. IV.	1	—	49
	2	—	50
	3	—	51
	4	—	52
	5	—	53
	6	—	54
	7	—	55
	8	—	56
	9	—	57
	10	—	58

3 & 4 E. IV.—All in English; on Petitions delivered by the Commons.

For other Acts of this Parliament, 3 & 4 E. IV. see further, In the Session 3 E. IV.

Printed Rot. Parl. v.

Page. No. } Grant of an Aid of 37,000 l.

497, 8, } Release by the King of 6000 l. of the said Aid; and the Remainder to be levied as a Fifteenth.

501, 17, Concerning Cloth making.—Repealed, and other Provisions substituted by 4 E. 4. c. 1.

In

In the Session 4 E. IV.

Printed Rot. Parl. v.

- Page. No. } *Grant of Tonnage and Poundage, and Subsidy on*
 508, 24, } *Wools and Hides, to the King for his Life, viz.*
 510, 26, } *Tonnage 3s.; and 3s. additional on Sweet Wines*
 27, } *imported by Aliens. Poundage 12d.; and 12d.*
 } *additional on Tin exported by Aliens.—These Grants*
 } *of Tonnage and Poundage to be applied for the Safe-*
 } *guard and Keeping of the Sea, and Defence of the*
 } *Realm.—On Wools, &c. 33s. 4d. per Sack, and*
 } *66s. 8d. per Last of Hydes by Natives; and 66s. 8d.*
 } *on Wools, and 73s. 4d. on Hydes by Aliens; 20s.*
 } *on every Sack of Wool and Last of Hydes to be ap-*
 } *plied to the Garrison at Calais.*
 511, 28, } *For confirming the Attainder and Forfeiture of Henry*
 514, 38, } *Beauford Duke of Somerset, Humfrey Nevill, and*
 } *Henry Billingham, notwithstanding any Act or Pa-*
 } *tent of Pardon to them granted; and for proclaiming*
 } *and attainting several of their Adherents.*
 514, 39, } *Act of Resumption of Grants by the Crown, since*
 548, 40, } *the First Day of the Reign of K. Ed. IV.; with*
 } *several Provisoos.—Three of these Provisoos (See*
 } *Pages 516, 517.) are contained in Letters under*
 } *the King's Signet, directed to the Clerk of the Rolls,*
 } *and Clerk of the Parliament, dated the 7th and*
 } *18th November, 12 E. 4. requiring the same to be*
 } *entered in the Roll or Rolls, and Records of the*
 } *Parliament holden the 29th April, 3 E. 4.*
 41, } *For restoring Henry Wentworth, Son of Sir P. Went-*
 } *worth, in Blood.*
 42, } *For confirming certain Grants to the King's Sister, Anne*
 } *Duchess of Exeter, and enabling her to sue, &c. as*
 } *a Femme sole; notwithstanding the Attainder of her*
 } *Husband, Henry Duke of Exeter.*
 549, 43, } *For restoring John de Veer, Earl of Oxford, (de-*
 } *scended from Robert de Veer, attainted in 11 R. 2.*
 } *see c. 1, 2.) in conformity with the Act 21 R. 2.*
 } *c. 12. reversing the Proceedings in 11 R. 2.; and*
 } *notwithstanding the Statute 1 H. 4. c. 3, 4. which*
 } *repealed the Parliament 21 R. 2. and confirmed*
 } *that of 11 R. 2.*
 550, 44, } *For repaying out of the Subsidies on Wool the Sum of*
 } *32,861l. advanced by the Company of the Staple at*
 } *Calais.*
 551, 45, } *Confirmation of all Grants to the Abbess and Con-*
 553, 46, } *vent of the Monastery of Sion; and particularly of*
 } *the Manor of Isleworth, by the Act 9 H. 5. nu. 20.;*
 } *with a Proviso for saving the Jurisdiction of the*
 } *Mayor of London in the Conservancy of the Thames.*

Printed Rot. Parl. v.

Page. No. } For Relief of the Corporation of Plymouth, by de-
555, 48, } creasing an annual Payment to the Prior and Con-
vent of Plympton, under the Act 18 H. 6. (nu. 32.)
from 41l. to 29l. 6s. 8d.

Anno 3^d EDW. IV. A.D. 1463.

AT the Parliament summoned at *Westminster* the Nine-and-twentieth Day of *April*, the Third Year of the Reign of our Lord King *Edward* the Fourth after the Conquest, divers Statutes and Ordinances, to the Honour of God, and of Holy Church, and for the Weal of the said King and of his People, by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons, in the said Parliament assembled, and by Authority of the same Parliament, were made in Manner and Form following.

AU parlement summonnez a *Westm'* le xxix^e jour d'*Aprèl*, lan du reigne nostre Seigneur le Roy *Edward* le quart apres le conquest, tierce, diverses estatutez et ordenauncez, a lonour de Dieu et Seint *Eglise*, et pur le bien du dit Roy et son poeple, de ladvis et assent des Seignurs espirituelx et temporelx et les Communes en le dit parlement esteantz, et par l'auctorite de mesme le parlement, furent faitez en manere et forme ensuantz.

C A P. I.

For regulating the Exportation of Wool; and the freighting of Foreign Ships.

“**A**LIENS shall not export Wools.—Wools the Growth of
“*Coustricia* this Side the *Tees* shall not be sent to the
“North, except of the Growth of *Aldertonshire* and *Richmond-*
“*shire*.—All Wool shall be exported to *Calais*; the Wools of
“*Northumberland*, *Cumberland*, *Westmorland*, and *Durham*, be-
“tween the *Tyne* and *Tees*, and of *Aldertonshire* and *Richmond-*
“*shire* except; and which Wools shall be shipped at *Newcastle*
“only.—All Merchants of the Staple at *Calais* shall sell Wool for
“ready Payment One Half of lawful *English* Money, or Gold, or
“Silver Plate, or Bullion; and all such Money and the Plate or
“Bullion, being coined into Money at the Mint at *Calais*, shall be
“sent into *England*.—Deceits in winding, folding, and making of
“Fleeces punished by a Penalty of Sixpence *per* Fleece.—None
“but Merchants Strangers shall freight or lade within this Realm
“any Ship or Vessel of any Alien, for the Importation or Exporta-
“tion of Merchandize, if he can have sufficient freight in the Ships
“or Vessels of Subjects, on Forfeiture of the Merchandize.” (See
as to this latter Stat. 4 H. 7. c. 10.)

[To continue for Three Years.]

C A P. II.

An Act for Grain or Corn not to be brought into this Land.

[This Chapter affords the earliest Instance of the Words "An Act" appearing in the Title of any printed Statute.—The Title of this Act, as here given, is in Myddylton's 'Great Boke of Statutes,' published temp. H. 8. but not in any other Edition.]

"NO Wheat, Rye, or Barley, not of the Growth of *England*
 " *Ireland*, or *Wales*, shall be imported, whenever the Quarter
 " of Wheat does not exceed Six Shillings and Eight-pence, Rye
 " Four Shillings, and Barley Three Shillings, on Pain of For-
 " feiture; Corn taken at Sea without Fraud only excepted."

[Repealed 21 Jac. 1. c. 28. § 11.]

C A P. III.

For preventing the Importation of Silk Manufactures.

"WHOEVER shall import any wrought Silk, thrown Rib-
 " boms, Laces, Corfes of Silk, or other Things wrought
 " concerning the Craft of Silk Women, shall forfeit the same, and
 " Ten Pounds."

[To continue for Five Years.]

C A P. IV.

For preventing certain Merchandises from being brought
 ready wrought into this Realm.

[See Stat. 13 G. 3. c. 67. as to stained Paper; and 15 G. 3. c. 37.
 as to painted Earthen Ware; and the Acts in Force for imposing
 Duties of Customs. See also 1 R. 3. c. 12.; 5 Eliz. c. 7.;
 13 & 14 C. 2. c. 13. as to Merchandizes not specified in this Act.]

ALSO, Whereas in the said Parliament, by the Artificers [of
 manual Occupations,¹] Men and Women, inhabiting and
 resident in the City of *London*, and other Cities, Towns, Boroughs,
 and Villages within this Realm and *Wales*, it hath been piteously
 shewed and complained, how that all they in general, and every
 of them, be greatly impoverished, and much hindered and preju-
 diced of their worldly Increase, and daily Living, by the great
 Multitude of divers Chaffres and Wares pertaining to their My-
 steries and Occupations, being fully wrought, and ready made to
 Sale, as well by the Hands of Strangers, being the King's Enemies,
 as other, brought into this Realm and *Wales*, from beyond the Sea,
 as well by Merchants Strangers, as Denizens and other Persons,
 whereof the greatest Part in Substance is deceitful, and nothing
 worth in regard of any Man's Occupation or Profit (²); by
 Occasion whereof the said Artificers cannot live by their Misteries
 and Occupations, as they used to do in Times past, but divers of
 them, as well Householders as [Hirelings,³] and other Servants and
 Apprentices in great Number, be at this Day unoccupied, and
 do hardly live, in great [Misery,⁴] Poverty, and Ruin, whereby

The Incon-
 veniencies of
 importing
 Wares ready
 wrought.

¹ handcrafty, Rot. Parl.

² See the Position in the Parliament Roll more at large.

³ Journey-men, Rot. Parl.

⁴ Idleness, Rot. Parl.

Printed Rot. Parl. v.

Page. N^o.Anno 3^o Edw. IV. c. 1.

613

On the Mer-
chandises
specified, shall
not be imported
ready wrought,
on penalty of
Forfeiture
thereof.

many Inconveniencies have grown before this Time, and hereafter more be like to come, which God defend, if due Remedy be not in this Behalf provided: And willing in this Case to provide considering the Premises, That no Merchant, born a Subject of our Lord the King, Denizen, or Stranger, nor other Per- dained, enacted, and established, by the Advice, Assent, and Authority afore- said, hath or shall bring, lead, nor convey, nor cause to be brought, sent, nor conveyed, into this Realm of England, and [Seigniory?] of Wales, any of these Wares, or Things underwritten; that is to say, any Woollen [Caps,⁷] any Woollen Cloth, Laces, Corsets, Ribbands, Fringes of Silk and of Thread, Laces of Gold, Tires of Silk or of Gold, in any wise embroidered, Laces of Gold, Tires of Silk or of Gold, Saddles, Stirrups, or any Harness pertaining to Saddlers, Spurs, [Bosses⁹] of Bridles, Aundirons, Gridirons, any Manner of Locks, Hammers, Pinions, Fire-tongs, Dripping-pans, [Dice,¹⁰] Tennis- balls, Points, Laces, Purfes, Gloves, Girdles, Harness for Girdles, of Iron, Latten, Steel, Tin, or of Alkemie, any Thing wrought of any tawed Leather, [any tawed Furrs, Buscans,¹¹] Shoes, Caloches, or Corks, Knives, Daggers, Wood-knives, Bodkins, Sheers for Taylors, Scissers, Razers, Sheaths, [playing Cards,¹²] Pins, Pattins, Pack-needles, any Manner of painted Ware, Forcers, Caskets, Rings of Copper gilt, or of Latten, or Chaffing-dishes, [Hanging Candlesticks,¹³] Chaffing-balls, sacring Bells, Rings for Curtains, Ladles, Scummers, counterfeit Balons, Ewers, Hats, Brushes, [Cards for Wooll,¹⁴] blanch Iron Thread, commonly called and named White Wire, or any of them, to be uttered and sold within this Realm or Wales, by way of Merchandise; upon Pain to forfeit the same Merchandises, and every of them, at every Time, and as often as they may be found in the Hands of any Person or Persons to be sold; the one Half thereof to the King, and the other Half to him that will first seise the same for the King; the same Half so seised for the King to be delivered by the said Seisor thereof to the Escheator of the County or Place where the same Seisin shall be, by Indenture betwixt them made, (¹⁵) duly to answer thereof in his Accompt.

Provisoe for
Goods captured
or wrecked.

Provided always, That if any of the said Wares or Chaffers made out of this Land, be taken upon the Sea without Fraud or Collusion, or come into this Realm or Wales, by way of Wreck, that those be in no wise comprised within this Ordinance [or Statute,] but that they may be sold within this Realm or Wales, this Ordinance [or Statute] notwithstanding.

Provisoe for
Wares made in
Ireland or
Wales.

Provided also, That all Wares and Chaffers made and wrought in Ireland, or Wales, may be brought and sold in this Realm of England, as they were wont before the making of this Ordinance, this Ordinance notwithstanding.

The Masters,
&c. of Crafts,
and chief

Also our Lord the King hath ordained and enacted, by the Authority afore- said, That the Masters or Wardens for the Time

⁷ Lordship, Rot. Parl.

⁸ Bonnets, Rot. Parl.

⁹ Moleynes, Rot. Parl.

¹⁰ See 10 An. c. 19. § 167. this Act confirmed.

¹¹ any Maner Peltry Ware tawed, Botes, Rot. Parl.

¹² confirmed 10 An. c. 19. § 167.

¹³ Candlesticks hanging or standing, hanging Lavours, Rot. Parl.

¹⁴ See also 39 Eliz. c. 14. and 13 & 14 C. 2. c. 19.

¹⁵ and, Rot. Parl.

being,

being, of every Craft and Mistry in every City, Borough, Town, and Village where any such Craft or Mistry is used or occupied, shall have sufficient Power and Authority in every such City, Borough, Town, and Village, where they for the Time being shall be Masters or Wardens of any such Craft or Mistry; and the Mayor of such City, Town, Borough, or Village, for the Time being, if any Mayor be, or the Bailiffs or Bailiff of any such City, Town, Borough, or Village, for the Time being, if any Bailiffs or Bailiff thereof be and no Mayor, or a Serjeant or other Officer to them assigned by the said Mayor, Bailiff, or Bailiff; and in every City, Town, Borough, and Village, where any such Craft or Mistry is used or occupied, where no such Masters nor Wardens of any such Craft or Mistry be, that the Masters or Wardens of the Crafts or Misteries of the City, Borough, Town, or Village next adjoining to the same, and the Constable of such City, Borough, Town, or Village, shall have Power and Authority to search in their own Crafts and Misteries, and in all other Crafts and Misteries, uttering by way of Sale any of the aforesaid Wares, as well within Cities, Boroughs, Towns, and Villages of this Realm and *Wales*, as within the Liberties and Franchises of the same Cities, Boroughs, Towns, and Villages, at all Times reasonable [by the Day,¹⁸] in Fairs, and Markets, Shops open and Warehouses, all Manner of such Chaffers, Wares, and Merchandises pertaining to every of their proper Crafts and Misteries, as shall be made by any Alien [Artificer, Man¹⁹] or Woman, or any other Person or Persons within this Realm or *Wales*, or which at any Time shall be occupied by any of the said Crafts or Misteries, in whose Hands soever they may be found. Provided always, That the said Masters, Wardens, and others named in this said Ordinance to be Searchers, shall not enter in any Place exempt by Privilege, Franchise, (²⁰) or Custom, to make therein any Search, as is aforesaid, but by the Oversight of some Officer of every such Place so exempt, where any such Search shall happen to be made. And if the said Searchers by the same Search do find, That such Chaffers, Wares, or Merchandises, or any Part thereof, be not [pure, lawful,²¹] and able Chaffers, Wares, or Merchandises, and duly wrought and made, as they ought to be, and that sufficiently proved, that then it shall be lawful to such Searchers to take and seise all such Chaffers, Wares, and Merchandises, which shall be so found not good, [pure, lawful,²¹] or able, nor well wrought, as a Thing forfeit; the one Half thereof to belong to the King, and the other Half thereof to such Masters or Wardens which so shall make Search and find the same.

And that this present [Ordinance or Statute²²] concerning the said Artificers stand, and be in his Force, as long as shall please our Sovereign Lord the King.

Provided always, That neither this Ordinance and Act, nor any other Ordinance or Act made, or to be made, in this present Parliament, shall extend or in any wise be prejudicial or hurtful to *Robert Stillyngton*, Clerk, Dean of the King's free Chapel of *Saint Martin le Grand* of London, nor to his Successors (²³) of the

Officers of Cities, shall have Authority to search for defective Wares made by Aliens or others.

All such Wares shall be forfeited.

Continuance of Act.

[That it remains in Force, see 13 G. 3. c. 67. and the other Acts before quoted.]

¹⁸ by Day-light, Rot. Parl.

¹⁹ Grant, Rot. Parl.

²⁰ Act and Ordinance, Rot. Parl.

¹⁹ Crafty Man.

²¹ clean, true, Rot. Parl.

²² Deans, Rot. Parl.

Proviso for
Liberties of
St. Martin's le
Grand.

said Chapel hereafter for the Time being in any Manner; neither to the said *Robert*, Dean, and the Chapter of the same Chapel, as in and for all Manner of Privileges, Liberties, Franchises, Rights, and Customs in any Manner pertaining to them before this Parliament; neither to any Person or Persons dwelling or inhabiting, or which shall hereafter inhabit and dwell, within the Sanctuary and Precinct of the same Chapel, and especially within the Lane commonly called *Saint Martin's Lane* (²⁴).

²⁴ In printed Rot. Parl. follows another Proviso for the *Hanse Merchants*.

ITEM come en le dit parlement, par lartificers des mestiers mainuex hommes et femmes, en la Cite de Loundres et autres citeez villes burghs et villages deins cest Roialme et Gales, inhabitauntz et reschauntz, piteoulement ad este monstre et compaignie, coment toutz ceux en general, et chescun deux, sont grandement empoverez et grevoulement endamagez et prejudicex de leur encrece du mond, et vivre cotidian, par la grand multitude des divers chaffres et wares, a leur mestiers et occupations appartaignauntez, esteantz pleinement overez et prest faitz al vende, sibien par les mains destrangeux, esteantz enemies du Roy, come autres en cest Roialme et Gales de la le mere amenez, sibien par merchantz estranges come deinszeins et autres persones, dount la greindre part en substance est deceivable, et nient vaillable en regard del occupation ou prouffit dascun; a cause de qoy les ditz artificers par leurs mestiers et occupations vivre ne poient, sicome es jours passez ils soloient, mes plusours de ceux sibien hostielx tenauntz, come conductz, et autres servautes et apprentises en grand nombre cestuy jour sont enoccupiez, et en grand [udiste⁴] poverté et ruine vivent cheitivement, dount plusours enconveniences out de vaunt cest temps avenuz, et plusours enapres sont semblables avenir, qe Dieu defende, si remedie ent ne soit purveu: Nostre dit souverain Seigneur le Roy, les premiffes considerant, (⁵) de ladvis assent et auctorite suiffditz, ad ordeigne (⁶) et establie, qe null merchant neex subgié du Roi, deinszein nestraunge, ne ascune autre persone, apres le fest de Seint Michell l'Archangell proschein avenir, amesne maunde ne convoie ne cause dasmener maunder ne convoier en cest Roialme d'Engleterre et Seignourie de Gales, ascuns de cestes wares ou choses desoubz escriptez, cestaf-savoir; ascuns bonettes lanuz, ascuns draps lanuz, laces, corfies, ribans, fronges de soie et de file, laces de file, soie anfile, soie en ascun maner enbraudez, laces dor, tires de soie ou dor, sellers, estrivens, ou ascune horneise regardant as sellers, esperons, moieins pur freines, aundirons, gredirnes, ascuns maners serures, martens vulgarement nommez hamers, pinsons, firetonges, drepynghannes, dises, tenys balles, pointes, laces, burles, gauntz, ceinçles, barneia pur ceinçtes, de ferre, de laton, dasser, destaine, ou de alkemine, ascune chose overee dascun quirre tawe, ascun maner pellure tawe, huseons solers galoges, ou cokes, cotels, daggers, wodeknyves, botkyns, sherea pur taillours, cisours, rasours, sheethes, cardes a joer, espinges, patins, agules pur sacca vulgarement nommez pak-medica, ascune manere ware depeiate, forçers, caskottes, aucuns de

⁴ Query, *usite corruptly* for *oisiveté*.

⁵ et voillant en ego cas purvoir de Remedie, P.

⁶ enacte; P. *wherewith* Rot. Parl. agrees.

cooper fuisorre ou de laton, ou chauffyngdisches, chaundelers pendautz [ou estantz, lavours pendantz,¹³] chauffingballes, fakingbells, aneus pur curteins, ladels, scomers, countrefeit basyns, ewers, hattes, brushes, cardes pur laine, ou blanc file de ferre vulgarement nome whitewyre, ou ascuns de ceux, (¹⁵) destre utterez et venduz deins cest Roialme ou Gales, par voie de merchandise; sur peine de forseire ceux et chescun de ceux (¹⁶) a chescun foitz, et a taantz de foitz come ils puissent estre trovez en les mains dascune persone ou persones, destre venduz; l'une moite ent au Roi et l'autre moite a celuy qi ceo primes seifera pur le Roi, mesme la moite issint seifse pur le Roi destre deliveree par la dit seifour ent a leichetour del countee ou lieu lou dite seifine ferra, par endentures entre ceux affairez, a respoundre ent duement en son accompt.

Purven toutz foitz qe si ascuns des ditz wares ou chaffares, hors de cest terre faitz, soient sur le mere prizez saunz fraude ou collusion, ou veignent en cest Roialme ou Gales par voie de wrec, qe ceux en nulle manere soient comprizez deinz cest ordenaunce, (¹⁷) mes qe les puissent estre venduz deinz cest Roialme ou Gales cest ordenaunce (¹⁷) nient obstant.

Purven auxi qe toutz wares et chaffares faitz et overez en Irland ou Gales puissent estre amesnez et venduz en le dit Roialme d'Engleterre sicome ils soloient devaut la feisaunce de cest ordenaunce cest ordenaunce nient obstant.

Et auxi ad ordeigne et enacte, par lauctorite suifdit, qe les maistres ou gardeins pur le temps esteantz, de chescun arte et mestier en chescun citee burgh ville et village, lou ascun tiel arte ou mestier est usee ou occupie, aient sufficient poair et auctorite en chescun citee burgh ville et village, lou qe ceux pur le temps esteantz seront maistres ou gardeins dascune tiel arte ou mestier; et le maire dautiel citee ville burgh ou village pur le temps estant, si ascun maire y soit, ou les baillifs ou baillif dautiel citee ville burgh ou village pur le temps esteantz, si ascuns baillifs ou baillif y soit ou soient et null maire, ou sergeant ou autre officer a ceux assigne par les ditz maire baillifs ou baillif; et en chescun citee ville burgh et village, lou ascun tiel arte ou mestier est usee ou occupie, en quell nulles tielx maistres ne gardeins dascune tiel arte ou mestier sont, qe les maistres ou gardeins des artes ou mestiers del citee ville burgh ou village, a icelluy prochein adjoignaut, et le constable dautiel citee burgh ville ou village aient pcair et auctorite de sercher en lour propres artes et mestiers, et en toutz autres artes et mestiers uttrantz par voie de vende ascuns de les ditz chaffares, sibien deinz citees burghs villes et villages de cest Roialme et Gales, come deinz les libertees et fraunchises mesmes les citees burghs villes et villages, a tout temps resonable par jour, es seires et merchees shoppes overtez et warehouses, toutz maners tielx chaffares wares et merchandises, a chescun de lour propres artes et mestiers appartenantz, quelles seront faitz par ascun alien artificer homme ou femme, ou ascun autre persone deinz cest Roialme ou Gales, ou quelles au ascun temps serrount occupiez par ascun des mesmes les artes ou mestiers en qils qe mains puissent estre trovez. Purven toutz foitz qe les ditz maistres gardeins et autres en la dite ordenaunce nomez destre sercheours nentrent pas en ascun lieu exempt

¹³ P. omits these Words.

¹⁴ Merchandise, P.

¹⁵ Chaffares ou Wares,

¹⁷ ou estatuit, P.

par privilege franchise ou custume, de faire en icell ascun serche come devaunt est dit, sinon par surveu dalcun officer de chescun autiel lieu issint exempt, lou ascun tiel serche destre fait aviendra. Et si les ditz sercheours par mesme le serche trovent, qe tielx chaffares wares ou merchandises, ou ascune part ent, ne soit ou soient purez loialx et ables chaffares wares ou merchandises, et droitement faitz et overez, sicome ils duissent estre, et ceo duement prove, qe adonques y lirra as tielx sercheours de prendre et seiser, come chose forfait, toutz tielx chaffares wares et merchandises queux issint ferront trovez nient bons purez loialx ou ables, ne droitement overez; lune moite ent au Roi dapperteigner, et lautre moite ent au tielx maistres ou gardeins qi issint ferront serche et ceo troveront.

Et qe cest present ordenaunce ⁽²²⁾ les ditz artificers concernant, estoise et soit en son force auxi longement come y plerra a nostre Seignur le Roy.

Purveu auxi qe ne cest ordenaunce et acte, ne null autre ordenaunce ou acte fait ou affaire en cest present parlement, extende ne soit prejudiciall ou damageous a Robert Stillington clerk, dean del franc enapell du Roy de seint Martyn graunt de Loundres, ne a ses succeffours du dit chapell enapres pur le temps eskeantz, en ascun manere; ne a le dit Robert deane et chapitre de mesme la chapell, come en et pur toutz maners privileges libertees fraunchises droites et custumes, as eux apperteignauntz en ascun manere, devaunt mesme cesty parlement; ne al aseune persone ou persones demurantz ou enhabitantz, ou qe enapres demuront ou enhabitront deinz la seintuarie et procinct de mesme la chapell, et specialment deinz la venelle appelle communement seint Martyns lane,

²² ou estatut, P.

C A P. V.

For regulating Apparel.

[See printed
Rot. Parl.

27 E. 4. nu. 30]

“FOR restraining excessive and inordinate Apparel it is enacted, That no Knight under the Estate of a Lord, (other than Lord’s Children), or his Wife or Child, shall wear Cloth of Gold, Corsets wrought with Gold or Fur of Sables, Penalty Twenty Pounds.—No Knight Bachelor or his Wife shall wear any Cloth of Velvet upon Velvet, except Knights of the Order of the Garter; Penalty Twenty Marks.—None under the Degree of a Lord shall wear Cloth of Silk, being of a Purple Colour; Penalty Ten Pounds.—No Squire, Gentleman, or other under the Degree of a Knight, nor their Wives, (except Lords’ Sons and Daughters, and Squires of the King’s Body) shall wear any Velvet Satin fugery, [query *figured*? old Translations read *branched*;] or counterfeit Cloth of Silk like the same, or any Corsets wrought like to Velvet or Satin fugery, or any Fur of Ermin: Penalty Ten Marks.—No Squire or Gentleman, or other Man or Woman under the Degrees above mentioned, shall wear any Damask or Satin, except Squires menial, Serjeants Officers of the King’s Household, Yeomen of the Crown, Yeomen of the King’s Chamber, and Squires and Gentlemen having Forty Pounds a-year, the Wives and Widows, and unmarried Daughters of Persons having One hundred Pounds a-year; Penalty One hundred Shillings.—The Steward, Chamberlain,
“Treasurer,

" Treasurer, and Comptroller of the King's Household, the
 " King's Carrier and Knights of his Body may use Furs of Sables
 " and Ermins.—The Mayors of *London* and their Wives may wear
 " such Apparel as Knights Bachelors; Aldermen and Recorder of
 " *London*, and Mayors, Bailiffs, &c. of other Corporations may
 " wear such Apparel as Squires, &c. having Forty Pounds *per*
 " *Annum*.—None but such as have Possessions above Forty Pounds
 " a-year shall wear any Furs of Martrons, Funes, Letyce, furred
 " Grey or Minever, or Girdles harnessed with Gold or Silver,
 " or any Foreign Corse of Silk, or any Kerchief whereof the Plight
 " exceeds Three Shillings and Four-pence in Price; Penalty Five
 " Marks; with Proviso for Squires menial and others, and Cor-
 " poration Officers, whose Wives may wear gilt Girdles, and
 " Kerchiefs of Five Shillings the Plight.—None but such as have
 " Forty Shillings a-year shall wear any Fustian, Bustian, nor
 " Fustian of *Naples*, Scarlet Cloth ingrained, nor no Pellure, but
 " Black Lamb or White Lamb; except Corporation Officers,
 " and menial Servants of Yeomen's Degree, of Lords and others
 " having Forty Pounds a-year; Penalty Forty Shillings.—No
 " Yeoman or Person of lower Degree shall wear any Bolster or
 " Stuff of Wool, Cotton, or Cadas, nor other Stuffer in his
 " Doublet, except Lining according to the same; Penalty Six
 " Shillings and Eight-pence.—No Knight, under the Degree of a
 " Lord, Squire, Gentleman, or other Person, shall wear any
 " Gown, Jacket, or Cloke, which shall not be long enough to
 " cover his Buttocks, &c.; Penalty Twenty Shillings, and the
 " like Penalty on Tailors making such Jackets.—None under the
 " Degree of a Lord shall wear Shoes or Boots having Pikes more
 " than Two Inches long; Penalty Forty-pence; and the like on
 " Shoemakers making them.—No Servant in Husbandry, common
 " Labourer, nor Servant to any Artificer out of any City or Town,
 " shall wear any Cloth exceeding Two Shillings the broad Yard;
 " nor their Wives any Kerchiefs exceeding Twelve-pence the
 " Plight; nor any close Hoses, nor Hoses exceeding Fourteen-
 " pence the Pair; nor Girdles harnessed with Silver; Penalty
 " Forty-pence.—None shall sell any Lawns, Nyfles, Umple, or
 " any other Kerchiefs exceeding Ten Shillings the Plight.—
 " Forfeitures shall be levied by Justices of the Peace.—Excep-
 " tions for Vestments used in Divine Service, or by the Judges,
 " Master or Keeper of the Rolls, Masters in Chancery, Scholars
 " in the Universities; Henshmen, Heralds, Pursuivants, Sword-
 " bearers to Mayors, Messengers, Minstrels, Players; nor to Purves,
 " Pawteners; [*Broaches*, old Translation] and Crowns of Caps for
 " Children; nor to Apparel necessarily used in War or Feats of
 " the same."

[Repealed by Stat. 22 E. 4. c. 1. which see.]

Anno 4 EDW. IV. A.D. 1464-5.

OUR Lord King *Edward* the Fourth after the Conquest, at
 his Parliament summoned at *Westminster* the Nine and twen-
 tieth Day of *April*, in the Third Year of his Reign, and by
 divers Prorogations and Adjournments continued til the One and
 twentieth

[See Note to
 an. 3 & 4 E. IV.
 ante, p. 608.]

twentieth Day of *January*, in the Fourth Year of his Reign, on the same One and twentieth Day of *January*, in Reverence of God, and for the Weal of him and his People, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Request of his Commons being in his said Parliament, and by Authority of the same Parliament, hath caused to be ordained and established certain Statutes and Ordinances in Form following.

NOSTRE Seigneur le Roy Edward puis le conquest quart, a son parlement summonnez a Westm' le xxix. jour d'Aprill, lan de son reigne tierce, et par diverses prorogations et adjournements jusques le xxj. jour de Janiver lan de son reigne quart continuez, mesme le xxj. jour de Janiver, al reverence de Dieu et pur le bien de luy et son people, de ladvis et assent des Seigneurs espirituelx et temporelx et a speciall request de siz Communez, en son dit parlement esteantz, et par l'autorite de mesme le parlement, fist ordeigner et establier certein estatutes et ordenaunces en la fourme qensuit.

C A P. I.

For improving the manufacture of Cloths: and preventing the Importation thereof.

[Such Part of this Act as relates to the making, searching, and sealing Cloths, is repealed by the Operation of the Stat. 5 & 6 E. 6. c. 6. § 50.—The following Abstract of this Part is therefore thought sufficient.]

“ **E**VERY whole Woollen Cloth, called Broad Cloth, made
 “ and put to Sale after the Feast of Saint Peter ad Vincula,
 “ A.D. 1465, shall, after the full watering and racking, straining,
 “ or tenturing of the same ready for Sale, contain in Length
 “ Twenty-four Yards, and to every Yard an Inch, containing the
 “ Breadth of a Man's Thumb, to be measured by the Crest of the
 “ Cloth; and in Breadth Two Yards, or Seven Quarters at the
 “ least within the Lists. Cloths called Streits, shall contain in
 “ Length Twelve Yards and the Inches, according to the Measure
 “ aforesaid, and in Breadth One Yard within the Lists. Every
 “ Cloth called Kersey, shall contain in Length Eighteen Yards
 “ and the Inches, as is afore said, and in Breadth One Yard and
 “ a Nail, or at the least One Yard within the Lists. No Person
 “ which shall make any Woollen Cloth for Sale shall mingle, or
 “ put in such Cloth, nor the Wooll whereof the same shall be
 “ made, any Lambs Wooll, Flocks, or Cork.—Penalty Twenty
 “ Shillings. But Cloth may be made of Lambs Wooll by itself,
 “ without mingling with any other Wooll; and Cork may be
 “ used in dying upon woaded Wooll, and also in dying of all such
 “ Cloth that is only made of woaded Wooll, so that the same
 “ Wooll and Cloth be perfectly boiled and madered; and Cork
 “ may be put upon Cloth which is perfectly boiled and madered.—
 “ Cloths shall perfectly pursue one Order of Workmanship.—
 “ A Seal of Lead shall be set upon faulty Cloth; and all Cloth
 “ lawfully made shall be sealed with a Double Print in Lead.—
 “ The Lord Treasurer shall appoint as many Keepers of the
 “ Cloth Seal as he will, so that no Alien be appointed.—Such
 “ Keepers

*[See also Stat.
 7 E. 4. c. 2.
 But see
 27 E. 4. c. 5.]*

“ Keepers of the Seal shall account yearly in the Exchequer, and
 “ be fined according to the Discretion of the Barons.—Penalty on
 “ the Keeper for Neglect in his Office, &c. Twenty Shillings.
 “ This and all former Statutes to be specified in the Commission of
 “ such Keeper of the Seals.”

Also whereas before this Time, in the Occupations of Cloth-making the Labourers thereof have been driven to take a great Part of their Wages in Pins, Girdles, and other unprofitable Wares, under such Price [that it did not extend to,¹] and also have delivered to them Wools to be wrought by very excessive Weight, whereby both Men and Women have been discouraged from such Labour; therefore it is ordained and established, by the Authority aforesaid, That every Man and Woman being Cloth-makers, from the said Feast of Saint *Peter*, shall pay to the Carders, Spinners, and all such other Labourers, in any Part of the said Trade, lawful Money for all their lawful Wages, and Payment of the same; and also shall deliver Wools to be wrought according to the faithful Delivery and due Weight thereof; upon Pain of Forfeiture to the same Labourer of the Treble of his said Wages for not paid, as often as the said Cloth-maker doth refuse to pay the same in the said Manner and Form to any such Labourer, put by him to the Occupation in any of the said Parts of Cloth-making: and also to forfeit to the same Labourer, for every [Delivery²] of excessive and unlawful Weight to him committed to be wrought, Sixpence for every Default.

Also it is ordained and established, by the Authority aforesaid, That every Carder, Spinner, Weaver, Fuller, Shearman, and Dyer, shall duly perform his Labour in his Occupation, upon Pain to yield to the Party grieved in this Behalf his Double Damages; and that every Fuller, from the said Feast of Saint *Peter*, in his Craft and Occupation of fulling, [and rowing, or tayseling³] of Cloth, shall exercise and use Taysels, and no Cards deceitfully impairing the same Cloth, upon Pain to yield to the Party grieved his Double Damages.

And that every Justice of Peace for the Time being, of every County of this Realm, throughout such County, out of Cities, Boroughs, and Towns where any Mayor, Master, Wardens, Bailiff or Bailiffs, is or are, and every Mayor where there is a Mayor, (and every Master where there is no Mayor, and every Bailiff or Bailiffs where there is no Mayor nor Master, and every Portreve where there is or are no Mayor, Master, Bailiff, nor Bailiffs, of every City, Borough, and Town within every such County aforesaid, and every Constable of Hundred, where there is any Constable of Hundred, out of every City, Borough, and Town, where any Mayor, Master, Bailiff or Bailiffs, or Portreves, is or are, and every Steward keeping or holding Wapentake or Lect of any Person out of City, Borough, or Town, where no Mayor, Master, Bailiff or Bailiffs, or Portreves is or are,) shall have Power and Authority by this Ordinance, to hear and determine the Complaints of every such Cloth-maker and Labourer, as well for Non-payment of the said Labourers Wages, as of the said Forfeiture and Damages, by due Examination of the Parties in that Behalf;

A Clothier shall pay to his Work-folks ready Money, and shall deliver them Wool according to due Weight.

[See also
To An. c. 16.
&c.]

Every Worker of Wool shall do his Duty therein lawfully.

The Fuller's Duty in his Occupation.

Justices of Peace in Counties, and Magistrates in Towns, &c. may enquire of and punish Offenders.

¹ as stretcheth not to the Extent of their lawful Wages, *Rot. Parl.*

² pound, *Rot. Parl.*

³ fulling and reeling, *Rot. Parl.*

Fine to the King
by Offenders,
31. 4d.

What Proceſs
ſhall be awarded
by Juſtices of
Peace againſt
Offenders.

No Cloths made
in any other
Realm ſhall be
brought in o
England to be
ſold.

A former Act
of this Parlia-
ment repealed.
[See printed
Rot. Parl.
3. 4 E. 4.
no. 17.]

and thereupon, for Non-payment of the ſaid Duties and Forfeitures, and for the ſaid Damages, to commit the Offenders in ſuch Behalf to the next Gaol within the ſame County; there to remain till the ſaid Duties, Forfeitures, and Damages be fully paid to the ſaid Labourer or Cloth-maker. And alſo that every of the ſaid Juſtices of Peace, Mayor, Maſter, Warden, Bailiff or Bailiffs, Portreve, and Steward of Wapentake and Leet, upon the Information or Complaint of any other Perſon than is grieved in this Behalf, ſhall have Power by the ſaid Authority within his Jurisdiction, to cauſe to come before him, the Party againſt whom ſuch Information or Complaint ſhall be made, for offending this Ordinance, and to examine him in and upon the Matter contained in ſuch Information or Complaint; and if the Party, by Examination, or other due Proof, be found guilty or defective, that then ſuch Party, as often and for every Time that he is ſo found guilty or defective, ſhall forfeit to the King, or to ſuch Perſon or Perſons which is or are entitled to have Fines or Amerciaments for Offences done within their Jurisdiction, Three Shillings and Four-pence. And that every of the ſaid Juſtices of Peace, and other Officer aforeſaid, within his Jurisdiction, upon every of the ſaid Informations or Complaints, ſhall have full Power to make like Proceſs againſt the Party, againſt whom any ſuch Information or Complaint, as before is rehearſed, ſhall be made, to cauſe him perſonally to appear before him, thereupon to be examined, as Juſtices of Peace have upon Information or Complaint made to them for Surety of the Peace; without any Fee or Reward to be taken or had by any of the ſaid Juſtices, or any other Officer in that Behalf, for the Execution of their Offices in that Behalf.

Alſo it is ordained and eſtabliſhed, by the Authority aforeſaid, That all Manner of Woollen Cloth made in any other Realm, brought into this Realm, and put to Sale within any Part of the ſaid Realm, after the ſaid Feaſt of Saint Peter, ſhall be forfeit to our ſaid Sovereign Lord the King; Except Cloths made in *Wales* and *Ireland*, and Cloths taken by any of the King's liege People upon the Sea, without Fraud or Colluſion.

And by the Authority aforeſaid it is ordained and eſtabliſhed, That any other Act or Ordinance made in this preſent Parliament concerning Cloth-making, or any of the Premiſſes, contrary or not according to this Act, ſhall be void and of none Effect.

Et auxi lou par cy devant, en les occupations del faiſance de drap, les labourers dicell ount eſte chacez de prendre graund part de lour gages en eſpinges ceinſts et autres enprofitables marchandises, deſoubz tiel price qe nextende pas a lextent de lour loialx gages, et auxi ount deliverez a ceux laines deſtre overez par trop exceſſive pois, quell ad enchafe et enchafe homms et femmes en diſcorage dautiel labour; Pur ceo ordeignez eſt et eſtablie, par lauctorite ſuiſdit, qe cheſcun home et femme faiſour de draps, a le dit feſt de Seint Peere, pais as cardours cardoreſſes filereſſes et toutz autres les laborers daſcun membre dicell, loiall moneie pur toutz lour loialx gages, et paiement del meſme; et auxi delivre laines eſtre overez accordant a la foiall livre et due pois; ſur peine de forfeiture a meſme le laborer de treble de ſes ditz gages iſſint yonpaiez, a tauntz ſoitz come le dit faiſour de drap reſuſe de paier

en les manier et fourme au ascun tiel laborer, par luy mis a loccupation en ascun de les ditz membres del faisance de drap; et auxi de forseire a mesme le laborer pur chescun [li.²] dexcessive et de loiall pois a luy deliverez destre overez vj. d. a chescun defaute.

Et auxi est ordeigne, par lauctorite suisdit, qe chescun cardour, cardoresse, fileresse, tiseour, sullour, tondour de drap, et tinctour, face duement son labour en sa occupation, sur peine de rendre a la partie endamagiez en cell partie doubles damages; et qe chescun sullour, de le dit fest de Seint Peere, en sa arte et occupation de fuller et scalpier ou tezeiler de drap, exercise et use teizels et nulls cardes, mesme le drap deceivablement enpierant, sur peine de rendre a la partie endamage doublez damagez.

Et qe chescun justice de peas pur le temps esteant, de chescun countee de cest Roialme, par tut le countee, hors des citees burghs et villes lou maire maister gardein bailliff ou baillifs est ou sont, et chescun mair lou mair est, (et chescun maister lou null mair est, chescun baillif ou baillifs lou null mair ne maister est, chescun portrese lou null maire maister baillif ou baillifs est ou sont, de chescun citie burgh et ville deinz chescun tiel countee avaunt dit, et chescun conestable de hundred lou conestable de hundred est, hors de chescun citee burgh et ville lou ascun maire maister baillif ou baillifs ou portreses est ou sont, et chescun seneschall gardant ou teignaunt wapentak ou lete dascune persone hors de citee burgh ou ville, lou null maire maister baillif ou baillifs ou portreses est ou sont,) ait et aient poair et auctorite, par cest ordenaunce, doier et terminer les compleintes de chescun tiel faisour de drap et laborer, sibien pur nonpaiement de les ditz gages des ditz laborers, come de les ditz forfaiture et damages, per due examination de les parties en cell partie; et sur ceo, pur nonpaiement de les ditz dueetes et forfaitures, et pur les ditz damages, de commetter les trespasseours en cell parte al prochein gaole deinz mesme le countee; illeokes a demurer tanqe les ditz dueetes forfaitures et damages soient a le dit laborer ou faisour de drap duement paieiz. Et auxi qe chescun de les ditz justices de peas, maire, maister, gardein, baillif ou baillifs, portrese, et seneschall de wapentak et lete, sur lenformation ou compleint dascune autre persone, qe nest greve en cest part, aiet poair par la dit auctorite, deinz sa jurisdiction, de faire venir devaunt luy la partie envers quelle lenformation ou compleint serra fait, pur lencontrefeiture a cest ordenaunce, et ceux dexaminer en et sur la matier conteignuz en mesme lenformation ou compleint; et sil trove par examination ou autres duez proves la partie en ceo coupable ou defectif, qadonques mesme la partie si sovent et pur chescun foitz come il est issint trove coupable ou defective, forspace au Roy ou a tiel persone ou persones, qe ou queux est ou sont entitle ou entitlez davoier fines ou amerciements pur offenses faitz deinz leur jurisdiction iii. s. iiij. d. Et qe chescun de les ditz justices de peas et autre officer avaunt dit, deinz sa jurisdiction, sur chescun del dite enformation ou compleint, aient plein poair de fere autiel processe envers la partie, sur quell ascune tiel enformation ou compleint come devant est recitee serra fait, de luy faire venir personnelment devaunt luy, sur ceo destre examinez, sicome justices de peas ount sur enformation ou compleint fait a ceux pur suertie de peas, saunz ascun fee ou regard destre

pris ou eue, par ascun de les ditz justices ou ascun autre officer en cell parte, pur l'exécution de leur offices en cell parte.

Auxi ordeignez est et establie, par lauctorite fuisset, qe tout maner drap lanuz fait en ascune autre region en cest Roialme amenez, et mys a vend deins ascune part del mesme le Roialme, apres le dit fest de seint Peer, soit forfait au Roy; Forsprisez draps fait en Gales et Irkond et draps prises par ascun des lieges du Roy sur le meere saunz fraude ou male engyne.

Et par lauctorite fuisset ordeignez est et establie qe ascun autre acte ou ordenaunces faitz en cest present parlement concernauntz la faisaunce de drap, ou ascun de les premissez contrariez ou aient accordauntz a cest act soit et soient voides et de null effect.

C A P. II.

From compelling the Exportation of *English Wools* to the Staple at *Calais*.

“**F**OR the Preservation of the Staple at *Calais*, &c. it is enacted, That all Wools shipped for Exportation shall be shipped at the Towns of such Ports where the King has his Beam, Weights, and Collectors of Custom, viz. *Pool*, *Southampton*, *Chichester*, *Sandwich*, *London*, *Ipswich*, *Boston*, *Hull*, and *Lynne*, and not elsewhere; Wools shipped in Gallies or Carracks for Exportation through the States of *Morocco* (*Gibraltar*) excepted.—All Persons before shipping Wool shall find Security for sending it to *Calais*, and returning a Certificate thereof from thence within Twelve Months.—Providoe that Wools of the Growth of the Countries, between the *Tese* and *Twede*, *Northumberland*, *Cumberland*, *Westmorland*, and the Bishoprick of *Durham*, *Richmondshire*, and *Northaldertonshire*, may be freely shipped for Exportation at *Newcastle*.”

[See Cap. 3. succeeding.]

C A P. III.

For regulating the Exportation of Wools from *Newcastle*.

“**T**O prevent the fraudulent Exportation of Wool from the Port of *Newcastle*, it is enacted, That no Wool shall be shipped at the said Port for Exportation to any other Place than the Staple of *Calais*, except such Wool as is of the Growth of the Country between the *Tese* and *Twede*, or of *Northumberland*, *Cumberland*, *Westmorland*, *Richmondshire*, *Northaldertonshire*, and the Bishoprick of *Durham*; on Forfeiture of Double the Value, recoverable by Action of Debt to be tried in the County of *Tork*.” [See ante, Cap. 2.]

C A P. IV.

For preventing the Buying of Wools unshorn.

“**N**ONE shall buy or bargain for any Wools unshorn, or take Promise of Bargain of any Wools unshorn between 18th March 1464 (i. e. 1464-5) and the Feast of Saint *Bartholomew* ensuing (1465,) in certain Shires named; nor in the Year next after the said Feast before the same Feast then next following;

“ nor in like Manner in the ensuing Year before Saint *Bartholomew*, 1467.—Except only such Persons as of the said *Wools* shall make or cause to be made Yarn or Cloth in this Realm.—Penalty double Value of the *Wools* bought.”

C A P. V.

For prohibiting the Importation of Merchandises from the Duke of *Burgundy's* Countries, while *English* wrought Cloths are prohibited there.

“ IN consequence of an Ordinance by the Duke of *Burgundy*, for prohibiting the Importation of *English* Woollen Cloth into his Dominions, it is enacted, That no Person shall import into *England* any Goods or Merchandizes of the Growth or Manufacture of the Duke's Dominions, after the Purification of our Lady in A.D. 1464-5, nor sell any such Goods imported after that Day, except Provisions and Goods captured at Sea; on Penalty of Forfeiture of the Value of the Goods; until Reformation be made by the Duke of the said recited Ordinance, and *English* Woollen Cloth be again admitted into his Dominions.—To prevent the inhancing of the Price of such Goods being in the Realm, the Mayors of Cities, and Two discreet Persons to be summoned by them, are empowered to remedy any Complaint on that Subject, according to their Conscience and Discretion.—There is a Proviso for the Merchants of the Hanse:—A Penalty contained in the Petition, on Parties taking Licences from the King in Breach of the Act, (denied by the King's Answer), is omitted from the Act.”

C A P. VI.

For amending Stat. 5 Hen. 4. c. 9. for regulating Alien Merchants.

“ THE Security required by Stat. 5 H. 4. c. 9. from Alien Merchants to employ their Money in purchasing *English* Goods, &c. may be taken by the Customers from the Merchants only, and when complied with shall be delivered up.”

[N. B. The Act 5 H. 4. c. 9. was repealed by 6 H. 4. c. 4.—*This Act to continue till the next Parliament.*]

C A P. VII.

For regulating the Shoemakers of *London*, and within Three Miles thereof.

“ NO Shoemaker or Cöbler in *London*, or within Three Miles thereof, shall make any Shoes, Galoches, or Boots, with Pikes above Two Inches long, (See 3 E. 4. c. 5.) not work, nor fit on any Shoes, &c. on *Sundays*, or on the Feasts of the Nativity, the Ascension, or Corpus Christi.—Penalty Twenty Shillings; One Third to the King; One Third to the Cordwainers Company; and One Third to the Informer.”

[Repealed; See Stat. 14 H. 8. c. 9.; 5 Eliz. c. 8.; 1 Jac. 1. c. 22. § 58.]

CAP.

C A P. VIII.

For prohibiting Strangers from buying *Engliſh* Horns unwrought; and giving certain Powers to the Wardens of the Horners of *London*.

[*This Act was repealed by 1 Jac. 1. c. 25.; but is recited at Length and revived (with certain Exceptions) by Stat. 7 Jac. 1. c. 14. which ſee.*]

C A P. IX.

For amending the *Stat. 4 Hen. 5. c. 3.* reſpecting Pattens.

“THE *Act 4 Hen. 5. c. 3.* againſt making Pattens of *Aſp* recited, and the Inconveniencies reſulting to Patten-makers from not being allowed to uſe ſuch *Aſp* as was not fit for Arrows, ‘*Aſp* being the beſt and lighteſt Wood to make Pattens and Clogs, and moſt eaſy for the Wear of all Eſtates, Gentils, and all other the King’s People,’ and Turners, Carpenters, Woodmongers, and Cole-makers being allowed to uſe *Aſp* without Reſtraint, it is therefore enacted, That Patten-makers may uſe ſuch *Aſp* as is not fit for Arrows without any Penalty; and that if they uſe any fit for Arrows, the Penalty ſhall be Forty Shillings inſtead of One hundred Shillings, under 4 H. 5. c. 3.”

[*This Act and the Act 4 H. 5. c. 3. are both repealed by Stat. 1 Jac. 1. c. 25. § 40.—The Act 4 H. 5. is alſo repealed by 21 Jac. 1. c. 28. § 11.*]

C A P. X.

For compelling Perſons to take Paſſage and land at *Dover* in *Kent*.

“RECITAL of *Stats. 9 E. 3. ſt. 2. c. 8.* and 13 Ric. 2. ſt. 1. c. 20.—No Pilgrim, Merchant, nor other Perſon, Horſe, or Beaſt, except Soldiers, and Merchants with their Merchandize, under Proviſions of recited Acts, ſhall take Paſſage at any Place in the County of *Kent* except at *Dover*, nor come from *Calais* to any other Port, without the King’s Command, or being forced by Streſs of Weather.—Penalty Five Marks, and a like Penalty on Maſters of Ships taking them.”

[*This Act and the recited Acts are all repealed by Stat. 21 Jac. 1. c. 28. § 11.*]

Annis septimo et octavo EDWARDI IV.

[In the Parliament held at Westminster on the 3d Day of June, A.D. 1467, an. 7 E. 4. and continued to 12th May in the 8th Year, A.D. 1468.]

[This Parliament was, on 1st July 1467, prorogued and adjourned till 6th November ensuing at Reading, and on that Day to the 5th May, 8 E. 4. A.D. 1468, at the same Place, and on that Day to the 12th May at Westminster.]

See printed Rot. Parl. nu. 16, 17, 18.

The several Chapters of the Two Statutes, separately entitled 7 E. 4. & 8 E. 4. (here given from the Text in Hawkins, Cay, &c. as from "Rot. in Turr. m. 3. & m. 2." compared with printed Rot. Parl. Pynson, &c.) are founded on the following Articles in printed Rot. Parl. the Roll appearing to be continued and numbered in an uninterrupted Series through the Years in which this Parliament was held.

Chapter of Statute.

Number in Roll.

7 E. IV.	{	1	—	19	} 7 & 8 E. IV.—All in English; on Petitions delivered by the Commons.
		2	—	21	
		3	—	22	
		4	—		
		5	—		
8 E. IV.	{	1	—	35	
		2	—	41	
		3	—	37	
		4	—	38	

¹ See post, nu. 8. of this Year.

For other Acts of this Parliament, 7 & 8 E. IV. See further, Printed Rot. Parl. v.

Page. No. } Act of Resumption of the King's Grants from the 572. } 8, } First Day of his Reign; with a great Number of 613. } } Provisoos.—Two of these (in English) are contained in Cap. 4 & 5 of the Stat. 7 E. 4. See printed Rot. Parl. v. p. 576.—The Titles of these Chapters in Cay agree with those in Myddylton's 'Great Boke of Statutes,' but they differ in Pulton, &c.

613, 9, } For Continuation of the Staple at Calais, and for 616, 12, } Payment of the Soldiers there.

13, For Restitution of Sir Thomas Tresham Knight attainted, an. 1 E. 4.

617, 14, For restoring Richard Welles, Lord Willoughby, notwithstanding the Attainder of his Father, Lion Lord Welles, in 1 E. 4.

Printed Rot. Parl. v.

Page No. } For repealing a Clause in a Charter to the Corpora-
622, 23, } tion of London, dated 9th November 2 E. 4. respect-
ing the Arrest of Felons in Southwark.

623, 30, } Grant of a Subsidy of Two Fifteenths and Two Tenths.

624, 31, } For confirming several Grants of Rents, Lands, &c.

628, 33, } to the Queen.

34, } For repaying out of the Subsidy on Wools 10,000l.
advanced to the King by the Merchants of the Staple
at Calais.

634, 42, } For appointing Commissioners to examine into some
alleged Abuses in the Coinage by Hugh Brice, Keeper
of the King's Exchange in London, and One of the
Governors of the Mint in the Tower.

*Appendix, p. 231, ex Rot. Pat. 8 E. 4.—Exemplification of Act
for Restitution of Sir T. Fulford, Heir of Sir Bald-
win Fulford, attainted in 1 E. 4.*

Anno 7^o EDW. IV. A.D. 1467.

AT the Parliament holden at *Westminster* the Third Day of June, in the Seventh Year of the Reign of King Edward the Fourth after the Conquest, our said Lord the King, by the Advice and Assent of the Lords Spiritual and Temporal, and at the Request of his Commons, in the said Parliament assembled, and by Authority of the same Parliament, hath ordained and established certain Statutes and Ordinances in Manner and Form following.

AU parlement tenuz a Westm' la tierce jour de Jure, en lan de reigne du Roy Edward le quart puis le conquest septisme, mesme nostre Seignur le Roy del advis et assent des Seignurs espirituelx et temporelx, et a la request de sez communez en le dit pailement assemblez, et par lauctorite de mesme le parlement ad ordeigne et establie certains statutz et ordenaunces en manere et fourme ensuivantz.

C A P. I.

For regulating the making of Worstedes, in *Norwich* and *Norfolk*.

[By this Act Four Wardens were to be chosen yearly by the Worsted Weavers in *Norwich*, and the like Number by the Worsted Weavers in *Norfolk*, who were to be sworn before the Mayor of *Norwich*, &c. and certain Powers were given them to survey Worstedes, &c.—The Length and Breadth of Worsted Cloths were also ascertained—But all the Regulations of this Act appear to be completely superseded by those of the Stat. 13, 14 C. 2. c. 5. which see.—This Act is aluded to as to the Power of the Wardens, by Stat. 14, 15 H. 8. c. 3.—Query how far the Power of the Wardens, under 13, 14 C. 2. c. 5. is applicable to the said Act 14, 15 H. 8. ?]

C A P. II.

For amending the Act 4 E. 4. c. 1. relating to the Manufacture of Cloths.

“CLOTHS made in the Hundreds of *Lifton, Tavistock*, and *Rowburgh*, in *Devonshire*, may be manufactured by mixing Flocks with the Wool, notwithstanding the Penalty in Stat. 4 E. 4. c. 1.”

[See that Act and the Notes there.]

C A P. III.

For preventing the Exportation of Woollen Yarn, and Cloths unfulled.

[See also Stats. 3 H. 7. c. 11.; 3 H. 8. c. 7.; and 8 Eliz. c. 6.]

ALSO it was shewed in the said Parliament by the Commons, That whereas in divers Parts within this Realm, Merchants, as well Strangers as Denizens, have daily used to buy Woollen Yarn by the Pound, and other Weights; in divers Markets and Fairs, whereof Cloth should be made; and likewise to buy raw Cloths [not fulled¹,] and the same Yarn and raw Cloths so [not fulled¹,] did carry beyond the Sea; for all which Yarn and Cloths [unfulled¹,] our Lord the King did take no Manner Custom, Aulnage, nor any other Profit or Avail; where if the said Yarn were woven, and the said Cloths fulled within this Realm, the King should have the Custom and Advantage for the same, and Weavers and Fullers of the said Realm should be well occupied; for Default whereof the King's liege People be greatly hurt and impoverished, and Strangers thereby the better occupied and enriched: Wherefore our said Lord the King, by the Assent of the Lords Spiritual and Temporal, and at the Request of the said Commons, in the said Parliament assembled, and by the Authority of the same Parliament, hath ordained and established, That no Person, Denizen or Stranger, from the Feast Day of the Assumption, which shall be in the Year of our Lord God One thousand four hundred and sixty-eight, shall carry, or cause to be carried, into any Parts beyond the Sea, any Woollen Yarn or [Cloth not fulled²,] but that the Woollen Yarn which shall be made after the same Feast Day in this Realm, shall be woven in the same Realm; and also all Cloth therein made, after the said Feast Day, shall be ⁽³⁾ fulled, and fully wrought within the said Realm, before that any thereof be had and carried out of this Realm; upon Pain of Forfeiture of the very Value of all such Yarn unwoven, and [Cloth not fulled²,] had or carried out of this Realm; the one Half of the same Forfeiture to be levied to the King's Use, and the other Half thereof to him or them that shall espie or make Proof of any such unwoven Yarn, or [Cloth not fulled²,] after the said Feast Day, to be carried to any Place beyond the Sea.

No Woollen Yarn, or Cloth unfulled, shall be exported under Penalty of the Value thereof.

¹ untoked and unfulled, *Ret. Parl.* ² untoked and unfulled Cloth, *Ret. Parl.*
³ tuked, *Ret. Parl.* i. e. tuked, or passed through the tucking Mill.

ITEM monstre fuist en le dit parlement par les Communez, que come en diverses parties deinz cest Roialme, de jour en autre estoit use, par meschantes sibi en estranges come deinzseint, dachater file lanuez par les livres et autres poises es diverses merahies et seires, dont drap serroit fait, et semblablement dachater draps crudes nient fullez, et mesmez le file et drap crude si nient fulle, cariont oultre le meere; pur toutz queux file et draps nient fullez, nostre dit seigneur le Roy nulle manere custume aulnage ne null autre profit ne availle prist; lou si le dit file suisset tiste, et le dit draps fullez deinz le Roialme, le Roy averoit la custume et aulnage pur les mesmes, et textours et fallours le dit Roialme serroient bien occupiez; par defaute de qoy les lieges de nostre dit Seigneur le Roy sont graundement endamagez et empoverishez, et estranges parent le mieulx occupiez et enrichiez: Si ad nostre dit Seigneur le Roy, de lassent des Seignurs espirituelx et temporelx, en le dit parlement assembleez, et a la request des ditz Communez, et par auctorite de mesme le parlement, ordeigne et establie que nulle persone deinzseint ou estrange, a le fest de l'assumption qi ferra en lan nostre Seigneur Dieu Mille CCCCLX.viiij. carie ou face destre cariez, as aouns parties dela le mere, aucun filo lanuz ne drap nient fullez; mes que le file lanuz affaire puis mesme le fest en cest Roialme soit texez en icell; et auxi tout drap en icell fait apres le dit fest soit fullez et pleinement overez deinz le dit Roialme, devaut que aucun dicell soit eue et carie hors de cest Roialme; sur peine de forfaiture de le verray value de tout tiel file nient texte et drap nient fulle euez ou cariez hors de cest Roialme: la moite de mesme la forfaiture destre levez al oeps nostre dit Seigneur le Roy, et lautre moite de den a luy ou ceux qi espiera ou espionent ou ferra ou ferront prove dascun tiel file nient texte, ou drap nient fulle puis le dit fest estre darich a aucun lieu doutre le mere.

C A P. IV.

An Act for Grants made by the King since the First Year of his Reign.

[See as to this and Chapter 5. Note ante, p. 625.]

“ **A**LL Grants made by the King to any Person since the Beginning of his Reign, of any Lands to which such Persons had title before such Grants, declared valid.”

C A P. V.

An Act for reviving the Seignories of attainted Lands.

[See Note to “ 4.”]

“ **W**HERE Lands which on the First Day of March before the Commencement of the King's Reign, were held by Fealty and Rent, or other Services, of any Person not attainted, afterwards came into the King's Hands by Attainder, and then passed by his Grant, such Persons so not attainted may take all such Rents as were due from such Lands, (being in the Hands of any other than the King,) and distrain for the same.”

Anno 8^o EDW. IV. A.D. 1468.See Note to an.
7 & 8 E. IV.
ante, p. 625.

OUR Lord the King *Edward* the Fourth after the Conquest, at his Parliament begun at *Westminster* the Third Day of *June*, the Seventh Year of his Reign, and by divers Prorogations and Adjournments continued till the Twelfth Day of *May*, the Eighth Year of his Reign; the same Twelfth Day, by the Advice and Assent of the Lords Spiritual and Temporal, and at the special Request of the Commons, in the said Parliament assembled, hath caused to be ordained and established divers Statutes and Ordinances in the Form following.

NOSTRE Seigneur le Roy Edward puis le conquest quart, a son parlement commences a Westm' le tierce jour de June, lan de son reigne septisme, et par diverses prorogations et adjournementes, jusques le xij^e. jour de May lan de son regne oept continuez, mesme le xij^e. jour, de ladvis et assent des Seigneurs espi-rituelx et temporelx, et a la speciall request des Communs en mesme le parlement assemblez ad fait ordeigner et establier diverses statutes et ordenaunces en la fourme qensuit.

C A P. I.

An Act concerning Set Cloths.

AFTER reciting the Deficiencies in making Cloths called Broad Set Cloths and Strait [*i. e.* narrow] Set Cloths, in the Counties of *Norfolk*, *Suffolk*, and *Essex*, it is enacted, That all such Cloths shall be made of the Dimensions and Weight following, being such as were usual; viz. Broad Set Cloths, after all sufficient perfect and true Workmanship, made clean, scowred, full dried, and ready for Sale, to measure in Length Twenty-eight Yards and Twenty-eight Inches by the Crest, and in Breadth Seven Quarters within the Lists from one End to the other, and to weigh Thirty-eight Pounds at least.—All Strait set Cloths to be Fourteen Yards and Fourteen Inches long, and Three Quarters and a Half broad, and to weigh Nine Pounds and a Half, on Pain of Forfeiture.” [*Repealed by Stat. 5 & 6 E. 6. c. 6. § 50.*]

C A P. II.

An Act for Liveries of Company.

[See former Stats. 1 R. 2. c. 7.; 7 R. 2. c. 15.; 16 R. 2. c. 4.; 20 R. 2. c. 1, 2.; 1 H. 4. c. 7.; 2 H. 4. c. 21.; 7 H. 4. c. 14.; 13 H. 4. c. 3.; 8 H. 6. c. 4.]

FORMER Statutes against giving of Liveries or Signs confirmed.—No Person of what Degree or Condition soever shall give any such Livery or Sign, or retain any Person other than his menial Servant, Officer, or Man, learned in the one Law or the other, [*i. e.* the Common or Civil Law,] by any Writing, Oath, or Promise.—Penalty One hundred Shillings, and One hundred Shillings *per* Month on the Retainer and the Person retained; recoverable in Courts of Record, or before Justices of Peace in their Sessions, &c. on Oath of any Informer.

“ —Provided that the Act extend not to any Gift, Grant, or Confirmation of any Fee, Annuity, Pension, Rent, Lands or Tenements made by the King, or any other Person, to any Person or Persons for their Counsel given or to be given, or their lawful Service done or to be done, though such Person shall not be learned in the one Law or in the other; nor to Liveries given at the King or Queen's Coronation, the Installation of any Archbishop or Bishop, the Erection, or Creation, or Marriage of any Lord or Lady, or at the making of any Knights of the Bath, or at Commencement of any Clerk in any University, or at making Serjeants at Law, or to be given by any Corporation, or by the Mayor or Sheriffs of London, &c. during the Time of their holding their Office, and for the Execution of it; nor to any Signs or Liveries given in Defence of the King and the Realm; nor to the Constable and Marshal for any Sign, Livery, or Token to be given by them at any Feats of Arms to be done within the Realm; nor to Wardens of the Marches of Scotland for Liveries, &c. when necessary to raise People for Defence of the Marches.”

[Repealed by 3 Car. I. c. 4, (5.) § 27. which also repeals several of the former Statutes.—See 12 E. 4. c. 4. for the Prince of Wales.]

C A P. III.

An Act for Jurors in *Middlesex*.

The several Charges and Troubles which the Freeholders of *Middlesex*, being Jurors, endure.

ALSO, It was shewed by the said Commons in the said Parliament, on the Behalf of the Freeholders dwelling within the County of *Middlesex*, within which County there be yearly more Actions sued, and Trials had by Twelve Men, than be within many other Counties of this Realm, caused by the Resiance of all the King's Courts holden and remaining at *Westminster* within the said County, so that in every Action brought to an Issue in the said County some of the said Freeholders be impanelled, to their great Vexation: And also besides the Sessions of Peace holden within the said County, the said Freeholders every Time, by Inquisitions in the King's Bench, and upon the Deliverance of Prisoners there, and by Actions upon Patents and Tallies sued in the King's Exchequer, and to Sheriffs and other Accountants, their Deputies and Attornies, surmised to be shewed, and Issues thereupon joined and taken, impanelled thereupon, be importunately vexed, grieved, and impoverished; and, which more Hurt is, when they be impanelled upon divers Actions personal, and the *Venire facias* and *Habeas corpora* returned, a Delay by Default or Effoin is by the Law allowed to the Party Plaintiff or Defendant; and though any of them which be impanelled would appear, yet the Jury should not be demanded. but all their Defaults without demanding (be it Amerciaments or Issues so upon them returned) shall be entered, no Default being in them, which is against Reason: Our said Lord the King, the Premises considered, by the Advice of the Lords Spiritual and Temporal, and at the Request of the Commons, in the said Parliament assembled, and by Authority of the same, hath ordained, That every Juror, from the Feast of the blessed *Trinity* next coming, to be impanelled and returned within the said County of *Middlesex*, in any of the said Courts, in any

In Actions triable by Jurors of *Middlesex*, the Jurors shall be called the Fourth Day.

of the said Actions, at every Fourth Day of the Return thereof shall be demanded and called; and that as many Persons impelled in any of those Courts as shall appear at that Day, their Appearance shall be recorded, and there entered by the Court; and they shall not be amerced, nor lose any Issues that Day in that Suit.

And it is ordained by the same Authority, That every Default, Effoin, and every other Delay, of any Person Plaintiff or Defendant, in any such personal Action, by the Law heretofore used, by this Ordinance shall not be prejudiced nor taken away in any Manner, but be adjudged, adjourned, and allowed in as ample and large Form, as they were before the making of this Ordinance, this Ordinance notwithstanding.

Delays in
personal Actions
not prejudiced
by this Statute.

ITEM montre fust par les ditz Communez en le dit parlement, depar les franc tenautes demurantz dedeinz le countee de Middlesex, deinz quel countee annuellement sont plusieurs actions suez et trials par xij. hommes euez qe sont dedeinz plusieurs autres countees de cest Roialme, causez par reseancie de toutz Courtes du Roy tenuz et demurantz au Weilm', deinz le dit countee, issint qe en chescun action jointz al issue en le dit countee ascuns de les ditz franc tenautes sont empanellez a lour graunt vexation; et ensement outre les sessions de peas tenuz deinz le dit countee, mesme les franc tenautes chescun temps, par inquisitions en le Banc le Roy, et sur deliverance des prisonnes illecoques, et par actions sur patentz et tailles suez en leschequer du Roy, et as viscontz et autres accomptantz lour deputees et attornees formisez estre monstrez, et issues sur ceo jointz et prizez empanellez en icell, ils son emportunement vexe grevez et empoverishez; et qe plus damage est quant ils sont empanellez en diverses actions personex et les Venire facias et Habeas corpora retournez, delaie per default ou effoin al partie pleignant ou defendant est allouee, la ley accordant; et mesque ascun de les empanellez adonqe vouldroit apparoir enqore la jurr' ne serra demaunde, mes toutz lour defaultes faunz demander, (soit il amerciamento ou issues issint sur eux retournez) ferront entrez, esteant null default en iceux qoy est encontre raison: Nostre dit Seignur le Roy, les premisses considere de ladviz des Seignurs espirituelx et temporelx et a la request de ses Communes, en le dit parlement esteantz, et par auctorite del mesme ad ordeigne, qe chescun jurr' a le fait del benoit Trinite proschein venant, denpaneller et a retourner dedeinz le dit countee de Middlesex, en ascun de les ditz courtes, al chescun quart jour de retourne dicell soit demaundes et appellees: et qe tauntz persones empanellez en ascun diceux come apparont a cell jour, qe leur apparence soit recorde et la entre par la court, et ne soient amerciez ne perdent ascuns issues celle jour en icell sute.

Et ordeignez est par la dit auctorite qe la default effoin et chescune autre delaie, dascune persone pleignant ou detendaunt en ascun tiel action personel, par la ley cydevaunt ulez, par cest ordenaunce ne soient prejudices ne tolles en ascun maner, mes estre adjuggez adjournez et allowez en si ample et large fourme, sicome ils furent devaunt la faisure de cest ordenaunce, cest ordenaunce nient contrifisant.

C A P. IV.

For Sheriffs.

“ **A**LL Persons having occupied Sheriffwicks above One Year,
 “ in the Years 1, 2, & 3 E. IV. indemnified against the Penal-
 “ ties under the Statutes 14 Ed. 3. stat. 1. c. 7.; 42 Ed. 3. c. 9.;
 “ and 23 H. 6. c. 8.; but which shall remain in Force as to
 “ Offences in any other Years.”

ANNO 10° EDWARDI IV. vel ANNO 49° HENRICI VI.

On the 26th November A.D. 1470, a Parliament was holden under the Name and Authority of K. Henry VI.—This was in the 49th Year of that King's Reign, reckoning from the Commencement thereof, and in the 10th of K. Ed. IV.—But in the Statute 17 E. 4. c. 6 (or 7.) for reversing all Proceedings in this Parliament, it is stated to have been held in the 9th Year of that King.—A Parliament was summoned to meet at York on the 22d of September 9 E. 4. (See Cott. Abr. p. 686.) and this may have caused the Error. In printed Rot. Parl. Vol. v. Appendix, p. 455-457, nu. 45, 46. (from Rot. Pat. 49 H. 6. nu 8.) are Exemplifications of Two Acts in this Parliament, 49 H. 6.; the first for settling the Election of the Mayor of York; and the latter for confirming all Grants to the Monastery of Sion.—For other Proceedings in this Parliament, see Carte's History, vol. ii. p. 785, and Rushworth, vol. xi. 661. 705. and Rot. Claus. 49 H. 6. there quoted.—As also the Act 17 E. 4. for the Attainder of the Duke of Clarence, printed Rot. Parl. vi. p. 193.

Annis 12°, 13°, 14°, & 15° EDWARDI IV.

[In the Parliament held at Westmünster on Tuesday, 6th October, 12 E. IV. A.D. 1472, continued till the 23d January, 14 E. IV. and dissolved on 14th March, 15 E. IV. A.D. 1474-5.*]

Vol. vi. of printed Rot. Parl. contains several Rolls of this Parliament, viz.

- I. Rot. Parl. 12 & 13 E. IV. containing nu. 1—59. p. 1—61.
- II. Petitions in Parl. 12 E. IV. nu. 1—4. p. 62—64.
- III. Rot. Parl. 13 E. IV. nu. 1—18. p. 65—100.
14 E. IV. nu. 19—29. p. 100—105.
- IV. Dorso Parliament' de Anno 14 E. IV. nu. 1—60.
p. 106—164.

In this latter are inserted 'Communes Petitiones exhibite in Parlamento predicto,' on which are founded the several Chapters of the Two Statutes 12 & 14 E. IV. (here given from the Text of Cay, as from Cot. MS. Nero, c. 1. compared with printed Rot. Parl. Pynson, &c.)—The Articles nu. 45—55. appear to have been made before the 23d January 14 E. IV. and the others on or after that Day.

Chapter of Statute.			Number in Roll,		
12 E. IV.	1	—	45	} Before 23d January 14 E. IV.	} <i>Dorf. Parl.</i> <i>14 E. IV.—All</i> <i>in English; on</i> <i>Petitions ac-</i> <i>quired by the</i> <i>Commons.</i>
	2	—	47		
	3	—	46		
	4	—	50		
	5	—	51		
	6	—	52		
	7	—	53		
	8	—	48		
14 E. IV.	9	—	49	} on or after 23d January 14 E. IV.	
	1	—	57		
	2	—	58		
	3	—	60		
	4	—	59		

V. Petitions in Parliament 14 E. IV. nu. 1, 2, 3. p. 165-6.

For

* [This Parliament was, on 30th November A.D. 1472, prorogued to 8th February, 12 E. IV. A.D. 1472-3, (1. nu. 11.) on which Day it was re-assumed and continued till 8th April, 13 E. IV. A.D. 1473. (1. nu. 40.) and then prorogued and adjourned till 6th October ensuing, (1. nu. 42.)—On which Day the Parliament was re-assumed (III. nu. 1.) and continued till 13th December, when it was prorogued to the 20th Day of January, 15 E. IV. A.D. 1473-4, when it was held and continued till 1st

CAP

"ALL
"ties v
"and
"Off

634

For other Acts of this Parliament, 15—16 E. IV. (several
of which are complete in their form, and have the Introduction or
Preamble, "Grant of the Rents, Issues, and Profits of all Lands,
Priories, &c. to the Crown of the Rents, Fees, Annuities, Offices, &c. be-
longing to any Person Temporal, Corporate or not
Corporate, not being a Lord of Parliament.

Grant of a like Tenth of the Rents of Lands belong-
ing to the Lords Spiritual and Temporal.—Both
these Tents are granted for a Year, for the pro-
viding the said Archers, and for Defence of the
Realm.

For confirming the Creation of the King's eldest Son
to be Prince of Wales, and certain Grants to him in
consequence; and for Livery of the Duchy of Corn-
wall, &c.

16, 15,		Henry Percy, eldest Son of Henry Percy, Earl of Northumberland.	
17, 16,		William Grymmsby.	
18, 17,		Robert Tailbos Esq. eldest Son of Sir William Tail- bos.	
20, 19,		Robert Bollyng.	
20,	For the	Thomas Maydenwell, Son and	
	Restitu- tion in	Heir of John Maydenwell.	
21, 21,	Blood & Estates	Edmund Cornwall, eldest Son of Thomas Cornwall.	
22, 22,	of	Everard Digby, eldest Son of Everard Digby.	
24, 24,		Ralph Nevyll, eldest Son of Sir John Nevyll.	
25, 25,		Sir Henry Roos.	
26, 26,		Thomas Ormond, Esquire, (attainted as Thomas Or- mond, Knight).	
27,		John Morton, Clerk.	

Notwith-
standing the
Attainders
of them or
their An-
cestors for
Treason; in
Parlia-
ment, an.
1 E. IV.

1st February, and then prorogued till 9th May ensuing, 14 E. IV.
A.D. 1474. (III. nu. 16—18.)—On that Day it was held and
continued till 28th May, (III. nu. 19.) and then prorogued till
the 6th of June, when it was re-assumed and continued till 18th
of July, (III. nu. 27, 28.) and then prorogued till 23^d January,
14 E. IV. A.D. 1474 5, (IV. nu. 8.9.); and finally, (after
reading and answering the Petitions of the Commons, IV.
nu. 45—60.) dissolved on 14th March, 15 E. IV. A.D. 1474 5.]

Printed

Printed Rot. Parl. vi.

Page. No.

27, [I] 28,

29,

For the
Restitu-
tion in
Blood &
Estates
of

28, 30,

29, 31,

30, 32,

32, 34,

35,

Ralph Mackerell, Clerk.

Margaret, Wife of John
Verney, Esquire, and
Daughter and Heir of
Sir Robert Whityngham,
Knight.

Sir William Stok, Knight.

Sir John Scudamore, Knt.

William Clyff, eldest Son of
Henry Clyff.

William Jofep.

Edward Jofkyn, Son of John
Jofkyn.

Notwith-
standing the
Attainders
of them or
their An-
cestors for
Treason; in
Parlia-
ment, an.
1 E. IV.

- 19, 18, For Restitution of Sir George Brown, Son of Sir Thomas Brown, convicted of Treason in an. 38 H. 6. before certain Judges at Guildhall, London.
- 23, 23, For confirming an Agreement between Margaret Viscountess Lisle and William Lord Berkley and his Wife, as to certain Estates.
- 31, 33, For Restitution of Robert Myrfsyn, eldest Son of Robert Myrfsyn, attainted in the Parliament 3 & 4 E. IV.
- 33, 36, For confirming to the University of Oxford a Release (3d July 1 E. 4.) of 100s. payable to the King for the Right of regulating the Assise of Bread and Ale, and reserving 1d. only; any Act of Resumption notwithstanding.
- 34, 37, For Sir Ralph Asheton, Knight, to remedy the Loss of a Record, by admitting a Copy (annexed to the Act, and to be exemplified) as Evidence.
- 35, 38, For proclaiming and attainting the Murderers of John Glyn, Under-Steward of the Manor of Lisheard in Cornwall, &c. and giving the Right of Appeal (in case of the Death of his Widow) to his Heir.
- 38, 39, For proclaiming and attainting the Murderers of Richard Williamson; and see nu. 56.
- 39, 41, Grant of a Fifteenth and Tenth; the Collection of which is, by the King's Answer, respited for a Time.
- 42, 43, For empowering the King to call Parliament together before the Expiration of the Prorogation, on giving 20 Days Notice by Writs to the Sheriffs.
- 44, For Payment of the Tenth granted by the Lords (ante, nu. 4.) to the Treasurer of England.
- 43, 45, For Restitution of Sir Humfrey Dacre, Son of Thomas Lord Dacre, notwithstanding Attainders in Parliament, 1 E. IV.

Printed

Printed Rot. Parl. vi.

Page. No.

- | | | | | |
|------------|-----|--|---|---|
| 45, [I.] | 48, | } For Resti-
tution of | { John Naylor, Esquire.
Roger Heron, eldest Son
of Sir John Heron.
Sir Richard Tunstall. | } Notwith-
standing At-
tainders in
Parliament
1 E. IV. |
| 46, | 51, | | | |
| 47, | 52, | | | |
| 46, | 49, | } For confirming certain Grants to Thomas Lord
Stanley and Sir Roger Kynaston, made void by the
Grants to the Prince of Wales, (ante, nu. 12—14.) | | |
| 50, | 50, | | | |
| 48, | 53, | For confirming certain Grants to the Collegiate Church of Leicester, founded by Henry Duke of Lancaster. | | |
| 49, | 54, | For paving the Four principal Streets in Gloucester. | | |
| 49, | 55, | For indemnifying John Duke of Norfolk, Marshal of the King's Bench Prison, against the Escape of certain Debtors and others, forcibly released out of Prison by a Mob. | | |
| 51, | 56, | For tailing One of the Offenders under the Act of this Year, nu. 39, ante. | | |
| | 57, | For proclaiming and attainting certain Rioters against Sir John Asheton, Knight. | | |
| 52, | 58, | For reversing the Attainder of Thomas Trethewey and others, proclaimed at the Suit of John Vivian for a Riot. | | |
| 55, | 59, | For Continuation of the Staple at Calais, and Payment of the Soldiers there; and for other Payments out of the Subsidies, allowed to be received by the Corporation of the Staple. | | |
| 62, [II.] | 1, | For confirming a Grant of James Earl of Wiltshire and Ormond to the Hospital of Saint Thomas of Acres (Becket) in London. | | |
| | 2, | For reversing a Verdict and Judgment of Treason against Sir Roger Chamberlayne. | | |
| 63, | 3, | For Relief of T. de la More, Esquire, Sheriff of Cumberland, in his Account. | | |
| 65, [III.] | 2, | For renewing and confirming the Privileges of the Merchants of the Hanse. | | |
| 69, | 4, | For Restitution in Blood, &c. of Sir John Fortescue, Knight, attainted in Parliament, 1 E. IV.—[This is the celebrated Judge; and his Writings, in Favour of K. Ed. IV.'s Title, are suggested in the Petition as a Reason for the Reversal of his Attainder.] | | |
| 70, | 5, | For William Shetford; empowering the Chancellor and One Judge to determine a disputed Title to Lands in Cornwall, where the Petitioner could not have Remedy. | | |

Printed

Printed Rot. Parl. vi.

- Page. No. } Act of Resumption, as well of Grants, &c. of Possessions of the Crown or the Duchy of Lancaster, as of Assignments of Money thereout since the First Day of the King's Reign.—With Proviso for the Payment of valid Debts, (See IV. 56.); and in favour of Conveyances for good Consideration, &c. A great Number of Proviso for private Persons, &c. are also added; one of which, (p. 92.) for the Town of Nottingham, is amended by the Insertion of the Words 'Release or Releases,' in consequence of the King's Letter or Writ under his Signet, to the Keeper of the Rolls and Clerk of the Parliament, dated 21st May, 18 E. IV.
- 71, 6, }
to
98, 15, }
- 100, 20, } For dividing the Estates of the late Earl of Warwick between the Dukes of Clarence and Gloucester, in Right of their Wives, (Daughters of the said Earl), during the Life of the Countess of Warwick, and for barring the Countess of all Dower. —Two Proviso are added, (nu. 23.) That if the Duke of Gloster should be divorced from Anne his Wife, and afterwards lawfully married to her, or if being so divorced, "he do his effectual Diligence and lawful Devoir by all convenient and lawful Means, to be lawfully married to the said Anne, and during her Life be not wedded to any other," the Act shall be as available to the Duke as if no such Divorce had taken place.
- 101, 24, }
- 101, 25, } For regulating the Time of Payment of 1000 Marks to the King's Justices, &c. out of the Sums, receivable by the Staple at Calais. (See ante, I. nu. 59.)
- 103, 26, } For indemnifying Henry Newton, a Serjeant of the Sheriffs of London, against the Escape of one Bishop, caused by a forcible Rescue.
- 104, 24, } For Restitution in Blood, &c. of Robert Danyel, attainted in Parliament, 1 E. 4.
- 106, [IV.] 1, } For settling the Estates of Cecil, Daughter of Lord Haryngton, (the Wardship of whom was granted to the Queen), in Contemplation of her Marriage with One of the Queen's Sons.
- 108, 3, }
- 4, } For Restitution in Blood, &c. of William Basyng, Cousin and Heir of John Florje, (q. Florj), attainted in 3 & 4 E. 4. (See 3 & 4 E. 4. nu. 28, &c.)
- 109, 5, } For Restitution of Thomas Littley, attainted in Parl. 1 E. 4.

Printed

Printed Rot. Parl. vi.

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|------------|-----|--|
| Page. | No. | } For Richard Welby and others, for Relief against
fraudulent Feoffments of certain Debtors. |
| 110, [IV.] | 36, | |
| 111, | 7, | Grant of a Fifteenth and Tenth, and also of the Sum
of 51,147l. 4s. 7½d. for Payment of the 13,000
Archers granted this Parliament, (ante, 1. nu. 8.);
and for regulating the Raising and Application of
the same; and see post, nu. 43. |
| 120, | 10, | For compelling the Collectors of the yearly Tenth
granted by the Commons (ante, 1. 8.) to pay over
the same into the Treasury. |
| 122, | 11, | For conveying certain Possessions of the Duchy of
Lancaster to the Uses to be declared by the King's
Will. (Repealed 1 Hen. 7.) |
| 123, | 15, | For granting the Stillyard in Thames Street to the
Hanse Merchants, under a Quit Rent of 70l.
3s. 4d. to the Corporation of London, and some
smaller Rents to other Persons. |
| 124, | 16, | } For dividing the Estates Tail of John Nevil, late
Marquis Montague, between the Dukes of Glou-
cester and Clarence. |
| 125, | 17, | |
| | 18, | For effecting an Exchange between the King and the
Duke of Gloucester. |
| 126, | 20, | For granting certain Lands to the Duke of Clarence
in Fee, and revoking a Grant thereof in Tail.
(Dated 13th March, 15 E. 4.) |
| 127, | 21, | For confirming a Judgment in a Writ of Right, in
Favour of the Duke of Gloucester. |
| | 22, | For empowering the Duke of Norfolk to make certain
Conveyances for Payment of his Debts. |
| | 23, | For granting the Wardship of the Son and Daughter
of Sir Humfrey Audley, Knight, to Lord Audley. |
| 128, | 24, | } For declaring Henry Duke of Buckingham of full
Age; and confirming a Grant of 40l. per Annum
to his Ancestor in 23 H. 6. |
| 25, | 25, | |
| 129, | 26, | For Sir Galiard Duresford, Lord of Duras, a Gas-
coyne, to enable him to borrow Money on the Credit
of an Annuity granted to him by the King for his
Life; by making it payable to his Executors or
Assigns for Five Years certain. |
| 132, | 30, | The like for James Earl Douglas for Three Years. |
| | 27, | For the Restitution of Sir John Manyngam, attainted
on Outlawry for Treason. |
| 131, | 29, | The like for John Darcy, Esquire. |
| 130, | 28, | For Restitution of Edward Ellesmer, attainted of
Treason in Parliament, 1 E. 4. |

Printed

Printed Rot. Parl. vi.

Page. No. } For reversing the Attainders and Forfeitures of
 132, [IV.] 31, } Henry Bodrugan, Esquire, and Richard Bone-
 135, 32, } thorn, incurred by their not obeying Writs of
 Proclamation against them, for certain Offences
 alleged by several Parties, respecting certain dis-
 puted Rights to Tin Mines in Cornwall.

143, 33, For providing a Mass Priest in the Priory of Shir-
 borne in Hampshire, (annexed to Eton College by
 Grant confirmed in Parliament, 31 H. 6.) to pray
 for the S.^ul of Henry Porte, a Baron of the Ex-
 chequer, and Founder of the said Priory.—Such
 Priest praying also for the King and the Royal
 Family.

144, 34, } For Forfeitures of the Estates of Vere Earl of
 149, 42, } Oxford and others, engaged in Rebellions in
 10 & 11 E. IV.—With certain Exceptions and
 Reservations. (See 17 E. 4. nu. 19.)

149, 43, Grant of a Fifteenth and Tenth, and Three-fourths
 of a Fifteenth and Tenth, in lieu of 51, 147l.
 before granted. (IV. nu. 7.)

On Petitions of the Commons.

159, 54, For reversing and making void the Acquittal of cer-
 tain Welsh Felons unduly procured, and subjecting
 them to Process of Law, notwithstanding such
 Acquittal.

160, 55, Privilege of Parliament.—It is enacted, That Wil-
 liam Hyde, Burgefs for Chippenham, taken in Exe-
 cution during the Sitting of Parliament, shall be
 released by the Chan.ellor's Writ, so that he may
 attend Parliament; with a Saving of Execution to
 the Creditors after the Dissolution of Parliament;
 and also a Saving of all Privileges of Parliament.
 (See also 17 E. IV. nu. 35.)

161, 56, For giving further Time to the King's Debtors to
 prove the Validity of their Debts, under the Pro-
 vision of the Act of Resumption, (ante, p. 71. lll.
 nu. 6. &c.)

165, [V.] 1, For Relief of the Corporation of Cambridge in As-
 sessment to Tenths, &c.

2, For Relief of the Town of Great Yarmouth against
 their Proportion of 31,000l. leviable under the
 Act 3 & 4 E. 4. nu. 8. & 11.—[Query, if this
 Act was not passed in 3 or 4 E. 4.]

3, The Bill with the Assent of the Commons and the
 Royal Assent, from which the Act (ante, IV.
 nu. 20.) for a Grant to the Duke of Clarence, ap-
 pears to have been entered on the Parliament Roll.

ANNO

Anno 12 Edw. IV. A.D. 1472.

AT the Parliament holden at *Westminster* the Sixth Day of *October*, in the Twelfth Year of the Reign of King *Edward* the Fourth after the Conquest; our said Sovereign Lord the King, to the Honour of God, and the Weal of him, and of his Realm, by the Advice and Assent of the Lords Spiritual and Temporal, and at the Request of his Commons, in the same Parliament assembled, and by Authority of the same Parliament, hath caused to be ordained and established certain Statutes and Ordinances in Form following.

AU parlement tenuz a *Westm'* le vij^e. jour Doctobre, lan du reigne du Roy *Edward* le quart puis le conquest xij^e., mesme nostre dit Seigneur le Roy al Honour de Dieu, et pur le bien de luy et de son Roialme, del advys et assent dez Seignurs espirituelx et temporelx et a la requeste de sez Communes, en mesme le dit parlement assemblez, et per auctorite de mesme le dit parlement, ad fait ordeigner et establier certains estatutz et ordenaunces en la fourme qe ensuist.

C A P. I.

For Returns of Sheriffs.

Recital of
23 H. 6. c. 7, (8.)

FIRST; Whereas by a Statute made at *Westminster*, in the Twenty-third Year of the Reign of King *Henry*, late in Deed, and not of Right, King of *England*, called King *Henry* the Sixth after the Conquest, it was ordained, That no Sheriff should occupy his Office of Sheriff above One Year, upon Pain of Two hundred Pounds; except certain Persons in the said Statute excepted, as in the same is more fully specified: Divers and many of the King's liege People have been grievously indamaged, and greatly delayed of their Suits and Processes every Year, in the Term called *Michaelmas* Term, as for their Actions, Writs, and Precepts to be returned within the same Term, after the Sixth Day of the Month of *November*, because that the King's Letters Patents whereby any Sheriff is made, do most commonly bear Date the Sixth Day of *November*; and how be it, that new Sheriffs be yearly chosen the Morrow after the Feast-day of *All-souls*, of the which new Sheriffs, so chosen and appointed, divers of them have refused, and divers of them have not had their Patents, nor taken their Oath, until long Time after the End of the said *Michaelmas* Term; by reason whereof divers of the King's liege People and Subjects be greatly indamaged and delayed of their Suits, Processes, and Precepts, which should be returnable in the King's Courts at the Days of the Return within the same Term, after the Sixth Day of *November*; that is to say, at the Days of Return called *Craftins Martini*, *Osbis Martini*, and *Quindena Martini*, because that the old Sheriffs durst not, nor would not take upon them to return any Writ or Precept after the Year that his Patent did bear Date, for Fear of the Penalty contained in the aforesaid Statute, to the great Loss, as well to the King of that which should grow to him by reason of the said Processes, as to his liege People, by Delays which they thereby

sustain. It is ordained by Authority of the said Parliament, That if any Sheriff of any County do execute or return any Writ, Precept, or Warrant in any of the said Courts of the King, within the said Term called *Michaelmas* Term, after the Sixth Day of *November*, and before any Writ of Discharge delivered to him of his Occupation of Sheriffwick, he shall not be damnified by Force of the said Statute, nor charged with the Penalty aforesaid; although that he hath occupied the Office of Sheriff [after any³] of the said Days of Return called *Craftino Martini*, *Octabis Martini*, or *Quindena Martini*.

3 by a Year, as for any, *Rot. Parl.*

A Sheriff before having his Writ of Discharge, may return Writs, &c. during *Michaelmas* Term, notwithstanding the said Stat. 23 H. 6. c. 8. [See Stat 17 E. 4. c. 6, (7.) extending this to *Hilary Term*, and to all Matters relating to his Office.]

PRIMEREMENT; Pur ceo qe per estatuit fait a Westm' en lan du reigne du Roy Henry jadyz en fait et nient de droit Roy Dengleterre, appelez le Roy Henry le vj^e. puis le conquest xxij., estoit ordeigne, qe null viscount occuperoit son office de viscount oustier un an, sur payne de CC. li. except certains persons en mesme lestatuit exceptz, come en ycelle est pluis pleynement especifiez; diversez et plusours dez liegez du Roy ount estez grevouement endamages, et graundement delaiez de lour suitez et processez, chescune an en le terme appelez Michel terme, come pur lour actions briefs et preceptz destre retournez deinz mesme le terme, apres le vj^e. jour du mois de Novembr', pur ceo qe lez lettres patentz du Roy, per les quels aucune tiel viscount est fait, portent date pluis communement le vj^e. jour de Novembre; et [communement¹] qil soit, qe novels viscountz soient annuelment eslieux en lendemayn dez toutz almez, de les quels novelx viscountz issint eslieux et appointez diversez de eux ount refusez, et diversez de ceux nount mye ewez lour patentz, ne preignez lour serement, jesques long temps apres le fine del dit Michell terme; pur quoy plusours liegez et subgietz du Roy dunt graundement endamages et delaiz de lour (2) processez et preceptz, qe serrount retournablez en lez Courtz du Roy as les jours del retourne deinz mesme le terme apres, le vj^e. jour de Novembr', scilicet as les jours del retourne appelez *Craftino Martini*, *Octabis Martini*, et *Quindena Martini*, pur cause qe les veelez viscountz nosent ne voillent prendre sur eux de retourner aucune brieve ou precept, apres lan qe son patent port date, pur paour del peyne en le avauntdit estatuit conteignuz, a graund perde, sibien a Roy de ceo qe luy accresceroit per reason de lez ditz processez, come a son liege poeple per delaiez qils ount per ycell: sy est il ordeigne per l'au'torite du dit parlement, qe si aucune viscount dascun countee execute ou retourne aucune brieve precept ou warrant en ascuns des Courtz du Roy deinz le dit terme appelez Michell terme, apres le vj^e. jour de Novembr' et devaut aucune brieve de discharge delivrer a luy de sa occupation de viscount, ne soit endamage per force du dit estatuit, ne del peyne avauntdit soit charge; tout soit il, qe celluy ad occupie l'office de viscount per lan, quaut pur ascuns de les ditz jours de retourne appelez *Craftino Martini*, *Octabis Martini*, ou *Quindena Martini*.

¹ co'e'ment, P.

² 'suites,' P. wherewith *Rot. Parl.* agrees.

C A P. II.

An Act for Bowstaves.

[This Act is expressly confirmed by 13 Eliz. c. 14.]

ALSO, Because that our Sovereign Lord the King, by a Petition delivered to him in the said Parliament, by the Commons of the same, hath perceived, That great Scarcity of Bowstaves is now in this Realm, and the Bowstaves that be in the Realm be sold at an excessive Price, whereby the Exercise of Archery is greatly discontinued, and almost lost (¹); our said Lord the King considering the Premises, by the Advice, Assent, and Authority aforesaid, hath ordained and established, That every Merchant Stranger, and every, or any of their Factors, [Attornies²,] or Servants, which at any Time after the Feast of Saint Michael the Archangel next coming, shall bring, send, or convey into this Land any Merchandise in Carrack, Galley, or Ship, from the City or Country of Venice, or from any other City, Town, or Country, from whence any such Bowstaves have been before this Time brought, sent, or conveyed into this Land, at every Time of their bringing, sending, or conveying of any such Merchandises into this Realm, shall bring, send, or convey into this Realm, with the said Merchandises, in the same Carrack, Galley, or Ship, wherein any such Merchandises shall be hereafter brought, sent, or conveyed, for every Ton Weight of such Merchandises which hereafter shall be contained in every Carrack, Galley, or Ship, Four Bowstaves, upon Pain of Forfeiture to the King (³) for every Default of bringing of every such Bowstaff vi. s. viii. d. And also the said Bowstaves so brought, sent, or conveyed by the said Merchants, their Factors, Attornies, or Servants into this Realm, shall be searched and surveyed by the Mayors, Sheriffs, Bailiffs, or chief Governors of such Cities or Towns within this Realm, where any such Carrack, Galley, or Ship shall hereafter come to safe Port; And the said Mayors, Sheriffs, Bailiffs, or chief Governors shall assign Two Men most expert, to search the said Staves, and the said Two Men to be sworn by the said Mayors, Sheriffs, Bailiffs, or chief Governors, to the Intent, that they shall truly and indifferently mark the said Staves that be not good and sufficient, in such Manner as such Staves in Times past were wont to be marked, to the Intent that all the King's liege People may have Knowledge of them without Fraud.

¹ See the more extensive Preamble in printed *Rot. Parl.*² half to the Informer, 13 Eliz. c. 14. § 2.

ITEM pur ceo qe nostre Seignur le Roy, per un petition a luy baille en le dit parlement per les Communes dicelle, ad entendue, qe graunde escarcite de bowe staves or est en cest son Roialme, et ceux bowestaves, qe sont en mesme le Roialme, sont venduz a trop excessive price, perount le fete d'archerie est graundement discontinuez, et biens pres perduz; Mesme nostre Seignur le Roy, lez premisiez considerant, del advys assent et auctorite suifditz, ad ordeigne establee et enacte, qe chescune marchaunt estranger, et chescune ou ascun de leur faitours [actours²] ou servauntz, qi, al ascun temps apres la feste de Seint Michell larcaungell profchein

² attournes, P. attornies, *Rot. Parl.*

veignaunt,

Four Bowstaves shall be brought for every Ton of Merchandise Imported by Aliens from the Countries whence Bowstaves were usually imported.

Bowstaves brought into this Realm shall be surveyed, searched, and marked.

viegnaunt, amefnerount envoierount ou convoierount en ceste terre aucune merchaundise en carrike galoie ou nief de la citee ou pays de Venice, ou del aucune autre citee ville ou pays, de quele ascuns tielx Bowestaves devaunt cest temps ount este amefnez envoiez ou convoiez en cest terre, a chescune temps de leur amefnaunce envoiance ou convoiance dez tielx merchaundises en cest Roialme, amefnent envoient ou convoient en mesme le Roialme ovésqe les ditz marchaundises, en mesme le carrik galee ou nief en quele ascuns tielx marchaundises serrount amefnez envoiez ou convoiez en apres, pur chescune pois de toneau dautiel marchaundise, qe en apres serra conteignuz en chescune carrik galoie ou nief, quatre Bowestaves, sur payne de forfaiture au Roy pur defaute damefnance de chescune autiel Bowestave vj. s. viii. d. Et auxi les ditz Bowestaves ensi amefners envoiers ou convoiers per lez ditz marchauntz leur faitours attourners ou servauntz en cest Roialme soient serchez et surveiez per les mairs viscountz baillifs ou chief gouverours dautielx citees ou villes deinz cest dit Roialme, per la ou en aucune tiel carrike galee ou nief aviendra en apres, de fair son port salu: Et les ditz mairs viscountz baillifs ou chief gouverours dassigner deux hommes, expertez de sercher les ditz staves, et lez ditz deux hommes destre juries per lez ditz mairs viscountz baillifs ou chief gouverours, a lentent qe ils serrount signer veraiemet et indifferentment les ditz staves nient esciantz bons ne sufficeantz, en tiel manere come en temps passe autielx staves soleint estre signez, al entent qe tout liege poeple de nostre dit Seigneur le Roy puissent aver conisaunce diceux sanz fraude.

C A P. III.

An Act for the Subsidies.

“**F**OR the true Payment of the Subsidy of Tunnage and Poundage granted to the King during his Life, in an. 3 & 4 E. IV. [*See Note to that Year from printed Rot. Parl. no. 24.*] divers Regulations are made, viz. For preventing Frauds in the Importation of Cloths of Gold, Cloths of Silver, Bawdekyns, Velvets, Damasks, Sattins, Sarcenets, Tarteroas, Camlets, and other Cloths of Silk, Corsets of Silk, and Gold and Silk, being of great Value, it is enacted, That before such Cloths, Silks, &c. are offered for Sale they shall be examined and sealed by the Collectors, &c. of the Port where they are imported, on Penalty of Forfeiture of the Cloths, &c. or the Value.—Collectors shall seal the same without Delay and without any Fee; Penalty Twenty Shillings. [*See 4 H. 8. c. 6.*]—For securing the Payment of the Subsidy, (which, under the Act 3 & 4 E. 4. was only Double Duty); all Goods not paying the Subsidy shall be forfeited. [*See 6 H. 8. c. 14.*]—To prevent Deceit by packing Woollen Cloths at London and exporting them without being unpacked and examined at the Port of Exportation, all Cloths shall be packed in Presence of a Collector of the Subsidy, who shall take Security, and be answerable for the Duties thereon; Penalty Twenty Shillings per Cloth.—Provisoe that the Act shall not affect any Grants or Licences to any Persons to ship Wools and retain the Subsidies.”

C A P. IV.

For Liveries to be given by the Prince.

“*EDWARD* Prince of *Wales* allowed to give his honourable Livery and Sign, and to retain any Persons notwithstanding any former Statute, in as full and ample Manner as any former Prince, First begotten Son of any former Kings.” [See 8 E. 4. c. 2.]

C A P. V.

For shipping of Wools.

“*AFTER* reciting the Provision of Stats. 3 E. 4. c. 1. and 4 E. 4. c. 3. it is enacted, That all Wools, &c. shall be exported to the Staple at *Calais*; except of the Growth of *Westmorland*, &c. which shall be shipped at *Newcastle* only, and thence conveyed to *Calais* or to *New Middleburgh* in *Flanders*, there to be stapled and sold.—Offenders shall be deemed guilty of Felony.—Proviso for the King’s Prerogative in granting Licences to the contrary.” [See 14 E. 4. c. 3.]

C A P. VI.

For Sewers.

[See Stat. 6 H. 6. c. 5. and Note there.]

“*RECITAL* of Stats. 6 H. 6. c. 5.; 8 H. 6. c. 3.; 18 H. 6. c. 10.; and 23 H. 6. c. 8.—For Fifteen Years next ensuing Commissions of Sewers shall be granted under the Provisions of Stats. 6 H. 6. c. 5. and 8 H. 6. c. 3.”

C A P. VII.

An Act for Wears and Fishgarthes.

See *Magna Carta*, c. 23.

ALSO, Whereas by the laudable Statute of *Magna Carta*, amongst other Things it is contained, That all Wears through *Thames* and *Medway*, and through all the Realm of *England*, should be put down, except by the Sea-coasts; which Statute was made for the great Weal of all this Land, in avoiding the Straitness of all Rivers, so that Ships and Boats might have in them their large and free Passage, and also in Safeguard of all the Fry of Fish spawned within the same; upon which *Magna Carta*, [the great Sentence and Apostolick Curse¹,] by a great Number of Bishops was pronounced against the Breakers of the same, and the same Sentence is Four Times in the Year openly declared, according to the Law of the Holy Church; and in Affirmance of the said Statute of the Great Charter, divers Statutes have been since made and ordained, amongst which, in a Parliament holden in the First Year of the usurped Reign of King *Henry* the Fourth, it was recited, &c. [stating the Recital, and also the Enactment, in Stat. 1 H. 4. c. 12. at Length.]

1 H. 4. c. 12.

Contrary to which Great Charter, and all the Statutes aforesaid, in divers Parts of this Realm of *England*, in Destruction of the Fish, as afore is said, and in Disturbance of the Passages of Ships,

¹ A great Sentence apostolick of Excommungement, (i. e. Excommunication), Rot. Parl.

Barges,

Barges, Boats, and other Vessels, divers and many Wears, Fishgarths, Mills, Milldams, Millstanks, Locks, ebbing Wears, Stakes, Kedels, Hecks, Floodgates, and divers other Disturbances, be daily made, raised, enhanced, and enlarged, to the great Damage of our Lord the King, and of his faithful Lieges: Our said Lord the King graciously considering the Premises, by the Advice and Assent of the Lords Spiritual and Temporal, and at the Request of the said Commons, in this Parliament assembled, and by Authority of the same, hath ordained and established, That the said Statute of the Great Charter, and all other Statutes concerning the Premises, shall be duly observed and kept; Adding therunto; That if after the Feast of Saint *Michael*, which shall be in the Year of our Lord God One thousand four hundred and seventy-five, by the Award, Rule, or Judgement of any of the said Commissioners assigned, according to the said Statute made in the said First Year of King *Henry* the Fourth, it be found that any such Wears, Fishgarths, Mills, Milldams, Millstanks, Locks, ebbing Wears, Stakes, Kedels, Hecks, or Floodgates, be made, levied; enhanced, straited, or enlarged, against the same Statute, the Offenders in this Behalf, contrary to the foresaid Award, Rule, and Judgement, duly by *Scire facias* to the Sheriff or Sheriffs of such County or Counties where such Wears, Fishgarths, Mills, Milldams, Millstanks, and other Nuisances, Impediments, or Disturbances before recited, shall be found, made, had, enhanced, straitened, and enlarged, directed, shall be duly warned by the said Sheriff or [Sheriffs,] and within Three Months next after the said Warning made, they do not duly and wholly amend or break down, and avoid the said making, levying, enhancing, straiting, or enlarging, being defective, as afore is said in the said Statute made in the said First Year specified, that then he or they, being defective in this Behalf, shall forfeit to our Lord the King for every Default an Hundred Marks by Transcript thereof, to be delivered into the said Exchequer in Manner and Form as in the same Statute more fully is contained.

II. Moreover, if the said Offender, or his Heir or Heirs, Assignee or Assignees, or any of them, [do defer or continue⁴] the same Default, contrary to the Award, Rule, and Judgement of the Commissioners aforesaid, that he or they so doing, deferring, or continuing the said Default, shall forfeit for every Month after the said Three Months ended, that the same Default resteth and abideth uncorrected, or not amended, nor reformed, an Hundred Marks, the one Half thereof to our Lord the King, and the other Half to any of his liege People which in this Behalf will sue by Action of Debt, thereof to be conceived by original Writ, without any Fine to be made or taken for the same in the Court of Chancery; in which Action, like Process, Rule, Judgement, and Execution shall be allowed, had, and made, as is used in other Actions of Debt pursued at the common Law by Writ; and that the Defendant in any such Action be not admitted to wage or do his Law, nor that any Protection, or Eskin of the King's Service be allowed for any such Defendant in any Manner,

A Confirmation
of all Statutes
made for the
pulling down of
Wears.

Penalty of
100 Marks on
Offenders not
performing the
Award of
Commissioners
under Stat.
2 H. 4. c. 12.

A like Penalty
on Persons
continuing
Nuisances after
the End of the
Three Months
Warning;
recoverable by
Action of Debt.

⁴ make, defer, or continue, *Rot. Parl.*

A like Penalty
for occupying
or continuing
such Nuisances
by any other
Persons.

III. Moreover, it is ordained and established by the same Authority, That if any Person or Persons, other than such against whom such award, Rule, or Judgement were made and had, [being^s] Heir or Assignee to them, or any of them, do presume to occupy or continue any such Wears, Fishgarths, Mills, Milldams, Millstanks, Locks, ebbing Wears, Stakes, Kedels, Hecks, Floodgates, or other Disturbances, or Impediments, as afore is said, he or they so presuming to occupy or continue, shall forfeit at every Default, for every Month, as is afore said, an Hundred Marks, the one Half to our Lord the King, and the other Half to him of the King's liege People that will in this Behalf sue, by Action of Debt thereupon to be conceived, without paying any Fine for the same, as is afore said; in which Action like Process, Rule, Judgement, and Execution shall be used and made, as in all other Actions of Debt pursued at the Common Law by Writ is used; and that any Defendant in any such Action shall not be admitted, nor received in any wise, to wage or do his Law; nor that any Manner of Protection or Essoin of the King's Service be for such Defendant in any wise allowed.

'not being,' *Rot. Parl.* with which the French Text here and in Pynson agrees.

ITEM come per le laudable estatuit de Magna Carta entre autres choses est ordeigne, qe toutz Kidelx per Thameise et Medewey et per tout le Roialme Dengleterre ferroient oulliez, sinoun per les coostez del mear; Quele estatuit fust fait pur grand bien de tout cest terre, en oustant lez streitures dez toutz rivers, ensi qe lez niefs et bateulx avraient en yceux lour fraunk et large passage, et auxi en salvation de tout frye de pesson procreez en lez mesmes; sur quele Magna Carta, grand sentence et Apostolike dextcommengement per grand noubre dez Evesquez, encountre lez fractours dicelle estoit pronuncie, et mesme la sentence quatre foitz en lan appertement est declarez, a la ley seinte esglise accordaunt; et en affirmance du dit estatuit de Magna Carta diversez estatuitz depuis ont este faitz et ordeignez, entre queux en un parlement tenuz lan primer del usurpe Reigne du Roy Henry le iiij^{te}. estoit recite, &c.

Encountre quele Magna Carta et toutz les estatuitz avaunt ditz, en diversez partiez de cest Roialme Dengleterre, en destruction de pesson come avaunt dit, et en destourbaunce de les passages de les niefs, bargez, bateulx, et autres vesseaulx diversez et plusours [gortz²,] fishgarthez, molyns, mille-dammes, estankes de molyns, lokkes, hebbyngweres, estakes, kideulx, hekkes, flode gatez, et diversez autres distourbaunce, de jour en autre sont faitz, levez, enhauncez, et enlargez, a grand damage nostre Seigneur le Roy et de ses foialx liegez: Nostre dit Seigneur le Roy, les premiffes graciouement consideraunt, del advys et assent des ditz Seignurs espirituelx et temporelx et a la requeste des ditz communes en cest parlement assemblez, et per auctorite suiffit, ad ordeigne et estable, qe le dit estatuit de Magna Carta et toutz autres estatuitz les premiffes concernantz soient duement observez et gardez; adjoustant a ycelle, qe si apres la feste de seint Michell, qe serra en lan nostre Seigneur Dieu M.CCCC.lxxv. per agarde rule ou jugement

² gentz, P. which caused an Error in former Translations.

dascuns de les ditz commissiouners, accordaunt al avaunt dit estatuit le dit an primer du dit Roy Henry le quart fait, assignez, il soit trovee, qe ascuns, tielx gorges, fishgarthes, molyns, mille-dammes, estankes de molyns, lokkes, hebbyngweres, estakes, kydeux, hekkes, ou flodyates, sount faitz, levez, enhauncez, estreitz, ou enlarges, encontre mesme lestatuit, les offendours en celle partie, contrarie a lavaunt dit agarde rule et jugement, duement per Scire facias a le viscount ou viscountz dautiel countee ou countees, ou tielx gorges, fishgarthes, molyns, mille-dammez, et autres anusaunces, ou empementz, ou destourbaunces avant reherfes, serrount trovez faitz, euez, enhaunces, estreites, et enlarges, direct, soient duement garnise per le dit viscount ou [southviscount³,] et dedeinz trois mois proscheins apres le dit garnisement fait a ses propres costages et charges duement et pleynement namendent pas, ou oustent, avoient, la dit faisure, lever, enhaunser, estraiture, ou enlargement, defectif come avant est dit, en le dit estatuit en lan primer fuisset especifie; qe lors celluy ou ceux en celle partie defectif forface ou forfacent a nostre Seigneur le Roy pur chescune default C. marcs, per transcript ent a delivrer en le dit Eschequer, en le maner et fourme come en mesme lestatuit pluis pleynement est conteignuz.

Et oustier si le dit offendour, ou son heir ou heirs, assigne ou assignez, ou ascun de eux, face ou facent, differrer ou continuer mesme le default, contrarie as les agardz rule et jugement des Commissiouners avaunt ditz; qe celluy ou ceux ensi faisant, differant, ou continuant, le dit default, forface ou forfacent, pur chescun mois apres les dites trois mois passes, qe mesme la defaute estoit et demure nient correcte ou nient amende ou nient reforme, C. marcs, lune moite ent a nostre souveraine Seigneur le Roy, et lautre moite ent a ascune de ses liegez, qi en celle partie pursuier voiet, per action de dette ent a conceiver per briefe original, saunz ascune fine ent faire ou apprendre, en la Court de la Chauncerie: en quele action autiel processe, rule, jugement, et execution soient allowes, ewez, et faitz, come en autres actions de dette pursuez a la commune ley per briefe est usez; et qe ascun defendaunt en ascune tiel action ne soit admise de gager ou faire sa ley: ne qe ascune protection ou effoin de service nostre souveraine Seigneur le Roy pur ascun tiel defendaunt soit en ascune maner allowe.

Et en oustre ad ordeigne et establie per mesme lauctorite, qe si ascun person ou personez, autre ou autres qe tiel ou tielx encontre quele ou quelx autiel agard rule ou jugement estoit faite et ewe, nient estant ou estantz heir ou assigne a ycell ou yceux, presume ou presument doccupier ou continuer ascuns gorcez, fishgarthes, molyns, milledammes, estankes de molyns, lokkes, hebbyngweres, estakes, kideux, hekkez, flodeyates, ou autres disturbauncez ou impementz come devaunt est dit; celluy ou ceux ensi presumant ou presumantz doccupier ou continuer forfait ou forfacent a chescun default pur chescune mois come est dit devant C. marcs, le moite a nostre Seigneur le Roy, et lautre moite a celluy de les lieges nostre Seigneur le Roy qi en celle partie pursuer voet, per action de dette sur ceo desire conceu, saunz syn pur ceo paiant come devaunt est dit; en quele action autiel processe, rule, jugement, et execution soient usez et faitz, come en toutz autres actions de dette pursuez a la commune ley per briefe est usez: et qe ascun defen-

daunt en tiel action ne soit resceu ne admise en aucun manere de gager ou faire sa ley; ne qe aucun autre manere protection ou effoin de noble service de nostre Seignur le Roy pur aucun tiel defendaunt soit aucunement allowe.

C A P. VIII.

An Act for annulling of Letters Patents made to Searchers and Surveyors of Victuals.

Recital of
Franchises of
Corporations for
the Survey of
Viſtuallers; and
Patents obtained
contrary thereto.

ALSO, whereas the Governors, that is to say, Mayors, Bailiffs, and other like Governors of every City, Borough, and Town of Substance within this Realm of *England*, for the most Part have Courts of Leets, and Views of Frankpledge, holden yearly within the same Cities, Boroughs, and Towns, and Survey of all Viſtuallers there, and Correction and Punishment of the Offenders and Breakers of the Assise of the same, to be presented and amerced if any Default be found in the said Courts, or by their Survey; which by reason ought not to be contraried, nor the Viſtuallers there by the Law ought not to be surcharged or oppressed; where now of late divers Persons intending for their singular Avail and Profit to oppress the said Viſtuallers, and to interrupt divers Places in this Realm having Franchises, and Survey of all Viſtuallers, and Correction of the same, have purchased Letters Patents of our Sovereign Lord the King, to be Surveyors and Correctors of such Viſtuallers within divers Cities, Boroughs, and other Places of this Realm of *England*, as of Ale, Beer, Wine, and other such Viſtuals; by which Pretence and unlawful Office they do commit divers and many Extortions and Oppressions amongst the King's liege People, taking of them unlawfully divers great Fines and Ransoms, to the great Damage of the King's liege People, and also great Derogation of the Liberties and Franchises of divers of the said Cities, Boroughs, and Towns: Our said Lord the King (the Premises considering) by the Advice and Assent of the Lords Spiritual and Temporal, and at the Request of the said Commons, in the said Parliament assembled, and by Authority of the same Parliament, hath ordained and established, That all Letters Patents, granted by him to any Person or Persons of any Office of searching or surveying of Wine, Ale, Beer, or any other Viſtual, shall be utterly void and of none Effect. And that no Person, other than such Governors before rehearsed, or other entitled by Point of Charter, from the Feast of *Easter* next coming, by colour of such Letters Patents so obtained, or hereafter to be obtained, as before is said, shall use or exercise any such Office, upon Pain of Forfeiture for every Default xl. li. the one Half thereof to our Lord the King, to be employed only to the Use of his Household, the other Half to him that in this Behalf will sue for the same by Action of Debt, wherein like Process, Rule, and Proceeding shall be had, as are commonly used in other Actions of Debt at the Common Law; and that the Defendant in any such Action shall not be received nor admitted to his Law; nor that any Protection or Effoin of the King's Service be to him in any wise allowed.

All Letters
Patents granted
to any Persons
for searching or
surveying of
Viſtuals, shall
be void;
Penalty of 40 l.
on Persons
acting under
such Grants,
except
Governors of
Towns, &c.

ITEM qe come lez governours cestassavoir mair, baillifs, et autres governours semblablez, de chescune citee burgh & ville de substance deinz cest roialme d'Engleterre, pur greiadre partie ount courtz des letez & vieux de frank plegge annuelment tenus deinz mesmes les citees burghs & villes, & surveu des toutz vitailers illeosquez, et correction et punition de les enfracours et meffaisours de lassise des mesmes, a presenters et amerciars, si ascun default soit trovee en les (') courtz, ou per leur surveu; quele per reson ne doit estre contrariez, ne les vitailers illeosquez per la ley ne doivent mye estre surcharges ou oppresses; come ore tarde journalment diverses persones entendantz pur leur singular availle et profit doppresser les ditz vitailers, denterrumper diverses lieus deins cest roialme d'Engleterre ciauntz fraunchises, et surveu des toutz vitailers et correction diceux, ount purchaces lettres patentz nostre dit souveraine seigneur le Roy, destre surveiours et correctours dautielx vitailers deinz diverses citees burghs et autres lieux de cest roialme d'Engleterre, come de servoise, bere, vine, et dautielx autres vitailles; per quell pretense et desloial office ils fount plusours et diverses extortions et oppressions entre le liege poeple nostre Seigneur le Roy, preignauntz de ceux disloialment diverses graundes fines et raunions, a graund damage de mesme le poeple nostre Seigneur le Roy, et auxi graund derogation de les libertees et fraunchises de diverses de les avaunt ditz citees burghs et villez: Nostre Seigneur le Roy, les premiffes considerant, per ladrys et assent des Seignurs espirituelx et temporelx et a la requeste des communes en le dit parlement assemblez, et per auctorite de mesme le parlement, ad ordeigne et establie, qe toutz les lettres patentz grauntez per luy a ascune persone ou personex dascun office du sercheaunce ou surveiance de vine, servoise, bere ou ascun autre vitaille, soient toutoustrament voidez et de null effect: Et qe null person, autre qe tielx governours avaunt reherchez, ou autres entitlez per point de chartre, a la feste de Pasqe prorschein venant, per colour dautielx lettres patentz ensi pursuez, ou en apres a pursuers comé devaunt est dit, use ou exercise ascune tiel office sur payne de forfaiture a chescune default xl. li. lune moite ent a nostre Seigneur le Roy, al oeps de son hostiell tantfoulement destre appliez, lautre moite ent a celluy qen celle parte pur ceo suer voet per action de dette, en quele semblable processe rule et demene soient ewez, sicome usuelment sount usez en autres actions de dette a la commune ley; et qe le defendaunt en ascune autiel action ne soit rescuez ne admise a la ley; ne qe ascune protection ou essoin de service nostre tressouveraine Seigneur le Roy en ascune manere soit allowez.

¹ ditez, P.

C A P. IX.

An Act for Escheators.

ALSO, whereas by an Ordinance made at *Westminster* the Forty-second Year of the Reign of King *Edward the Third*, Progenitor of our Lord the King that now is, amongst other Things it was ordained, That none should be made Escheator, unless he had Twenty Pounds of Land at the least, or more in Fee, and that they should do their Offices in their proper Persons; and if any other

Recital of Stat.
42 E. 3. c. 5.

other were, he should be put out: which Ordinance according to the true Intent thereof is not observed, to the great Damage of divers People of this Realm of *England*, because that many Persons insufficient and of light Conscience, be yearly made Escheators in divers parts of this Realm of *England*, which often do set their Office of Escheatorship to ferm to other Persons, great Extortioners and Oppressors of the People, the same Escheators taking of the said Persons such Sum of Money as betwixt them may be agreed, and Surety to be discharged upon their Account, and to be saved harmless against our sovereign Lord the King and all other Persons: which Persons so unlawfully taking the said Office of Escheatorship, by an undue Manner to ferm, do enforce themselves to be Extortioners and Hurters of the People; where of old Time by the Government of the Realm of *England*, Escheators and their Deputies should be, and ought to be of good Sufficiency, and well disposed Persons and rightful, as well to our Lord the King, as to his People; where at this Day few such Persons be made Escheators or their Deputies: It is therefore ordained by the Authority of this present Parliament, That no Escheator to be made after the Feast of the Nativity of our Lord, which shall be in the Year of our Lord God One thousand four hundred and seventy-three, shall take upon him the Office of Escheator, nor occupy the same Office by himself nor by any other Person, unless the said Escheator or other Person or Persons to his Use, have at the Time that he shall be chosen Escheator, Lands, Tenements, or Rent in Fee Simple, Fee Tail, or for Term of Life, of the yearly Value of Twenty Pounds, lying and being within the same County or Counties whereof he shall be made Escheator: Nor that any such Escheator to be chosen after the said Feast shall in any wise sell nor let to ferm the said Office of Escheatorship, nor make any Deputy or Deputies, but such for whom he will answer at his Peril; the Name or Names of the said Deputy or Deputies to be certified by the same Escheator by his Letters Patents to the Treasurer and Barons of the King's Exchequer for the Time being, within Twenty Days after such Deputation made. And that no such Deputy or Deputies take upon him or them to occupy in the Office of Escheatorship, unless such Escheator have Lands, Tenements, or Rent to the aforesaid yearly Value, in Manner and Form as is aforesaid. And if any Person or Persons after the said Feast do contrary to the Premises, or any of them, he or they shall forfeit for every Default Forty Pounds, the one Half thereof to our Sovereign Lord the King, to be employed to the Use of his honourable Household; the other Half to any of the King's liege People, which will therefore sue by Action of Debt; wherein like Process, Rule, Judgement, Costs and Damages shall be had and awarded, as is used in other Actions of Debt usually pursued by Writ at the Common Law; and that the Defendants in any such Action be not admitted to his Law, nor any Protection, nor Essoin be in any wise therein allowed. And the Justices of Peace in every Place Corporate or County, and the Justices of Peace in all other Places having Justices of Peace within themselves, shall have Power to inquire, hear, and determine every such Forfeiture upon Presentment thereof before them in their Sessions; in which Presentment,

Qualification of
Escheators, 20 l.
in the County.
[See Stat.
1 H. 8. c. 8.
40 Marks.]

No Escheator
shall let his
Office to ferm,
or make any
Deputy, but
for whom he
will answer:
Penalty, 40 l.

Justices of Peace
may inquire of
and punish
Offences.

like

like Proceſſe ſhall be had, as is uſed upon Indictments of Treſpaſe done with Force and Arms againſt the King's Peace.

Provided always, That this Act do not extend to any Perſon or Perſons made or to be made Eſcheator of any City, Borough, or Town of this Realm of *England*, having Authority to have, make, or to be Eſcheator within themſelves by Letters Patents of the Grant of our Sovereign Lord the King, or any of his noble Progenitors or Predeceſſors.

The Right of Cities, &c. to make Eſcheators, ſaved.

ITEM qe come per un ordeignance fait a Weſtm' lan du Roy E. tierce progenitour noſtre dit Seigneur le Roy xli^{de} entre autres eſtoit ordeigne, qe null eſchetour ſerroit fait, ſil navoit xx. li. de terre au meyns ou plus en fee, et qe ils ſerroient leur offices en leur propres perſones; et ſi autre ſerroit, il ſerroit ouſte: la quelle ordeignance ſolonge la veraic entent del meſme neſt mye obſerve, a graund damage des pluſours gentz de ceſt roialme d'Engleterre, per cauſe qe diverſes perſones inſufficientez et de legier conſcience annuellement ſount faitz eſchetours as diverſes parties de ceſt roialme d'Engleterre, queux ſovent ſoitz mittent leur offices deſchetrie au ferme as autres perſones grandes extortionours et oppreſſours du poeple, les meſmes eſchetours preignauntz de les ditz perſones autiel ſomme de money come entre eux poiet eſtre agreee, et ſuerte deſtre deſcharges ſur leur accompt, et deſtre gardez indempnez encountre noſtre treſſoveraigne Seigneur le Roy et toutz autres perſonez; quels perſons, enſi preignauntz le dit office de leſcheterie diſſolument per non due manere a ferme, obligent eux meſmes deſtre extortioners et offendours du poeple; lou de auncien temps per le gouvernement du roialme d'Engleterre eſchetours et leur deputees ſerroient et doivent eſtre de bon ſufficiencie, et bien diſpoſes perſones, et droiturelx, ſibien a noſtre Seigneur le Roy come a ſon poeple; lou en ceſtz jours paucies tielx perſones ſount faitz eſchetours, ne leur deputees: Si eſt ordeigne per lautorite de ceſt preſent parlement, qe null eſchetour, affaire apres la Nativite noſtre Seigneur qe ferra en lan noſtre Seigneur Dieu M.CCCC.lxxij. preigne ſur luy loſſice deſchetour, ne meſme loſſice occupie per luy meſme ne per aucun autre perſon, ſinon le dit eſchetour ou autre perſon ou perſones a ſon oeps ait ou aient, le temps qil ferra eſlieux eſchetour, terres tenements ou rent en fee ſimple, fee taill, ou terme de vie al annuel value de xx. li. giſauntz et eſteautz deinz meſme le countee ou countees, dount il ferra fait eſchetour; Ne qe aucune tiel eſchetour, apres la dit feſte eſtre eſluz, vende ne mette a ferme la dit office deſcheterie en aucune manere, ne face aucune deputee ou deputees, forſqe tiel ou tielx pur qui ou queux il voet reſpoudre a ſon perille; le noun ou nouns du dit depute ou deputees deſtre certifie per meſme leſchetour per ſes leſtres patents au treſorer et barouns del Eſchequer noſtre Seigneur le Roy pur le temps eſteantz, deinz vint jours apres tiel deputation affaire: Et qe null tiel depute ou deputees preigne ou preignent ſur luy ou ceux doccupier en loſſice deſcheterie, ſinon tiel eſchetour ait terres ou tenementz ou rent a lavaunt dit annuel value, en les manere et fourme come eſt avant dit. Et ſi aucun perſon ou perſones apres meſme le feſte face ou facent contrarie de les premisses ou aucun de eux, forſace ou forſacent a cheſcune default xl. li. lune moite ent a noſtre ſoveraigne Seigneur le Roy, al oeps de ſon honourable hoſſiel

hostiel desire appliez, l'autre moite a chescune des liegez nostre souveraigne Seigneur qui pur ceo voiet suer per action de dette; en quelle semblable proceffe, rule, jugement, costez et damages soient ewez et agardez, come il est use en autres actions de dette usualment usez per brieve a la commune ley; et que le defendaunt en aucune tiel action ne soit admise a son ley, ne aucune protection ne effoin en aucune manere en ycelle soit allowe. Et les justices du peas en chescune lieu corporate ou countie, et les justices du peas en chescune autre lieu aiantz justices de peas deinz yceux, aient poiar denquerer, oier et terminer, chescune autiel forfaiture, sur presentement ent devaunt eux en lour sessions, en quelle presentement semblable proceffe soit ewe, come est usee sur les enditementz de trespas faitz ove force et armez encountre la peas de nostre Seigneur le Roy.

Purven toutz soit, que cest act nextende pas al aucune persone ou persones fait ou affaire estre faitz escheatour d'aucun citee burgh ou ville de cest roialme d'Engleterre aiant auctorite d'avoir, faire, ou estre escheatour deinz eux mesmes, per lettres patentz du graunt nostre souveraigne Seigneur le Roy, ou de aucun de ses nobles progenitours ou predecesseurs.

[See Note to
An. 12—15 E. 4.
ante page 633.]

Anno 14 EDW. IV. A.D. 1474-5.

OUR Lord the King *Edward* the Fourth, at his Parliament summoned and begun at *Westminster* the Sixth Day of *October* in the Twelfth Year of his Reign, and continued by divers Prorogations till the Three and twentieth Day of *January* in the Fourteenth Year of his Reign, by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons, in the said Parliament the said Twenty-third Day assembled, and by Authority of the same Parliament willeth and granteth, and by the Advice of the same hath ordained and enacted:

NOSTRE Seigneur le Roy *Edward* le quart, a son parlement summones et commences a *Westm'* le vj. jour d'*Octobr'* lan de son reigne xij. et per diverses prorogations a le xxiiij. jour de *Jaynuar* lan de son reigne xiiij. continues, per ladvy et assent des seignurs espiritueux et temporeux et les communes en le dit parlement le dit xxiiij. jour assemblez, et per auctorite de mesme le parlement, voet et graunte, et per ladvy de mesme ad ordeigue et enacte:

C A P. I.

For the King's Tenants going in his Wars.

All Persons who shall pass with the King in his Service into *France*, shall have Licence to enter, and have Livery of

THAT all such Persons and every of them which shall, by the Grace of God, pass over the Sea with our said Sovereign Lord the King, in his Voyage Royal and noble Service, and do abide in his said noble Service, shall and may by their Attornies and Deputies, or any of them, or by the Attorney or Deputy of any of them, enter and take Possession and Profit of and into all Honours, Castles, Manors, Lands, Tenements, Rents, (1) Advow-

Services, Rot. Parl.

sons,

sons, Hereditaments, and Possessions, that to them are descended, or to any of them hereafter shall descend, remain, revert, or come by any means after the Death of any of their Ancestors, or any other Person or Persons, or in any other Form by the Course of the Law of this Land, during the said Voyage, if any Part thereof be holden of our Sovereign Lord the King, and thereupon to have our Sovereign Lord the King's Pardon, under his Great Seal, for their said Entry, Possession, taking of the Issues and Profits thereof, without Fee or Fine, to our Lord the King, to be paid therefore. And if any Office be thereof found hereafter, then they and every of them shall have especial Liveries and Livery under the Great Seal of our Sovereign Lord the King, without Fee or Fine therefore to be paid to the King, to enter and take possession into and of the said Honours, Castles, and other the Premises, every Person according to his Right and Title, and them to have and enjoy with the Issues and Profits of the same, by their Title to them and every of them come, without any other Livery, Petition, or Suit of the Law in that Behalf to be made to our Lord the King: And that during the Time of the said Voyage, and they abiding in the noble Service of our Lord the King as is aforesaid, no Manner of Process shall be made in any of the Courts of our Sovereign Lord the King against any of the said Persons, for any Homage, Fealty, or other Corporal Service, which may not be done but in their proper Person or Persons, for any Honours, Castles, [seigniories,'] Manors, Lands, Tenements, and other Hereditaments and Possessions, which they or any Person or Persons to their Use have or hereafter shall have during the said Voyage, and being in the King's noble Service as afore is-said. But that all such Process shall cease during the said Voyage and Service.

Lands (descend-
ing to them, and
held of the
King) without
Fine, &c.

And they and every of them so passing in the said Voyage royal, as afore is said, and the Feoffees to the Use of every of them, shall and may have Licence under the King's Great Seal, without Fee or Fine to him to be paid to make Feoffments, Alienations, and Grants of the Honours, Castles, Manors, Lands, Tenements, Rents, Services, Annuities, and other Hereditaments and Possessions with their Appurtenances, to such Persons as shall please them: and the same Persons to receive the same Honours, Castles, and other the Premises, of what Manner of Estate shall please them, to the Intent that they may thereof make their will for Payment of their Debts, Charges, and other Things. And if it happen that any of the said Persons, which so shall pass and abide in the said Voyage and Service of our said Sovereign Lord the King, as afore is said, shall die during the said Time and in the said Service, his Heir being within Age, that then all Manner of Persons having any Manner of Estate by way of Feoffment or otherwise to the Use of such Person or Persons so dying, in any Honours, Castles, and other the Premises with their Appurtenances, to the Use and Performance of the Will of the said Person, which doth so decease, shall have the same without any Interruption of our Sovereign Lord the King, or any of his Officers or Ministers, by reason of any Office thereof to be found, although the said Feoffments, Estate, or Alienation were made or had by Collusion, or otherwise intituling our Sovereign Lord the King:

Such Persons
shall also have
free Licences of
Alienation to
devise or charge
their Lands.

If such Persons
die abroad, their
Heirs within
Age, the
Feoffees, &c.
shall have the
Estate, though
such Feoffment,
&c. be by
Collusion.

^a Lordships, *Rot. Parl.*

Except as to
Lands of the
King's imme-
diate Grant.

The King's
Grantees may
convey their
Estates.

The Feoffees of
Persons dying
who held by
Knight's Service,
shall have the
Ward of their
Heir and Lands.

General Saving,
except as to
corporal Service.

The Council
shall determine
Disputes on this
Act.

cept such Manors, Lands, and Tenements which any Person or Persons, passing or going with our Sovereign Lord the King in this Voyage royal as afore is said, have by the Grant or Gift of our redoubted Sovereign Lord the King in any Manner: And that they and every of them having and obtaining the same Manors, Lands, and Tenements, may by the Authority aforesaid make Estate or Estates of the same aforesaid Manors, Lands, or Tenements, or any Manner Parcel of the same Manors, Lands, or Tenements to other Persons in Fee or otherwise to their own Use, in Performance of their Wills, as before is said; the same Estate or Estates so to be made, to stand good and effectual, so long as the aforesaid Grants or Gift thereof made or to be made by our said Sovereign Lord the King to them or any of them shall stand and be in their Force and Effect, and not determined, nor revertible to our said Sovereign Lord the King or his noble Heirs.

And moreover our said Sovereign Lord the King hath ordained, established, and enacted, by the Assent of his Lords Spiritual and Temporal, and the Commons being in the same Parliament, That if it happen any of the aforesaid Person or Persons, so passing and abiding with our said Sovereign Lord the King in his said Service and Voyage royal as afore is said, do die or decease, his Heir being within Age, now or hereafter holding or obtaining any Lands or Tenements of our Sovereign Lord the King by Knight's Service; his said Feoffees and also his Executors, shall then have and enjoy the Ward and Marriage of the said Heir, with the Ward of the same Manors, Lands, and Tenements so holden, during the Nonage of the same Heir, to the Use of the same Person so dying or deceased; and with the same to perform all his Will. And moreover our said Sovereign Lord the King shall grant by his Letters Patents the Ward and Marriage of the same Heir, and of all the Manors, Lands, and Tenements, which the King ought to have by reason of the same, to the said Feoffees or Executors of such Person or Persons so dying, or to such of them, which for the same will sue, to the Use of the same Person or Persons so dying, as afore is said, without Fee or Fine to the King for the same to be paid. Saving always to every Person or Persons, and to their Heirs and Successors, other than our Sovereign Lord the King and his Heirs and Executors, all their Right, Title, Prerogative, and Interest which they have or may have in any of the Premises, as if this aforesaid Act had never been had or made; except corporal Service, as afore is said, which corporal Service may not be done but in their proper Persons as afore is said.

And if any Doubt or Question rise or happen in any Manner in the Interpretations or Constructions of the Points or Articles aforesaid, or any of them, then our said Sovereign Lord the King willeth and granteth by the Authority aforesaid, That the Lords Spiritual and Temporal, and other of his Council, being here in his Absence, shall have full Power and Authority to discuss and set in this Case a due Remedy and Redress by their good Discretion and Advice, according to the faithful Intent of the same Articles and Points aforesaid, for the Weal and Profit of the said Persons so being or dying in the said Service and Voyage royal of our Sovereign Lord the King beyond the Sea.

Provided

Provided always, that this said Act or Ordinance, or any Thing General Saving.
comprehended or contained therein, shall not be in any Manner
prejudicial nor hurtful to any of the King's liege People: but shall
only be executory against our Sovereign Lord the King and his
noble Heirs.

QE toutz tielx persones, et chescune diceux, qi per la grace de
Dieu passeront oustre la mear ovesqe nostre dit tressouveraigne
Seigneur le Roy en son viage roialle et noble service, et demurront
en son noble dit service, per leur attourneys et deutees ou ascun
de eux, ou per lattourney ou depute dascun diceux, entreront et
prendront, et entrer puissent et prendre possession et profit de et
en toutz honours chastels manoirs terres tenementz rentz (1) ad-
vowsons hereditamentes et possessions, qe a eux sont descenduz,
ou al ascun de eux en apres descenderont, remainderont, rever-
teront ou deviendront, per ascun moyen apres la mort dascun
de leur ancestres, ou ascun autre person ou personez, ou en ascun
autre fourme per la cours de la ley de cest terre, durant la dit
viage, si ascun part soit tenuz de nostre souveraigne Seigneur le Roy,
et sur ceo davoir le pardon de nostre souverain Seigneur le Roy
desouth son grand seal pur leur dit entre, possession, prise des issues
et profitz dicelle, saunz fee ou fyne a nostre Seigneur le Roy a
paier pur ycelle. Et si ascun office soit ent treuve en apres, donques
ceux et chescune deux davoir especial liveries et livere desouth le
grande seal nostre souveraigne Seigneur le Roy, saunz fee ou fyne
a paier pur ceo a nostre souveraigne Seigneur le Roy, dentrer et
prendre possession en et de les honours chastels et autres les pre-
misses, chescune persone accordaunt a son droit et title, et tielx
davoir et enjoier ovesqe les issues et profitz des mesmes, de leur
title as eux et chescun de eux devenuz, saunz aucune autre livere
petition ou poursuite de la ley en celle partie a nostre Seigneur le
Roy affaire: et qe mesme le temps du viage durant, et ils demu-
rantz en le noble service de nostre souveraigne Seigneur le Roy come
est avaunt dit, null manere processe destre fait en ascun de les courtez
nostre souveraigne Seigneur le Roy encountre ascuns de les ditz per-
sons pur ascun homage feaulte et autre corporel service, queux ne
puissent estre faitz si non en leur propre person ou persones, pur
ascuns honours chastels seignuries manoirs terres tenements et autres
enheritementz et possessions, qe ceux ou aucune persone ou per-
sones a leur oeups, ount ou ad, ou en apres avera ou averont,
durant la dit viage et esteantz en le noble service de nostre Seigneur
le Roy, come est avaunt dit; mes qe tout tiel processe cessera durantz
la dit viage et service.

Et ceux et chescune deux ensi passantz en la dit viage roial come
est avaunt dit, & les fessez al use de chescune de eux, puissent avoir
et aient licence desouth le grand seal de nostre Seigneur le Roy,
sauvz fee ou fyn a luy destre paieez, de faire fessementz alienations et
grauntez de les honours chastels manoirs terres tenementz rents ser-
vices annuitees et autres enhereditaments et possessions ove leur
appurteignances, as tielx persones queux leur plerra: et yceux
persones de recevoir mesmes les honours chastelles et autres les pre-
misses, de quele manere estate leur plerra, al entent qe ceux ent
puissent faire leur volunte pur paiement de leur dettes charges et
autres choses. Et sil avient ascuns de les ditz persones qi ensi
passera

passera et demura en les ditz viage et service de nostre souveraigne Seigneur le Roy, come est avaunt dit, a morier durant le dit temps et en la dit service, son heir esteant deinz age, qe lors toutz maners persones ciantz ascun maner estate per voie de fessement ou autrement al oeps de mesme la persone ou persones ensi moriant trespasaunt ou moriantz ou trespasantz, en ascun honours chastelles et autre les premisses ove leur appartenances, al oeps et pourmaunce de la volonte ou youloir de la dit persone qi ensi deceste les aient sanz ascun interruption de nostre souveraigne Seigneur le Roy, ou ascun de ses officers ou ministres, per raison dascun office de ceo estre trovez; tout soit ceo que mesmes les ditz fessementz, estate, ou ascun alienation, fuerent faitz ou ewez per collusion, ou autrement entitlant nostre souveraigne Seigneur le Roy; forsprisez tielx manoirs terres et tenements, queux ascun persone ou persones passantez ou alautes ovesqe nostre tressouveraigne Seigneur le Roy en cest son viage roiall come avant est dit, ount per le graunt ou don de nostre tresproude Seigneur le Roy en aucune maner. Et qe ceux, et auxi chescune de eux, aiantz et opteignauntz mesmes les avaunt ditz manoirs terres et tenements puissent per mesme lauctorite desuiddit faire estate ou estates des les mesmes avaunt ditz manoirs terres ou tenementz ou aucune maner parcell diceux manoirs terres ou tenementz, as autres persones en fee ou autrement a leur oeps demesne, en pourformance de leur voiloirs ou volunteers, come cy devaunt est dit; les mesmes estate ou estatez ensi affaire ou affayres destier bones et effectuels, auxi longement tanqe come les avaunt ditz grautes ou dones per nostre dit tressouveraigne Seigneur le Roy as eux ou ascun de eux ent faitz ou affairs estoient et soient en leur force et effect, et nient determinez, naxint revertibles a nostre tresproude Seigneur le Roy ou a ses nobles heirs.

Et oustre ceo mesme nostre Seigneur le Roy ad ordeigne et establee, et enacte per [assent³] et assent des Seignurs espirituels et temporels et les communes en mesme le dit parlement esteantz, si ascun de les avaunt ditz persone ou persones ensi passantz et auxi demurauntz ovesqe nostre souveraigne Seigneur le Roy en ses ditz services et viage roialle, come cy devaunt est dit, a morir ou trespasser mesme son heir esteant deinz age, ore ou en apres teignaunt ou opteignaunt ascuns terres ou tenements de nostre Seigneur le Roy per service de chivaler, ses ditz fessez et auxint ses executours adonques aient et enjoient le garde et mariage de mesme le heir, ovesqe le garde des mesmes les manoirs terres et tenements ensy tenz durant le noutage de mesme le heir, al oeps de mesme la persone ensi deceffaunt ou trespasaunt, et ovesqe ceo de pourfomer tout son voillour et volonte. Et oustre ceo mesme nostre tressouveraigne Seigneur le Roy grauntera per ses lettres patentes le garde et le mariage de mesme le heir et des toutz les manoirs terres et tenements, les queux nostre tressouveraigne Seigneur le Roy doit avoir per raison dicelle, as mesmes les fessez ou executours de mesme la persone ou persones ensi trespasauntz ou moriauntz ou as tielx de eux qi pur ceo pursuer voillent, al use de mesme la persone ou persones ensi trespasauntz ou moriauntz come devaunt est dit, sanz ascun fyne ou fee a nostre tressouveraigne Seigneur le Roy pur ceo destre paie. Sauvez toutz soitz a chescune persone

³ Query "avis."

ou personnes et leur heirs et successeurs, autres que nostre tres souverain Seigneur le Roy et ses heirs et executeurs, toutz leur droit titre prerogatif et interesse, que ceux ouint ou poient avoir en aucune de les premisses, come cest avauntdit acte jammez ne eust este fait ou perpetre; forspris corporel service come est avaundit, quel corporal service ne poiet estre fait sinon en leur propres personnes come cy devaunt est dit.

Et si aucun doubte ou question surde ou aveigne en aucun manere en les enterpretations ou constructions de les pointz ou articles desuidditz ou aucun de eux, adonques mesme nostre Seigneur le Roy voet et graunte per mesme lauctorite desuiddit, que les Seignurs espirituelx et temporelx, et autres de son counsaile cye esteauntz en sa absence, aient pleyne poiar et auctorite, pur discuter et mettre en ceo cas due remedie et redresse, solonque leur bon discretion et advyce, accordaunt a la foialle entent des mesmes les articles et pointz avauntditz, pur le bon et profit de mesmes les avauntditz personnes ensi esteauntz ou moriauntz en la dit service et viage roial de nostre souverain Seigneur le Roy de perdela le mear.

Purveu toutz soit, que cest avauntdit act, ou ordenaunce, ou aucun chose comprehendes et contenus en ycell, ne soit mie prejudicial ou damageous en aucun maner al aucun person ou personnes des lieges nostre dit Seigneur le Roy, mez soit executorie tantseulement eacountre nostre Seigneur le Roy et les noble heires.

C A P. II.

An Act touching Protections for such as go in the King's Wars.

[See also Stat.

4 H. 7. c. 4.

7 H. 7. c. 2, 3.

3 H. 8. c. 4.]

RECITAL of Stat. 9 H. 5. c. 3.—The same Law and the same Protection as was granted by that Statute to those that were then in *Normandy*, or would then pass with King *Henry V.* into *France*, shall be observed, and avail for all such as pass over the Sea with the King.—To continue till the Parliament next after the King's Return."

C A P. III.

An Act for shipping of Wools and Fells:

STAT. 12 E. 4. c. 5. recited and confirmed; except that *Barowe* (or *Barewe*) in *Brabant*, is named for the Place of Exportation of Wools from *Newcastle*, instead of *New Middleburgh*. Power is also given to the King to appoint any other Place than *Calais* or *Barowe*, for the Exportation of Wool from *Newcastle*."

C A P. IV.

An Act of Confirmation of Statutes made for breaking of Truce.

[See Stat.

5 H. 5. p. 1. c. 6.

and also

15 H. 6. c. 3.

18 H. 6. c. 8.

20 H. 6. c. 1 & 21.

29 H. 6. c. 2.

31 H. 6. c. 4.]

ALSO whereas divers and great Offences and Attempts have now of late been committed and perpetrated against the Amities and Leagues made betwixt our said Sovereign Lord the King and strange Princes, and against the Safe Conducts and Licences of our said Sovereign Lord the King, and against the

Former Statutes
against Breakers
of Amities,
Leagues, Truces,
and Safe-
Conducts,
confirmed;
except the
Punishment
under Stat.
2 H. 5. c. 6.

Laws and Statutes heretofore made for the Punishment of such Offenders in that Behalf, to the great Slander of our said Sovereign Lord the King, and the general Hindrance of all this Realm of *England*; the King therefore, by Advice and Assent of the Lords Spiritual and Temporal, and the Commons, in this Parliament assembled, and by Authority of the same Parliament, hath ordained, enacted, and established, That all Statutes and Ordinances made before the Fourth Day of *March*, in the First Year of his Reign, by Authority of any Parliament, not repealed, against the Offenders and Breakers of Amities, Truces, Leagues, and Safe-Conducts aforesaid, shall stand and be in their full force and Effect: And that every of the same Statutes and Ordinances be put in due Execution in all Things before the Judge or Judges, Person or Persons ordained by the said Statutes or Ordinances, or any of them, according to the Tenors and Effects of every of the said Statutes and Ordinances; any Grant or Confirmation by Act of Parliament or otherwise, Use or Custom, made, had, or used to the contrary notwithstanding: Provided always, that this Act extend not to any Act or Ordinance made for the Punishment of such Offenders in the Second Year of *Henry* the Fifth, late in Deed and not of Right King of *England*.

ITEM pur ceo qe plusours et graundes offenses et attemptesount ore tarde este commys et peipettes encountre les amities et les lieges faitz entre nostre dit souveraine Seignur le Roy et Princes estrangees, et encountre les fausconduits et licences nostre dit souveraine Seignur le Roy, et encountre les leies et estatuitz per devaunt fait pur le punishment des tielx offendours en celle partie, a grand desclaundre nostre dit souveraine seignur le Roy, et universal damage de tout cest roialme d'Engleterre; le Roy pur ceo, del advys et assent de les seignurs espiituels et temporels et communes encest parlement assemblez, et par l'auctorite de mesme le parlement, ad ordeigne enacle et establie, qe toutz estatuitz et ordeignaunces, devaunt le quart jour de Marche en lan primer de son reigne faitz per auctorite d'aucun parlement, nient repellez, encountre les rumpours ou offendours des amillees, triewes, lieges, et fausconduits avaunt ditz, estoient et soient en pleyne force et effect: Et qe chescune des mesmes les estatuitz et ordeignaunces soit mise en due execution en toutz choses, devant le juge ou juges, persone ou personnes, ordeignes per mesmes les estatuitz ou ordeignaunces, ou ascun de eux, accordaunt as les tenours et effectz de chescune mesmes les estatuitz et ordeignaunces; ascun graunt ou confirmation per act du parlement, ou autrement, use ou custume, fait, ewe, ou usez, al contrarie nient contristeant. Purveu toutz soit, qe cest act nextend pas al ascun act ou ordeignaunce fait, pur la punition d'antient offendours en lan secont de *Henry* quint nadgairs en fait et niez en droit Roy d'Engleterre.

Anno decimo septimo EDWARDI IV.

*In the Parliament held at Westminster, on Friday, the
16th January, A.D. 1477-8.*

*From the Copy given by Cay, &c. as from Cotton MS.
Nero, C. 1. compared with printed Rot. Parl. Pynson, &c.*

*The several Chapters of the Statute are founded on the following
Articles in printed Rot. Parl. p. 167, &c.*

Chapter in Statute.	Number in Roll.	
1	—	27
2	—	28
3	—	29
4	—	31
5	—	32
6	—	34
7	—	33

} *On Petitions delivered by the
Commons; all in English.*

For other Acts passed in this Parliament, See further

Printed Rot. Parl. vi.

*Page. No. } For settling certain Estates in consequence of the
168, 10, } Marriage of the King's Son, Richard Duke of
169, 12, } York with Anne, the Infant Daughter and Heiress
of the late Duke of Norfolk.*

*170, 13, For effecting an Exchange of Lands between the King
and the Duke of Gloster.*

171, 14, The like between the King and the Duke of Suffolk.

*172, 15, For enabling the Duke of Gloster to alien certain Ad-
vowsons in Mortmain, Part of the Estates of his
Wife, under the Act 12—15 E. 4. (Ill. nu. 20,
&c.)*

*173, 16, For degrading George Nevil from the Dignity of Duke
of Bedford.*

*17, For reversing a Verdict and Judgment of Felony, given
and pronounced on the Prosecution of the Duke of
Clarence against Ankeretta Twynho, Widow, for
the poisoning of the Dukes of Clarence.*

*175, 18, For Restitution of Sir Anthony Notehill (or Nuttyll),
Knight, and Walter Nuttyll, Esquire, attainted in
Parliament, an. 1 E. IV.*

*176, 19, For Restitution in Estate of Sir Thomas Vere. [See
12—15 E. IV.; 1V. nu. 34, &c.]*

*177, 20, For Restitution of Sir W. Fynderne, Knight, attainted
in Parliament, 1 E. IV.*

21, For paving the City of Canterbury.

Printed Rot. Parl. vi.

- Page. No. } *For paving the Town of Taunton.*
 179, 22, }
 180, 23, ————— *Cirencester in Glostershire.*
 24, ————— *Southampton.*
 181, 25, *For Sir Ralph Aspbeton, Knight, (See 12—15 E. IV. l. nu. 37.) to proclaim and attain certain Rioters.*
 182, — 26, *For putting an End to certain Actions against the Corporation of the Staple at Calais.*
 On Petitions of the Commons.
 188, 30, *For enforcing and explaining the Statute 3 E. 4. c. 5. respecting Apparel.—The Apparel of Persons having been Mayors, &c. of Cities, and of Persons having less than 40l. per Annum, regulated.*
 191, 35, *Privilege of Parliament.—After Recital of the immortal Privilege of Members, not to be impleaded in personal Actions, nor attached in their Persons or Goods, and that several Writs of Execution had issued out of the Exchequer against John Atwyll, one of the Members for the City of Exeter, the Chief Baron of the Exchequer is empowered to grant Superfedeases on such Executions.—Saving the Creditor's Right of Execution after the End of the Parliament. [See 12—15 E. IV.—IV. nu. 25.]*
 192, 36, *For compelling all Irishmen resident in England to return to Ireland, to resist the Irish Enemies and English Rebels there; or in Default of their so returning, imposing upon every Absentee a certain Tax applicable to the Relief of Ireland, viz. If he has no Land or House in England, 12d.; having any Household, 2s.; and 12d. in the Pound on the Rent of all Lands, &c. in England; all Merchants, 13s. 4d.—Exception for Hugh Bryce, Citizen and Goldsmith. [See 7, 8 E. 4. nu. 42.]*
 193, — *Attainder for Treason of the Duke of Clarence.*

OUR Lord King Edward the Fourth after the Conquest, at his Parliament holden at *Westminster* the Sixteenth Day of *January*, in the Seventeenth Year of his Reign, to the Honour of God, and for the Weal of him and his Realm, by the Advice and Assent of the Lords Spiritual and Temporal, and at the Suit and Request of the Commons, in the said Parliament assembled, and by Authority of the same Parliament, hath caused to be ordained and established divers Ordinances and Statutes in Form following.

NOSTRE Seigneur le Roy Edward puis la conquest quart, a son parlement tenuz a *Westm'* le xvj. joi de *Januar'* lan de son reigne dis et septisme, al honour de Dieu et pur la bien de luy et de son

son Roialme, del advys et assent des Seignurs'espirituelx et temporelx et al instaunce et requeste des communes en le dit parlement assemblez et per auctorite de mesme le parlement, ad fait ordeigner et establier diverses ordeignances et estatutz en la fourme qensuist.

C A P. I.

An Act for Money.

RECITAL of Stat. 9 E. 3. ft. 2. c. 2. against importing of counterfeit Money; as also of Stat. 2 H. 4. c. 6. against importing any Foreign Coin: and that 'Grosses demy, Grosses, and Deniers,' ['Groats, Pence of Two-pence, and Pence,' *Rot. Parl.*] resembling the Coin of the Realm, were imported from Ireland and elsewhere; it is enacted, That after the ensuing Easter no such *Irisb* Money shall pass in Payment in England, Wales, or Calais, nor be received by any on Pain of Forfeiture of the Money, recoverable before Justices of Peace or Officers of Corporations, &c.—Such Forfeiture to be distributed in Three Parts, One to the King, One to the Informer, and One to the Mayor, &c. of the Place where the Offence is committed. And if any Difference arise between the Finder or Discoverer (*trouvour*) of such Money, so that the Money cannot be seized without Action by the said Finder, the said Finder may have his Action of Debt at his Election either at the Common Law or before Justices of Peace of the County; or by Bill before the Mayor, &c. of Places Corporate."

[For Seven Years.—See post, and the several Acts continuing other Parts of this Act.]

"Recital of Stat. 2 H. 6. c. 6. against Exportation of Gold and Silver.—The Exportation of Money of the Coin of this Realm, or of any other Realms, or Plate, Vessel, Mass, Bullion, or Jewels of Gold, without the King's Licence, (unless by Persons dispensed with in the said Statute 2 H. 6. or any other Statute), declared Felony."

[This Part of the Act was continued for Twenty Years, and amended by 4 H. 7. c. 23.; and so amended was continued by 1 H. 8. c. 13. and afterwards revived and continued for Twenty Years by Stat. 7 E. 6. c. 6. now expired.]

"Recital of Stat. 9 E. 3. ft. 2. c. 3. against melting of Money, as confirmed and amended by 17 R. 2. c. 1. it is enacted, That no Goldsmith or other Person shall melt or beat any Money of Gold or Silver unbroken, sufficient to pass in Payment, nor by any Occasion of Wilfulness [the *French* Text reads 'voluptuosite,' which the old Translations render 'Sensuality'] to destroy the Money of the Realm, break any Gold or Silver Money, able to pass in Payment, to make or gild any Vessel or other Thing; and that no Goldsmith shall gild any Vessel, Basons, Pots, Cups, Notes [or Nootes,] or Saltfellers of Silver.—Except Ornaments for Churches, and Stuff for Knights, and Apparel, allowed under the Statutes of Apparel, [3 E. 4. c. 5,

"and nu. 30. of this Year]; on Penalty of Double the Value, recoverable as the Forfeiture for passing *Irish Money, ante*."

[For Seven Years, see post.—See further Stat. 13, 14 Car. 2. c. 31.]

Working Gold
and Silver.

"Recital of Stat. 2 H. 6. c. 14. and that it was not observed, it is enacted, That no Goldsmith shall work, sell, or put to Sale any base Gold under the Fineness of Eighteen Carattes (or Crates, nor no Silver which is not as fine as Sterling, (except the requisite Solder), on Pain of Double Value of such Gold or Silver.—All Silver Plate shall be marked with a Leopard's Head crowned, and also with the Maker's Mark, in London or within Two Miles thereof.—If the Warden of the Touch mark any Gold or Silver not of the proper Fineness, he shall forfeit double the Value.—Forfeitures to be recovered as those relating to *Irish Money, (ante)*—Aliens being Goldsmiths shall be liable to the Survey of the Wardens of the Goldsmith's Company, in London and within Two Miles thereof; and shall keep Shop in the most open Streets.—If the Warden of the Touch should incur Forfeitures which he is not able to pay, the Goldsmith's Company shall be chargeable therewith."

[For Seven Years, see post.—See further, as to Goldsmiths, 4 H. 7. c. 2, &c.]

[The following Part of this Act, as to Alien Merchants, is made perpetual, and amended by Stat. 3 H. 7. c. 8. which see.]

Recital of Stat.
5 H. 4. c. 9.

And Whereas in the Fifth Year of the pretended Reign of Henry the Fourth, for the better keeping of Gold and Silver within this Realm, and for the Utterance of the Commodities of the same Realm, it was ordained amongst other Things, That Merchants Aliens and Strangers should sell their Merchandises brought into the Realm within a Quarter of a Year after their coming into the same, and that the Money received in this Realm should be employed upon the Commodities of this Land upon Pain of Forfeiture of such Money: Contrary to which Ordinance, the said Merchants and many other Persons do convey and carry daily the Money of this Realm by them received, out of the Realm, to the great diminishing of the same Money, and do not employ the same in Substance upon the Commodities of this Realm, whereby the King's Custom and Subsidy on Merchandise, which ought to be so employed, be greatly decayed: It is therefore ordained by the Authority aforesaid, That every Merchant Alien, and every Victualler and other Stranger not being Denizen, which shall resort into any Place or Port of this Realm or Wales after the said Feast of *Easter*, shall duly employ all the Money to be received by him within any Part of this Realm or Wales, upon the Merchandises or other Commodities of this Realm, or without any Fraud he shall put the same in due Payment to the King's liege People within this Realm; such Employment or Payment duly to be proved by the Merchant Alien, Victualler, or other Stranger, before his departing out of the same Port, by writing [to] such Merchant or Merchants, to whom the said Merchant Alien, Victualler, or other Stranger hath employed or paid his Money by him received for his Merchandises brought into this Land,

Alien Merchants
shall employ
their Money in
this Realm, and
prove their so
doing.

¹ from, *Rot. Parl. and see Stat. 3 H. 7. c. 8.*

witnessing

witnesing that he hath so done; or by such Proofs as shall seem reasonable to the Customer or Comptroller of the same Port, and the Mayor, Bailiff, or other chief Governor of any such City, Borough, or Town, where such Port shall be; upon Pain of Forfeiture of all his Goods being within this Realm, and to have One Year's Imprisonment: Saving always to every such Merchant Victualler and Stranger, his reasonable Costs by the Oversight of the said chief Governor of the Port or Place where such Merchant, Victualler, or Stranger shall arrive: such Forfeiture to be demeaned, judged, and divided in like Manner and Form by like Actions, Process, and Execution, as is limited of other Forfeitures in this Act before declared.

Penalty
Forfeiture of
Goods and
Imprisonment.

Et qe come en lan quint del pretense Roigne Henry le quart, pur meliour garde door et dargent deinz cest Roialme, et pur la utteraunce dez commodities de mesme le Roialme, estoit ordeigne entre autres, qe marchauntz aliens et estraunges vendroient lour marchaundises apportees deins le dit Roialme, deinz un quarter dun an apres lour venue en ycelle, et qe la monoie receue en cest Roialme serroiet emploiee sur les commoditees de cest terre, sur payn de forfaiture de mesme la monoie: contrarie a quele ordeignauce mesmes les marchauntz, et plusieurs autres persones, emportoient et carioient de jour en autre le monoie du cest Roialme per eux receux hors mesme le Roialme, a grand anientissement mesme le monoie, et en substance ceo nemploient pas sur les commoditees cestuy Roialme, per que le custume et subsidie du Roy de marchaundise ensi de droit a emploies sont grandement decaiez: Il est pur ceo ordeigne per l'auctorite avaunt dit, qe chescune marchaunt alien, et chescune vitailer et autre estraunge, nient esteant denzein, qi resortera en aucun lieu ou port du cest Roialme ou Gales, apres l'avaunt dit feste de Pasque, duement emploie tout la monoie per luy estre receux deinz aucune part du cest Roialme ou Gales, sur marchaundise ou autres commoditees de cest Roialme, ou sanz aucun fraude mette ceo il en due paiement as lieges du Roy deinz cest Roialme; mesme l'emploiement ou paiement duement approuver per le marchaunt alien vitailer ou autre estraunge avaunt son departier hors de mesme le port, per escript a tiel marchaunt ou marchauntz a qi ou queux le dit marchaunt alien vitailer ou autre estraunge ad emploie ou paie son monoie per luy receux pur ses marchaundises amenez en cest terre, tesmoignant que luy ad ensi fait; ou per tielx provez come semblera resonable al custumer ou countrollour mesme le port, et mair baillif ou autre chief gouverneur d'aucun tiel citee burgh ou ville, ou tiel port serra, sur peyne de forfaiture des touz ses biens esteantz deinz cest Roialme, et d'avoir emprisonnement dun an: Sauvant toutz jours a chescune tiel marchaunt vitailer et estraunge ses resonables costages, per le surveu del dit chief gouverneur ou gouverneurs del port ou lieu ou tiel marchaunt vitailer ou estraunge arrivera; mesme la forfaiture destre demesne, juge, et reparte, en semblable maner et fourme, per semblables actions processe et execution, come est limitee d'autres forfaitures en cest acte avaunt declarez.

Proviso^{es} as to
exporting Gold,
&c.

“ Forfeitures under any former Statutes incurred before *Easter*,
“ may be recovered before Justices of the Peace.—Proviso^e that
“ the Act (as to exporting Gold or Silver) shall not extend to
“ Embassadors or Strangers under the King’s Licence, as to any
“ Money, Plate, Vessel, or Jewel, or Ornament of Gold or Silver
“ concerning his Person, brought into the Realm; nor to any
“ Embassador of the King, Herald, Pursuivant, or Messenger going
“ beyond Sea by the King’s Licence; nor to any Merchant going
“ beyond Sea to buy Wine, to be brought into this Realm, for
“ carrying with him only a little Cup (tase, *Fr.*—*pece*, *Rot. Parl.*)
“ called a Taster or Shewer for Wine; nor to foreign Money of
“ Persons going to and from *Calais*.—In order to give due Notice
“ of the Act, Writs of Proclamation thereof, under the King’s
“ Seal, shall be made into every County and other Places necessary,
“ in all goodly haste.”

Proclamation
of Act.

[*The Act to continue from Easter for Seven Years.*]

Proviso^{es} as to
Forfeitures.

“ Proviso^e, that the Act, so far as relates to any Share of the
“ Forfeitures given to the King, shall not extend to any For-
“ feiture to be had or made within the Principality of *Wales*, the
“ Duchy of *Cornwall*, the Earldom and Counties Palatine of
“ *Chester* and *Flint*, or any of them: The Share of all which For-
“ feitures shall be enjoyed by *Edward*, then Prince of *Wales*,
“ Duke of *Cornwall*, and Earl of *Chester*, and his Heirs, [not
“ naming Successors] Princes of *Wales*, first begotten Sons of any
“ Kings of *England*.

“ Proviso^{es} for the Liberties and Franchises of the Bishoprick
“ of *Durham*, the Abbot of the Ministry of *Saint Peter, Westmin-*
“ *ster*, and the Dean and Chapter of the King’s free Chapel of
“ *Saint Martin le grand, London*.”

C A P. II.

For the Trial of Matters in Courts of Piepowders, at Fairs.

[*Made perpetual
by Stat.*

1 R. 3. c. 6.]

ALSO, Whereas divers Fairs be holden and kept in this Realm,
some by Prescription allowed before Justices in *Eyre*, and
some by the Grant of our Lord the King that now is, and some
by the Grant of his noble Progenitors and Predecessors; and to
each and every of the same Fairs there is of Right pertaining a
Court of Piepowders, to minister in the same due Justice in that
Behalf; in which Court it hath been all Times accustomed, that
every Person coming to such Fairs should have lawful Remedy
of all Manner of Contracts, Trespasses, Covenants, Debts, and
other Deeds, or otherwise made or done within any of the same
Fairs, during the Time of the same Fair, and within the Juris-
diction of the same, and to be tried by Merchants being at the same
Fair; which Courts in these Days be misused by Stewards, Un-
der-stewards, Bailiffs, Commissaries, and other Ministers holding
and governing the said Courts of the said Fairs, for their singular
Profit, holding Plea by Plaints, as well of Contracts, Debts,
Trespasses, and other Deeds done and made out of the Time of
the said Fairs, or the Jurisdiction of the same, whereof of Truth
they have no Jurisdiction, surmising the Contracts, Debts, Tres-
passes, Covenants, and other Deeds, to be done within the Time
of

of the Fairs, or within the Jurisdiction of the same Fairs, where of Truth they were not so; and sometime [by the Device of evil-disposed People several Suits be feigned, and trouble¹] them to whom they bear evil Will, to the Intent that they for Lucre may have favourable Inquests of those that come to the said Fairs, where they take their Actions: And whereby divers Persons coming to the same Fairs, be grievously vexed and troubled by feigned Actions, and also by Actions of Debt, Trespasses, Deeds, and Contracts made and done out of the Time of the said Fairs, or the Jurisdiction of the same, contrary to Equity and good Conscience; whereby the Lords of the said Fairs do lose great Profit by the not coming of divers Merchants to their Fairs, which for that Cause do abstain, and also the Commons for that Cause be worse served of such Stuff and Merchandise which otherwise would come to the same Fairs: Our said Lord the King considering the Premises, by the Advice and Assent of the Lords Spiritual and Temporal, and at the Request of the Commons, in the said Parliament assembled, and by the Authority of the same, hath ordained and established, That from the First Day of *May* next coming, no Steward, Under-steward, Bailiff, Commissary, nor other Minister of any such Courts of Pipowders, shall hold Plea upon any Action at the Suit of any Person or Persons, unless the Plaintiff or Plaintiffs, or his or their Attorney, in Presence of the Defendant or Defendants, (²) do make Oath upon the holy Evangelists, upon the Declaration, that the Contract, Trespass, or other Deed contained in the said Declaration, was made or done within the Fair, Time of the said Fair where he taketh his Action, and within the Bounds and Jurisdiction of the same Fair. And although that the Plaintiff or Plaintiffs by their Oath do affirm the same, yet nevertheless the said Defendant or Defendants shall not be concluded by the same, but that they may answer and plead to the Action, or in Abatement of the Plaints, and proffer an Issue that the same Contract, Trespass, or other Deed contained in such Declaration, whereupon the Plaintiff or Plaintiffs doth or do declare, was not done nor made within the Fair Time and Jurisdiction of the said Fair, but out of the Time of the Fair, or at other Places out of the Jurisdiction of the same Fair, according to the Truth in that Behalf. And if it be so tried, or that the Plaintiff or Plaintiffs, or their Attornies, doth or do refuse to be sworn in the Form aforesaid, that then the Defendant or Defendants shall be quite dismissed and discharged in that Behalf out of that Court; the Party Plaintiff to take his Remedy at Common Law, or other Place convenient, as shall to him seem good, this Ordinance notwithstanding. And that every Steward, Under-steward, Bailiff, Commissary, or other Minister, holding, ruling, or governing any of the said Courts, that doth the contrary of this Ordinance, shall forfeit for every Default in that Behalf, an Hundred Shillings, the one Half thereof to our Lord the King, and the other Half thereof to him that will in this Behalf pursue his Action upon this Ordinance, by Action of Debt in his

In a Court of Pipowders the Plaintiff shall be sworn that the Contract was made within the Time and Jurisdiction of the same Fair.

The Defendant may dispute the Plaintiff's Oath and tender an Issue.

If Issue found for Defendant, Plaintiff may proceed at Common Law, &c.

Penalty on Stewards, &c. proceeding in a Court of Pipowders contrary to this Act, 100*l*.

¹ upon feigned Plaints by Imagination of evil-disposed People, to trouble; *Rot. Parl.*

² if he or they, or his or their, Attorney desire it; *Rot. Parl. and see Stat. 1 R. 3 c. 6.*

Proclamation of
this Act.

Continuance of
Act.

[See 1 R. 3. c. 6.]

Proviso for
Bishop of
Durham.

own Name. And that Writs of Proclamation be in all goodly Haste directed to every Sheriff of every County of *England*, to cause this Ordinance to be proclaimed in every Fair within his County, as well within Franchise as without.

This Act to endure from the First Day of *May* aforesaid, until the First Day of the Parliament that shall next ensue.

Provided always, That this Act, nor, any Thing comprised in the same Act, be hurtful or prejudicial to *William* now Bishop of *Durham*, or to his Successors, within the Liberty and Franchise of the Bishoprick of *Durham*.

ITEM qe come diverses feires sont tenuz et gardez en cest Roialme, ascuns per prescription allowez devaunt Justices en Eire, et ascuns per graunt nostre Seigneur le Roy qoreist, et ascuns per graunt de ses nobles progenitours et predecessours : Et a ascun ou chescune des mesmes les feires est de droit apperteignaut un court de Peepowders, a ministrer en ceo due Justice en celle partie ; en quele court il y ad toutz jours este accustume, qe chescune persone venant as tielx feires arroit loial remede des toutz maners contraires, trespasses, covenants, dettes, et autres fetes, ou autrement, faits ou commys deins ascuns de les mesmes feires durant le temps mesme le feir, et deins la jurisdiction del mesme, et destres tres per marchauntz estecantz al mesme la feire ; queles courtes es cestis jours sont misuses per seneschallz south-seneschallz bailiffs commissariez et autres ministres teignauntz et governauntz les ditz courtes des ditz feires, pur leur singular profit tenauntz ples per plaintes, sibien des contraires dettes trespasses et autres fetes faitz et commise hors le temps des ditz feires ou la jurisdiction del mesme, dount en verite ils ount nulle jurisdiction, surmettauntz les contraires dettes trespasses covenants et autres fetes estre faitz deins le temps des feires, ou deinz la jurisdiction de les mesmes feires, lou en verite ils ensi ne feussent ; et ascuns soit sur plaintes feintes per ymagination de malvais disposes poeples a troubler ceux as queux ils portent male voluntee, a celle entent qils auroient pur lucre favorables enquestes des venantz as ditz feires lou ils preignout leur actions, et perount plusours venantz as ditz feires sont grevousment vexes et troubles per actions, feintes et auxi per actions des dettes trespasses fetes et contraires faitz et commys hors del temps des ditz feires, ou jurisdictions del mesme, contrarie a equite et bon conscience ; perount les Seignurs des ditz feires perdent grandes profitesses per noun venue des diverses marchauntz a leur feires, qi pur celle cause ceux absteignent, et auxi les Communes pur celle cause sont pire serves de tiel stuffe et marchaundise quelles autrement viendront as ditz feires : Nostre dit Seigneur le Roy, les premisses consideres, del advyce et assent des ditz Seignurs espirituelx et temporelx et a la requeste des Communes en le dit parlement assemble, et per l'auctorite del mesme, ad ordeigne et establie, qe al primer jour del *May* prochain veignaunt nulle seneschall, south seneschall, baillif, commissarie, ne autre ministre dautiels courtes de Peepowders, teigne plee sur ascune action al suite dascune persone ou personnes, sinon ou le pleintif ou pleintifs ou son attourney en presence del defendaunt ou defendauntz ⁽¹⁾, face serement sur le Seint Evaungelic, sur la declaration qe le contract

¹ P. agrees with this Text in this Statute; but see Stat. 1 R. 3. c. 6.

[trespass]

[trespasse³] ou autre feet conteignuz en mesme la declaration fuist fait ou commise deins la feire, temps del dit feire. Iou celluy preigne sa action et dedeins les boundes et jurisdiction de mesme la feire; Et mesqe le dit pleintif ou pleintifs per lour serement afferme le mesme, nepurquaunt qe le dit d-fendaunt ou defendauntz ne soit ou soient concludez per ceo, mes que ceux poient respounder, et pleder al action, ou en abatement des plaintes, et de tender issue, qe mesme le contraict trespasse ou autre feet conteignuz en tuel declaration, sur quoy le pleintif ou pleintifs declare ou declarent, ne fuist commise ne fait dedeins le temps de la feire et jurisdiction del dit feire, mes hors le temps de la feire, ou as autres lieux hors de la jurisdiction de mesme la feire, solongue la verite en celle partie: Et sil soit ensi tries, ou qe le pleintif ou pleintifs refuse ou refusent, ou lour attourneys, de faire les serements en fourme avauntditz; qe donques le defendaunt ou defendaunts soit ou soient quietes dismises et discharges en celle partie hors dicell court; le partie pleintif de prendre son avauntage a la commune ley ou autre lieu convenient, come luy semble bon, cest ordeignauce nient contristeant. Et qe chescune seneschall, south-seneschall, baillif, commissarie, ou autre ministre teignant, rulant, ou governaunt, ascuns des ditz courts, qi face le contrarie du cest ordeignauce, forfacera pur chescune default en celle partie C s. lune moite ent a nostre Seignur le Roy, et lautre moite ent a celluy qi en celle partie pursuera sa action sur cest ordeignauce per action de dette en son propre noun. Et qe briefs de proclamation soient en tout bon haste directs a chescune viscount de chescune countee dEngleterre de faire cest ordeignauce estre proclaymes en chescune feire deinz son countee, sibien deinz fraunchise come dehors.

Cest act dendumer a le primer jour de May avauntdit tanqe al primer jour de parlement qe proscheinement ensuera.

Purveu toutz soit, qe cest act, ne null chose comprise en mesme lacte, soit damageous ou prejudicialle a William ore Evesqe de Durham ne ses successeurs deinz les liberte et fraunchise del Eveschie de Durham.

³ P. and former Translations omit.

C A P. III.

For prohibiting unlawful Games.

AFTER Recital, that according to the Laws (See Stats 12 R. 2. c. 6; 11 H. 4. c. 4.) no Person should use any unlawful Plays, as Dice, Coits, Football, and such Games; but that every Person able in Body should use his Bow, (for the Defence of the Realm standeth much on Archers), contrary to which Laws the said Plays and divers new-imagined Plays called Closhe, Keyles, Half-bowl, Hand-in and Hand-out, and Quekeborde, were used in divers Parts of the Realm; and great Evils resulted therefrom; and that the Players were supported and favoured by the Governors and Occupiers of divers Houses, Tenements, Gardens, and other Places where such Games were used, it is enacted, That no Person shall allow any such Games in their House, Garden, &c. on Pain of Three Years Imprisonment

“ment and Forfeiture of Twenty Poundage¹; and that none shall play
“at those Games on Pain of Two Years Imprisonment and For-
“feiture of Ten Pounds.”

[Repealed by the Operation of Stat. 33 H. 8. c. 9. § 17.]

C A P. IV.

An Act for making of Tile.

[See Stat.

22 G. 1. c. 35.

and Notes there.]

Tiles shall be
well made.

The Preparation
of Earth for the
making of Tiles.

Length, Breadth,
and Thickness
of Tiles.

Penalty on sell-
ing defective
Tiles, double
Value and Fine.

Recovery of
Penalties.

ALSO, Whereas in divers Parts of this Realm great Damages have been, and daily be, and by likelihood in Time to come greater will grow, for Default of true, seasonable, and sufficient making, whiting, and anealing of Tile, called Plain Tile, otherwise called Thak-tile, Roof-tile, or [Cres-tile¹,] Corner-tile, and Gutter-tile, made and to be made within this Realm: Our Lord the King (the Premises considered) for the general Profit of his said Realm, by the Advice of the Lords Spiritual and Temporal, and at the Request of the Commons in the said Parliament assembled, and by the Authority of the same, hath ordained and established, That all and every Person or Persons, which hereafter shall use the Occupation of making of any such Tile as before is specified, shall make it good, seasonable, and able, well sufficiently, and thoroughly whited and anealed. And that the Earth whereof any such Tile shall be made, shall be digged and cast before the First Day of *November* next before that it shall be made, and that the same Earth be stirred and turned before the First Day of *February* then next following the same digging and casting, and not wrought before the First Day of *March* next following; and that the same Earth before it be put to making of Tile, be truly wrought and tried from Stones; and also that the Veins called Malm or Marle, and Chalk, lying commonly in the Ground near to the Earth convenient to make Tile of, in or after the digging of the said Earth whereof any such Tile shall be made, shall be well lawfully and truly severed and cast from the said Earth whereof any such Tile shall be made. And that every such plain Tile so to be made, shall contain in Length Ten Inches and a Half, and in Breadth Six Inches and a Quarter of an Inch, and in Thickness Half an Inch and Half a Quarter of an Inch at the least. And that every such Roof-tile or [Cres-tile¹] so to be made, shall contain in Length Thirteen Inches, and in Thickness Half an Inch and [a Quarter of an Inch²] at the least, with convenient Deepness according. And that every Gutter-tile and [Cover-tile³] to be made, shall contain in Length Ten Inches and an Half, with convenient Thickness, [Breadth, and Deepness⁴] according.

And if any Person or Persons set to Sale to any Person or Persons any such Tile as above specified, made or to be made contrary to the said Ordinance, then the Seller thereof shall forfeit to the Buyer of the same the double Value of the same Tile, and besides that, shall make Fine and Ransom to the King at his Will. And that every Person that feeleth himself grieved, and will sue in that Behalf, shall have an Action of Debt against the Offender in that

¹ Crest-tile, *Rot. Parl.* some Translations read ‘Cresafe-tile.’

² Former Translations read erroneously ‘Half a Quarter.’

³ Corner-tile, *Rot. Parl.*

⁴ *Rot. Parl.* agrees herewith.

Behalf,

Behalf, and shall have like Process, Recovery, and Execution, as is or may be at this Day in any other Actions of Debt pursued at the Common Law; and that the Plaintiff in every such Action (if it be found with him) may recover against the Defendant in the same Action his reasonable Costs and Expences of his Suit; and that the Defendant in any such Action shall not be admitted to wage his Law, or to have any Essoin or Protection allowed, nor any Advantage [by fourching of Essoin or Distress:] And also that the Justices of Peace for the Time being, within any County of this Realm, and every of them, shall have full Power to inquire, hear, and determine by their Discretions, as well by Examination or otherwise, the Defaults, Offences, and Trespasses which shall happen to be committed contrary to this Ordinance, as well at the King's Suit, as at the Suit of the Party which shall feel himself grieved in that Behalf. And if it be found, or may appear to these Justices of Peace, or any of them, by Examination, or otherwise, by their Discretion, that any Person or Persons hath or have offended contrary to this Ordinance, that then the same Justices, before whom it shall be found or appear, shall assess and set upon the Offender in that Behalf no less Fine than for every Thousand of plain Tile set to Sale contrary to this Ordinance, [Five Shillings⁶,] and for every Hundred Roof-tile, Six Shillings and Eightpence, and for every Hundred Corner-tile or Gutter-tile, Two Shillings, sold contrary to this Ordinance; and [if less be so put to Sale or sold contrary to this Ordinance⁷,] that less Fine be made after the Rate of the same by the Discretion of the said Justices, or any of them.

Costs.

Justices of the Peace may inquire of, hear, and determine these Offences, and fine Offenders.

And that the said Justices shall have full Power to call before them, or any of them, at any Time and Place requisite, such and so many Persons as by their Discretion have and shall have best Experience or Knowledge in the Occupation of making of Tile, to search and examine the digging, casting, turning, parting, making, whitening, and anealing aforesaid; and that such Person or Persons, which so shall be assigned Searchers, shall have full Power to make such Search; and that no Person put no such Tile to Sale before that it be searched by the said Searchers, upon Pain of Forfeiture of the same Tile. And if the said Searchers, or any of them, do find that any Person or Persons, exercising the Occupation of Tile-making, doth offend contrary to this Ordinance, that then the said Searchers shall present such Defaults before the Justices of Peace at their next Sessions; and that every such Presentment be as strong and effectual in the Law, as the Presentment of Twelve Men. And that such Searchers so to be ordained, assigned, and deputed, shall have of every such Tile-maker, for his Labour of the said Search, for every Thousand plain Tile searched, One Penny; for every Hundred Roof-tile, [ob.⁸]; and for every Hundred Corner-tile and Gutter-tile, One Farthing.

Justices empowered to appoint Searchers:

Their Power of Presentment.

The Searchers Fee.

And that the same Searchers shall do and execute their effectual Industry and Diligence in this Behalf according to this Ordinance, upon Pain of Forfeiture to our Lord the King, for every Default in this Behalf, Ten Shillings. And that the Justices of Peace shall have Power to examine, inquire, and determine the Faults

Penalty ros. on Searchers for Neglect, (enquirable by Justices of Peace.)

⁶ by fourchier, by essoin, or distress, Rot. Parl.

⁷ vi. Rot. Parl.

⁸ i. d. Rot. Parl.

of such Searchers in the Premisses, in like Form as above is ordained for the Default of Tile-makers. This Ordinance to begin to take Effect at the Feast of Saint *Michael* next coming, and not before.

ITEM pur ceo qe es diverses parties du cest Roialme grandes damages ount eitee, et de jour en autre sount, et per semblance en temps aveignir greinours accrescer voillent, pur defaulte de veraie sefonable et sufficiant sasure whityng et anelyng de tewle appellees pleintile, auterment nosmez thaktile, rostile, ou crestile, cornertile, et guttertile, fait et affaire deinz cest Roialme: Nostre Seigneur le Roy, les premisses consideres, pur universal bien de son dit Roialme, ad per ladys et assent des Seignurs espirituelx et temporelx et a la requeste des communes en le dit parlement assemblees, et per auctorite de mesme, ordeigne et estable, qe toutz et chescune persone ou persones, qi en apres usera loccupation de sasure dascun tiel teule come est desuis especificies, le face bone sefonable et able, bien sufficiament et tout oustrement blanches et aneles; Et qe la terre de quele aucune tiel teule serra fait soit soiez et gistes devaunt le primer jour de Novembr^o profchein devaunt qe ceo serra fait, et qe mesme la terre soit sleres et turnes devaunt le primer jour de Feveer adonqes profchein ensuant les ditz soiance et gistance, et nient overes devaunt le primer jour de Marche adonqes profchein ensuant: Et qe la dit terre, devaunt qil soit mise al sasure de teule, soit verament overez et tries de peers; et auxi qe les veines appellees malin ou marle et chalke, gifantz communement en la terre bien pres a la terre convenient de faire teule ent, en ou apres la soiance de la dit terre dount aucun tiel teule serra fait ou affaire, soit bien loialment et verament desseveres et gistes de la dit terre dount aucun tiel tenle serra fait ou affair. Et qe chescune tiel pleyn teule ensi affaire conteigne en longieure dys pous et dimy, et en laieure vj. pous et un quarter dun pous, et en densite di. pous et di. quarter dun pous au meyns: Et qe chescune tiel rostile ou creste-teule ensi affaire conteigne en longieure xij. pous et en densite di. pous et un quarter au meyns, ovefque convenient profundenesse accordaunt; Et qe chescune guttertile (3) affaire conteigne en longieure x. pous et di. pous ovefque convenient densite, [et⁴] profundesse accordant.

Et si aucune persone ou persones mette a vender au aucun persone ou persones aucune tiel teule come desuis especifiez encountre la dit ordeignance fait ou affaire; adonq le vendour ent forface a lachatour del mesme le double value de mesme le teule, et oustre ceo face fyn et raunson a Roy a sa volunte; Et qe chescune persone qi se sente greve, et suer voet en celle partie, ait action, de dette encountre l'offendour en celle partie, et aiet semblables processs recovere et execution en ceo, come est ou poiet estre a cest jour en aucuns autres actions de dette pursuers a la commune ley; et qe le pleintif en chescune tiel action, sil soit trove ovefque luy, poiet recoverer encountre le defendaunt en mesme l'action ses resonables costes et expenses de sa suite; et qe le defendaunt en aucun tiel action ne soit admise de gager sa ley, ou davoit aucun effoin ne protection allowe, ne aucun avauntage per fourchier per effoin distresse: Et auxi qe les Justices de peas pur le temps esteantz deinz chescune

³P. adds here 'couertile.'

⁴lact, P.

countie de cest Roialme, et chescune de eux, aiet pleyne poair denquer oier et terminer per leur discretions, sibien per examination ou autrement, les defautes, offenses et trespasses qe aviendront a faire encoutre cest ordeignauce, sibien a la suite du Roy come a la suite de partie qi en apres se sentera greves en celle. Et si il soit trove, ou poiet apperer as les ditz Justices de peas, ou ascun de eux, per examination ou autrement per leur discretion, qe ascun persone ou persones ad ou ount offendu ou offenduz contrarie a cest ordeignauce; qe lors mesmes les Justices, devaunt queux il serra trove ou appiergera, assellent et met nulle fine meinz sur lossendour en cell partie qe pur chescune mille de plentile teule mise a vende contrarie a cest ordeignauce, v. s. et chescune Cent rooftile vj. s. viij. d. Et pur chescune Cent cornertile ou guttertile ij. s. venduz contrarie a cest ordeignauce: [Et si meins soit enfy mis a vende ou vendus contrarie a cest ordinaunce?] meindre fine soit pur ceo fait, solonqe la rate dicelle, per la discretion des ditz Justices ou ascun deux.

Et qe les Justices aient pleyn poair de faire venir devaunt eux ou ascun de eux as afeuns temps et lieu requisitez tielx et tantz persones come per leur discretion ount et averount greindre experience ou cognisaunce en loccupation de fisure de teule, de sercher et examiner la foiance, gistance, turnance, departure, fefour, blanchecour, et anelynge avaunt ditz: et qe mesme le persone ou persones qi ou quels enfy serra ou ferrount assigne ou assignez sercheours, aient pleyn poair de fair tiel serche; et qe nulle persone met nul tiel teule a vende, devaunt qil soit serche per les ditz sercheours, sur payne de forfaiture de mesme le teule. Et si les ditz sercheours, ou ascun de eux, trove ou trovent, qe ascune persone ou persones, exerceant ou exerçant loccupation del faisure de teule, offense ou offendent en ycelle, contrarie a cest ordinaunce; qe lors mesmes les sercheours presentent tielx defautez devaunt les Justices de peas a leur prochein sessions; et qe chescune tiel presentement soit si fort et effectuel en la ley come presentement de xij. hommes; Et qe tielx sercheours ensi estre ordeignez assignez et deputez aient qe chescune tiel faiseur de teule pur leur labour de le dit serche, pur chescune Mille pleintile serchez, i. d. de chescune Cent rooftile, di denier, et chescune Cent cornertile et guttertile le serling.

Et qe mesmes les sercheours facent et executent leur effectuel devoir et diligence en celle partie, accordant a cest ordeignauce, sur payne de forfaiture a nostre Seignur le Roy pur chescune defaute en cell partie x. s. Et qe les Justices de peas aient poair dexaminer enquerer et determiner les defaulkes des tielx sercheours en les premisses, en semblable fourme come desuis est ordeignez pur les defautez de les faiseurs de teule. Cest ordeignauce a commencer de prendre effect a la feste de Seint Michell prochein veignaut et nient devaunt.

1 P. and former Translations omit this.

[See Stat.

4 E. 4. c. 1.

and Notes there.]

C A P. V.

An Act for sealing of Cloths.

“WOOLLEN Cloths may be sealed with Wax at both Ends, notwithstanding the Statute of 4 Ed. 4. c. 1. and under the Fee due before that Act.—The Treasurer of *England* empowered to let the Aulnage Duties to ferm upon good Surety.”—*The Aulnage Duties are repealed by Stat. 11, 12 W. 3. c. 20. § 2.*

* [Cap. VII.
in Translations
previous to Cay.]

C A P. VI.*

A Repeal of the Parliament holden the Ninth Year of King *Edward IV.*

ALSO, Whereas in the most dolorous Absence of our Sovereign Lord the King out of this his Realm, being in the Parts of *Holland*, and before his most victorious Regress into the same Realm, in a pretended Parliament unlawfully and by usurped Power summoned and called by the Rebel and Enemy to our Sovereign Lord the King, *Henry* the Sixth, late in Deed and not of Right King of *England*, and holden in the Palace of *Westminster* the Twenty-fifth Day of *November*, the [Ninth¹] Year of our said Lord the King, under the coloured Title of the said *Henry*, from the Beginning of his pretended Reign Forty-nine, and of the Re-adeption of his usurped Power and Estate the First, divers and many Matters were treated, communed, and [wrought²,] to the Destruction and Disherison of our said Lord the King, and of his Blood Royal, by the Labour and Exhortation of Persons not fearing God, nor willing to be under the Rule of any earthly Prince, but inclined of sensual Appetite to have the whole Governance and Rule of this Realm under their Power and Domination, which Communications, Treaties, and [Workings³] do remain in Writing, and some exemplified, whereby great Inconveniencies may ensue principally to our Sovereign Lord the King, and his Blood Royal, which God defend, and all Noblemen attending at this Time about the King, and all his other liege People and Subjects, unless due Remedy be provided in this Behalf: Our said Sovereign Lord the King, by the Assent of the Lords Spiritual and Temporal, and at the Request of the Commons in the said Parliament assembled, and by Authority of the same Parliament, for the Surety of his noble Person, his noble Issue, and the inheritable Succession of the same, and for the Surety of all the Lords, Noblemen, and other his true Servants and Subjects, hath ordained and established, That the said pretended Parliament, with all the Continuances and Circumstances thereupon depending, be void and of none Effect. And that all Acts, Statutes, Ordinances, Treaties, Communications, Conventions, and [Workings³] in the said pretended Parliament, treated, communed, accorded, [wrought²,] had, or by the Authority of the same Parliament enacted and ordained, [and⁵] all Exemplifications made upon the same, or any Part thereof, and every of them, shall be reversed, cancelled, [void, undone⁶,] repealed, revoked, and of no Force nor Effect.

¹ opened, *Rot. Parl.*³ *Rot. Parl.*, agrees herewith.² Overtures, *Rot. Parl.*⁶ called, *intre*, *Rot. Parl.*

ITEM que come en le plus dolorouse absence nostre Seigneur le Roy hors du cest son Roialme en les parties de Holand estcant, et deuant son plus victorieuse regresse en mesme le Realme, en un pretense parlement disloialment et per poiar usurpe somonez appelez et per rebell et enemye nostre Seigneur le Roy, Henry le vij^e nadgairs en fait et nient de droit Roy Dengleterre, tenuz au palace de Westm^r le xxvj^e jour de Novembre lan [novesme¹] nostre dit Seigneur le Roy, desouth le tittle colourez le dit Henry de lenchoation de son pretense Roigne xlix^e. et de la readeption de son usurpes poiar et estate le primer, diverses et plusours matiers feussent treatez communiquez et overtez, a la nientelment et desheritaunce nostre dit Seigneur le Roy et de son Sank roial, per la labour et exortation des persones nient craignantz Dieu, voillantz ne estre south le rule dascun Prince terrienne, mez enclinez de sensual appetit davoit entier rule et gouvernement de cestuy Roialme south lour poiar et domination, quelez communications treatez et overrainez remaynantz en escriptez, et ascuns exemplifiez, dount graundez enconveniences pussent ensuer, principalement a nostre Seigneur le Roy et son Sank Roial, que Dieu defend, et as toutz noblez hommes a cell temps entendantz entour le Roy, et as toutz autres ses liegez et subgietz, sinoun due remedie soit purveu en cest partie: Nostre dit Seigneur le Roy, del assent de les Seignurs espirituelx et temporelx et a la requeste des Communes en le dit parlement assemblez, et per auctorite de mesme le parlement, pur la suertie de son noble person, son noble issue, et lenheritable succession del mesme, et pur la suertie dez toutz Seignurs noblez hommes et autres ses lieges servauntz, et subgietz, ad ordeigne enacte et establie, que le dit pretense parlement, oveqe toutz continuancez (*) sur ceo dependantz, soient voidez et de null effect. Et que toutz actez estatuitz ordeignancez treatez communications conventions et ouvertures, en le dit pretense parlement treatez communiquez, accordez, overtez, euez, ou per lauctorite de mesme le parlement enactez et ordeignez, [en^s] toutz exemplifications faitz sur le mesme ou ascune part diceux, et chescune deux, soient reversez cancellez cassiez irritez repellez revoquez et de null force ne effect.

* jxth, Rot. Parl.—But it was in A.D. 1470, which was an. 10 Ed. 4.—
See Note under that Year.

4 et circumstances, P. with which Rot. Parl. agrees.

C A P. VII.*

An Act for Sheriffs Returns.

ALSO, Whereas by a Statute in the last Parliament holden at Westminster† it was ordained, That the old Sheriff therein specified of every County might execute and return any Writ, Precept, or Warrant, in any of the King's Courts, within the Term called Michaelmas Term, after the Sixth Day of November, and before any Writ of Discharge to him delivered of his Occupation of Sherifffick, without Hurt, Loss, or Penalty by the same Statute remembered, as in the same doth more largely appear: And because that the Words of the Authority given by the said Act to the said old Sheriff, be too especial, and not general enough for the common Weal purposed or intended by the same Act: It is

VOL. II. X. x therefore

* [Cap. VI. in
Translations
previous to Cuy]

† See Note at
Head of an.
12—15 E. 4.
p. 633.
Recital of
12 E. 4. c. 1.

therefore ordained by Authority of this present Parliament, That every old Sheriff of every County, remembered in the said last Act, from the Sixth Day of *November* next to come, shall have from Year to Year full Authority and Power, as well lawfully to execute and return every Writ, Precept, or Warrant, [from¹] every of the said Courts of the King delivered to him, as to do and execute every other Thing, which to the Office of Sheriff lawfully pertaineth, at all Times during the Terms of Saint *Michael* and of Saint *Hillary*, unless before the same Time he be lawfully discharged of his Occupation of Sheriffwick, without sustaining any Damage, Forfeiture, or Pain in respect thereof; any Act, Ordinance, or Provision before made to the contrary in any wise notwithstanding.

¹ Query 'at?'—fro' Rot. Parl.

ITEM qe come per estatuit en le darreigne parlement tenuz a Westm' estoit ordigne, qe le veile viscount en ceo especifiez de chescune countee puisset executer et retourner qeconqe brief precept ou warant en aucuns courtz le Roy deinz le terme appelle Michell terme, apres le vj^e jour de Novembr' et devaunt aucune brieft de discharge a luy delivers de son occupation de viscount, saunz damage grief ou peyne per mesme lestatuit remembre, come en ycell pluis largement appiert; et pur ceo qe les parols del auctorite donez per la dit acte a le dit veile viscount sont trop especialx, et nient assezz generalx, pur la commune bien per mesme l'acte proposez ou entenduz: Pur ceo il est ordeigne per auctorite de cest present parlement, qe chescune veile viscount de chescune countee remembrez en le dit darreigne acte, ait a le vj^e jour de Novembre prochain aveignir dan en an pleyne auctorite et poiar, sibien loialment dexecuter et retourner chescune brief precept ou warant, a chescune de les courtz nostre Seignur le Roy a luy deliver, come chescune autre chose a faire et executer, qe al office de viscount loialment apperteignent, as toutz temps durantz les termes de Seint Michel et de Seint Hillarie, sil ne soit devaunt celle temps loialment descharge de sa occupation de viscount, saunz aucun damage forfaiture ou peyne per cause dicelle en aucune manere a susseigner, aucun acte ordeignaunce ou provision per devaunt au contrarie fait en aucune manere nient obstaunt.

Anno vicesimo secundo EDWARDI IV.

In the Parliament held at Westminster on Monday,
20th January, A.D. 1482-3.

From the Copy given by Cay, &c. as from Cott. MS. Nero,
C. 1. compared with printed Rot. Parl. Pynson, &c.

The Chapters of the Statute are founded on the following
Articles in printed Rot. Parl.

Chapter in Statute.

Number in Roll.

1	—	—	25
2	—	—	26
3	—	—	27
4	—	—	28
5	—	—	29
6	—	—	30
7	—	—	31
8	—	—	32

On Petitions delivered by the
Commons; all in English.

For other Acts of this Parliament, (several of which are com-
plete in their Form as Acts), See further,

Printed Rot. Parl. vi.

Page. No. } Grant of a Fifteenth and Tenth.

197, 8, }
9, Grant of a Subsidy payable by Aliens, viz. By Alien
Artificers, being Householders, 6s. 8d.; Non-house-
holders, 2s.; Aliens Brewers, 20s.; Venetians, &c.
being Merchants, Brokers, Factors, or Attornies,
being Householders, 40s.; Non-householders, 20s.;
with an Exception for Merchants of Spain, Brit-
tany, and the Hanse, and for Italian Brokers.

198, 11, For providing for the Expences of the King's House-
hold.

202, 12, For Exchange of certain Manors, &c. between the
Prince of Wales and the Earl of Huntingdon.

204, 13, For granting to the Duke of Gloucester the Wardenship
of the West Marches of Scotland, with the Castle,
City, Town, and Lordship of Carlisle, and all Manors,
&c. appertaining to the same.

205, 14, } For settling certain Estates of William Viscount
207, 15, } Berkley, on Richard Duke of York, in Considera-
tion of a Debt from the Viscount to the King.

Printed Rot. Parl. vi.

- Page. No. } For securing to the King the Ward and Relief of
 257, 16, } Lands held of him by Knight's Service within the
 17, } Duchy of Lancaster, notwithstanding any Convey-
 ances in Trust by the Tenants thereof.—With a
 Clause, that in all Actions by the King, for Mat-
 ters relating to the Duchy of Lancaster, he shall
 recover like Damages as a Subject would in such
 Actions. [Repealed 1 R. 3. nu. 19.]
- 208, 18, For incorporating the Dean and Canons of the King's
 free Chapel of St. George, within his Castle of
 Windsor.
- 209, 19, "Actus inter regem tanquam Ducem Lancast^r, Ab-
 batem et Convent^u Beate Marie extra muros civitatis
 Eborum, et Priorem Sancti Johannis Jer^ulm in
 Angl^a." —For appropriating the Advowson of the
 Church of Boston in Lincolnshire, to the Hospital of
 St. John of Jerusalem, and confirming certain
 Grants made in consequence of such Appropriation.
- 215, 20, For confirming an Agreement between the Marquis of
 Dorset and Sir Thomas Sengliter, as to certain
 Estates, late the Duchesse of Exeter's.
- 217, 21, For confirming certain Estates to the Lord Richard
 Grey, Knight, one of the Queen's Sons.
- 218, 22, For Restitution of John Delves, attainted in Parlia-
 ment, 12—15 E. IV.
- 219, 23, For Restitution of William Hody, Heir of Alexander
 Hody, attainted in Parliament, 1 E. IV.
- 24, For revoking a Patent, 17th November, 6 E. IV. for
 incorporating the Company of Taylors in Exeter.

OUR Lord the King, Edward the Fourth, at his Parliament
 holden at *Westminster* the Twentieth Day of *January*, in the
 Two and twentieth Year of his Reign, to the Honour of God, and
 for the Weal of his People of this his Realm, by the Advice and
 Assent of the Lords Spiritual and Temporal, and at the Request
 of his Commons, in the said Parliament assembled, and by Author-
 ity of the same Parliament, hath ordained and established certain
 Statutes and Ordinances in Form following.

NOSTRE Seignur le Roy Edward le quart a son parlement
 tenuz a *Westm^r* le vintisme jour de *Januar* lan de son
 rigne vintisme second, al honou^r de Dieu et pur la bien de son
 poeple cestuy son Roialme, del advys et assent dez Seignurs espiri-
 tuelx et temporelx et a la requeste de ses communes en le dit par-
 lement assemblez. et per auctorite de mesme le parlement, ad
 ordeigne et establie certains estatutz et ordeignaunces en la fourme
 qenfuist.

C A P. I.

An Act of Apparel.

RECITAL that several Statutes and Ordinances had been made for Restraint of excessive Apparel, (See Stat. 3 E. 4. c. 5. and 17 E. 4. nu. 30.) which were not duly executed, it is enacted, That no Person of any Estate, Degree, or Condition whatever, wear any Cloth of Gold or Silk of Purple Colour, except the King and Queen, and the King's Mother, Children, Brother, and Sisters; Penalty Twenty Pounds.—None under Degree of a Duke shall wear any Cloth of Gold of Tissue; Penalty Twenty Marks.—None under Degree of a Lord shall wear plain Cloth of Gold; Penalty Ten Marks.—None under Degree of a Knight shall wear Velvet in their Doublets or Gowns, nor any Damask or Satin in their Gowns, (except Squires of the King's Body); Penalty Forty Shillings.—No Yeoman of the Crown or other under the Degree of a Squire or Gentleman, shall wear in their Doublets Damask or Satin, nor Gowns of Chamlet; Penalty Forty Shillings.—None under Degree of a Lord shall wear any Foreign Woollen Cloth, nor any Furs of Sables; Penalty Ten Pounds.—No Servant of Husbandry, common Labourer, nor Servant to any Artificer, nor their Wives, (out of Cities), shall wear any Cloth above Two Shillings *per* Yard.; nor shall their Wives wear Kerchiefs above Twenty-pence the Plight; nor shall any such Labourers, &c. wear any Hose exceeding Eighteen-pence the Pair; Penalty Forty-pence.—Justices of Peace have Power to hear and determine Offences.—The Act shall not extend to any *Women* except the Wives and Servants of Labourers.—All former Statutes of Apparel repealed.—None under Degree of a Lord shall wear any Gown or Cloak which does not cover his Buttocks, &c.—Providoe that the Act shall not extend (except as to Purple and Cloth of Gold) to Eleven Persons, Knights, and others particularly named.”

[Repealed 1 Hen. 8. c. 14. and see 1 Jac. 1. c. 25. § 45.]

C A P. II.

An Act for packing of barrelled Fish.

ALSO, Whereas divers Deceits have been used and done, as well in the Measures of Vessels called Butts, Barrels, and half Barrels ordained for Salmon, and Barrels, half Barrels, and Firkins ordained for Herring, Eels, and other barrelled Fish, as in the Packing in the same Vessels of every of the said Fish before named, to the great Damage of the King, the Lords Spiritual and Temporal, and other of the King's faithful Subjects⁽¹⁾: For Reformation whereof our said Sovereign Lord the King, by the Advice, Assent, and Authority aforesaid, hath ordained and enacted, That no Merchant Stranger nor Denizen, after the Feast of Saint Michael next coming, shall sell nor set to Sale any Salmon by Butt, Barrel, half Barrel, or any other Vessel, before it be seen; except the same Butt do hold and contain Fourscore and four Gallons, the Barrel Two and forty Gallons, and the half Barrel

Content of
Vessels for
packing Salmon,
viz. Butts 84
Gallons,
Barrels 42,
half Barrels 21.

¹ See more extended Preamble in *Rot. Parl.*

Packing of
Salmon.

One and twenty Gallons, well and truly packed; upon Pain of Forfeiture for every Butt, Barrel, and half Barrel so failing their said Measure, Six Shillings and Eight Pence: Also that no such Merchant being under the King's Obeifance, after the said Feast of Saint *Michael*, shall sell or put to Sale any Manner Salmon by Butt or other Vessel, except it be well and truly packed, that is to say, the great Salmon by itself, without mingling with them any Grills or broken bellied Salmon. And that all small Fish called *Grills*, shall be packed by themselves only, without any mingling; upon Pain of Forfeiture and Loss of Six Shillings and Eight Pence for every Butt, Barrel, and half Barrel mingled, packed, and set to Sale contrary to this Act.

Content of a
Barrel of
Herring, &c.
32 Gallons.
* [See 13 *Eliz.*
c. 11. § 5.]
Herrings shall
be well packed
throughout.

Content of a
Barrel of Eels
42 Gallons.

For regulating
the packing of
all barrelled
Fish.

II. Also that no Merchant nor other Person set any Herring to Sale by Barrel, half Barrel, or Firkin, except the same Barrel contain Two and thirty Gallons, the half Barrel and Firkin after the same Rate*; and that the same Herring be well, truly, and justly laid and packed, and that it be of One Time taking and salting; and that the same Herring be as good and as well packed in the Midst, and in every Part of the said Barrel, and other Vessel, as it shall be in the Ends of the same Barrels and Vessels; upon Pain of Forfeiture and Loss of Three Shillings and Four Pence for every Barrel, half Barrel, and Firkin so failing their said Measure; and also upon Pain of Forfeiture and Loss of Three Shillings and Four Pence for every Barrel, half Barrel, and Firkin of Herring sorted, laid, or packed contrary to this Act. Also that no such Merchant nor [Palingman²] sell or set to Sale any Eels by Barrel, half Barrel, or Firkin, except the same Barrel contain Two and forty Gallons, the half Barrel and Firkin after the same Rate; nor that any such Merchant nor Palingman do mingle any [Gallebetten, starved, or pulled Eels³] with the good Eels, but that the said good Eels be well and justly packed, and sold by themselves; nor that they mingle with the good Eels, or put to Sale any Red Eels⁴; upon Pain of Forfeiture and Loss of Ten Shillings for every Barrel, half Barrel, and Firkin so failing their said Measure; and also upon Pain of Forfeiture and Loss of Ten Shillings for every Barrel, half Barrel, and Firkin so mixed, packed, and set to Sale, as afore is said, contrary to this Act. Also that no such Merchant, after the said Feast, sell, or set to Sale any barrelled Fish, except the same Fish be well and faithfully packed, that is to say, any countable Fish, commonly called *Tale-fish*, by it self, and the small Fish called *Grills* by themselves, without any Mixture of the said Fishes with the great Fish, and without Mixture or packing of Thokes, or broken bellied Fish with the said *Tale-fish*, or small Fish; and that neither the said *Tale-fish*, nor small Fish, be laid double in the Packing; and that every *Tale-fish* contain in Length, from the Bone of the Fin, to the Third Joint of the Tail, Six and twenty Inches at the least; and that the Napes of all such barrelled Fish shall be no longer than the little Bone that resteth upon the great Fin; and that the Bone of every such Salt Fish shall be taken away unto the Navel

* Seller of Eels, *Rot. Parl.*; See the Preamble there.

³ Galbeton, starved or pulled Eels, *Rot. Parl.*

⁴ the which red Eels be very perilous and unwholesome for Man's Body, and no wise merchantable, Preamble in *Rot. Parl.*

of the same Fish. And that every such Fish be splatted, or opened down, to an Handful of the Tail, upon Pain of Forfeiture and Loss of Three Shillings and Four Pence for every Barrel of Fish which hereafter shall be found packed, sorted, mixt, naped, laid double, or not boned, nor splatted, nor opened, according to this Act.

III. And also in eschewing the common Losses and Deceits aforesaid, our said Lord the King hath ordained and enacted, by the Authority aforesaid, That all Mayors, Bailiffs, and Governors of Cities, [Boroughs, Market-towns^s,] and all other Places of this his Realm, for the Time being, where there be Mayors, Bailiffs, or Governors, shall have Power and Authority to name and choose discrete and expert Person or Persons, [daily⁶] to search and gauge all such Vessels as above be rehearsed, that they be faithfully packed, and keep their lawful Measure and Assise according to the Ordinances aforesaid: The one Half of all the said Fines, Forfeitures, and Penalties, and every of them, to be to our Lord the King, and the other Half to him or them of his Subjects that shall seise or pursue for the same by Action of Debt, by Writ at the Common Law, by Bill or Plaint, according to the Custom of the City or Town where any such Fines, Forfeitures, and Penalties shall hereafter happen to be or fall; and that the Defendant in any such Action be not admitted to wage or do his Law, nor that any Protection, or Efoin of the King's Service for any such Defendant be allowed.

Chief Officers of Cities and Boroughs, &c. empowered to appoint, Searchers to search and gauge Vessels of Fish [And see also Stat. 15 C. 2. c. 16. For the Searchers Fees see 11 H. 7. c. 23.] Application of Penalties.

IV. Provided always, That this Act be not prejudicial to any Person or Persons having Forfeitures of the Goods of Felons, Fugitives, and condemn'd Persons. Moreover, it is ordained and enacted by the Authority aforesaid, That every such Person and Persons shall have and enjoy like Forfeitures of and in every of the Premises within their Franchises, as the King now hath in other Places without.

Saving of Forfeitures in Franchises.

^s Towns, Burghs, Markets, Rot. Parl.

⁶ daily, Rot. Parl.

ITEM qe come diverses desceits ount este uses et faitz, sibien en les mesures des vesscaux appellees buttes, barelle, et dimy banelles, ordeigneiz pur salmon, et banelles jymy banelles et firdykyns ordeigneiz pur harang, anguillez, peisson banelles, come en pakkure es les mesmes vesscaux de chescune de les peissons avaunt nosmes, a grand damage du Roy, les Seignurs espirituelx et temporelx, et autres foialx subgiets du Roy: Pur reformation de quele nostre dit souverain Seignur le Roy, del advys assent et auctorite desuisditz, ad ordeigneiz et enactez, qe nulle marchaut, estrange ne denizein, apres la feste de seint Michell prochain veignaut vende ne mette a vend ascun salmon, per butte, barelle, di. barelle, ou ascune autre vesscau, devaunt qil soit vieu; sinon mesme le butte teigne et conteigne quatre vint et quatre galons, le barelle quarant deux galons, et le di. barelle xxj. galons, bien et foialment pakkeiz; sur payne de forfaiture pur chescune butte barelle et di. barelle ensi tant lour dit mesure vj. s. viij. d. Auxi qe nulle tiel marchaut esteant desous lobeissance du Roy, apres la dit feste de seint Michell vende ou mette a vend ascun manere salmon per butte ou autre vesscau, sinon y soit bien et foialment pakkeiz, scilicet le grand salmon per soy mesme sanz mixture ovesqe dascuns grilles, ou salmons rumpes les ventrez. Et qe toutz petitiz

peffons appellez grilles soient pakkez per foy mesmes soulement faunz ascun mixture sur payn de forfaiture et perdition de vj. s. viij. d. pur chescune butte, barelle, di. barelle, contrarie a cest acte mixtes, [rakkes¹,] et mises au vend.

Auxi qe nulle marchaunt nautre persone mette ascun harank au vend per barelle, di. barelle, ou firkyng, sinon mesme le barelle conteigne xxxij. galons, le di. barelle, et firkyng, solongue mesme la rate, et qe mesme le harank soient bien foialment et justement couche et pakke, et soit del prise dune temps et falsure; et qe mesme le harank soit si bon et sibien pakkes en le midye, et en chescune part du dit barelle et autre vesseau, come il serra en les fines mesmes les barelles et vesseaulx; sur payn de forfaiture et perdition de iij. s. iiij. d. pur chescune barelle dimi barelle et firkyng ensi faillant lour dit mesure; et auxi sur payn de forfaiture et perdition de iij. s. iiij. d. pur chescune barelle, di. barelle, et firkyng de harank contrarie a cest acte sortez couchez ou pakkez. Auxi qe nulle tiel marchaunt ne palingman vende ou mette au vend ascuns anguilles per barelle, di. barelle, ou firkyng, sinon le barelle conteigne xlij. galons, le di. barelle et firkyng solongue mesme la rate; ne qe ascune tiel marchaunt ne palingman melceient ascun galbelton, [moreys³,] ou decories anguilles, ovesqe bones anguilles; mes qe mesmes les bones anguilles soient bien et justement pakkes, et venduz per foy mesmes; ne mescent ovesque les ditz anguillez, ou mette au vende, ascuns anguillez rougez; sur payn de forfaiture et perdition de x. s. pur chescune barelle dimi barelle et firkyng ensi faillant lour dit mesure; et auxi sur peyne et perdition de x. s. pur chescune barelle, di. barelle, et firkyng, ensi come est avantdit mixtez, et contrarie a cest acte pakkez ou mise au vende. Auxi qe nulle tiel marchaunt apres la dit feste vende ou mette au vende ascun peffon barellez, sinon mesme le peffon soit bon et foialment pakkez; scilicet laccomptablez peffon, vulgarement appelez talefish, per foy mesme, et les petitz peffons appellez griles per foy mesmes, faunz ascun mixture de les ditz peffons ovesqe le grosse peffon, et faunz mixture et pakkure des thokez et peffons rompez le ventre ovesqe le dit comptable peffon, ou petit peffon: Et qe ne laccomptable peffon ne petit peffon soit couche double en pakkure. Et qe chescun peffon comptable conteigne en longieure del osse al fyne jesquez al tierce jointe del cove xxvj. pouce au meyns; et qe les napes, de tout tiel peffon barellez ne soient pluis longez, qe au petit osse qe set sur le grosse fynne; et qe lossse de chescune tiel peffon salee soit prise hors, jesquez le lumble de mesme le peffon. Et qe chescun tiel peffon soit splatte ou overte base desqe un maniple del cove, sur payn de forfaiture et perdition de iij. s. iiij. d. pur chescune barelle de peffon quele enapres serra trovez pakkez, sortez, mixtez, napez, couchez double, ou nient deoffes ne splattes, ou overtez, accordaunt a cest act.

Et auxi en eschuer de les communes damages et desciteiz avantditz, nostre dit Seignur le Roy ad ordeigne et enacte, per le suiddit auctorite, qe toutz mairs baillifs et gouverours des citees villes burghs marchez, et toutz autres lieux de cest son Roialme pur le temps esteantz, lou ils souint mairs baillifs ou gouverours, aient poiar et auctorite pur nosmer et eslier descete et experte persone ou perones, duement de serchier et gaugier toutz tielx vesseaulx come

¹ pakkes, P.³ moreins, P.

defuis fount reherfez, que ceux soient foialment pakkez, et gardent lour foialle mesure et affise, accordantz as les ordeignauncez fuissetz: Lune moite des toutz les fyns forfaitures et peyns, et chescune de eux, soit a nostre Seigneur le Roy, et lautre moite soit a celluy ou ceux de ses subgiets, qi ou queux seiseront ou pursueront, seisera ou pursuera, pur le mesme, per action de dette per brieve a la commune ley, per bill ou plaint, solongue la custume de la citee ou ville, lou aviendra en apres ascuns tielx fines forfaitures ou peynes de chier et estre: Et qe le defendaunt en ascun tiel action ne soit admise de gager ou faire sa ley, ne qe ascun protection ou effoine de service le Roy pur ascun tiel defendant soit allowez.

Purveu toutz soitz, qe cest act ne soit prejudicial al ascune persone ou persones ciant ou eiantz forfaitures des biens des felouns fugitivez et dampnez. Et oultre ceo est ordeignez et enactez, per lauctorite avantdit, qe chescune tiel persone ou persones aient et enjoient semblablez forfaitures de et en chescune de les premissez dedeinz lours fraunchisez, si come le Roy ore ad en autres lieux dehors.

C. A P. III.

For preventing the Importation of Silk Manufactures.

“**N**O Ribbands, Laces, Corfes, Girdles, Calli-filk, or Colleis-
“ silk thrown or wrought, shall be imported into *England*
“ to be sold, upon Pain of Forfeiture of the same, or the Value
“ thereof.”

[*To continue for Four Years.—Continued for Ten Years more by*
1 R. 3. c. 10.]

C A P. IV.

An Act for the Price of Bows.

“**N**ONE shall sell a long Bow of Yew above the Price of
“ Three Shillings and Four Pence; Penalty Twenty Shil-
“ lings.”—*See also 3 H. 7. c. 13. 33 H. 8. c. 9. § 6.*

[*This Act repealed by 8 Eliz. c. 10. which see.*]

C A P. V.

For fulling of Hats and Caps.

“**R**ECITAL that Hats, [Huers, *Rot. Parl.*] Bonnets, and Caps
“ used to be made, wrought, fulled, and thicked by the
“ Strength of Men with Hand and Foot, but that now of late
“ there is a subtle Mean by reason of a Fulling Mill, [‘whereby
“ more Caps may be fulled and thicked in One Day than could
“ be fulled in a Day by the Strength of Fourscore Men,’ *Rot.*
“ *Parl.*; but not in the Statute,] to the Destruction of the Labour
“ and Livelihood of many, and whereby the Caps, &c. were de-
“ ceitfully wrought, it is enacted, That none shall full or thick
“ any Hats, &c. at any Fulling Mill, or put the same to Sale;
“ Penalty Forty Shillings, and Forfeiture of the Caps, &c.”

[*To continue for Two Years.—Revived 7 E. 6. c. 8. for Five Years.*

—*Expressly repealed 1 Jac. 1. c. 25. § 38.*]

CAP.

C A P. VI.

An Act for Swans.

[See printed Rot. Parl. 1 Ric. 3. nu. 16. an AB exempting the Inhabitants of Crowland in Lincolnshire, from the Penalties of this AB.]

ALSO, Forasmuch as our said Sovereign Lord the King, as other Lords, Knights, Esquires, and other Noble Men of this noble Realm of *England*, have been heretofore greatly stored of Marks and Games of Swans in divers Parts of this Realm of *England*, until now of late that divers Keepers of Swans have bought or made to them Marks and Games in the Fens and Marshes, and other Places, and under Colour of the same, and of Surveying and Search for Swans and Cygnets for their Lords and Masters, have stolen Cygnets, and put upon them their own Mark, by which unlawful Means the Subtance of the Swans be in the Hands and Possession of Yeomen and Husbandmen, and other [Persons of little Reputation¹;] wherefore it is ordained, established, and enacted by our said Sovereign Lord the King, with the Assent of the Lords Spiritual and Temporal, and at the special Instance and Request of the Commons, in the said Parliament assembled, and by Authority of the said Parliament, That no Person, of what Estate, Degree, or Condition he be [other than the Son of our Sovereign Lord the King²] from the Feast of Saint *Michael* next coming, shall have or possess any such Mark or Game of his own, nor shall any other to his Use have or possess any such Mark or Game, except he have Lands and Tenements of the Estate of Freehold to the yearly Value of Five Marks above all yearly Charges. And moreover, That every Person or Persons now having any such Mark or Game, shall sell or give the same betwixt this and the Feast of Saint *Michael* next coming, to the Use of them to whom they shall be so sold or given: And if it happen that any Person or Persons not having any Possession of Lands or Tenements to the yearly Value aforesaid, [do, have, enjoy, or any way possess, or that any other do, have, or possess to his or their Use³,] any such Mark or Games after the said Feast, that then it shall be lawful to any of the King's Subjects, having Lands or Tenements to the said Value, to seize the said Swans as forfeit; whereof the King shall have one Half, and he that shall seize them the other Half.

None shall keep Swans unless he have Freehold of Five Marks per Annum.

Swans of unqualified Persons may be seized by Persons qualified.

¹ naughty Persons, Rot. Parl.

² 'other than a Lord's Son,' Rot. Parl. wherewith agrees the Recital of this Act in 1 R. 3. nu. 16.

³ Former Translations read erroneously "or any other to have or possess Lands to his or their Use, to have or possess"—any such Mark, &c.

ITEM pur ceo qe sibien nostre dit souveraigne Seignur le Roy come autres seignurs chivalers esquiers et autres nobles hommes de cest Roialme d'Engleterre per cy devaunt ouat estez grandement replenishes des marques et games des cignes es diverses parties de cest Roialme d'Engleterre, jesquez ore tarde, qe diverses gardeins des cigneux ount achatez ou faitz as eux marques et games en les fennes et marishes et autres lieux, et desouth colour dicelle, et de la survejaunce et sercheour pur le cignes et cignettez pur lour Seignurs et maistres ont embleez cignettez et mises sur eux lour propre marke, qe per tjeux disloiax moiens la subtance des cignes

sount en les mayns et possession des vadlets et husbondmen, et autres perſones de nient: Pur ceo il est ordeignes establies et enaictes per nostre dit ſoveraigne Seignur le Roy, del assent de les ditz Seignurs espirituelx et temporelx et a la especial instance et requeste de les communes en le dit parlement assemblez, et per auctorite de mesme le parlement, qe null perſone, de quele estate degre ou condition il soit, [autre qe fitz a nostre tresſoveraigne Seignur le Roy¹,] a la feste de seint Michell proſchein veignaunt aiet ou possede ascun tiel marke ou game de son propre, ou ascun autre a son oepe aiet ou possede ascun tiel marke ou game, sinoun il aiet terrez ou tenementz del estate de frank tenure al annuel value de v. marcs, oustre toutz les annuel chargez. Et oustre ceo qe chescune perſone ou perſones ore eiant ou eiauntz ascun tiel marke ou game vende ou done le mesme de ceux entre cy et la feste de seint Michell proſcheinement veignaunt al oepe diceux as queux ils ensi ferrount venduz ou donez. Et sil aveigne ascun perſone ou perſones nient eiaunt aucune possession de les terres et tenements a le annuel value avaunt dit, davoier enjoier ou ascunement posseder, ou ascune autre al use ou el oepe diceux ou ascun de eux, davoier ou posseder, ascun tiel marke ou games puis le dit feste; qe lors il ferra licette au ascune des subgiets nostre Seignur le Roy, eiaunt terres et tenementz a la dit valuer, de seiser les ditz [cignettes ou⁴] cignes come forſaitz, dount le Roy avera lune moite, et celluy qe elles seisera lautre moite.

⁴ P. omits; wherewith Rot. Parl. agrees.

C A P. VII.

An Act for incloſing of Woods in the Forests, Chases, and Purlews.

[See 35 H. 8. and Notes there.]

ALſo our ſaid Lord the King, conſidering that divers Subjects having Woods growing in their own Ground within the Forest of *Rokingham*, and other Forests and Chases within his Realm of *England*, or Purlews of the ſame, which have cut their ſaid Wood, becauſe the ſame Subjects might not before Time [cut¹] nor incloſe their ſaid Ground, to ſave the young Spring of their Wood ſo cut, any longer Time than for Three Years, the ſame young Spring hath been in Times paſt, and daily is deſtroyed with Bealls and Cattle of the ſame Forest, Chases, and Purlews, to the great Hindrance, as well of his ſaid Subjects, as of his Deer, Vert, and Veniſon in their Covert, and otherwiſe, to the likely Deſtruction of the ſame Forests, Chases, and Purlews; by the Aſſent of the ſaid Lords Spiritual and Temporal, and the Commons, in the ſaid Parliament aſſembled, and by Authority of the ſame, doth ordain, enact, and eſtabliſh, That if any of his Subjects, having Wood of his own growing on his own Ground, within any Forest, Chase, or Purlew of the ſame, within his Realm of *England*, from the Firſt Day of this Parliament, ſhall ſell or cauſe to be ſelled the ſame Wood, or Part thereof, by Licence of the King, or of his Heirs, in his Forests, Chases, or Purlews, or without Licence in the Forest, Chase, or Purlew of any other Perſon, or make any Sale of the ſame Wood; it ſhall be lawful to the ſame Subjects, Owners of the ſame Ground whereupon the Wood ſo ſelled did

Subjects having Woods within Forests or Purlews may incloſe the ſame for Seven Years after they are cut.

¹ copy, Rot. Parl. ſee poſt.

grow,

grow, and to other such Persons to whom such Wood shall happen to be sold, immediately after the Wood so felled, to [cope²] and inclose the same Ground with sufficient Hedges, able to keep out all Manner of Beasts and Cattle forth of the same Ground, for the preserving of their young Spring; and the same Hedges so made, the said Subjects may keep them continually by the Space of Seven Years next after the same inclosing, and repair and sustain the same as often as shall need within the same Seven Years, without suing of any other Licence of him, or of his Heirs, or other Persons, or any of their Officers of the same Forests, Chases, or Purlews.

² copy, Rot. Parl. see ante.

ITEM nostre dit Seigneur le Roy, considéraunt qe diverses subgietz.eiautz bois creissant en leur propre soile deinz la Forestte de Rokyngham, et autres Foresttez et Chacez dedeinz son Roialme dEngleterre ou purléuez dicels, qi ount coupez leur ditz bois, pur ceo qe mesmes les subgietz ne purroient avaunt cest temps copier nenclofer leur dit soile, pur saver le germe de leur bois ensy coupez plus longue que per trois ans; mesqe le germe ad este en temps passe, et journalment est, destruitez oveſqe belles et chatelx mesme la Forestte, Chacez, et purléuez, a graund damage, sibien as les ditz subgiettes, come de son dere, vert et veneson, en leur couverture et autrement, au verisemblable destruction mesmes les foresttes, chacez, et purléues; per assent des ditz Seignurs espirituelx et temporelx et les communes en la dit parlement assemblez, et per auctorite dicelléz, ordeigne enacte et establie, qe si aucune de ses subgietz.eiaunt bois de son propre creissant en son propre soile deinz aucun forestte, chace, purlieu del mesme, dedeinz son Roialme dEngleterre, a le primer jour del dit parlement, face couper, ou cause estre coupez, mesme le bois, ou parte dicelle, per la licence du Roy, ou de ses heires, en ses foresttes, chaces, ou purlieux, ou saunz licence en la forestte chace ou purlieu dautre persone, ou face vend de mesme le bois; soit il licette as mesmez les subgietz, possesseurs mesme le soile sur quoy le bois ensy coupes crust, et autres tielx personez come mesme le bois aviendra estre venduz, immediat puis le bois ensy coupez, a copier et encloiser mesme le soile oveſqe sufficientz heies, ablez de excluder toutz maners bestez et chatels hors mesme le soile, pur la salvation de leur germe; et mesmes les heiez ensy faitz les ditz subgietz puissent garder eux continuellement per l'espace de sept ans prochains apres mesme lenclosure, et repaier et susteiner si sovent come besoignera dedeinz mesmes les sept ans, sauns fuer dascun autre licence de luy ou sez heires, ou autres personez, ou aucun de leur officers mesmes les foresttez chacez ou purlieux,

C A P. VIII.

An Act for the Town of *Berwick*.

[See also
1 Jac. I. c. 28.]

Merchandises brought out of Scotland or the Isles, shall be first brought to Berwick;

ALSO, Our said Sovereign Lord the King, for the Surety of his Town of *Berwick*, and the Marches of the same, and to have the same Town to be inhabited with great Number of his faithful liege People, which would there abound and increase by the Repair of Merchants and Merchandise, and exercise of the same,

same, hath by the Assent of the Lords Spiritual and Temporal, and the Commons in the said Parliament assembled, and by Authority of the same Parliament, ordained, established, and enacted, That from the Feast of the Nativity of Saint *John Baptist* next coming, all Merchants which shall carry or bring any Merchandise out of *Scotland*, or the Isles of the same, into this Realm of *England*, or into *Ireland*, or *Wales*, first shall bring the same Merchandise to the said Town of *Berwick*: And that none of the King's liege People, nor any other Person under the King's Obedience, shall buy any Merchandise brought out of *Scotland*, and carry the same, or cause to be carried into this Realm of *England*, or any other Place under the King's Obedience, but that the same Merchandise be brought, sold, and customed at his said Town of *Berwick*, except to the City of *Carlisle*, and the Ports or Creeks pertaining to the West Marches.

or to *Carlisle*,
&c.

And that no Manner Merchant, Denizen, nor Stranger, under the King's Obedience, shall carry or convey to sell any Manner Merchandise being within *England*, *Ireland*, or *Wales*, into *Scotland*, or the Isles of the same, which be not under the King's Obedience.

[See now *Union AB*, 5 Ann. c. 8.]

And that none under the King's Ligeance or Obedience, sell any Manner Merchandise of *England*, *Ireland*, or *Wales*, to any of the Inhabitants of *Scotland*, or the Isles of the same, at any Place within *England*, *Ireland*, or *Wales*, saving only at the said Town of *Berwick* and *Carlisle* aforesaid. And that no Merchandise shall be shipped (1) in any Creek or other Place betwixt *Tinmouth* and the said Town of *Berwick*, but only in the Port or Haven of the said Town of *Berwick*. And that no Person or Persons, saving the Burgeesses and Freemen of the said Town of *Berwick*, shall [cause any Salmon to be sold²,] which shall be taken in the Water of *Tweed*. And that if any Person or Persons offend, or do with, any Merchandise aforesaid, contrary to any of the said Ordinances, the same Person or Persons shall forfeit all the said Merchandise; and that it shall be lawful to any of the King's liege Subjects to seize all such Merchandise so forfeit, or else to pursue in his own Name an Action of Debt against the Person or Persons which so shall forfeit, containing the Sum of the Value of the said Goods: and in the same Action to have like Process, Judgment, and Execution, as is used in other Actions of Debt by the Course of the King's Laws; and that in none of the same Suits and Actions any Protection or Essoin of the King's Service be allowed, nor any Defendant admitted to do his ^{own} Law; and our Lord the King to have as well the one half of all such Merchandise forfeited and seised, as the one half of all such Sums of Money which shall be recovered by Action in the Form aforesaid, to be sued for the Value of any such Goods so forfeited: and the Person or Persons which shall seize and sue in the Form aforesaid, to have the other Half of the same.

Goods for
Scotland shall
be sold at *Berwick*
or *Carlisle*.

Selling Salmon.

Penalty, For-
feiture of
Merchandise,
&c.

Recovery and
Application of
Penalties.

And by the said Authority it is ordained and enacted, That the Merchants and Freemen of the said Town, may of the Grace of our said Lord the King, have to ferm all the Waters royal, and fishing Places within the said Town of *Berwick* and [Seignior³]

The Merchants
and Freemen of
Berwick shall
have to ferm the
Fisheries there,

¹ nor unshipped, *Rot. Parl.*

² make any Salt Salmon to sell, of any Salmons, *Rot. Parl.*

³ Lordship, *Rot. Parl.*

of the same, paying for the same as much as any other Person will do.

Confirmation of
all Liberties, &c.
of Berwick.

And that the same Merchants and Freemen, and every of them, may from henceforth have, occupy, and enjoy to them, their Heirs and Successors for ever; all Liberties, Franchises, and Customs, which at any Time before pertained to the said Town; and that they may ship all Manner Goods and Merchandises there, and carry them to what Place or Places, Port or Ports that they will, and there discharge the same, and relade with Corn or any other Victual or Merchandises, and bring the same to the said Town of *Berwick* for victualling thereof.

Saving for
Bishops of
Durham.

Provided always, That this Act, nor any other Act, made or to be made in the said Parliament, do not extend nor be prejudicial to *William* Bishop of *Durham*, nor to his Successors, in or for any Manner Thing to him pertaining, or in any wise belonging.

ITEM nostre dit souverain Seigneur le Roy, pur la suertie de la ville de Berwyk et les Marchez dicelle, et d'avoir mesme la ville destre enhabite ove graund nombre de son foial liege poeple, quele voudroit la habunder et encreter per repaire de les marchauntz et marchaundisez, et exercise del mesme, ad del assent des Seignours espirituelz et temporelz et les communes en le dit parlement assemblez, et per auctorite de mesme le parlement, ordeigne establie et enacte, que a la feste de la Nativite de seint John Baptist proschein veignaut toutz les marchauntz, qⁱ amesnent et apportent ascune marchaundise hors de Scotland, ou isles del mesme, en cest Roialme d'Engleterre, ou en Irland, ou Gales, primerment amesnera et mesme le marchaundise a la dit ville de Berwik; Et qe null de les liegez du Roy, nascune autre persone desouth lobeisaunce du Roy, achate ascun marchaundise amesnez hors d'Escoce, et le mesme amesne, ou cause destre amesne, en cest Roialme d'Engleterre, ou ascun autre lieu desouth lobeisaunce du Roy, einz qe mesme la marchaundise soit achatuz venduz et custumez a son dit ville de Berwick; forspris a la citee de Karloil, et les portez ou crikez perteignautz a le Westmarche.

Et qe null manere marchaunt, denizein nestraunge, desouth lobeisaunce du Roy, carie ou convoie a vender ascun manere marchaundise, esteant dedeinz Engleterre Irland ou Gales, en Escoce ou isles dicelle, queux ne sount pas desouth lobeisaunce le Roy.

Et qe null desouth la ligeaunce ^{gr} obeisaunce du Roy vende ascun manere marchaundise d'Engleterre Irland ou Gales a ascuns des enhabitauntz d'Escoce ou isles del mesme a ascun lieu dedeinz Engleterre Irland ou Gales, savaunt tauntfoulement a la dit ville de Berwik et Karloill avaunt dit. Et qe null marchaundise soit eskippe (1) en ascune creke nautre lieu entre Tynmouth et la dit ville de Berwyk, mes foulement en le port ou hable de la dit ville de Berwik. Et qe null manere persone ou personez, forspris les burgeisez et hommesz enfranchisez de la dit ville de Berwick, face ne facent ascun salmon a vendre des ascuns salmons qe ferront prizez en le eawe de Twede. Et qe si ascune persone ou personez offende ou offendent, ou face ou facent ovelesq ascun manere marchaundise avaunt dit, contrarie au ascuns de lez ditz ordeignauncez; mesme la persone ou personez forface et forfacent tout mesme la

¹ ne deskippez, P.

marchaundise: et qil soit licette au ascuns des liegez du Roy, de seiser tout tiel marchaundise ensi forsaite ou autrement de pursuer en son propre nome un action de dette encountre la persone ou personez, qi ensi forfacera ou forfacerount, conteignaunt la somme del value des ditz biens; et en mesme l'action davoit semblable processe jugement et execution, come est en autres actions de dette use per la cours dez leyz du Roy; et qe en nulle des mesmes les suitez et actions ascun protection ou essoin de la service du Roy soient allowez; ne ascun defendaunt admise de faire sa ley; et nostre Seignur le Roy davoit, sibien lune moite de tout tiel marchaundise forsaitez et seisez, come lune moite des toutz tielx sommes de monie qe serra recovrez per action en la suisdit fourme, a pursuer pur la value dascuns tielx biens ensi forsaitez, et la persone ou personez qi seisera ou pursuera, seiserount ou pursuerount, en la fourme desuisdit davoit lautre moite dicelle.

Et per la dit auctorite il est ordeigne et enaete, qe lez marchantz et hommez enfranchisez du dit ville puissent del grace nostre Seignur le Roy aver a ferme toutz eawez roialx et lieux des pescheriez dedeinz la dit ville de Berwik, et Seignurie del mesme, paiauntz pur ycelles taunt quaut ascun autre person voet faire.

Et qe mesmes les marchantz et hommez enfranchisez, et chescun deux, puissent de cy enavaunt avoir occuper et enjoier a eux et lour heirs et successeurs pur toutz jours toutz libertees franchises et custumes, quelles a ascun temps devaunt regardoient a la dite ville; et qe ils puissent eskipper toutz maners biens et merchandises illeokes, et les carier a que lieu port ou portes que ils voillent, et la discharger les mesmes, et recharger ove blees ou ascun autre vitaille ou merchandises, et les mesmes damesner a la dite ville de Berwyk pur vitelment dicelle.

Purveu toutz foiez, que cest acte, ne nulle autre acte en le dit parlement faite ou affaire, nextende pas, nen ascun manere soit prejudicial, a William Evesque de Duresme, ne a ses successeurs, en ou pur ascun maner chose luy apperteignaunt, ou en ascun maner fourme regardaunt.

End of the Statutes of King EDWARD IV.

ANNO primo RICARDI III.

*In the Parliament held at Westminster on Friday,
23d January, A.D. 1483-4.*

Two Errors have generally prevailed respecting the Statutes of this Reign; First, that they afford the earliest Instance of the Distinction between Public and Private Acts; and secondly, that they were originally published in English.—It will appear, by a Reference to the Series of Notes given in this Edition at the Head of the several Years, that many Acts were made in every Parliament from the Time of Edw. I. which related merely to Individuals, and many even of a public Nature, not contained in the Statutes as proclaimed or published.—The Statutes of K. Richard III. were printed and published in French immediately after their being passed.—An Edition of them by Caxton (or Macclinia as some suppose) is in the Inner Temple Library; the French Text here given is from an Edition of the Statutes by Pynson, (published about 1497), compared with that in the Inner Temple Library: These Two Editions differ in very few Particulars; the various Readings here inserted are marked C.—All Editions of the Statutes, subsequent to that by Pynson above noticed (except the early Editions of Rastall's Alphabetical Collection), give the Statutes of this Year in English.—Even Cay did not appear to be aware that they had been published in French; Pulton and subsequent Editors gave the Text as it seems (in some Instances at least) from a Source different from that used by former Editors. (See particularly Chapter 6. and Chapter 13.)

None of the Public Acts of this Reign, as printed in the Statute Book, are given at Length in printed Rot. Parl. Titles of them only are stated, and from thence it appears that the Chapters in the printed Statutes are taken from the following Articles in the Roll, viz.

Chap. in Stat.	Numb. in Roll.		Chap. in Stat.	Numb. in Roll.	
1	-	20	8	-	26
2	-	18	9	-	27
3	-	21	10	-	28
4	-	22	11	-	30
5	-	23	12	-	29
6	-	24	13	-	31
7	-	25	14	-	32
			15	-	33

On Petitions
delivered by
the Commons;
in English.

The Titles of these Acts are here copied from the printed Parliament Roll.

Eighteen other Acts passed in this Parliament are noticed in the Table of Titles in Hawkins's and subsequent Editions as Private Acts of this Year; Chapter 1. to 17. of that Table answering to nu. 1—17. in printed Rot. Parl. and Chap. 18. to nu. 19.

Previous to these (See printed Rot. Parl. vi. p. 238.) is

An Act for granting a Subsidy of Tonnage and Poundage to the King for Life, not noticed in the printed Statutes or Tables.—The Tonnage is 3s., and 3s. additional on Aliens; and the Poundage 12d., and 12d. additional on Tin exported by Aliens.—Also a Subsidy on Wools and Hides exported, 33s. 4d. per Sack of Wool, &c. and 66s. 8d. per Last of Hides, by Denizen; and 66s. 8d. per Sack of Wools, and 73s. 4d. per Last of Hides, on Aliens.

The following is an Abstract of the 18 Acts before noticed, as having been heretofore classed as Private Acts.

Printed Rot. Parl. vi.

Page.	No.	} An Act for the Settlement of the Crown upon the King and his Issue; with a Recapitulation of his Title.—This Act confirms certain Articles made by the Three Estates, the Lords Spiritual and Temporal, and the Commons, and agreed to by the King out of Parliament before his Coronation: In those Articles the Marriage between K. Edw. IV. and Elizabeth, Widow of Sir John Grey, is impeached, as being made with great Presumption without the Knowledge of the Peers of the Land, and also by Sorcery and Witchcraft of the said Elizabeth, and her Mother the Duchess of Bedford; and also as made secretly without Publication of Banns, and not according to the Custom of the Church of England; and also because at the Time of the Contract of the said pretended Marriage, the said K. Edward was and stood married and troth-plight to one Dame Elinor Butler, Daughter of the old Earl of Shrewsbury; and that therefore the said K. Edward and the said Elizabeth lived in Adultery, and their Issue were Bastards.—The Attainder of the Duke of Clarence in 17 E. 4. [See ante Note at the Head of that Year] is recited, by reason whereof his Issue were disabled from claiming the Crown.—K. Richard III. is stated to be the undoubted Son and Heir of Richard late Duke of York, true Inheritor to the Crown, and as in Right King of England, by way of Inheritance.—His great Wit, Prudence, Justice, and princely Courage are also enlarged on.—Wherefore the said Estates declare that they have chosen him for their
240,	1,	

King

Printed Rot. Parl. vi.

Page. No.
240, 1,
continued.

- King and Sovereign Lord, to whom they know for certain it appertaineth of Inheritance so to be chosen, and pray that according to this Election of the Three Estates of the Land he will accept the Crown; as to him of Right belonging, as well by Inheritance as by lawful Election.—The Act then proceeds, (after stating the Importance of a parliamentary Sanction), that at the Request and by the Assent of the Three Estates in Parliament, and by Authority of the same, it is pronounced, decreed, and declared, that the said K. Ric. III. was and is very and undoubted King of England, as well by Right of Consanguinity and Inheritance as by lawful Election, Consecration, and Coronation, and that the Crown and Inheritance thereof do rest and abide in his Person during his Life, and after his Decease in the Heirs of his Body; and his Son Prince Edward is specially declared Heir Apparent. [See 1 H. 7. nu. 18. this Act annulled.]
- 242, 2, Resumption of Grants made to the Ducheſs of Exeter.—An Act made in the Parliament 7 & 8 E. 3. (but which does not appear in printed Rot. Parl. of that Year) for confirming certain Grants to Ann Ducheſs of Exeter; and also an Act 22 E. 4. (printed Rot. Parl. nu. 21.) recited and repealed.
- 244, 3, For Conviction and Attainder of Henry Duke of Buckingham and others. [See 1 H. 7.]
- 249, 4, For confirming the King's Grants of the Lands of the Persons attainted.
- 250, 5, For declaring the Bishops of Ely, Salisbury, and Exeter, disabled to hold any Lands or Goods, and that the same shall be forfeit to the King for their Treasons. [See 1 H. 7.]
- 6, For disabling Margaret Countess of Richmond to hold any Lands, &c. and giving them to Thomas Lord Stanley for his Life, and in case of his Decease during the Countess's Life, to the King. [See 1 H. 7.]
- 251, 7, Attainder of Walter Roberd.
- 8, For confirming to the Archbishop of Canterbury a Rent of 11l. 12s. per Annum out of the Manor of Ifield in Kent.
- 252, 9, For reversing the Attainders of Sir Henry Percy and Thomas Percy Earl of Worcester, in an. 5 H. 4. (see Stat. 5 H. 4. c. 1.) and of Henry Percy Earl of Northumberland, in an. 7 H. 4. (see Stat. 7 H. 4. c. 5.); and for enlarging the Powers of the Act of Restitution, 2 H. 5. nu. 17. [See also 18 H. 6. nu. 25.]

Printed Rot. Parl. vi.

- Page. No. } For confirming to Francis Viscount Lovell certain
 254, 10, } Lands, formerly Part of the Estates of the Duke of
 } Exeter, notwithstanding the Attainder of the Duke
 } in 1 E. 4. or the Grant of the Lands to Sir Richard
 } Grey in 22 E. 4. (nu. 21.)
- 255, 11, For permitting Sir James Tyrrell and Ann his Wife
 (Daughter of Sir John Arundell) to enjoy certain
 Lands belonging to the said Sir John; into which
 Sir Thomas Arundell (attainted in this Parliament,
 ante, nu. 3.) had entered by Abatement and enfeoffed
 others to his Use.
- 256, 12, An Act for the Provost and Fellows of the College of
 St. Andrew of Nethercafter (in Yorkshire), for
 confirming certain Possessions to the College.
- 257, 13, For confirming certain Grants of K. Ed. IV. to the
 Collegiate Church of Fodringhey.
- 258, 14, For the City of Canterbury.—The Corporation em-
 powered to elect an Alderman of Westgate Ward;
 and a Postern Gate and Bridge out of the City,
 vested in the Monastery of St. Augustine. [See 1 H. 7.
 nu. 48.]
- 259, 15, For Restitution of John Durrant, attainted in Par-
 liament, 12—14 E. IV.
- 260, 16, For permitting the Inhabitants of the Town of Crow-
 land in Lincolnshire to have Games and Marks of
 Swans, notwithstanding Stat. 22 E. 4. c. 6.
- 17, For securing the Application of the Effects of John
 Don, late of London, Mercer, to charitable Uses;
 on the Petition of one of his Executors against his
 Co-executor.
- 261, 19, } For repealing an Act, (22 E. 4. nu. 16.), giving
 {Cap. 18.} the King the Wardship of Lands held of the Duchy
 of Lancaster.

RICHARD by the Grace of God King of England, and of
 France, and Lord of Ireland, the Third after the Conquest;
 to the Honour of God, and of Holy Church, and for the com-
 mon Weal of his Realm of England, at his First Parliament holden
 at Westminster, the Three and twentieth Day of January, in the
 First Year of his Reign, by the Advice and Assent of the Lords
 Spiritual and Temporal, and [at the Request of²] the Commons
 of the said Realm of England, summoned to the said Parliament,
 by the Authority of the same Parliament, hath ordained and esta-
 blished, for the Quietness of his People, certain Statutes and
 Ordinances in Manner following.

RICHARD p la grace de dieu Roy dengleterre et de France et signour dirland, puis le conq̃ste tierce, al honour de dieu et de seint esglise et pur le cōen⁽¹⁾ du roialme dengleterre, a son p̃mier plemēt tenus a Westm' le vintisme tierce jo^r de Januer' lan de son regne p̃mier, de ladvs et assent dez seignours esp'uelx et tēporelx et [2:] coēs du dit roialme dengl' au dit plement sōmonez, p auctorite de m̃ le plemēt ad ordeigne et establie p' q̃ete de son people certeinz statutez et ordīnācez en la fourme q̃ sensuit.

¹ profit, C.

² C. omits.

[See 27 H. 8.
c. 10.]

The Inconveniences of secret Feoffments.

C A P. I.

An Act against privy and unknown Feoffments.

FIRST; Forasmuch as by privy and unknown Feoffments, great Unsurety, Trouble, Costs, and grievous Vexations daily grow among the King's Subjects, insomuch that no Man that buyeth any Lands, Tenements, Rents, Services, or other Hereditaments, nor Women that have Jointures or Dowers in any Lands, Tenements, or other Hereditaments, nor Men's last Wills to be performed, nor Leases for Term of Life, or of Years, nor Annuities granted to any Person or Persons for their Services for Term of their Lives or otherwise, be in perfect Surety, nor without great Trouble and Doubt of the same, because of the said privy and unknown Feoffments: For Remedy whereof, be it ordained, established, and enacted, by the Advice of the Lords Spiritual and Temporal, and by the Commons in this present Parliament assembled, and by Authority of the same, that every Estate, Feoffment, Gift Release, Grant, Leases and Confirmations of Lands, Tenements, Rents, Services, or Hereditaments, made or had, or hereafter to be made or had by any Person or Persons being of full Age, of whole Mind, at large, and not in duress, to any Person or Persons; and all Recoveries and Executions had or made, shall be good and effectual to him to whom it is so made, had or given, and to all other to his Use, against the Seller, Feoffor, Donor, or Grantor thereof, and against the Sellers, Feoffors, Donors, or Grantors, his and their Heirs, claiming the same only as Heir or Heirs to the same Sellers, Feoffors, Donors, or Grantors, and every of them, and against all other having or claiming any Title or Interest in the same, only to the Use of the same Seller, Feoffor, Donor, or Grantor, Sellers, Feoffors, Donors, or Grantors, or his or their said Heirs at the Time of the Bargain, Sale, Covenant, Gift or Grant made; saving to every Person or Persons such Right, Title, Action or Interest, by reason of any Gift in Tail thereof made, as they ought to have had, if this Act had not been made.

All Acts made by or against *Cestuy que use* shall be good against him, his Heirs, and Feoffees in Trust.

The Estate of Tenant in Tail saved.

PREMIERE^{ME}T pur ceo q̃ p privez et disconuz fesse-
mēt̃z graūd nō suerte trouble costez et grevez vexaō̃s
de jour en jo^r accruont, enter les subjeēt̃z du roy, en taunt
q̃ nul ho^e q̃ achate terres teūt̃z rentz et servicez ou aut̃s
enheritamēt̃z,

enheritamētz, ne fēmes q. oūt jointure en dower en ascūs
 tres teñtz ou auts enheritemētz, ne lez darrains volūtez
 dez hōmes dēe pfourmez, ne leſſe a lme de vie ou dez ans,
 ne annuitez graūtez a ascū pſone ou pſones pur lour ſervicez
 pur lme de lour viez ou autremēt, ſont en pſaite ſeurtē, ne
 ſanz graund trouble et doute dez m̄z, p cause de lez prives
 et diſconus ſeffementz: Pur remedye dez q̄ux il ē ordeigne
 eſtablie et enacte p ladvys de lez ſeignours eſpirituelx
 et temporelx et lez coēs en ce p̄sēt plemēt aſſemblez, et p
 auctorite dicell' q' cheſcū eſtate ſeffemēt doon ſeles grante
 leſſes et cōfirmacōns, dez tres teñtz rentz ſervicez ou enhe-
 ritamētz, faitz ou euez ou en ap̄ls eſtre faitz ou euez, p
 ascū pſone ou pſones eſteantes de pleyñ age de ſayn memorie
 alarge et nient en dureſſe, a ascū pſone ou pſones, et toutz
 recoverez et execuōns euez ou faitez ſoyent bons et effec-
 tuelx a cely a q' il eſt ency faitz ewez ou donez, et a toutz
 auts a ſon oeſs encoūt la vendour ſeoffour donour ou
 graūtour ent, et encoūt lez vendours ſeoffours donours
 ou graūtours, et ſes et lour heires enclamaūtes icell tant,
 ſoulemēt co^e heire ou heires as m̄z vendours ſeoffours
 donours ou graūtours et cheſcū deux, et encoūter toutz
 auts aiauntes ou clamātez aſcun title ou entēſſe en ycellez
 taūtfoulemēt al oeſs de m̄ le vendour ſeoffour donour⁽¹⁾
 graūtour, vendours ſeoffours donours ou graūtours, ou ſes ou
 lour ditez heires, al temps de bargeyne vend covenant dōn
 ou graūt fait; ſavant a cheſcū pſone ou pſones tielx droit
 title accion inēſſe, p reaſon daſcun done en le taile ent
 fait, ſicome ils avoir duiffent ſi ceſt acte ne euſt mye eſſe
 fait.

¹ ou, C.

C A P. II.

An Act to free the Subject from Benevolences.

THE King remembering how the Commons of this his Realm,
 by new and unlawful Inventions, and inordinate Covetise,
 against the Law of this Realm, have been put to great Thral-
 dom and importable Charges and Exactions, and in especial by a
 new Imposition called a *Benevolence*, whereby divers Years the
 Subjects and Commons of this Land, against their Wills and Free-
 doms, have paid great Sums of Money to their almost utter De-
 struction: For divers and many worshipful Men of this Realm,
 by Occasion thereof, were compelled by Necessity to break up their
 Houſholds, and to live in great Penury and Wretchedness, their Debts
 unpaid, and their Children unpreferred, and such Memorials as they
 had ordained to be done for the Wealth of their Souls were anen-
 tized and annulled, to the great Displeasure of God, and the De-
 struction of this Realm: Therefore the King will it be ordained,
 by the Advice and Assent of the said Lords Spiritual and Tem-
 poral, and the Commons, in the said present Parliament assembled,
 and by the Authority of the same, That his Subjects, and the

None shall be
 charged in
 future by
 Benevolences.

[See 12 Car. 2.
st. 1. c. 4. an
especial Act for
permitting volun-
tary Presents, on
a particular
Occasion.]

Commonalty of this his Realm, from henceforth in no wise be charged by none such Charge, [Exaction¹,] or Imposition, called a *Benevolence*, nor by any such like Charge; and that such Exactions, called *Benevolences*, before this Time taken, be taken for no Example to make such or any like Charge of any of his said Subjects of this Realm hereafter, but it shall be damned and annulled for ever.

¹ omitted in the French Text and old Translations.

NOSTRE seignour le roy remēbrant comēt lez coēs de ce son roialme, p novelx et disloialex invencion et inordinate covetise enconter la ley de ce roialme, ount este myssez a grand servitude et iportables charges et exacōns et en especial p un novel imposition appelle benyvolence, p ount diversez anz lez subgettez et lez comens de ce terre, encoūtre lour voluntē et libertes, oūt paye graūdes sōmes de moneye a lour bn pres final destruccōn, quar diverses et plusieurs hōmes honourables de ce roialm¹, p encheson diceil¹ fuerent compellez del necessite a dissolver lour hostielx, et vivre en graūd penurie et miserie, lour dettez nō paieiz et lour enfantez nient pferrez, et tielx memorialx q¹ x ils avoient ordeigaez pur la salve de lour almes furent annientes, a graūde displeasure dieu et la destruccion de cest roialme: Purquoy nostre dit seignour le roy del advis et assent des ditez seignours esp¹ uelx et temporelx et les coēs, en le dit plement assemblez, et p auctorite dizel, voet et ordeigne que sez subgettes et comynakee de cest soun Royalme de cy enavant en nul maner soient charges per null¹ tielx charges ou imposition appelle benyvolence, ne p tiel semblable charge, et q¹ tielx exaccions appellees benyvolence devaunt cest temps prises soient pris pur nul example, de faire tiel ou ascū semblable charge dascūes sez dites subgettes de cest roialme en apls, mes soit il dampne et adnulle per toutz jours.

C A P. III.

An Act for bailing of Persons suspected of Felony.

One Justice of Peace may admit certain Prisoners to Bail.

[Two Justices,
3 H. 7. c. 3.
which see.]

Escape of Felons inquirable in Sessions.

No Officer shall seize the Goods

FORASMUCH as divers Persons have been daily arrested and imprisoned for Suspicion of Felony, sometime of Malice, and sometime of a light Suspicion, and so kept in Prison without Bail or Mainprise, to their great Vexation and Trouble: Be it ordained and established by Authority of this present Parliament, That every Justice of Peace in every Shire, City, or Town, shall have Authority and Power, by his or their Discretion, to let such Prisoners and Persons so arrested, to Bail or Mainprise, in like Form as though the same Prisoners or Persons were indicted thereof of Record before the same Justices in their Sessions; and that Justices of Peace have Authority to inquire in their Sessions of all Manner Escapes of every Person arrested and imprisoned for Felony.

And that no Sheriff, Under-Sheriff, nor Escheator, Bailiff of Franchise, nor any other Person, take or seize the Goods of any Person

Person arrested or imprisoned [for Suspicion of Felony²,] before that the same Person so arrested and imprisoned, be convicted or attainted of such Felony according to the Law, or else the same Goods otherwise lawfully forfeited; upon Pain to forfeit the double Value of the Goods so taken, to him that is so hurt in that Behalf, by Action of Debt to be pursued by like Process, Judgement, and Execution, as is commonly used in other Actions of Debt sued at the Common Law; and that no Essoin or Protection be allowed in any such Action; nor that the Defendant in any such Action be admitted to wage or do his Law.

² omitted in Fr. Text and old Translations.

of Prisoners arrested on Suspicion of Felony, before Attainder, &c.

ITEM pur ceo q' diverses psones de jour en autre sont arrestus et emprisonnes pur suspeccion de felonie, ascū foitz de mallice et ascū foitz de legier suspeccion, et ensy gardez en prison sans baill' ou mainprice a [iour'] grande vexaçon et trouble; Il est ordeigne establee et enacte p auctorite de cest present parlement q' chescū Justice de peas, en chescune countee cyte ou ville aiet auctorite poiar p sa ou lour discreçon de lessier tielx prisoners et psones issint arrestes en baill ou mainpris, en sēlable fourme sicome m̄z lez prisoners et psones ent fuerēt enditez de record' devāt m̄s les justices en lour cessions; et q' justices de peas aient auctorite denquerer en lour cessions de toutez maners eskapes de chescun psonne arrestus et emprisonne pur felony.

Et q' nul viscōut southviscōut ne eschetour, baille de franchise ne ascū aut' psonne pigne ou seale les b̄ns dascū psonne arrestuz ou emprisonnez, devaunt q' m̄ le psonne ou psones issint arrestus et emprisonnes soit ou soient convictees ou attaintes dautiel felonye, accordant a la ley dengleterre, ou autremēt m̄z les biens autre maner loyalment forfaitz; sur peyne de forfaiture le double value de les b̄ns ensy prisez, a celui ou ceux qui ou q'ux est ou sont ency endamages en cell ptie, p accōn de dette en cell ptie destre pursue p semblable pcesse jugement et execuçon come est usuelemēt usez en lez autres' accions de dette pursuez al comyn ley; Et auxint que nul essōn ou pteccion soit allowez en ascun tiel accōn ne que le defendant en ascun tiel accion en nul maner soit admys de gager ou seire sa ley.

¹ lour, C.

C A P. IV.

An Act for returning of sufficient Jurors.

[See 11 H. 7. c. 26. a temporary AB.]

FORASMUCH as divers great Inconveniencies and Perjuries do daily happen in divers Shires of *England* by untrue Verdicts given in Inquisitions and Inquiries before Sheriffs in their Turns, by Persons of no Substance nor [Behaviour¹,] nor dreading God nor the World's Shame, by reason whereof divers and many of the King's Lieges of divers Parts of *England*, by

¹ Reputation; old Translations.

Qualification of
Jurors in Sheriffs
Turns.

exciting and procuring of their evil Willers, be wrongfully indicted, and other that ought of Right to be indicted, by such Excitation and procuring, oftentimes be spared, contrary to common Right and to good Conscience: In eschewing whereof, [be it ordained²] by the King our Sovereign Lord, by the Advice⁽³⁾ of the Lords Spiritual and Temporal, and⁽⁴⁾ Commons in this present Parliament assembled, and by Authority of the same, That no Bailiff nor other Officer from henceforth return [or impanel⁵] any such Person in any Shire of *England*, to be taken or put in or upon any such Inquiry in any of the said Turns, but such as be of good Name and Fame, and having Lands [and⁶] Tenements of Freehold within the same Shires to the yearly Value of Twenty Shillings at the least, or else Lands and Tenements holden by Custom of Manor, commonly called *Copyhold*, within the said Shire, to the yearly Value of Twenty-six Shillings and Eightpence over all Charges at the least.

Penalty on
Bailiffs, &c.
returning
insufficient
Jurors.

And if any Bailiff or other Officer within the said Counties hereafter return or impanel any Person contrary hereunto, he to lose for every Person that he so impanelleth and returneth, not being of the Sufficiency as is afore said, as often as he so offendeth, Forty Shillings; and the said Sheriff other Forty Shillings; the one Half thereof to the King our Sovereign Lord, and the other Half thereof to such as will sue in that Behalf: And that every Man that will sue for the same [to have⁷] their several Actions of Debt therefore at the Common Law, as well against the Sheriff as the said Bailiff; and that such and like Process be had and used in every of the same Action or Actions, as be had and used in other Actions of Debt at the Common Law; and that no Protection nor Essoin be allowed in the same: And that every such Indictment before any⁽⁸⁾ Sheriff in his Turn otherwise taken, be void and of none Effect. This Act to take Effect from the First Day of this present Parliament, and not before.

² it is ordained, established, and enacted, *French Text; with which old Translations agree.*

³ and Assent, *Fr. &c.*

⁴ at the Request of the, *Fr. &c.*

⁵ in any Pannel, *Fr. &c.*

⁶ or, *Fr. &c.*

⁷ shall have, *Fr. &c.*

⁸ such, *Fr. &c.*

ITEM pur ceo que diverses grandes encōveniences et pjuries de jour en autre aveignent, en diverses countees de cest roialme dengleterre, p faux verditez dones es inq̄sitions et enquerres devant les viscōutes en lour tourne, p ascunes psones esteantz de nul substāce ne de avoir, niēt [treipmains¹] dieu ne reproeve de moude; Per encheson de quoy diversez et plusours lieges et subgettez du roy nostre soverain seignour, dē lez diversez ptyez du roialme dengleterre, p excitement et pcurement de leurs malveises aymers souēt enjuryousment endites et ascūz auts lez q'ux de droit dūsent estre enditez p tielx excitement et pcurement sovent foitz sont espares, contrarie al comyn droit et bon cōscience: En eschuer de quoy il [est] ordeine establie et enacte p sire dit soverain seignour le roy Richard, del advys et assent de les

¹ *query* craignant.

seignours

seignours espirituelx et temporelx et a la reſt de lez cōens en le dit plement assēbles et p auctorite de mesme, qe nul baillif ne nul aut^r officer de cy enavant retourne en panel auscun tiel pſone en ascun cōute deins cesty roialme dengleterre, destre pris ou mis en ou sur ascun tiel enquerre en ascun de les dites tournes, mais tielx quelx sont de bone nome et fame, et ciantes terrez ou tenementez de frank tenure deins mesmes lez countees al annuel value de xx. s. au meins, ou autrement terres et tētz tenus p custome de maner vulgarement appellees copiholde deins les ditez cōutees al annuel value de xxvi. s. viii. d. outre toutes charges au meins.

Et si ascun baillif ou auter officer deins lez ditz countees en ap^s retourne ou enpanell^r ascū pſone contrarie a ycest, celluy pdera pur chefcū pſone que il ency empanel ou retourne, nient esteant de la sufficiente come est avautdit, a tantz de soitz come il ency offense xl. s. et le dit viscōut auters xl. s. lun moite ent au roy n^{re} soverayn Seignour lautre moite ent a tielx lez queux fuer voilent en celle partie: Et auxi que chefcun home qⁱ fuer voet pur le m^e aiet lour severalx accions de det ent al cōen ley sibien encoūtre le dit viscōut come le dit baillif; Et q['] tiel et sēblable pceſse soit euez et usez en chefcun des mesmes lez accions come est eue et use es auters accions al cōen ley; Et q['] nul pteccion ne effon soit allowe en le mesme; Et que chefcun tiel enditement devaunt ascū tiel viscont en son tourne autrement pris soit voide et de nul effecte. Cest acte de prendre effect a le p^mier jour du dit plement et nient devant.

C A P. V.

An Act touching Feoffments made to the King, [and] to the Use of others.

“**L**ANDS whereof the King was enfeoffed (before he was King) jointly with others to the Use of the Feoffor, shall vest in his Co-feoffees to such Uses: and such Lands whereof he was sole seized for the Use of others shall vest in the *Cestui que use.*”

C A P. VI.

An Act for the Trial of Matters in Courts of Piepowder in Fairs.

[**P**RAYEN the Commons in this present Parliament assembled, That where in a Statute made in the Seventeenth Year of the Reign of King *Edward* the Fourth, it was ordained among other, That where divers Fairs have been holden and kept in divers Places within this Realm, some by Prescription allowed afore Justices in Eyre, and some by [the Grant^s] of your noble Progenitors and Predecessors, and to every of the same Fairs is of Right

^s your Grant, and some by Grant, printed *Rot. P. 17 E. 4. nu. 28.*

pertaining

pertaining a Court of Pipowders, to minister therein due Justice in that Party; in which Court it hath ever been accustomed, That every Person coming to such Fairs, should have lawful Remedy of all Manner Contracts, Trespasses, Covenants, Debts, and other Deeds ⁽³⁾ made or done within any of the said Fairs during the Time of the said Fairs, within the Jurisdiction of the same, and to be tried by Merchants being at the same Fairs; which Courts in these Days have been misused by Stewards, Bailiffs, Commissaries, and other Ministers, holding and ruling the said Courts of the said Fairs for their singular Profit, holding Plea by Plaints, as well Contracts, Debts, Trespasses, and other Deeds done and made out of the Time of the said Fairs or Fair, and Jurisdiction of the same, whereof in troth they have no Jurisdiction, surmising the Contracts, Debts, Trespasses, Covenants, or other Deeds to be done within the Time of the Fairs, and within the Jurisdiction of the same Fairs, where in Troth they were not so; and sometime upon fained Plaints, by Imagination by evil disposed People, to trouble them to whom they owe evil Will, [some to the Intent to make them to lose their Fair, and some⁴] to the Intent that they should have, for Lucre, favourable Inquests of Comers to the same Fairs where they take their Actions, whereby much People coming to the said Fairs be grievously vexed and troubled by feigned Actions, and also by Actions of Debts, Trespasses, Deeds, and Contracts made and done out of the Time of the said Fairs, or Jurisdiction of the same, contrary to Equity and good Conscience, whereby the Lords of the said Fairs lose great Profits by the not coming of divers Merchants to their Fairs, which for that Cause abstain them, and also the Commons for that Cause be worse served of such Stuff and Merchandises as else should come to the said Fairs; please it therefore your Highness, the Premises considered, by the Advice and Assent of the Lords Spiritual and Temporal in this your present Parliament assembled, and by the Authority of the same, to ordain, and to establish⁵,]

That from the First Day of May next coming, no Steward, Under-Steward, Bailiff, Commissary, nor other ⁽⁵⁾ Minister of such Courts of Pipowders⁽⁶⁾, hold Plea upon any Action at the Suit of any Person or Persons, without the Plaintiff or Plaintiffs, or his or their Attornies, in Presence of the Defendant or Defendants, [if he or they, or his or their Attornies desire it⁷,] make Oath upon the holy Evangelists, upon the Declaration, that the Contract, Trespass, or other Deed comprised in the same Declaration, were

³ This is a Recital of the *Petition* nearly as it appears in *printed Rot. Parl.* 17 E. 4. nu. 28.; not of the *Act* 17 E. 4. c. 2. founded on that *Petition*.—Rastall's Edition, 1618, and all other Editions previous to Pulton, 1613, read as follows; in conformity with the French Text; which (in this and other Instances) has the Appearance of being given from the *Statute Roll* of this Year.

⁴ Item, our Sovereign Lord the King, by a *Petition* made to him by the Commons of this Realm of England, in his said Parliament assembled, hath conceived and understood, that whereas in a Statute made in the 17th Year of the Reign of the noble King Edward the Fourth, among other Things it was ordained, established, and enacted, That" from the First Day of May then next following, no Steward, &c.

⁵ or otherwise, *ib.*

⁶ not in *printed Rot. Parl.* 17 E. 4. nu. 28.; nor in the *Statute* 17 E. 4. c. 2.

⁷ Officer or, *Rest.* 1613, &c.

⁸ pertaining to Fairs, *Rust.* 1618, &c.

⁹ not in the *Statute* 17 E. 4. c. 2.

made or done within the Fair Time of the said Fair, where he taketh his Action, and within the Bounds and Jurisdiction of the same Fair. And although the said Plaintiff or Plaintiffs by their Oath affirm the same, That the said Defendant or Defendants be not concluded thereby, but that they may answer and plead to the Action, or in Abatement of the Plaints, and to tender an Issue, that the same Contract, Trespass, or other Deed comprised in such Declaration, whereupon the Plaintiff or Plaintiffs do declare, was not done nor made within the Fair-time and Jurisdiction of the said Fair, but out of the Time of the Fair, or at other Places out of the Jurisdiction of the same Fair, [after the Troth in that Party⁸:] And if it be so tried, or that the Plaintiff or Plaintiffs, or their Attornies, refuse to be sworn (⁹) in the Form aforesaid, that then the Defendant or Defendants be quite dismissed and discharged in that Behalf out of that Court; the Party Plaintiff to take his Advantage at the Common Law, or other Place convenient, as every seemeth good, this Ordinance (¹⁰) notwithstanding. And that every Steward, Under-Steward, Bailiff, Commissary or other Minister, holding and ruling any of the said Courts, that doth the contrary to this Ordinance, shall for every Default in that Behalf forfeit One hundred Shillings, the one Half thereof to [your Highness¹¹,] and the other Half thereof to him that in that Party will sue his Action upon this Ordinance, by Action of Debt in his own Name: And that Writs of Proclamation in all goodly Haste be directed to every Sheriff of every Shire of *Eng'land*, to make this Ordinance to be proclaimed in every [Part¹²] within his Shire, as well within Franchise as without. And that the Ordinance touching Fairs, as is afore said, should endure to the next Parliament, which Ordinance is now expired: And for certain the said Ordinance is full necessary and requisite to endure for ever, and full profitable to all the Commons of this Realm:

[Be it therefore ordained and established¹³] by the Authority of this present Parliament, That [the aforesaid Ordinance¹⁴] be and stand [in Virtue and Strength¹⁵,] and [alway¹⁶] to be executory from the Feast of the *Annunciation* of our Lady next coming, perpetually after to endure.

Stat. 17 E. 4.
c. 2. made
perpetual.

⁸ according to the Truth in this Behalf, *Rass.* 1618, &c.

⁹ upon the Holy Evangelists, *Rass.* 1618, &c.

¹⁰ Act and Authority of the said Parliament, *Rass.* 1618, &c.

¹¹ our Sovereign Lord the King, *Rass.* 1618, &c.

¹² 'Fair,' printed *Rot. Parl.* 17 E. 4. and *Stat.* 17 E. 4. c. 2.—'port,' *Rass.* 1618, &c.

¹³ It is therefore ordained, established, and enacted, *Rass.* 1618, &c.

¹⁴ the said Act and Ordinance, *Rass.* 1618, &c.

¹⁵ in his Virtue, Force, and Effect, *Rass.* 1618, &c.

¹⁶ *Rass.* 1618, &c. omit ;—or read 'a Law.'

ITEM nostre dit tressoverain seignour le Roy Ricarde le tierce p un petition a luy fait p les cōens de cest son roialme dengl' en souen dit plement assemblez, ad conceyve et entendus que come en une estatuit fait en le disseptisme an du reigne du noble roy Edwarde le. quart entre auters estoit ordeigne establie et enacte;

Que al premier jour de May adonques pscheinemēt ensuant nul seneschall southseneschal baillif ne cōmissarie, ne ascun

autre officer ou mynistre dauscunes courtes dez peopowdres apperteignant as feires, teigne ascun plee sur ascun accion al fuite dascune psonne ou psones, sinõ le pleintif ou pleintifs ou son ou lour attournes en pñence del defendant ou defēdautes [sil ou ils ou lour attournes ceo desiront?] facent seremēt sur lez saintez evangelize, sur le declaracion, qe le contracte trespas ou autre fait cōpris en mesme le declaracion fuit fait ou cōmis deins le feire, temps del dit feire, lou il pñgne sa accion et dedeins lez boundes et jurisdicōn de m̄ le feire. Et mesqz le dit pleintif ou pleintifs p lour serement afferme le m̄, que le dit defendant ou defendantez en nul maner ne soit ou soient per ent conclusez, mais que ceux puissent respondre et pleder, al accion ou en abatemēt de lez pleintez, et de tēdre issue que m̄ le contract trespas ou autre fait cōpris dedeins la dit declaracion, sur quel le pleintif ou pleintifs declare ou declarent, ne estoit pas fait ne cōmys dedeins la tenure del dit fere, et jurisdiccio del mesme le dit feire, mais hors del temps de la dit feire, ou ascuns auters lieux hors de le jurisdiccio del mesme le feire, solong la verite en cell ptye; et sil soit ency trie, ou qe le pleintif ou pleintifs ou lour ou leurs attournes refuse ou refusēt destre jures sur lez saintez evangelies en la fourme avaunt dit, qe adonques le defēdāt ou defendautes soit ou soient quites dymissēs et dischargez en cell ptye hors decell court; la ptye pl' nient mains de prendre son avantage al comyn ley, ou en ascun autre lieu convenient come luy bon semblera, cest ordonnance acte et auctorite du dit parlement avaunt dit niēt contrestant. Et que chesc' seneschall southseneschal baillife cōmissarie, ou asc' autre ministre teignant et gouvernant ascuns de lez dites courtes, q' face le contrarie de cest ordonnance, forfacera pur chescun defaute en cell partie C. south, lun moite ent destre a nostre seigno' le roy, et lautre moite ent a celluy ou ceux qui ou queux en cell partye fuera ou fueront sa accyon sur cest ordonnance, per accion de dette en son propre nome: Et que briefs de proclamacion ferrount faitez en tout bone hast, directez a chescun viscounte de chescune countee dengleterre, de feire cest ordonnance destre proclayme en chescun [port¹²] deins soun countee, sibien deins la fraunchise come dehors. Et que lordonaunce touchant feires come est avaunt dit endureroit jesques al pschein parlement; quelle ordonnance est ore extirpe; Et pur certyn le dit ordonnance est trop necessarie et requisite dendurer pur toutez Jours et trop profytable a toutes les cōens de cest royaume Dengleterre :

Il est pur ceo ordeigne establie et enacte, p auctorite de cest pñsent parlement, que le suisdit acte et ordonnance soit et estoise en vertue force et effecte, et ley dñe executoire a la feste de lannūciacion de nostre dame pschein venant, ppetuelmēt apres dendurer.

C A P. VII.

An Act for Proclamations upon Fines levied.

[*This Act appears to be superseded by the Stat. 4 H. 7. c. 24. which is very similar to this; except in the Omission of the Provisions in this Act, which required a Transcript of the Fine to be sent to Justices of Assise and Justices of the Peace in the County where the Lands lie, to be proclaimed in the Sessions and Assises; these Provisions are repealed by the Effect of 4 H. 7. c. 24. which declares the Fine valid to conclude Privies and Strangers, &c. upon the Proclamations required being made in the Court of Common Pleas.—The Stat. 4 H. 7. c. 2. also contains a Saving of Action against Parties to the Fine having no Title without Limitation of Time; no such Saving is in this Act of Ric. 3.—See the Stats. 1 Mary, Stat. 2. c. 7. and 31 Eliz. c. 2. which refer only to the Stat. 4 H. 7. without noticing this Act.*]

C A P. VIII.

An Act touching the Order of dying Wool and Cloths.

[*In the Editions by Hawkins and subsequent Editors, a long Preamble is prefixed to this Act, said to be taken “from the Statute Roll in the Parliament Office, Anno 1 Ric. 3.”—It begins, “To the King our Sovereign Lord, prayeth unto your Highness, your true Subjects and Commons, &c.” stating the particular Evils resulting from the improper ‘making, draping, and dying of Woollen Cloth.’—In the Editions by Pulton, Rastall, &c. previous to Hawkins, the Chapter has only the following short Preamble, which agrees with the old French Text: “Item in the said Parliament were shewed divers Inconveniences and Deceits had made and used in the said Realm of England in making of Cloths.”] (See Cap. 6. of this Year, and the Notes there.)*

The Provisions of this Act, which were suspended by 12 H. 7. c. 4. &c. appear to be repealed by the Operation of the Stat. 5 & 6 E. 6. c. 6. § 50. except so far as relates to the following Sections.

XIII. **A**LSO our said Sovereign Lord the King, in eschewing of great Falshy and Deceit, which hath grown, and daily doth grow by Mean of Tentors, by the Assent and Authority aforesaid hath ordained and enacted, That no Person, whatsoever he be, shall keep, have, or occupy any Tentor, or any other Thing, in his own House or Place of his inhabiting, whereby Woollen Cloths may be in any wise drawn out in Length or Breadth, upon Pain to forfeit Twenty Pounds as often as he shall do contrary to this Act; but that all Tentors which hereafter shall be used or occupied for due stretching of Cloth only, after that it cometh from the Mill, and before it be rowen, and for none other Cause, as well within the City of London, as other Cities, Boroughs, and Towns of this Realm, shall be set in open Places; and that every Mayor of London for the Time being, and all other Mayors and Bailiffs, and other Governors of Cities, Boroughs, Towns, and Villages of this said Realm, shall diligently survey and oversee that all Cloths, which shall be put upon Tentors, shall not be drawn out in Length and Breadth otherwise than is before rehearsed.

None shall keep
a Tentor in his
House.

Tentors shall be
set in open
Places.

AUXINT nre dit seignour le roy, en eschuer' del grande fauxine et deceyte quelx ount accruez et de jour en autre accruount p moyen des Teintures, ad per assent et auctorite suiffdit ordeigne et enacte, q' nul persone q'il soit garde aiet ou occupie ascun teinture, ou ascū autre choce en sa ppre meason ou lieu de sa habitacion, p qle draps laienez poet en asc' maner estre trahe hors en longure ou laeure, sur peine de forfaire xx li. cy sovent come il ency ferra contrarie a cest acte; Mez que toutes teintures q'ux de cy en apres ferront ufez ou occupiez pur equacion del drap tantfoulement, aps q'il irent de molyn et devaunt il soit roughes, et pur null' auter cause, sibien deins la cyte de Loudres, come es autres burghes cytees et villes de cest roialme, soiēt fichez [en¹] lieux overtez et q' [nul²] mair le Loñdres pur le temps esteant et toutes auters mairs et baill' et auters gouvernours des cytees, burghs, villes et villages de ce d' roial' nient diligealmēt surveiant q' toutz draps q'ux ferroūt mises sur teintures ne ferront trahes hors en longure et laeure autrement q' est avant reherce.

¹ es, C.² chescun, *Rass.* 1557, tit. *Drapery*.

The 14th Section, as to Wool bought by Strangers, is recited and repealed by Stat. 3 H. 7. c. 10.

C A P. IX.

An Act touching the Merchants of *Italy*.

[*Several of the Provisions in this Act (§ 1—3.) are recited and altered by Stat. 1 H. 7. c. 10. which see.*]

[IX.]
An Alien shall
not be an
Handicraftsman.

MOREOVER, That no Person not born under the King's Obedience (*) as before is said, shall exercise or occupy any Handicraft, or the Occupation of any Handicraftsman in this Realm of *England*; but that all such Persons, which after the said Feast of *Easter* shall come into this Realm, and every of them, shall depart into their own Country again, or else be Servants to such of the King's Subjects only as be expert and cunning in such Feats, Arts, and Crafts, which the said Strangers can occupy; upon Pain of Forfeiture of all their Goods which shall come and dwell in this Realm contrary to this Act, in whose Hands soever they shall be found.

[X.]
Aliens shall
make no Cloth
within this
Realm.

Also that no Person not born under the King's Obedience, nor made Denizens, being Artificer or Handicraftsman, after the said Feast of *Easter*, nor yet any other for him, or to his Use, drape or make any Cloth, or put any Wooll to work to make Cloth of within the said Realm of *England*, upon Pain to forfeit the same Cloth draped or made contrary to this Act.

* See the French Text.—*Rassall's Collection* 1591, tit. *Aliens*, 2. in conformity with the French Text, inserts the following Sentence, but which is omitted in all English Editions of the Statutes at large, "nor made Denizen, of what Nation or Country that he be, the which shall come to this Realm after the Feast of *Easter* next coming, taking upon him to be an Artificer or Handicraftsman, shall take or occupy any House or Chamber, and therein dwell or sojourn with any other strange Person not born under the Obedience of the King" as aforesaid, neither exercise nor occupy, &c.

Also

Also that all Persons not born under the King's Obedience, being Artificers, or Handicraftsmen at the Day of the making of this Act, dwelling in this said Realm, nor none other such Artificers or Handicraftsmen, which hereafter shall inhabit and dwell in the same, which after the Feast of the *Annunciation* of our Lady next coming shall use, exercise, or occupy the Feat of Merchandise of any Manner of Wares within this Realm, shall sell or barter the same Wares or Merchandises in Gross, and not by Retail, in the Port, Town, or Place where the same Artificers be, or shall be dwelling, and in none other Place, upon Pain of Forfeiture of the Value of all the Wares and Merchandises sold contrary to this Act.

[XI.]

Aliens shall sell their Wares in Gross, and not by Retail.

Also that no Person not born under the King's Obedience [now,] inhabiting, dwelling, or holding any great House or Chamber in this Realm, and occupying any Handicraft, or being Artificer, or Handicraftsman, after the said Feast of the *Annunciation* of our Lady next coming, shall take any Apprentice, Servant, or any other Person to work with him, or to his Use, unless it be his Son, or his Daughter, other than at the said Feast. shall be Apprentices or Servants with him, except that the same Apprentices or Servants so to be taken be the King's Subjects born, upon Pain to forfeit and to lose for every Apprentice or Servant taken to the contrary Twenty Pounds, the one Half of all the said Fines, Forfeitures, and Penalties, and of every of them, to be to the King, and the other Half to be to him or them that will seize the same, or pursue for the same by Action of Debt, by Writ at the Common Law, by Bill or Plaint, after the Custom of the City or Town where such Fines, Forfeitures, or Penalties hereafter shall fall and be; and that the Defendant in any such Action shall not be admitted to wage or do his Law, nor no Protection, nor Essoin of the King's Service shall be allowed such Defendant in the same.

Aliens shall take no Servants except Subjects.

[See 14, 15 H. 8. c. 2. and Note there.]

Recovery and Application of Penalties.

Provided always that this Act, or any Part thereof, or any other Act made or to be made in this said Parliament, shall not extend or be in Prejudice, Disturbance, Damage, or Impediment to any Artificer, or Merchant Stranger, of what Nation or Country he be or shall be of, for bringing into this Realm, or selling by Retail or otherwise, any Books written or printed, or for inhabiting within this said Realm for the same Intent, or any Scrivener, Alluminor, Reader, or Printer of such Books, which he hath or shall have to sell by way of Merchandise, or for their dwelling within this said Realm for the Exercise of the said Occupations, this Act or any Part thereof notwithstanding.

[XII.]

Aliens may bring in Books to be sold.

[This Proviso repeated 25 H. 8. c. 15. § 1.]

EN oult^e q' nul pson niēt neez desoubz lobei sanee du roy [ne fait deinz ein de qconqz nacon ou pais qil soit le qil viendra en ce roial' puis le fest de pasqz pschein venāt, pignāt sur luy destre artific' ou handicraftsman, pigne ne occupie ascū meafō ou chābre et en icell demoerge ou sojourne ovesqz ascū aut' estrange psonne nient neez desoubz lobeifance du roy come e'e avauntdit',] ne exercise ne occupie ascūe artifice manuel ou loccupaçon dascū handicraftsman en ce roial' dengl'; mez q' toutz tielx psones qux apries le dit fest

fest de paske veddrôt en ce dit roialme, et chescū deux, deþtent et deþt a lour ppre pais arrere, ou autremēt soiēt servātz a tielx dez subjectz du roy tantfolement q̃ux sont expteþ et scientz ou scientificez es tielx feeteþ artz et overagneþ q̃ux lez ditz estrangeþ favôt occupier, sur peyne de forfaiture de toutz lour biens lez q̃ux vendr' et demoerg' en ce dit roial' contrarie a ce aēt, en q̃conqz mais ceuz ferr' trovez.

Auxi q' nul p̃sone nient nees desoubs lobeifance du roy ne ne fait deinz ein, esteāt artific' ou handcraftimā, puis le d' fest de Pasqz, ne nul aut' pur luy ou a son use, drap ou face ascū drap ou met ascun leine a overaūge de faire drap en m' le roial' sur peyne de forfaiture m' le drap ou draps faitez contrarie a ce aēt.

Auxi q' toutz p̃soneþ nient neez desoubs lobeifance de roy, esteāt artificers ou hādcraftimā al jo' del faifance de ce acte, demurrāt en ce dit roial' ne nul aut' s tielx artificers ou handcraftimā q' en aps ferront demurrāt ou enh'itez en le m' q̃ux aps le fest del Annūciacōn de nre dame p̃schein venāt user' exēcit ou occupier' le feete de merchādiseþ, dascuns maners wares deins le dit roial' vend ou batēt m̃z les wares et merchandiseþ en gros et niēt p retail, en le port ville ou lieu lou m̃z lez artificers sont ou ferrōt demurrāt, et en nul aut' lieu, sur peine del forfaitur' del value de toutz les warez et merchādiseþ vend' contrarie a ce aēt.

Auxi q' nul p̃sone nient nees soubs lobeifāce du roy ore enh'ite demurrāt ou ⁽³⁾ graund meaō ou chābr' en ce roial' et occup' asc' artificie manuel ou esteāt artificer ou hādcraftymā, aps le d' fest del annūc' de N. D. p̃schein venāt, p̃ign' asc' ap̃ntie servāt ou asc' aut' p̃sone a õver overcqz luy ou a son use, sinō il soit son fitz ou sa file aut' s q' al dit fest ferr' ap̃nticeþ ou servātz ovesqz ly, sinō m̃z lez ap̃tie' ou servātz ensy ap̃ndres soiēt subjectz du roy neez, sur peine de forfair' et pdr' p' chesc' ap̃ntice ou servāt p̃sez contrarie xx. li. lun moite de toutz les ditz fines forfait' et penalt' et chesc' de ceuz dēe a roy, et laut' moite dēe a celly ou ceuz q' ou q̃ux s'sira ou s'siront lez m̃z ou p̃suef, ou p̃suef, p' lez m̃z p aēt' de det p [bill⁴] al cōen ley, p bil ou pl' solonq le custume del cyte o ville lo il aviendra en aps ascūs tielx fineþ forfait' ou penalt' de cheter et ēe; Et q' le [default⁵] en ascun tiel aēt ne soit admis de gagier ou feir' son ley, ne q' ascū proteēt' ou esson de servyce le roy, p' ascū tiel [default⁵] soit alowes en le m'.

Pourveu toutz soit q' cest aēt ou ascū pt dicel, ne ascū autre aēt fait ou affaire en le dit plemēt en nul maner nextende ou soit p̃judicial ascū distourbance damage ou empiediment au ascū artificer ou merchant estraūge, de q̃l naōn ou

³ kenaut, Raft. 1557.

⁴ br'e, C.

⁵ def', C.

il soit ou ferra, de ou pur amesnaunce en ce roialme ou
 dyçôn p retail ou autremēt, dascûs maners liverez escrip-
 z ou enpressez, ou pur lenhabitaçôn deins le dit roial' pur
 m' lentent, ou ascû escrivener allumino' lio' ou empreffour,
 autremēt dit imprintour, de tielx livers, q̃ux il ad ou avera a
 vendre p voye de merchandise, ou pur lour demurrer en m'
 le roialme pur lexercicôn dez ditez occupacyons, ce acte ou
 ascû part dicel nient obstant ou contristeant.

C A P. X.

An Act touching the bringing of Silk Laces, Ribbands, &c.

“THE Statute of 22 *Edward* 4. c. 3. prohibiting Silk Rib-
 bands, Laces, &c. to be brought into this Realm, recited
 “and continued for Ten Years further.” [See 19 *H.* 7. c. 21. and
Note there.]

C A P. XI.

An Act touching Bowstaves.

[See Stat. 6. *H.* 8. c. 11. confining this Act to Strangers only; but Exp.]

ITEM, It was shewed in the said Parliament by the Bowyers in-
 habiting within the Cities, Towns, and Boroughs of this Realm,
 occupying Artillery pertaining to the same for the Defence of this
 Realm, that whereas in Times past good and able Stuff of Bow-
 staves hath been brought into this Realm as well by *English* Mer-
 chants as Strangers, whereby the Inhabitants Bowyers might com-
 petently live upon such Stuff, which they bought at Forty Shillings
 the Hundred, or Forty Six Shillings Eight Pence at the most:
 Now it is so, that by the seditious Confederacy of *Lombards* using
 to divers Ports of this Realm, the Bowstaves be now at such an
 outrageous Price, that is to say, at Eight Pounds the Hundred,
 where they were wont to be sold at Forty Shillings; and also they
 will not suffer any garbling to be made of them, but sell Good and
 Evil at such an excessive Price together ungarbled, that by Likeli-
 hood in short Time this Realm is like to fail as well of Stuff of
 Artillery, as of Workmen thereof, unless due Remedy be in this
 Behalf shortly found and had: Wherefore our said Sovereign Lord
 the King, by the Assent of the said Lords Spiritual and Temporal,
 at the Prayer of the said Commons, in the said Parliament assembled,
 and by Authority of the same, hath ordained, established, and
 enacted, That no Merchant of *Venice*, nor other which useth to
 repair into this Realm with Merchandises of those Parts, shall bring
 nor convey into this Realm any Merchandises, unless the same
 Merchants do bring with every Butt of Malmsey, and with every
 Butt of Tyre, Ten Bowstaves good and able Stuff, upon Pain of
 Forfeiture of Thirteen Shillings and Four Pence for every Butt of
 the said Wines so brought and conveyed, and (¹) of the said
 Number of Bowstaves with the same Butt; the one Half of the
 same Forfeiture to be to our Sovereign Lord the King, and the
 other Half to the Party which will therefore sue; and that no
 such Bowstaves be sold ungarbled, and but only to such Person or

Ten Bowstaves
 shall be imported
 for every Butt of
 Malmsey.

¹ *not, Russ.* 1618, &c.

Persons which is or shall be born under the King's Obedience ; this Act to begin and take Effect at the Feast of Saint Michael next coming.

ITEM mōstre fuit en le dit plemēt, p' les bowers enhāntz deins lez citees villez et boroughes de ce roialme, occupiātz artelarie as eux regardātz p' le defēce de ce roial' q' co^e en temps passē bon et able stufte de bowstaves, sībn p' merchāntz englois co^e estrangez, ussēt este amefn eu le dit roial' p' qī lez [inhibitantz'] artillers povoiēt cōpetenmēt vivre s' tiel stuf, qīx ilz àchar' a xl. s. le C. ou xlvī. s. viiij. d. a pī⁹ hault ; ore il est ency q' p' le sedicious confedacy dez lūbar- des usātz es divers portz dē ce roial' lez bowstaves o'e sōūt a cy outrageo⁹ pris's. a viiij. li. le C. lou ilz soloient ēē vend' mes a xl. s. et ensemeēt ils sūffire ne voil' ascū greablemēt diceux ēē fait, mez vendōt bons et mals a cy excessif pris enseblemēt nient greable q' p' sēblāce en b're tēps ce roial' e' sembl' de failer sībn del stufte dartelery co^e dez artificers. del m' s' non due remēdye en ce ptie soit hastivemēt troeve et ewe : N're dit seigno' le roy de la sent dez ditz seigno's. esp'uelx et tēporelx et al' prier dez ditz coēs en le dit plemēt assēbles et p' auctorite de m' ad ordeigne establie et enacte, q' nul de lez merchātez de Venyce ne aut' q' use de repaire en ce roial' ovesqz merchandisez diceux ptiez amefne ne con- voye en ce dit roial' ascūs merchādisez, sinō m' lez merchātz amefnēt ovesqz chesc' but de malmesie, et oveqz chesc' but de tyre, dix bowstaves bons et able stufte, sur peyne de forfaiture de xiii. s. iiii. p' chesc' but des ditz vynes- ency amefnes et conveies, et nient de le dit nōbre dez bow- staves ovesqz m' le but ; lun moite del dit forfaiture dēē a n're dit signour le roy, et lautre moyte al ptie q' p' c' fuer voet ; et q' nul tiel boustaves soient vendus degarbeles, et forsēz a tiel p'sone ou p'sonez q' ou qūx c' ou sont et ferra ou ser- ront nees desoubz l'obeissance du roy ; ce act de cōmencer et prendre effecte al fest de seint Mychel p'schein venant.

⁹ inhibitantz, C.

C A P. XII.

An Act against Strangers Artificers.

[See Stat.

3 Ed. 4. c. 4.

and Notes there.]

ITEM it was shewed in the same Parliament by the Artificers of the said Realm of *England*, as well of the City of *London*, as of other Cities, Towns, Boroughs, and Villages of the same Realm, that is to say, Girdlers, Pointmakers, Pigners, Purfers, Glovers, Cutlers, Bladesmiths, Blacksmiths, Spurriers, Painters, Goldbeaters, Sadlers, Lorriners, Founders, Cardmakers, Hurers, Wyremongers, Weavers, Horners, Bottlemakers, and Copper-smiths, that whereas they were wont in Times past to be greatly set awork, and occupied in the said Crafts for the Sustenance of themselves, their Wives, Children, Apprentices, and Servants,

and

and many other of the King's Subjects; now so it is, that by Merchant Strangers, Denizens, and other, there is brought into these Parts from beyond the Seas, to be sold within this Realm of *England*, as much Wares as may be wrought and made by the Artificers above rehearsed, that by reason thereof the People of strange Countries, where the said Wares be made, be greatly occupied and increased, and the said Artificers in this Realm greatly impoverished, and without the King's Grace shewed to them in this Behalf are like to be undone for lack of Occupation :

Our said Sovereign Lord the King considering the Premises, by the Advice and Assent of the Lords Spiritual and Temporal, and at the Prayer of his Commons, in the said Parliament assembled, and by Authority of the same, hath ordained and provided, That no Merchant Stranger, after the Feast of *Easter* next coming, shall bring into this Realm of *England* to be sold any Manner of Girdles, nor Harneys wrought for Girdles, Points, [Laces, Leather²,] Purfes, Pouches, Pins, Gloves, Knives, Hangers, Tailors Shears, Syfors, Andyrans, Cobbards, Tongs, Fireforks, Gridirons, Stocklocks, Keys, Hinges and Garnets, Spurs, painted Glasses, painted Papers, painted Forcers, painted Images, painted Cloths, beaten Gold, or beaten Silver, wrought in Papers for Painters, Saddles, Saddle-trees, Horse-harnes, Boots, Bits, Stirrups, Buckles, Chains, Latten Nails with Iron Shanks, Turnets, [Standing Candlesticks⁴,] Hanging Candlesticks, Holy-water Stopps, Chaffing-dishes, Hanging Lavers, Curtain-rings, Cards for Wooll, (except *Roan* Cards) Clasps for Gowns, Buckles for Shoes, Broches, Bells (except Hawks-bells) Tin and Leaden Spoons, [Chains of⁶] Wyre of Latten and Iron, Iron Candlesticks, Grate⁵, Horns for Lanthorns, or any of the said Wares ready made and wrought, pertaining to the Crafts above specified, or any of them, upon Pain to forfeit all the said Wares so brought into this Realm contrary to this Act, or the Value of the same, in whose Hands they or any of them shall be found; the one Half of such Fines and Forfeitures to be to the King, and the other Half to him or them that shall seise or pursue for the same by Action of Debt, by Writ or Bill at the Common Law, or by Bill or Plaint, after the Custom of the City or Town where any such Fines, Forfeitures, and Penalties shall hereafter happen to be or fall; and that the Defendant in such Action be not admitted to wage or do his Law; nor that any Protection or Esson of the King's Service shall be allowed in the same for any such Defendant.

Certain Merchandizes shall not be imported ready wrought,

on Penalty of Forfeiture thereof, or the Value.

² Leather Laces, *Roff.* 1618, &c.

⁶ not in former Translations.

⁴ not in *Roff.* 1618, &c.

ITEM m're fuit en le dit plem^t p les artificers du dit roialme dengleterre, s'ibn de la cyte de Londres co^e daut's citees villes burghs et villagez m' le roial' [s.¹] cinctores faisours dez pointez pinner's burfers gaüters cotelers bladsmhythes blaksmhythes sesours des esperons peinctours batours dore sel-lours lorimers fusers faisours dez cardez hurers wiremöggers textor's horners botelmakers et copsmhythes, q' co^e ils soloiet en temps passe ee graüdemēt mysen en overeigne et occupies

¹ cest assavoir, C.

en lez ditz artes p^r le sustenāce de ceux m̄z, lo^r fēmez enfantz ap̄nticez et servantes et plusours aut^s subgettez du roy, ore il e^t ency q['] p^r merchātz estrāgez deinzains et aut^s sōt amefnez de lez pties de l' meer, ēe vēdus deins le dit roialme dengl' si plusours dez wares q̄les povoient ēe overez et forgez p^r les artificers desuis reherces et nosmes, q['] pent lez gentz dez pays estranges lo^r lez ditz wares sont faitez grandemēt sont occupiez et encreacez, et les dites artificers trop ēpoveres et de jour en autre deveignent, et sans le grace le Roy as eux m̄re en ce ptie sont sēbles dēe destruitz p^r defaute doccupacōn :

Nre dit seigno^r le Roy lez p̄missez considerant, del advys et assent dez seignours esp[']uelx et tēporelx a la prier de ses cōes en le dit plement assemblez et p^r auctorite dicel, ad ordeine et purveu q['] nul merchaunt estrāge, aps le fest de pasqz ore pchein venant, amefne en ce roial' dengl' dēe vendus ascun maners ceincturez, ne ascuns harneises overes p^r ceictures, poitz [lacez²] de quir burfes pouches espinges gaūtz cotelx hangers forcez p^r tailers, forcettis appelez vulgaremēt sifours, andirons cobbardes tenails, furkis pur fue, gredirons stoklockis clefs henges et garnett['] espurons, myrors depinētz, papiers depinētz, forcez depinētz, ymages depinētz, draps depēētz, ascū or batus ou argent batus overes es papiers p^r peīctours, sellez sadell' trees, harneis pur chivalx, botes moleyns vulgarem^t appelez bittez, estrineux bocles cheynes, clous dorpety vulgaremēt appellez laton nailes with yron chaūkez, turnettis chaūdelers pendantis, stoppis pur caue sacres appelez vulgaremēt hali water stoppis, chafingdishez lavours pendātz, aneus pur curteins, cardez p^r leine, cardes de roon forprifez clapsiez, p^r robez vulgaremēt appelez claspes (³), buccles pur solers, broches chāpnoils vulg['] bellez, forspris hākes belles, culiers destain et plūbe, cheinez de wire sibn de laton co['] d' feer, chādelers de feer [gratez⁷] hornez p^r lant'nez, ou asc['] des ditz wares, p̄stemēt forgez et overes appteinācez as artz desuis especifiez ou asc['] diceux, s['] peyne de forfaiture toutz lez dites wares ency amefnes en ce roial' contrarie a ce act, ou le value diceux en q̄l mains ceux ou ascun diceux ferr['] troves; lun moite de tielx fines et forfait['] ent dēe au roy et laut['] moit['] a cely ou ceux q['] s[']sira ou s[']sirōt pursuera ou pursuerōt pur lez m̄z p^r acc['] de det p^r b̄re ou bille al cōen ley, p^r bille ou pl['] solōqz le custome del cite ou ville lou il aviēdra enap̄s ascūs tielx fines forfaitures et penaltez de chier et ēe; q['] le def. en asc['] tiel act['] ne soit admis de gager say ley ne q['] asc['] pteccōn ou esson de service le roy p^r ascun tiel def. soit allowe en le m̄.

² lacez, C.³ p['] gow, C.⁷ g[']tez, C.

C A P. XIII.

An Act to ascertain the Contents of Vessels of Wine and Oil.

[T]O the King our Sovereign Lord, shewen unto your Highness lamentably complaining your humble Commons of this your present Parliament assembled, in the Name of themself and of all your other humble Commons of this your honourable Realm; that whereas Butts of Wine, called *Malmsey*, were wont in great Plenty to be brought into this your said Realm to be sold before the Twenty-seven and Twenty-eight Years of the Reign of *Henry* the Sixth, late in Deed and not of Right King of *England*, and also in the same Years, and than divers of the Butts held in Measure Seven Score Gallons a piece, and divers held Six Score Twelve Gallons a piece, and the least of them held Six Score Six Gallons a piece, and than a Man might buy and have of the Merchants Stranger, Seller of the said Malmseys, by mean of the said Plenty of them, for Fifty Shillings, or Fifty-three Shillings and Four-pence at the most a Butt of such Wine, he taking for his Payment thereof Two Parts in Woolen Cloth wrought in this your said Realm, and the Third Part in ready Money: It is so, Sovereign Lord, that by the subtell and crafty Means of such Persons Strangers as have the Sale of such Wines, the which have been made Denizens within this your said Realm, have caused the Butts of Malmseys latewards brought into this your said Realm to be sold, for to be fore abregged and minished of the said Measure, so largely, that a Butt of their Malmseys at this Day scanty holden in Measure Five Score Eight Gallons; and besides that they knowing, as it seemeth, what Quantity of such Wine may serve yearly to be sold within this your said Realm, where they were wont to bring hether yearly great Quantity and plenteously of such Wine to be sold after the Prices aforesaid, of their Craftiness use to bring no more hider now in late Dayes, but only as wolfe scanty serve this Realm a Year, where thrugh they have enhansed the Price of the same Wines to Eight Marks a Butt ready Money, and no Cloth, to the great enriching of theymself, and great Disceite, Loss, Hurt, and Damage of you Sovereign Lord, and of all your Commons of this your said Realm; in Consideration of which Hurts and Damages aforesaid, and for the Reformation of the same, please it your Highness, of your moost bounteous and benign Grace, by the Advice and Assent of your Lords Spiritual and Temporal, and of your Commons, in this your present Parliament assembled, for to ordain, enact, and establish in this your present Parliament, and by Authority of the same:] Our said Sovereign Lord the King, by the Advice and Assent of the said Lords Spiritual and Temporal, and at the Supplication of the said Commons in the said Parliament assembled, and by Authority of the same, hath ordained, established, and enacted, That no Manner

Contents of
Butts of Malm-
sey, and Vessels
of Wine and Oil.
[Confirmed by
23 H. 8. c. 14.
§ 5.]

This Preamble is not contained in *Pulton* or other Editions of the Statutes previous to that by *Hawkins*; in which latter it is stated to be taken "from the *Statute Roll* in the *Rolls Chapel*."—*Pulton* and the other Editions read as follows, conformably with the French Text:

"Item, upon grievous Complaint made to our Sovereign Lord the King in the said Parliament, by the Commons of the same, of the Defaults of Measures of Butts of Malmsey, and other Vessels of Wines and Oil," our said Sovereign Lord, &c.

Merchant or other Person whatsoever he be, from the Feast of Saint Michael the Archangel next coming, shall bring nor cause to be brought into this Realm, any Butt of Malmsey to be sold, unless it do contain in Measure at the least [the said old Measure of at¹] One hundred and twenty-six Gallons; nor no Vessels with any Manner Wines, [whoever³] they be, or of what Country they be; nor no Manner of Vessels of Oil, unless the same Vessels of Wine or Oil do contain and hold the Measure and Assise following, that is to say; every Tun to contain Twelve score and twelve Gallons, and every Pipe to contain Six score and six Gallons, every Tertian to contain Four score and four Gallons, and every Hogshead to contain Sixty-three Gallons, and every Barrel to contain Thirty-one Gallons and an Half, and every Rundlet to contain Eighteen Gallons and an Half, according to the old Assise and Measure of the same Vessels used in this Realm.

Vessels of Wine
and Oil shall be
gauged.

And that all the Vessels of Wine and Oil brought into this Realm after the said Feast to be sold, shall not be put to Sale after the same Feast, till they be well and truly gauged by the King's Gauger, or his sufficient Deputy, upon Pain to forfeit to the King all the said Wines and Oil sold contrary to this present Ordinance, or else the Value of the same.

Recompence to
the Buyer for
short Measure.

And in case that any Person, of what Country that he be, from henceforth do sell to any of the King's liege People, for any certain Price assigned, any Butt, Tun, Pipe, Tertian, Hogshead, Barrel, or Rundlet of any Manner of Wine or Oil, lacking any Thing of the said Assise or Measure, that the Seller shall allow or rebate of the same Price to the Buyer of such Wine or Oil as much Money as such Lacking after the Rate shall amount to, upon Pain to forfeit to our Sovereign Lord the King the Value of all the Wine and Oil so sold contrary to this present Ordinance; any privy Covenant or Contract made or to be made betwixt the Buyer and the Seller contrary to this Ordinance in any Manner notwithstanding.

¹ Pulton, &c. omit.

³ whose soever, Pult. &c.

ITEM sur grevous cōpleint fait a nre seigno^r le roy en le dit plement, p lez cōens dicel, de defaute dez mesurez dez buttis de malmeseie et auts vessaux dez vinez et oile; m nre Seignour le Roy, de ladvys et assent dez ditez seignours espūelx et tēporelx et a la supplicaçōn des ditz cōens en le dit plemēt assēblez, et p auctorite de m, ad ordeigne establie et enacte q' nul maner merchāt nauter pfone qle qil soit, del feste de seint Michel larchangel ore pſchein venant enavaunt, amesne ne face ēe amesnes en le dit roialme asc' but de malveyse destre vendus, sinō il conteigne en mesure au meins le veile de vi. xx. et vi. galons; Ne ascū maner de vessaux ovesqs ascūe maner vynes qles qils soient, et de qcomqz pais qilz soient, ne ascuns maners vessaux de oyle sinon les vessaux de cellez vine et oile conteignēt et teignēt lassisez et mesures cy ensuantez; s, chescun tonel de conteigner xii. xx. galons et xii. et [q']

† C. omits,

chescū

chescū pipe de conteigner vi. xx. et vi. galons, et chescū terciar de conteigner iiii. xx. et quat galons, et chescū hogeshede de conteigner [xliiii.] gal', et chescū barel de conteigner xxxi. gal', et di, et chescū rōudelet de conteigner xviii. gal'. et di; accord' al aunc' assise et mesure de m̄z les vesseaux uses deins c' roial'.

Et q' toutz lez vesseaux dez vines et oile, amefnes en le dit roial' puis le dit fest, dēe vend' ne soient mis a vend' ays m̄ le fest tāqz ils soient bñ et vāmēt gagez, p le gaugeor le roy ou p son sufficiēt deput' sur peine de forfaitur' a roy de toutz tiel vinez et oile ency vend' a lencontrarie de ce p̄sent ordinance, ou autrem' le value dez m̄z.

Et en cas q' ascun maner p̄sone, de q̄l pais q̄l soit de ce tēps enauit, vende a ascune de liege le roy pur ascune pris assigne en cert' ascune tonel but pipe terciar hogeshede barel ou rōudlet dascū maner vyne ou oyle, fautant asc' choce del dit assise ou mesur' que le vendoure alouera ou rebatera de mesme le pris, a lachater de tiel vyne ou oile, tāt de money quaūt tiel def. solonqz la rate amouñtera, sur peine de forfaiture a n̄re seignour le roy le value de tout le vyn et oyle ency vendus a le contrarie de ce ordinance; ascune prive covenant ou contract fait ou estre fait ent' lachatour et vendour al contrarie de cest ordināce en nul maner contristeant.

• erroneously for lxiiij. C.

C A P. XIV.

An Act concerning Dismes granted by the Clergy.

ITEM, Whereas the Clergy of the Provinces of *Canterbury* and *York* have before this Time divers Times granted to the King's Progenitors, in their Convocations, *Dismes* to be levied of their Goods and Possessions, and after that they do appear before the Barons of the King's Exchequer, and the Names of the Collectors for the same Grant be certified in the said Exchequer, when the said Collectors do appear before the Barons of the Exchequer, and enter into their Account for the said *Disme*, that then the said Collectors be often charged, vexed, and troubled with Bills put by other Persons against them, for other Causes and Matters than touching the said Account, and by Occasion thereof oftentimes they fall to great Poverty, and causeth the said Account to be Two or Three Years hanging, and the *Dismes* not contented, to the King's great Damage, and the said Collectors also:

It is therefore ordained and established, by Authority of this present Parliament, that from henceforth if any *Disme* or any Part of a *Disme* be granted by the Province of either of the said Clergies to the King our Sovereign Lord, or to his Heirs, that after the said Certificate in the Exchequer for the *Disme*, or Part of the *Disme*, and of the Names of the Collectors for the gathering of the same *Disme*, that if the said Collectors come by Process before the said Barons of the Exchequer, and enter upon their Account, that they shall not be bound to answer to [the said]

Collectors of Dismes of the Clergy shall not be bound to answer the Suits of private Persons in the Exchequer.

• any. *Rast.* 1594.

Bill or Bills there put against them, by reason of the said Entry upon their Account, for any Manner Cause, but only for the Matter touching the said Account.

Provided always, That if the said Accountant be sued in any other Court by Writ, Bill, or Plaint, that then he shall take no Privilege of the said Exchequer by reason of the said Account for any Suit, as before is rehearsed.

ITEM come le clergie del provynce de Cantiburs et Dever-wik ount, devaunt cest temps, grantez as pgenitours n^{re} seignour le roy divers foitz en lour convocacons dismes, destre leves de lour b^{ns} et possessions, et aps q' m^z apparont devant les barons de leschekir du roy et les nouns de les collectours p' m^l le grant soit certifie en leschekir du roy, quant les ditez collectours appont devat les barons de leschekir et entront en lour accompt pur le dit disme, q' donrs les dites collectours sovent foitz sont charges vexes et troubles ovesques billes myses p' auters p^{sones} envers eux, p' auts causes et mat^s q' pur le dit cause touchant le dit accompt' et p' occasion del m^l ilz sov^efoitz cheient a grand poverissem^t, et causet le dit accopt' ee ii ou iii ans pedant, et les dismez nient contetez, a grande damⁿ n^{re} dit seigno^r le roy et lez collectours avantditz :

Il est p' c' ordeigne et establie, p' lauctorite de ce p^{se}nt plement, q' de cy en avant si ascū disme ou pt del disme soit graute p' la p^{vy}nce de chescū des dites clergies au roy n^{re} dit souverain seigno^r ou a sez heires, q' aps le dit certificat en leschekir p' le disme ou pt del disme, et les nouns dez collecto^rs p' collect del disme, q' si les ditez collectours veignent p' p^{cesse} devant lez dites barons del escheq^r et entront en lo^r accompt' q^{ils} ne ferront my obliges de r^{ndre} bill' ne billez, illeoqs mysez envers eux p' reason del dit entre en lour accompt' p' nul maner cause, mes tantseulem^t pur le mat^r touchant le dit accompt.

Purveu toutz foitz q' si le dit accomptat soit sues en ascū au^d court p' b^{re} bill ou pleint, q' il p^{ndra} nul p^{vi}lege del dit escheker p' reason du dit accompt, pur ascun suite come devant est reherce.

C A P. XV.

An Act for annulling Letters Patents made to *Elizabeth*, late Wife of Sir *John Grey*.

“ **A**LL Letters Patent, E^ltates, Confirmations, and A^{cts} of
 “ Parliament for any Castles, Lands, Tenements, &c. made
 “ at any Time to *Elizabeth*, late Wife of Sir *John Grey*, Knight,
 “ late calling herself Queen of *England*, declared void and of no
 “ Force or Effect in Law.”

End of the Statutes of King RICHARD III.

Anno primo HENRICI VII.

In the Parliament held at Westminster, 7th November, A.D. 1485.—This Parliament was prorogued to the 23d January 1485-6.—It appears that all the Public Acts, and also those usually classed as Private Acts, Cap. 4. &c. were passed in the Meeting after this Prorogation.

See printed
Rot. Parl. vi.
p. 278.

The PUBLICK ACTS of this Year, as printed in the Statute Books, are not given at Length in printed Rot. Parl. (except Cap. 10.) ; but it appears that they answer to the following Numbers on the Roll, viz.

Cap. in Stat.	No. in Roll.	
1 —	66	These are reprinted from Cuy, compared with Pynson's Edition, 1497, and other Copies. The various Readings are from Pynson, unless otherwise noted.—The Titles are given from printed Rot. Parl.
2 —	69	
3 —	68	
4 —	67	
5 —	71	
6 —	72	
7 —	74	
8 —	70	
9 —	73	
10 —	20	

See also printed Rot. Parl. vi.

Page. } Grant of certain Subsidies to the King for his Life, viz.
268, } Tonnage 3s., and 3s. additional on Sweet Wines imported by Aliens; Poundage 12d., and 12d. additional on Tin exported by Aliens; Subsidy on Wools, 33s. 4d. per Sack of Wool, &c. and 66s. 8d. per Last of Hydes, exported by Denizens; and 66s. 8d. on Wool, and 73s. 4d. on Hydes, exported by Aliens.—This last applied in Part to the Payment of the Soldiers at Calais.

270, Titulus Regius.—A Declaration of the King's Title, 'that the Inheritance of the Crown, &c. be, rest, remain, and abide, in K. Henry VII. and the Heirs of his Body.'

Other Acts of this Year are noticed in the Tables prefixed to Hawkins's and subsequent Editions as PRIVATE ACTS, and distinguished into Chapters, which answer to the Numbers of the printed Roll as under.

Cap.

Cap. in Tab. No. in Roll.

Before the Pro- rogation to 23d January.	1,	Page 270, &c. not numbered.	<i>Actus concernens Annex' Ducat' Lanc' Cornub' et al'.—The Act 12, 14 E. 4. nu. 11. recited and repealed.—The Possessions of the Duchy of Lancaster shall be enjoyed by the King separately from the Crown of England.</i>
	2,		<i>Actus Restitutionis pluriu' personarum tempore Regis R. III. attinctorum.—The Attainders of several Persons in the Parliament 1 Ric. 3. reversed.—See 1 Ric. 3. nu. 3, 5, 11.</i>
	3,		<i>Actus Convictionis et Attinctorum. [Repealed by Acts of several subsequent Parliaments.]—For Conviction and Attainder of Richard Duke of Gloster [Ric. III.,] John Duke of Norfolk, Thomas Earl of Surrey, and several others.</i>
	4,		

In the Session after the Prorogation.

Cap. in Table. No. in Roll.

- 4, 5, *Pro Duce Bed' et al'.—For reversing Attainder by Act of Parliament 1 Ric. 3.*
- 5, 6, *Pro Hen' D'no Clifford.* } *Reversing Attainder by Act of Parliament 1 E. IV.*
- 6, 7, *Pro Vicecom' Beaumont.* }
- 7, 8, *Pro Comite Oxon et al'.—Reversing Attainder by Act 12 E. IV. and annulling Conveyances made by Durefs.*
- 8, 9, *Pro Johanna Mey et al'.—Reversing Attainder of Thomas Claymund by Act 1 E. IV.*
- 9, 10, *Pro Duce Bed'.—For confirming Grants to him made by K. Henry VI.*
- 10, 11, *Pro Ducissa Bed'.—For confirming certain Lands to her as Widow of the Duke of Buckingham.*
- 11, 12, *Pro Comitissa Richmond'.—For reversing the Act 1 Ric. 3. nu. 6.*
- 12, 13, *Pro Ed'r'o Fil' et Hered' Hen' nup' Ducis Buk'.—Reversing the Attainder of the late Duke, 1 Ric. 3. nu. 3.*
- 13, 14, *Pro Ric'o Welles Milit' et al'.—For reversing Attainder by Act 22 E. 4.*
- 14, 15, *Articulus juratus in Parlamento.—This is no Act; but an Oath made by several of the Lords, Commons, and others against unlawful Liveries, &c.*

Cap. in No. in
Table. Roll.

- 15, 16, *Restitutio Hen. VI.—Reversal of the Attainder by Aet 1 E. 4. nu. 17.*
- 16, 17, *Restitutio Elizabeth' Regine nup' Uxor' Regis Edw. IV.—K. Ed. IV.'s Queen restored to her Rights, notwithstanding any Act temp. R. 3. See Stat. 1 R. 3. c. 15.*
- 17, 18, *Adnullatio Actus, &c.—A Repeal of the Act 1 Ric. 3. nu. 1.—The Roll on which it was founded shall be destroyed, and the Record and enrolling taken and avoided out of the Roll and Records of the said Parliament 1 Ric. 3. and burnt and utterly destroyed, &c.; and all Copies thereof shall be brought in and destroyed on Pain of Imprisonment.*
[But see this repealed Act at Length in printed Rot. Parl. 1 Ric. 3. nu. 1.]
- 18, 19, *An Acte for confirming all L'res Patentes made by the Kinge of the Landes of the Persones atteinted [in this Parliament.]*
- 19, 21, *Pro Alano Cotterall.*
- 20, 22, *Pro Hen' Kirkeby fil' Ric'i Kirkeby.* } Reversing Attainders by Act 1 E. IV.
- 21, 23, *Pro Will' Brandon Mil.—For restoring him to the Office of Marshal of the Marshalsea of the King's Bench, forfeited in the Reign of Ric. 3.*
- 22, 24, *Pro Jacobo Stanley Cl'ico.—For confirming to him a Grant of the Deanery of the free Chappel of St. Martins le Grand.*
- 23, 25, *Pro Eamundo Cleere et Eliz' Uxor' ejus et al'.—For avoiding certain Conveyances made by Durefs by their Ancestor in the Time of K. Ed. IV.; repealed 11 H. 7. nu. 14.*
- 24, 26, *An Acte for Roger Thorpe.—For reversing certain Judgments had against Thomas Thorpe, temp. E. 4. at the Suit of Richard then Duke of York, &c.*
- 25, 27, *Pro Thoma Ormond Mil'.*
- 26, 28, *Pro Hugone Loterell, Son and Heir of James Lutterell.* } Reversing Attainders by Act 1 E. 4.
- 27, 29, *Pro Will'o Knyvet.—Reversing Attainder by Act 1 Ric. 3.*
- 28, 30, *Pro Comite Devon'.—For confirming Grants of certain Lands to him, notwithstanding any other Grants, temp. E. 4. or Ric. 3.*
- 29, 31, *Pro Hospitio D'ni Regis.—For providing for the Expences of the King's Household.*
- 30, — 32, *Pro Garderoba Regis.—For providing for the Expences of the King's Great Wardrobe.*

Cap.

Cap. in No. in
Table. Roll.

- 31, 33, *Pro Nich'o Vaux, Fil' et Hered' Will' Vaux Mil'.* } *Reversing Attainders by Aet 1 E. 4.*
- 32, 34, *Pro D'no de Hungerford.*
- 33, 35, *Pro Johanna Fowler Vid'.—For confirming an Exchange made temp. E. IV.*
- 34, 36, *Pro Thoma' Delelaund.—Reversing an Attainder by Aet 12, 14 E. 4.*
- 35, 37, *Pro Anna Pympe.—Reversing an Attainder by Aet 3 et 4 E. 4.*
- 36, 38, *Pro Thoma Milles.* } *Reversing an Attainder by Aet 1 E. 4.*
- 37, 39, *Pro Edmundo Roos.* }
- 38, 40, *Pro Margareta Matre Regis, et Thoma Comite Derby, Marito ejus.—For confirming certain Conveyances on their Marriage.*
- 39, 41, *Pro Lawrencio Hille.—Reversing Attainder by Aet 1 E. 4.*
- 40, 42, *Pro Joh'e Weston Priore Hospitalis Sci' Joh'is Jerl'm in Angl'.—For discharging a Fee-farm Rent of 15s., on Account of Two Forges in Fleet Street taken down to widen the Street.*
- 41, 43, *Pro Rob'to Cary.—For reversing an Attainder by Default of Appearance under an Aet 4 E. 4.*
- 42, 44, *Pro Thoma Grey Milite Marchione Dors'.—Reversing an Attainder by Aet 1 R. 3.*
- 43, 45, *Pro Will'o Stanley Mil'.—For confirming an Exchange made temp. Ric. 3.*
- 44, 46, *Pro Joh'e Verney Mil', et Margareta Uxore ejus.—For confirming certain Estates made by Grant of K. Henry VI.*
- 45, 47, *Pro Joh'e Tresham.—Reversal of Attainder by Aet 12, 14 E. 4.*
- 46, 48, *Pro Georgio Broun Mil'.—Reversal of the Aet 1 Ric. 3. nu. 14. as to the Aldermanny of Westgate Ward in Canterbury.*
- 47, 49, *Pro Joh'e Seyntlo Mil' (Heir of John Buttlr).—Reversing an Attainder by Aet 1 E. IV.*
- 48, 50, *Pro Will'o Troutbek Armigero.—For Relief against Conveyances made by Durefs temp. E. 4.*
- 49, 51, *Pro Rogero Belyngeham.—Reversing an Attainder by Aet 1 Ed. IV.*
- 50, 52, *Pro Blanchea Nevyll.—For avoiding a Recovery made temp. Ric. 3. by Durefs, &c.*
- 51, 53, *Pro Margeria Beket et Joh'e Blackburn, et Florencia Uxor' ejus.—For reversing a Recovery.*
- 52, 54, *Pro Rob'to Willoughby Mil' et Elizabeth nup' Ux' Joh'is Colsbull.—For excepting certain Premises, wrongfully held by Humfrey Stafford, out of any Attainder against him.*

Cap.

Cap. in
Table. No. in
Roll.

- 53, 55, *Pro Will'o Danyell.*—For reversing Attainder of Edmund Fish by Act 1 E. 4.
 54, 56, *Pro Joh'e Calcotte.*—For reversing an Attainder by Verdict in 3 E. 4.
 55, 57, *Pro Ed'r'o Ellesmere.*—For Restitution of Lands forfeited by an Act of Attainder 1 E. 4.
 56, 58, *Pro Joh'e Beaumont, eldest Son of J. Beaumont.*—For reversing an Attainder by Act 1 E. 4.
 57, 59, *Pro Thoma Agard et Margaretta Ux' ejus.*—For reversing an Attainder made by the Act of the First Session of this Parliament, (nu. 3. ante.)
 58, 60, *Pro Joh'e Beaumont, eldest Son of Henry Beaumont.*—For reversing an Attainder by Act 1 E. 4.
 59, 61, *Pro Ric'o Passelegh et Johanna Uxore ejus.*—For reversing an Attainder of John Yates, by Act 1 E. 4.
 60, 62, *Pro Infula de Thaneto.*—For building a Bridge at Sarre Ferry, in the Isle of Thanet.
 61, 63, *Pro Joh'e Forster Arm'.*—For avoiding a Conveyance made by Durefs to Ric. 3.
 62, 64, *Pro Majore Ballivis et Civibus Civit' Winton'.*—For paving the Streets of Winchester.
 63, 65, *Pro Joh'e Lanche.*—For reversing Attainder by Act 1 E. 4.

64, Pars 2,
Page 336—384,

Rotulus Parliamenti tenet apud Westm', Septimo die Novembris, Anno Primo Henrici Septimi, in quo continetur Actus Resumptionis, cum provisionibus et Exceptionibus. —An Act of Resumption of all Lands of the Crown granted after October 2, 34 H. VI.; and of all Grants of Offices, &c. made by K. Ed. IV. K. Ed. V. or K. Ric. III.—Some Provisions and Exceptions are annexed to the Bill as offered for the Royal Assent; which is given with a Saving of all Provisions and Exceptions to be made and put in Writing by the King during the Time of this Parliament; the Tenor of which Provisions ensue; they are very long and numerous.

THE KING our Sovereign Lord HENRY the Seventh after the Conquest, by the Grace of God, King of England, and of France, and Lord of Ireland, at his Parliament holden at Westminster the Seventh Day of November, in the First Year of his Reign, to the Honour of God and Holy Church, and for the common Profit of his Realm, by the Assent of the Lords Spiritual and

and Temporal, and the Commons, in the said Parliament assembled, and by Authority of the said Parliament, hath done to be made certain Statutes and Ordinances in Manner and Form following.

C A P. I.

An Act that the Demandant in a Formedon shall have his Action against the Pernor of the Profits, &c.

FIRST, [That where¹] divers of the King's Subjects having Cause of Action by *Formedon* in the Descender, or else in the Remainder, by Force of any Tail for Lands and Tenements, be defrauded and delayed of their said Actions, and oftentimes without Remedy, because of Feoffments made of the same Lands and Tenements to Persons unknown, to the Intent that the Demandants [would²] not know against whom they shall take their Actions: It is ordained, established, and enacted by the Advice of the Lords Spiritual and Temporal, and the Commons in the said Parliament assembled, and by Authority of the same, That the Demandant in every such Case have his Action against the Pernor or Pernors of the Profits of the Lands or Tenements demanded, whereof any Person or Persons been enfeoffed to his or their Use; and the same Pernor or Pernors named as Tenant or Tenants in the said Action, have the same Vouchers, and their Lien thereupon, Aid-Prayer, and all other Advantages, as the same Pernor or Pernors should have had, if they were Tenants indeed, or as their Feoffees should have had, if the same Action had been conceived against them. And if it fortune any Person to decease so having Feoffees to the Use of him or of his Heirs, the said Heir being within Age, against whom such Action is brought as Pernor; then the same Heir shall have his Age in the said Action conceived against him, and all other Advantages, as if [the³] Ancestor had died seised of the said Lands and Tenements so in Demand. And also it is ordained by the said Authority, That all Recoveries as shall be in any such Actions against such Pernor or Pernors, and their Heirs, and their said Feoffees and their Heirs, and the Co-feoffees of the said Pernors and their Heirs, [shall be as good to the Recoverers⁴] and their Heirs, as though the said Pernor or Pernors were Tenants indeed, or Feoffees to their Use, or their Heirs, as is abovesaid, of the Freehold of the said Lands and Tenements, at any Time of the said Action used.

¹ Where, That² should³ his⁴ omitted in P.

C A P. II.

An Act that Denizens shall pay Custom and Subsidy.

ITEM, Where in Time past divers Grants have been made by King *Edward* the Fourth, as well by his Letters Patents, as by Acts of Parliament, to divers Merchants Strangers born out of this Realm, to be Denizens, whereby they have and enjoy such Freedoms and Liberties, as do Denizens born within this Realm, as well in Abatement of their Custom, which they should bear if they were no Denizens, as in buying and selling their Merchandise, to their great Avail and Lucre; and oft-times suffer other Strangers, not Denizens, deceitfully to ship and carry great and notable

Demandants may recover Lands against the Receivers of the Profits, who shall be considered as the actual Tenants of the Land in Demand.

Aliens made Denizens shall pay Alien Customs.

notable Substance of Merchandise in their Names, by the which the said Goods be free of Custome in like wise as they were Goods of a Denizen, where of Right they ought to pay Custome as the Goods of Strangers; by the which they be greatly advanced in Riches and Honour; and after they be so enriched, for the most Part they convey themselves with their said Goods into their own Countries, wherein they be naturally born, to the great impoverishing of this Realm, and to the great Hurt and Defraud of the King's Highness in Payment of his Customs: Wherefore it is enacted, established, and ordained by the Advice of the said Lords Spiritual and Temporal, and Commons, in the said Parliament assembled, and by Authority of the same, That any Person made, or hereafter to be made Denizen, shall pay for his Merchandize like Custome and Subsidy, as he ought or should pay afore that he were made Denizen; any Letters Patents, or other Ordinances by Parliament, or otherwise, contrary to this made notwithstanding.

[Repealed as to native Commodities by 25 Car. 2. c. 6.; and see Acts for imposing Duties of Customs.]

C A P. III.

An Act that no Protection shall be allowed before the Mayor of the Staple of Calais, &c.

C A P. IV.

An Act for Bishops to punish Priests, and other religious Men, for dishonest Life, &c.

ITEM, For the more sure and likely Reformation of Priests, Clerks, and religious Men, culpable, or by their Demerits openly reported of incontinent living in their Bodies, contrary to their Order: It is enacted, ordained, and established, by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons, in the said Parliament assembled, and by Authority of the same, That it be lawful to all Archbishops and Bishops, and [other¹] Ordinaries, having Episcopal Jurisdiction, to punish and chastise such Priests, Clerks, and religious Men, being within the Bounds of their Jurisdiction, as shall be convicted afore them by Examination, and other lawful Proof, requisite by the Law of the Church, of Advourtry, Fornication, Incest, or any other fleshly Incontinency, by committing them to Ward [and²] Prison, there to abide for such Time as shall be thought to their Discretions convenient for the Quality and Quantity of their Trespas; and that none of the said Archbishops, Bishops, or other Ordinaries aforesaid, be thereof chargeable of, to, or upon any Action of false or wrongful Imprisonment, but that they be utterly thereof discharged, in any of the Cases aforesaid, by virtue of this Act.

Ordinaries may punish Clerks for Incontinency by Imprisonment; and shall not be liable to any Action.

¹ others

² in

C A P. V.

An Act concerning Cordwainers, Tanners, and Curriers.

"NO Tanner shall be a Currier, nor any Currier a Tanner."

[Repealed 5 Eliz. c. 8.; 1 Jac. 1. c. 22. § 58.]

C A P. VI.

An Act that certain Persons within Sanctuary shall not have any Actions brought against them, &c.

“ A PARDON granted to all Persons in Sanctuary, and others who assisted the King in his Battle against *Richard Duke of Gloucester*, Usurper of the Realm.”

C A P. VII.

An Act against unlawful Hunting in Forests and Parks.

[See also Stat
9 Geo. 1. c. 22.]

Inconveniencies
ensuing by
hunting in
Parks, &c. in
the Night, or
disguised.

ITEM, Forasmuch as before this Time divers Ordinances and Statutes have been made in divers Parliaments holden in the same Realm, for the Punition of inordinate and unlawful Huntings in Forests, Parks, and in Warrens within the said Realm, which Statutes and Ordinances notwithstanding, divers Persons in great Number, some with painted Faces, some with Visors, and otherwise disguised, to the Intent they should not be known, riotously, and in Manner of War arrayed, have oftentimes of late hunted, as well by Night as by Day, in divers Forests, Parks, and Warrens in divers Places of this Realm, and in special in the Counties of *Kent*, *Surrey*, and *Suffex*; by Colour whereof have ensued in Times past great and heinous Rebellions, Insurrections, Riots, Robberies, Murders, and other Inconveniencies, to the Provocation and Example of riotous and evil-disposed Persons of this Realm in [so offending¹,] which Offences could not be ⁽²⁾ punished before this Time according to the said Statutes, Ordinances, and Laws of this said Realm, because that the said Mis-doers, by reason of their ⁽³⁾ painted Faces, Visors, and other Disguisings could not be known: The King our ⁽⁴⁾ Sovereign Lord, of his noble and abundant Grace, considering the Premises, by the Advice and Assent of the Lords Spiritual and Temporal, [and⁴] Commons, in the said Parliament assembled, and by Authority of the same, ordaineth, That at every such Time as Information shall be made of any such unlawful Huntings by Night, or with painted Faces, hereafter to be done, to any of the King's Counsel, or to any of the Justices of the King's Peace of the County where any such hunting shall be had, of any Person to be suspect thereof, that then it shall be lawful to any of the same Counsel, or Justices of Peace, to whom any such Information shall be made, to make a Warrant to the Sheriff of such County, or to any Constable, Bailiff, or other Officer within the same County, to take and arrest the same Person or Persons of whom any such Information shall be made, and to have him or them afore the Maker of any such Warrant, or any other the King's said Counsel, or Justice of his Peace of the same County; and that the said Counsellor, or Justice of Peace, afore whom such Person or Persons shall be brought, by his Discretion, have Power to examine him or them so brought afore the said Counsellor or Justice, of the said Hunting, and of the said Doers in that Behalf; and if the same Person wilfully conceal the said Huntings, or any Person with him defective therein, that then the same Concealment be against every such Person so concealing Felony, and the same Felony to be inquired of and

Offender hunting in the Night, or with Disguises, may be taken and examined by a Justice of Peace, &c.; concealing the Parties guilty he shall be guilty of Felony; otherwise only finable.

¹ such wise to offend ² duely ³ said ⁴ at the Supplication of the determined

determined, as other Felonies within this Realm have used to be; and if he then confess the Truth, and all that he shall be examined of, and knoweth in that Behalf, that then the said Offences of Huntings by him done, be against the King our Sovereign Lord, but Trespas finable, by reason of the same Confession, at the next General Sessions of the Peace, to be holden in the same County by the King's Justices of the same Sessions, there to be sessed. And if any Rescous or Disobeyfance be made to any Person having Authority to do Execution or Justice by any such Warrant, by any Person the which so should be arrested, so that the Execution of the same Warrant thereby be not had, that then the same Rescous and Disobeyfance be Felony, inquirable and determinable as is aforesaid. And over this it is enacted and established by the said Authority, That if any Person or Persons hereafter be convicted of any such Huntings, with painted Faces, Visors, or otherwise disguised, to the Intent they should not be known, or of unlawful Hunting in Time of Night, that then the same Person or Persons so convicted to have like Punition, as he or they should have, if he or they were convicted of Felony.

Rescue of an
Offender
declared Felony.

Felony punish-
able as other
Felonies.

C A P. VIII.

An Act against bringing in of *Gascoigne* Wine, except in *English, Irish, or Welshmen's* Ships.

[To endure till the next Parliament.]

C A P. IX.

An Act against Merchants Strangers for bringing into this Realm Girdles, Ribonds, and Laces, &c.

“STAT. 22 Ed. 4. c. 3. recited and continued for Twenty Years.”

C A P. X.

For Revocation of the Penalties of King *Richard's* Act against *Italians*.

[Pro Mercatori-
bus Italie,
printed
Rot. Parl.]

ITEM, The King our said Sovereign Lord, understanding by a Supplication put unto his Highness in this his said Parliament by the Merchants of *Italy*, resident in this his said Realm of *England*, that where by an Act of Parliament, made in the Parliament of *Richard* late pretending him to be King of *England* the Third, holden at *Westminster* the First Year of his Reign, it was ordained and provided, That all Merchants of the Nation of *Italy* afore rehearsed, not made Denizens, which then should have within this Realm Wares and Merchandises brought from beyond the Sea before the Feast of *Easter* then next ensuing, [should do sell, or barter them in Gross¹,] and not by Retail, to the King's Subjects afore the First Day of *May*, that then should be in the Year of our Lord God One thousand four hundred and eighty-five; and the Money coming of the Sale, before the said First Day, within the same Port or Ports where they arrived, employ upon the Commodities and Merchandises of this Realm, their reasonable Costs and Expences alway except and deducted, upon Pain of Forfeiture of

1 Ric. 3. c. 9.
§ 1—5.

¹ See Note 1. in next Page.

the Value, as well of all the said Wares and Merchandises kept and not sold afore the said First Day, or otherwise sold than as above said, and of so much Money as should be made over by Exchange contrary to the said Act: And that all the said Merchants of *Italy*, the which after the said Feast of *Easter* brought any Merchandise or Wares into this Realm to be sold, should sell or barter the same Wares and Merchandises in Gros, and not by Retail, unto the King's Subjects, upon Pain of Forfeiture of the Value of the same Wares and Merchandises otherwise sold: And that the said Merchants, their said Wares and Merchandises, which they should bring after the said Feast of *Easter*, [should do, barter, or sell¹] the same within Eight Months next after their first Arrival into this Realm in Form aforesaid: And the Money coming of or by the said Sale or Barterings of them, and every of them, employ and therewith buy the Commodities or Merchandises of this Realm of *England* within the said Eight Months, in the same Port or Ports where they should first arrive, their reasonable Costs and Expences alway except and deducted; and that they should in no wise make any such Money over by Exchange. And the said Merchants, their said Wares and Merchandises remaining unsold, after the End of the said Eight Months, in no wise should sell, nor barter within the said Realm, but that they should carry and convey them out of the said Realm, within Two Months then next following after the said Eight Months, if Wind and Weather will serve it, and else as soon as the Wind and Weather will serve them, after the said Two Months, upon Pain of Forfeiture as well of as much Money as should be made out of the said Realm by Exchange, as of the said Wares and Merchandises so sold or bartered after the End of the said Eight Months, not carried nor conveyed out of this said Realm, in Form aforesaid, or the Value thereof: The Forfeitures, Penalty, and Loss of all the Premises, to run and be upon the said Merchants of *Italy*, doing contrary to this Act. And also that no Stranger, of what Country soever he were, should host, or take to sojourn with him within this Realm of *England*, any Merchant Stranger, not being of the same Nation that he should be of, upon Pain to forfeit and lose at every Time that he so [doth²] Forty Pounds. And that no Merchant Stranger³ be at host nor sojourn with any other Merchant Stranger, not being of his Nation or Country, within the said Realm, upon Pain of Forty Pounds. And that no Stranger [shall³] buy any Wooll, the which [shall³] be sent or pass through the Streights of *Marrock*, by Gallies, Carracks, or Ships, or other Vessels, [sorted, clacked, or barbed⁴,] nor any Wooll, whereof Locks or Refuse should be made, but that the same Wooll should be as it were shorn, and clean wound, without any [sorting, barking, or clacking⁵,] or Locks or Refuse thereof to be made, as it is aforesaid, upon Pain of Forfeiture of the same Wooll, and the double Value thereof, as by the same Act more plainly may appear: Also that the said Merchants of *Italy* should have and convey their Wooll, Woollen Cloth, and all their other Merchandises, over the Streights of *Marrock*,

¹ i. e. should cause to be bartered or sold² did³ should⁴ sorte, clackke, ou barke, Stat. 1 R. 3. c. 8. P.⁵ sorter, berder, clacker, Stat. 1 R. 3. c. 8. P.—P. in the present Act here reads 'shortyng.'

upon

Stat. Ric. 3. c. 9.
§ 6.

[§ 7.]

1 R. 3. c. 8. § 14.

1 R. 3. c. 9.
§ 8.

upon Pain of Forfeiture of the same, as by the same Act plainly appeareth: The King our said Sovereign Lord, by the Advice of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, hath ordained, established, and [do to be^o] enacted, That the above-said Forfeitures, Penalties, Seizure, and Actions, comprised in the said Acts, and every of them, be revoked, void, annulled, and of no Strength, against all Manner of Persons, except and reserved only to the King, to be at Liberty, to have and enjoy all Manner Seizures, Forfeits, and Penalties in the said Acts specified: And that it be lawful to the King, to grant to his Beseechers his Letters of safe Conduct, and Letters Patents, surely to be enjoyed, according to the Tenors thereof, the above-said Act and Acts notwithstanding, in as ample wise as though they had never been had nor made.

^o i.e. caused to be enacted

Anno tertio HENRICI VII.

*In the Parliament held at Westminster, on the 9th
November, A.D. 1487.*

The PUBLIC ACTS of this Year, as printed in the Statute Books, are not given at Length in printed Rot. Parl. vi. p. 385, &c. (except Cap. 15.) ; but it appears they answer to the following Numbers in the Roll, viz.

Cap. in Stat.

No. in Roll.

1	—	—	17
2	—	—	18
3	—	—	24
4	—	—	20
5	—	—	29
6	—	—	28
7	—	—	33
8	—	—	34
9	—	—	25
10	—	—	19
11	—	—	30
12	—	—	23
13	—	—	31
14	—	—	26

*Herereprinted from Cuy's
Edition compared with
Pynson, 1497, &c. the
Titles from printed
Rot. Parl.*

Other Acts of this Year are noticed in the Tables prefixed to Hawkins's and subsequent Editions, as PRIVATE ACTS, and distinguished into Chapters, which answer to the Numbers of the printed Roll as under.

Cap. in
Tab. No. in
Roll.

- 1, 1, *Pro Regina Anglie.*—For the Confirmation of certain Grants to the Queen.
- 2, 2, *Pro eadem, et pro Comitissa Richemond m're Regis.*—For enabling the Queen to sue in her own Name; and for confirming certain Grants to the King's Mother.
- 3, 3, *Pro Georgio Vier Mil' et Margaretta Uxore ejus.*—For Relief against an Office found by the King's Escheator.
- 4, 4, *Pro Gaola apud Lewes h'end'.*—For building a Gaol for the County of Sussex at Lewes, "where heretofore the Gaol for Sussex was at Guildford in Surrey."
- 5, 5, *Pro Abb'e et Conventu de Malmesbury.*—For repealing the Grant of a Corody made temp. R. 3.
- 6, 6, *De Custodia terrar' et tenement', vic' Beaumont.*—For granting the Custody of the Lands of Lord Viscount Beaumont (an Ideot) to the King; notwithstanding any Act of Restitution or Repeal of Attainder.
- 7, 7, *Pro Priore de Monkebretton.*—For confirming a Grant of an Advowson, &c. notwithstanding the Act of Resumption 1 H. 7.
- 8, 8, *Pro Majore et Civibus Civitatis Ebor'.*—For confirming a Grant to the Corporation of York, notwithstanding the Act of Resumption 1 H. 7.
- 9, 9, *Pro Villa Bristol.*—For paving the Town of Bristol.
- 10, 10, *Pro comitissa Warr'.*—For repealing the Act 12, 14 E. 4. (1. nu. 20—24.) by which the Countess of Warwick was barred of her Dower.
- 11, 11, *Pro Thoma Putter.* } For reversing Attainders by Act
- 12, 12, *Pro Rogero Wake.* } 1 H. 7.
- 13, 13, *Pro Villa et Castro Berwici.*—For providing for the Expence of keeping the Town and Castle of Berwick.
- 14, 14, *Pro Stapula Cales'.*—For continuing the Staple at Calais for 16 Years. (See 19 H. 7. c. 22.)
- 15, 15, *Actus Convicco'd'is et Attinc'o'is.*—For Conviction and Attainder of John Earl of Lincoln, Sir Henry Botrugan, Sir Thomas Broughton and others, for Treason, in setting up Lambert Simnell for King.
- 16, 16, *De duabus XX^{mts} et X^{mis} Regi concessis.*—An Act for granting Two Fifteenths and Tenths.—As also an Act (not numbered separately, nor noticed in the Table by Hawkins, &c.) for granting the following Subsidies,

Cap. in No. in
Tab. Roll.

- 16, 16, } *Subsidies, viz. of every Alien Artificer being a*
(continued) } *Householder, 6 s. 8 d. ; Non-householders, 2 s. ;*
Aliens Brewers, 20 s. ; Venetians or other Aliens
Merchants, Brokers, or Factors, being Householders,
40 s. ; Non-householders, 20 s., payable at the ensu-
ing Easter.
- 17, 22, *An Act to enable Feoffees in Trust to sue for the*
Benefit of the Feoffors, although they be outlawed.
[See Note after Cap. 14. of this Session.]
- 18, 27, *An Act for the Attaynder of John Spynell and others.*
—Certain Persons concerned in a Riot during
Parliament attainted of Felony.
- 19, 32, *An Act against Thomas Keneston and others.—Four*
Persons of the Name of Keneston attainted of Felony,
for Contempt in Non-appearance on Proclama-
tion, &c.
- 20, 35. *Actus Resumptionis.—Act of Resumption of Grants*
of Offices made by K. H. VII., K. Ed. IV.,
K. Ric. III., or any of them ; with several
Provisoos.

Anno tertio HENRICI VII.

THE King our Sovereign Lord Henry, by the Grace of God King of England and of France, and Lord of Ireland, the Seventh, at his Parliament holden at Westminster the Ninth Day of November, in the Third Year of his (1) Reign, to the Worship of God and Holy Church, and for the common Weal of this his Realm, by the Advice (2) of [his³] Lords Spiritual and Temporal, and the Commons in the [present⁴] Parliament assembled, [and by Authority⁵] of the same Parliament, hath ordained and established certain Statutes and Ordinances, in Manner and Form as hereafter ensueth.

¹ noble

² and Assent

³ the

⁴ said

⁵ by Authority

C A P. I.

An Act giving the Court of Star-Chamber Authority to punish divers Misdemeanors.

FIRST ; The King our said Sovereign Lord remembereth, how by unlawful Maintenances, giving of Liveries, Signs, and Tokens, and Retainers by Indentures, Promises, Oaths, Writings, or otherwise Embraceries of his Subjects, untrue Demeanings of Sheriffs in making of Panels, and other untrue Returns, by taking of Money, by Juries, by great Riots, and unlawful Assemblies, the Policy and good Rule of this Realm is almost subdued, and for the not punishing of these Inconveniencies, and by Occasion of the Premises, little or nothing may be found by Inquiry, whereby the Laws of this Land in Execution may take little Effect, to the Increase of Murders, Robberies, Perjuries, and

The Authority
of the Court of
Star-Chamber.

[Repealed as to
Liveryes,
3 C. 1. c. 4. (5)
§ 27.; and
entirely as to
Jurisdiction of
the Star-
Chamber,
16 C. 1. c. 10.]

Unsureties of all Men living, and Losses of their Lands and Goods, to the great Displeasure of Almighty God: Therefore it is ordained, for Reformation of the Premises, by Authority of the said Parliament, That the Chancellor and Treasurer of England for the Time being, and Keeper of the King's Privy Seal, or Two of them, calling to them a Bishop, and a Temporal Lord of the King's most honourable Council, and the Two Chief Justices of the King's Bench, and Common Place, for the Time being, or other Two Justices in their Absence, upon Bill or Information put to the said Chancellor for the King, or any other, against any Person for any Misbehaviour afore rehearsed, have Authority to call before them by Writ, or by Privy Seal, the said Mis-doers, and them, and other by their Discretion, by whom the Truth may be known, to examine, and such as they find therein defective, to punish them after their Demerits, after the Form and Effect of Statutes thereof made, in like Manner and Form as they should and ought to be punished, [as if¹] they were thereof convict after the due Order of the Law.

Inquests by
Justices of Peace
to inquire of the
Concealment of
other Inquests.

II. And over that it is ordained by the Authority aforesaid, That the Justices of the Peace of every Shire of this Realm for the Time being [may take²] by their Discretion an Inquest, whereof every Man shall have Lands and Tenements to the yearly Value of Forty Shillings at the least, to inquire of the Concealments of other Inquests taken afore them, and afore other, of such Matters and Offences as are to be inquired and presented afore Justices of Peace, whereof Complaint shall be made by Bill or by Bills, as well within Franchise as without. And if any such Concealment be found of any Inquest, as is afore rehearsed, had or made within the Year [afore the same³] Concealment, every Person of the same Inquest to be amerced for the same Concealments, by Discretion of the same Justices of the Peace, the said Amerciaments to be sessed in [plain⁴] Sessions.

The Causes why
Murders be
committed.

[See printed
Ret. Parl. nu. 21.
that this is a
separate Act.]

III. Item, The King remembering how Murders and slaying of his Subjects daily do increase in this Land, the Occasions whereof be divers; one, That (5) Men in Towns where such Murders hap to fall and be done, will not attach the Murderer, where the Law of the Land (6) is, That if any Man be slain in the Day, and the Felon not taken, the Township where the Death or Murder is done, shall be amerced; and if any Man be wounded in Peril of Death, the Party that so wounded should be arrested, and put in Surety, till perfect Knowledge be had, whether he so hurt should live or die: And the Coroner upon the View of the Body dead, should inquire of him or them that had done that Death or Murder, of their Abettors and Consenters, and who were present when the Death or Murder was done, whether Man or Woman, and the Names of them that were present, and so found, to inrol and certify; which Law by Negligence is disused, and thereby great Boldness is given to Slayers and Murderers; and over this it is used, that within the Year and a Day after any Death or Murder had or done, the Felony should not be determined at the King's Suit, for saving of the Party's Suit, wherein the Party is oftentimes slow, and also agreed with, and by the End of the Year

¹ if

³ after that same

² may do take, i. e. may cause to be taken

⁴ pleyne, i. e. full

⁵ no

⁶ See

all is forgotten, which is another Occasion of Murder: And also he that will sue any Appeal, must sue in proper Person, which Suit is long and costly, that it maketh the Party Appellant weary to sue: For Reformation of the Premises, the King our Sovereign Lord, by the Assent of the Lords Spiritual and Temporal, and the Commons, in the said Parliament assembled, and by Authority of the same, will that every Coroner exercise and do his Office according to the Law, as is afore rehearsed; and that if any Man be slain or murdered, and thereof the Slayers, Murderers, Abettors, Maintainers, and Comforters of the same, be indicted, that the same Slayers and Murderers, and all other Accessaries of the same, be arraigned and determined of the same Felony and Murder, at any Time, at the King's Suit, within the Year after the same Felony and Murder done, and not tarry the Year and Day for any Appeal to be taken for the same Felony or Murder; and if it happen any Person named as Principal or Accessary, to be acquitted of any such Murder at the King's Suit, within the Year and Day, that then the same Justices afore whom he is acquitted, shall not suffer him to go at large, but either to remit him again to the Prison, or else to let him to Bail, after their Discretion, till that Year and Day be passed; and if it fortune the same Felons or Murderers, and Accessaries so arraigned, or any of them, to be acquit, or the Principal of the said Felony, or any of them, to be attainted, the Wife, or next Heir to him so slain, as shall require, may take and have their Appeal of the same Death and Murder within the Year and Day after the same Felony and Murder done, against the said Persons so arraigned and acquit, and all other their Accessaries, or against the Accessaries of the said Principal, or any of them so attainted, or against the said Principals so attainted, if they be on live, and the Benefit of his Clergy thereof before not had: And that the Appellant have such and like Advantage, as if the said Acquittal or Attainder [had not been, the said Acquittal or Attainder?] notwithstanding: And over that, the Wife, or Heir of the said Person so slain or murdered, as the Case shall require, may commence their Appeal in proper Person, at any Time within the Year after the said Felony done, before the Sheriff and Coroners of the County where the said Felony or Murder was done, or before the King in his Bench, or Justices of Gaol-delivery; and the Appellant in any Appeals of Murder or Death of Man, where Battail by the Course of the Common Law lieth not, may make their Attornies, and appear by the same, in the said Appeals after they be commenced, to the End of the Suit, and Execution of the same. And if any Person be slain or murdered in the Day, and the Murderer scape untaken, that the Township where the said Deed is so done, be amerced for the said Escape, and that the Coroner have Authority to inquire thereof upon the View of the Body dead; and also Justices of Peace have Power to inquire of such Escapes, and that to certify afore the King in his Bench; and that after the Felony found, the Coroners deliver their Inquisitions afore the Justices of the next Gaol-delivery, in the Shire where the Inquisition is taken, the same Justices to proceed against such Murderers, if they be in the Gaol, or else the same Justices to put the same Inquisitions afore the King in his Bench.

Coroners shall execute their Office.

Murderers shall be indicted and tried without Delay.

Murderers acquitted on Indictment shall be secured to answer Appeal within a Year and Day.

Proceedings in Appeal.

Appellant may make his Attorney.

Townships shall be amerced for Escape of Murderers by Day.

Coroner's Inquest returned to Justices of Gaol-delivery.

Coroner's Fee on the View of the Body.

[Repealed 1 H. 8. c. 7.; but see 25 G. 2. c. 29.]

Penalty on Coroner for Neglect 5l.

Justices of Peace shall certify all Recognizances to the next Sessions.

IV. And forasmuch as Coroners had not nor ought to have any Thing by the Law for their Office doing, which oft-time hath been the Occasion that Coroners have been remiss in doing their Office; it is ordained, That a Coroner have for his Fee, upon every Inquisition taken upon the View of the Body slain, Thirtie Shillings and Four-pence of the Goods and Chattels of him that is the Slayer and Murderer, if he have any Goods, and if he have no Goods, then the Coroner have for his said Fee, of such Amerciaments as shall fortune any Township to be amerced for Escape of such Murderer as is aforesaid.

V. And if any Coroner be remiss, and make not Inquisitions upon the View of the Body dead, and certify not according as is afore ordained, that the Coroner for every Default forfeit to the King an Hundred Shillings.

VI. And also it is ordained by the same Authority, That every Justice of Peace within this Realm, that shall take any Recognizance for the keeping of the Peace, that the same Justice do certify, send, or bring the same Recognizance at the next Sessions of Peace, where he is or hath been Justice, that the Party so bound may be called; and if the Party make Default, the same Default then there to be recorded, and the same Recognizance, with the Record of [the?] Default, be sent and certified into the Chancery, or afore the King in his Bench, or into the King's Exchequer.

7 that

C A P. II.

An Act against taking away of Women against their Wills.

Penalty on carrying away Women, Heiresses, &c. against their Will; or procuring the same, &c. Felony.

[without Clergy, 39 Eliz. c. 9.]

ITEM, where Women, as well Maidens, as Widows and Wives, having Substances, some in Goods moveable, and some in Lands and Tenements, and some being Heirs apparent unto their Ancestors, for the Lucre of such Substances been oftentimes taken by Misdoers, contrary to their Will, and after married to such Misdoers, or to other by their Assent, or defoiled, to the great Displeasure of God, and contrary to the King's Laws, and Disparagements of the said Women, and utter Heaviness and Discomfort of their Friends, and to the evil Ensampl of all other: It is therefore ordained, established, and enacted, by our Sovereign Lord the King, by the Advice of the Lords Spiritual and Temporal, and the Commons, in the said Parliament assembled, and by Authority of the same, That what Person or Persons from henceforth that taketh any Woman so against her Will unlawfully, that is to say, Maid, Widow, or Wife, that such taking, procuring, and abetting to the same, and also receiving wittingly the same Woman so taken against her Will, and knowing the same, be Felony; and that such Misdoers, Takers, and Procurators to the same, and Receitors, knowing the said Offence in Form aforesaid, be henceforth reputed and judged as principal Felons.

Proviso for Wardships, &c.

Provided alway, That this Act extend not to any Person taking any Woman, only claiming her as his Ward or Bond Woman.

C A P. III.

An Act that Justices of Peace may take Bail.

[See further Stat.
1, 2 P. & M.
c. 13.]

1 R. 3. c. 3.

ITEM, where in the Parliament late holden at *Westminster*, the First Year of *Richard*, late in Deed, and not [of¹] Right, King of *England*, the Third; it was ordained and enacted among other divers Acts, That every Justice of the Peace in every Shire, City, or Town, should have Authority and Power, by his or their Discretion, to let Prisoners, and Persons arrested for light Suspicion of Felony, to Bail or Mainprize: by Colour whereof afterward divers Persons, such as were not mainpernable, were oftentimes letten to Bail and Mainprize, by Justices of the Peace, against the due Form of the Law, whereby many Murderers and Felons escaped, to the great Displeasure of the King, and Annoyance of his liege People: Wherefore the King our said Sovereign Lord considering it, by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons, in [this present²] Parliament assembled, and by the Authority of the same, hath ordained, established, and enacted, That the Justices of Peace in every Shire, City, or Town, or Two of them at the least, whereof One to be of the *Quorum*, have Authority and Power to let any such Prisoners, or Persons mainpernable by the Law, that have been imprisoned within their several Counties, City, or Town, to Bail or Mainprize, unto their next General Sessions, or unto the next Gaol Delivery of the same Gaols in every Shire, City, or Town, as well within Franchises as without, where any (3) Gaols been or hereafter shall be; and that the said Justices of the Peace, or One of them, so taking any such Bail or Mainprize, do certify the same at [the⁴] next General Sessions of the Peace, or the next general Gaol Delivery of any such Gaol within every such County, City, or Town, next following after any such Bail or Mainprize so taken, upon Pain to forfeit unto the King for every Default thereupon recorded Ten Pounds.

Two Justices of the Peace may bail Prisoners bailable, and return the same to the next Session, &c. Penalty 10*l*.

II. And moreover it is enacted by the same Authority, That every Sheriff, Bailiff of Franchise, and every other Person, having Authority or Power of keeping of [Gaol,⁵] or of Prisoners for Felony, in like Manner and Form do certify the Names of every such Prisoner in their Keeping, and of every Prisoner to them committed for any such Cause, at the next general Gaol Delivery, in every County or Franchise where any such Gaol or Gaols [have been,⁶] or hereafter shall be, there to be kalendred before the Justices of the Deliverance of the same Gaol, whereby they may, as well for the King as for the Party, proceed to make Deliverance of such Prisoners, according to the Law, upon Pain to forfeit unto the King for every Default [thereof⁷] recorded One hundred Shillings.

Sheriffs, &c. shall transmit Names of Prisoners to Justices of Gaol Delivery.

III. And that the foresaid Act giving Authority and Power in the Premises to any (8) Justice of the Peace himself, be in that Behalf utterly void and of none Effect, by Authority of this present Parliament.

Power given by Stat. 1 R. 3. c. 3. to one Justice to bail, repealed.

¹ in

⁴ Gaols

² the said

⁶ ben (i. e. are)

³ such

⁷ there

⁸ their

⁹ oon

C A P. IV.

An Act against fraudulent Deeds of Gift.

[See also Stat.
12 Edw. c. 5.
and Notes there.]

Deeds of Gift
of Goods to Use
of the Donor
void.

ITEM, That where oftentimes Deeds of [Gift¹] of Goods and Chattels [have been²] made, to the Intent to defraud the Creditors of their Duties, and [that the Person³] or Persons that maketh the said Deed of Gift goeth to Sanctuary, or other Places privileged, and occupieth and liveth with the said Goods and Chattels, their Creditors being unpaid: It is ordained, enacted, and established, by the Assent of the Lords Spiritual and Temporal, and at the Request of the Commons, in the said Parliament assembled, and by Authority of the same, That all Deeds of Gift of Goods and Chattels made or to be made of Trust, to the Use of that Person or Persons that made the same Deed of Gift, be void and of none Effect.

¹ Gifts

² ben (are)

³ that Person

C A P. V.

An Act against Usury and unlawful Bargains.

ALL Bargains granted in Usury, coloured by the Name of New Chevifance, or any Bargain or Loan, whereby the Party should lose or pay any Sum certain, as for having an Hundred Pounds in Money or Merchandize, or otherwise, and therefore to pay Six Score Pounds, or more or less, in or for any more or less Sum after any Manner Rate, declared void, and the Parties to forfeit One hundred Pounds, recoverable before the Chancellor, &c."

[Repealed and other Provisions made 11 H. 7. c. 8. 37 H. 8. c. 9.—
See the latter Act and the Notes there.]

C A P. VI.

An Act against Exchange and Rechange without the King's Licence.

NONE shall make any Exchange without the King's Licence, or make Exchange, or Rechange of Money to be paid within the Land, but only such as the King shall depute thereunto, to keep, and make Answer for such Exchanges and Rechanges, upon the Pain contained in former Acts. (See 9 Ed. 3. c. 7: 18 Ed. 3. stat. 2. c. 6: 25 Ed. 3. stat. 5. c. 12: 14 R. 2. c. 2.) All unlawful Chevifance and Usury shall be extirpate; all Brokers of such Bargains shall be set on the Pillory, put to open Shame, be Half a Year imprisoned, and pay Twenty Pounds." [As to this latter, see References in cap. 5. preceding.]

C A P. VII.

An Act against Merchants carrying of Goods from one Port to another, without a Certificate from the Customer where the Goods were first entered."

[Recited and repealed Stat. 1 H. 8. c. 5.]

C A P. VIII.

An Act for Confirmation of a Statute made in the Seventeenth Year of *Edward IV.* against carrying out of this Realm Money for Wares brought into the same.

ITEM, That where in the Parliament of King *Edward* the Fourth, holden at *Westminster* the Seventeenth Year of his Reign, it was ordained among other, That every Merchant Alien, and [every other¹] Victualler, and other Stranger, not being Denizen, that resort to any Place or Port within this Realm, or *Wales*, after the Feast of *Easter* then next following, [should duly employ²] all the Money by him to be received within any Port within this Realm, or *Wales*, upon the Merchandises or other Commodities of this Realm; or else without Fraud put the same Money in due Payment within this Realm, the same Employment or Payment duly to be proved by the Merchant, Victualler, or other Stranger, before his departing out of the same Port, by Writing [from³] the Merchant or Merchants, to whom the said Merchant Alien, Victualler, or other Stranger, hath employed or paid his Money by him received for his Merchandises brought into this Land, witnessing that he hath so done, or else by such Proofs as shall be thought reasonable to the Customer or Comptroller of the same Port, or to the Mayor, Bailiff, or other chief Governors of any City, Borough, or Town where any such Port shall be, upon Pain of Forfeiture of all his Goods being within this Realm, and to have Imprisonment of a Year; saving to every such Merchant, Victualler, and other Stranger, his reasonable Costs; with certain Provisions in the same, as by the same Act more at large doth appear: which Act was made to endure but only from the said Feast of *Easter*, to the End of Seven Years then next ensuing; so that no Gold and Silver received by Merchants Aliens, and other Victuallers and Strangers, not being Denizens, for Merchandize brought into this Land, is not employed upon the Commodities of this Land, but conveyed and carried out of this Realm, to the great Loss of the King, in his Custom and Subsidy, and the impoverishing of this Realm: It is enacted, ordained, and established by the King our Sovereign Lord that now is, by the Advice of the Lords Spiritual and Temporal, and at the Prayer of the Commons, in the said Parliament assembled, and by the Authority of the same, That the said Act made in the said Seventeenth Year of the Reign of King *Edward* the Fourth, with all Things comprised in the same touching the Premises, and every Provision made in the same, be good, effectual, and endure for ever.

II. Also it is enacted by the said Authority, That every Merchant of *Ireland*, *Jersey*, or *Guernsey*, that bringeth any Merchandizes into this Realm, shall employ the Money received for the same Merchandise (his reasonable Expences deducted) upon the Commodities of this Land, or else without Fraud put the same Money in due Payment within this Realm; the said Employment or Payment to be proved as is afore said, upon Pain of Forfeiture of the Value of the Merchandise so brought into this Land.

¹ every ² should do duly employ (*should cause to be duly employed*) ³ of

III. And

Stat.
17 Ed. 4. c. 7.
so far as relates
to compelling
Merchants
Aliens to
employ their
Money in
England, recited
and made
perpetual.

Merchants from
Ireland and
Jersey shall do
the like.

Customers shall take Sureties from Merchants, to comply with these Acts.

III. And it is ordained by the said Authority, That every Customer or Comptroller shall take sufficient Surety of every of the said Merchant, Victualler, or other Stranger, to employ the Value of the said Merchandises, or to put the same Money for the said Merchandises received, in due Payment, his reasonable Expences always deducted, upon Pain of Forfeiture of the Value of the said Merchandises, the one Half of the said Forfeiture to the King, the other Half to the Party that will sue for the same.

This to begin and take Effect at the Feast of *Christmas* next coming.

C A P. IX.

An Act that the Citizens of *London* may carry all Manner of Wares to foreign Markets.

[HUMBLY shewen and prayen unto your Highness, your true and faithful Commons of this your Realm of *England*, That where the Citizens and Freemen of the City of *London* have used out of Time of Mind to go, carry, and lead their Merchandize and Ware unto all Fairs and Markets at their Liberty out of the said City; now of late Time the Mayor, Aldermen, and Citizens of the City of *London*,¹] have made [and enacted²] an Ordinance within the same City, upon a great Pain, that no Man that is a Freeman or Citizen of the said City, shall go or come to any Fair or Market, out of the same City of *London*, with any Manner of Ware or Merchandise to sell or to barter, to this Intent, that all Buyers and Merchants should resort to the said City to buy their Ware and Merchandizes of the said Citizens and Freemen of *London* aforesaid, because of their singular Lucre and Avail; [which Ordinance, if it should hold as is before expressed, shall be to the utter Destruction of all other Fairs and Markets within this your Realm, which God defend, for there be many Fairs for the common Weal of your said liege People, as at *Salisbury*, *Bristol*, *Oxenforth*, *Cambridge*, *Nottingham*, *Ely*, *Coventre*, and at many other Places where Lords Spiritual and Temporal, Abbots, Priors, Knights, Esquires, Gentlemen, and your said Commons of every Country hath their common Resort, to buy and purvey many Things that be good and profitable, as Ornaments of Holy Church, Chalice, Books, Vestments, and other Ornaments of Holy Church aforesaid, and also for Household, as Victual for the Time of *Lent*, and other Stuff, as Linen Cloth, Woollen Cloth, Brasse, Pewter, Bedding, Ofmonde, Iron, Flax, and Wax, and many other necessary Things, the which might not be forborn among your said liege People; but, by the said Ordinance, every Man willing to buy any of the Premises, shall be courted to come to the said City of *London*, to their importable Costs and Charges, which, if the said Act should endure, shall grow great Hurt and Prejudice to the common Weal of this your Realm, and shall cause

¹ In Hawkins's Edition is a Note, that "this Preamble is taken from the *Statute Roll* in the *Rolls Chapel*." (See printed *Rot. Parl.* vi. p. 402. 3 H. 7. m. 25.)—The Editions previous to Hawkins read as follows: "Item, it was shew'd unto the King our Sovereign Lord by a Petition sent unto him in his said Parliament, that now of late Time the Mayor, and Aldermen, and Citizens of the City of *London*," &c. to the Words "singular Lucre and Avail."

² Hawkins and previous Editions omit.

many pernicious Strifes and Debates between your said liege People, and the said Mayor, Aldermen, and Citizens in Time to come, by the making of the said Ordinance, the which is thought may not continue and stand with good Charity, the Premises considered: wherefore it may please your said Highness most noble and abundant Grace, in Consideration of the Hurt likely to grow of and by the Premises, that it may be enacted:'] The King our Sovereign Lord, in Consideration of the Hurt likely to grow of and by the Premises, hath by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons, in the said Parliament assembled, and by Authority of the same, ordained, stablished, and enacted, That every Freeman and Citizen of the said City of London, that now is, or hereafter shall be, may lead, carry, and go with his or their Viſual, Ware, or Merchandize, whatsoever it be, at his or their Liberty, to any Fair or Market that shall please him or them, within this Realm of England, any Statute, Act, or Ordinance, made or to be made within the said City of London, to the contrary of the Premises notwithstanding; and the said Ordinance and Act made in the said City shall be void and of none Effect; and that no Person of the said City be hurt or prejudiced in losing of his Liberty and Franchise within the said City, or otherwise, by reason or Occasion of adnulling [and avoiding⁴] of the said Ordinance and Act, or for not obeying to the Effect of the same. And if any Person be prejudiced in any wise by Occasion of the same, he that putteth or causeth any Person to such Prejudice, shall lose and forfeit unto the King [x. l.⁵] as often as he so doth; and he that will sue for such Forfeiture, shall have therefore an Action of Debt against such Offender, the King to have Execution of the one Half, and he that sueth the other Half; and in such Action the Defendant be not admitted to wage his Law.

Citizens of London may carry their Wares to Fairs or Markets: Ordinances of London to the contrary declared void, &c.

³ These Sentences are omitted in Editions
⁴ previous to Hawkins.

⁵ Pulton reads xl. li.
 Hawk. xl. l.
 Pynſon
 Berthelet
 Raſt. 1591 & 1618
 and others } x. li.

C A P. X.

An Act against Delay of Execution upon Writs of Error; [Confirmed
 and to give Costs. 19 H. 7. c. 20.]

ITEM, That where oftentimes Plaintiff or Demandant, Plaintiffs or Demandants, that have Judgement to recover, be delayed of Execution, for that the Defendant or Tenant, Defendants or Tenants, against whom Judgement is given, or other that been bound by the said Judgement, sueth a Writ or Writs of Error to adnul and reverse the said Judgement, to the Intent only to delay Execution of the said Judgement: It is enacted, ordained, and established, by the Advice of the Lords Spiritual and Temporal, and at the Prayer of the Commons, in the said Parliament assembled, and by Authority of the same, That if any such Defendant or Tenant, Defendants or Tenants, or if any other that shall be bound by the said Judgement, sue, afore Execution had, any Writ of Error to reverse any such Judgement, in delaying

Of
 On Writs of Error before Execution, the Plaintiff shall have his Costs,

on Affirmance
of the
Judgement.

of Execution, that then if the same Judgement be affirmed good in the said Writ of Error, and not erroneous, or that the said Writ of Error be discontinued in the Default of the Party, or [that any¹] Person or Persons that sueth Writ or Writs of Error, be non-sued in the same, that then the said Person or Persons, against whom the said Writ of Error is sued, shall recover his Costs and Damage for his Delay and wrongful Vexation in the same, by Discretion of the Justice afore whom the said Writ of Error is sued.

² that

C A P. XI.

An Act that no Stranger or Denizen shall carry any Woollen Cloths out of this Realm before they be barbed, rowed, and shorn.

Recital of Stat.
7 Ed. 4 c. 3.

ITEM, where in the said Parliament, it was shewed by Shearmen, Fullers, and other Artificers, that should live and obtain their needy Sustainment by mean of Drapery made and draped within this Realm, as well throughout the same Realm, as within the City of London, that [where¹] in a Statute made the Seventh Year of the Reign of King Edward the Fourth, among other it is contained, That no Person, Denizen ne Stranger, should carry, or [do to be carried²] to any Parties beyond the Sea, any Woollen Yarn or Cloth unfulled, but that the Woollen Yarn to be made in this Realm should be woven in the same; and also all Cloth [in³] the same made should be fulled and fully wrought within this Realm, before that any of the same should be had or carried out of this Realm, upon Pain of Forfeiture of the very Value of such Yarn not [weaved,⁴] and Cloth not fulled, had or carried out of this Realm; the one Half of the Forfeiture to be levied to the Use of the King, and the other Half to him or them that should espy, or make Proof of any such Yarn not woven, or Cloth not fulled, carried to any Place beyond the Sea: And forasmuch as in the said Statute of King Edward there is no express Mention made, that the said Cloths should be rowed and shorn afore that they be carried and conveyed out of this Realm, whereby the said poor Commons of the Crafts aforesaid might be set in Labour and Occupation; therefore the said Cloths, ever since unto this Day, have been, and yet daily are in great Number carried out of this Realm, unrowed, and unshorn, into the Parts beyond the Sea, as well by Denizens as Strangers, whereby outlandish Nations, with the same Drapery, are set in Labour and Occupation, to their great enriching, and the poor Commons of the Crafts abovesaid, through all this Realm, that of natural Reason, as the King's true liege [Men,⁵] should have and obtain their needy Sustainment and Living by Means of the same Drapery, for Lack of such Occupation daily fall in great Number into Idleness and Poverty, to their uttermost Destruction, if it should any longer continue: The King our Sovereign Lord, (⁶) by the Advice of the Lords Spiritual and Temporal, and at the Prayer of the Commons, in [this⁷] said Parliament assembled, and by

¹ where as

² i. e. cause to be carried

³ within

⁴ woven

⁵ people

⁶ the Premises considered

⁷ his

Authority of the same, hath ordaised, established, and enacted, That no Stranger nor Denizen carry, or [make to be carried⁸] out of this Realm, any Woollen Cloths, but that they before be barbed, rowed, and shorn within the same Realm, for the Relief, and setting on Work of the said poor Commons, upon the Pain and Forfeiture limited in the said Statute of King *Edward*, made upon Cloth carried out of this [Land⁹] not fulled, to be divided in Manner and Form as in the same Statute it is contained.

Woollen Cloths shall not be exported unshorn, under Penalties in 7 E. 4. c. 3.

II. Provided alway, That Cloths called Vesses, Rays, Sailing Coths, and (¹⁰) other Cloths, commonly sold at Forty Shillings and under, be not comprised in this present Act.

Proviso for certain Cloths. [See Stat. 3 H. 8. c. 7. and Note there.]

⁸ i. e. cause to be carried

⁹ Realm

¹⁰ all

C A P. XII.

An Act against the retaining any of the King's Tenants.

“THE King's Officers or Tenants shall not be retained by any Liveries except those of the King.”

[Repealed Stat. 3 Car. 1. c. 4 (5). § 27.]

C A P. XIII.

An Act against the excessive Price of Long Bows.

“NONE shall sell any Long Bow above the Price of Three Shillings Four-pence; Penalty Forty Shillings.”

[Repealed by 8 Eliz. c. 10.]

C A P. XIV.

An Act that the Steward, Treasurer, and Comptroller of the King's House shall enquire of Offences done within the same.

ITEM, forasmuch as by Quarrels made to such as have been in great Authority, Office, and of Council with Kings of this Realm, hath ensued the Destruction of the Kings, and the (¹) undoing of this Realm; so as it hath appeared evidently, when compassing of the Death of such as were of the King's true Subjects was had, the Destruction of the Prince was imagined thereby, and for the most Part it hath grown and been occasioned by Envy and Malice of the King's own Household Servants, as now [of late such a Thing²] was likely to have ensued: [and forsomuch³] as by the Law of this Land, if actual Deeds be not had, there is no Remedy for such false Compassings, Imaginations, and Confederacies had against any Lord, or any of the King's Council, or any of the King's great Officers in his Household, as Steward, Treasurer, and Comptroller, and so great Inconveniencies might ensue if such ungodly Demeaning should not be straitly punished [before that actual Deed⁴] were done: Therefore it is ordained by the King, the Lords Spiritual and Temporal, and the Commons, of the said Parliament assembled, and by Authority of the same, That from henceforth the Steward, Treasurer, and Comptroller of the King's House for the Time being, or One of them,

Conspiracies by the King's Servants against the King, or

¹ near

² late like thing

³ as forasmuch

⁴ or the actual Deed have

any of his sworn
Council, &c.
declared Felony,
and triable
before the
Steward, &c.

have full Authority and Power to enquire by Twelve sad ⁽⁵⁾ and discreet Persons, of the [Cheque-Roll⁶] of the King's honourable Household, if any Servant admitted to be his Servant [in his House⁷] sworn, and his Name put into the [Cheque-Roll⁶] of his Household, whatsoever he be, serving in any Manner Office, or Room, reputed, had, and taken under the State of a Lord, make any Confederacies, Compassings, Conspiracies, or Imaginations, with any Person or Persons, to destroy or murder the King, or any Lord of this Realm, or any other Person sworn to the King's Council, or Steward, Treasurer, or Comptroller of the King's House, that if it be found afore the said Steward for the Time being, by the said Twelve sad Men, that any such of the King's Servants as is abovesaid, hath confedered, compassed, conspired, or imagined, as is abovesaid, that he so found by that Inquiry, be put thereupon to answer; and the Steward, Treasurer, and Comptroller, or Two of them, have Power to determine the same Matter, according to the Law: And if he [put him in⁸] Trial, that then it be tried by other Twelve sad Men of the same Household, and that such Misdoers have no Challenge but for Malice; and if such Misdoers be found guilty by Confession or otherwise, that the said Offence be judged Felony; and they to have Judgement and Execution as Felons attained [ought for to have⁹] by the Common Law.

⁵ men
⁸ put in

⁶ Chequer Roll

⁷ omitted in Hawkins's and previous Editions-
⁹ owe to have

[In Pynson's Edition here follows the AB given in printed Rot. Parl. vi. 402. 3 H. 7. nu. 22. and there intituled An AB to enable Feoffees in Trust to sue for the Benefit of the Feoffees [query, Feoffors,] although they be outlawed.—The AB was temporary, to continue only to the ensuing Parliament. It is not inserted in any other Edition of the Statutes; but the Title was inserted by Hawkins, &c. in the Table of Private ABs.—See Note at the Head of this Year.]

Annis quarto & quinto HENRICI VII.

*In the Parliament held on Tuesday the 13th January,
A.D. 1488-9.*

On the 23^d of February this Parliament was prorogued to the 14th October, 5 H. VII. A.D. 1489. And on the 4th of December to 25th January, 5 H. VII. 1489-90. It was dissolved on 27th February, A.D. 1489-90.

The PUBLIC ACTS of this Year, as printed in the Statute Books, are not given at length in printed Rot. Parl. vi. p. 409, &c. (except c. 5.) but it appears they answer to the following Numbers in the Roll.

Chapter in Statute.	Number in Roll.
Cap. 1,	14
2,	12
3,	16
4,	17, 18
5,	19
6,	15
7,	13
8,	25
9,	24
10,	39
11,	40
12,	41
13,	42
14,	43
15,	44
16,	45
17,	46
18,	47
19,	48
20,	49
21,	50
22,	51
23,	52
24,	53

*Here reprinted from
Cay's Edition, com-
pared with Pynson
1497, &c. Titles from
printed Rot. Parl.*

The first Seven Chapters were passed in the First Session, 4 H. 7. A.D. 1488-9.—Cap. 7 and 8 in the Second Session, 5 H. 7. A.D. 1489.—The Remainder in the Third Session, 5 H. 7. A.D. 1489-90; but they have never been so distinguished in the Statute Book.

Other Acts of this Year are noticed in the Tables prefixed to Hawkins's and subsequent Editions as PRIVATE ACTS, and distinguished into Chapters, which answer to the Numbers of printed Roll as under.

Cap. in No. in
Table. Roll.

In the First Session.

- 1, 1, *Pro Comite Surr'.*—For Restitution of Thomas Earl of Surrey, notwithstanding Act of Attainder, 1 H. 7.
- 2, 2, *Pro Comite Notyngham.*—For confirming an Agreement as to certain Estates between John late Earl of Norfolk, and William Earl Marshall and of Notyngham.

Cap. in
Table. No. in
Roll.

- 3, 3, *Pro Hen' Beaumont.—For Reversal of Attainder by Act, 3 H. 7.*
- 4, 4, *Pro Ric'o Nanfan Milit'.—A Proviso or Exception to the Act (c. 3.) preceding.*
- 5, 5, *Pro Ric'o Revell.—For Reversal of Attainder by Act 1 H. 7.*
- 6, 6, *Pro Will'mo Parsons & al'.—For Relief against an Appeal of Murder, for the Death of a Person resisting Process of the Privy Seal.*
- 7, 7, *Pro D'no Ferrers.—For Reversal of Attainder by Act 1 H. 7.*
- 8, 8, *Pro Thoma Lacy.—For Reversal of Attainder of Giles Seyntlowe by Act 1 E. 4.*
- 9, 9, *Pro Olivero Seynt John, Armigero.—For confirming Grants of Parts of the Estate of the Earl of Lincoln, attainted by Act 3 H. 7.*
- 10, 10, *Pro Elena Holt vidua & Alano Holt.—Enabling them to sue an Attaint on a false Verdict, notwithstanding a former Discontinuance of Attaint made by Durefs.*
- 11, 11, *Pro Will'o Stanley Milit'.—For confirming an Exchange between Sir W. Stanley and King Richard III.*
- 12, 18, *An Acte for the passing and Transmutation of Land without Fyne. [This is included in Cap. 4. of the Publick Acts.]*
- 13, 20, *An Acte for a Subsidie to be graunted to the Kyng.—For providing Ten thousand Archers, a Grant made of the Tenth Part of the Profits of all Lands, Offices, &c. of every Person not being a Lord of Parliament; and Twenty Pence for every Ten Marks Value of the Goods and Chattels of every Person not being a Lord; but the Amount of the whole Levy not to exceed Seventy-five thousand Pounds. The Counties of Northumberland, Cumberland, and Westmoreland are excepted out of the Act.—To continue for Three Years, if an Army is out of the Realm, at the Expence of One hundred thousand Pounds.—A separate Grant is made by the Lords of a Tenth of the Profits of their Lands. [But see post, nu. 30.]*

In the Second Session.

- 14, 21, *Pro D'no Zouche.—For reversing Attainder under Act 1 H. 7.*
- 15, 22, *Pro Rob'to Percy.—The like under Act 3 H. 7.*
- 16, 23, *Pro Hen' Spencer.—The like under Act 1 E. 4.*

In the Third Session.

Cap. in
Table. No. in
 Roll.

- 17, 26, *Pro Comite Surr*.—For restoring him to certain Estates excepted out of a former Act, (ante, nu. 1.)
- 18, 27, *Pro Comite Salop*.—For confirming a Grant of King Henry VI. notwithstanding the Act of Resumption 1 E. 4.
- 19, 28, *Pro Tbonia Fenys Armig*.—For confirming certain Lands to him on Reversal of his Attainder under Act 1 R. 3.
- 20, 29, *Pro Collegii Animarum, Oxon*.—For confirming certain Grants of King Henry VI. to the College of All Souls, Oxford, notwithstanding the Act of Resumption 1 E. 4.
- 21, 30, *Pro Inhabitibus Ville de Southwold*.—For incorporating the Town of Southwold.
- 22, 31, *Pro Villa North't*.—For regulating the Elections of Mayors and other corporate Officers in Northampton.
- 23, 32, *Pro Villa Leycestr*.—The like for the Town of Leicester.
- 24, 33, *An Acte for the Expenses of the Kyng's Household*.—Repeal of so much of the Act 1 H. 7. nu. 31. as required the Payment of Two thousand seven hundred Pounds by the Receiver of the Duchy of Cornwall.
- 25, 34, *Pro Anna Brakenbury*.—For reversing Attainder of Sir R. Brakenbury under Act 1 H. 7.
- 26, 35, *Pro Conventu Monasterii Sc'i Andree Northampton*.—For annulling certain Grants of two contending Priors of the Monastery.
- 27, 36, *Pro Edmundo Gorges Milite*.—For confirming certain Estates, notwithstanding any Provisions in an Act 1 H. 7. (nu. 10.)
- 28, 37, *Pro Colleg' Regal' Cantebr' & Eton*.—For empowering the Archbishop of Canterbury, the Lord Chancellor, and others, to determine the Right of King's College, Cambridge, and Eton College to certain Estates in the Hands of Persons claiming Title thereto, but granted to the Colleges by King Henry VI.
- 29, 38, *Actus Convictionis certar' p'sonar'*.—For attainting the Abbot of Abingdon, John Mayne, and others of Treason, in aiding the Earl of Lincoln, &c. in attempting to get Possession of the Person of Edward Earl of Warwick, the King's Ward.

Cap. in No. in
Table. Roll.

30, 54, *Concessio xv.*—Grant of a Subsidy of a Fifteenth and Tenth, in Consideration of the King's repealing the Tax imposed ante, nu. 20. on which only Twenty-seven thousand Pounds had been levied.

TO the Worship of God and Holy Church, and for the Common Weal and Profit of this Realm of *England*, our Sovereign Lord *Henry* by the Grace of God King of *England* and (¹) *France*, and Lord of *Ireland*; the Seventh after the Conquest, at his Parliament holden at *Westminster* the Thirteenth Day of *January*, in the Fourth Year of his Reign, by the Advice and Assent of the *Lords Spiritual and Temporal*, and the Commons, in the said Parliament assembled, and by Authority of the same, hath done to be made, ordained, and established divers Statutes and Ordinances in Form as followeth.

of

C A P. I.

An Act for the granting forth of Commissions of Sewers.

“ **R**ECITAL of Stats. 6 H. 6. c. 5. 8 H. 6. c. 3, &c.—Commissions of Sewers shall be made into all the Parts of this Realm, and to the Marches of *Calice*, *Guynes*, and *Hammer*, during Twenty-five Years, under the Provisions of the said recited Acts.”

C A P. II.

An Act for Fyners of Gold and Silver.

[See Stat.

12 G. 2. c. 26.
and Notes there.]

ITEM, Whereas it was of old Time used, and continued till now of late Years, that there was for the [Weal¹] of the King and the Realm, Finers and Parters of Gold and Silver by Fire and Water, under a Rule and Order belonging unto the Mints of *London*, *Calais*, *Canterbury*, *Tork*, and *Durham*, and in other Places where Mints [been²] holden, and at the Goldsmiths Hall in *London*, to fine and part all Gold and Silver belonging and needful for the said Mints and Fellowship of Goldsmiths, for the Amendment of Money and Plate of the Realm, that every Thing might be reformed to the right Standard, as well in Money as Plate, to the least Cost, for the Weal of the King's Noblemen of the Land, and common People: But so it is now, that such Finers and Parters of Gold and Silver by Fire and Water, [dwelling³] abroad in every Place of this Realm out of the Rules aforesaid, and buy gilt Silver from the Mints, Changes, and Goldsmiths, and part and fine it as is aforesaid, and for the most Part [of⁴] the Silver so fined, they do allay it in divers Manners, and sell it at their Pleasures to every Man [of what Estate or De-

1 Avail

2 were

3 dwellen (i. e. do dwell)

gree soever he be,] that will buy (5) of them, to make such Works as pleaseth the Buyers; therefore Men can get no fine Silver when they need it for their Money, for the Amendment of Money and Plate, as hath been in Times past; wherefore it causeth Money and Plate in divers Places of the Realm to be made worse in Fineness than it should be, as it appeareth evidently in divers Places, to the great Hurt of the King's Noblemen of the Land, and common People: Wherefore the King our Sovereign Lord, by the Assent of the Lords Spiritual and Temporal, and of the Commons, in the said Parliament assembled, and by Authority of the same, hath ordained, enacted, and established, That no Finer of Gold and Silver, nor Parter of the same by Fire or Water, from henceforth allay any fine Silver or Gold, ne none sell in any other wise, ne to any Person or Persons, but only to the Officers of Mints, Changes, and Goldsmiths within this Realm, for Augmentation and amending of Coin and Plate, as is aforesaid; and that the Masters of Mints, Changes, and Goldsmiths, for all such fine Gold or Silver coming to them, to answer the Value as it is worth, according as it is now and hath been in ancient Time accustomed after the Rate of Fineness: Ne that no Finer nor Finers, Parter nor Parters, sell to no Person, neither to one nor to other, any Manner of Silver [into⁶] Mass molten and allayed, upon Pain of Forfeiture of the same, the King thereof to have one Half, and the Finder that can prove, and will sue for it in the King's Exchequer, the other Half. And if any Finer or Finers, Parter or Parters of Gold and Silver, either by Fire or Water, allay or sell any Manner fine Gold or Silver, otherwise than it is ordained in this (7) Act, he or they to lose the Value of the same Gold or Silver so allayed or sold; the King to have the one Half, and the Finder that can prove it, and will sue for it in the King's Exchequer, the other Half. Also all such Fine Silver as shall be parted and fined as is afore said, that it be made so fine, that it may bear Twelve Penny Weight of Allay in a Pound Weight, and yet it be as good as Sterling, and rather better than worse; and that every Finer put his several Mark upon such fine Silver, to bear witness of the same to be true, as is aforesaid, upon the Pain of the Value found contrary to be forfeit; the King thereof to have the one Half, and the Finder that can prove it, and will sue for it in the Exchequer, the other Half. And that no Goldsmith nor Goldsmiths within this Realm melt or allay any fine Silver, to be for any Works or other Intent, but only for making of Amels, for divers Works of Goldsmithy, and for amending of Plate to make it as good as Sterling, or better, for the common Weal of this Realm.

Allaying of Gold and Silver, and selling of the same.

Of what Fineness Silver ought to be.

Finers shall put their Mark upon Silver.

For what Purposes Silver may be melted.

II. Nor that they sell no fine Silver, nor other Silver allayed, molten into Mass, to any Person or Persons whatsoever they be, nor one Goldsmith to another. This Ordinance to be kept by the Goldsmiths in every Point, upon Pain of Forfeiture of the same Silver, or the Value thereof; the King thereof to have the one Half, and the Finder that can prove it, and will sue for it in the King's Exchequer, the other Half.

Silver molten into Mass shall not be sold by Goldsmiths.

A Repeal of
Patents of Offices
belonging to
the Mint.

III. Also it is ordained by the same Authority, That, all Letters Patents and Grants of Offices belonging or pertaining to the Mint of our Sovereign Lord the King, [or¹] exercised in the same, with Fees and Wages thereto belonging, be from henceforth void and of none Effect.

* P. omits,

C A P. III.

An Act that no Butcher flea any Manner of Beast within the Walls of *London*.

ITEM, It was shewed by a Petition put to the King our said Sovereign Lord, in the said Parliament, by his Subjects and Parishioners of the Parish of Saint *Faith's* and Saint *Gregory's* in *London*, near adjoining unto the Cathedral Church of Saint *Paul's*, that [whereas¹] great Concourse of People, as well of his Royal Person, as of other great Lords and States, with other his true Subjects, oftentimes was had unto the said Cathedral Church of Saint *Paul's*, and that for the most Part throughout the [Parishes²] aforesaid, the which oftentimes [been³] greatly annoyed and [distempered⁴] by corrupt Aires engendered in the said Parishes, by Occasion of Blood, and other fouler Things, by reason of the Slaughter of Beasts, and Scalding of Swine, had and done in the Butchery of Saint *Nicholas's* Flesh Shambles, whose Corruption [and foul Ordure,⁵] by Violence of unclean, [corrupt,⁶] and putrified Waters, is borne down through the said Parishes, and compasseth Two Parts of the Palace, where the King's most Royal Person is wont to abide when he cometh to the Cathedral Church for any Act there to be done, to the jeopardous abiding of his most noble Person, and to over great Annoyance of the Parishioners there, and of other the King's Subjects and Strangers that pass by the same; Complaint whereof, at many and divers Seasons, [also⁷] by the Space of Sixteen Years continually, as well by the Canons and Petty Canons of the said Cathedral Church, Landlords there, as also by many other of the King's Subjects of right honest Behaviour, hath been made unto divers Mayors and Aldermen of the City of *London*, and no Remedy had ne found; that it may please our said Sovereign Lord, of his abundant Grace, to provide for the Conservation as well of his most Royal Person, as to succour his poor Subjects and Suppliants in this Behalf, considering that in few noble Cities and Towns, or none within Christendom, whereas travelling Men have laboured, the common Slaughter House of Beasts should be kept in any special Part within the Walls of the same, lest it might engender Sicknes, unto the Destruction of the People: The King our Sovereign Lord, in Consideration of the Premises, hath, by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons, of the said Parliament assembled, and by Authority of the same, ordained and [enacted,⁸] That no Butcher, nor his Servant, slay no Manner Beast within the said House called the Scalding House,

¹ it was so that

² invenemend

³ P. omits,

⁴ parish

⁵ almost

⁶ ben (are)

⁷ established

or within the Walls of *London*, upon Pain to forfeit for every Ox Twelve-pence, and every Cow, and ⁽⁸⁾ every other Beast Eight-pence; the one Half thereof to the King our Sovereign Lord, and the other Half to every of the King's Lieges that will sue for the same by Action of Debt, and no Protection or Essoin be allowed to any of the Defendants against whom any such Action shall be conceived; and that in the same Action of Debt such Process be made, as in other Actions of Debt sued at the Common Law.

II. And over this it is ordained and enacted by the said Authority, That the said Ordinance, Act, and Law, extend, and be observed and kept in every [City,⁹] Borough, and Town walled within his Realm of *England*, and in the Town of *Cambridge*, (the Towns of *Berwick* and *Carlisle*, ⁽¹⁰⁾ except and foreprised). Provided alway, That this present Act begin and take Effect at the Feast of the Annunciation of our Lady next ensuing, and not afore.

⁸ for

⁹ P. emits.

¹⁰ only

C A P. IV.

An Act that all Persons serving the King beyond the Sea in *Bryttayne* may have their Protections of *Professur* & *Moratur*.

“**P**ROTECTIONS granted to them which then were, or after should be in the King's Service in *Brittany*. And certain Immunities granted to the Feoffees, Executors, and Heirs of them which shall die in that Service.”—*See Stat. 14 E. 4. c. 1.*

C A P. V.

An Act to make void Letters Patents to Abbots, Priors, and others, for gathering and paying Dismes.

“**A**LL Letters Patents granted to any Spiritual Persons to be discharged from Payment or Collection of Dismes declared void.”

[*In the printed Parliament Roll are several Provisoes not printed in any Edition of the Statutes.*]

C A P. VI.

An Act that the Office of Steward, Forester, and Keeper of the Forest of *Inglewood* shall be void.

“**A**LL Letters Patents of any Offices within the Forest of *Inglewood* declared void: Saving for the Lord *Dacres*, and Earl of *Northumberland*.”

C A P. VII.

An Act that the Yeomen and Grooms of the King's Chamber give their Attendance to the King.

"IF the King's Yeomen and Grooms do not do their Duties,
" their Letters Patent shall only be of Force during the King's
" Pleasure."

C A P. VIII.

An Act touching Woollen Cloth.

"WHOSOEVER shall sell by Retail a broad Yard of the
" finest Scarlet grained, or other grained Cloth of the
" finest making above Sixteen Shillings, or a broad Yard of any
" other coloured Cloth above Eleven Shillings, &c. shall forfeit
" Forty Shillings for every Yard so sold."

[Repealed 21 Jac. I. c. 28. § 11 (15).]

C A P. IX.

An Act touching Hats and Caps.

"NO Hatter or Capper shall sell any Hat above the Price of
" Twenty Pence the best, nor any Cap above Two Shillings
" Eight-pence the best, upon Pain to forfeit Forty Shillings for
" every Hat or Cap sold above."

[Repealed 3 H. 8. c. 15.—21 Jac. I. c. 28. § 11 (9)].

C A P. X.

An Act against bringing into this Realm Wines in foreign Bottoms.

ITEM, That where great Minishing and Decay hath been now of late Time of the Navy of this Realm of *England*, and Idleness of the Mariners within the same, by the which this noble Realm within short Process of Time, without Reformation be had therein, shall not be of Ability nor of Strength and Power to defend itself. Wherefore the King our Sovereign Lord, by the Advice of the Lords Spiritual and Temporal, and at the Prayer of the Commons, in the said Parliament assembled, and by Authority of the same, hath ordained, established, and enacted, That no Manner of Person, of what Degree or Condition that he be, convey or bring into this Realm, *Ireland*, *Wales*, *Calais*, or the Marches thereof, or *Berwick*, from the Feast of the Nativity of St. John Baptist, that shall be in the Year of our Lord God One thousand four hundred ninety, any Manner Wines of the growing of the Duchy of *Cuieu* or *Gascogne*, or Woade called *Thoulouse Woade*, but such as shall be conveyed, adventured, [or¹] brought in Ship or Ships, whereof our said Sovereign Lord, or some of his Subjects of this his Realm of *England*, *Ireland*, *Wales*, *Calais*, or *Berwick*, [been²] Owners, Possessors, and Proprietaries; and the same Master under God, and the Mariners of the same Ship or Ships, *English*, *Irish*, or *Welsh*, or Men of *Berwick*, or Men of *Calais*, or of the Marches of the same, for the more Party, upon Pain

Gascogne Wines
and *Thoulouse*
Woade shall be
imported only in
English Ships,
under Penalty
of Forfeiture.

¹ and

² been (are)

to forfeit the same Wines and Woade so brought contrary to this Act, the one Half thereof to the King, and the other Half to him or them that seisth the same Wine or Woade.

II. And also hath ordained and established by the said Authority, That no Person inhabited within this Realm, other than Merchants Strangers, from the Feast of Saint *John*, freight nor charge within this Realm or *Wales* any Ship or other Vessel of any Alien or Stranger, with any Manner of Merchandise, to be carried out of this Realm or *Wales*, or to be brought into the same, if he may have sufficient Freight in Ships or Vessels of Denizens of this Realm in the same Port where he shall make his Freight, upon Pain to forfeit the same Merchandises, the one Half thereof to the King our Sovereign Lord, and the other Half to him or them which seisth the same Merchandises.

Natives shall not freight Alien's Ships, &c.

III. Provided always, That this Act extend not to any Ship or Ships, having any of the said Wares or Merchandises, constrained by Tempest of Weather or Enemies to arrive in any Port or Place within this Realm, so that the Owners of the said Wares and Merchandises make thereof no Sale within this Realm, other than for Victuals, or repairing of the same Ship or Ships, or Tackling thereof, which they of Necessity be compelled to make.

Exception for Ships driven in by Storms of Weather.

[*Repealed 1 Eliz. c. 13. but re-enforced 5 Eliz. c. 5. § 11. See the Notes there; and the Navigation AB 12 C. 2. c. 18.*]

C A P. XI.

An Act for the Maintenance of Drapery, and making of Cloth.

“**N**O Person during Ten Years shall buy or take Promise of Bargain of any Wool that shall grow in *Berks*, &c. before the Assumption of our Lady next after the Shearing thereof, but such as shall make Yarn or Cloth thereof; nor any Merchant Stranger before the Purification of our Lady, next after the Shearing, upon Pain of Forfeiture of the double Value.”

C A P. XII.

An Act for the Justices of Peace, for the due Execution of their Commissions.

ITEM, The King our Sovereign Lord considereth, That by the Negligence, Misdemeaning, Favour, and other inordinate Causes of Justices of Peace in every Shire of this his Realm, the Laws and Ordinances made for the politick Weal, Peace, and good Rule of the same, and for the [perfect¹] Surety, and restful Living of his Subjects of the same, be not duly executed according to the Tenor and Effect that they were made and ordained for; wherefore his Subjects [been²] grievously hurt, and out of Surety of their Bodies and Goods, to his great Displeasure; for to him is nothing more joyous than to know his Subjects to live peaceably under his Laws, and to increase in Wealth and Prosperity, and to avoid such Enormities and Injuries, so that his said Subjects may live restfully under his Peace and Laws, to their Increase: He will that it be ordained and enacted by Authority

¹ Profit

² ben (are)

Justices of
Peace in Quarter
Sessions shall
cause the
Proclamation
following to
be made.

The
Proclamation.

The Benefit of
Husbandry.

The Slackness
of Justices of
Peace in the
due Execution
of the Laws.

Justices
neglecting to
execute their
Commissions,
as any one
obstructing
them, liable to
Pains and the
King's
Displeasure.

of this said Parliament, That every Justice of Peace within every Shire of this Realm, within the Shire where he is Justice of Peace, do cause openly and solemnly to be proclaimed yearly Four Times a Year, in Four principal Sessions, the Tenor of this Proclamation to this Bill annexed; and that every Justice of Peace being present at any of the said Sessions, if they cause not the said Proclamation for to be made in Form abovesaid, shall forfeit unto our Sovereign Lord at every Time Twenty Shillings.

Henricus Dei gratia, &c. The King our Sovereign Lord considereth, how daily within this Realm his Coin is traiterously counterfeited, Murders, Robberies, Felonies, [been²] grievously committed and done, and also unlawful Reteinors, Idleness, unlawful Plays, Extorsions, Misdemeanings of Sheriffs, Escheators, and many other Enormities and unlawful Demeanings daily grown more and more within this Realm, to the great Displeasure of God, Hurt and Impoverishing of his Subjects, and to the Subversion of the Policy and good Governance of this his Realm; for by these said Enormities and Mischiefs his Peace is broken, his Subjects troubled, inquieted, and impoverished, the Husbandry of this Land decayed, whereby the Church of England is upholden, the Service of God continued, every Man thereby hath his Sustenance, every Inheritor his Rent for his Land: For repressing and avoiding of the said Mischief, sufficient Laws and Ordinances have been made by Authority of many and divers Parliaments holden within this Realm, to the great Cost of the King, his Lords and Commons of the same, and lacketh nothing, but that the said Laws be not put in due Execution, which Laws ought to be put in due Execution by the Justices of Peace of every Shire of this Realm, to whom his Grace hath put and given full Authority so to do sith the Beginning of his Reign: And now it is come to his Knowledge, that his Subjects be little eased of the said Mischiefs by the said Justices, but by many of them rather hurt than helped; and if his Subjects complain to these Justices of Peace, of any Wrongs done to them, they have thereby no Remedy, and the said Mischiefs do increase, and be not subdued: And his Grace considereth, That a great Part of the Wealth and Prosperity of this Land standeth in that, that his Subjects may live in Surety under his Peace in their Bodies and Goods, and that the Husbandry of this Land may increase and be upholden, which must be had by due Execution of the said Laws and Ordinances, chargeth and commandeth [all³] the Justices of the Peace of this his Shire, to endeavour them to do and execute the Tenor of their Commission, and the said Laws and Ordinances ordained for the subduing of the Premises, as they will stand in the Love and Favour of his Grace, and in avoiding of the Pains that be ordained if they do the contrary. And moreover he chargeth and commandeth, that every Man, what Degree or Condition that he be of, that let them in Word or Deed to execute their said Authority in any Manner Form abovesaid, that they shew it to his Grace; and if they do (*) not, and it come to his Knowledge by other than by them, they shall not [be⁵] in his Favour, but taken as Men out of Credence, and be put out of Commission for ever.

² been (are)

³ P. or ite.

⁴ it

⁵ stand

And over this he chargeth and commandeth all Manner of Men, as well the Poor as the Rich (which be to him all one in due Ministratioⁿ of Justice) that is hurt or grieved in any Thing that the said Justice of Peace may hear, determine, or execute in any wise, that he so grieved make his Complaint to the Justice of ⁽⁶⁾ Peace that next dwelleth unto him, or to any of his Fellows, and desire a Remedy; and if then he hath no Remedy, if it be nigh such Time as his Justices of Assises come into that Shire, that then he so grieved shew his Complaint to the same Justices; and if then he have no Remedy, or if the Complaint be made long afore the coming of the Justices of Assise, then he so grieved come to the King's Highness, or to his [Chancellor?] for the Time being, and shew his Grief; and his said Highness then shall send for the said Justices, to know the Cause why his said Subjects be not eased, and his Laws executed; whereupon if he find any of them in Default of executing of his Laws in the Premises, according to his high Commandment, he shall [do⁸] him so offending to be put out of the Commission, and further to be punished according to his Demerits. And over that, his said Highness shall not let for any Favour, Affection, Cost, Charge, nor other Cause, but that he shall see his Laws to have [plain⁹] and true Execution, and his Subjects to live in Surety of their Lands, Bodies, and Goods, according to his said Laws, and the said Mischiefs to be avoided, that his Subjects may increase in Wealth and Prosperity, to the Pleasure of God.

⁶ the⁷ Chancery⁸ i. e. cause⁹ i. e. full

Persons grieved may complain to Justices of Peace; and, if they have no Remedy, to Justices of Assise, and then to the King or his Chancellor.

Justice guilty of omitting his Duty, shall be put out of the Commission.

C A P. XIII.

An Act for to take the Benefit of the Clergy from certain Persons.

ITEM, Whereas upon Trust of the Privilege of the Church, divers Persons [lettered¹] have been the more bold to commit Murder, Rape, Robbery, Theft, and all other mischievous Deeds, because they have been continually admitted to the Benefit of the Clergy as oft as they did offend in any of the Premises; in avoiding such presumptuous Boldness, It is enacted, ordained, and established by the Authority of this present Parliament, That every Person, not being within Orders, which once hath been admitted to the Benefit of his Clergy, estoons arraigned of any such Offence, be not admitted to have the Benefit or Privilege of his Clergy: And that every Person so convicted for Murder, to be marked with an M. [upon the Braun of the Left Thumb²]; and if he be for any other Felony, the same Person to be marked with a T. [in the same Place of the Thumb,²] and those Marks to be made by the Gaoler openly in the Court before the Judge, before that such Person be delivered to the Ordinary. Provided always, that if any Person at the second Time of asking his Clergy, because he is within Orders, hath not then and there ready his Letters of his Orders, or a Certificate of his Ordinary witnessing the same, that then the Justices, afore whom he is so arraigned, shall give him a Day by their Discretion to bring in his

Clergy shall be allowed but once to Persons not in Orders.

[See as to Persons in Orders, 28 H. 8. c. 1.]

Persons convicted shall be marked with the Letters M. or T.

Person asking Clergy a Second Time, shall produce his Orders.

¹ Hawkins, &c. omit.² on the Cheek, 19 & 21 W. 3. c. 23. § 6. but repealed 5 Ann. c. 6.

said Letters or Certificate; and if he fail, and bring not in at such a Day his said Letters, nor Certificate, then the same Person to lose the Benefit of his Clergy, as he shall do that is without Orders.

C A P. XIV.

An Act touching the passing of Feoffments and other Grants of any Lands under the special Seal of the Earldom of the Marches, and the Abuse thereof.

ITEM, where afore in the Time of King *Edward the Fourth*, all Feoffments, Gifts, Grants, Demises, Presentments, Nominations, Releases, Warrants, and Confirmations, made to any Person or Persons, of any Castles, Honours, Manors, Lands, and Tenements, or other Hereditaments, or Advantages, parcel, or pertaining to the Earldom of *March*, or pertaining to any Manors, Lands, Tenements, or other Hereditaments in Demesne, or Reversion, Parcel, or pertaining to the said Earldom of *March*, were made and passed under a special Seal, named the Seal of the Marches, whereby is grown great Vexation, Trouble, and Deceit of the Subjects of the King our Sovereign Lord: Wherefore it is enacted by the Authority of this present Parliament, That all Feoffments, Gifts, Grants, Demises, Presentments, Nominations, and all other Writings whereto sealing is requisite, to be made after the Feast of the Purification of our Lady, in the Fifth Year of the Reign of our Sovereign Lord that now is, of any Parcel of the said Earldom, be had, done, and made by the King our said Sovereign Lord, under the Broad Seal of his Chancery, as it is used in all other Things concerning the Crown, by the Course of the Common Law, and by none other Seal.

All Grants, &c.
of any Parcel
of the Earldom
of *March* shall
be under the
Great Seal.

C A P. XV.

An Act that the Mayor of *London* shall have the Rule of the River of *Thames* from *Staines* to *Yenlade*.

ITEM, where the Mayor of the City of *London*, for the Time being, is Conservator, having the [Conservation¹] of the Water and River of *Thames*, from the Bridge of *Staines*, unto the Waters of *Tendall* and *Mede-way*: it is so that within few Years, by Tempest of Weather and great Abundance of Waters in the said River of *Thames*, divers Breaches, Issues, and Creeks, have been and grown out of the said River of *Thames*, and by the same divers Pastures, Meadows, and Grounds of divers Persons been drowned and overflown: in which Breaches, Issues, and Creeks, and Ground drowned, the Fry and [Brood of Fish²] for the most Part resteth, and in the same Place the said Fry and Brood is great Multitude daily is taken by the said Fishers there, with unlawful Engines and Nets for Bait of Eels and Cods, and also for the Feeding of their Hogs, to the Utter Destruction of the said Fry and Brood, without a Remedy the rather be provided: The King our said Sovereign Lord, by the Advice of the Lords Spiritual and Temporal, and at the Prayer of the Commons in the said Parliament assembled, and by Authority of the same, hath ordained, established, and enacted, That the Mayor of *London*, and

¹ Conservacy

² Brood-fish

his Successors Mayors for the Time being, have the [Consent¹ tion²] and Rule, and like Authority in every of the said Breaches, Issues, and Creeks, and Ground so drowned and overflown, as far as the Water ebbeth and floweth, [as³] touching the Punition for using of unlawful Nets and other unlawful Engines in fishing, like as he and his Predecessors [have⁴] or hath in the same Water and River of *Thames*, within the Bounds afore rehearsed: and to do all other like Correction and Punishment there concerning the Reformation and Redress of unlawful Nets and Engines, as he and his Predecessors have used and ought to use in the said River of *Thames*: Provided alway, That the Mayor of *London*, or his Successors Mayors for the Time being, have not the Conservation nor Rule nor Authority in any of the said Breaches, Issues, Creeks, and Grounds so drowned and overflown within the King's Ground, or being within [any⁵] Franchises of any Person or Persons Spiritual and Temporal, as touching the Punition for using of unlawful Nets and other unlawful Engines in fishing, nor to do any Correction or Punishment there concerning the Reformation and Redress of unlawful Nets and Engines, as the said Mayor and his Successors have used and ought to use in the said River of *Thames*.

² and⁴ have had⁵ the

Mayor of *London* shall have Jurisdiction in Breaches and Ground overflown as in the *Thames*, in case of unlawful fishing.

Proviso for Franchises of the King or others.

C A P. XVI.

An Act concerning the Isle of *Wight*.

[See 25 H. 8. c. 13. § 14.]

ITEM, Forasmuch as it is to the King our Sovereign Lord great Surety, and also to the Surety of this Realm of *England*, that the Isle of *Wight* in the County of *Southampton* be well inhabited with *English* People, for the Defence as well of his antient Enemies of the Realm of *France*, as of other Parties, the which Isle is lately decayed of People, by reason that many Towns and Villages [have been beaten down,¹] and the Fields ditched and made Pastures for Beasts and Cattles; and also many Dwelling Places, Farms, and Fermholds, have of late Time been used to be taken in one Man's Hold and Hands, that of old Time were wont to be in many several Persons Holds and Hands, and many several Households kept in them, and thereby much People multiplied, and the same Isle thereby well inhabited, the which now, by the Occasion afore said, is desolate, and not inhabited, but occupied with Beasts and Cattle, so that if hally Remedy be not provided, that Isle cannot be (²) kept and defended, but will be open and ready to the Hands of the King's Enemies, which God forbid: For Remedy whereof it is ordained, enacted, and established, by the Assent of the Lords Spiritual and Temporal, and the Commons, in the said Parliament assembled, and by Authority of the same, That from henceforth no Manner of Person, of what Estate, Degree, or Condition he is or shall be, take any several Farms more than One, of any Manors, Lands and Tenements, Parsonages, or Tithes within the said Isle, whereof the Ferm of them altogether [shall not exceed³] the Sum of Ten Marks yearly; and if any several Leases afore this Time have been made to any Person or Persons of divers sundry Fermholds, over the said yearly Value of Ten Marks; then the Person or Persons that now hold the

The Necessity of the Preservation of the Isle of *Wight*.

None shall take more Farms than one in the Isle of *Wight*, exceeding Ten Marks Rent.

¹ beaten down² kept³ shall exceed

same,

to choose One or more of the said Fermholds at his Pleasure, so that the Ferm of them also chosen be not above the yearly Value of Ten Marks, to hold after the Form of his Lease; and the Remnant from the Feast of Saint Michael the Archangel, which shall be in the Year of our Lord One thousand four hundred and ninety, to cease, and be utterly void; and the Occupier and Farmer of them from thence [be⁴] discharged against his Lessor of the Rent reserved upon the same Leases; and if any Person do hereafter to the contrary of this Act, that then the Lessee in that Behalf shall forfeit to the King for every such Taking Ten Pound.

Persons who have been at Charge with their Farms, and are put from them, shall be recompensed.

II. Provided always, That they which have paid any Fines, or made any Building, or done great Reparation upon any such Ferm, and be put from the said Ferm by reason of this Act, shall be recompensed for such Building or Reparation, as right and good Conscience require; that Recompence to be adjudged by the Discretion of the Captain of the said Isle for the Time being, or his Lieutenant of the same in his Absence.

4 to be

C A P. XVII.

An Act against fraudulent Feoffments tending to defraud the King of his Wards.

“STAT. Marl. 52 H. 3. c. 6. confirmed. The Heir or *Cestui que use* holding his Lands by Knights Service within Age, shall be in Ward; and of full Age, shall pay Relief. Such Heir shall have an Action of Waste against his Guardian committing Waste; and the Defendant in a Writ of Right of Ward in such Case shall have his Damages.”

[See now 12 Car. 2. c. 4.]

C A P. XVIII.

An Act against counterfeiting of foreign Coin.

“THE forging of the Coin of other Realms allowed to be current in this Realm shall be Treason.”

[Repealed by the general Words of 1 Mary. st. 1. c. 1.]

C A P. XIX.

An Act against pulling down of Towns and Houses.

“IF Houses of Husbandry held with Twenty Acres of Land are suffered to go to Decay, the King, or other Lord of the Fee, shall receive Half the Profits, and apply the same in repairing such Houses.”

[Repealed 21 Jac. 1. c. 28. § 11 (34). And see 39 Eliz. c. 1. and Note there.]

C A P. XX.

An Act against Collusions and feigned Actions.

ITEM, That where Actions popular in divers Cases have been ordained by many good Acts and Statutes afore this Time made, for the Reformation of Extortions, Maintenances, Oppres-

sions,

sions, Injuries, [Exactions,¹] and Wrongs used and committed within this Realm, which Actions [been²] very penal to all Misdoers and Offenders in such Actions condemned, and much profitable as well to the King, as to every of his Subjects that them will sue and maintain, if the same Actions so sued and commenced might be truly pursued without Covin or Collusion: But now it is so commonly used within this Realm, that if any such Offenders offending in Cases where any of the said Actions lie, then the said Misdoers or Offenders, in eschewing to leese the said Penalties, will cause an Action popular to be commenced against them by Covin of the Plaintiff, upon that Case wherein they have so offended; or else if any such Action popular be commenced against any such said Offender by good Faith, then the same Offender will delay the said Action, either by Non-appearance or by Traverse; and hanging the same Action, the same Offender will cause like Action popular to be brought against him by Covin, for the same Cause and Offence that the first Action was sued, and then by Covin of the Plaintiff in that second Action he will be condemned, either by Confession, feigned Trial, or Release; which Condemnation or Release, so had by Collusion and Covin [pleaded by the said Offender, shall bar the Plaintiff in the Action sued in good Faith; and by these subtil Means of Collusion and Covin the said good Acts and Statutes [seldom been³] executed against such Offenders which causeth them to be bolder to offend the King, as well in breaking of the said Statutes, Laws, and Peace, as in robbing, murdering, Exactions taking, Quarrels maintaining, and the King's poor Subjects by Extortion and many other unlawful Means oppressing: Therefore the King our Sovereign Lord, in reforming of the Premises, by the Advice [and Assent⁴] of the Lords Spiritual and Temporal, and at the Request of the said Commons, in this said present Parliament assembled, and by Authority of the same, hath ordained, established, and enacted, That if any Person or Persons hereafter sue with good Faith any Action popular, and the Defendant or Defendants in the same Action plead any Manner of Recovery of Action popular in Bar of the said Action, or else that the same Defendant or Defendants plead, that he or they before that Time barred any such Plaintiff or Plaintiffs in any such Action popular, that then the Plaintiff or Plaintiffs in the Action taken with good Faith may aver, that the said Recovery in the said Action popular was had by Covin, or else to aver that the said Plaintiff or Plaintiffs was or were barred in the said Action popular by Covin; that then, if afterward the said Collusion or Covin, so averred be lawfully found, the Plaintiff or Plaintiffs in that Action sued with good Faith, shall have Recovery according to the Nature of the Action, and Execution upon the same in like wise and Effect, as though no such Action afore had been had.

[II.] And moreover, that it is enacted and ordained by the Authority aforesaid, That in every such Action popular, wherein the Defendant or Defendants shall be lawfully condemned or attainted of Covin or Collusion, as is afore said, that every of the same Defendants have Imprisonment of Two Years by Process of *Capias* and Outlagary, to be sued within the Year after such

The Enormities of Collusion practised in suing of Actions popular.

Recovery, &c. by Covin may be averred against, by a Plaintiff in an Action sued with good Faith, and shall be no Bar to such Action.

Defendant attainted of Collusion, shall be imprisoned Two Years.

¹ Exactions

² full seldom been

³ been (are)

⁴ omitted in Hawkins.

No Release
of a common
Person can
discharge a
popular Action.

Judgement had, or at any Time after, till the said Defendant or Defendants shall be had and imprisoned, as is aforesaid, and that as well at the King's Suit, as of every other that will sue in that Behalf: And that no Release of any common Person hereafter to be made to any such Party, whether before or after any Action popular or Indictment of the same had [or ⁴] commenced, or made, hanging the same Action, be in any wise available or effectual to set or surcease the said Action, Indictment, Process, or Execution.

⁴ and

No Collusion
available by
Plaintiff, &c.
after Trial, &c.
of the Merits.

[III.] Provided alway, That no Plaintiff or Plaintiffs be in any wise received to aver any Covin in any Action popular, where the Point of the same Action, or else the Covin or Collusion, have been once tried, or lawfully found with the Plaintiff or Plaintiffs, or against them, by Trial of Twelve Men, and not otherwise.

C A P. XXI.

An Act for the Preservation of the Fry of Fish.

“ **N**O Engines shall be used for destroying of Fry of Fish in Orford Haven in *Suffolk*, upon Pain of Forfeiture of Ten Pounds for every Offence.”

[To continue till next Parliament.—Made perpetual, printed Rot. Parl. 7 H. 7. no. 2.]

C A P. XXII.

An Act against the deceitful Weight and working of the Gold of *Venice*, *Florence*, and *Jeane*.

“ **I**F any Person, before the next Parliament, bring or put to Sale any Gold of *Venice*, *Florence*, or *Jeane* for a Pound Weight, which doth not contain Twelve Ounces, or that the Gold packed be not in Greatness of Thread or Colour wrought according to the outward Shew thereof, he shall forfeit the same or the Value thereof.”

C A P. XXIII.

An Act against carrying away of Coin, Plate, Vessel, or Jewels out of this Realm.

“ **S**O much of the Statute 17 Ed. 4. c. 1. as relates to the Exporting of Money, Plate, or Jewels, revived and continued for Twenty Years.—None shall pay or give in Exchange to foreign Merchants, for their Merchandises, any Coin of this Realm, or Plate Vessel, Mass, Bullion, or Jewel of Gold and Silver, on Pain of Forfeiture.”

[See 1 H. 8. c. 13: 7 E. 6. c. 6.]

C A P. XXIV.

An Act for Proclamations to be made upon Fines.

ITEM, where it was ordained in the Time of King *Edward* the First, by the Statute *de Finibus*, that Notes and Fines to be levied in the King's Court afore his Justices should be openly
and

[See Stat.
1 Ric. 3. c. 7.
and Note there,
also Stat.
32 H. 8. c. 36.]

and solemnly read, and that Pleas in the mean Time should cease, and this to be done by Two Days in the Week, after the Discretion of the Justices, as in the said Statute more plainly appeareth: The King our Sovereign Lord considereth, That Fines ought to be of the greatest Strength to avoid Strifes and Debates, and [to be a final End¹] and Conclusion; and of such Effect were taken afore a Statute made of Non-claim, and now is used [to the contrary,²] to the universal Trouble of (³) the King's Subjects, will therefore it be ordained, by the Advice of the Lords Spiritual and Temporal, and the Commons, in the said Parliament assembled, and by the Authority of the same, That after the ingrossing of every Fine to be levied after the Feast of *Easter*, that shall be in the Year of our Lord One thousand four hundred and ninety, in the King's Court, afore his Justices of the Common Place, of any Lands, Tenements, or any other Hereditaments, the same Fine be openly and solemnly read and proclaimed in the same Court the same Term, and in Three Terms then next following the same Ingrossing in the same Court, at Four several Days in every Term; and in the same Time that it is so read and proclaimed, all Pleas to cease. And the said Proclamations so had and made, the said Fine to be a final End, and conclude as well Privies as Strangers to the same; except Women Covert (other than [been⁴] Parties to the said Fine); and every Person then being within Age of Twenty-one Years, in Prison, or out of this Realm, or not of whole Mind at the Time of the said Fine levied, not Parties to such Fine; and saving to every Person or Persons, and to their Heirs, other than the Parties in the said Fine, such Right, Title, Claim, and Interest, as they have to or in the said Lands, Tenements, or other Hereditaments, the Time of such Fine ingrossed; so that they pursue their Title, Claim, or Interest by Way of Action, or lawful Entry, within Five Years next after the said Proclamations had and made: And also saving to all other Persons such Action, Right, Title, Claim, and Interest in or to the said Lands, Tenements, or other Hereditaments, as first shall grow, remain, or descend, or come to them after the said Fine ingrossed and Proclamation made, by Force of any Gift in the Tail, or by any other Cause or Matter had and made before the said Fine levied; so that they take their Action, or pursue their said Right and Title, according to the Law, within Five Years next after such Action, Right, Title, Claim, or Interest to them accrued, descended, remained, fallen, or come: And that the said Persons, and their Heirs, may have their said Action against the Pernor of the Profits of the said Lands and Tenements, and other Hereditaments, at the Time of the said Action to be taken. And if the same Persons, at the Time of such Action, Right, and Title accrued, descended, remained, or come unto them, be Covert de Baron, or within Age, in Prison, or out of this Land, or not of whole Mind, then it is ordained by the said Authority, That their Action, Right, and Title, be reserved and saved to them and their Heirs, unto the Time they come and be at their full Age of Twenty-one Years, out of Prison, within this Land, uncovert, and of whole Mind, so that they, or their Heirs, take

27 Ed. 1. R. v. cr.
Fines shall be
proclaimed in the
Common Pleas
Four Days in
Four succeeding
Terms.
[once in every
such Term,
31 Eliz. c. 1.
and see
1 Mary, st. 2.
c. 7.]

The Rights of
all Persons shall
be barred by
such Fines;
except the
immediate or
reversionary
Rights of
Strangers,
Femes Covert,
Infants, &c. who
shall sue within
Five Years
after the Fine
levied, or after
their Incapacity
removed, and
may have their
Action against
the Receivers of
the Profits.

¹ to the final End³ all² the contrary⁴ been (are)

their said Actions, or their lawful Entry, according to their Right and Title, within Five Years next after that they come and be at their full Age, out of Prison, within this Land, uncovert, and of whole Mind, and the same Actions pursue, or other lawful Entry take, according to the Law.

Incapacitated Persons, not Parties to the Fine, shall sue within Five Years after Incapacity removed, or be barred.

II. And also it is ordained by the Authority aforesaid, That all such Persons as be Covert de Baron, not Party to the Fine, and every Person being within Age of Twenty-one Years, in Prison, or out of this Land, or not of whole Mind, at the Time of the said Fines levied and ingrossed, and by this said Act afore except, having any Right or Title, or Cause of Action, to any of the said Lands and other Hereditaments, that they, or their Heirs, inheritable to the same, take their said Actions or lawful Entry according to their Right and Title, within Five Years next after they come and be of full Age of Twenty-one Years, out of Prison, uncovert, within this Land, and of whole Mind, and the same Actions sue, or their lawful Entry take and pursue, according to the Law. And if they do not take their Actions and Entry as is aforesaid, that they and every of them, and their Heirs and the Heirs of every them, be concluded by the said Fines for ever, in like Form as they [be^s] that [be^s] Parties or Privies to the said Fines: Saving to every Person or Persons, not Party nor Privy to the said Fine, their Exception to avoid the same Fine, by that, that those which were Parties to the Fine, nor any of them, nor ne Person or Persons to their Use, ne to the Use of any of them, had nothing in the Lands and Tenements comprised in the said Fine at the Time of the said Fine levied.

^s ben

Saving of Exceptions for Want of Title in Parties to the Fine.

Fines may be levied at Common Law, or under this Act.

III. And it is ordained by the said Authority, That every Fine that hereafter shall be levied in any of the King's Courts, of any Manors, Lands, Tenements, and other Possessions, after the Manner, Use, and Form that Fines have been levied afore the making of this Act, be of like Force, Effect, and Authority, as Fines so levied be or were afore the making of this Act; this Act, or any other Act in this present Parliament made or to be made notwithstanding. And every Person shall be at Liberty to levy any Fine hereafter [at⁶] his Pleasure, whether he will after the Form contained and ordained in and by this Act, or after the Manner and Form aforetime used.

⁶ after

Anno septimo HENRICI VII.

In the Parliament held at Westminster on Monday the 17th October, A.D. 1491. Printed
Rot. Parl. vi.
p. 444

This Parliament was prorogued (on account of the Plague) to the 26th Day of January, A.D. 1491-2. It was dissolved on the 25th of March 1492.

The PUBLIC ACTS of this Year, as printed in the Statute Books, are not given at length in printed Rot. Parl. vi. p. 440, &c. but it appears they answer to the following Numbers in the Roll.

Chap. of Statute.		Number in Roll.	
1	—	17	} Here reprinted from Cay, compared with Pynson, 1497, &c. Titles from printed Rot. Parl.
2	}	18	
3		19	
4	—	20	
5	—	21	
6	—	22	
7	—	24	
8	—		

Other AEs of this Year are noticed in the Tables prefixed to Hawkins's and subsequent Editions as PRIVATE ACTS, and distinguished into Chapters, which answer to the Number of printed Roll, as under.

Cap. in
Table. No. in
Roll.

- 1, — 1, *Pro Thoma Crofte.*—Revocation of a Grant of the Office of Ranger of the Forest of Wichwood, in Oxfordshire, to Thomas Crofte, who had committed a Murder and fled.
- 2, — 2, *Orford.*—The AEs 4 H. 7. chap. 21. recited and made perpetual.
- 3, — 3, *An AEs that noe Person outlawed within the Countie of Lancastre should forfeit any of his Lands or Goods in any other Shire but in the same Shire.*—Recital of Stat. 20 H. 6. c. 2. that it was made perpetual by 31 H. 6. c. 6. but afterwards repealed by 33 H. 6. c. 2. The AEs of the 20th and 31st H. 6. are confirmed notwithstanding the repeal by 33 H. 6. [But this AEs repealed post, nu. 23.]
- 4, — 4, *Conc' xv.*—Grant of Two Fifteenths and Tenths.

In the Second Session.

Cap. in
Table. No. in
Roll.

- 5, — 5, *De Feoffamento Regis.*—For confirming a Feoffment by the King in Trust for the Performance of his last Will.
- 6, — 6, *Pro Regina.*—For confirming several Grants to the Queen.
- 7, — 7, *An Acte to make the Sum of Five Marks payable by the Abbot and Convent of Barking to be parcell of the Manor of Havering.*
- 8, — 8, *Pro Comitiss' Richemond & Derb'.*—Confirmation of certain Estates to the Countess of Richmond, notwithstanding any Claim of Alice Countess of Salisbury under the Acts 1 E. 4. nu. 32, 33, 34.
- 9, — 9, *Pro Comite Surr'.*—For the full Restitution of Thomas Earl of Surry, notwithstanding the Act of Attainder 1 H. 7. nu. 3.
- 10, — 10, *Pro Vic' Welles & Uxore ejus.*—For settling certain Estates on their Marriage.
- 11, — 11, *Pro D'no La Warre.*—For reversing a Fine made by Durefs to King Richard III.
- 12, — 12, *Pro Priore Eccl'ie Xp'i Cantuar'.*—For confirming a Feoffment to the Prior of Christ Church, Canterbury, notwithstanding the Act of Resumption, 12—15 E. 4. (III. nu. 6, &c.)
- 13, — 13, *Pro Thoma Lovel Milite.*—For granting the Wardship of Edmund Son and Heir of Thomas Lord Roos.
- 14, — 14, *Pro Hugone Johnson & Johanna Uxore ejus.*—For reversing the Attainder of William Brumpton by Act 1 H. 7.
- 15, — 15, *Conviccio Joh'is Hayes.*—Conviction and Attainder of John Hayes of Misprision of Treason in receiving and concealing a Letter, promising Assistance from France against King Henry VII.
- 16, — 16, *Attincta Rob'ti Chamberleyn Mil'.*—For Conviction and Attainder of Treason of Sir Robert Chamberlain and Richard White.
- 23, (Not noticed in Hawkins's Table of Private Acts.) *Repeal of the Act nu. 3. preceding, made in the first Session of this Parliament, respecting the County Palatine of Lancaster.*

[No regular Form of Introduction to the Publick Acts of this Year (stating the holding of the Parliament, &c. in the Form usually prefixed to preceding Years,) appears in any printed Edition of the Statutes. Pynson distinguishes the Year thus, "Anno

vii *Henrici septimi.*—*Berthelet, and all Editions to Hawkins inclusive, thus "The Fourth Parliament holden at Westminster the vii. Year of the Reign of King Henry the vii."*—*Cay, &c. add, after Westminster, "on Monday the 17th Day of October."*
—*See Note sub An. 39 H. 6.*

C A P. I.

An Act against Captains for not paying the Soldiers their Wages, and against Soldiers going from their Captains, without Licence.

"IF any Captain retained to serve the King on the Sea, or beyond the Sea in Feat of War hath not his whole and perfect Number of Men and Soldiers, according as he shall be retained with the King, or give not them their full Wages within Six Days after he shall receive the same, without Deduction, (except for Jackets for them that receive Land Wages, that is to say, Six Shillings Eight-pence for a Yeoman, and Thirteen Shillings Four-pence for a Gentleman, for a whole Year), he shall forfeit to the King all his Goods and Chattels, and be imprisoned. If any Soldier, which shall be in Wages and retained, or take any Prest, to serve the King upon the Sea, or upon the Land beyond the Sea, depart out of the King's Service without Licence of his Captain, such departing shall be Felony without Clergy: enquirable and determinable by Justices of Peace in the Shire where such Soldier is apprehended. No Captain shall be charged for Soldiers dying, if he give Notice to the Treasurer of the Wars, or Admiral of the Navy, according as he is at Land Wages, or Sea Wages."

C A P. II. III.

An Act for divers Privileges to be granted to Persons being in the King's Wars.

"EVERY Person that shall be in the King's Wages beyond the Sea, or on the Sea, shall have a Protection, and no Descient shall prejudice him; and by his Writing he may make his Attorney to enter into Lands descended unto him to attorn, &c. They that do go with the King in his War, may make Feoffments of their Lands to the Use of their Wills without Licence, and they shall have their own Liveries, and Authority to dispose the Wardship of their Heirs."

[These are contained in One Chapter in Pynson and Raft. 1618: but are distinguished as Two in some subsequent Editions.]

C A P. IV.

An Act for Weights and Measures.

[III.
Pynson, &c.]

"WEIGHTS and Measures shall be made of Brass, and sent to the chief Officers of every City, Borough, &c."

[See more fully Stats. 11 H. 7. c. 4. 12 H. 7. c. 5.]

C A P. V. [IV.]

An Act that the Challenge called "*Riens deyns le gard*" be no Challenge.

Riens deyns le gard (i. e. that the Juror has not Property in the Ward where the Trial is) shall be no Challenge in London.

[PRAYEN the Commons¹] in this present Parliament assembled, That where of long Time used in any Issue to be tried within the City of London, a Challenge, commonly called *Riens deyns le gard*, hath been admitted for a good Challenge, so that no Issue could be tried in any Ward, without that there were Four sufficient Persons of Livelihood to the yearly Value of Forty Shillings above all Charges within the same City, and dwelling or having any Livelihood within the same Ward; and it is so : ow (the Cause God knoweth why) that there is no Ward, or else but few, and in special in Plea of Land, that any Plaintiff or Demandant can have sufficient Trial in [this²] Matter, as evidently is known, for Cause of the Challenge aforesaid; for in the most Part of Wards, as now, there be none sufficient, and if any be, there are no Officers that dare summon them, or else if they be summoned, they will not appear, their [Honour³] is so great, and their Amerciament so little: That it please your⁽⁵⁾ abundant Grace, by the Advice of the Lords Spiritual and Temporal, and by the Authority of this present Parliament, to ordain, and for the common Weal of your true Subjects, establish, and enact, That from henceforth the Challenge commonly called *Riens deyns le gard*, be no Challenge, but utterly void, and of none Effect; saving to every Person all Manner of other Challenges, whatsoever they be, according to the Law.

¹ The Act immediately preceding this begins in the same Manner, and affords the first Instance where the *Petition* is inserted in the *earliest* Publications of the Statutes, without being put into the complete Form of an Act. [See 1 Ric. 3. c. 6, 8, and 13, and 3 H. 7. c. 9. and Notes there.]

² his

³ Honour (i. e. Property)

⁵ most

C A P. VI. [V.]

An Act that Abbots and Priors shall pay such *Quinzeime* and *Disfne* as they ought to pay by the Act in the Time of King Edward the Fourth.

“LETTERS Patents made to several Spiritual Persons to be discharged of *Disfnes* and *Quinzimes*, shall extend no further than they did by Grants in the Time of King Edward IV.”

C A P. VII. [VI.]

An Act touching the Banishment of Scots out of England by a certain Day, upon Loss and Seizure of their Goods.

“ALL Scots, not made Denizens, shall depart this Realm within Forty Days after Proclamation, upon Pain of Forfeiture of all their Goods.”

[Repealed 4 Jac. 1. c. 1. § 5.]

C A P. VIII. [VII.]

An Act to pay Custom for every Butt of Malmsey.

“ **E**VERY Butt of Malmsey shall contain One hundred and
 “ twenty-six Gallons, and every Merchant Stranger shall
 “ pay for Custom Eighteen Shillings a Butt, besides the old Custom,
 “ and no Butt shall be sold for above Four Pounds — To
 “ continue until the *Venetians* abate their new Impositions of
 “ Four Ducats at *Candy*.”

Anno undecimo HENRICI VII.

*In the Parliament held at Westminster on Wednesday,
 14th October, A.D. 1495.*

The PUBLICK ACTS of this Year, as printed in the Statute Book, are not given at Length in printed Rot. Parl. vi. p. 458, &c.; but it appears they answer to the following Numbers in the Roll.

Cap. in Stat. Numb. in Roll.

1	—	—	41
2	—	—	42
3	—	—	43
4	—	—	44
5	—	—	45
6	—	—	46
7	—	—	47
8	—	—	48
9	—	—	49
10	—	—	50
11	—	—	51
12	—	—	52
13	—	—	53
14	—	—	54
15	—	—	55
16	—	—	56
17	—	—	57
18	—	—	58
19	—	—	59
20	—	—	60
21	—	—	61
22	—	—	62
23	—	—	63
24	—	—	64
25	—	—	65
26	—	—	66
27	—	—	67

*Here reprinted from Cav.
 compared with Pynson,
 1497, &c. — The Titles
 from printed Rot. Parl.*

Other Aëts of this Year are noticed in the Tables prefixed to Hawkins's and subsequent Editions as PRIVATE ACTS, and distinguished into Chapters, which answer to the Numbers of printed Roll as under.

Cap. in
Tab. No. in
Roll.

- 1, — 1, *Pro Rege.*—The Castles, Manors, Lands, &c. late of K. Rich. III. vested in K. Hen. VII. from the Death of Richard; although no Office be found thereof.
- 2, — 2, *Pro Rege;* an Aëte of Resumption.—All Grants made by Edward III. or Richard II. to Edmund Langley Duke of York, resumed and vested in K. Henry VII. as in Right of his Crown.
- 3, — 3, *Pro Will'o Horne.*—In Consideration of the King's remitting the Attainder of Gervas Horne, all his Estates and the Wardship of his Son William Horne are given to the King till the said William Horne is 24 Years of Age.
- 4, — 4, *Pro Rege.*—An Aëte that all Grants made of the Manor of Woodstock be voyd.
- 5, — 5, *An Aëte for the Queen's Joynture.*
- 6, — 6, *Pro Principe Wall'.*—An Aëte for making voyde of divers Leases and Offices within the Principality of Wales; [and also in the Duchy of Cornwall and Earldom of Chester.]
- 7, — 7, *An Aëte for assuring of certayne Lands to the Prynce of Wales.*—The Aët 22 E. 4. nu. 12. respecting the Prince of Wales repealed.
- 8, — 8, *Pro Duce Ebor'.*—For assuring certain Lands to Henry Duke of York, the King's second Son.
- 9, — 9, *Pro Principe Wall'.*—A Provisoe and Aët exempting certain Lands charged with an Annuity to the Prince, from the Operation of the preceding Aët (Cap. 8. nu. 8.)
- 10, — 10, *Pro Ducissa Bed'.*—For repealing a Clause in the Aët 1 H. 7. (nu. 11.)
- 11, — 11, *Feoffament' fact' per Marchionem Ders'.*—For confirming a Recovery made to certain Uses specified.
- 12, — 12, *Pro Comite Oxon'.*—Confirming the Aët 1 H. 7. nu. 8. on Evidence of the Durefs there stated.
- 13, — 13, *Pro Comite Suff'.*—For confirming an Indenture, whereby certain Estates were granted by the King to Edmund de la Pole, Son and Heir of John late Duke of Suffolk, notwithstanding the Attainder of John Earl of Lincoln, eldest Son and Heir Apparent of the said Duke; and whereby the

Cap. in
Table.

No. in
Roll.

the said Edmund agreed to surrender to the King his Estate of Duke, and to be accepted and taken as Earl of Suffolk only.

- 14, { 14, *Pro Comite Surr'*.—For repealing an Act 1 H. 7. nu. 25.
15, *Pro Comite Surr'*.—For securing an Annuity of 120l. to the Earl on the Marriage of his Son to the Queen's Sister.
- 15, — 16, *De Feoffamento facto p' Comitem Surr'*. } For confirming certain Feoffments in Trust without Livery of Seisin.
16, — 17, *De Feoffamento f' c'o p' Comitem Devon'*. }
- 17, — 18, *Pro Comite Kyldare*.—For Reversal of an Attainder of Treason in the Parliament of Ireland, 10 H. 7.
- 18, — 19, *De Prioratu de Kilmaynan*.—That some of the Possessions of the Priory of Kilmaynan shall be forfeited for the Treason of James Kethyng the late Prior.
- 19, — 20, *De Custodia Vic' Beaumont*.—For explaining and confirming the Act 3 H. 7. nu. 6.
- 20, — 21, *Pro D'no Dudley*.—For confirming Grants to him.
- 21, — 22, *Pro D'no Souche et Seymour*. } For reversing the Attainder of Lord Zouch and Seymour by Act 1 H. 7.; with a Proviso for the Estate of Lord Daubeney and others in certain Lands.
22, — 23, *D'nus Daubeney*. }
- 23, — 24, *Pro Ric'o Guldeford Milite*.—For disgavelling his Estates in Kent.
- 24, — 25, *Pro Will'o Berkeley Mil'*.—For reversing Attainder for Treason by an Act 1 H. 7.
- 25, — 26, *Pro Joh'e Shaa*.—For confirming his Title to Premises, notwithstanding the Loss of certain Deeds.
- 26, — 27, *Pro Decano Sci' Pauli*.—For enabling William Worsley, Dean of St. Paul's, to sue real Actions, &c. notwithstanding any Attainder of Treason.
- 27, — 28, *Pro Thom' Middleton*. } For reversing Attainders
28, — 29, *Pro Georgio Catysby*. } for Treason by Act 1 H. 7.
- 29, — 30, *Pro Simone Dygby Armigero*.—For confirming certain Grants to him out of the forfeited Estates of Lord Lovell.
- 30, — 31, *Pro Ric'o Ratclyff*.—For reversing Attainder of Treason by Act 1 H. 7.
- 31, — 32, *Pro Clemente Skelton*.—The like, by Act 3 H. 7.

Cap.

- | Cap. in
Table. | No in
Roll. | |
|-------------------|----------------|--|
| 32 ^a — | 33, | <i>Pro Hered' Will'i Waynsford.</i> —The like, by <i>Æt</i> 1 E. 4. |
| 33, — | 34, | <i>Pro Job'e Slyngesby.</i> —For reversing certain Outlawries, &c. |
| 34, — | 35, | <i>Pro Hugone Mayne.</i> —For enabling him to sue for certain Estates, notwithstanding his Attainder by <i>Act</i> 4 H. 7. |
| 35, — | 36, | <i>Pro Berwik et Carlisl.</i> —For providing for the Expences of the Custody of Berwick and Carlisle. |
| 36, — | 37, | <i>Assignacio expens' Hospitii Regis.</i> —For providing for the Expences of the King's Household. |
| 37, — | 38, | <i>Actus Convicc'o'is Francis' nup' Vic' Lovell.</i> —For attainting Lord Lovell of Treason committed 2 H. 7. ; reciting that his Name was omitted by Mistake in the <i>Act</i> 3 H. 7. nu. 15. |
| 38, — | 39, | <i>Actus Convicc'o'is certar' p'sonarum.</i> —For Conviction and Attainder of Treason of several Persons, Adherents of Piers Warbek. |
| 39, — | 40, | <i>An Æt concerning the Peace between the King of England and the King of France.</i> —The Peace of Estaples made 14th November 1492, confirmed by the King in Parliament, according to one of the Stipulations thereof. |

[In the Editions by Pynson and Myddylton, the Public Acts of this Year are introduced by the following Sentences.]

“*Statuta bonum publicum concernencia edita in Parlamento tento apud Westm' xiiii. die Octobris. Anno regni illustrissimi domini nostri regis Henrici septimi.*” [not mentioning the Year of the Reign.]

“*The Statutes concerning the common Wele made in the Parliament, holden at Westm' the xiiii Day of October. In the Reign of our Sovereign Lord the King Henry the Seventh, Eleventh Year.*”

Pynson adds, “*The Table of every Act or Chapter following.*” This Table is a short Abridgment of the Subject of each Act.

THE King our Sovereign Lord Henry the Seventh. after the Conquest, by the Grace of God King of England, and of France, and Lord of Ireland, at his Parliament holden at Westminster the Fourteenth Day of October, in the Eleventh Year of his Reign, to the Honour of God and Holy Church, and for the common Profit of the Realm, by the Assent of the Lords Spiritual and Temporal, and the Commons, in the said Parliament assembled, and by Authority of the said Parliament, hath done to be made certain Statutes and Ordinances in Manner and Form following.

C A P. I.

An Act that no Person going with the King to the Wars shall be attaint of Treason.

THE King our Sovereign Lord, calling to his Remembrance the Duty of Allegiance of his Subjects of this his Realm, and that they by reason of the same are bound to serve their Prince and Sovereign Lord for the Time being, in his Wars, for the Defence of him, and the Land, against every Rebellion, Power, and Might reared against him, and with him to enter and abide in Service in Battle, if ⁽¹⁾ case so require; and that for the same Service what Fortune ever fall by Chance in the same Battle against the Mind and Will of the Prince, as in this Land some Time passed hath been seen, that it is not reasonable, but against all Laws, Reason, and good Conscience, that the said Subjects going with their Sovereign Lord in Wars, attending upon him in his Person, or being in other Places by his Commandment, within this Land, or without, any Thing should lose or forfeit for doing their true Duty and Service of Allegiance: It be therefore ordained, enacted, and established by the King our Sovereign Lord, by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That from henceforth no Manner of Person or Persons, whatsoever he or they be, that attend upon the King and Sovereign Lord of this Land, for the Time being, in his Person, and do him true and faithful Service of Allegiance in the same, or be in other Places by his Commandment in his Wars, within this Land or without, that for the [said²] Deed and true [Duty³] of Allegiance he or they be in no wise convict or attaint of high Treason, ne of other Offences for that Cause, by Act of Parliament, or otherwise by any Process of Law, whereby he or any of them shall [lose or⁴] forfeit Life, Lands, Tenements, Rents, Possessions, Hereditaments, Goods, Chattels, or any other Things; but to be for that Deed and Service utterly discharged of any Vexation, Trouble, or Loss. And if any Act or Acts, or other Process of the Law hereafter thereupon for the same happen to be made, contrary to this Ordinance, that then that Act or Acts, or other Processes of the Law, whatsoever they shall be, stand, and be utterly void. Provided alway. That no Person or Persons shall take any Benefit or Advantage by this Act, which shall hereafter decline from his or their said Allegiance.

Persons serving the King for the Time being shall not be attainted of Treason.

¹ the

² same

³ Service

⁴ move (*i. e.* or may)

C A P. II.

An Act against Vagabonds and Beggars.

FOR moderating the Provisions of the Stat. 7 R. 2. c. 5. it is enacted, That Vagabonds, idle, and suspected Persons, shall be set in the Stocks Three Days and Three Nights, and have none other Sustenance but Bread and Water, and then shall be put out of the Town: And whosoever shall give such idle Persons more, shall forfeit Twelve Pence. Every Beggar not able to work, shall resort to the Hundred where he last dwelled, is best known, or was born, and there remain, upon the Pain aforesaid. No Artificer, Labourer, or Servant, shall play at any unlawful

Game,

“ Game, but in *Christmas*. Two Justices of Peace may reject
 “ common Ale-selling in any Places, and take Security from Sellers
 “ of Ale for their good Behaviour.”

[*This Act is altogether repealed by Stat. 21 Jac. I. c. 28. § 11, (16.)—It was repealed as to Vagabonds by the Operation of Stat. 39 Eliz. c. 4.; and as to unlawful Games by 33 H. 8. c. 9. and amended as to selling of Ale, by 5, 6 E. 6. c. 25.; 1 Jac. I. c. 9.]*

C A P. III.

An Act against unlawful Assemblies, and other Offences
 contrary to former Statutes.

“ **T**HE Justices of Assize in their Sessions, and the Justices of
 “ Peace in every County, upon Information for the King,
 “ shall have Authority to hear and determine all Offences and
 “ Contempts (saving Treason, Murder, or Felony) committed by
 “ any Person against the Effect of any Statute made, and not re-
 “ pealed; and award Provision against absent Offenders as they
 “ might against Persons indicted before them.”

[*Repealed 1 H. 8. c. 6.]*

C A P. IV.

An Act for Weights and Measures.

PRAYEN the Commons in this present Parliament assembled,
 That where divers Acts, Statutes, and Ordinances, in the Times
 of the noble Progenitors and Predecessors of our now Sovereign
 Lord the King have been made, That one Measure and (¹) Weight
 should be used throughout this noble Realm; and also, That in
 every City, Borough, and Town within the same Realm, upon
 certain and several Pains in the said Statutes and Ordinances li-
 mited, should be a common Balance, with common Weights, and
 common Measures, marked according to the Estandard of the
 Exchequer; by the which, and other like [² Balance, ³] Weights,
 and Measures marked according to the said Estandard all Men
 should buy and sell, [⁴ for the ⁵] avoiding of all Fraud and Dildord
 in that Behalf to be used; which Acts, Statutes, and Ordinances
 have not been observed and kept, as now in this present Parliament
 it hath been openly by divers Persons of divers Parties of this Realm
 remembered, to the great Hurt and Vexation of divers and many
 of the King's Subjects of this his Realm: For Remedy whereof be
 it of [the abundant Grace of our most gracious Sovereign Lord⁶.]
 by the Assent of the Lords Spiritual and Temporal, and by the
 Commons, in this present Parliament, and by Authority of the
 same, enacted and established, That unto the Knights and Citizens
 of every Shire and City, assembled in this present Parliament, Ba-
 rons of the [⁷ Cinque] Ports, and certain Burgeßes of Burgh Towns,
 [before⁸] they depart from this present Parliament, be delivered
 one of every Weight and Measure, which now our Sovereign Lord
 hath caused to be made of Brasse, for the common Weal of all his

A Weight and
 Measure accord-
 ing to the
 Standard of the
 Exchequer shall
 be sent into
 every City,

¹ one

² Balances

³ in

⁴ your abundant Grace and Charge

⁵ Five

⁶ or, P. ere, B.

Subjects and Lieges within this his Realm of *England*, according to the King our Sovereign Lord's Standard of his Exchequer of Weights and Measures, as they [be⁷] in the Exchequer of our said Sovereign Lord; and that the said Knights, Citizens, and Burgeses, to whom the said Weights and Measures shall be delivered, as is aforesaid, surely convey, or cause the same to be conveyed on this [Side⁸] the Feast of *Easter* next coming, by the said Citizens to their Cities, and by the said Knights unto such Borough, or Town Corporate, or Market Town within the Shire for which they [be⁷] elected, as is specified and contained in a Schedule unto this present Bill annexed, there to remain for ever in the Keeping of the Mayor, Bailiff, or other head Officer for the Time being, of the same City, Borough, or Town, as the King's Standard of Weight and Measure.

[II.] And that the Inhabitants of all Cities, Boroughs, and Market Towns within every of the said Shires, shall on this [Side⁹] the Feast of the Nativity of Saint *John Baptist* next coming, make or cause to be made, common Measures and Weights, according to the Weights and Measures aforesaid, to remain within the said Cities, Boroughs, and Market Towns, and every of them; and the same Weights and Measures to be viewed, examined, printed, signed, and marked by the Mayor, Bailiff, or other head Officer, in whose Possession the aforesaid Standard shall remain; and that every of the aforesaid Mayor, Bailiff, or head Officer, having the said Weights and Measures signed and printed under the Sign [and¹⁰] Print for the same, with a Letter *H* crowned, [have Authority and Power to make, sign,¹¹] and print like Weights and Measures unto every of the King's Lieges and Subjects, duly requiring the same, taking for marking of every Bushel One Penny. And that from the said Feast of the Nativity of Saint *John Baptist*, no Merchant, ne other Person or Persons, within any City or Market Town, buy ne sell with any Weight or Measure, except it be marked, signed, or printed in Manner and Form aforesaid, ne any other Person or Persons out of the said Cities, Boroughs, and Market Towns, except it be like and equal with the said Standard; and that every Person, as well without Cities, Boroughs, and Market Towns, as within, buy and sell with a Bushel sealed, signed, or marked after the Form aforesaid, and no otherwise.

[III.] And that all the Mayors, Bailiffs, and other head Officers of every City, Borough, or Market Town, shall cause Twice in the Year, or oftener, as they shall think necessary, all Weights and Measures within the said Cities, Boroughs, and Market Towns, to be brought afore them, and to be duly viewed and examined; and such as they shall upon the said Examination find defective, immediately to be broken and burnt, and the Party or Parties which in that Behalf hath offended, and been found defective, shall forfeit for the First Time Six Shillings and Eight-pence; the Forfeiture thereof to be unto the said Mayor, Bailiff, or any other having Jurisdiction and Correction in that Behalf; and at the Second Time the said Offender likewise to forfeit Thirteen Shillings and Four-pence; and at the Third Time likewise to forfeit Twenty Shillings; and for further Punishment to be set upon the Pillory,

Borough, &c.
by the Members
of Parliament
for each.

[That these
Weights and
Measures were
defective, see
12 H. 7. c. 5.]

Every City and
Borough shall
make common
Weights
according to
those received,
and shall mark
them.

None shall buy
or sell but with
Weights and
Measures so
marked.

All Weights,
&c. shall be
examined twice
a Year in Cities,
&c.

The Penalty of
Offenders,
6s. 8d.; 13s. 4d.

3d Offence,
Pillory.

Justices of the
Peace may
determine
Offences.

to the Ensample of other: And that Two Justices of Peace, whereof One shall be of the *Quorum*, have Authority, as well by Examination as by Inquiry, to hear and determine the Defaults of the said Mayors, Bailiffs, or other head Officers in that Behalf, and also of all Buyers and Sellers doing contrary to this present Act and Ordinance, and to set Fine and Amerciament upon the Offenders by their Discretion; and the said Weights and Measures, so found defective, to be forfeited and burnt.

Measures of
Corn, and
Weights of
Wooll. [See also
12 H. 7 c. 5.]
Process by
Justices of Peace.

[IV.] Be it also enacted, That there be but only Eight Bushels rased and stricken to the Quarter of Corn, and Fourteen Pounds to the Stone of Wooll, and Twenty-six Stone to the Sack.

[V.] Be it also ordained by Authority aforesaid, That the Justices of Peace abovesaid have Authority to make like Process against all Persons found 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 King's Peace.

[See Stat.
8 H. 6. c. 5.
11 H. 6. c. 8.]

[VI.] And where by other Statutes and Ordinances afore limited, it is ordained, That every City, Borough, and Town that hath a Constable, should have common Weights and Measures sealed, upon Penalties in the same limited; that those Penalties in that Behalf extend not to any Town which is no City, Burgh, or Market Town.

Proviso for
Water Measure.

[VII.] Provided alway, That this Act shall not extend, nor be prejudicial to any Person selling or buying by Water-measure within the Ship-board; and that it be by the Authority abovesaid enacted, the Premises or any other Ordinance afore made notwithstanding, that the said Water-measure within the Ship-board shall only contain Five Pecks, after the said Standard rased and stricken.

Offences in the
Cinque Ports.

[VIII.] Provided also, That the Examination of Defaults abovesaid, and Punishment to the Offenders of every Offence committed hereafter within any of the said Five Ports, shall be had, done, and administered by the Lord Warden of the said Five Ports, or by his Lieutenant of the same for the Time being, and none other, the Premises notwithstanding.

Weights for
Coinage of Tin
in Cornwall and
Devon.

[IX.] Provided also, That this Act of Weights and Measures extend not, nor be in no wise hurtful or prejudicial to the Prince, within the Dutchy of *Cornwall*, for any Weights appertaining and belonging to the [Coinage¹²] of Tin within the Counties of *Cornwall* and *Devonshire*, but that all such Weights be used, ordered, demeaned, and corrected, as it hath been used and accustomed before this Time, the same Act and Ordinance notwithstanding.

¹² Cunage

The Names of Towns limited for the safe Custody of Weights and Measures, according to the King's Standard for the Shires following, as particularly appeareth.

<i>Westmerl.</i>	The Town of <i>Appleby</i> .
<i>Northumb.</i>	The Town of <i>Newcastle</i> .
<i>Cumbr.</i>	The City of <i>Carlisle</i> .
<i>Lanc.</i>	The Town of <i>Lancaster</i> .
<i>Ebor.</i>	The City of <i>York</i> .
<i>Lincoln</i>	The City of <i>Lincoln</i> .
<i>Derb.</i>	The Town of <i>Derby</i> ,

Nottingh.

<i>Nottingb.</i>	The Town of <i>Nottingham</i> .
<i>Leic.</i>	The Town of <i>Leicester</i> .
<i>Warw.</i>	The [City ¹³] of <i>Coventry</i> .
<i>Rotyl.</i>	The Town of <i>Uppingham</i> .
<i>North.</i>	The Town of <i>Northampton</i> .
<i>Bedf.</i>	The Town of <i>Bedford</i> .
<i>Buck.</i>	The Town of <i>Buckingham</i> .
<i>Cantebr.</i>	The Town of <i>Cambridge</i> .
<i>Hunt.</i>	The Town of <i>Huntingdon</i> .
<i>Norf.</i>	The City of <i>Norwich</i> .
<i>Suff.</i>	The Town of <i>St. Edmonds Bury</i> .
<i>Essex</i>	The Town of <i>Chelmsford</i> .
<i>Hertsf.</i>	The Town of <i>Hertford</i> .
<i>Mid.</i>	In <i>Westminster</i> .
<i>Kent</i>	The Town of <i>Maidstone</i> .
<i>Surr.</i>	The Town of <i>Guilford</i> .
<i>Suffex</i>	The Town of <i>Lewes</i> .
<i>Oxon</i>	The Town of <i>Oxford</i> .
<i>Berk.</i>	The Town of <i>Reading</i> .
<i>Salop.</i>	The Town of <i>Shrewsbury</i> .
<i>Staff.</i>	The Town of <i>Stafford</i> .
<i>Heresford</i>	The City of <i>Heresford</i> .
<i>Glouc.</i>	The Town of <i>Gloucester</i> .
<i>Wigorn.</i>	The City of <i>Worcester</i> .
<i>Wilt.</i>	The City of <i>New Salisbury</i> .
<i>South.</i>	The City of <i>Winchester</i> .
<i>Somerf.</i>	The Town of <i>Ilchester</i> .
<i>Dorf.</i>	The Town of <i>Dorchester</i> .
<i>Devon</i>	The City of <i>Exeter</i> .
<i>Cornub.</i>	The Town of <i>Lustudiel</i> .
<i>London</i>	The same City.
<i>Bristol</i>	The same Town.
<i>Quinque Portus</i>	The Castle of <i>Dover</i> .
<i>Civitas Covent.</i>	The same City.
<i>Southampton</i>	The same Town.
<i>Civitas Cestr.</i>	The same Town.

13 Town

C A P. V.

An Act for the pulling down of Wears and Engines.

“EVERY Man may pull down the Wears and Engines in
 “the Haven of *Southampton*, between *Calshord* and *Red-*
 “*bridge*; and whosoever levieth any other there, shall pay One
 “Hundred Pounds to the King.”

[To continue for Twenty Years.—Made perpetual 14, 15 H. 8. c. 13.]

C A P. VI.

An Act for the Payment of Custom for Woollen Cloth transported.

“CUSTOM of all Woollen Cloths packed for Exportation
 “shall be paid at the Port of Exportation, wherever the
 “Cloths were packed; notwithstanding 12 E. 4. c. 3.”

CAP.

C A P. VII.

An Act against Riots and unlawful Assemblies.

“THE principal Leaders of any Riots, or unlawful Assemblies, shall be committed to Prison so long Time, and pay such Fine, and be bound to the Peace with Sureties in such a Sum of Money, as shall seem meet to the Justices of Peace before whom the Complaint is made, or the Indictment found. And if the Riot be with Forty Persons, or thought heinous, then the Justices of Peace shall certify the same, and send up the Record of Conviction to the King and Council, who may punish the Party.”

[To endure to the next Parliament.—See 12 H. 7. c. 2.]

C A P. VIII.

An Act against Usury.

“A REPEAL of the Statute of 3 H. 7. c. 5. touching Usury. He that lendeth his Money upon Usury, or maketh any Bargain of Lands or Goods grounded upon Usury, shall forfeit the one Half of the Money lent,” &c.

[Repealed 37 H. 8. c. 9. which see.]

C A P. IX.

An Act to make the Lordship of North Tyndall and South Tyndall to be within the County of Northumberland.

“NORTH and South Tyndall, and all the Lands within the same shall be gildable, and Parcel of the County of Northumberland, and no Franchise shall be there, but all the King’s Writs shall run and his Officers shall be obeyed there.—No Man shall demise any Lands for Years, Life, or at Will there unless the Lessee shall find Two Sureties, having at the least Forty Shillings of Freehold within the County of Northumberland, to be bound by Recognisance in Twenty Pounds to the King, to make Answer within Eight Days Warning, to all Murders, Treasons, Felonies, &c. and the Lessor shall forfeit Forty Shillings for every Acre or House otherwise let, and the Lease shall be void. Justices of Peace shall enquire of the Recognisances forfeited.”

C A P. X.

An Act for a Benevolence.

“AFTER reciting that divers Subjects had granted to the King divers Sums of Money ‘of their free Wills and Benevolence,’ Order is taken for compelling the Payment of all such Sums.”—[No Notice is taken of the Act 1 Ric. 3. c. 4. of which this Act seems a direct Violation.]

C A P. XI.

An Act againſt ſuch Shearers of Worſted as have not been Apprentices to that Trade.

“ NO Man ſhall be a Worſted-shearer in *Norwich*, unleſs he
 “ hath been Seven Years an Apprentice, or be allowed
 “ by the Mayor, and Maſters of the Company. The Worſted-
 “ ſhearers in *Norwich* ſhall make no Ordinance but ſuch as the
 “ Mayor and Aldermen ſhall think neceſſary. No Inhabitant in
 “ *Norwich*, being not a Shearman, ſhall keep a Shearman in his
 “ Houſe.—*This Part repealed, St. 19 H. 7. c. 17.* The Citizens
 “ of *Norwich* may take to Apprentice the Son or Daughter of
 “ any Perſon, notwithstanding the Statute of 7 H. 4. c. 17.” See
alſo 12 H. 7. c. 1.

C A P. XII.

An Act to admit ſuch Perſons as are poor to ſue in *Forma Pauperis*.

[See alſo
 23 H. 8. c. 15.
 § 2. : 2 Geo. 2.
 c. 28. § 8.]

PRAYEN the Commons in this preſent Parliament aſſembled,
 That where the King our Sovereign Lord, of his moſt gracious Diſpoſition, willeth and intendeth indifferent Juſtice to be had and miniſtered according to his Common Laws, to all his true Subjects, as well to [the'] Poor as Rich, which poor Subjects be not of Ability ne Power to ſue according to the Laws of [this'] Land for the Redreſs of Injuries and Wrongs to them daily done, as well concerning their Perſons and their Inheritance, as other Cauſes: For Remedy whereof, in the Behalf of the poor Perſons of this Land, not able to ſue for their Remedy after the Courſe of the Common Law; be it ordained and enacted by your Highneſs, and by the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, That every poor Perſon or Perſons which have, or hereafter ſhall have Cauſe of Action or Actions againſt any Perſon or Perſons within this Realm, ſhall have, by the Diſcretion of the Chancellor of this Realm for the Time being, Writ or Writs Original, and Writs of ⁽³⁾ *Subſana*, according to the Nature of their Cauſes, therefore nothing paying to your Highneſs for the Seals of the ſame, nor to any Perſon for the writing of the ſame Writ and Writs to be hereafter ſued; and that the ſaid Chancellor for the Time being ſhall aſſign ſuch of the Clerks which ſhall do and uſe the making and writing of the ſame Writs, to write the ſame ready to be ſealed; and alſo learned Counſel and Attornies for the ſame, without any Reward taking therefore: And after the ſaid Writ or Writs be returned, if it be afore the King in his Bench, the Juſtices there ſhall aſſign to the ſame poor Perſon or Perſons, Counſel learned, by their Diſcretions, which ſhall give their Counſels, nothing taking for the ſame: And likewiſe the Juſtices ſhall appoint Attorney and Attornies for the ſame poor Perſon or Perſons, and all other Officers requiſite and neceſſary to be had for the Speed of the ſaid Suits to be had and made, which ſhall do their Duties without any Reward for their Counſels, Help, and Buſineſs in the ſame: And the ſame Law and Order ſhall be

¹ P. omits.

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 3 D

³ the
 obſerved

observed and kept of all such Suits to be made afore the King's Justices of his Common Place, and Barons of his Exchequer, and all other Justices in the Courts of Record where any such Suit shall be.

C A P. XIII.

An Act against transporting of Horses and Mares beyond the Seas.

[See also
22 H. 8. c. 7.
1 E. 6. c. 5.
6c.]

No Horse shall
be carried out of
this Realm, nor
any Mare above
6s. 8d. Price
without the
King's Licence.

Mode of Seizure,
&c.

No Mare shall
be transported
except she be
Three Years old.

Custom of a
Mare transported
6s. 8d.

Any one may
buy such Mare
at 7s.

FORASMUCH as many Horses and Mares of the Breed of this Land now of late have been carried and conveyed out of the same into the Parts beyond the Sea, which causeth not only the smaller Number of good Horses to be within this Realm for the Defence thereof, but also the great and good Plenty of the same to be in the said Parts beyond the Sea, that in Times past were wont to be within this Land, and over that the Price of every of them to be greatly enhanced here, to the Loss and Noyance of all the King's Subjects within the same: For Remedy whereof be it ordained, enacted, and established by the King our Sovereign Lord, by the Advice of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That from henceforth no Manner of Person ne Persons carry or convey any Horse out of this Land without the King's special Licence, upon Pain of Forfeiture of the same, or any Mare above the Value of Six Shillings and Eight-pence without the King's special Licence, upon the said Pain of Forfeiture of the same Mare; the Owner thereof, or his Deputy, receiving for the same Mare Six Shillings and Eight-pence at the Time of the Seizure upon the said Forfeiture, or else it be not forfeit: And at the Time of Seizure of the said Mare or Mares, they shall be prised by the head Officers of the Town where any such Mare is taken, and there openly to be sold at the best Price, and the Half-deal of the over Price of her, being above Six Shillings and Eight-pence, to be to the King, and the other Half to him that seisseth; and the King's Part thereof to be delivered to the Customor of the said Port. And that no Manner Person ne Persons hereafter carry or convey any Mare or Mares out of this Land, except every of the said Mares so carried be of the Age of Three Years at the least, and not over the Price of Six Shillings and Eight-pence, paying to the King for every of them, being not above the Value of Six Shillings and Eight-pence, so to be carried or conveyed in the same Port, such Customs as hath been for Mares before used; and that for every Mare of more Value hereafter by the King's Licence after the Form aforesaid conveyed or carried beyond the Sea, the Owner thereof, or his Deputy, Assignee, or Servant, shall pay Six Shillings and Eight-pence for the Custom of the same before it be shipped, under the Pain of Forfeiture of every Mare so shipped ere they be customed.

II. And over that it be enacted, That if any Person at the Port will give for any of the Mares so to be carried Seven Shillings, that it be lawful to him so giving and paying the said Seven Shillings to take the said Mare, if she be not afore taken by the King's Officer, nor the King's Licence be not in that Behalf aforesaid, for the same Mare to be carried, obtained.

III. Provided

III. Provided alway, That it shall be lawful to every Person or Persons, being Denizens, hereafter to carry, a Horse beyond the Sea, the King's Licence in that Behalf not obtained, for their own Use, not intending at the Time of the shipping of the same, nor then fully purposed to sell him, and that Intent to be known by the Oath of him that shall [so¹] ship the same Horse, taken before the Customer or Searcher of the same Port, this Act notwithstanding.

Any Denizen may carry a Horse beyond the Sea for his own Use.

[See 1 E. 6. c. 5. § 6.]

¹ do

C A P. XIV.

An Act that all Strangers [and¹] Denizens shall pay Custom.

[See 1 H. 7. c. 2. and Note there.]

WHERE the King our Sovereign Lord is greatly deceived in his Customs and Subsidies by Merchants and Strangers, such as the King our Sovereign Lord hath granted by his Letters Patents to be Denizens, and to pay no other Customs ne Subsidies for their Merchandise inward and outward but as a Denizen, under Colour whereof they Custom not only their own Merchandise under the Form aforesaid, but also they colourably enter into the Customers Books the Merchandise of other Strangers, calling and saying the said Goods of other Merchants to be the Goods of them so made Denizens, to the great Loss and Defraud of the King our Sovereign Lord: Wherefore be it enacted by the King our Sovereign Lord, the Lords Spiritual and Temporal, and the Commons, of this present Parliament assembled, and by Authority of the same, That all Merchant Strangers, and other, that be made Denizens by the King's Letters Patents, or otherwise, pay from henceforth such Customs and Subsidies for their Goods and Merchandise inward and outward, as they should have paid, if such Letters Patents and Grants had never to them been made.

¹ made

C A P. XV.

An Act against Sheriffs and Under-sheriffs.

WHEREAS great Extortion is yearly used and had within divers Counties (¹) of this Realm of *England* by the Subtilty and untrue Demeanour of Sheriffs, Under-sheriffs, Shire-clerks, or any other Officers holding [and²] keeping the Counties in the Name of the Sheriff, that is to say, If any Man affirm a Plaint before the Sheriffs in the Counties, or before any other of the said Officers, the said Sheriff, Under-sheriff, or his Shire-clerk, will enter or cause to be entered in their Books, in the same Plaintiff's Name, divers and many Plaints both of Debt, Trempsals, and Covenant, at their Pleasure, and unknowing to the same Plaintiff in whose Name the said Plaints [been³] affirmed, to the Intent that if the Defendant appear not at every Shire-day or Court hanging the said Plaint, he shall lose for his Default made at every Plaint Four-pence; where divers Times by Covin between the said Sheriffs, Under-sheriff, Shire-clerks, and the other foresaid Officers, the said Defendants being never attached, summoned, nor warned according to the due Form of the Common Law,

Misdemeanours practised by Sheriffs, &c. by entering of Plaints in County Courts,

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² or

³ been

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wherefore

wherefore the same Parties, so put in Suit, have no Knowledge of any such Suit had against them; and over that, the same Sheriffs, Under-sheriffs, and Shire-clerks, will cause divers Plaints to be taken in the Names of such Persons that are not in [plain⁴] Life, where the said Defendant shall have like Loss as is before rehearsed; so that by the unlawful Demeanour of the said Sheriffs, Under-sheriffs, Shire-clerks for the Time being, and the Bailiffs of the Hundreds, [for⁵] their Default and Negligence in their Offices, and Covin between the said Sheriffs, Under-sheriffs, Shire clerks, and other of the foresaid Officers, causeth the Amerciaments [that be in the one⁶] Year after the Books be ingrossed, to amount to great and importable Sums of Money, which Sums of Money [been⁷] yearly levied of the poor Commons in the said Counties by the Sheriffs, Under-Sheriffs, and Shire-clerks, and other their Deputies being of no Substance, neither of Havour, which Deputies take and levy more by Extortion than is contained in their Estreats, to the expresse Pillage and impoverishing of the said Commons: Be it therefore enacted, ordained, and established by the King our Sovereign Lord, and by the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That no Sheriffs, Under-sheriffs, or Shire-clerks hereafter, neither any Person in their Names, nor by their Commandment, shall take and enter [any⁷] Plaints in their Books in no Man's Name, unless the Party Plaintiff be in his proper Person present in the Court, or else by a sufficient Attorney or Deputy that is known to be of good Name and Disposition; and that the same Party Plaintiff shall find Pledges to pursue his said Plaintiff, such Persons as are known these in the County; and that the Party Plaintiff shall have but one Plaintiff for one Trespass or Contract. And if the said Sheriffs, Under-sheriffs, Shire-clerks, take and enter, or cause to be entered, any more Plaints than the Plaintiff supposeth that he hath Cause of Action against the Defendant, that then the said Sheriffs, Under-sheriffs, Shire-clerks, that do enter, or cause to be entered, any such Plaints contrary to the said Provision and Ordinance, shall forfeit for every Default Forty Shillings, the one Half thereof to be had to the Use of our said Sovereign Lord the King, and the other Part to him or them that will sue and prove the same Matter by Action of Debt or Information in the Exchequer. And over that, the Justices of Peace in the same Counties, and every of them, shall have Authority, upon Complaint made by the Party so unlawfully grieved, to examine the said Sheriffs, Under-sheriffs, or Shire-clerks, and Plaintiffs; and if the said Justices of Peace, or one of them, find by their Examination, Default in the said Sheriffs, Under-sheriffs, or Shire-clerks, in entering of the said Plaints deceitfully, for his or their Advantage, as is before rehearsed, contrary to this present Act, that then the said Sheriffs, Under-sheriffs, and Shire-clerks, shall be convict and attaint of the same Offence, without further Inquiry or Examination, and that he shall forfeit upon the same Examination Forty Shillings to the Use of our Sovereign Lord the King for every Default. And the said Justices of Peace that so shall take the Examination, shall certify the same Examination

No Plaintiff shall be entered in the County Court, but where the Plaintiff or his Attorney is present; and only one Plaintiff for one Cause.

Penalty 40s.

A Justice of Peace may examine the Offence, and certify the Conviction into the Exchequer.

⁴ i. e. full

⁵ by

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⁷ no
within

within a Quarter of a Year into the King's Exchequer, upon Pain of Forty Shillings.

[II.] And furthermore, That the said Sheriffs, Under-sheriffs, and Shire-clerks, make, or cause to be made, a sufficient Precept to the Bailiffs of the said Hundreds, to attach, summon, or warn the Defendants that are so in Suit, to appear and answer to the said Plaints; and if there be any Default in the said Bailiffs of the Hundreds, in warning of the Defendants to appear and answer to the said Plaints commenced against them in their [Courts⁸,] or in executing their said Office, that then the said Bailiffs shall forfeit for every Default unto our Sovereign Lord the King Forty Shillings, and to be attaind and convict thereof by like Examination of the Justices of Peace, or any of them, as before is rehearsed.

Bailiffs of
Hundreds shall
summon
Defendants,
Penalty 40s.

[III.] And that the same Sheriffs, Under-sheriffs, Shire-clerks, and their Deputies for the Time being, shall make no Estreats to levy the said Sheriffs Amerciaments, until such Time that Two Justices of Peace, whereof One shall be of the *Quorum*, have had the View and Oversight of their Books; and that the Estreats be indented betwixt the said Justices of Peace, and the said Sheriffs and Under-sheriffs, and sealed with their Seals, the one Part to remain with the said Justices, and the other Part with the said Sheriffs, or Under-sheriffs, to the Intent they may understand if any Deceit be, or untrue Demeaning in them, in making of their Books; and that those Persons which shall be Gatherers of the same Amerciaments, as Bailiffs, or other Officers, be sworn by the said Justices, that they take no more Money than is forfeited and contained in the Estreats, sealed with the Seals of the said Justices of Peace, upon the same Pain of Forfeiture as before is rehearsed; thereof the same Gatherers to be convict by Examination of the said Justices of Peace, or One of them, as before is rehearsed.

Estreats of
Sheriffs Amer-
ciaments shall
be made by
Survey of Two
Justices of
Peace.

Bailiffs shall be
sworn to collect
only what is due,

[IV.] Provided, always, That the said Justices of Peace shall be appointed and named at the general Sessions after the Feast of Saint Michael the Archangel, by him that is *Custos Rotularum* of the said Counties, or else by the eldest of the *Quorum* in his Absence, to have the Oversight and Controlment of the said Sheriffs, Under-sheriffs, and Shire-clerks, and other of the said Officers, and of the said Sheriffs Amerciaments.

Justices shall be
appointed at
Sessions.

[V.] And the said Justices of Peace, upon Suggestion, or Information of the Party so grieved, shall make like Process as in an Action of Trespass, against the said Sheriffs, Under-sheriffs, or Shire-clerks, and other the foresaid Officers misdemeaning, as before is rehearsed, for to appear before them to answer to the said Suggestion or Information.

Process by
Justices against
Offenders,

⁸ Counties

C A P. XVI.

An Act relating to the Town of Calais.

“HE that hath a Freehold in Calais, out of the which any
“Duty is payable for guarding the Town, &c. and neglects
“to satisfy such Duty for a Year and a Day, shall forfeit the Free-
“hold to the King.”

C A P. XVII.

An Act against taking of Feasaunts and Partridges.

ITEM, Forasmuch as divers Persons, having little Substante to live upon, use many Times as well by Nets, Snares, or other Engines, to take and destroy Fesants and Partridges upon the Lordships, Manors, Lands, and Tenements of divers Owners or Possessioners of the same, without Licence, Consent, or Agreement of the same Owners or Possessioners, by the which the same Owners and Possessioners lese not only their Pleasure and Disport that they, their Friends and Servants should have about Hawking, Hunting, and taking of the same, but also they lese the Profit and Avail that by that Occasion should grow to their Household, to the great Hurt of all Lords and Gentlemen, and other, having any great Livelihood within this Realm: Wherefore it is ordained and enacted by the Authority of this present Parliament, That it shall not be lawful to any Person, of what Condition he be, to take, or cause to be taken, any Fesants or Partridges by Net, Snares, or other Engines, out of his own Warren, upon the Freehold of any other Person, without the Assent, Agreement, and special Licence of the Owner or Possessioner of the same, upon Pain of Forfeiture of Ten Pounds, the one Half thereof to the Party that will sue for the same by Action of Debt, or by Bill, or otherwise, and the other Half thereof to the Owner or Possessioner of the said Ground, upon the which the said Fesants and Partridges be so taken.

The Penalty for taking of Fesants or Partridges in another's Ground 10*l*.

Penalty for taking any Hawks or Swans Eggs, Imprisonment, &c.

[II.] Also it is ordained by the said Authority, That no Manner of Person, of what Condition or Degree he be, take or cause to be taken, be it upon his own Ground, or any other Man's, the Eggs of any Falcon, Goshawks, Laners, or Swans, out of the Nest, upon Pain of Imprisonment for a Year and a Day, and Fine at the King's Will; the one Half thereof to the King, and the other Half to the Owner of the Ground where the Eggs were so taken, and that the Justices of Peace have Authority, by this present Act, to hear and determine such Matter, as well by Inquisition as Information and Proofs. [See § 5. as to the King's Hawks.—See 31 H. 8. c. 12. and Note there.]

Certain English Hawks prohibited to be born.

He that bringeth a Nyesse Hawk from foreign Parts shall bring a Certificate.

[III.] Also it is ordained by the said Authority, That no Man from the Feast of *Pasche* next coming, bear any Hawk of the Breed of *England*, called a *Nyesse*, *Goshawk*, *Tassel*, *Laner*, *Laneret*, or *Falcon*, upon Pain of Forfeiture of his Hawk to the King, and the said Hawk to be at the King's Pleasure: And that all such Persons as bring any Nyesse Hawk or Hawks, from any the Parties beyond the Sea, bring a Certificate under the Customers Seal of the Port where he first landed with the said Hawk or Hawks: Or if he come out of *Scotland*, then under the Seal of the Warden, or his Lieutenant of that March that he cometh through, testifying, that the same Hawk or Hawks be of the Parties beyond the Sea, or of *Scotland*, upon the same Pain; and that the Person that bringeth any such Hawk or Hawks to the King, shall have a reasonable Reward of the King, or else the same Hawk or Hawks for his Labour.

The Penalty for taking, killing, or driving of Hawks.

[IV.] Also it is ordained by the same Authority, That no Man take any Ayre Falcon, Goshawk, Tassel, or Laner, or Lanerets, in their Warren or Woods, or in other Place, nor purposely drive them

them out of their Coverts accustomed to breed in, to cause them to go to other Coverts to breed, nor slay them for any Hurt by them done, but suffer them to pass at their Liberties, upon Pain of Ten Pounds; the one Half thereof to the Party that will sue for the same by Action of Debt, by Examination before the Justices of the Peace, Information, or otherwise and the other Half to the King.

[V.] Provided alway, That the Moiety of the Forfeiture above-said, given to the Owner of the Ground for taking of Swans Eggs, be unto the Owner of the said Swans, and not to the Owner of the Ground. See ante, § 2.

C A P. XVIII.

An Act that the Master of the Rolls and other Officers of the Chancery shall not go to the War. [See also 19 H. 7. c. 1.]

WHEREAS every Subject, by the Duty of his Allegiance, is bounden to serve and assist his Prince and Sovereign Lord at all Seasons when Need shall require, and most specially such Persons as have by him Promotion or Advancement, as Grants and Gifts of Offices, Fees, and Annuities, which owe and verily be bound of Reason to give their Attendance upon his Royal Person, to defend the same, when he shall fortune to go in his Person in Wars for ⁽¹⁾ Defence of the Realm, or against his Rebels and Enemies, for the subduing and repressing of them and their malicious Purpose: Wherefore be it enacted and established by the King our Sovereign Lord, by the Advice of his Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That if any Person or Persons, being within this Realm of *England* or *Wales*, having such Offices, Fees, or Annuities, by any of his rehearsed Gifts and Grants, do not give their Attendance upon him, when he shall fortune to go in Wars in his Person, in their said Persons, as their ⁽²⁾ Duty bindeth them; that then they, and every of them making thereof Default (the King's special Licence not had, or else he have such unfeigned Sicknesse, Letting, or Disease, that he may not in his Person come to do his personal Attendance and Service after the Form aforesaid, and that duly proved) that then every such Person or Persons forfeit and lose their said Offices, Fees, and Annuities, and to stand void at the King's Pleasure; any Act, Ordinance, or Statute to the contrary afore this Time had or made in any wise notwithstanding.

He that will not go in Person with the King in his Wars, where he is in Person shall lose his Offices, &c. granted by the King.

[II.] Provided, That this Act extend not to any Spiritual Person, Master of the Rolls, ne to [any ³] other Officer and Clerks of the Chancery, Justices of either Bench, Barons of the King's Exchequer, and other Officers and Clerks of the said Places, the King's Attornies and Solicitor, and the Serjeants at Law. Provided alway, That this Act shall not extend to any Person having any such Offices of the King's Highness, and being in his Service within his Towns and [Fortalices ⁴] of *Berwick* and *Carlisle*, ne to the Clerk of the King's Council for the Time being.

Certain Persons exempted.

¹ the

² said

³ none

⁴ Fortalices

C A P. XIX.

An Act against Upholsters.

[See a similar
Act 5 & 6 E. 6.
c. 23.]

TO the Right Worshipful Commons in this present Parliament assembled, sheweth unto your discreet Wisdoms the Wardens of the Fellowship of the Craft of [Upholsters¹] within the City of London, That whereas divers Persons within the Realm of England, out of the said City, make and do to be made unlawful and false Wares and Merchandises, to the great Rebuke and Slander of the said Craft, and also great Jeopardy, Loss, and Deceit to the King's Subjects, wherefore there is no sufficient Remedy purveyed, for so much as the same Wardens have no Power nor Authority to make due Search of such false deceivable Wares and Merchandises put to Sale out of the said City, as they have Power and Authority within the same City, as in Feather-beds, Bolsters, and Pillows, made of Two Manner of corrupt Stuffs, that is to say, of scalded Feathers, and dry pulled Feathers together, and of Flocks and Feathers together, which is contagious for Man's Body to lie on, and also in Quilts, Mattresses, and Cushions, stuffed with Horse-hair, Fenn-down, Neats-hair, Deers-hair, and Goats-hair, which is wrought in Lime-fats, and by the Heat of Man's Body the Savour and Taste is so abominable and contagious, that many of the King's Subjects thereby [been²] destroyed; which deceitful making of the foresaid corrupt and unlawful Stuff is to the great Loss and impoverishing of the King's liege People, and also to the great Rebuke and Slander to the said Craft of [Upholsters³]: Wherefore may it please the King's Highness, by the Advice of the Lords Spiritual and Temporal, and his Commons, in this present Parliament assembled, and by Authority of the same, to establish, ordain, and enact, That from henceforth no Person ne Persons shall make, (³) utter, ne put to Sale in Fairs, ne in Markets within this his said Realm, any Feather-beds, Bolsters, or Pillows, except they be stuffed with one Manner of Stuff, that is to say, with dry pulled Feathers, or else with clean Down alone, and with no scalded Feathers, nor Fen-down, nor none other unlawful and corrupt Stuffs, as is afore rehearsed, but utterly to be damned for ever: Except if any Person or Persons, for their own proper Use in their Houses, make or do to be made any of the foresaid corrupt and unlawful Stuff and Wares, so they be not offered to be sold in Fairs and Markets, upon Pain of Forfeiture. And also in like wise, Quilts, Mattresses, and Cushions, be stuffed with one Manner of Stuff, that is to say, with clean Wooll, or clean Flocks alone, and with no such unlawful Stuff afore rehearsed, upon Pain of Loss and Forfeiture of all such unlawful Wares and Merchandises.

Penalty on
stuffing Beds,
&c. with
improper
Feathers, &c.
Forfeiture
thereof.

¹ Upholsters

² been

³ ordain

C A P. XX.

An Act against Recoveries and Discontinuances made by Tenants in Dower.

FOR certain reasonable Considerations, Be it ordained, enacted, and established by the King our Sovereign Lord, and by the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That

That if any Woman which hath had, or hereafter shall have, any Estate in Dower, or for Term of Life, or in Tail, jointly with her Husband, or only to her self, or to her Use, in any Manors, Lands, Tenements, or other Hereditaments of the Inheritance or Purchase of her Husband, or given to the said Husband and Wife in Tail, or for Term of Life, by any of the Ancestors of the said Husband, or by any other Person seised to the Use of the said Husband, or of his Ancestors, and have or shall hereafter, being sole, or with any other after taken Husband, discontinued or discontinue, aliened, released, or confirmed, aliene, release, or confirm with Warranty, or by Covin suffered or suffer any Recovery of the same against them, or any of them, or any other seised to their Use, or to the Use of either of them, after the Form aforesaid, that all such Recoveries, Discontinuances, Alienations, Releases, Confirmations, and Warranties so had and made, and from henceforth to be had and made, be utterly void and of none Effect: And that it shall be lawful to every Person and Persons, to whom the Interest, Title, or Inheritance, after the Decease of the said Women, of the said Manors, Lands, and Tenements, or other Hereditaments, being discontinued, aliened, and suffered to be recovered, after the First Day of *December* next coming, in the Form aforesaid, should appertain, to enter into all and every of the Premises, and peaceably to possess and enjoy the same, in such Manner and Form as he or they should have done, if no such Discontinuance, Warranty, nor Recovery had been had nor made.

II. And over this be it ordained and enacted by the said Authority, That if any of the said Husbands and Women, or any other seised, or that shall be seised, to the Use of them of the Estate afore specified, after the said First Day of *December*, do make or cause to be made, or suffer any such Discontinuance, Alienations, Warranties, or Recoveries in Form aforesaid, that then it shall be lawful to the Person or Persons to whom the said Manors, Lands, or Tenements should or ought to belong after the Decease of the said Women, to enter into the same, and them to possess and enjoy, according to such Title and Interest as they should have had in the same, if the same Women had been dead, no Discontinuance, Warranty, nor Recovery had, as against the said Husband during his Life, if the said Discontinuance, Alienation, Warranties, and Recoveries be hereafter had by or against the same Husbands and Women during the Coverture and Espousal betwixt them. Provided alway, That the said Women, after the Decease of their said Husbands, may re-enter into the same Manors, Lands, and Tenements, and them to enjoy according to their first Estate in the same.

III. And over this be it ordained and enacted by the said Authority, That if the said Woman, at the Time of such Discontinuance, Alienations, Recoveries, Warranties, after the said First Day of *December*, in Form aforesaid, to be had and made of any of the Premises, be sole, that then she shall be barred and excluded of her Title and Interest in the same from thenceforth; and that the Person and Persons to whom the Title, Interest, and Possession of the same should belong after the Decease of the said Woman, shall immediately after the said Discontinuances, Alienations, Warranties, and Recoveries, enter into the same Manors, Lands, Tenements,

Alienation or Discontinuance made, or Recovery suffered, by Wife of Estate in Dower, or of the Estate of Inheritance of her Husband after his Death, shall be void; and the Parties in Reversion may enter.

Upon Recovery or Alienation of such Estates by a Woman and her Husband, Reversioner may enter during the Life of the Husband; but the Woman may re-enter after his Decease.

Woman aliening such Estate when sole shall be fully barred.

nements, and other Hereditaments, and them to possess and enjoy according to his or their Title in the same.

Proviso for Recoveries had before the Statute.

IV. Provided also, That this Act extend not to avoid any Recovery, Discontinuance, or Warranty after the Form aforesaid, afore this Time had, made, and suffered, but only where the said Husband and Woman, or either of them now being alive, or any other to their Use, now have Entries and Title to the said Manors, Lands, Tenements, or other Hereditaments, aliened, discontinued, or suffered to be recovered after the Form aforesaid, and thereof now taking the Issues and Profits, or any other Person or Persons to their Use.

Proviso for Alienation by Woman with Consent of the Reversioner.

V. Provided also, That this Act extend not to any such Recovery or Discontinuance to be had where the Heirs next inheritable to the said Woman, or he or they that next after the Death of the same Woman should have Estate of Inheritance in the same Manors, Lands, or Tenements, be assenting or agreeable to the said Recoveries, where the same Assent and Agreement is of Record, or inrolled.

Proviso for Alienations by Term of the Woman's Life only.

VI. Provided also, That it shall be lawful to every such Woman being sole, or married after the Death of her first Husband, to give, sell, or make Discontinuance of any such Lands for Term of her Life only, after the Course and Use of the Common Law before the making of this present Act.

C A P. XXI.

An Act against Perjury.

[See also 23 H. 8. c. 3. § 11.]

WHEREAS Perjury is much and customarily used within the City of London, among such Persons as [passen and been'] impanelled upon Issues joined between Party and Party in the Courts of the same City, to the great Displeasure of Almighty God, and also to the Disinheritance and manifold Wrongs of the King's Subjects, forasmuch as there is impanelled in the same Inquests Persons of little Substance, Discretion, and Reputation; and also no Attaint, ne other sufficient Punishment, is for such perjured Persons before this Time purveyed and ordained within the same City: Therefore it may please the King's Highness, by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, to establish, ordain, and enact, That no Person ne Persons hereafter be impanelled, summoned, or sworn in any Jury or Inquest in Courts within the same City, except he be of Lands, Tenements, or Goods and Chatties, to the Value of Forty Marks; and that no Person or Persons hereafter be impanelled, summoned, nor sworn in any Jury or Inquest in any Court within the said City, for Lands or Tenements, or Action personal, wherein the Debt or Damage amounteth to the Sum of Forty Marks, or above, except he be in Lands, Tenements, Goods, or Chatties, to the Value of One hundred Marks; and the same Matter and Cause alledged by any of the said Parties by way of Challenge, and so founden, shall be admitted and taken in every of the same Courts as a principal Challenge. And that every such Person hereafter to be impanelled or summoned to appear, in any Jury or In-

Qualification of Jurors in London.
[See 4 H. 8. c. 3: 5 H. 8. c. 5.]

Forfeiture of Issues on Jury not appearing.

¹ passen and been, i. e. (do pass and are)

quest

quest before any of the said Judges of the same City, making Default, at the first Summons laid and forfeit in Issues Twelve-pence, and at the second Default Two Shillings, and so at every such Default after that, the Issues and Penalties to be double: And all such Issues lost in the Mayor's Court shall be forfeited, levied, and perceived to the Use and Benefit of the Mayor and Commonalty of the said City; and all such Issues lost in the Sheriffs Court or Courts shall be forfeited, levied, and perceived to the Use of the Sheriffs of the same City for the Time being, towards their Fee-farm.

II. And also be it enacted by like Authority, That the Party grieved by any untrue or false Verdict hereafter to be given in any of the Courts of the said City, shall and may have and sue Attaint by Bill in the Hustings of London, holden for Common Pleas before the Mayor and Aldermen of the same City for the Time being; and thereupon a Precept to be awarded and made by the same Mayor to every Alderman of the said City, or his Deputy in his Absence, to present or certify the Names of Four indifferent and discreet Persons of good Fame, and every of them of Substance of One hundred Pounds or more, Citizens of the same City, dwelling in his Ward, to the Mayor and Aldermen of the said City for the Time being, at the Hustings of Common Pleas within the same City then next ensuing to be holden; of which Persons so presented and certified, the said Mayor and Six Aldermen, or more, holding the same Court of Hustings, shall take, name, and impanel Forty-eight by their Discretion thought most able, sufficient, and indifferent; and the Mayor and his Successors, Mayors of the said City, shall do to be summoned the said Forty-eight Persons so by the said Mayor and Aldermen named and impanelled, and also the Jurors of the Petty Jury, and the Party or Parties named as Tenants or Defendants in the said Bill of Attaint, to appear before the Mayor and Aldermen of the same City at the Hustings of Common Pleas then next to be holden in the same City; and if the same Attaint then, or any other Time, happen to remain untaken for or by Default of Jurors, by Challenge or otherwise, that upon every *Tales* granted, the said Mayor and Aldermen shall impanel the said Persons which were certified by the said Aldermen or their Deputies, and omitted out of the said Panel, or put therein other Person or Persons, being Citizens of the said City, of the Substance of One hundred Pounds or more. And also, That all the Plea or Pleas to be alledged and pleaded by or for the Tenant or Defendant, Tenants or Defendants, or by any of the Jurors of the Petty Jury in the same Attaint, and triable by any Jury or Inquest, shall be tried within the same City, and by the Inquests of the same, and in none other Place ne County. And that none of the said Petty Jury, ne other Parties named in any such Bill of Attaint, shall or may have any Challenge to the Array, or to any Person or Person therein being impanelled for lack of Sufficiency of Goods or of Lands.

III. Over that be it provided and enacted, That the Judgement in any such Attaint shall not extend to any Lands or Tenements, ne to other Punishment of the Petty Jury, ne other Process to be in the same Attaint, than is limited and appointed in this present Act. And if the Twenty-four Persons of the said Forty-eight Persons

An Attaint may be sued by Bill in the Hustings in London.

Election and Qualification of Jurors [See 37 H. 8. c. 5.] in such Attaints.

Proceedings in the Attaint.

Tales for Default of Appearance of such Jurors. [See post, § 7.]

Pleas on Attaint commenced in London shall be tried there.

No Challenge for lack of Sufficiency.

Judgment on such Attaint against the Defendant as at Common Law;

against the Jury
20^l. &c. and Six
Months
Imprisonment,
&c.

Although the
last Verdict is
affirmed, the
Jury in Attaint
may inquire of
Corruption in
the Petty Jury.

Punishment
thereof, Ten
Times the Sum
taken, &c.

Punishment on
Defendant in
Attaint
corrupting the
Petty Jury, Ten
Times the Sum,
&c. and
Restitution of
the Debt, Costs,
and Damages.

Persons sworn in the same Attaint find that the Jurors named in the Petty Jury have made and given an untrue Verdict, that then the Judgement shall be against the Party Defendant in the same Attaint, as is used in Attaint sued by Writ at Common Law: And furthermore, the Judgement in the same Attaint shall be against the Petty Jury, that every of the Jurors of the same Petty Jury shall forfeit and lose Twenty Pounds or more, by the Discretion of the Mayor and Aldermen of the said City, keeping the same Husbings, or any other Husbings of Common Pleas, to such Use and Behoof as other Issues and Penalties [been²] forfeited and lost in any Action or Plaint commenced before the Mayor and Aldermen of the same City, and his Body to be imprisoned, there to remain without Bail or Mainprize Six Months, or less, by the Discretion of the Mayor and Aldermen of the same City for the Time being, and to be disabled for ever to be sworn in any Jury before any Temporal Judge.

IV. And over that, be it enacted by the same Authority, That if it be found by the Grand Jury in the same Attaint, that the Petty Jury have given a true Verdict, that then the Grand Jury shall have Authority and Power to inquire if any of the Petty Jury took or perceived any Sum of Money or other Reward, or Promise of Money or other Reward, of them named Defendants or Tenants in the same Attaint, or of any other Person or Persons, by the Commandment, Covin, or Assent of any of them, to or for the Intent of their Verdict given, whereupon the same Attaint is grounded; and after any such Corruption by the said Grand Jury is founden, that then the Juror or Jurors of the said Petty Jury, that is found so defective in taking and perceiving any Sums of Money, or other Reward, or Promise of Reward, shall lose, forfeit, and pay to the Plaintiff or Plaintiffs named in the same Attaint, Ten Times the Value of that Sum or other Reward so taken, perceived, or promised in Form abovesaid, and shall suffer Imprisonment without Bail or Mainprize Six Months, or less, by the Discretion of the said Mayor and Aldermen, and shall be disabled for ever to be sworn in any Jury before any Temporal Judge.

V. And over that be it enacted, That such Defendant or Tenant, Defendants or Tenants in the same Attaint, shall lose, forfeit, and pay to such Use and Behoof, as other Penalties [been³] forfeited within the same City, Ten Times the Value of that Sum of Money, or other Reward by him or them so given to any of the said Petty Jury; and the same Defendant or Tenant, Defendants or Tenants, shall be imprisoned, there to remain without Bail or Mainprize during Six Months, or less, by the Discretion of the said Mayor and Aldermen. And if any Debts, Damages, or Costs be recovered in any Action whereupon such Attaint is grounded, and by the same Attaint it be found, that the Petty Jury have given a false [Serement,⁴] that then for the Recovery and Restitution of the same Debt, Damages, and Costs, the Plaintiff or Plaintiffs in every Attaint shall and may have and sue an Action of Debt against the same Defendant or Tenant, by Writ, Bill, or Plaint in every of the King's Courts, wherein the same Defendant or Tenant, and every of them, shall not be received to do his Law,

² been, i. e. are

³ been, i. e. are

⁴ i. e. Oath

VI. And over that be it enacted, That if any Plaintiff or Plaintiffs in any such Attaint commenced before the said Mayor and Aldermen upon any Record remaining within the same City, therein be nonsuit, or if the first [Serement⁴] therein be affirmed, that then he or they shall have Imprisonment, and make Fine by the Discretion of the Mayor and Aldermen of the said City for the Time being, and that Fine to be and go to the Mayor and Commonalty of the said City. And if there be Two or more Plaintiffs in any such Attaint ordained by this Statute, and if any of them die or be nonsuit, the other by this Act shall be enabled to sue for the Proceeding in the same Attaint; and notwithstanding the Death of the Defendant or Tenant, Defendants or Tenants, or any of the Pety Jury named in the same Attaint, so that there be Two of the same Pety Jury on live, the same Attaint shall not abate.

If Plaintiff in Attaint be nonsuit, &c. he shall be fined, &c.

Attaint shall not abate by Death, &c. of one Plaintiff, or any of the Pety Jury.

VII. And also be it ordained by the same Authority, That if any of the Jurors of the said Grand Jury, impanelled and summoned in Form aforesaid, at the Summons make Default, so that the Attaint remaineth to be taken for Default of Jurors, that then every of the said Jurors so making Default, lose and forfeit for the first Default Forty Shillings, and at the second Default Five Pounds, and at every Default after that Ten Pounds. And like Process to be made and sued there against the Grand Jury, and the Pety Jury, and the Party and Parties, as is to be made and sued in Attaint sued at the Common Law, and that the same Process be returnable at every Hustings of Common Pleas; and that the Attaint remain not to be taken after the first Summons returned for or by the Default of the Defendant or Tenant, Defendants or Tenants, or of any of the Pety Jury named in the same Attaint by this Act ordained; and that the said Issues or Penalties forfeited by any of the said Grand Jury, be forfeit; levied, and perceived to the Use of the Mayor and Commonalty of the said City; and that no Protection nor Essoin be allowed in this Attaint by this Act purveyed.

Penalty on Jurors in Attaint not appearing.

All Process as in Attaint at Common Law.

Defaults of Defendant or Pety Jury shall not stay the Attaint. Application of Issues and Penalties.

VIII. Provided alway, That upon all Attaints hereafter to be commenced within the said City upon any Record, wherein the Trial and Inquest was by Half-tongue, that the said Mayor and Aldermen shall impanel the Grand Jury in the same Attaint, the one Half of Strangers of good Fame, and of the Substance of Goods to the Value of One hundred Pounds and more, inhabiting within the same City at large, and the Residue of the same Grand Jury to be of like Value and Substance of Goods impanelled of the Citizens, as aforesaid.

Attaint shall be taken *per medietatem lingue*, where the first Trial was so.

IX. And over this, be it enacted by the said Authority, That no Act of Attaint of the Pety Jury, made in this present Parliament, nor nothing therein contained, other than this present Act, nor (5) other Penalty or Punishment in any other Act, than is afore contained in this present Act, be hurtful nor extend to any Jury or Inquest hereafter to be taken before any Judge of and within the same City.

Other Acts respecting Attaints shall not extend to London.
[See c. 24. of this Session.]

C A P. XXII.

An Act for Servants Wages.

"THE yearly Wages of Servants in Husbandry; and the several Wages of Artificers, Day-labourers and Shipwrights; and several Times limited for their Work, Meals, and Sleep."

[*Repealed 12 Hen. 7. c. 3.—See also 5 Elm. c. 4.*]

C A P. XXIII.

An Act against Merchant Strangers for selling of Salmon and other Fish.

WHEREAS at a Parliament holden at *Westminster* in the Twenty-second Year of the Reign of King *Edward* the Fourth, among other Things it was enacted, ordained, and established, [*&c. Reciting at Length § 1. & 2. of Stat. 22 E. 4. c. 2. for regulating the Contents of Fish-Barrels, &c.*] And also in eschewing of the common Hurts and Deceits above rehearsed, the said late King ordained and enacted by the said Authority, That all Mayors, Bailiffs, and Governors of Cities, Towns, Boroughs, Markets, and all other Places of this Realm, for the Time being, where they should be Mayors, Bailiffs, and Governors, should have Power and Authority to name and choose a discreet and expert Person or Persons, duly to search and gauge all such Vessels as [been] above rehearsed, that they should be truly packed, and keep their true Measure and Assise, according to the Ordinances abovesaid, as in the foresaid Act thereof more plainly appeareth: And forasmuch as in the said Act no Certainty is appointed how much every such Gauger, Packer, and Searcher should take for his Labour in executing of their said Office, they be their own Judges, and at their Pleasures take for the same gauging, packing, and searching, by way of Extortion, such great Sums of Money as them liketh, whereby the King's true Subjects are greatly impoverished and wronged: That it might therefore please the King's Highness, by Advice of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, to confirm, ratify, and establish the said Act, and every Thing therein comprised; and over that, by the same Authority to ordain and establish, That every such Gauger, Packer, and Searcher, take no more for gauging of a Barrel-Salmon, Barrel-Herring, Barrel-Fish, Barrel-Eels, Half-Barrel, and Firkin, for every Piece so gauged, but a Farthing; and for his Labour for searching and packing, if it be Need, of a Barrel-Salmon from Head to Head, One Penny; and for his Labour for boning, naping, and packing of a Barrel-Fish, if it be Need, One Penny; and for his Labour in searching and packing of a Barrel-Herring from Head to Head, if it be needful, Two-pence; and for searching and packing of every Barrel of Eels, Two-pence; and for searching and packing of every Half-Barrel of Herring from Head to Head, One Penny; and for every Half Barrel of Eels searching and packing, One Penny; and for searching and packing of every Firkin of Herring, if it be needful, *ob.* And over that, that all and every such Gauger, Searcher, and Packer, that misbehaveth or offendeth

Recital of
22 E. 4. c. 2. § 3.
empowering
Chief
Magistrates of
Cities to appoint
Searchers, &c.

Recited Act
confirmed.

Fees of Gauger,
Packer, and
Searcher.

Penalty on
Gauger,
Searcher, or

¹ been

in any Thing concerning the said Offices of Gauger, Searcher, and Packer, contrary to this Act, and so proved before any of the said Mayors, Bailiffs, or Governors of any City, Town, Borough, Market, or any other Place within this Realm, where he or they be so Gaugers, Packers, or Searchers, Gauger, Packer, or Searcher, shall lose and forfeit his said Office, and the same from thenceforth no longer to enjoy, any Lease, Grant, or Grants thereof made notwithstanding; and, for further Punishment, to have and suffer Imprisonment by the Space of Forty Days without Bail or Mainprize: Provided always, That the said Searcher and Packer, or any of them, shall nothing receive of the said Fees by Colour of their Office, but only for such Butts, Barrels, Half-Barrels, and Firkins, as by them shall hereafter be sufficiently searched and packed, and be not afore sufficiently packed. This present Act to begin and take Effect at the Feast of *Easter* next coming, and not afore.

Packer
offending, Loss
of Office and
Imprisonment.

Fees payable
only on actual
Search, &c.

C A P. XXIV.

An Act for Writs of Attaint to be brought against Jurors for untrue Verdicts.

“AN Attaint shall be maintainable against the Party and Petty Jury: The Process therein, the Ability of the Jurors, the Pleas of the Defendant and Petty Jury, and their Punishment being attainted. Panels returned by the Sheriff to inquire for the King, may be reformed by the Justices.”

[To continue till the next Parliament.—Further continued, 12 H. 7. c. 2.; 19 H. 7. c. 3.; 1 H. 8. c. 11.—See now 23 H. 8. c. 3.]

C A P. XXV.

An Act against Perjury, unlawful Maintenance and Corruption in Officers.

“PERJURY committed by unlawful Maintenance, Imbracing, or Corruption of Officers, or in the Chancery, or before the King’s Council, shall be punished by the Discretion of the Lord Chancellor, Treasurer, both the Chief Justices, and the Clerk of the Rolls; and if the Complainant prove not, or pursue not his Bill, he shall yield to the Party wronged his Costs and Damages.”

To endure to the next Parliament. [See 12 H. 7. c. 2.]—See further 32 H. 8. c. 9.; 5 Eliz. c. 9.

C A P. XXVI.

An Act that Sheriffs shall return sufficient Jurors.

“IT shall be lawful to every Sheriff of the Counties of *Southampton*, *Surrey*, and *Suffex*, to impanel and summon in their Courts Twenty-four lawful Men of such, inhabiting within the Precinct of his or their Turns, as owe Suit to the same Turn, whereof every one hath Lands or Freehold to the yearly Value of Ten Shillings, or Copyhold Lands to the yearly Value of Thirteen Shillings and Four-pence, above all Charges within any of the

"the said Counties; or Men of less Livelihood, if there be not
 "so many there, notwithstanding the Statute of 1 R. 3. c. 4.
 "(except in Cases of Felony)."

[To endure to the next Parliament.—Continued 12 H. 7. c. 2.;
 19 H. 7. c. 16. but now expired.]

C A P. XXVII.

An Act against unlawful and deceitful making of Fustians.

PRAYEN the Commons in this present Parliament assembled,
 That whereas Fustians brought from the Parts beyond the Sea
 unshorn into this Realm, have been and should be the most profit-
 able Cloth for Doublets and for other wearing Clothes, greatly
 used among the common People of this Realm, and longest have
 endured of any Thing that have come into the same Realm from
 the said Parts to that Intent; [for that¹] the Cause hath been
 that such Fustians afore this Time have been truly wrought and
 shorn with the broad Shear, and with no other Instruments or
 other deceitful Mean occupied upon the same; now so it is, that
 divers Persons by subtil and undue Sleights and Means, have de-
 ceivably imagined and contrived Instruments of Iron, with the
 which Irons, in the most highest and secret Places of their Houses,
 they strike and draw the said Irons [over²] the said Fustians un-
 shorn; by Means wherof they pluck off both the Nap and Cotton
 of the same Fustians, and break commonly both the Ground and
 Threads in sunder, and after by crafty seeking they make the same
 Fustians to appear to the common People fine, whole, and sound;
 and also they raise up the Cotton of such Fustians, and then take
 a light Candle and set it in the Fustian burning, which singeth and
 burneth away the Cotton of the same Fustian from the one End to
 the other, down to the hard Threads, instead of shearing, and
 after that put them in Colour, and so subtilly dress them, that their
 false Work cannot be espied, without it be by Workmen Shearers
 of such Fustians, or by the Wearers of the same; and so by such
 Subtilties, whereas Fustians made in Doublets, or put to any other
 Use, were wont and might endure the Space of Two Years and
 more, will not endure now whole by the Space of [Four³] Months
 scarcely, to the great Hurt of the poor Commons and Servingmen
 of this Realm, to the great Damage, Loss, and Deceit of the
 King's true Subjects, Buyers, and Wearers of such Fustian: For
 Remedy whereof, be it enacted, ordained and established by the
 King our Sovereign Lord, and the Lords Spiritual and Temporal,
 and the Commons, in this present Parliament assembled, and by
 Authority of the same, That no such Iron or Instruments, nor any
 other untrue subtil Mean or Sleight be from henceforth used upon
 any Fustian within this Realm, but only by the Broad Shears, upon
 Forfeiture of Twenty Shillings, to be levied for every Default of
 every such Person or Persons hereafter offending and using any such
 deceivable Instruments or Sleights, as is afore said; the one Half of
 the (4) Forfeitures to be to the King our Sovereign Lord, and
 the other Half to him or them that will sue for the same Forfeit-
 ures by Action of Debt, Bill, Plaint, or Information, in any of the
 King's Courts of Record, where the same may be determined

Unlawful
 Devices practised
 upon Fustians.

Penalty on
 using any Thing
 but Shears in
 dressing foreign
 Fustians, 20s.

¹ whereof

² on

³ three, P.

⁴ said

3.

after

after the Courfe of the Common Law; and that the Defendant in fuch Behalf in no wife be admitted to wage his Law, nor that any Protection or Effoin be in the fame allowable.

II. And over this, be it ordained by the faid Authority, That the Mayor and Wardens of Shearmen of the City of London for the Time being have Authority to enter and fearch the Workmanfhip of all Manner Perfons occupying the Broad Shear, as well Fufians as Cloth; and the Execution of this prefent Aft to be as well of Denizens, as of Foreigners and Strangers.

The Mayor of London and Wardens of the Shearmen may make Search. [See 29 Eliz. c. 13.]

Anno duodecimo HENRICI VII.

*In the Parliament held at Weftminfter, on Monday,
16th January, A.D. 1496-7.*

The PUBLIC ACTS of this Year, as printed in the Statute Books, are not given at Length in printed Rot. Parl. vi. p. 509.; but it appears they answer to the following Numbers in the Roll.

Cap. in Stat.

No. in Roll.

1	-	-	5	} Here reprinted from Cay, compared with Pynson, 1497.— The Titles from printed Rot. Parl.
2	-	-	6	
3	-	-	7	
4	-	-	8	
5	-	-	9	
6	-	-	10	
7	-	-	11	

Other ACTS of this Year are noticed in the Tables prefixed to Hawkins and fubfequent Editions as PRIVATE ACTS, and diftinguiſhed into Chapters which answer to the Numbers of the printed Roll as under :

Cap. in
Table.

No. in
Roll.

- | | | | | |
|----|---|--|--|---|
| 1, | — | 1, | De Feoffamento p' Regem fafto.—For veſting certain Eſtates in Truſtees to the Uſe of the King's Will. (See 7 H. 7. nu. 5.) | |
| 2, | — | 2, | Pro Regina.—For amending the Aft 11 H. 7. (nu. 5.) for affuring the Queen's Jointure. | |
| 3, | — | 3, | Pro Comite Surr'.—For amending the Aft 11 H. 7. (nu. 15.) | |
| 4, | — | 4, | Pro Guidone Sapcote.—For reverſing an Attainder for Treafon by Aft 1 H. 7. | |
| 5, | — | { A Prowiſe for Wm. Stafford.
Certain Articles againſt Thos.
Yolton. | | } Theſe do not appear in printed Rot. Parl. |
| 6, | — | | | |

Cap. in Table.	No. in Roll.
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- 7, — 12, *An Acte for Fyfteenthes and Tenthes.—Grant of Two Fifteenths and Tenths.*
- 8, — 13, *An Acte for a Subsidie to be graunted to the Kynge, and for Discharge of some Persons from Payment thereof.—For regulating the Collection of the Fifteenths and Tenths granted by nu. 12.*

THE King our Sovereign Lord Henry the Seventh after the Conquest, by the Grace of God, King of England and of France, and Lord of Ireland, at his Parliament holden at *Westminster* the Sixteenth Day of January, in the Twelfth year of his Reign, to the Honour of God and of Holy Church, and for the common Profit of the Realm, and by the Assent of the Lords Spiritual and Temporal, and the Commons, in the said Parliament assembled, and by Authority of the same Parliament, hath done to be made certain Statutes and Ordinances, in Manner and Form following.

C A P. I.

An Act for taking of Apprentices to make Worstedes in the County of *Norfolk*.

“**T**HE Makers of Worsted, &c. in *Norfolk* may take any to be Apprentices, although their Father have not Twenty Shillings *per Annum* as required by 7 H. 4. c. 17.”

[See 13, 14 C. 2. c. 5. § 3.]

C A P. II.

An Act for Confirmation of divers Statutes formerly made against Riots, Perjury, and other Offences.

“**A**LL Acts made in 11 H. 7. which were to continue only till this Parliament, are further continued until the next Parliament.”

C A P. III.

An Act for making void of a Statute concerning Artificers and poor Labourers.

“**A**LL Acts made in the Parliament 11 H. 7. (See 11 H. 7. c. 22.) which concern the Wages of Artificers, Labourers, and Servants of Husbandry, shall be of no Force or Effect.”

C A P. IV.

An Act for the making of Woollen Cloths.

“**N**O Forfeiture given by the Statute of 1 R. 3. c. 8. touching the Length and Breadth of Cloths, shall be taken before the next Parliament.”

C A P. V.

An Act for Weights and Measures.

WHEREAS afore this Time the King our Sovereign Lord intending the common Weal of his People, and to avoid the great Deceit of Weights and Measures long Time used within this his Realm, contrary to the Statute of *Magna Carta*, and of other Statutes thereof made by divers of his noble Progenitors, at his great Charge and Cost did [do make¹] Weights and Measures of Brasse according to old Standards thereof remaining within his Treasury: And for that, that one Weight and one Measure should be used throughout this his Realm, in avoiding of all Fraud and Discord in that Behalf, it was at the last Parliament, holden the Fourteenth Day of *October* in the Eleventh Year of our said Sovereign Lord's Reign, ordained, That the said Measures and Weights should be delivered to the Knights and Citizens of every Shire and City assembled in the same Parliament, Barons of the Five Ports, and certain Burgesses of Borough Towns, surely by them to be conveyed to certain Cities, Boroughs, and Towns specified in a Schedule unto the same Act annexed, there to remain for ever, to the Intent in the same Act more largely declared: Which Weights and Measures, upon more diligent Examination had sith the making of the said Statute, [been approved²] defective, and not made according to the old Laws and Statutes thereof ordained within the said Realm: Wherefore the King our Sovereign Lord, by the Assent of his Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, ordaineth, establisheth, and enacteth, That the Measure of [a³] Bushel contain Eight Gallons of Wheat, and that every Gallon contain Eight Pounds of Wheat of *Troy* Weight, and every Pound contain Twelve Ounces of *Troy* Weight, and every Ounce contain Twenty Sterlings, and every Sterling be of the Weight of Thirty-two Corns of Wheat that grew in the Midst of the Ear of (⁴) Wheat, according to the old Laws of this Land.

Magna Carta,
c. 25.

11 H. 7. c. 43

Assise of the
Bushel, Gallon,
Pound, Ounce,
and Sterling
(i. e. Penny-
weight.)

II. And that it pleaseth the King's Highness to make a Standard of a Bushel and a Gallon after the said Assise, to remain in his said Treasury for ever; and from henceforth the said new Bushels and Gallons, lately sent forth, be not used nor occupied for no Measures, but that they be sent again unto the King's Receipt by the Feast of *Whitsonide* next coming, at the Costs and Charges of the said Cities, Boroughs, and Towns, having the said Bushels and Gallons in keeping, upon Pain of Ten Pounds, to be forfeited to the King; the same Bushels and Gallons, so sent again into the King's Receipt, to be broken, and with the Stuff and Metal of the same Bushels and Gallons, other new Bushels and Gallons, by the Advice of the Treasurer and Under-Treasurer of *England* for the Time being, before the Feast of *All Saints* next coming, to be made and fixed according to the said Bushel and Gallon, which by this present Act is ordained to be new made, and to remain in the said Treasury, at the Costs and Charges of the same Cities, Boroughs, and Towns. And that every City, Borough, and Town within this Realm, which now have, or should have had,

The Weights
and Measures
sent to several
Cities, &c.
under 11 H. 7.
c. 4. being
defective, shall
be broken,
and new sent,
made after the
Exchequer
Standard,
according to the
above Assise.

¹ i. e. cause to be made

² ben proved

³ the

⁴ the

Commencement
of Penalties
under recited
Act.

All other
Bushels and
Gallons shall
be broken.
Penalty 20 l.

by reason of the said Act made in the said Eleventh Year, any of the said new Bushels or Gallons, do convey and carry, before the Feast of Saint Andrew next coming, into every of the same City, Borough, and Town, a Bushel and a Gallon newly to be made, as is afore said, at the Costs and Charges of the same City, Borough, and Town, there to remain; and all other Bushels, Gallons, and Measures, which be to be made after the Form by this Act ordained, be marked and ordered after the Form and Effect of the said Act made the said Eleventh Year; and in the mean Season to use such Bushels and Gallons, as have been used last afore the coming down of the said new Bushels and Gallons, and before the making of the said Statute in the said Eleventh Year; and that all Penalties in the first Act expressed be of none Effect until the Feast of *Candlemas*, which shall be in the Year of our Lord God One thousand four hundred and ninety-seven, and after the same Feast the same Act made in the same Eleventh Year to stand in full Strength, with his Penalties, upon the said Bushels and Gallons new to be made, as it should have done upon the said new Bushels and Gallons made afore the making of this present Act, if this Act had not been made.

III. And that it be ordained by the said Authority, That after the said new Bushels and Gallons be made according to this present Act, that all other Bushels and Gallons of Brasse, remaining as well in the said Treasury, as in all other Places of *England*, be before the Feast of *Christmas* next coming, damned and broken; upon Pain of Twenty Pounds to be levied upon every City, Borough, and Town, or any other Place, having the keeping of the common Measures, that keep still any other Bushel or Gallon unbroken and not damned, of Brasse, than is ordained to be made by this present Act.

C A P. VI.

An Act for Merchants Adventurers.

A Petition of
certain
Merchants
Adventurers
dwelling out of
the City of
London.

TO the discreet Commons in this present Parliament assembled; Sheweth unto your discreet Wisdoms the Merchants Adventurers inhabiting and dwelling in divers Parts of this Realm of *England*, out of the City of *London*, That where they have their free Passage, Resort, Course, and Recourse with their Goods, Wares, and Merchandises into divers Coasts and Parts beyond the Sea, as well into *Spain*, *Portugal*, *Britayne*, *Ireland*, *Normandy*, *France*, *Seville*, *Venice*, *Dancke*, *Eastland*, *Friesland*, and other divers and many Places, Regions, and Countries, being in League and Amity with the King our Sovereign Lord, there to buy and sell, and make their Exchanges with their said Goods, Wares, and Merchandises, according to the Law and Custom used in every of the said Regions and Places, and there every Person freely to use themselves to his most Advantage, without Exaction, Fine, Imposition, or Contribution to be had or taken of them, or of any of them, to, for, or by any *English* Person or Persons; and in semblable wise they before this Time have had, used, and of right owen to have and use their free Passage, Resort, and Recourse into the Coasts of *Flanders*, *Holland*, *Zealand*, *Brabant*, and other Places thereto nigh adjoining, under the Obeysance of the Archduke

Archduke of *Burgoyne*, in which Places the universal Marts be commonly kept and holden Four Times in the Year, to which Marts all *Englishmen*, and divers other Nations, in Time past have used to resort, there to sell and utter the Commodities of their Countries, and freely to buy again such Things as seemed them most necessary and expedient for their Profit, and the Weal of the Country and Parts that they be come from; till now of late, that by the Fellowship of the Mercers and other Merchants and Adventurers dwelling and being free within the City of *London*, by Confederacy made among themselves, of their incharitable and inordinate Covetise, for their singular Profit and Lucre, contrary to every *Englishman's* Liberty, and to the Liberty of the said Mart there (which is, that every Person, of what Nation that he be of, should have their free Liberty there to buy, sell, and make the Commutations with the Wares, Goods, and Merchandises at their Pleasure) have, contrary to all Law, Reason, Charity, Right, and Conscience, among themselves, to the Prejudice of all *Englishmen*, made an Ordinance and Constitution, that is to say, That no *Englishman* resorting to the said Marts, shall neither buy ne sell any Goods, Wares, or Merchandises there, except he first compound and make Fine with the said Fellowship, Merchants of *London*, and their said Confederates, at their Pleasure, upon Pain of Forfeiture to the said Fellowship of Merchants of *London*, and to their said Confederates, of such Merchandises, Goods, or Wares, so by him bought or sold there; which Fine, Imposition, and Exaction at the beginning, when it was first taken, was demanded by Colour of a Fraternity of Saint *Thomas of Canterbury*, at which Time the said Fine was but the Value of Half an old Noble Sterling, and so by Colour of such feigned Holiness, it hath been suffered to be taken for a few Years passed; and after it was increased to an Hundred Shillings *Flemish*; and now it is so, that the said Fellowship and Merchants of *London* take of every *Englishman* or young Merchant being there, at his first coming, [xx li.*] Sterling for a Fine, to suffer him to buy and sell his own proper Goods, Wares, and Merchandises that he hath there; by Occasion whereof, all Merchants not being of the said Fellowship and Confederacy, withdraw themselves from the said Marts; whereby the Woollen Cloth of this Realm, which is one of the great Commodities of the same, by making whereof the King's true Subjects be put in Occupation, and the poor People have most universally their Living, and also other divers Commodities of divers and several Parts of this same Realm, is not sold ne uttered as it hath been in Times past; but for Lack of Utterance of the same in divers Parts where such Cloths be made, they be conveyed to *London*, where they be sold far under the Price that they be worth, and that they cost to the Makers of the same, and at some Times they be lent to long Days, and the Money thereof at divers Times never paid; and over that, the Commodities and Merchandises of those Parts, which the said Fellowship, Merchants of *London*, and other their Confederates bring into this Land, is sold to your said Complainants, and other the King's true Subjects, at so dear and high exceeding Price, that the Buyer of the same cannot live thereupon; by reason whereof, all the Cities, Towns,

Order made by the Mercers and Merchants Adventurers of *London*, that none should buy or sell at certain foreign Marts, without their Consent and a Fine to them.

The first Colour of taking such Fine.

The Enormities and ill Effects of the Order made by the Merchants of *London*.

* xl. li. *Pynf. Ragb.*

and Boroughs of this Realm in Effect be fallen into great Poverty, Ruin, and Decay, and as now in Manner they be without Hope of Comfort or Relief, and the King's Customs and Subsidies, and the Navy of the Land greatly decreased and diminished, and daily they be like more and more to decay, if due Reformation be not had in this Behalf: Be it therefore enacted by the King our Sovereign Lord, by the Advice and Assent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled. and by Authority of the same, That every *Englishman*, being the King's true liege Man, from henceforth have free Passage, Resort, Course, and Recourse into the said Coasts of *Flanders, Holland, Zealand, Brabant*, and other Places thereto nigh adjoining, under the Obedience of the said Archduke, to the Parts there hereafter to be holden, with his or their Merchandises, Goods, and Wares, there to buy and sell, and make their Exchanges freely at his or their Pleasure, without Exaction, Fine, Imposition, Extortion, or Contribution to be had, levied, taken, or perceived of them, or of any of them, to, for, or by any *English* Person or Persons, to his or their own Use, or to the Use of the said Fraternity or Fellowship, or of any other like, except only Ten Marks Sterling; and that no Person *English*, as is afore rehearsed, hereafter take to his own Use, or to the Use of the said Fraternity or Fellowship there, of any other *English* Person, of what Estate, Degree, or Condition that he be of, so alway that he be the King our Sovereign Lord's true liege Man, any Fine, Exaction, Imposition, or Contribution for his Liberty or Freedom to buy and sell any Goods, Wares, and Merchandises, in or at any of the said Parts, more or above the Sum of Ten Marks Sterling only, upon Pain of Forfeiture to our said Sovereign Lord, for every Time that he doth the contrary of this Act, Twenty Pounds, and also to forfeit to the Parties grieved in this Behalf Ten Times so much as he, contrary to this present Act, taketh of him; and that the Parties so grieved shall have in this Behalf an Action of Debt for the said Forfeiture of Ten Times, in any of the King's Courts within this Realm, by Writ, Bill, Plaint, or Information; and such Process to be made in the same, as is or ought to be made in or upon an Action of Debt at the Common Law; and the Trial thereof to be had in such Shire, City, Town, or Place where the said Action is commenced or sued; and that the Defendant in any such Action be not admitted to wage his Law, nor none Essoin nor Protection be for such Defendant admitted or allowed in that Behalf.

Merchants may resort into *Flanders, &c.* without Exaction of the Fraternity of *London*, &c. beyond Ten Marks.

No *Englishman* shall take of another any other Exaction, &c. for his Liberty to buy and sell.

Penalty Twenty Pounds, and Ten Times the Sum taken.

Recovery of Penalties.

C A P. VII.

An Act to make some Offences Petty Treason.

WHERE abominable and wilful premeditated Murders be by the Laws of God and of natural Reason forbidden, and are to be eschewed; yet not the less, many and divers unreasonable and detestable Persons, lacking Grace, wilfully commit Murder, to the high Displeasure of God, and contrary to all the Laws aforesaid, and moreover against their natural and obliged Duty, wilfully commit premeditated Murder, in slaying their Master, or their immediate Sovereign, under whom he or they be, or owe Obedience,

in Truſt to eſchew the Peril and Execution of the Law by the Benefit of their Clergy: In Hope whereof, of late one *James Grame*, late of *London*, Yeoman, wilfully aſſented and prepenſed the Murder of one *Richard Tracy* Gentleman, then his Maſter, by him and his prepenſed Aſſent, the Ninth Day of *February* laſt paſt, at *Brentwood*, in the County of *Effex*, murdered and ſlain, to the right perilous Enſample of other evil diſpoſed: Wherefore, and in avoiding of like Miſchiefs to enſue, by the Aſſent of the Lords Spiritual and Temporal, and the Commons, in this preſent Parliament aſſembled, and by Authority of the ſame, be it enacted, That the ſaid *James Grame*, for the Murder of the ſaid *Richard Tracy* his late Maſter, be attainted of the ſaid Murder as a Felon that hath offended in Petty Treason; and that the ſame *James*, for the ſame Murder, ſhall be drawn, and hanged in ſuch Manner and Form, as by the Law of this Land hath been uſed in ſuch Caſes, as Perſons being no Clerks, doing like Murder, have or ought to be puniſhed, any Privilege of his Clergy, or his Demand of the ſame notwithstanding.

Alſo be it ordained by the ſaid Authority, That if any Lay Perſon hereafter prepenſedly murder their Lord, Maſter, or Sovereign immediate, that they hereafter be not admitted to their Clergy; and after Conviction or Attainder of any ſuch Perſon ſo hereafter offending had after the Courſe of the Law, that the ſame Perſon be put in Execution as though he were no Clerk.

[See alſo 23 H. 8. c. 1. § 2. as to Clergy.]

James Grame
having murdered
his Maſter,
declared guilty
of Petty Treason.

A Lay Perſon
murdering his
Maſter, &c.,
ſhall not have
his Clergy.

Anno decimo nono HENRICI VII.

In the Parliament held at Westminster on Thursday
25th January, A.D. 1503-4.

The PUBLIC ACTS of this Year, as printed in the Statute Books, are not given at length in printed Rot. Parl. vi. pa. 520. (except c. 1.); but it appears they answer to the following Numbers in the Roll.

Cap. in Stat.	No. in Roll.
1,	4
2,	22
3,	8
4,	14
5,	12
6,	28
7,	17
8,	36
9,	19
10,	27
11,	26
12,	24

Reprinted from Cay,
compared with
Berthelet 1543,
&c.—Titles from
printed Rot. Parl.

Cap. in Stat.	No. in Roll.
13,	25
14,	13
15,	16
16,	15
17,	29
18,	35
19,	37
20,	18
21,	31
22,	33
23,	30
24,	23

Reprinted from Cay,
compared with Berthe-
let 1543, &c.—Titles
from printed Rot. Parl.

Other Acts of this Year are noticed in the Tables prefixed to Hawkins's and subsequent Editions as PRIVATE ACTS, and distinguished into Chapters, which answer to the Numbers of the printed Roll as under :

Cap. in Table. No. in Roll.

- 1, — 1, *De Feoffamento p' Regem facto*.—For appointing new Trustees for executing the Feoffment, in Trust for the King's Will, confirmed by the Act 7 H. VII. (nu. 5.)
- 2, — 2, *Pro Principe*.—For making void Grants and Letters Patents, or Acts of Parliament, for the Duke of York, on his becoming Heir Apparent. See 11 H. VII. nu. 8.
- 3, — 3, *Composicio inter Regem & Stapulam*.—For continuing the Staple at Calais for Sixteen Years, and paying the Soldiers there. See Chap. 22. of the Publick Acts.
- 4, — 5, *Pro Restitut'one faciend' certis p'sonis p' D'n'm Regem*.—For empowering the King, by his Letters Patent, to reverse the Attainders and pardon the Forfeitures of certain Persons named, attainted for Treason, and of any Persons attainted by Act of Parliament or at Common Law, from the First Year of this Reign, or during the Reign of Ric. III. until the End of this Parliament.
- 5, — 6, *Pro Monasterio Sc'i Salvatoris de Syon*.—For confirming certain Grants to the Monastery of Sion.
- 6, — 7, *Indentura inter Regem &*
- 7, — 9, *De Partitione Terrarum Will'i nup' Marchionis Berkeley & Thome Comitis Surr'*.—For explaining and in part repealing the Acts 4 & 5 H. VII. nu. 2, 26 ; and 7 H. VII. nu. 9.
- 8, — 10, *De Actionibus continuand' pro novis Militibus f'cis cum D'no Principe*.—For preventing Abatement of Actions by the Creation of the Parties to be Knights.

Cap.

Cap. in
Table. No. in
Roll.

- 9, — 11, *De Auxilio concessō & Forma ejusdem.*—For granting the Sum of Forty thousand Pounds (of which the King remits Ten thousand Pounds) in lieu of the Two Aids for knighting the King's eldest Son, and marrying his Daughter.
- 10, — 20, *Pro Domina Cecilia Vic' Welles & al.*—For amending the Aēt 7 H. VII. nu. 10. in consequence of the Death of Lord Welles and the Remarriage of his Widow.
- 11, — 21, *Billa Attinccionis sive Conviccionis.*—For attaining a great Number of Persons for Treasons done in 12 & 13 H. VII. in adhering to Piers Warbeck, and at other Times.
- 12, — 32, *De Billa Restitutionis Rob'ti Brews Armigeri.*—For reversing an Attainder of Treason by Aēt 11 H. VII.
- 13, — 34, *De Billa Will'i Meryng Militis.*—For enabling Sir William Meryng to sue Execution (on a Verdict in appeal of Mayhem for Four thousand Pounds), by Elegit against the Lands of Sir Edward Stanhope conveyed in Trust for him.
- 14, — 38, *De Restituc'one pro Joh'e Heyron.*—For reversing Attainder of Treason by Aēt 11 H. VII.
- 15, — 39, *De Restituc'one pro Ric'o Berkeley.*—For explaining and enlarging the Benefits of the Aēt nu. 9. ante.
- 16, — 40, *De Restituc'one pro Will'o Barlee.*—For reversing Attainder for Treason by Aēt 11 H. 7.
- 17, — 41, *De Restituc'one pro Jacobo Harryngton.*—The like, by Aēt 3 H. VII.

[*HENRICUS Dei gratia Rex Anglie, et Francie, et Dominus Hibernie, vicecomiti Essex salutem. Præcipimus tibi firmiter injungentes quod in singulis locis infra ballivam tuam, tam intra libertates quam extra, ubi magis expediens videris, publicas proclamationes quorundam statutorum & ordinationum in ultimo parlamento nostro auctoritate ejusdem parlamenti editorum fieri facias in forma sequenti.*]¹

¹ This Writ of Proclamation is prefixed to the Statute of this Year in all Editions.

THE King our Sovereign Lord Henry the Seventh after the Conquest, by the Grace of God King of England and of France, and Lord of Ireland, at his Parliament holden at Westminster the [Sixteenth²] Day of January, in the Nineteenth Year of his (3) Reign, to the Honour of God and Holy Church, and for the common Weal and Profit of this his Realm, by the Assent of the Lords Spiritual and Temporal, and the Commons, in the

² Twenty-fifth, Berth. Reg. and printed Rot. Parl.

³ most noble
said

saïd Parliament assembled, and by Authority of the same Parliament, [hath done to be made⁴] certain Statutes and Ordinances in Manner and Form following.

⁴ hath do to be ordained, made, and enacted

C A P. I.

[For Attendance upon the King in his Wars.]

Recital of Stat.
11 H 7. c. 18.

WHERE in the Parliament holden at *Westminster* the Eleventh Year of the King our Sovereign Lord's Reign, for good and reasonable Considerations in an Act of the said Parliament contained, it was ordained by the same, That all Person or Persons being within this Realm of *England* or *Wales*, having Offices, Fees, or Annuities, of the King's Gifts and Grants, and did not give their Attendance upon the King's Highness, when he should fortune to go to Wars in his Person, in their Persons, as their Duty bindeth them in that Behalf, that then they, and every of them, making thereof Default (the King's special Licence not had, or else the said Person or Persons having such unfeigned Sickness, Letting, or Disease) that he or they after due Proof of the same, should forfeit and lose their said Offices, Fees, and Annuities, and the same to stand void at the King's Pleasure, as in the same Act more at large it is contained. And forasmuch as divers and many Persons, having of the King's Gifts and Grants many Honours Lordships, Castles, Manors, Lands, Tenements, and other Possessions and Hereditaments, by reason whereof they are more bound to give their Attendance upon the King's most Royal Person in his said Wars, than other rehearsed Persons having but Fees, Offices, and Annuities for Term of Life, as well for the Defence of his most Royal Person, as for the Defence of this his Realm, which was at that Time by Oversight omitted and left out of the said Act: Be it therefore enacted, ordained, and established, by the Advice of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That every Person or Persons having or occupying, or that hereafter shall have or occupy, any Honours, Castles, Lordships, Manors, Lands, Tenements, and other Possessions and Hereditaments, by reason and virtue of the Letters Patents of the King our Sovereign Lord that now is, now given, granted, and made, or hereafter to be given, granted, and made by our said Sovereign Lord, and give not their daily Attendance in their Persons upon his Highness, when he shall fortune to go in Wars within this his Realm, or elsewhere, for any urgent or any other reasonable Causes, in his Person, for the Honour or Surety of the same his Person, and the Defence of this his Realm, and against his Enemies or Robels within the same Realm, or without, for the repressing and subduing of them and their malicious Purpose, and well and truly, according to the Duty of their Allegiance, to serve the King in his said Journey and Voyage, and to give their Attendance upon his Grace in the same, and not for to depart without his special Licence in Writing under the King's Sign Manual and Signet, or under his Great Seal or Privy Seal, or else till after general Proclamation be made, that they shall depart, or

Whoever doth
not attend upon
the King being
in Person in the
Wars shall lose
his Lands
granted by the
King.

¹ Pro Attendance D'no Regi facienda in Guerris. printed Rot. Parl.

else

else the said Person or Persons having such unfeigned Sicknesse, Letting, or Disease, that he or they may not in their Persons come to do their personal Attendance and Service, and that duly proved, that then all such Letters Patents, Gifts, and Grants, and all Things in them contained, be utterly from henceforth annulled, void, and of none Effect, and at the King's Pleasure.

II. Provided, That all such Persons so giving Attendance, shall have the King's Wages from the Time of coming from his House toward the King, when they come to the King, and from the King home again at the Time of their departing, after the Rate of Twenty Miles for a Day, and while they be with the King's Grace, to have also the King's Wages.

Proviso for Wages during Attendance.

III. Provided also, That this Act extend to no Spiritual Person, nor to the Master of the Rolls, nor to none other Officer and Clerks of the Chancery, Justice of either Benches, Barons of the King's Exchequer, and other Officers and Clerks of the said Places, the King's Attornies and Solicitors, and the Serjeants at Law, nor to the Clerk of the King's Council for the Time being, nor to any Person being above the Age of Sixty Years, nor to any Person being within the Age of Twenty-one Years; nor to any Grant or Patent of any Ward or Idiot, or Custody of the same, nor to any Heirs Females inherited by reason of any such Grants.

Exceptions as to certain Persons, &c.

IV. Provided also, That it extend not to any Patents, nor Lands or Tenements comprised in the same, the which Patents make mention, that any Grant is made by the King of such Lands for certain Sum or Sums of Money contained in the same Letters Patents.

C A P. II.

An Act for the Encouragement of bringing Bow Staves into this Kingdom.

" NO Custom shall be paid for good Bow Staves brought into this Realm."—[*Until the next Parliament.*]

C A P. III.

[For continuing Statute 11 H. 7. c. 24. respecting Attaints, until the next Parliament.]

[*De falsis Verdictis puniendis. printed Rot. Parl.*]

C A P. IV.

An Act against shooting in [Long Bows.]*

" NO Man shall shoot in a Cross Bow without the King's Licence, except he be a Lord, or have Two Hundred Mark Land."

* Query, Cross-Bows.

[Confirmed, 3 Henry 8. c. 13. but repealed by Operation of 6 H. 8. c. 13.]

C A P. V.

[Coin.¹]

“ **A**LL Manner of Gold of the Coins of a Sovereign, Half
 “ Sovereign, Ryal, Half Ryal, and the Fourth Part of a
 “ Ryal, the Angel, and Half Angel, and every of them, being
 “ Gold, whole and Weight, shall go and be current in Payment,
 “ for the Sum that they were coined for. All Groats of *English*
 “ or foreign Coin current for Groats, or for Four-pence, being
 “ Silver, and not clipped or impaired, except reasonable Wearing
 “ (albeit they be cracked) and all Half Groats, or Pence of
 “ Two-pence of *English* or foreign Coin, in like wise shall be
 “ current for such Sum as they were coined for. All Pence being
 “ Silver, and having the Print of the King's Coin, shall be current
 “ without any Manner Refusal or Contradiction; except only
 “ Pencebearing Spurs, or the Mullet, betwixt the Bars of the
 “ Cross, which shall be current for Halfpence, and not above.
 “ Penalty on Persons refusing to receive the Coins in Payment,
 “ Imprisonment, &c. Money clipped or diminished shall not be
 “ current in Payment, but shall be brought to the Mint, or made
 “ into Plate. For avoiding of such Clipping in Time to come,
 “ the King hath caused to be made new Coins of Groats, and
 “ Pence of Two-pence, having a Circle about the utter Part
 “ thereof; and all Gold hereafter to be coined within this his
 “ Realm shall have the whole Scripture about every Piece of the
 “ same Gold, without lacking of any Part thereof, to the Intent
 “ that his Subjects hereafter may have perfect Knowledge by that
 “ Circle or Scripture when the same Coins be clipped or impaired.
 “ If the Warden and Controller of the King's Mints do not see
 “ that it be made perfect in Form aforesaid, they shall forfeit
 “ their said Office, and make Fine for the same at the King's
 “ Pleasure. No Person shall carry nor convey out of this Realm,
 “ any Bullion, Plate, or Coin of Gold and Silver into *Ireland*,
 “ above the Sum of Six Shillings Eight-pence, on Penalty of
 “ Forfeiture thereof, and of Imprisonment, Fine and Ransom at
 “ the King's Will. No Person shall bring nor convey any Coin
 “ of Gold or Silver above the Sum of Three Shillings Four-
 “ pence of the Coin of *Ireland* into this Realm, on like Penalty.
 “ All such Money of the Coin of *Ireland*, hereafter to be brought
 “ or conveyed into this Realm, may be seized by any one and
 “ taken to the King's Mint; and the Seizer shall have Half the
 “ Value.”

¹ For the Coin, *Myd.*—Pro Reformatione Pecuniarum. printed Rot. Parl.

C A P. VI.

An Act against Pewterers Walking.

TO the King our Sovereign Lord, and to the noble Lords
 Spiritual and Temporal, and Commons, in this present Par-
 liament assembled: Humbly and lamentably shewn and complain-
 unto your most abundant Grace, your humble Subjects the Pew-
 terers and Brasiers of your Cities of *London* and *York*, and of all
 other Places of this your Realm, That whereas many simple and
 evil disposed Persons of this your Realm of *England*, using the said

Several evil
 Practices used by
 Brawlers and
 Idlers.

said Crafts, daily go about this your Realm from Village, from Town, and from House to House, as well in Woods and Forests, and in other Places, to buy Pewter and Brasse; and that knowing Thieves and other Pickers that steal as well Pewter and Brasse belonging to your Highness, and under your Mark, and to the Lords Spiritual and Temporal, as to other your Subjects of this your Realm, bring such stolen Vessels unto them in such hid Places to sell, and sell it for little or nought, and about they bring it into privy Places, or into Corners of Cities or Towns, and there sell much Part of it to Strangers, which carry it over the Sea by Stealth: Also the said Persons so going about, and divers other using the said Crafts, use to make new Vessels, and to mix good Metal and bad together, and make it naught, and sell them for good Stuff, where indeed the Stuff and Metal thereof is not worth the Fourth Part that it is sold for, to the great Hurt, Deceit, and Loss of your Subjects: Also divers Persons using the said Crafts, have deceivable and untrue Beams and Scales, that one of them would stand even with Twelve Pound Weight at one End, against a Quarter of a Pound at the other End, to the singular Advantage of themselves, and to the great Deceit and Loss of your Subjects, Buyers and Sellers with them: For Reformation of the Premises, it would please your Highness of your most abundant Grace, with the Advice of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, to enact and establish, That no Person or Persons using the said Crafts of Pewterers and Brasiers, from henceforth shall sell or change any Pewter or Brasse, new or old, at any Place or Places within your Realm, but only in open Fairs or Markets, or in their own Dwelling Houses, but if they be desired by the said Buyers of such Ware, upon Pain of Forfeiture to our Sovereign Lord the King for every such Default x li.

Penalty on
Persons selling,
&c. Pewter or
Brasse, except in
Fairs, Markets,
or their own
Houses, 10 l.

II. Also that by the same Authority it may be enacted and established, That no Person nor Persons, of what Condition or Degree soever he or they be of, from henceforth within the said Cities of *London* and *York*, or without, either cast or work any Pewter Vessel or Brasse at any Place or Places within this your Realm, but that it be as good fine Metal as the Pewter and Brasse cast and wrought after the perfect Goodness of the same within the City of *London*, and by the Statutes of the same ought to be; upon Pain of Forfeiture of all such Pewter and Brasse so cast and wrought of worse Pewter or Brasse than ought to be wrought in the same Cities; that one Half of every such Forfeiture to be to the Use of your Highness, and that other Half to the Use of the Finders thereof. Provided alway, that this Forfeiture in no wise stretch ne extend to Brasse or Pewter being in the Possession of any Person other than the Workers of the same, or such as have the same to sell, and being of the Crafts or Mysteries.

Pewter and
Brasse Wares
shall be of the
same Goodness
every where as
in *London*.

III. Also that it may by the same Authority be enacted and established, That no Manner Person or Persons, of what Degree or Condition soever he or they be of, from henceforth make no hollow Wares of Pewter, that is to say, Salts and Pots that are made of Pewter called *Ley-Metal*, but that it may be after the Assise of Pewter *Ley-Metal* wrought within the City of *London*; and that

Assise of hollow
Ware of Pewter
Ley-Metal.

that the Makers of such Wares shall mark the same Wares with several Marks of their own, to the Intent that the Makers of such Wares shall avow the same Wares by them (as abovefaid) to be wrought; and that all and every such Wares not sufficiently made and wrought, and not marked in Form abovefaid, found in the Possession of the same Maker or Seller, to be forfeited; and if the same Ware be sold, the said Maker to forfeit the Value of the same Ware so unlawfully wrought and sold; the one Half of the said Wares, or the Moiety of the Value thereof, to be to the Use of your Highness, and the other Half to be to the Use of the Finder or Finders, or Searchers thereof.

Penalty for using
of false Beams
and Weights
in selling or
buying of
Pewter and
Brass 20 s.
or in Default of
Payment, Stocks
and Pillory.

IV. Also that it may be by the same Authority enacted and established, That if any Person or Persons hereafter using, buying, and selling of Pewter or Brass, that hereafter occupy any deceivable or false Beams or Weights of the said Wares, that every such Person or Persons using or occupying such deceivable and untrue Beams or Weights, to forfeit Twenty Shillings, the one Half to the King, and the other Half to the Party that therefore shall sue by Action of Debt; and that in the said Action no Protection nor Effoin shall be allowed; and also the said Party so offending shall forfeit his Beams to him that shall seize it; and if the said Offender or Offenders be not sufficient to pay the said Sum or Sums by them so forfeited, that then it shall be lawful to the Mayors, Bailiffs, or other head Officers of such Place or Places where any such Offender or Offenders shall be found, to put them in the Stocks, and them so to keep till the next Market Day next adjoining, and in the Market Place to put them in the Pillory all the Market Time.

Searchers of
Pewter and
Brass.

V. And furthermore, that it be lawful by the said Authority, That the Master and Wardens of the said Craft of Pewterers, within every City and Borough of this Realm where such Wardens are, and, where no such Wardens are, the Head or Governor of the same City or Borough, to appoint certain Persons most expert in the Knowledge of the same, to make Search within the said Cities or Boroughs where they dwell. And over this, the Justices of Peace within every Shire, at their General Session holden at *Michaelmas*, shall assign and appoint Two certain Persons, having Experience therein, to make Search in the Premises in every Part of that Shire, as well within the Franchise as without, saving in Cities or Boroughs where Searchers be appointed by the Heads and Governors of the same; and that of all such unlawful Pewter or Brass as the said Searchers shall find, the one Half to the Use of your Grace, and the other Half to the said Searchers; and that in the Default of the said Masters and Wardens of the said Occupations not searching in Form as is aforefaid, and whereby that any such unlawful Metal is cast or made, or unlawful Weights used, that then it shall be lawful to any Person or Persons having sufficient Cunning and Knowledge in the said Occupations, by Oversight of the Mayors, Bailiffs, and head Officers of the said Cities and Boroughs, to search all the said Places, and to put the said Authority and Act in Execution in Form aforefaid.

VI. Provided alway, That this present Act continue and endure to the next Parliament and no longer.

[Made perpetual 4 H. 8. c. 7.]

CAP.

C A P. VII.

An Act against making private and unlawful Statutes by Corporations.

[See also Stat.
22 H. 8. c. 4.
28 H. 8. c. 5.]Recital of Stat.
15 H. 6. c. 6.
against unlawful
Statutes by
Corporations.

PRAYEN the Commons in this present Parliament assembled, That where in a Parliament holden at *Westminster* the Fifteenth Year of the Reign of the blessed King *Henry* the Sixth, for that, that Masters, Wardens, and People of Guilds, Fraternities, and other Companies Corporate, dwelling in divers Parts of the Realm, oftentimes by Colour of Rule and Governance to them granted and confirmed by Charters and Letters Patents of divers Kings, made among themselves many unlawful and unreasonable Ordinances, as well in Prices of Wares as other Things, for their own singular Profit, and to the common Hurt and Damage of the People: It was enacted, that there should from henceforth no such Masters, Wardens, nor Companies, make nor use no Ordinance in Disinheritance or Diminution of the Prerogative of the King, nor of other, nor against the common Profit of the People, nor none other Ordinance of Charge [make and use,] but if it were first discussed and proved by good and reasonable Advice by the Justices of the Peace, or the Chief Governors of Cities, and before them entered of Record; and that upon Pain to lose and forfeit the Force and the Effect of all the Articles in their said Letters Patents and Charters contained concerning the same, and over that to lose and pay Ten Pounds to the King for every Ordinance that any of them made or used to the contrary; and this Ordinance to endure at the King's Pleasure; as in the same Act it appeareth; which Act is now expired, and sith the expiring of the same, divers and many Ordinances have been made by many and divers private Bodies Corporate within Cities, Towns, and Boroughs, contrary to the King's Prerogative, his Laws, and the Common Weal of his Subjects: Be it therefore ordained, established, and enacted by the King our Sovereign Lord, by the [Advice¹] of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That no Masters, Wardens, and Fellowships of Crafts or Mysteries, nor any of them, nor any Rulers of Guilds or Fraternities, take upon them to make any Acts or Ordinances, ne to execute any Acts or Ordinances by them heretofore made, in Disinheritance or Diminution of the Prerogative of the King, nor of other, nor against the common Profit of the People, [but that²] the same Acts or Ordinances be examined and approved by the Chancellor, Treasurer of *England*, or Chief Justices of either Benches, or Three of them, or before both the Justices of Assise in their Circuit or Progress in that Shire where such Acts or Ordinances be made, upon Pain of Forfeiture of xl. li. for every Time that they do contrary.

No Corporations
shall make or
execute any
Ordinances
without the
Approbation of
the Chancellor,
Treasurer, or
Justices, &c.

II. And over that it is enacted, That none of the same Bodies Corporate take upon them to make any Acts or Ordinances to restrain any Person or Persons to sue to the King's Highness, or to any of his Courts for due Remedy to be had in their Causes, ne put ne execute any Penalty or Punishment upon any of them for

No Order shall
be made by
Corporations to
restrain Suits
in the King's
Court.¹ Assent² but if

any

any such Suit to be made, upon Pain of Forfeiture of xl. li. for every Time that they do the contrary. And this Act to begin and take Effect at the Feast of *Pentecost* next coming, and from thenceforth.

C A P. VIII.

An Act concerning Skavage or Skewage.

TO the King our Sovereign Lord; Prayen the Commons in this your present Parliament assembled, That where the Merchants and Inhabitants of divers Cities, Boroughs, and Towns within this Realm, and as well divers Tenants of our said Sovereign Lord the King, as of other, that have by Grants made by the noble Progenitors and Predecessors of our said Sovereign Lord, as well to them by such Name or Names as they or any of them be Corporate, as by Grants made unto divers Lords both Spiritual and Temporal, and by Prescription, that they, their Tenants, Reliants, and Inhabitants within their several Lordships, Boroughs, and Towns, should be quit and discharged of divers and many Customs, as of Tolls and of other Exactions demanded and asked by divers Mayors, Sheriffs, Bailiffs, and other Officers of divers Cities, Boroughs, and Towns within this Realm, for their singular Lucre, of Merchants Denizens and of the King's true Subjects born, dwelling and inhabiting within this Realm, contrary to their said Privilege, and lately more and otherwise than in Times passed, have distrained, levied, and taken of them a certain Custom called *Scavage*, otherwise called *Shewage*, to their great Charge and Trouble, which Scavage was never used to be taken nor levied but only of Merchant Strangers: Be it therefore ordained, established, and enacted by the King our Sovereign Lord, and by the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That if any Mayor, Sheriff, Bailiff, or other Officer in any City, Borough, or Town within this Realm, distrain, take, or levy any Custom called *Scavage*, otherwise called *Shewage*, of any Merchant Denizen, or of any other of the King's Subjects Denizens, of or for any Manner of Merchandise to our Sovereign Lord the King before truly customed, that is brought or conveyed by Land or by Water, to be uttered and sold in any City, Borough, or Town in this Land; or if that any Mayor, Sheriff, Bailiff, or other Officer in any City, Borough, or Town, for Non-payment of the said Scavage, let or disturb any Merchant, or any other Person or Persons, being Denizens, to sell and utter their Merchandise by them brought into any City, Borough, and Town, that then every Mayor, Sheriff, Bailiff, or other Officer distraining, levying, or taking any such Scavage, or otherwise offending in any Thing contrary to this present Act, shall forfeit for every Time he so offendeth xx. li. the one Moiety thereof to our Sovereign Lord the King, and the other Moiety thereof to the Party in that Behalf grieved, or to any other that first sueth in that Party by Action of Debt in any Shire within this Realm to be sued, and that the Defendants in any such Action be not admitted to wage or do their Law, nor any Protection ne Essoin for any such Defendants be allowed in the same.

No Scavage or Shewage shall be paid for Merchandise customed.

Penalty for levying the same, or disturbing any Person in selling his Merchandise for Nonpayment thereof, 20l.

II. Provided

II. Provided alway, That the Mayor, Sheriffs, and Commonalty of the City of *London*, and every of them, shall have and take all such Sums of Money for the said Scavage, and of every Person Denizen, as by our Sovereign Lord the King, and his honourable Council shall be determined to be the Right and Title of the Mayor, Sheriffs, and Commonalty of the said City of *London*, or any of them, this Act in anywise notwithstanding.

Provido that Scavage may be taken by the Corporation of *London*.

C A P. IX.

An Act for Process upon Actions on the Case.

FORASMUCH as before this Time there hath been great Delays in Actions of the Case that hath been sued as well before the King in his Bench, as in his Court of his Common Bench, because of which Delays many Persons have been put from their Remedy: Be it therefore ordained, enacted, and established by the King our Sovereign Lord, by the Advice and Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That like Process be had hereafter in Actions upon the Case, as well sued and hanging, as to be sued, in any of the said Courts, as in Actions of Trespass or Debt.

[So *Frisk Act*, 10 *Car. 1. §. 2. c. 15.*]

Like Process in Actions on the Case, as in Actions of Trespass or Debt.

C A P. X.

An Act against wilful and negligent Escapes.

BE it ordained, established, and enacted by the King our Sovereign Lord, by the Advice and Assent of his Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That every Sheriff within every County within this Realm of *England* have the Custody, Rule, Keeping, and Charge, from the *Quindecim Pasche* next coming, of every of the King's common Gaols, Prisons, and Prisoners in the same, in every of the said Counties where he is Sheriff, during the Time of his Office; except all Gaols whereof any Person or Persons Spiritual or Temporal, or Body Corporate, have the Keeping of Estate of Inheritance, or by Succession; and from the same *Quindecim* of *Pasche* next coming, that all Letters Patents made to any Person or Persons for Term of Life or Lives, or for Term of Years, of the keeping of the said Gaols, and of any Constableness of any Castle, wherein any such common Gaol is, by the King our Sovereign Lord, or any other Kings of this Land, and every Thing in the said Letters Patents contained, be from henceforth repealed, adnulled, void, and of no Force ne Effect in the Law: And that every such Sheriff, from the said *Quindecim* of *Pasche*, be charged and chargeable with the said Gaols, Prisons, and the Prisoners remaining in the same.

Sheriffs shall have the keeping of all common Gaols, and the Prisoners therein:

Except Gaols whereof Persons have the Custody in Fee.

All Patents to the contrary shall be void.

II. And over that, Where divers and many Persons, for Treason, Murder, Robberies, and other Felonies before this Time have been taken, some for Suspession of the same Deeds, and some upon Indictments, and thereupon brought unto the same Gaols and Prisons, and sometime remained in the Keeping of the Persons that so arrested them for the said Causes, and by Colour of Negligence, subtilly and craftily, and oftentimes for Favour, Medec, Affection, or Corruption, suffered the said Offenders to escape, as if it had been by Negligence, to the overt and express Impedi-

ment of Justice, and Execution of the King's Laws ordered for the Punishment of such Offenders; and when such Escapes have been found before the Justices having Authority to inquire thereof, and thereupon the Parties convicted, or else yielded themselves to make Fine for the same, small Fines have been used to be set in those Causes, to the little Dread and Fear, and great emboldening of the said Offenders and Misdoers; by Mean whereof great and errant Felons and hainous Murderers, oftentimes have by Negligence escaped, so that neither they, nor the Keeper of them from whom they escaped, hitherto have not been punished according to their Demerits: Be it therefore enacted, ordained, and established by the said Authority of this present Parliament, That for every negligent Escape hereafter from any Sheriff, having the keeping of any Gaol, or from any Constable of Castle, or other, being Keeper of any Gaols where such Prisoners accustomedly have been and shall be kept, of Persons indicted of High Treason being in their keeping, that no less Fine be set or made for every such Escape, than C. Marks, and more, by the Discretion of the Justices that shall assess such Fines; and for every Escape of Person escaping, being in their keeping for Suspicion of High Treason, no less Fine to be set ne made than xl. li.; and for every Escape of Persons indicted of Murder or Petit Treason, xx. li. at the least, and more, by the Discretion of the Justices that shall assess such Fines; and for every Escape of Persons suspected of Murder or Petit Treason, x. li. or more, by the Discretion of the Justices that shall assess such Fines; and for every Person escaping, being in their Keeping, indicted of Felony, other than Murder or Treason, x. li.; and for every Person suspected of Felony, other than Murder or Treason, as is afore said, to forfeit for every such Escape, C. s. or more, by the Discretion of the Justices, after the Manner and Quantity of their Offences or Demerits; Saving to every Person or Persons, their Heirs, and their Successors, such sufficient and lawful Right and Title to any such Escapes, and Fines for the same, or to be quit of such Escapes, or of any other Escapes, as they have or ought to have at the Time of making this Act; this Act, or any Clause contained in the same in any Thing notwithstanding.

III. And if any Person hereafter have any Prisoner in his keeping, arrested for Suspicion of Felony, Treason, or Murder, and that Person that so is arrested, escape by negligent keeping before that he be brought to the Gaol, that that Person from whom he so escaped, shall forfeit for every Person that so doth escape, such Fines as shall be set by the Discretion of the Justices that shall have Authority to assess such Fines, as the Case shall require, and the same Forfeiture to go to them that be intituled to have such Forfeiture at the Time of making of this Act.

IV. And moreover, be it enacted and ordained by the said Authority, That all Offices of Constables of Castles, Fortresses, or other Places, and all other Offices within this Realm of *England* or *Wales*, not requiring actual Exercise in any of the same Offices by them to whom such Grant or Office is made or granted, or by their Deputy or Deputies, granted by the King our Sovereign Lord that now is, to any Person or Persons for Term of Life or Lives, and the Letters Patents of the same, shall be from the
 Fcast

Several Penalties
on Sheriffs; &c.
for the negligent
Escape of several
Sorts of
Offenders.
[Query, expired?
see § 5.]

Saving of Rights
for Escapes and
Fines.

The Penalty for
negligent Escapes
before the
Prisoner be
brought to the
Gaol. [See § 5.]

Certain Letters
Patents of
Offices not
requiring actual
Exercise
declared void

Feast of *Pasche* next coming utterly repealed, adnulled, void, and of no Force ne Effect in the Law.

V. And this Act, as concerning the Penalties aforesaid, and every of them, to endure to the next Parliament, and no longer.

VI. Provided alway, That neither the Sheriff of the County of *Surrey* for the Time being, nor any other Sheriff, have any Rule, Custody, or Governance of the Gaols of the *King's Bench* and *Marshalsea*, or of either of them, by reason or by Authority of the said Act; but that Sir *Thomas Brandon* Knight, and Sir *John Digby* Knight, and either of them, have and enjoy the Custody and Keeping of the same Gaols, according unto their several Grants to them made, this Act notwithstanding.

“ Proviso in Favour of *Edward Coventry* Earl of *Devon*, for “ the Constablenesship of the Castle of *Restormell*, or *Restormin*, in “ *Cornwall*.”

“ Proviso in Favour of *John Morgan*, for the Parkership of the “ Park of *Carlion*, in the Lordship of *Uske*, in *South Wales*.”

[In *Cay's Edition* is also added a Proviso for *Henry Wyatt* and *Thomas Fitzwilliam*, for Grants of the Offices of Constable and Porter of *Conysborough* Castle in *Yorkshire*, and the Constablenesship of the Castle of *Tykhill*, Part of the Duchy of *Lancaster* in *Yorkshire*; and the Warner or Warnership of the Warren of *Metbowlde*, in *Norfolk*.]

C A P. XI.

For Deer-hays and Buck-stalls.

FORASMUCH as it is well understood and known, that the greatest Destruction of Red Deer and Fallow within this Realm in Time past hath been, and yet is, with Nets called Deer-hays and Buck-stalls, and stalking with Beasts, to the great Displeasure of our Sovereign Lord the King, and of all the Lords and other Noblemen within this his Realm, having Forrests, Chases, or Parks in their Possessions, Rule, or Keeping; so that if the said Nets or Stalking should unlawfully be used and occupied in Time coming, as they have been in Time past, the most Part of the Forrests, Chases, and Parks of this Realm should be therewith destroyed: Be it therefore established and enacted, by the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That any Person or Persons, Spiritual or Temporal, having no Park, Chase, nor Forrest of their own, keep, nor cause to be kept any Nets called *Deer-hays*, or *Buck-stalls*, by the Space of a Month next after the Proclamation of this Act made, upon Pain of Forfeiture for every Month that he or they so keep or cause to be kept the same Nets, Hays, or Buck-stalls, [x. li.¹] And that no Person from henceforth stalk, nor cause any other Person to stalk, with any Bush or Beasts to any Deer, being in any Park, Chase or Forrest, or without, but if it be within his own Ground, Chase, Forrest, or Park, without Licence of the Owner, Master of the Game, or Keeper of the same Ground, Chase, Forrest, or Park, upon Pain of Forfeiture for every Time that he or they so stalketh, x. li.

II. And furthermore, That no Person ne Persons without his own Ground slay, take, or cause to be taken by Mean of Craft or Engine, any Herons, without it be with Hawking, or with a Long

Continuance of Act concerning Penalties.

The Sheriff of *Surrey* shall not have the keeping of the *King's Bench* and *Marshalsea*.

The Penalty for keeping of Deer-hays or Buck-stalls, or stalking at Deer without Licence.

[Repealed 16 G. 3. c. 30. § 27.]

How Herons shall be taken: The Penalty for taking of young Herons out of the Nest.

Bow, upon Pain of Forfeiture for every Heron taken or slain, vis. viii d. And that no Person or Persons without his or their own Ground take any young Herons out of the Nest, without Licence of the Owner of the Ground where the said Nest is, upon Pain of Forfeiture for every Heron so taken out of the Nest, x. s.

Recovery and
Application of
Penalties.

III. And that every Man that will, may and shall be admitted to sue for every of the said Forfeitures by Action of Debt, and like Process to be had and made therein, as in other Actions of Debt at the making of this Act; and that the Defendant be not admitted to tend nor to do his Law in any such Action, nor any Essoin nor Protection to be allowed for the Defendant in the same. And that Two Justices of Peace in their Sessions, shall have Authority to call before them any Person suspected of the Premises, and by their Discretions to examine them in the Premises. And if by their Examination the Party so examined be found in Default contrary to the Premises, then that Person so found in Default to be committed to Prison till he have found Surety for Payment of the same Forfeitures to the King; and that those Justices that so examine them, shall have the Tenth Part of every such Forfeiture for their Labour in that Behalf.

C A P. XII.

An Act relating to Vagabonds and Beggars.

[This Act is repealed by Stat. 21 Jac. 1. c. 28. § 11 (17).—See 11 H. 7. c. 2. The Provisions of that Act and this are very similar; but with some Alterations in this Act as to impotent and aged Persons.]

C A P. XIII.

An Act for repressing of Riots.

“STAT. 13 H. 4. c. 7. recited; that Act and all others in force for punishing Rioters (See 2 H. 5. ft. 1. c. 8.) confirmed.”

II. And forasmuch as in the said Statute made in the said Thirteenth Year, it is not expressed of what Sufficiency the Jurors impanelled should be; or what Issues they should lose, if they appear not, nor no Mention therein made of any Punishment of the Maintainers and Embracers of the Jurors that so shall be impanelled, should have for their Misdemeanors, if any be: It is therefore furthermore enacted by the said Authority in this present Parliament, That if any Riot, Rout, or unlawful Assembly, be committed and done at any Time after the First Day of May next coming, within this Realm of England, that the Sheriff having a Precept directed to him, shall return Twenty-four Persons dwelling within the Shire where such Riot, Rout, or unlawful Assembly shall be so committed and done, whereof every of them shall have Lands and Tenements within the same Shire to the yearly Value of xx s. of Charter Land or Freehold, or xxvi s. viii d. of Copyhold, or of both, over and above all Charges, to inquire of the said Riot, Rout, or unlawful Assembly. And he shall return upon every Person so by him impanelled, in Issues, at the First Day xx. s. and at the Second Day xl. s. if they appear not and be sworn to inquire of the Premises at the First Day. And if Default be found in the Sheriff or Under Sheriff, for returning of other Persons, not being of the said Sufficiency, or return not Issues in

Qualification
of Jurors to
enquire of
Riots, and
Return of Issues
on them for
Default.

Penalty on
Sheriff, 20 l.

Form

Form aforesaid, that then the said Sheriff shall forfeit to our Sovereign Lord the King for either Default therein, xx. li.

III. And if the said Riot, Rout, or unlawful Assembly be not found by the said Jury, by reason of any Maintenance or Embracery of the said Jurors, then the same Justices and the Sheriff, or Under Sheriff, over and above all such Certificate that they must and be bound to make, according to the said Statute made the said Thirteenth Year, shall in the same Certificate certify the Names of the Maintainers and Embracers in that Behalf, if any be, with their Misdemeanors that they know; upon Pain of every of the said Justices and Sheriff, or Under Sheriff, to forfeit xx. li. if the same Justices and Sheriff, or Under Sheriff, have no reasonable Excuse for non-certifying of the same; which Certificate so made shall be of like Force and Effect in the Law, as if the Matter contained in the same were duly found by the Verdict of Twelve Men: And every Person duly proved to be a Maintainer or Embracer of the same shall forfeit to our said Sovereign Lord xx. li. and as well the same Maintainers as the Embracers shall be committed to Ward, there to remain by the Discretion of the Justices.

Certificate by Justices of Maintainers and Embracers preventing the finding of Riots by a Jury, Penalty on such Maintainers, 20 l. &c.

C A P. XIV.

An Act against unlawful Detentions.

“**T**HE Penalty for giving or taking any Livery, &c. or for retaining; or being retained with another, during the King’s Life, Five Pounds *per* Month. Justices in Sessions shall enquire of such Offences, and certify Offenders to the Council; Penalty One hundred Pounds. Offenders may also be punished in the Star Chamber, or may be apprehended without Information by the Chancellor or Council, and examined on Oath, and punished by Imprisonment, &c.”

C A P. XV.

An Act giving Execution against Feoffees.

PRAYEN the Commons in this present Parliament assembled, That where divers and many Persons be defrauded of their Execution, as well of and upon Recognisances, Statutes of the Staple, Statutes Merchants to them made, as of their Debts and Damages recovered in Actions of Debt, Trespasses, or other Actions: And so in likewise the Lords of whom any Lands and Tenements be holden in Socage, of their Reliefs, and sometime of their Heriots, by reason that he so being bound or condemned, and also he that of Right ought to be very Tenant to the Lord of whom such Lands and Tenements be holden, causeth by Fine, Feoffment, Recovery, or otherwise, divers Persons to be seised of the said Lands, Tenements, and other Hereditaments only to his Use, he taketh the Profits of the same, to the great Hurt, Deceit, and Defraud of all the King’s true liege People within this his Realm, if that Remedy be not therefore purveyed: In consideration whereof, be it ordained, established, and enacted by the King our Sovereign Lord, by the Assent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That, from henceforth it shall be lawful for every Sheriff, or other Officer, to whom any Writ or Precept is or shall be directed at the suit of any Person or Persons,

The several Inconveniencies that many did receive by Feoffments to Use.

The Lands of *Coppy que use* shall be put in Execution for his Debt due by Judgment, &c.

sons, to have any Execution of any Lands, Tenements, or other Hereditaments, against any Person or Persons, of, for, and upon any Condemnation, Estatute Merchant, Estatute of the Staple, Recognizance hereafter to be made or had, to do, make, and deliver Execution unto the Party in that Behalf suing, of all such Lands and Tenements, as any other Person or Persons be in any Manner of wife seised, or hereafter shall be seised in any wife, to the only Use of him against whom Execution is so sued, like as the said Sheriff or other Officer might or ought to have done, if the said Party, against whom Execution hereafter shall so be sued, had been solely seised of the said Lands and Tenements of such Estate, as they be seised of to his Use at the Time of the said Execution sued.

Lands of
Cestuy que use
shall satisfy the
Lord his Relief,
Heriot, &c.

II. And over that, be it ordained by the said Authority, That the Lords of whom any such Lands or Tenements be holden in Socage, shall from henceforth after the Death of him to whose Use any Person or Persons, as is afore said, be seised (and no Will thereof declared) have his Relief, Heriot, and all other Duties, like as the said Lord ought or might have had, if he had died seised of the same.

Cestuy que use
shall have all
Advantages as
Tenant of the
Land.

III. Provided alway, That every such Person against whom Execution is or shall be had of Lands and Tenements so being in Possession of other Persons to his Use, may have all such Advantage in the Law against him or them that so have Execution of the Lands or Tenements afore said, as he might or should have had, if he had been solely seised of the said Lands and Tenements at the Time of the said Execution sued.

Cestuy que use
being a Bond-
man the Land
may be seised
by his Lord.

IV. And over that, be it ordained by the said Authority, That if any Bondman purchase any Lands or Tenements in Fee-simple, Fee-tail, or for Term of Life, or for Term of Years, and causeth Estate to be made to divers Persons to his Use, or taketh Estate to himself and to divers other jointly with him, and to his Use and Behoof, that it shall be lawful to the Lord of any such Bondman to enter, during the same Use, into the said Lands and Tenements, and every Parcel thereof, so purchased by his Bondman, in like Manner and Form as he might have done, if the said Bondman had only been seised of the said Lands and Tenements in Fee or otherwise.

C. A P. XVI.

An Act for regulating the Return of Jurors of the Sheriffs Turns in the Counties of *Southampton, Surrey, and Sussex*.

“THE Act 11 H. 7. c. 26. recited at length, and continued in force till the ensuing Parliament.”

C A P. XVII.

An Act relating to Shearers of Worsted.

“THE Stat. 11 H. 7. c. 11. recited, and so much thereof as relates to Worsted Shearers repealed: with a Saving for so much as relates to Apprentices: as to which latter, see 12 H. 7. c. 1. and 5 Eliz. c. 4.”

C A P. XVIII.

An Act concerning the River *Severn*.

“**R**ECITAL of Stat. 9 H. 6. c. 5. and that certain Officers of the City of *Worcester* and Town of *Gloucester* prevented Vessels from passing without paying certain Tolls or Impositions: It is enacted, That none shall hinder Vessels from passing, or take any such Tolls in future; Penalty Twenty Pounds, recoverable by Action of Debt.—For Offences done in the City of *Worcester* or Town of *Gloucester*, the Action shall be tried by Jurors of the County at large.—Proviso for Owners of Lands, who shall be satisfied for the Damage they receive by Towing Boats, &c.—Proviso that such Duties and Tolls may be allowed and decreed in the *Star-chamber* before *Ascension Day* One thousand five hundred and five.”

C A P. XIX.

An Act concerning Curriers, Tanners, and Cordwainers.

“**N**O Shoemaker shall occupy the Mystery of a Currier, nor Currier shall occupy the Mystery of a Shoemaker. No Tanner shall put a Hide to Sale before it be sufficiently dried.”
[*Repealed* 5 *Eliz. c. 8*: 1 *Jac. 1. c. 22. § 58.*]

C A P. XX.

An Act for Costs upon Writs of Error.

“**R**ECITAL of Stat. 3 H. 7. c. 10. for Costs to the Plaintiff, on a Writ of Error,” which Act or Ordinance hath not been as yet duly put in Execution, by reason whereof, as well Plaintiffs as Demandants, in divers Actions by them sued sith the making of the said Statute, have been oftentimes delayed of their Execution, to their great and importable Hurt, Loss, and Charges: Wherefore the King our Sovereign Lord, by the Advice of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, ordaineth, establisheth, and enacteth, That the said Act made the Third Year of his Reign, concerning the Premises, be good and effectual, and that from henceforth it be duly put in Execution.

Recited Act confirmed.

C A P. XXI.

An Act for Silk Women.

“CERTAIN Things wrought of Silk prohibited to be brought into this Realm.”
[*This Act recited and more effectual Provisions made, 3 Geo. 3. c. 21: 5 Geo. 3. c. 48.*]

C A P. XXII.

An Act for Attornies and Factors at *Calais*.

“**A**N Act (recited to be made in 4 H. 7., but being in fact a Clause in the Act 3 H. 7. nu. 14.) prohibiting Men of *Calais* to be Factors for Merchants of the Staple in *England*, recited and repealed.—See Cap. 3. of the Private Acts (*printed Rpt. Parl. nu. 3.*) of this Year.”

CAP.

C A P. XXIII.

An Act for the Hanse Merchants.

No Acts
relating to
Merchants or
Merchandizes
shall affect the
Liberties of the
Merchants of
the Hanse.

BE it ordained, established, enacted, and provided by the King our Sovereign Lord, by the Advice of the Lords Spiritual and Temporal, and the Commons of the same, in this present Parliament assembled, for Merchants of the Hanse of *Almain*, having the House in the City of *London*, commonly called *Guillballda Teutonicorum*, that by the Authority of this said Parliament every Act, Statute, or Ordinance, Acts, Statutes, or Ordinances, heretofore made, concerning Merchants, Merchandises, or other Wares, extend not to the Prejudice, Hurt, or Charge of the said Merchants of the Hanse, contrary to their ancient Liberties, Privileges, free Usages, and Customs of old Time granted to the said Merchants of the Hanse, as well by the King's noble Progenitors, and ratified and confirmed by the King's Grace, as by Authority of divers Parliaments; but that all such Act, Statute, and Ordinance, Acts, Statutes, and Ordinances so made, or to be made, in Derogation of their said Liberties, Privileges, free Usages, and Customs, stand and be, as against the said Merchants and their Successors, and every of them, void, repealed, adnullled, and of none Effect; any Act, Statute, or Ordinance, Acts, Statutes, or Ordinances to the contrary made or to be made notwithstanding. Provided alway, That this Act, or any Thing therein contained, extend not, or be in any wise prejudicial or hurtful to the Mayor, Sheriffs, Citizens, or Commonalty of the City of *London*, or any of them, or the Successors of any of them, of or for any Entries, Liberties, Privileges, Franchises, or other Thing to them or any of them given or granted by the King's most noble Progenitors or Predecessors Kings of this Realm, or by Authority of Parliament, or otherwise; this present Act or any Thing therein contained notwithstanding.

This Statute
shall not
prejudice the
Liberties of
London.

C A P. XXIV.

An Act for holding the Sheriffs Tourn at *Chichester* and *Lewes* alternately.

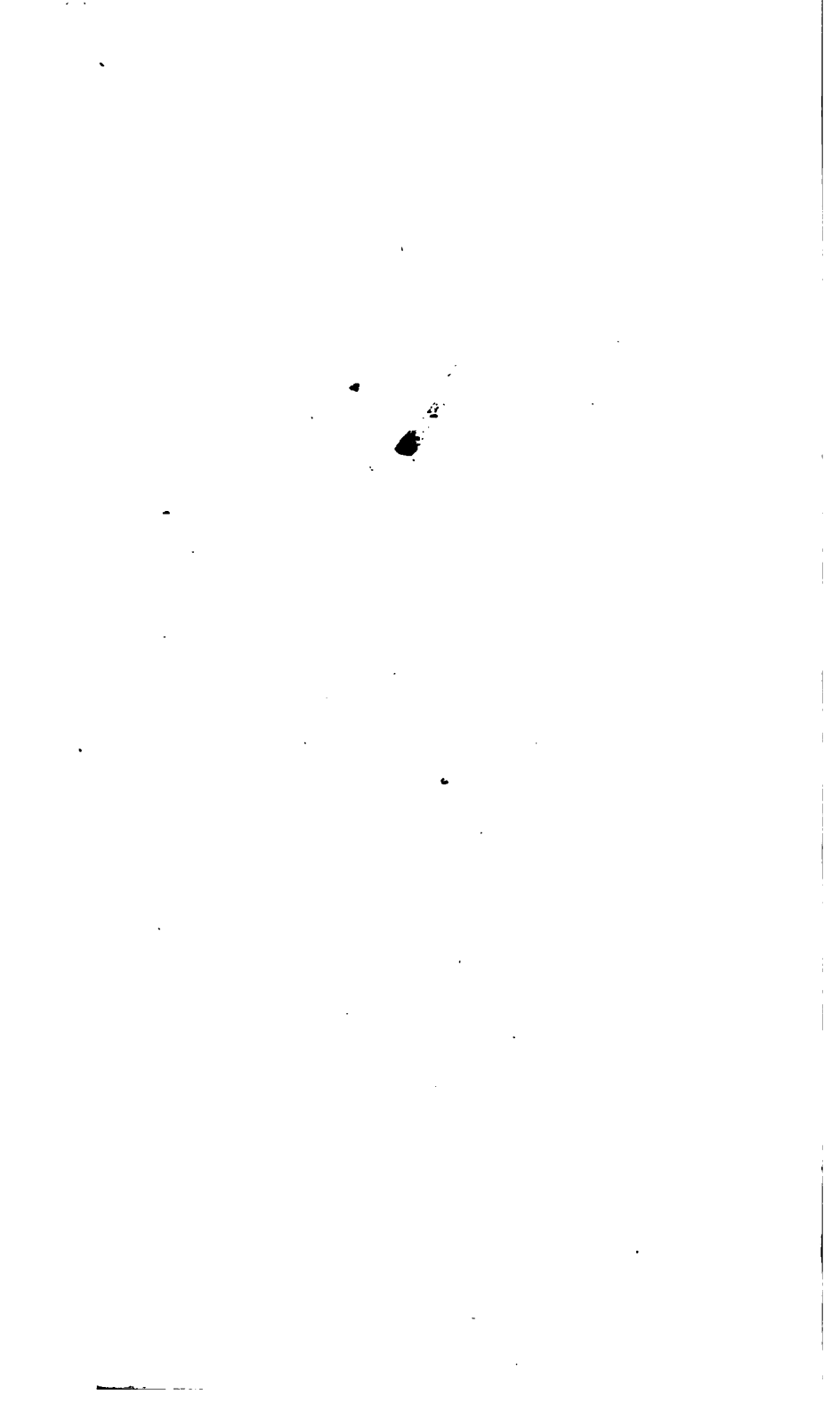
IN Consideration that the Shire Court of and for the Shire of *Suffex* is held and kept in the City of *Chichester*, which is in the extreme Part of the same Shire, the same Shire being Seventy Miles in Length; by reason whereof divers and many of the King's Subjects, inhabiting that Shire, are sometimes outlawed, and sometimes lose great Sums of Money in that Court ere they have Knowledge thereof, to their utter undoing: Be it therefore enacted by the Authority of this present Parliament, That from the Feast of *Easter* next coming, the Shire Court for that Shire shall be holden and kept one Time at *Chichester* aforesaid, and the next Time at the Borough of *Lewes*, which Borough is in the Midst of that Shire, and so to be kept *alternis vicibus* for ever; and every Shire Court holden to the contrary hereof, and all Things therein done, to be void.

End of the Statutes of King HENRY VII.

END OF THE SECOND VOLUME.

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