

Anno Reg. CAROLI, Regis Angliae, Scotiae, Franciae, & Hiberniae, Primo.

At the Parliament begun at Westminster the Eighteenth day of June, Anno Domini 1625. in the first year of the Reign of our most gracious Sovereign Lord, CHARLES, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. And there continued until the Eleventh day of July following, and then adjourned until the first day of August following, unto Oxford: To the high pleasure of Almighty God, and to the Weal publick of this Realm, were enacted as followeth.

CAP. I.

There shall be no Assemblies for unlawful Pastimes upon the Lords Day.

Forasmuch as there is nothing more acceptable to God than the true and sincere Service and Worship of him according to his holy Will, and that the holy keeping of the Lords Day is a principal part of the true Service of God, which in very many places of this Realm hath been, and now is profaned and neglected by a disorderly sort of people, in exercising and frequenting Bear-baiting, Bull-baiting, Enterludes, common Plays, and other unlawful Exercises and pastimes upon the Lords Day: And for that many quarrels, blood-sheds, and other great inconveniences have grown by the resort and concourse of people going out of their own Parishes to such disorder and unlawful exercises and pastimes, neglecting Divine Service both in their own Parishes and elsewhere: Be it enacted by the Kings most excellent Majesty, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the authority of the same, That from and after forty daies next after the end of this Session of Parliament, there shall be no meetings, assemblies, or concourse of people out of their own Parishes on the Lords Day within this Realm of England, or any the Dominions thereof, for any sports and pastimes whatsoever; no; any Bear-baiting, Bull-baiting, Enterludes, common Plays, or other unlawful exercises and pastimes used by any person or persons within their own Parishes, and that every person or persons offending in any the premises, shall forfeit for every offence three shillings four pence, the same to be employed and converted to the use of the poor of the Parish where such offence shall be committed: And that if any one Justice of the Peace of the County, or the chief Officer or Officers of any City, Borough, or Town corporate where such offence shall be committed, upon his or their view, or confession of the party, or proof of any one or more witnesses by oath, which the said Justice or chief Officer or Officers shall by virtue of this Act have authority to minister, shall find any person offending in the premises, the said Justice or chief Officer or Officers shall give Warrant under his or their hand and seal to the Constables or Church-wardens of the Parish or Parishes where such offence shall be committed, to levy the said penalty so to be assessed, by way of distress, and sale of the goods of every such offender, rendering to the said offender the overplus of the money raised of the said goods so to be sold; And in default of such distress, the party offending be set publicly in the stocks by the space of three hours; And that if any man be sued or impeached for execution of this Law, he shall and may plead the general Issue, and give the said matter of justification in evidence. Provided, That no man be impeached by this Act, except he be called in question within one moneth next after the said offence committed. Provided also, That the Ecclesiastical Jurisdiction within this Realm, or any the Dominions thereof, by virtue of this Act, or any thing therein contained, shall not be abridged, but that the Ecclesiastical Court may punish the said offences, as if this Act had not been made: This Act to continue until the end of the first Session of the next Parliament, and no longer. 3 Car. 1. continued until the end of the first Session of the next Parliament. Stat. 3 Car. 1. 17 Car. cap. 4. continued until other Order by Parliament.

Statute  
of the  
Lords  
Day  
1625.  
Every  
person  
offending  
in the  
premises  
shall  
forfeit  
three  
shillings  
four  
pence  
to be  
employed  
and  
converted  
to the  
use of  
the poor  
of the  
Parish  
where  
such  
offence  
shall  
be  
committed.  
And in  
default  
of such  
distress,  
the party  
offending  
be set  
publicly  
in the  
stocks  
by the  
space  
of three  
hours.  
And that  
if any  
man  
be sued  
or  
impeached  
for  
execution  
of this  
Law,  
he shall  
and may  
plead the  
general  
Issue,  
and give  
the said  
matter  
of  
justification  
in  
evidence.  
Provided,  
That  
no man  
be  
impeached  
by this  
Act,  
except  
he be  
called  
in  
question  
within  
one  
moneth  
next  
after  
the  
said  
offence  
committed.  
Provided  
also,  
That  
the  
Ecclesiastical  
Jurisdiction  
within  
this  
Realm,  
or any  
the  
Dominions  
thereof,  
by  
virtue  
of this  
Act,  
or any  
thing  
therein  
contained,  
shall  
not  
be  
abridged,  
but  
that  
the  
Ecclesiastical  
Court  
may  
punish  
the  
said  
offences,  
as if  
this  
Act  
had  
not  
been  
made.  
This  
Act  
to  
continue  
until  
the  
end  
of  
the  
first  
Session  
of  
the  
next  
Parliament,  
and  
no  
longer.  
3 Car. 1.  
continued  
until  
the  
end  
of  
the  
first  
Session  
of  
the  
next  
Parliament.  
Stat. 3  
Car. 1.  
17 Car.  
cap. 4.  
continued  
until  
other  
Order  
by  
Parliament.

CAP. II.

All Leases to be made within three years by the Kings Majesty of the Duchy Lands of Cornwall confirmed.

Whereas the King our Sovereign Lord, being in the life-time of his Royal father of blessed memory, lord of the said Duchedom of Cornwall, did bargain and contract for Leases and Estates to be made of divers Messuages, Lands, Tenements, and Hereditaments, parcel of the said Duchedom of Cornwall, which Leases and Estates his Majesty was enabled to have made in his father's life-time, by an Act of Parliament made in the last Session of Parliament, and that by the said Act, An Act to enable the most excellent Prince Charles to make Leases of Lands, &c. of his Duchedom

Highness Dutchy of Cornwall, or annexed to the same. And because his Majesty having received divers Fines and Summes of Money, according to the said Contracts, and having entered into Treaty with divers others for like Estates, the finishing of which Contracts, and making the said Leases, was prevented by his Majesty's access to the Imperial Crown of this Realm, is graciously pleased for the good of his poor Tenants of the said Dutchy Lands, to proceed to the full accomplishment of the Contracts, and Leases of the premises.

Be it therefore Enacted by our said Sovereign Lord the King, the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of this present Parliament, That all Leases to be made within the space of three years next ensuing by our said Sovereign Lord the King, by Letters Patents, Indentures, or other Writings under his great Seal of England, or Seal of the Court of Chancery, of any Mannors, Lands, Tenements, or Hereditaments, parcel of the possessions of the said Dutchy of Cornwall, or annexed to the same, shall be good and effectual in Law, according to the purport and content of the said Leases, against our said Sovereign Lord the King's Majesty, his Heirs and Successors, and against all and every person or persons, that shall hereafter have, inherit or enjoy the said Dukedom of Cornwall, by force of any Act of Parliament or other limitation whatsoever.

Prohibited altogether, That every such Lease so to be made, of any Mannors, Lands, Tenements, or Hereditaments in possession shall be made but for three Lives, or for one and thirty years, or under, or some other term of years determinable upon one, two, or three Lives, and not above. And if such Leases be made in reversion, That then the same, together with the Estates in possession, do not exceed three Lives, or the term of one and thirty years, and not in any wise divisible, or such rent as hath been yielded or paid for the greater part of twenty years next before the making of the said Leases, and shall be reserved by and payable, by, or to him or her that shall have the Inheritance or other Estate of the said Mannors, Lands, Tenements, or Hereditaments. And where no such rent hath been reserved or payable, that then upon every such Lease, there shall be reserved a reasonable rent, not being under the twentieth part of the clear yearly value of the Mannors, Lands, Tenements, or Hereditaments contained in such Lease.

And be it further Ordained and Enacted by Authority of this present Parliament, That all Conditions, Reservations, and other Agreements contained in every Lease so to be made as aforesaid, shall be good and effectual in Law, according to the words and contents of the same as well for, and against them to whom the reversion of the same Mannors, Lands, Tenements, or Hereditaments shall come, as for, and against them to whom the said Leases shall come respectively: As if our said Sovereign Lord the King's Majesty at the time of the making of such Conditions, Reservations, and other Agreements, were seized of an absolute and indefeasible Estate in Fee-simple, in the same Mannors, Lands, Tenements, or Hereditaments: Saving always to all and every person and persons, bodies Politick and Corporate, their Heirs and Successors, executors, administrators and assigns, (other then our said Sovereign Lord the King's Majesty, and his Heirs, and all and every person and persons that shall hereafter have, inherit, or enjoy the said Dukedom of Cornwall, by force of any Act of Parliament or other limitation whatsoever) all such rights, titles, estates, customs, interests, terms, claims, and demands whatsoever, of what kind, nature, or quality soever, of, in, to, or out of the said Mannors, Lands, Tenements, or Hereditaments, or any of them, as they or any of them had, or ought to have had before the making of this Act, to all intents and purposes, and in as large and ample manner and form, as if this Act had never been had or made: This Act or any thing therein contained to the contrary notwithstanding.

CHAP. III.

An Act for the Ease in obtaining of Licences of Alienation, and in the Pleading of Alienations with Licence, or of Pardons of Alienations without Licence in the Court of Exchequer, or elsewhere, Stat. 2. cap. 24. All Fines, Seisines, and Pardons for Alienations, and all incidents thereunto are taken away and discharged.

CHAP. IV.

Foreigners, as well as Inhabitants, shall not be permitted to tipple in Inns, Ale-houses, &c.

Whereas in the last Parliament it was Enacted, That if any person or persons, whatsoever his or their habitation or abiding be, should after be found, upon view, or his own confession, or proof of one witness, to be tipping in any Inn, Ale-house, or Victualling-house; such person or persons should be thenceforth adjudged and construed to be within the Statutes of the first and fourth years of the late King's Majesty's reign, King James of famous memory: The one intitled, An Act to restrain the inordinate haunting of tipping in Inns, Ale-houses, and other Victualling-houses: And the other intitled, An Act to repress the odious and insolent sin of Drunkenness, as if he or they had inhabited and dwelled in the City, Town, Corporation, Market town, Village or Hamlet, where the Inn, Alehouse, or Victualling-house should be, where he or they should be so found tipping, should incur the like penalty and punishment to be in such sort levied and disposed, as in the said Act is expressed, concerning such as were inhabitant, but no punishment by any or either the said Acts, or by any other Statute, is intended.

All Leases to be made within three years by the King of the Dutchy of Cornwall shall be good.

Except they be made for above 3 years or 3000. l.

The ancient Rent to be reserved, and if none ancient, 1/2 a reasonable Rent.

All conditions or reservations made in such Leases shall be good.

31 Jac. 1.

31 Jac. 1.

listed upon the Inn-keeper, Alehouse-keeper, or Victualler, that permits, or suffers such person or persons, not there inhabiting, to tipple in his Inn, Ale-house, or Victualling-house: For remedy whereof, Be it Enacted, That every Inn-keeper, Alehouse-keeper, and other Victualler, that at any time after the end of this Session of Parliament shall permit and suffer any person or persons, not inhabiting in the City, Town Corporate, Market town, Village or Hamlet, where such Inn, Alehouse, or Victualling-house is or shall be, to tipple in the said Inn, Alehouse or Victualling-house, contrary to the true intent of any or either of the said former Statutes, the said Inn-keeper, Alehouse-keeper, and Victualler so offending, shall incur the same penalty, and in such manner to be proved, levied and disposed, as in the former Statute of the first year of his said late Majesty's reign is appointed for permitting such to tipple as dwell in the same City, Town corporate, Market town, Village or Hamlet.

And be it further enacted, That the keepers of Taverns, and such as do sell Wine in their houses, and do also keep Inns, or Victualling in their houses, shall be taken to be within the said two former Statutes, and also within this Statute.

CAP. V.

Three entire Subsidies granted by the Spirituality. EXP.

CAP. VI.

Two entire Subsidies granted by the Temporality. EXP.

CAP. VII.

This Session of Parliament (by reason of the increase of the Sickness and other inconveniences of the season requiring a speedy Adjournment, nevertheless) shall not determine by his Majesty's Royal Assent to this and some other Acts. EXP.

All Statutes and Acts of Parliament, which are to have continuance unto the end of this present Session, shall be of full force after the said Adjournment, until this present Session be fully ended and determined: And if this Session shall determine by dissolution of this present Parliament, then all the Acts aforesaid shall be continued until the end of the first Session of the next Parliament: And all Statutes and Acts of Parliament, which before the said Adjournment shall pass by his Majesty's royal Assent, shall be put in execution immediately after forty days after the said Adjournment, notwithstanding that by the words or letter of the said Acts, or any of them, they be limited to take effect, or be put in execution, from, or at any time after the end of this present Session.

Statutes and Ordinances to be within the said Statutes.

Acts that are to have continuance shall remain in force.

When the Act which are now to pass shall take effect.

Anno Reg. Caroli, Regis Angliae, Scotiae, Franciae, & Hiberniae, Tertio.

At the Parliament begun at Westminster the Seventeenth day of March, Anno Dom. 1627. in the Third year of the Reign of our most gracious Sovereign Lord, CHARLES, by the grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. And there continued until the Twentieth day of June following, and then prorogued unto the twentieth day of October next ensuing: To the high pleasure of Almighty God, and to the weal publick of this Realm, were enacted as followeth.

A Declaration of divers Rights and Liberties of the People to the King, most Excellent Majesty.

Humbly shew unto our Sovereign Lord the King, the Lords Spiritual and Temporal, and Commons in Parliament assembled, That whereas it is declared and Enacted by a Statute made in the time of the Reign of King Edward the first, commonly called Statutum de Tallagio non concedendo, That no Tallage or Aid shall be laid or levied by the King or his Heirs in this Realm, without the good will and assent of the Archbishops, Bishops, Carls, Barons, Knights, Burgesses, and other the Franchises of the Commonalty of this Realm: And by Authority of Parliament holden in the five and twentieth year of the reign of King Edward the third, it is declared and Enacted, That from thenceforth no person should be compelled to make any Loans to the King against his will, because such Loans were against reason, and the Franchise of the Land; And by other Laws of this Realm it is provided, That none should be charged by any Charge or Imposition called a Benevolence, nor by such like charge: In which the Statutes before mentioned, and other the good Laws and Statutes of this Realm, your Subjects have inherited this charge, not let by common consent in Parliament:

Yet nevertheless, of late, divers Commissions, directed to sundry Commissioners in several Counties, with instructions, have issued; by means whereof your People have been in divers places

The Petition of Right.

24 Ed. 1.

25 Ed. 3. Rot. Pari.

1 Ed. 3. c. 2. 11 R. 2. 9. 1 R. 3. 2.

places assembled, and required to lend certain sums of Money unto your Majesty, and many of them, upon their refusal so to do, have had an Oath administered unto them, not warrantable by the Lawes or Statutes of this Realm, and have been constrained to become bound to make Appearance and give Attendance before your Privy Council, and in other places; and others of them have been therfore imprisoned, confined, and sundry other ways molested and disquieted: And divers other Charges have been laid and levied upon your People in several Counties by Lords-Lieutenants, Deputy-Lieutenants, Commissioners for Officers, Justices of Peace, and others, by command or direction from your Majesty, or your Privy Council, against the Lawes and free Customs of this Realm:

And where also by the Statute called The Great Charter of the Liberties of England, It is declared and Enacted; That no Freeman may be taken or imprisoned, or be disseised of his freehold, or Liberties, or his free Customs, or be outlawed or exiled, or in any manner destroyed, but by the lawful judgement of his Peers, or by the Law of the Land:

And in the eighth and twentieth year of the reign of King Edward the third, It was declared and Enacted by Authority of Parliament, That no man, of what estate or condition that he be, should be put out of his Land or Tenements, nor taken, nor imprisoned, nor disseised, nor put to death, without being brought to answer by due process of Law:

Nevertheless, against the tenor of the said Statutes, and other the good Lawes and Statutes of your Realm to that end provided, divers of your Subjects have of late been imprisoned without any cause shewed: And when for their deliverance they were brought before your Justices by your Majesty's Writs of Habeas corpus, there to undergo and receive as the Court should order, and their keepers commanded to certifye the causes of their detainer, no cause was certified, but that they were detained by your Majesty's special command, signified by the Lords of your Privy Council, and yet were returned back to several Prisons, without being charged with any thing to which they might make answer according to the Law:

And whereas of late great Companies of Bowditchers and Mariners have been dispersed into divers Counties of the Realm, and the Inhabitants, against their wills, have been compelled to receive them into their houses, and there to suffer them to sojourn, against the Lawes and Customs of this Realm, and to the great grievance and vexation of the People:

And whereas also by Authority of Parliament, in the five and twentieth year of the reign of King Edward the third, it is declared and Enacted, That no man should be fore-judged of life or limb against the form of the Great Charter and Law of the Land; And by the said Great Charter, and other the Lawes and Statutes of this your Realm, no man ought to be adjudged to death but by the Lawes established in this your Realm, either by the Customs of the same Realm, or by Acts of Parliament: And whereas no offender of what kind soever, is exempted from the proceedings to be used, and punishments to be inflicted by the Lawes and Statutes of this your Realm; Nevertheless, of late divers Commissions under your Majesty's great Seal have issued forth, by which certain persons have been assigned and appointed Commissioners, with power and authority to proceed within the Land, according to the Justice of Partial Law, against such Bowditchers and Mariners, or other dissolute persons joining with them, as should commit any Murder, Robbery, Felony, Mutation, or other outrage or misdemeanor whatsoever, and by such summary course and order as is agreeable to Partial Law, and as is used in Armies in time of War, to proceed to the trial and condemnation of such Offenders, and them to cause to be executed and put to death according to the said Partial Law:

By pretext whereof some of your Majesty's Subjects have been by some of the said Commissioners put to death, when and where, if by the Lawes and Statutes of the Land they had deserved death, by the same Lawes and Statutes also they might, and by no other ought to have been taken and executed.

And also sundry grievous Offenders, by colour thereof claiming an exemption, have escaped the punishments due to them by the Lawes and Statutes of this your Realm, by reason that divers of your Officers and Ministers of Justice have unlawfully refused or forbore to proceed against such Offenders according to the said Lawes and Statutes, upon pretence that the said Offenders were punishable only by Partial Law, and by Authority of such Commissions as aforesaid; Which punishments and all other of like nature, are wholly and directly contrary to the said Lawes and Statutes of this your Realm:

Therefore humbly pray your most excellent Majesty, That no man hereafter be compelled to make or give any Oath, nor Benedicence, nor, or such like charge, without common consent by Act of Parliament; And that none be called to make answer, or take such Oath, or to give Attendance, or be confined, or otherwise molested or disquieted concerning the same, or by other means: And that no Freeman, in any such manner as is before mentioned, be imprisoned or detained; And that your Majesty would be pleased to remove the said Bowditchers and Mariners, and that your People may not be so burthened in time to come: And that hereafter no Commissions, proceeding by partial Law, may be revoked and annulled: And that hereafter no Commissions, or like nature, may issue forth to any persons or persons whatsoever, to be executed as aforesaid, till by consent of them and of your Majesty's Subjects be declared, or put to death contrary to the Lawes and Statutes of the Land.

All which they most humbly pray of your most excellent Majesty, as their Rights and Liberties, according to the Lawes and Statutes of this Realm; And that your Majesty would also vouchsafe to declare, That the awards, doings and proceedings, to the prejudice of your People, in any of the premises, shall not be drawn hereafter into consequence or example: And that your Majesty would be also graciously pleased, for the further comfort and safety of your People, to declare your royal will and pleasure, That in the things aforesaid, all your Officers and Ministers shall serve you according to the Lawes and Statutes of this Realm, as they tender the Honor of your Majesty, and the Prosperity of this Kingdom. Stat. 17 Car. cap. 14.

CAP. I.

Restraint of divers abuses committed on the Lords day.

As much as the Lords day, commonly called Sunday, is much broken and profaned by Carriers, Waggons, Carters, Wain-men, Butchers and Drivers of Cattle, to the great dishonor of God, and reproach of Religion; Be it therefore enacted by the Kings most excellent Majesty, and the Lords Spiritual and Temporal, and by the Commons in this present Parliament assembled, and by the Authority of the same, That no Carrier with any Hycle or Hycles, nor Waggon-men with any Waggon or Waggons, nor Cart-men with any Cart or Carts, nor Wain-man with any Wain or Wains, nor Drivers with any Cattel, shall after forty days next after the end of this present Session of Parliament, by themselves, or any other, travel upon the said Day, upon pain that every person and persons so offending shall lose and forfeit twenty shillings for every such offence: If any Butcher by himself, or any other for him, by his private or consent, shall after the end of the said forty daies, kill or sell any Cattel upon the said Day; That then every such Butcher shall forfeit and lose for every such offence the sum of six shillings and eight pence; The said offences, and every of them, being done in view of any Justice of Peace, Mayor, or other head Officer of any City or Town corporate, within their limits respectively, or being proved upon Oath by two or more witnesses, or by the confession of the party offending, before any such Justice, Mayor, or head Officer, within their several limits respectively, wherein such offence shall be committed; To which end, every such Justice, Mayor, or head Officer, shall have power by this Act to minister an Oath to such witness or witnesses: All which sums or penalties shall or may be levied by any Constable, or Churchwarden, by warrant from any such Justice or Justices of the Peace, Mayor, or other head Officer as aforesaid, within their several limits where such offence shall be committed or done, by distress and sale of the Offenders goods, conveying to the party the over-plus; or shall be recovered by any person or persons that will sue for the same, by Bill, Plaint, or Information, in any of his Majesty's Courts of Record, in any City or Town corporate, before his Majesty's Justices of the Peace in their General Sessions of the Peace: All which forfeitures shall be employed to and for the use of the poor of the Parishes where the said offences shall be committed or done, saving only that it shall be lawful to and for any such Justice, Mayor, or head Officer, out of the said Forfeitures, to reward any such person or persons that shall inform or otherwise prosecute any person or persons offending against this present Act, according to their discretions, so that such reward exceed not the third part of the Forfeiture: Provided that such Bill, Plaint, or Information shall be commenced, sued and prosecuted in the County, City, or Town corporate, where such offence shall be committed and done, and not elsewhere, wherein no Assize, Protection or Wager of Law shall be allowed to the Defendant. Provided always, That it shall be lawful for any Constable or Churchwarden, that shall have any Suit or Action brought against them for any Distress by them or any of them to be taken by force of this present Act, to plead the general Issue, and to give the special matter in Evidence: Provided likewise, That no person or persons whatsoever shall be impeached by this Act, unless he be thereunto questioned within six months after the offence committed. Provided further, That this Act shall not in any sort abridge or take away the Authority of the Court Ecclesiastical. This Act to continue to the end of the first Session of the next Parliament. Stat. 17 Car. 1. Continued and made perpetual. 17 Car. cap. 1.

CAP. II.

Restraint of pilgrimages, or sending any person beyond the Seas to Popish Inns.

As much as divers ill affected persons to the true Religion established within this Realm, have sent their children into foreign parts to be bred up in Popery, notwithstanding the restraint thereof by the Statute made in the first year of the reign of our late Sovereign Lord King James of famous memory; Be it Enacted, That the said Statute shall be put in due execution: And be it further Enacted by the Kings most excellent Majesty, and the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That in case any person or persons, under the obedience of the King, his heirs or Successors at any time after the end of this Session of Parliament, shall pass or go, or shall endeavor to send, or cause to be sent or conveyed, any Child, or other person, out of any of the Kings Dominions, into any parts beyond Seas, out of the Kings obedience, to the intent and purpose to enter into, or be resident or trained up in any Priory, Abbey, Monastery, Popish University, Colledge or School, or House of Jesuits, Priests, or in any private Popish Family,

A Carrier or Waggon-men with any Waggon or Waggons, nor Cart-men with any Cart or Carts, nor Wain-man with any Wain or Wains, nor Drivers with any Cattel, shall after forty days next after the end of this present Session of Parliament, by themselves, or any other, travel upon the said Day, upon pain that every person and persons so offending shall lose and forfeit twenty shillings for every such offence: If any Butcher by himself, or any other for him, by his private or consent, shall after the end of the said forty daies, kill or sell any Cattel upon the said Day; That then every such Butcher shall forfeit and lose for every such offence the sum of six shillings and eight pence; The said offences, and every of them, being done in view of any Justice of Peace, Mayor, or other head Officer of any City or Town corporate, within their limits respectively, or being proved upon Oath by two or more witnesses, or by the confession of the party offending, before any such Justice, Mayor, or head Officer, within their several limits respectively, wherein such offence shall be committed; To which end, every such Justice, Mayor, or head Officer, shall have power by this Act to minister an Oath to such witness or witnesses: All which sums or penalties shall or may be levied by any Constable, or Churchwarden, by warrant from any such Justice or Justices of the Peace, Mayor, or other head Officer as aforesaid, within their several limits where such offence shall be committed or done, by distress and sale of the Offenders goods, conveying to the party the over-plus; or shall be recovered by any person or persons that will sue for the same, by Bill, Plaint, or Information, in any of his Majesty's Courts of Record, in any City or Town corporate, before his Majesty's Justices of the Peace in their General Sessions of the Peace: All which forfeitures shall be employed to and for the use of the poor of the Parishes where the said offences shall be committed or done, saving only that it shall be lawful to and for any such Justice, Mayor, or head Officer, out of the said Forfeitures, to reward any such person or persons that shall inform or otherwise prosecute any person or persons offending against this present Act, according to their discretions, so that such reward exceed not the third part of the Forfeiture: Provided that such Bill, Plaint, or Information shall be commenced, sued and prosecuted in the County, City, or Town corporate, where such offence shall be committed and done, and not elsewhere, wherein no Assize, Protection or Wager of Law shall be allowed to the Defendant. Provided always, That it shall be lawful for any Constable or Churchwarden, that shall have any Suit or Action brought against them for any Distress by them or any of them to be taken by force of this present Act, to plead the general Issue, and to give the special matter in Evidence: Provided likewise, That no person or persons whatsoever shall be impeached by this Act, unless he be thereunto questioned within six months after the offence committed. Provided further, That this Act shall not in any sort abridge or take away the Authority of the Court Ecclesiastical. This Act to continue to the end of the first Session of the next Parliament. Stat. 17 Car. 1. Continued and made perpetual. 17 Car. cap. 1.

After conviction and by warrant from a Justice of the Peace, or other head Officer as aforesaid, within their several limits where such offence shall be committed or done, by distress and sale of the Offenders goods, conveying to the party the over-plus; or shall be recovered by any person or persons that will sue for the same, by Bill, Plaint, or Information, in any of his Majesty's Courts of Record, in any City or Town corporate, before his Majesty's Justices of the Peace in their General Sessions of the Peace: All which forfeitures shall be employed to and for the use of the poor of the Parishes where the said offences shall be committed or done, saving only that it shall be lawful to and for any such Justice, Mayor, or head Officer, out of the said Forfeitures, to reward any such person or persons that shall inform or otherwise prosecute any person or persons offending against this present Act, according to their discretions, so that such reward exceed not the third part of the Forfeiture: Provided that such Bill, Plaint, or Information shall be commenced, sued and prosecuted in the County, City, or Town corporate, where such offence shall be committed and done, and not elsewhere, wherein no Assize, Protection or Wager of Law shall be allowed to the Defendant. Provided always, That it shall be lawful for any Constable or Churchwarden, that shall have any Suit or Action brought against them for any Distress by them or any of them to be taken by force of this present Act, to plead the general Issue, and to give the special matter in Evidence: Provided likewise, That no person or persons whatsoever shall be impeached by this Act, unless he be thereunto questioned within six months after the offence committed. Provided further, That this Act shall not in any sort abridge or take away the Authority of the Court Ecclesiastical. This Act to continue to the end of the first Session of the next Parliament. Stat. 17 Car. 1. Continued and made perpetual. 17 Car. cap. 1.

1. Jac. 4. Be that goes himself, or sends any other beyond the Seas to be trained up in Popery, or shall be obliged to live, and shall lose all his goods, and shall forfeit all his lands, &c. for life. Stat. 17 El. 2. And Stat. 3 Jac. 5.

8. H. 3. 59.

11. Ed. 3. 10.

30. Ed. 3. 10.  
31. Ed. 3. 9.  
32. Ed. 3. 3.  
37. R. 2. 6.

17. Ed. 3. 9.

3. H. 3. 10.  
31. Ed. 3. 4.  
18. Ed. 3. 3.

10. H. 3. 10.

11. Ed. 3. 10.

and shall be there, by any Jesuits, Seminary Priest, Friar, Monk, or other Popish person, instructed, persuaded, or strengthened in the Popish Religion, in any sort to profess the same, or shall convey or send, or cause to be conveyed or sent, by the hands or means of any person whatsoever, any sum or sums of Money, or other thing, for or towards the maintenance of any Child, or other person, already gone or sent, or to go, or to be sent, and trained and instructed, as is aforesaid, or under the name or colour of any Charity, Benevolence, or Alms, towards the relief of any Priory, Abbey, Monastery, Colledge, School, or any Religious House whatsoever: Every person so sending, conveying, or causing to be sent and conveyed, as well any such Child, or other person, as any sum or sums of Money, or other thing, and every person passing or being sent beyond the Seas, being thereof lawfully convicted, in or upon any Information, presentment, or Indictment, as is aforesaid, shall be disabled from thenceforth to sue or use any Action, Bill, Plein, or Information, in course of Law, or to prosecute any Suit in any Court of Equity, or to be Committe of any Ward, or Executor, or Administrator to any person, or capable of any Legacy or Died or Gift, or to bear any Office within the Realm, and shall lose and forfeit all his Goods and Chattels, and shall forfeit all his Lands, Tenements and Hereditaments, Rents, Annuities, Offices, and Estates of Franchise, for and during his natural life.

Prohibited likewise, That no person sent or conveyed as aforesaid, that shall within six months after his return into this Realm, conform himself unto the present Religion, established in this Church of England, and receive the Sacrament of the Lords Supper, according to the Statutes made concerning Conformity in other cases required from Popish Reculants, shall incur any the penalties aforesaid.

And it is enacted, That all and every of the Offences against this Statute may be inquired, heard and determined before the Justices of the Kings Bench, or Justices of Assize, or Circuit Judges, or of Oyer and Terminer of each County where the Offenders did last dwell or abide, or where they departed out of this Kingdom, or where they were taken.

Prohibited also, That if any person or Child, so passing, or sent, or now being beyond the Seas, shall after his return into this Realm, conform himself to the present Religion, established in this Church of England, and receive the Sacrament of the Lords Supper, according to the Statutes made for or concerning Conformity in other cases required from Popish Reculants, for and during such time as he or she shall so continue in such Conformity and obedience, according to the true intent and meaning of the said Laws and Statutes, shall have his or her Lands restored to them again.

CAP. III.

The Forfeiture and Punishment of him that keeps an Alehouse without License.

Whereas, by an Act made in the fifth year of the reign of King Edward the sixth of famous memory, intituled, an Act for keepers of Alehouses to be bound by Recognizance, amongst other things, it is enacted, That if any person or persons, other than such as should be from thenceforth admitted and allowed by the Justices mentioned in the said Act, should after the day in the said Act limited, obstinately, and upon his own authority, take upon him or them to keep a common Alehouse, or Tipling-house, or should, contrary to the commandment of the said Justices, or two of them, use commonly selling of Ale or Beer, That then the said Justices of Peace, or two of them (whereof one to be of the Quorum) should, for every such offence, commit every such person or persons so offending to the Common Gaol within the same Shire, City, Borough, Town corporate, Franchise or Liberty, there to remain without bail or mainprie to the space of three moneths: And before his or their deliverance, the said Justices shall take recognizance of him or them so committed, with two Sureties, that he or they should not keep any common Alehouse, or Tipling-house, or use commonly selling of Ale or Beer, as by the direction of the law Justices should seem convenient: And the said Justices should make Certificate of every such Recognizance and Surety, at the next Quarter Sessions that should be holden within the same Shire, City, Borough, Town corporate, Franchise or Liberty, where the same should be committed or done, which Certificate should be a sufficient Condition in the same should be committed or done: And the said Justices of Peace, upon the said Certificate made, should in open Sessions assess the Fine for every such Offence at twenty Shillings, as by the said Act may appear: Which Law hath not brought such Reformation as was intended, for that the said Fine of twenty Shillings is seldom levied, and for that many of the said Offenders, by reason of their poverty, are neither able to pay the said Fine of twenty Shillings, nor yet to bear their own Charges of conveying them to the Gaol; And moreover, do leave a great charge of Wife and Children upon the Parishes wherein they live: In regard whereof, the Constables and other Officers are much discouraged in presenting them, and the Offenders become obstinate and incorrigible.

For remedy whereof, Be it Enacted by the Authority of this present Parliament, That if any person or persons, after forty days next ensuing the end of this present Session of Parliament, shall upon his own authority, not being therunto lawfully licensed, take upon him, or them, to keep a common Alehouse or Tipling-house, or use commonly selling of Ale, Beer, or other Beer, That then every such person or persons, shall for every such Offence forfeit and lose the sum

Robert shall be taken the penalties aforesaid.

1. & 6. Ed. 6. 25

the that shall be taken the penalties aforesaid.

sum of twenty Shillings of current money of England, to the use of the poor of the Parish where such offence shall be committed: The same offence being viewed and seen by any Mayor, Bailiff, or Justice of Peace, or other head Officer, within the several limits, or confessed by the party so offending, or proved by the oath of two witnesses to be taken before any Mayor, Bailiff, or other head Officer, or any one or more Justice or Justices of the Peace, who by virtue of this Act shall be authorized to minister the said oath to any person or persons that can or will testify the same, being within the limits of their said Commission: The said penalty to be levied by the Constables of Church-wardens of the parish or parishes where the said offence shall be committed: Who shall be accountable therefore to the use of the poor of the said parish by way of distress, to be taken and detained by warrant or precept, from the said Mayor, Bailiff, Justice or Justices, or other head Officer, by whom the said offence shall be viewed, or before whom the same shall be confessed, or proved as aforesaid: and for default of satisfaction, within three dates next ensuing, the said distress to be by the said Constables or Church-wardens appraised and sold, and the overplus to be delivered to the party or parties offending, and this to be only for the first offence. And if such offender or offenders shall not have sufficient Goods and Chattels whereby the said twenty Shillings, within six dates after such conviction as aforesaid, That then the said Mayor, Bailiff, Justice or Justices, or other head Officer, before whom the said Offender shall be convicted as aforesaid, shall commit all and every the said offender or offenders to some Constable or Constables, or other inferior Officer or Officers of the City, Borough, Town, Parish or Hamlet, where the offence shall be committed, or the party apprehended, to be openly whipped for the said offence, as the said Justice or Justices shall limit or appoint.

And be it Enacted by the authority aforesaid, That if any Constable or inferior Officer shall neglect to execute the said precept or warrant, or do refuse, or do not execute by himself, or some other to be by him appointed, upon the offender the punishment limited by this Statute, that in that case it shall and may be lawful for the said Mayor, Bailiff, Justice or Justices of Peace, or other head Officer, to commit the Constable or other inferior Officer to refusing, or not executing the said punishment by himself or some other, to the common Gaol of the said County, City, or Town corporate, there to remain without bail or mainprie, until the said Offender or Offenders shall be by the said Constable or Constables, or other inferior Officer so refusing, or not executing the said punishment, or some by his or their procurement, punished and whipped, as is above limited and declared, or until he or they so neglecting or refusing, shall have paid the sum of forty Shillings of lawful money of England, unto the use of the poor of the parish for their said contempt.

And be it further Enacted, that if the said Offender or Offenders being an unlicensed Alehouse-keeper, shall offend in any of the premises the second time, and be thereof lawfully convicted in manner and forme aforesaid, That then the said Mayor, Bailiff, Justice or Justices of the Peace, or other head Officer shall commit him, her, or them unto the house of Correction, there to remain for the space of one month, and be dealt withall as idle, lewd and disorderly persons. And if such Person or Persons shall again offend, and shall be thereof convicted, as aforesaid, that then the said offender and offenders, for every such offence, shall be committed unto the said house of Correction, as aforesaid, there to remain until by the order of the Justices in their general Sessions for the County, City, Borough, or Franchise, he, she, or they shall be delivered from thence.

Prohibited likewise, that such offender or offenders, as shall be punished by virtue of this Act, shall not be punished again for the same offence by the former Act, made in the fifth year of King Edward the sixth aforesaid. And that such offender or offenders as shall be punished by virtue of the before mentioned Act, made in the fifth year of King Edward the sixth, shall not be punished again for the same offence by virtue of this present Act, nor any thing therein contained.

Prohibited likewise, That in such Towns and places, where any Fair or Fairs shall be kept, that for the time only of the same Fair or Fairs, it shall be lawful for every person or persons to use commonly selling of Ale or Beer in Boths, or other places there, for the relief of the Kings Subjects that shall repair unto the same, in such like manner and sort as hath been used and done in times past, this Act, or any thing therein contained to the contrary notwithstanding. St. 11 H. 7. 2. 1 Jac. 9. 4 Jac. 10. 21 Jac. 7. 1 Car. 4.

CAP. IV.

Divers Statutes made perpetual, others continued, and some others repealed. When Corn may be transported, &c.

Be it Enacted by the authority of this present Parliament, That one Act made in the first year of the reign of the late Queen Elizabeth, intituled, An Act for the preservation of Spawes and foy of fish, except the proviso in the said Act mentioned, that the same Act shall not extend to the Rivers of Usser, nor Waters or Rivers, whereof the Queen was answered of any yearly rent or profit, nor to Farmers, Owners or Occupiers of the Rivers of Usser, Usser, and other Rivers in the said proviso mentioned or contained: One Act made in the thirteenth year of the reign of the late Queen Elizabeth, intituled, An Act touching leases of Benefices, and other Ecclesiastical livings with Cure, together with all and every explanations, additions, and alterations

The Constables of Church-wardens shall take the said penalty to the use of the poor.

The party that is not able to pay the cost, shall be whipped.

The officer next him to punish the offender shall be punished or imprisoned or pay ten shillings.

For the same offence the offender shall be committed to the house of correction.

The offender punished by this Act, shall not be again punished by 1 & 6 Ed. 6. 25. & contrary thereto kept in the time of Fairs &c.

1 El. 17.

43 El. 20.

17 El. not printed.

rations thereof, or of any of them, or to any of them, made by several Statutes, in the fourteenth, eighteenth, and thirtieth years of her said late Majesty's reign.

And one Act made in the seven and twentieth year of the reign of the late Queen Elizabeth, intitled, An Act for the maintenance of the Par and Cobb of Lyme Regis in the County of Dorset.

And one Act made in the third year of the reign of the late King James, intitled, An Act for the avoiding of unnecessary delays of creations, be by authority of this present Parliament, made perpetual, and shall from henceforth stand in full force and effect, and be put in due execution for ever hereafter.

And be it also enacted by the same authority, That one Statute made in the one and twentieth year of the reign of the late King James, intitled, An Act against Usury, which act was to continue for the space of seven years, from the four and twentieth day of June, which then should be in the year of our Lord, one thousand six hundred twenty and five, and so to the end of the first Session of Parliament then next following, be also by authority of this Parliament made perpetual.

And it is further enacted, by the authority aforesaid, That one Act made in the one and twentieth year of the reign of the late King Henry the eighth, intitled, an Act for the true making of Cables, Ropes and Hoopes:

And that part of one Act made in the Parliament holden at Westminster by prorogation the fourth day of November, and continued until the first day of February next after, in the third and fourth years of the reign of the late King Edward the sixth, by which it is ordained and enacted, That no Person or Persons after the time in the said Act mentioned, shall sell again alive Cattel in the said Act mentioned, at or in the Market or Fair wherein he bought the same, during the time of the same Fair or Market, under the pains therein contained:

And that no person being a Butcher, and using the craft or mystery of Butchery, shall at any time after the said feast buy any fat Oxen, Steers, Hinds, Hens, Heifers, Calves, or Sheep, and sell, or cause to be sold the same again alive, upon pain of forfeiture of every such Ox, Steer, Heifer, Cow, Heifer, Calves or Sheep, bargained or sold contrary to the forme of that Act:

And one other Act made in the same Parliament, intitled, an Act for the buying and selling of Butter and Cheese, together with one Statute made in the Parliament holden in the one and twentieth year of the reign of the late King James, intitled, an Act for the explanation of the Statutes made in the third, and fourth, and fifth years of the reign of the said late King Edward the sixth, concerning the traders of Butter and Cheese:

And so much of an Act made in the fifth year of the reign of the late Queen Elizabeth, intitled, an Act touching certain politic constitutions, made for the maintenance of the Navy, as is not repealed by any later Statute, nor both concern the entry of fish, or using of fish upon the Wednesday, for the transportation of herring, or other Sea fish; for freedom of subsidy, Customs or Tonnage for the same; for Transportation of Coyn; nor the prohibiting the bringing into this Realm any Coy or King in Barrels or other Casks, together with all and every other additions, explanations and alterations made thereunto, or thereof, or of any part thereof, by any Statute or Statutes made since the making of the said last mentioned Act, and in force the last day of the Session of Parliament that was in the one and twentieth year of the Reign of the late King James:

And one other Act made in the said fifth year, intitled, an Act for avoiding divers foreign wares made by divers crafts Men beyond the Seas:

And an Act made in the eighth year of the reign of the said late Queen Elizabeth, intitled, an Act for the better regulation and the pieces of Holms:

And one Act made in the thirteenth year of the reign of the late Queen Elizabeth, intitled, an Act that Purveyors may take Coyne and Licenses within five miles of Cambridge and Oxford in certain cases:

And so much of an Act made in the fourteenth year of the reign of the said late Queen Elizabeth, intitled, an Act for the punishment of Vagabonds, and the relief of the poor and impotent, as concerneth the taking, raising, keeping and employing of Coat-mongers:

And so much of an Act made in the eighteenth year of the reign of the said late Queen Elizabeth, intitled, an Act for the setting the poor on work, and avoiding Idleness, as concerneth Wastages begotten out of lawful Patrimony, with this, that all Justices of the Peace within their several limits and precincts, and in their several Sessions, may do and execute all things concerning that part of the said Statute, that by Justices of the Peace in the several Counties were by the said Statute limited to be done:

And one Act made in the said eighteenth year of the reign of the said late Queen Elizabeth, intitled, an Act for repairing and amending the Bridges and High-Wayes near unto the City of Dorchester:

And one Act made in the seven and twentieth year of the reign of the said late Queen Elizabeth, intitled, an Act for the good Government of the City or Borough of Westminster:

And two other Acts made in the said seven and twentieth year of the reign of the said late Queen Elizabeth, the one intitled, an Act for reviving of a former Statute, for the true making of Ropes, together with the Statute by the said Act revived; and the other intitled, an Act for the buying of the Sea banks, and Sea works in the County of Norfolk:

And one Act made in the one and thirtieth year of the Reign of the late Queen Elizabeth, intitled, an Act for the true galing of Vessels brought from beyond the Seas, converted by Merchants for the utterance and sale of Ale and Beer:

And two Acts made in the five and thirtieth year of her said late Majesty's reign, the one intitled, an Act for the Reformation of sundry abuses in Cloaths, called Devonshire Kerchiefs or Doggers, according to a Proclamation of the four and thirtieth year of her said Majesty's reign; the other intitled, an Act for the bringing in of Clapboard from the parts beyond the Seas, and the restraining of the transporting of wine Casks, for the sparing and preserving of Timber within the Realm:

And so much of one Act made in the five and thirtieth year of the reign of the said late Queen Elizabeth, intitled, an Act to retain the Danes Majesty's Subjects in their due obedience, as hath not been since repealed by any other Statute:

And the several Acts hereafter mentioned, made in the nine and thirtieth year of the reign of the late Queen Elizabeth, that is to say, an Act intitled, an Act for the punishment of Rogues, Vagabonds, and sturdy Beggars, with the provision annexed thereunto, by one Act made in the first year of the reign of the late King James, intitled, an Act for continuing and revising of divers Statutes, and for repealing of some others: An Act intitled, an Act for the increase of Mariners, and for maintenance of Navigation, repealing a former Act made in the thirteenth and thirtieth year of her said Majesty's reign, bearing the same title: an Act intitled, an Act prohibiting the bringing into the Realm of foreign Cards for Wool, an Act intitled, an Act for restraining the excessive making of Vault: an Act against lewd and wasteful persons, pretending to be Soldiers or Mariners: And the several Acts hereafter mentioned, made in the thirteenth and fourteenth year of the said late Queen Elizabeth: that is to say, an Act intitled, an Act for the necessary relief of Soldiers and Mariners: an Act intitled, an Act to avoid trifling and frivolous Suits in Law in her Majesty's Courts at Westminster, an Act intitled, an Act for relief of the poor, with the addition thereunto made, by an Act made in the first year of the reign of the late King James, intitled, an Act for continuing of divers Statutes, and for repeal of some others, and with this further addition: And be it Enacted, That all persons to whom the Ordinances of the Poor shall according to the said Act binde any children Apprentices, may take and receive, and keep them as Apprentices: And also that the Churchwardens and Overseers of the Poor, mentioned in the said Act, made in the said thirteenth and fourtieth year, may by and with the consent of two or more Justices of the Peace, wherof one to be of the Quorum, within their respective limits, whereto shall be more Justices than one; and where no more shall be than one, with the assent of that one Justice of the Peace, set up, use, and occupy any Trade, Art, or Occupation, onely for the setting on work, and better relief of the Poor of the Parish, Town, or Place, of, or within which they shall be Churchwardens or Overseers of the Poor, any former Statute to the contrary notwithstanding: An Act intitled, an Act for the true making and working of Wallen Cloth: an Act intitled, an Act to prevent Perjury, and subornation of Perjury, and unnecessary expenses in Suits of Law: And the several Acts made in the first year of the reign of the late King James, after mentioned: One Act intitled, an Act for continuance and explanation of the Statute made in the nine and thirtieth year of the reign of the late Queen Elizabeth, intitled, an Act for punishment of Rogues, Vagabonds and sturdy Beggars: another intitled, an Act to take away the benefit of Clergy for four kind of Off-shaughter: another intitled, an Act concerning Taverners, Carriers, Sho-makers, and other Artificers, occupying the cutting of Leather, saving for such part thereof as is repealed by one other Act, made in the fourth year of his said late Majesty's reign of England, in that behalf: Another intitled, an Act for the better execution of the intent and meaning of former Statutes made against shooting in Guns, and for the preservation of the Game of Pheasants and Partridges, and against the destroying of Hares with bare pipes, and tracing Hares in the Snow: an Act intitled, an Act for avoiding of Deceit in Selling, Buying, or spending corrupt and intemperate Hops: an Act intitled, an Act for explanation of the Statute made in the fifth year of the late Queen Elizabeth's reign, concerning Labourers: an Act for the charitable relief and ordering of persons infected with the Plague: And the several Acts made in the third year of the reign of the late King James, after mentioned, that is to say, one Act intitled, an Act for relief of such as unlawfully use the Trade and Handicraft of Whimiers: Another Act intitled, an Act for rating and levying of the charges for conveying of Malefactors and Offenders to the Gaol: Another Act for transporting of War over the Seas: One other intitled, an Act against unlawful hunting and stealing of Deer and Conies: And one Act made in the fourth year of the reign of the said late King James, intitled, an Act for the better provision of Penowls and pasture, for the necessary maintenance of Husbandry and Village, in the Parishes, Towns, and Parishes of Wenden, alias Palmarden, Roddenham, Wellington, Sutton Saint Michael, Sutton Saint Nicholas, Sutton upon Logge, and the Parish of Pipe, and every of them, in the County of Hereford: And the several Acts made in the seventh year of the reign of the late King James after mentioned, the one intitled, an Act for the better execution of Justice, and suppressing of criminal Damages in the North parts of the Kingdom of England: Another intitled, an Act for the due execution of divers Lawes and Statutes heretofore made against Rogues, Vagabonds, and sturdy Beggars, and other lewd and idle persons: Another intitled, an Act to prevent the spoil of Coyne and Grain by unlicensed halving, and for the better

31 El. 8.  
35 El. 10.  
35 El. 12.  
35 El. 2.  
39 El. 4.  
1 Jac. 25.  
39 El. 10.  
38, 39 El. 7.  
39 El. 10.  
35 El. 2.  
35 El. 14.  
39 El. 26.  
39 El. 27.  
43 El. 3.  
41 El. 5.  
43 El. 2.  
1 Jac. 25.  
The Ordinance of the Poor may binde any Apprentices, the Churchwardens et. may set up any Trade or Occupation within their respective limits.  
43 El. 4.  
1 Jac. 7.  
35 El. 4.  
1 Jac. 25.  
35 El. 6.  
1 Jac. 27.  
1 Jac. 18.  
1 Jac. 6.  
35 El. 4.  
1 Jac. 31.  
1 Jac. 9.  
3 Jac. 10.  
3 Jac. 11.  
1 Jac. 13.  
4 Jac. 11.  
7 Jac. 1.  
7 Jac. 4.  
7 Jac. 11.  
7 Jac. 11.  
7 Jac. 13.  
7 Jac. 13.  
3 Jac. 23.  
7 Jac. 26.

prohibition of Pheasants and Partridges: One other intituled, an Act to avoid the double payment of Debts: One other intituled, An Act for the explanation of one Statute made in the second Session of that present Parliament, intituled, an Act against unlawful hunting of Deer and Conies: And one other Act intituled, an Act for the taking, landing, and carrying of Sea-fish for the bettering of grounds, and for the increase of Coin and Tillage within the Counties of Devon and Cornwall: And that one part of the Statute made in the five and twentieth year of the Reign of the late King Henry the eighth, intituled, an Act for the destruction of wild fowl, which was repealed by a later Act in the Parliament holden in the third and fourth years of the reign of the late King Edward the sixth, and revised in the Parliament holden in the one and twentieth year of the Reign of the late King James: and one Act made in the first year of the Reign of the late Queen Mary, for and concerning the making, repairing and amendment of the common highways and Causey, in the Counties of Dorset and Somerset, between the Towns of Shaftsbury and Sherborn, in the County of Dorset, and revised in the said one and twentieth year: And also the several Acts hereafter mentioned, made in the said one and twentieth year of the Reign of the late King James: That is to say, an Act intituled, an Act concerning Women convicted of small felonies: and one Act intituled, an Act for the continuance of a former Statute made in the fourth year of the Reign of the said late King James, intituled, an Act for the true making of woollen clothes, and for some addition and alterations, in and to the same, together with so much of one Act made in the said fourth year as was in force the last day of the Session of Parliament, holden in the said one and twentieth year: and one other Act, intituled, an Act to prevent and reform prophane swearing and cursing: and one Act, intituled, an Act to prevent the destroying and murdering of bastard Children, by vertue of this Act, shall be, and continue until the end of the first Session of the next Parliament in force and effect, as the same were the first day of the Session of Parliament, holden in the first year of the reign of our Sovereign Lord the King that now is: And be it also Enacted, that one Statute made in the said first year of his Majesties Reign that now is, intituled, an Act for punishing of divers abuses committed on the Lords day, shall continue in force until the end of the next Session of Parliament.

Provided nevertheless, that so much of every of the said Act, as by any new Act made in this Session of Parliament, are or shall be explained, altered or repealed, shall for so much thereof from the end of this Session of Parliament stand as be in force, as by those other Acts shall be ordained.

Provided also, and be it further Enacted by the authority of this present Parliament, That when the prices of Corn or Grains at the times, Havens and Places, when and where the said Corn or Grain shall be bought, shipped or laden, exceed not the rates hereafter following, viz. the quarter of Wheat at thirty and two shillings the quarter: the quarter of Rye, at twenty shillings: the quarter of Pease and Beans, at sixteen shillings: the quarter of Barley or Mault, at sixteen shillings, of current English money: That then it shall be lawful for all and every person and persons, being Subjects of the Kings Majesty, his Heirs and Successors, and born within this Realm, to carry and transport of his own, and to buy to sell again, in Baskets and out of Baskets, and to keep, or sell, or carry and transport any of the said Corns and Grains, from the places where they shall be of such prices, into any part beyond the Seas, in amity with his Majesty, as where they shall be of such prices, into any part beyond the Seas, in amity with his Majesty, as Merchandise in Ships, Carvers, or other Vessels, whereof any English born Subject or Subjects then shall be the owner or owners, or the same to carry and sell in other places within this Realm and Dominion thereof: Any Law, Statute, or Usage to the contrary hereof notwithstanding. And that the Kings Majesty, his Heirs and Successors, shall have and receive by the Customers and Officers of his Ports, for the Custom or Poundage of every quarter of Wheat to be transported, by force of this Statute, out of this Realm, two shillings of every quarter: of other grain, within the space of one year after the date hereof, to be had and taken as Custom or Poundage, shall be in full satisfaction of all manner of Custom or Poundage for the said Corn or Grain, by any Constituted Statute, Law, or Custom heretofore made, used, or taken, for transporting of any such manner of Corn or Grain, or made in this present Session of Parliament, or hereafter to be made.

Provided also, and be it Enacted by the authority of this present Parliament, That the Kings Majesty, his Heirs and Successors, may at all times by his and their Writ of Proclamation to be published generally in the whole Realm, or in any of the Counties of this Realm, where any Ports are, command, that no person shall by vertue of this Act, transport or comber any manner of Grain out of his Highness Dominions generally, or out of any special Ports to be in the said Proclamation particularly named, for such time as shall be therein limited and appointed: And it shall not be lawful for any person to carry out any such Grain contrary to the tenor of the said Proclamation, upon such pains and forfeitures as by the Laws and Statutes of this Realm, are and have been provided and ordained in that behalf, This Act or any thing therein contained to the contrary notwithstanding.

Provided also, and be it Enacted, that no person or persons shall incur any penalty, for want of length or weight of Welsh Cottons, under the price of 12 d. the yard, or 2 s. the good, so long as they be not mixed with laines, or other deceitful stuff, nor for any others above that price, except they shall be mixed as aforesaid, or shall weigh above the rate of half a yard in 12 yards of length, or weigh less than fourteen ounces the yard, or hold not full three quarters of a yard broad.

And be it also Enacted by the authority aforesaid, That that part of one Statute made in the sixteenth year of the reign of the late King Richard the second, by which it is ordained, that no manner

11 H. 8. 11.  
6. 3 & 4.  
Ed. 6. 7.  
Se. 21. Jac. 28.  
13. 5.  
Se. 31. Jac. 28.  
21. Jac. 6.  
21. Jac. 18.  
4. Jac. 2.  
21. Jac. 30.  
21. Jac. 27.  
The 50. Statute about mentioned until the end of the next Session of the next Parliament.  
1. Car. 1.  
Continued until some other Act be made for continuance or discontinuance of the said Act.  
Stat. 17. Car. 4.  
When Corn may be carried abroad.  
Stat. 21. Jac. 29.  
The Custom and Poundage of Corn.  
The Kings Proclamation may restrain transportation of Corn.  
Stat. 16. E. 1.

manner of Spicers, after that it be brought into the Realm shall be carried out of the same Realm to Aliens nor by Denizens, upon pain of forfeiture thereof: And one Statute made in the first year of the reign of the late King Richard the second concerning Liberties: and one other Statute made in the twentieth year of the reign of the late King Richard the second, by which it is ordained that no Clerics, called Peomen, nor other of lesser estate than an Esquire, shall use or take any sign of Liberty, called Liberty of Company of any Lord within the Realm: And one Statute made in the first year of the reign of the late King Henry the fourth, concerning giving of Liberties: And one Statute made in the seventh year of the reign of the late King Henry the fourth, concerning giving of Liberties: And one other Statute made in the thirteenth year of the reign of the late King Henry the fourth, concerning giving of Liberties: And one Statute made in the eighth year of the reign of the late King Henry the fifth, concerning Liberties: And one Statute made in the eighth year of the reign of the late King Edward the fourth, concerning Liberties: and so much of one Statute made in the third year of the reign of the late King Henry the seventh, concerning the Star-Chamber, as toucheth or concerneth the punishment of those that shall give or take Liberties: And one other Statute made in the said third year, concerning taking of Liberties by the Kings Officers and Farmers, be from henceforth repealed.

And be it also enacted by authority of this Parliament, that one Act of Parliament made in the seventh year of the reign of the late King James, intituled, An Act for the recovery of many thousand Acres of marsh grounds, and other grounds, within the Counties of Norfolk and Suffolk, lately surrounded by the rage of the Sea, in divers parts of the said Counties, and for the prevention of the danger of the like surrounding hereafter, be continued, and shall stand in force until the end of the next Session of Parliament. 17. Car. cap. 4.  
CAP. V.

The Estates of the Tenants of Bromfield and Yair, in the County of Denbigh, and of the Tenures, Rents, and Services thereupon reserved, (according to the late composition made for the same with the Kings most Excellent Majesty, then Prince of Wales) ratified and confirmed. P. R.  
CAP. VI.

Five Subsidies granted by the Spirituality. EXP.  
CAP. VII.

Five Subsidies granted by the Temporality, Anno quarto Caroli Regis. EXP.

Anno Regni Caroli Regis Angliae, Scotiae, Franciae, & Hiberniae, Decimo Sexto.

AT the Parliament begun at Westminster the third day of November, An. Dom. 1640. In the fiftenth year of the Reign of CHARLES the first, by the Grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. To the High pleasure of Almighty God, and to the well publick of this Realm, were Enacted as followeth:

Parliaments to be called and held every third year. REP. & ALT. 16. Car. 1. cap. 1.  
CAP. II.

A Grant of four entire Subsidies for the Relief of His Majesties Army and the Northern parts of the Kingdom. EXP.  
CAP. III.

Some things mistaken in the last Act reformed, and the Acts of the Commissioners and other Officers by them appointed, made good. EXP.

Anno decimo septimo Caroli Regis.

CAP. IV.

A Grant of two Subsidies for the further Relief of His Majesties Army, and the Northern parts of the Kingdom. EXP. And divers Statutes continued.

And be it Enacted by the Authority aforesaid, That the passing of this present Act, or of any other Act or Acts, or his Majesties Royal Assent to them or any of them in this present Session of Parliament, shall not be any determination of the said Session, and that all Statutes and Acts of Parliament which have their continuance, or were by an Act of Parliament made in the third year of the Reign of his Majesty that now is, intituled, An Act for the Continuance and Repeal of divers Statutes, continued until the end of the first Session of the then next Parliament shall by vertue of this Act be amended ever since the Session of Parliament in the said third year to have been of such force and effect, as the same were the last day of that Session, and from thenceforth until some other Act of Parliament be made touching the continuance or discontinuance of the said Statutes and Acts in the said Act of the third year of his Majesties Reign continued as aforesaid.  
CAP.

Divers Statutes continued.  
16. Car. cap. 1.  
continued last year.

CAP. V.

The Lord Admiral and others by his authority may Raise and Impress Mariners, Sailers, and others, for the present guarding of the Seas, and necessary Defence of the Realm. EXP.

CAP. VI.

Michaelmas Term abbreviated.

Whereas the Term of S. Michael, commonly called Michaelmas Term, doth begin on after the Feast of Saint Michael, that it is generally found to be very inconvenient to His Majesties Subjects both Nobles and others, as well for the keeping of the Quarter Sessions next after the Feast of Saint Michael the Archangel, and the keeping of their Leets, Law-days, and Court-Barons, which they can by no means attend, in regard of the necessity of their coming to the said Term so shortly after the Feast of Saint Michael the Archangel, to appear upon Appeals, and to follow their Causes and Suits in the Law, the same time being the chief time of all the year for the sowing of Land with Winter Corn, and for the disposing and setting in order of all their Winter Husbandry and business, and for the receiving and paying of Rents; And in many parts of this Kingdom Harvest is seldom or never joined till three weeks after the said Feast.

Therefore the Kings most Excellent Majesty, out of the Princely care that he hath of all his loving Subjects, having a special care to the increase and continuance of their wealth and good Estates, by the assent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, Ordaineth, Enacteth, and Establisheth, That in the said Michaelmas Term there shall be six common days of Return only, and not above; that is to say, The first day of Return thereof shall be, and be called, A die Sancti Michaelis in tres septimanas; The second day of Return of the same Term, shall be, and be called, A die Sancti Michaelis in unum mensem; The third day of Return of the same Term, shall be, and be called, In Crastino Animum; The fourth day of Return of the same Term, shall be, and be called, In Crastino Sancti Martini; The fifth day of Return of the same Term, shall be, and be called, In Octabis Sancti Martini; And the sixth day of Return of the said Term, shall be, and be called, A die Sancti Martini in quindecim dies.

And that the same days of Return shall be observed in all the High Courts of Record of our Sovereign Lord the King, his Heirs and Successors hereafter to be holden at Westminster, or other place or places at the assignment or appointment of our Sovereign Lord the King, His Heirs and Successors; And that from and after the Feast of Saint Michael the Archangel next coming, there shall not be, nor be called any days of Return in Octabis Sancti Michaelis, nor a die Sancti Michaelis in quindecim dies, nor either of them; And that the said Term of Saint Michael yearly for ever, from and after the said Feast of Saint Michael the Archangel next coming, begin in and upon the said Tres septimanas Sancti Michaelis, whensoever it shall happen to fall (except it be on the Lords day, commonly called Sunday, and then on the morrow next after) for the keeping of the Shroves, Process, Returns, and other Ceremonies heretofore used and kept in like manner and form, as hath been used to be done in the day of the Return, commonly called, Octabis Sancti Michaelis, and that the full Term of Saint Michael shall yearly for ever, from and after the Feast of Saint Michael next coming, in all the aforesaid Courts of Record begin, and take his commencement upon the quarto die of the said tres septimanas Sancti Michaelis, (except it be on the Lords day, commonly called Sunday, and then on the morrow next after.

And he it further enacted by the authority aforesaid, that if after the Feast of Saint Michael the Archangel next coming, any Writ in any real Action other than Writs of Entry for common Recoveries, and Writs of right of Advowson, and Writs of Power, Unde nihil habet hereafter mentioned, come in, and be returnable in His Majesties Court of Common Pleas, in the day of Return of Tres septimanas Sancti Michaelis, then day shall be given in Crastino Purificationis beate Marie; if in Crastino Animum, then in Quindena Pasche; if in Crastino Sancti Martini, then a die Pasche in tres septimanas; if in Octabis Sancti Martini, then a die Pasche in unum mensem; if in Quindena Sancti Martini, then in quinque septimanas Pasche; if in Octabis Sancti Hillarii, then in Crastino Purificationis beate Marie, then in Octabis Sancte Trinitatis; if in Crastino Purificationis beate Marie, then in Quindena Sancte Trinitatis; if in Quindena Pasche, then a die Sancte Trinitatis in tres septimanas; if a die Pasche in tres septimanas, then a die Sancti Michaelis in tres septimanas, if a die Pasche in unum mensem, then a die Sancti Michaelis in unum mensem; if a die Pasche in quinque septimanas, then in Crastino Animum; if in Crastino Ascensionis Domini, then in Crastino Sancti Martini; if in Crastino Sancte Trinitatis, then in Octabis Sancti Martini; if in Octabis Sancte Trinitatis, then in Quindena Sancte Trinitatis; if in Quindena Sancte Trinitatis, then in Octabis Sancti Hillarii; if a die Sancte Trinitatis in tres septimanas, then in Quindena Sancti Hillarii.

And for the more speedy proceeding in Writs of Power, and Writs of Entry for common Recoveries, to be sued and prosecuted, by Writs of Entry, or Writs of Right of Advowson: So it further enacted, by the Authority aforesaid, that if after the said Feast of Saint Michael the Arch-

Inconveni-  
ence of Mi-  
chaelmas term  
being so soon  
after the feast  
of Saint  
Michael.

In Michael-  
mas term shall  
be six common  
days of Re-  
turn only.

The Return  
days to be ob-  
served.

Two return  
days called a-  
way.

Under the  
term shall be  
six.

Two days  
shall be given  
of Michaelmas  
to Crastino, o-  
ther than  
writs of entry,  
right of ad-  
vowson, or  
power.

Two days  
shall be given  
Michaelmas.

Archangel next coming, any Writ of Power, Unde nihil habet, or any Writ of Entry, hereupon a common Recovery is to be sued, or Writs of Right of Advowson be returnable, a die Sancti Michaelis in tres septimanas, then a day shall be given in Octabis Sancti Martini; if a die Sancti Michaelis in unum mensem, then in Quindena Sancti Martini; if in Crastino Animum, then in Octabis Sancti Hillarii; if in Crastino Sancti Martini, then in Quindena Sancti Hillarii; if in Octabis Sancti Martini, then in Crastino Purificationis beate Marie; if in Quindena Sancti Martini, then in Octabis Purificationis beate Marie; if in Octabis Sancti Hillarii, then in Quindena Pasche; if in Quindena Sancti Hillarii, then a die Pasche in tres septimanas; if in Crastino Purificationis beate Marie, then a die Pasche in unum mensem; if in Octabis Purificationis beate Marie, then a die Pasche in quinque septimanas; if in Quindena Pasche, then in Crastino Ascensionis Domini; if a die Pasche in tres septimanas, then in Crastino Sancte Trinitatis; if in Mense Pasche, then in Octabis Sancte Trinitatis; if in Quingue septimanas Pasche, then in Quindena Sancte Trinitatis; if in Crastino Ascensionis Domini, then a die Sancte Trinitatis in tres septimanas; if in Crastino Sancte Trinitatis, then a die Sancti Michaelis in tres septimanas; if in Octabis Sancte Trinitatis, then a die Sancti Michaelis in unum mensem; if in Quindena Sancte Trinitatis, then in Crastino Animum; if a die Sancte Trinitatis in tres septimanas, then in Crastino Sancti Martini.

Provided nevertheless, and be it likewise enacted by the Authority aforesaid, that in all Writs of Power, Unde nihil habet, after issue joined, it shall not be needful or requisite to have above fifteen days betwixt the Teste and Return of the Venue facias, or any other Process to be sued out for the trial of the said issue, but that the Writ of Venue facias, and other Process after issue joined, until judgment be given, having only fifteen days betwixt the Teste and Return thereof, shall be good and effectual in Law, as is used in personal Actions; any Law, Statute, or Usage to the contrary heretofore notwithstanding.

And be it further enacted by the Authority aforesaid, that from and after the Feast of Saint Michael the Archangel next coming, the said day of Return, called Crastino Ascensionis Domini, shall be a good and perfect Return, to all intents and purposes, as any other of the said days of Return before mentioned is or hath been used, notwithstanding there be not fifteen days betwixt the quarto die of the said Return of Crastino Ascensionis Domini, and the Cessum day of the Return of Crastino Sancte Trinitatis.

And be it further enacted, That all Writs and Process in personal Actions hereafter to be made out of any of His Majesties said Courts at Westminster, and having day from tres Michaelis, until Crastino Animum, shall be good and effectual in Law, notwithstanding there be not fifteen days betwixt the quarto die of the said tres septimanas Sancti Michaelis and the day of Cessum of Crastino Animum; Any Law, Statute, or Usage to the contrary heretofore notwithstanding.

Provided always, and be it further enacted, by the Authority aforesaid, that all Writs and Process to be made, from and after the Feast of Easter, in the year of our Lord God 1642, returnable in Octabis, or Quindena Sancti Michaelis, now next ensuing, or having day betwixt any of the said Returns, shall be force of this Act take day, unto tres septimanas Sancti Michaelis next, and the parties to the said Writs and Process shall then appear, and plead, and proceed thereupon, to all intents and purposes, as if the said Writs and Process had been made returnable a die Sancti Michaelis in tres septimanas.

And whereas before the making of this Act, all Writs of Summons ad Warrantiam, and all the Writs upon Common Recoveries had in Writs of Entry, and Writs of Right of Advowson, were made for nine Returns inclusive; Now for the more speedy performing of such Returns, be it Enacted by the Authority aforesaid, that from and after the said Feast of Saint Michael the Archangel next, all and every such Writs of Summons ad Warrantiam, upon the appearance of the Tenant to every such Writ of Entry, and Writ of Right of Advowson, shall and law be made, and obeyed to the Returns, as Writs of Summons ad Warrantiam, in Writs of Power, Unde nihil habet, heretofore have been used and accustomed.

And it is further Enacted, by the Authority aforesaid, that all common Writs and Process, as well personal as real, which shall for time to be returnable in the said Michaelmas Term, shall have and keep the said Returns of A die Sancti Michaelis in tres septimanas, a die Sancti Michaelis in unum mensem, in Crastino Animum, in Crastino Sancti Martini, in Octabis Sancti Martini, and a die Sancti Martini in Quindena dies, or any of them.

And it is further Enacted by the Authority aforesaid, that in such and like cases, and Writs, as special Juries have been used to be appointed and assigned, and when for the returning of Writs and Process; It shall be lawful to the Justices of every of the Kings said Courts of Record, for the time being, in all the Places by them lawfully, to assign, and appoint special Juries of Writs, as by their discretions shall be thought convenient.

Provided also, and be it further Enacted by the Authority aforesaid, that the Juries in Pleas at Darcon Pleas, and in Pleas of Quare Impedit, limited and appointed by the Statute of Michaelmas, and also the Juries to be taken in Assize, limited by the Statute made in the fifth year of the Reign of the Noble King Edward the third; And also in the Statute made in the sixth and twentieth year of the reign of King Henry the eighth of the same name, being not contrary to the Statute of this Act, shall be holden in and able, and shall stand in their full force and effect.

In Writs of  
Power, Unde  
nihil habet,  
after issue  
joined, fifteen  
days betwixt  
the Teste and  
Return thereof  
shall be sufficient.

Crastino A-  
scensionis Do-  
mini a good  
return.

Crastino  
Sancte Tri-  
nitatis.

Writs to per-  
sonal Actions,  
having day  
from tres  
Michaelis,  
until Crastino  
Animum,  
shall be good  
and effectual  
in Law.

Writs of  
Summons  
ad Warrantiam,  
and all the  
Writs upon  
Common  
Recoveries,  
had in Writs  
of Entry, and  
Writs of Right  
of Advowson,  
were made  
for nine  
Returns  
inclusive.

Common  
Writs & Process,  
as well  
personal as  
real, which  
shall for  
time to be  
returnable  
in the  
said  
Michaelmas  
Term.

Special Juries  
may be ap-  
pointed and  
assigned, and  
when for the  
returning of  
Writs and  
Process, it  
shall be  
lawful to the  
Justices of  
every of the  
Kings said  
Courts of  
Record, for  
the time  
being, in all  
the Places  
by them  
lawfully,  
to assign,  
and appoint  
special  
Juries of  
Writs, as  
by their  
discretions  
shall be  
thought  
convenient.

CAP.

CAP. VII.

This Parliament shall not be Dissolved, Protracted, or Adjourned, but by Act of Parliament. EXP.

CAP. VIII.

A Subsidy Granted to the King of Tunnage, Portage, and other sums of Money payable upon Merchandize Exported and Imported, from the 15th of May, 1641. to the 14th of July next. EXP.

CAP. IX.

Provision of Money for the speedy Disbanding the Armies, and settling the Peace of the two Kingdoms of England and Scotland, by raising and charging several sums of Money upon persons according to their Ranks, Dignities, Offices, Callings, Estates, and Qualities therein mentioned, and Commissioners to issue for levying the same. EXP.

CAP. X.

For Regulating the Privy Council, and for taking away the Star-Chamber-Court.

WHEREAS by the Great Charter many times confirmed in Parliament, It is Enacted, That no Freeman shall be taken or imprisoned or disseised of his Freehold or Liberties or Free Customs, or be outlawed or exiled, or otherwise destroyed, and that the King will not pass upon him, or condemn him but by lawful Judgment of his Peers, or by the Law of the Land; And by another Statute made in the fifth year of the Reign of King Edward the Third, It is Enacted, That no man shall be attached by any accusation, nor fore-judged of life or limb, nor his Lands, Tenements, Cotes, nor Chattels seized into the Kings hands against the form of the Great Charter, and the Law of the Land; and by another Statute made in the six and twentieth year of the Reign of the same King Edward the Third, It is accorded, assented, and established, that none shall be taken or imprisoned, or suggestion made to the King, or to his Council, unless it be by Indictment or Presentment of good and lawful people of the same Neighbourhood where such Wrongs be done, in due manner, or by Process made by Writ Original at the Common Law, and that none be put out of his Franchise or Free-hold, unless he be duly brought in to answer, and fore-judged of the same by the course of the Law, and if any thing be done against the same, it shall be redressed and holden for none. And by another Statute made in the eight and twentieth year of the reign of the same King Edward the Third, It is amongst other things Enacted, That no man of what Estate or condition soever he be, shall be put out of his Lands or Tenements, nor taken, nor imprisoned, nor disinherited, without being brought in to answer by due process of Law; And by another Statute made in the two and fortieth year of the Reign of the said King Edward the Third, It is Enacted, That no man be put to answer without presentment before Justices, or matter of Record, or by due process and writ original, according to the Old Law of the Land, and if any thing be done to the contrary, it shall be void in Law, and holden for error. And by another Statute made in the six and thirtieth year of the same King Edward the Third, It is amongst other things Enacted, That all pleas which shall be pleaded in any Courts before any the Kings Justices, or in his other places, or before any of his other Ministers, or in the Courts and places of any other Lozes within the Realm, shall be entered and inrolled in Latine; And whereas by the Statute made in the third year of King Henry the seventh, power is given to the Chancellor, the Lord Treasurer of England for the time being, and the Keeper of the Kings Privy Seal, or two of them, calling unto them a Bishop and a Temporal Lord of the Kings most Honourable Council, and the two Chief Justices of the Kings Bench and Common Pleas, for the time being, or other two Justices in their absence to proceed, as in that Act is expressed, for the punishment of some particular offences therein mentioned, And by the Statute made in the One and twentieth year of King Henry the Eighth, The President of the Council is associated to goyn with the Lord Chancellor and other Judges in the said Statute of the third of Henry the seventh mentioned: But the said Judges have not kept themselves to the points limited by the said Statute, but have undertaken to punish where no Law doth warrant, and to make Decrees for things having no such Authority, and to inflict heavier punishments then by any Law is warranted:

And soasmuch as all matters examinable, or determinable before the said Judges, or in the Court commonly called the Star-Chamber, may have their proper remedy and redress, and their due punishment, and correction by the Common Law of the Land, and in the Ordinary course of Justice elsewhere; and soasmuch as the reasons and motives inducing the creation and continuance of that Court do now cease; and the proceedings, Censures, and Decrees of that Court, have by experience been found to be an intolerable burthen to the Subject, and the means to introduce an Arbitrary Power and Government; And soasmuch as the Council-Table, hath of late times assumed unto it self, a power to intermeddle in Civil causes and matters, only of private concern between party and party, and have adventured to determine of the Estates and Liberties of the Subject, contrary to the Law of the Land, and the Rights and Privileges of the Subject, by which great and manifold mischiefs and inconveniences have arisen, as happened, and much incertainty by means of such proceedings hath been conceived concerning Mens Rights, and Estates: For settling wherof, and preventing the like in time to come;

Recital of Magna Charta, 1215. 2. cap. 1. 1. H. 3. cap. 9. 27 E. 3. cap. 5. 4. Stat. 1. 18 E. 3. cap. 3. 44 E. 3. cap. 3. 36 E. 3. cap. 15. 3 H. 7. cap. 1. 21 H. 8. cap. 10. All matters examinable in the Star Chamber may be examined and corrected by the Common Law.

Be it Ordained and Enacted by the Authority of this present Parliament, That the said Court commonly called the Star-Chamber, and all Jurisdiction, Power, and Authority belonging unto, or exercised in the same Court, or by any the Judges, Officers or Ministers thereof, be from the first day of August, in the year of our Lord God, One thousand six hundred forty and one, cease, be and absolutely dissolved, taken away, and determined; and that from the said first day of August, neither the Lord Chancellor, or Keeper of the Great Seal of England, the Lord Treasurer of England, the Bishop, Temporal Lord, Privy-Councillor, or Judge, or Justice whatsoever, shall have any power, or authority to hear, examine, or determine any matter, or thing whatsoever, in the said Court commonly called the Star-Chamber, or to make, pronounce, or deliver any Judgment, Sentence, Order, or Decree, the said Court, or to do any Judicial, or Ministerial Act in the said Court; And that all and every Act, and Acts of Parliament, and all and every Article, clause, and sentence in them, and every of them, by which any Jurisdiction, power, or Authority is given, limited, or appointed unto the said Court commonly called the Star-Chamber, or unto all, or any the Judges, Officers, or Ministers thereof, or for any proceedings to be had, or made in the said Court, or for any matter or thing to be drawn into question, examined, or determined there, shall so far as concerneth the said Court of Star-Chamber, and the power, and authority thereby given unto it, be from the said first day of August repealed, and absolutely revoked and made void.

And be it likewise Enacted, That the like Jurisdiction now used and exercised in the Court before the President, and Council, in the Shires of Wales, and also in the Court before the President and Council established in the Northern parts: And also in the Court commonly called the Court of the Duchy of Lancaster, held before the Chancellor, and Council of that Court; And also in the Court of Exchequer of the County Palatine of Chester, held before the Chamberlain and Council of that Court; The like Jurisdiction being exercised there, shall from the said first day of August, One thousand six hundred forty and one, be also repealed and absolutely revoked and made void, any Law, prescription, custom, or usage; And the said Statute, made in the third year of King Henry the seventh, and the Statute made the One and twentieth of Henry the Eighth, and any Acts, or Acts of Parliament heretofore had, or made, to the contrary thereof in any wise notwithstanding; And that from henceforth no Court, Council, or place of Judicature shall be created, ordained, constituted, or appointed within this Realm of England, or Dominion of Wales, which shall have, use, or exercise the same, or the like Jurisdiction, as is, or hath been used, practised, or exercised in the said Court of Star-Chamber.

Be it likewise declared, and Enacted by Authority of this present Parliament, That neither his Majesty, nor his Privy-Council, have, or ought to have any Jurisdiction, power, or authority, by English Bill, Petition, Articles, or other Arbitrary way whatsoever, to examine or draw into question, determine, or dispose of the Lands, Tenements, Hereditaments, Cotes, or Chattels, of any the Subjects of this Kingdom: But that the same ought to be tried, and determined in the ordinary Courts of Justice, and by the ordinary course of the Law.

And be it further provided and Enacted, That if any Lord Chancellor, or Keeper of the Great Seal of England, Lord Treasurer, Keeper of the Kings Privy Seal, President of the Council, Bishop, Temporal Lord, Privy-Councillor, Judge, or Justice whatsoever, shall offend, or do any thing contrary to the purpose, true intent and meaning of this Law, then he, or they, shall for such offence forfeit the sum of Five hundred pounds of lawful money of England, unto any party grieved, his Executors or Administrators, who shall really prosecute for the same, and first obtain Judgment thereupon, to be recovered in any Court of Record at Westminster, by Action of Debt, Bill, Plaint, or Information, wherein no Oath, Protection, Waiver of Law, Aid-Prayer, Privilege, Injunction, or Order of restraint shall be in any wise prayed, granted, or allowed, nor any more then one Imparlance. And if any person, against whom any such Judgment, or Recovery, shall be had as aforesaid, shall after such Judgment or Recovery, offend again in the same, then he, or they, for such offence, shall forfeit the sum of One thousand pounds, of lawful money of England, unto any party grieved, his Executors or Administrators, who shall really prosecute for the same, and first obtain Judgment thereupon, to be recovered in any Court of Record at Westminster, by Action of Debt, Bill, Plaint, or Information, in which no Oath, Protection, Waiver of Law, Aid-Prayer, Privilege, Injunction, or Order of restraint, shall be in any wise prayed, granted, or allowed, nor any more then one Imparlance. And if any person against whom any such second Judgment, or Recovery shall be had, as aforesaid, shall after such Judgment, or Recovery, offend again in the same kind, and shall be thereof duly convicted, by Indictment, Information, or any other lawful way, or means, that such person so convicted shall be from thenceforth disabled, and become by virtue of this Act incapable, ipso facto, to bear his, and their said Office, and Offices respectively, and shall be likewise disabled to make any Gift, Grant, Conveyance, or other disposition of any of his Lands, Tenements, Hereditaments, Cotes, or Chattels, or to take any benefit of any Gift, Conveyance, or Legacy to his own use.

And every person so offending shall likewise forfeit and lose unto the party grieved, by any thing done contrary to the true intent and meaning of this Law, his treble damages which he shall sustain, and be put unto, by means, or occasion of any such Act, or thing done, the same to be recovered in any of his Majesties Courts of Record at Westminster, by Action of Debt, Bill, Plaint,

Court of Star-Chamber and all the power dissolved. The Jurisdiction in the other Courts retained and taken away. The King nor his Privy Council shall have any Jurisdiction over any mans estate. Penalties upon great Officers and others for the like offence. Secured time. Third offence. Treble damages due to the party grieved.



Information, wherein no Escoin, Protection, Wager of Law, Aid-Prayer, Priviledg, Injunction, or Order of Restraint, shall be in any wise Prayed, Granted, or Allowed, nor any more then one Impurance.

And be it also provided and Enacted, That if any person shall hereafter be committed, restrained of his Liberty, or suffer imprisonment by the Order or Decree of any such Court of Star-Chamber, or other Court aforesaid, notwithstanding, or at any time hereafter, having, or pretending to have the same, or like Jurisdiction, power, or authority, to commit, or imprison as aforesaid; Or by the command or Warrant of the Kings Majesty, his Heirs or Successors in their own Person, or by the command or Warrant of the Council-board, or of any of the Lords, or others of his Majesties Privy Council, That in every such case, every person so committed, restrained of his Liberty, or suffering imprisonment, upon demand or motion made by his Counsel, or other Imporced by him for that purpose, unto the Judges of the Court of Kings Bench, or Common Pleas, in open Court, shall without delay, upon any pretence whatsoever, for the ordinary Fees usually paid for the same, have forthwith granted unto him a Writ of Habeas Corpus to be directed generally unto all and every Sheriffs, Gaoler, Minister, Officer, or other person, in whose custody the party so committed or restrained shall be, and the Sheriffs, Gaoler, Minister, Officer, or other person in whose custody the party so committed or restrained shall be, shall at the return of the said Writ, and according to the command thereof, upon due and convenient notice thereof given unto him, at the charge of the party who requireth or procureth such Writ, and upon security by his own bond given, to pay the charge of carrying back the prisoner, if he shall be remanded by the Court, to which he shall be brought, as in like cases hath been used, such charges of bringing up, and carrying back the prisoner, to be always ordered by the Court, if any difference shall arise thereabout, bring or cause to be brought the body of the said party so committed, or restrained, unto and before the Judges or Justices of the said Court, from whence the same Writ shall issue in open Court, and shall then and there certify the true cause of such his detainer, or imprisonment, and thereupon the Court within three Court-days after such return made and delivered in open Court, shall proceed to examine and determine whether the cause of such commitment appearing upon the said return be just and legal, or not, and shall thereupon do what to Justice shall appear, either by delivering, bailing, or remanding the prisoner. And if any thing shall be otherwise wilfully done or omitted to be done by any Judge, Justice, Officer, or other person aforesaid, contrary to the direction and true meaning hereof, That then such person so offending shall forfeit to the party grieved, his treble damages, to be recovered by such means, and in such manner, as is soverly in this Act limited and appointed for the like penalty to be sued for and recovered.

Prohibited assignees, and be it Enacted, That this Act, and the several clauses therein contained, shall be taken and expounded to extend only to the Court of Star-Chamber, and to the said Courts holden before the President and Council in the Marches of Wales, and before the President and Council in the Northern parts; and also to the Court commonly called the Court of the Duchy of Lancaster, holden before the Chancellor and Council of that Court: And also in the Court of Cretchequer of the County Palatine of Chester, held before the Chamberlain and Council of that Court; And to all Courts of like Jurisdiction to be hereafter erected, ordained, constituted, or appointed as aforesaid; And to the Warrants and directions of the Council-boards, and to the commitments, restraints, and imprisonments of any person or persons made, commanded, or awarded by the Kings Majesty, his Heirs or Successors in their own person, or by the Lords and others of the Privy Council, and every one of them.

And lastly, provided, and be it Enacted, That no person or persons shall be sued, impeached, molested, or troubled for any offence against this present Act, unless the party supposed to have so offended, shall be sued or impeached for the same within two years at the most after such time where in the said offence shall be committed.

CAP. XI.

A Repeal of the Branch of a Statute primo Elizabethæ, concerning Commissioners for Causes Ecclesiastical.

Whereas in the Parliament holden in the first year of the reign of the late Queen Elizabeth late Queen of England, there was an Act made and established, intituled, An Act restoring to the Crown the ancient Jurisdiction over the State Ecclesiastical and Spiritual, and abolishing all Foreign Power repugnant to the same; In which Act, amongst other things, there is contained one Clause, Branch, Article, or Sentence, whereby it was Enacted to this effect; Namely, That the said late Queens Highness, her Heirs and Successors, Kings or Queens of this Realm, should have full power and authority by virtue of that Act by Letters Patent under the Great Seal of England, to assign, name, and authorize, when, and as often as her Highness, her Heirs or Successors, should think meet and convenient, and for such, and so long time as should please her Highness, her Heirs or Successors, such person or persons being natural born Subjects to her Highness, her Heirs or Successors, as her Majesty, her Heirs, her Heirs and Successors, all manner of Jurisdictions, Priviledges and preeminence, in any wise touching or concerning any Spiritual or Ecclesiastical Jurisdiction within their her

Every person committed contrary to this Act shall have an Habeas Corpus.

Triple Damages in default.

Whoever commits this Act shall be liable.

Offenders of this Act shall be imprisoned within two years after the offence.

Sec. 1 Eliz.

Realms of England and Ireland, or any other her Highness Dominions and Countries, and to visit, reform, redresse, order, correct, and amend all such errors, heresies, schismes, abuses, offences, contempts, and enormities whatsoever, which by any manner Spiritual or Ecclesiastical power, Authority or Jurisdiction, can, or may lawfully be reformed, ordered, redressed, corrected, restrained or amended, to the pleasure of Almighty God, the increase of vertue, and the conservation of the Peace and Unity of this Realm. And that such person or persons so to be named, assigned, authorized and appointed by her Highness, her Heirs or Successors, after the said Letters Patents to him or them made and delivered, as aforesaid, should have full power and Authority by virtue of that Act, and of the said Letters Patents under her Highness, her Heirs or Successors to exercise, use, and execute all the Premises, according to the tenor and effect of the said Letters Patents, any matter or cause to the contrary in any wise notwithstanding.

And whereas by colour of some words in the aforesaid Branch of the said Act, whereby Commissioners are Authorized to execute their Commission according to the tenor and effect of the Kings Letters Patents, and by Letters Patents grounded thereupon, the said Commissioners have, to the great and intolerable wrong and oppression of the Kings Subjects, used to fine and imprison them, and to exercise other Authority not belonging to Ecclesiastical Jurisdiction restrained by that Act, and divers other great mischiefs and inconveniences have also ensued to the Kings Subjects, by occasion of the said Branch and Commissions issued thereupon, and the executions thereof: Therefore for the suppressing and preventing of the foresaid abuses, mischiefs and inconveniences in time to come.

Be it Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That the foresaid Branch, Clause, Article, or Sentence contained in the said Act, and every word, matter, and thing contained in that Branch, Clause, Article, or Sentence, shall from henceforth be repealed, annulled, revoked, annihilated, and utterly made void for ever, any thing in the said Act to the contrary in any wise notwithstanding. Rep. St. 13 Car. 1. cap. 11.

And be it also Enacted by the Authority aforesaid, that no Archbishop, Bishop, or Vicar-General, nor any Chancellor, Official, nor Commissary of any Arch-bishop, Bishop, or Vicar-General, nor any Ordinary whatsoever, nor any other Spiritual or Ecclesiastical Judge, Officer, or Minister of Justice, nor any other person or persons whatsoever, exercising Spiritual or Ecclesiastical Power, Authority, or Jurisdiction, by any Grant, License, or Commission of the Kings Majesty, his Heirs or Successors, or by any power or authority derived from the King, his Heirs, or Successors, or otherwise, shall from and after the first day of August, which shall be in the year of our Lord God, one thousand six hundred forty and one, invade, impose, or inflict any pain, penalty, fine, amercement, imprisonment, or other corporal punishment upon any of the Kings Subjects, for any contempt, misdemeanor, crime, offence, matter, or thing whatsoever, belonging to Spiritual or Ecclesiastical cognisance, or Jurisdiction, or shall ex officio or at the instance or promotion of any other person whatsoever, urge, enforce, tender, give, or minister unto any Churchwarden, Wyrdman, or other person whatsoever, any corporal oath, whereby he or she shall or may be charged or obliged to make any presentment of any crime, or offence, or to confess or to accuse himself, or her self of any crime, offence, delinquency, or misdemeanor, or any matter, or thing whereby, or by reason whereof he or she shall or may be liable or reputed to any pain, penalty, or punishment whatsoever, upon pain, and penalty that every person, who shall offend contrary to this Statute, shall forfeit and pay treble damages to every person thereby grieved, and the sum of One hundred pounds to him or them who shall first demand and sue for the same, which said Treble damages, and sum of One hundred pounds shall and may be demanded, and recovered by Action of Debt, Bill, or Plaint, in any Court of Record, wherein no privilege, Escoin, protection, or Wager of Law, shall be admitted or allowed to the Defendant. And be it further Enacted, That every person who shall be once convicted of any offence prohibited by this Statute, shall for such offence be from and after such conviction utterly disabled to be or continue in any office, or employment, in any Court of Justice whatsoever; or to exercise or execute any power, authority, or jurisdiction by force of any Commission, or Letters Patents of the King, his Heirs, or Successors.

And be it further Enacted, That from and after the said first day of August, no new Court shall be created, ordained, or appointed within this Realm of England, or Dominion of Wales, which shall or may have the like power, jurisdiction or Authority, as the said High Commission Court, now hath, or pretendeth to have. But that all and every such Letters Patents, Commissions, and Grants, made, or to be made by his Majesty, his Heirs or Successors, and all powers and Authorities Granted or pretended, or mentioned to be Granted thereby, and all Acts, Sentences and Decrees, to be made by virtue or colour thereof, shall be utterly void, and of none effect.

CAP. XII.

A Subsidy Granted to the King of Tunnage and Poundage, and other sorts of Money payable upon Merchandize Exported and Imported, from the 15th of July, 1641. to the 10th of August next. EXP.

High Commission Court

The last branch of the Act is repealed.

Persons taken away from their offices, Bishops and other Ecclesiastical persons and Courts.

Offence of offence. St. 13 Car. 1. cap. 11.

Penalty, treble damages and one hundred pounds.

Persons convicted, who shall be from any office or employment by the Kings Letters Patents.

No new Court to be created, which shall have the like power.

Expenses and poundage.

F 3

CAP.

CAP. XIII.

Such Monies secured as are or shall be due to the Inhabitants of the County of York, and the other adjoining Counties, for the Billet of the Souldiers and to certain Officers of the Army who forbear part of their pay, according to an Order in that behalf made in the Commons House of Parliament this present Session, for such part of their pay as they shall so for- bear. EXP.

CAP. XIV.

The last Proceedings touching Ship-money declared unlawful, and all Records and Process concerning the same made void.

Whereas divers Writts of late time, issued under the Great Seal of England, commonly called Ship-Writts, for the charging of the Ports, Towns, Cities, Burroughs, and Counties of this Realm respectively, to provide and furnish certain Ships for his Majesties service: And whereas upon the Execution of the same Writts, and Returns of Certificates thereupon made, and the sending the same by Minuties into the Court of Exchequer, Process hath been thence made against sundry persons pretended to be charged by way of Contribution; for the making up of certain sums assessed for the providing of the said Ships, and in especial in Easter Term, in the thirteenth year of the Reign of our Sovereign Lord the King that now is, a Writ of Scire facias was awarded out of the Court of Exchequer, to the then Sheriff of Buckinghamshire, against John Hampden Esquire, to appear and shew cause, why he should not be charged with a certain sum so assessed upon him, upon whose appearance and demurrer to the proceedings therein, the Barons of the Exchequer adjourned the same case into the Exchequer-Chamber, where it was solemnly argued divers daies, and at length it was there agreed by the greater part of all the Justices of the Courts of Kings Bench, and Common Pleas, and of the Barons of the Exchequer, these assemblies, that the said John Hampden should be charged with the said sum so as aforesaid assessed on him; The main grounds and reasons of the said Justices and Barons which so agreed, being, that when the good and safety of the Kingdom in general is concerned; and the whole Kingdom in danger, the King might by Writ under the Great Seal of England command all the Subjecs of this his Kingdom at their charges to provide and furnish such manner of Ships with Men, Victuals, and Munition, and for such time as the King should think fit, for the defence and safeguard of the Kingdom, from such danger and peril; and that by Law the King might compel the being thereof, in case of refusal, or refractoriness, and that the King is the sole Judge, both of the danger, and when, and how the same is to be prevented, and avoided; according to which grounds, and reasons, all the Justices of the said Courts of Kings Bench, and Common Pleas, and the said Barons of the Exchequer, having been formerly consulted with by his Majesties command, had set their hands to an extrajudicial opinion, expressed to the same purpose: which Opinion, with their names thereunto, was also by his Majesties command inrolled in the Courts of Chancery, Kings Bench, Common Pleas, and Exchequer, and likewise entered among the Remembrances of the Court of Star-Chamber, and according to the said agreement of the said Justices, and Barons, Judgment was given by the Barons of the Exchequer, that the said John Hampden should be charged with the said sum so assessed on him; And whereas some other Actions and Proses depend, and have depended in the said Court of Exchequer, and in some other Courts against other persons, for the like kind of charge, grounded upon the said Writts, commonly called Ship-writts, all which Writts, and proceedings as aforesaid, were utterly against the Law of the Land.

Be it therefore declared and Enacted by the Kings most excellent Majesty, and the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That the said charge imposed upon the Subject, for the providing and furnishing of Ships, commonly called Ship-money, and the said extrajudicial opinion of the said Justices and Barons, and the said Writts, and every of them, and the said agreement or opinion of the greater part of the said Justices and Barons, and the said judgment given against the said John Hampden were, and are contrary to, and against the Laws and Statutes of this Realm, the right of property, the liberty of the Subjects, former resolutions in Parliament, and the Petition of Right made in the third year of the Reign of his Majesty that now is.

And it is further declared and Enacted by the Authority aforesaid, That all and every the particular clauses or verses in the said Petition of Right, shall from henceforth be put in execution accordingly, and shall be firmly and strictly holden and observed, as in the same Petition they are prayed and expressed; and that all and every the Records and remembrances of all and every the said Judgment, Inrolments, Entries and proceedings, as aforesaid, and all and every the Proceedings whatsoever, upon, or by pretext or colour of any of the said Writts, commonly called Ship Writts, and all and every the Dependents on any of them, shall be void and of no effect, in all and every intent, constructions, and purposes, to be utterly void and disannulled; and that all and every the said Judgment, Inrolments, Entries, Proceedings, and Dependents of what kind soever, shall be vacated and cancelled in such manner and forme as Records use to be that are vacated.

Stat. facias  
against John  
Hampden  
Esquire  
Com. Pleas  
Banc.

Extrajudicial  
Opinion.

Judgment.

Stat. facias  
proceeding  
against one  
John H.

Stat. facias  
proceeding  
against one  
John H.

Judgment  
proceeding  
touching  
Ship-money  
and all  
dependents  
thereon  
shall be  
void.

CAP. XV.

Touching Inrolments and Oppressions in the Stannary Courts.

Whereas King EDWARD the first of famous memory, did for the Amendment of the Stannaries in the County of Devon, grant divers franchises and liberties to the Miners there: And whereas in the Parliament in the fifth year of King EDWARD the third, upon the petition of the Commons of the County of Devon, certain Chapters and Articles of the said Charter were explained in manner following, That is to say, Whereas one Article of the said Charter is in these words following, viz. Scitis nos ad extendendam tunc Stannariorum nostrorum in Com. Devon, ad quietudinem & utilitatem Stannariorum nostrorum predictorum concessisse pro nobis & heredibus nostris, Quod omnes Stannarios predictos operantes in Stannariis illis que sunt Dominica nostra, dum operantur in eisdem Stannariis, liberi sint & quieti de placitis nativorum, & de omnibus placitis & querelis Curiam nostram & heredum nostrorum qualitercumque tangerent. Ita quod non responderent coram aliquibus Justiciariis vel Ministris nostris seu heredum nostrorum de aliquo placito seu querela infra predictas Stannarias emergent, nisi coram Custode nostro Stannariorum nostrorum predictarum, qui pro tempore fuit (excepti placitis terra, vite & membrorum) nec tenerentur ab operationibus suis per summationem alicujus Ministrorum nostrorum, seu heredum nostrorum, nisi per summationem alicujus Custodis nostri; Et quod quieti sint de omnibus talliag. Decoloni. Kullag. auxiliis & aliis customis quibuscumque in villis, portibus, fairs, & mercatis infra Com. predicti de bonis sine proprio, &c. Whereupon the said Commons prayed a Declaration, as followeth, Requeste, Sur quoi pleis declairer si aucuns persones q les Evesques operantz in les Esteneyes averont & enjoyeront la franchise gentie par la dite chartre de la Roy desicome la dite chartre voet. Quod omnes Stannarios predicti operantes in Stannariis illis sint liberi, &c. Et aucuns persones q les overours cessassent les os Maistres que les lovent & lecos servans & autres claymont meisme la franchise. Et aucuns pleis declairer si les dites overours y averont les franchises in autres temps q quant ils averont in meisme Lette si les dites overours y averont les franchises in autres temps q quant ils averont in meisme Lette. Item sur declairer, si le Gardein de Lestemery puisse tenir plee inter Evesques & Foresters de querelle fondante scilicet q on les lieux ou ils sont orantz desicome la Charte voet. Quod Custos noster predictus vel ejus locum Tenens teneat omnia placita inter Stannarios predictos emergent, & etiam inter ipsos & alios forissecos de omnibus transgressionibus, querelis, & contractibus factis in locis in quibus operantur infra Stannarias predictas similiter emergent, &c. Quar il tient plee des tuez querelles fondantes in chescune partie deus le dit Comte. Upon which answer was made in these words, viz. Resp. Et en droit de ceste Article, se ent extend la Jurisdiction clerement solonc les paroles del dit Chre. Cellasme, In locis ab eisdem operantibus & tenentibus alioquin en autre manere. Which Charter so declared, was repeated again: And in the eighth year of the Reign of King Richard the second, commandeth to be put in execution.

And whereas the said King Edward the first made the like Charter to the Miners in the County of Cornwall, which Charter was in the foresaid Parliament upon the request of the Commons of the County of Cornwall declared in the same manner and words.

And whereas the Miners of the Counties of Devon and Cornwall have by virtue of the said Charters enjoyed divers and great Liberties, and are quit from all Tolls, Tithes, Aids, and other customs in the Villages, Ports, Fairs, and Markets, within the said Counties respectively: Which great Liberties do of right belong to the working Miner, working without fraud or deceit in the Stannaries aforesaid, and not to any other nor elsewhere working, and were granted to the said Miners for their encouragement in their works: And whereas of late years sundry Inhabitants within the said Counties, and others, to entitle themselves to the said Liberties, have by fraud and cobin, for small or no considerations, bought and acquired, and do buy and acquire to themselves decayed Tithes, tithes, and small and inconsiderable parts in the same and other Miners works; which abuses are done principally to inhibit the said idle and fained Miners, to buy and use their neighbours in the Stannary Courts, where for the most part the Defendant is unjustly delivered his Costs, although the cause be adjudged with him, and the said Charter of the said Stannaries held, contrary to ancient right and usage, and the said Charters, have endeavored to be stretched out of the places where the Miners do work, through the whole Counties of Devon and Cornwall respectively, which is no law in the best part of his Majesty, but for the singular hurt of some private persons: And whereas by the said abuses great inconveniences do follow, (That is to say) the Inhabitants of the said Counties are miserably bereaved, oppressed, and imprisoned, his Majesty demanded of the said Aids and Customs, and the Lords and Miners of Fairs, Markets, and other

E. 1. Charter.

Exp. nos  
ad extendendam

E. 8.

Et in the charter  
to the Miners  
in Cornwall.

Declaration.

Abuse of Liberty.

franchises of their Tolls and Duties, and the government of the Countrey exceedingly confounded and eluded, the said false and fained Tinnars claiming when they list to be Tinnars, and when they list to be foreigners; besides, that if timely provision be not made, the certain decay of his Majesties profit in the Tinnar-works will ensue, for that the same being divided into so many hands and parts cannot conveniently be set on work, nor contribution raised for the working the same.

We it therefore Enacted by his Majesty, and the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, That the said Declarations be henceforth held and duly observed with this, that the words of the said Charters and Declarations, in locis ubi operantur, be expounded of the Tille, Tithing, and Hamlet, where some Tinnar-works in work is situate, and not elsewhere, and no longer then the same Tinnar-work is on shall be in working. And if any person or persons that shall be sued in the said Stannaries, shall linear, or tender his or their oath in the said Court where he or they shall be sued, that he or they are not, nor is, nor time of the Suit commenced was not, nor were a Tinnar or Tinnars, then such Defendant or Defendants shall be forthwith discharged of such Suit, unless that the Plaintiff or Plaintiffs do forthwith make oath that the said Plaintiff or Plaintiffs, is or are true and working Tinnars, without fraud or deceit: and that the cause of his or their Suit arose within the said Stannaries, or concerneth Tinnar or Tinnar-works. And if any person being not so work, and without fraud, a working and labouring Tinnar, in or about some Tinnar-work, set on work within one half year next before his Suit, shall sue, prosecute, or implead in any the said Courts, or before the Warden, Vice-Warden, or Steward of the said Stannaries, any person or persons that is or are not a Tinnar or Tinnars at the time of such Suit commenced, Then the Defendant and Defendants in every such case, shall have his and their action at the common Law, against such person suing or prosecuting, wherein he shall recover ten pounds, and his damages and costs of Suit; Provided that such Action be brought within two years next after the Action of Suit brought in the said Stannary Courts, or before the said Warden, Vice-Warden, or Steward.

And be it declared and Enacted, That in all cases where the Plaintiff or Defendant, Plaintiff or Defendants, are to have costs by the Laws or Statutes of this Realm, there also the Plaintiff and Defendants shall have the like costs in the Stannary Courts. And in regard that the said Charters were granted for the ease and advantage of the Tinnars, and not for their disadvantage or oppression, and yet divers of them who for special reasons have desired to sue at the common Law, have been restrained.

We it declared and Enacted, That it shall be lawful to and for the said Tinnars, if they think fit, to sue any foreigners at the common Law; the said Charter, or any usage to the contrary notwithstanding.

And whereas the Bailiffs of the said Stannary Courts are very numerous, and are persons of small or no credit, and yet upon their return that any person is become surety for any other upon Arrest by Process out of the said Courts, such person who sometimes knows nothing of the matter, is by false Returns of the said Bailiffs made liable to the debt or demand, which Bailiffs, by reason of their poverty, are often not responsible, and so the party without remedy:

We it enacted, That no person or persons be charged or troubled as surety by any Return of any Bailiff or Bailiffs of the said Stannaries, unless that the person or persons returned Surety or Sureties, shall in the presence of two witnesses subscribe or sign a note in writing, that such person or persons is or are become Surety or Sureties, which note shall mention the names of the Plaintiffs and Defendants in the suit, and the summe or damages in demand, and the nature of the Action, and shall be signed or subscribed by the said witnesses, and returned and filed in the Court out of which such Process shall issue, and no Bailiff or Bailiffs of the said Stannaries shall be admitted as witnesses to any such note.

And whereas in the said Stannaries it is used, that if the Bailiffs return any Person arrested, that if such person make default at the day, he shall be condemned, and Execution is suddenly awarded, when as often the party was not arrested:

We it further Enacted, That no Defendant shall be condemned upon such Return for not appearing, unless also a Note under the Hand or Sign of the party arrested, and subscribed by two such Witnesses, as aforesaid, be returned into the said Court, at or before the day of Appearance; and the said Bailiff or Bailiffs shall take but four pence for every such note as aforesaid; and it is provided, that none shall be haled upon arrest there till he give such Note.

And in case any the said Bailiff or Bailiffs shall return a Return against any Person or Persons he or they shall be admitted to read the said Return; which Reader, if it be found with him or them to be true, then he or they shall be no further troubled or occasioned by reason of such return.

The former declarations confirmed.

In locis ubi operantur, ubi operantur.

Sum the Tinnars to be in work, unless by working Tinnars.

Persons sued by others shall have their action.

Such action is to be brought within two years.

Costs in Stannary Courts.

Tinnars may sue foreigners at the common law.

Wardens of Stannaries.

How Bailiffs may be sued.

The Defendant may be condemned on a Return, unless a note subscribed by two witnesses.

Note.

Reader.

CAP. XVI.

For the certainty of the Meets, and Bounds of the Forrests.

Whereas by Act of Parliament made in the first year of the Reign of the late King EDWARD the Third, It is ordained, That the old Perambulation of the Forrest in the time of King Edward the First, should be thenceforth holden in like form as it was then ridden and bounded, and in such places where it was not bounded, the King would that it should be bounded by good Men and lawful:

And whereas for many Ages past certain Meets, Peers, Limits, and Bounds of the Forrests have been commonly known and observed in the several Counties wherein the said Forrests are:

And whereas of late divers Presentments have been made, and some Judgments given, whereby the Meets, Peers, Limits, and Bounds of some of the said Forrests have been variously extended, or pretended to extend beyond some of the said Meets, Peers, Limits, and Bounds so commonly known, and formerly observed; to the great grievance and vexation of many Persons having Lands adjoining to the said Meets, Peers, Limits, and Bounds so commonly known, and formerly observed: And whereas of late time some Chateaux or Prefences have been to set on for Forrests in some parts of this Realm, and the Dominion of Wales, whereas in truth none have been nor ought to be, or at least have not been used of long time: For remedy thereof, may it please your most Excellent Majesty, that it be Declared and Enacted by Authority of Parliament:

And be it Declared and Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That from henceforth the Meets, Peers, Limits, and Bounds of all and every the Forrests respectively, shall be to all intents and purposes, taken, adjudged, and deemed to extend no further respectively, then the Meets, Peers, Limits, and Bounds which in the several Counties respectively, wherein the said Forrests do lie, were commonly known, reputed, used, or taken to be the Meets, Peers, Limits, and Bounds of the said Forrests respectively, in the twentieth year of the Reign of our late Sovereign Lord King JAMES, and not beyond in any wise, any Perambulation or Perambulations, Presentments, Extents, Surveys, Judgments, Records, Decrees, or other matter or thing whatsoever to the contrary notwithstanding: And that all and every the Presentments since the said twentieth year made, and that all and every other Presentment and Presentments, and all and every Judgment and award upon, or by reason or pretext of any such Presentment or Presentments, and all and every Perambulation and Perambulations, Surveys, Extents, and other Act and Act, at any time heretofore had or made, by which the Meets, Peers, Limits, or Bounds of the said Forrests, or any of them, are, or are pretended to be further extended then as aforesaid: And also all and every Presentment of any person or persons at any Justice seat, Swainemote, or Court of Attachments, for, or by reason, or by colour of any Act or Act whatsoever done or committed in any place without, or beyond the said Meets, Peers, Limits, or Bounds respectively, so commonly known, reputed, used, or taken as aforesaid, and all and every fine and fines, and amercement and amercements, upon, by reason or colour of any such Presentment or Presentments, shall from henceforth be adjudged, deemed, and taken to be utterly void, and of no force or effect, any Law, Statute, Record, or pretence whatsoever, to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That no place or places within this Realm of England, or Dominion of Wales, where no such Justice seat, Swainemote, or Court of Attachment have been held, or kept, or where no Werderees have been chosen, or regard made within the space of sixty years next before the first year of his Majesties Reign that now is, shall be at any time hereafter judged, deemed, or taken to be Forrest, or within the Bounds or Meets of the Forrests; But the same shall be from thenceforth forever hereafter de-attached, and freed, and exempted from the Forrests Laws; Any Justice seat, Swainemote, or Court of Attachment held or kept within, or for any such place or places, at any time or times since the beginning of his Majesties said Reign, or any presentment, enquiry, Act, or thing heretofore made, or hereafter to be made or done to the contrary notwithstanding.

Provided also, and be it further Enacted by the Authority aforesaid, That for the better putting into certainty, all and every the Meets, Peers, Bounds, and Limits of all and every the Forrests, as aforesaid, The Lord Chancellor, or Lord-Keeper of the Great Seal of England for the time being, shall by virtue of this Act upon request of any of the Peers of this Kingdom, or of the Knights and Burgesses of the Parliament, or any of them, grant several Commissions under the Great Seal of England, to Commissioners to be nominated respectively by the said Peers, Knights, and Burgesses, or any of them, to enquire of, and find out by Inquests of good and lawful men upon Oath, and by the Oaths of Witnesses to be produced at the said Inquests, and by all other lawful means, all, and every the Meets, Peers, Bounds, and Limits of the Forrests respectively, which were commonly known to

So. 1 Ed. 3.

What shall be the Meets and Bounds of Forrests.

20 Jacob.

Presentments contrary hereunto shall be void.

The places where no Justice seat, Swainemote, or Court of Attachment, or where no Werderees have been chosen, shall be de-attached, and freed, and exempted from the Forrests Laws.

For attaching of Werderees, or Commissions shall be granted.

be



Churchwardens, Overseers, or any other authorized by this Statute for the due execution thereof...

Verbe may be used...

And in case by, or upon this Law, they or any of them shall be found not guilty...

CAP. XX.

None shall be compelled to take the Order of Knighthood.

Whose shall be taken to take the order of Knighthood.

Whereas upon the pretext of an ancient custom, or usage of this Realm of England, that Men of full age...

Return.

Diligence.

Fines.

Who shall be compelled to take the order of Knighthood...

And be it declared and Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this Parliament assembled...

CAP. XXI.

Liberty for bringing in of Gun-powder and Salt-peter from Foreign parts, and for the free making of Gun-powder in this Realm.

Whose shall be taken to take the order of Knighthood.

Whereas the Importation of Gun-powder from foreign parts hath of late times been against Law prohibited...

Liberty to all to import Gun-powder.

It is therefore declared and Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled...

And

And be it further Declared and Enacted by the Authority aforesaid, That it shall and may be lawful, to and for all and singular his Majesty's Subjects of this his Realm of England...

All Subjects may make and sell Gun-powder, and import Salt-peter.

And lastly, We it Enacted by the Authority aforesaid, That if any person or persons, from and after the tenth day of August, which shall be in the year of our Lord God One thousand six hundred...

Penalty for putting in execution Letters Patents, Proclamations, Edicts, or other the materials aforesaid, or any of them, from Foreign parts...

CAP. XXII.

A Subsidy granted to the King of Tunnage, Poundage, and other sums of Money, payable upon Merchandize, Exported, and Imported from the 9th of August, 1641. to the first of December next.

CAP. XXIII.

An Act for the better raising and Levying of Mariners, Sailors, and others, for the present guarding of the Seas.

CAP. XXIV.

For Relief of Captives, taken by Turkish, and other Pyrates, and one per Cent. on Customable goods for three years to be paid, and received by the Lord Mayor and Chamberlain of London for that purpose.

CAP. XXV.

A Subsidy granted to the King of Tunnage, Poundage, &c. from the first of November 1641. to the first of February next, and the like until the second of July 1642.

CAP. XXVI.

For the better Raising and Levying of Mariners, Sailors, and others, for the present guarding of the Seas.

CAP. XXVII.

Persons in Holy Orders shall not exercise certain temporal powers and authorities.

CAP. XXVIII.

For the better Raising and Levying of Souldiers for the present defence of the Kingdoms of England and Ireland.

CAP. XXIX.

A Subsidy granted to the King of Tunnage and Poundage, and other sums of Money payable upon Merchandize, Exported and Imported from the last of January 1641. to the 25th of March next ensuing.

CAP. XXX.

A Contribution and Loan towards the Relief of Ireland.

CAP. XXXI.

A Subsidy granted to the King of Tunnage and Poundage, and other sums of Money payable upon Merchandize exported and imported from the second of May 1641. to the second of July next following.

CAP. XXXII.

For the Raising and Levying of Moneys for the necessary defence and great affairs of the Kingdoms of England and Ireland, and for the payment of Debts undertaken by the Parliament.

CAP. XXXIII.

An Act for the speedy and effectual reducing of the Rebels in Ireland.

CAP. XXXIV.

Certain Clauses explaining another Act for the reducing the Rebels in Ireland.

CAP. XXXV.

Corporations and Bodies Politick enabled to partake of the benefit of an Act for reducing the Rebels in Ireland.

CAP. XXXVI.

A Subsidy granted to the King of Tunnage, Poundage, and other sums of Money, payable upon Merchandize exported, and imported, from the 14th of March 1641. to the third of May next ensuing.

CAP. XXXVII.

For the further advancement of an effectual and speedy Reduction of the Rebels in Ireland.

C



Anno Regni Caroli II. Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, Duodecimo.

At the Parliament began at Westminster the Five and twentieth day of April, Anno Domini 1660. In the Twelfth Year of the Reign of Our most Gracious Sovereign Lord, CHARLES the Second, by the Grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. And there continued until the Nine and twentieth day of December then next following, and then Dissolved by his Majesty; To the high pleasure of Almighty God, and to the weal publick of this Realm, were Enacted as followeth:

CAP. I.

The Assembling and Sitting of this present Parliament.

For the preventing all Doubts and Scruples concerning the Assembling, Sitting, and Proceeding of this present Parliament; We it Declared and Enacted, and it is Declared and Enacted by the King our Sovereign Lord, and by the Lords and Commons in Parliament assembled, and by Authority of the same, That the Parliament begun and holden at Westminster, the third day of November, in the sixteenth year of the Reign of the late King CHARLES of blessed Memory, is fully Dissolved and Determined; And that the Lords and Commons now sitting at Westminster, in this present Parliament, are the Two Houses of Parliament, and so shall be, and are hereby Declared, Enacted, and Avowed to be to all Intents, Considerations and purposes whatsoever, notwithstanding any want of the things aforesaid; And that the Lords and Commons, or any Defect or Alteration of, or in any Writ or Writs of Summons, or any other Defect or Alteration of, or in any Writ or Writs of Summons, or any other person at the Assembling and Commencement of this present Parliament: Provided always, That this Parliament may be dissolved by his Majesty after the usual manner, as if the same had been summoned by Writ or Writs in his Majesty's Name: Provided also, and it is hereby Enacted, That his Majesty's Royal Assent to this Bill shall not determine this present Session of Parliament.

CAP. II.

An Act for putting in Execution an Ordinance mentioned in the said Act, for an Assessment of 70000 l. per annum, for three Months. EXP.

CAP. III.

Process and Judicial Proceedings Continued.

Whereas the four first Returns of Easter Term, in the year One thousand six hundred sixty, of late called, from Easter day in fifteen dayes, from Easter day in three weeks, from Easter day in one Month, and from Easter day in five weeks, or any of them, cannot be conveniently kept or holden: Now for avoiding all manner of discontinuances whatsoever, which by occasion thereof should or might happen, or be in any Matter or cause whatsoever, in any the Courts at Westminster: We it Enacted by the Kings most Excellent Majesty and her, in any the Courts at Westminster, That no Pleas, Writs, Bills, Actions, Suits, Plaints, Process, Precepts, or other thing or things whatsoever, Pleaded, Returned, or Depending, or having day or dayes in any of the said Courts, in or at the said several Returns, or any of them, or at any other day or dayes certain after any of the said Returns, shall be in any wise discontinued, or put without day, for or by reason of the not keeping or holding of the said Returns, or dayes, or any of them, but that all and singular the said Pleas, Writs, Bills, Actions, Suits, Plaints, Process, Precepts, and other the Premises aforesaid, shall stand, continue, and be good and effectual in Law, to all Intents and purposes, as if the said Returns and dayes, and every of them, had been actually kept and holden in all and every the said Courts: And Law, Statute, Custome, or Usage to the contrary thereof in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That all Pleas, Writs, Bills, Actions, Suits, Plaints, Process, Precepts, and other thing or things whatsoever aforesaid, pleadable, or to be pleaded, Returnable, or to be Returned, or having day in any manner whatsoever at any

St. 17 Car. 1. cap. 7. St. 15 Car. 2. cap. 1. The Parliament began 3 Nov. 16 Car. 2. declared to be dissolved. St. 13 Car. 2. cap. 1. The Lords and Commons now sitting declared to be the two Houses of Parliament.

The King's assent to this Act shall not determine this Session.

Process, Writs, Bills, Actions, Suits, Plaints, Process, Precepts, or other thing or things whatsoever, Pleaded, Returned, or Depending, or having day or dayes in any of the said Courts, in or at the said several Returns, or any of them, or at any other day or dayes certain after any of the said Returns, shall be in any wise discontinued, or put without day, for or by reason of the not keeping or holding of the said Returns, or dayes, or any of them.

The said Pleas, Writs, Bills, Actions, Suits, Plaints, Process, Precepts, and other thing or things whatsoever, shall be pleadable, or to be pleaded, Returnable, or to be Returned, or having day at any certain day.

of the said Returns, or any day or dayes certain after any of the said Returns, We and we here, by continued and adjourned, unto, (and shall and may be Pleaded, Returned, Heard, and Determined in the respective Courts aforesaid) at, or on the fifth Return of the said Term, of late called, In the morrow of the Ascension of our Lord; And that all parties in any Pleas, Writs, Bills, Actions, Suits, Plaints, Process, or other thing or things whatsoever, having dayes given them at any of the said four first Returns, or at any other day or dayes certain, after any of the said Returns in the said Courts, or any of them, by vertue of this present Act, have the said Return of late called, In the morrow of the Ascension of our Lord, preferred therein; And that all Sheriffs, Officers, and other Ministers whatsoever, and every of them respectively, keep in their hands all Writs, Bills, Process, and Precepts, and all other things whatsoever in them directed respectively Returnable, or to be Returned in the several Courts aforesaid, at the said four first Returns, or any of them, in or at any day certain, as aforesaid, until the said fifth Return, of late called, The morrow of the Ascension of our Lord, and then Return the same into the said several Courts respectively, That such proceedings may be then had thereupon, as should have been had, in case the said four first Returns had been kept and holden.

And be it further Enacted by the Authority aforesaid, That no Writs, Process, Plaints, Pleas, Informations, Indictments, or Judicial proceedings, had, Commenced, or prosecuted before the fifth day of May, in the said year of our Lord one thousand six hundred sixty, in the Name, Style, Title, or Test of Custodes Libertatis Angliæ Authoritate Parliamenti; or in the Name, Style, Title, or Test of The Keepers of the Liberty of England by Authority of Parliament; or in the Name, Style, Title, or Test of Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions therunto belonging; or in the Name, Style, Title, or Test of Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories therunto belonging; or in the Name, Style, Title, or Test of Richard Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories therunto belonging, shall be put without day adjured, qualified, or discontinued by his Majesty's most just re-assumption of the actual Exercise of his Kingly Government in this Kingdom; nor shall the same be cause of Error, Abatement, or Discontinuance, but that all such Writs, Process, Plaints, Pleas, Informations, Indictments, and Judicial Proceedings, and all Commissions for taking of Answers, or Examination of Witnesses, Commission for taking of Fines, and Warrants of Attorney, Guardians, or Prochein-Amey, shall stand and be continued, and shall and may be proceeded upon, prosecuted, and returned, notwithstanding the same were commenced or prosecuted in English, and notwithstanding the present happy Change and Restitution of his Majesty's Name and Style in Judicial Proceedings.

And be it further Enacted by the authority aforesaid, That one pretended Act made in the year of our Lord, 1650, entitled, An Act for turning the Books of the Law, and all Process and Proceedings in Courts of Justice, into English, shall stand and be in force, as if the same had been a good and effectual Act, from the first Return of Easter Term, in the year of our Lord 1651, until the first day of August, in the year of our Lord, 1660, and no longer. And whereas by one other pretended Act, made in the said year of our Lord, 1650, entitled, An Act touching Corn and Meal, It was Enacted, or mentioned to be Enacted, That from and after the thirtieth day of November, 1650, It should and might be lawful to and for any person or persons, Defendant or Tenant, for or by reason of any matter to be pleaded, set forth, or alleged in Bar to any Action Real, Personal, or mixt, in any Court of Record, to plead the General Issue of Not Guilty, or the like General Issue proper to the Nature of the Action or Suit commenced; and for his or their Discharge or Acquitting to give any such matter in evidence to the Jury that shall try the same; and that the said matter shall be as available to such person or persons, Defendant or Tenant, to all intents and purposes, as if the said matter had been specially pleaded, set forth, or alleged in Bar of such action.

We it further Enacted, That the said pretended Act, as touching the pleading of the General Issue, shall by authority hereof, stand and be in full force and effect according to the Tenor thereof, until the said first day of August, as if the same had been a good and effectual Act of Parliament, and no longer.

Provided always, That where the General Issue hath been since the said twentieth day of November, 1660, pleaded, or shall before the said first day of August in the said year of our Lord 1660, be pleaded in any action, That then upon the Trial of the said Cause, such Evidence shall and may be allowed, as if the said pretended Act touching the pleading of the General Issue had been and continued a good and effectual Act of Parliament not determined or discontinued.

Provided also, That his Majesty's Royal assent to the passing of this Bill, shall not extend, or be continued to extend to the determining of the Session of this present Parliament.

Provided nevertheless, and be it Enacted, That all Writs, Patents, and Commissions for Constituting Justices of either Bench, and Barons of the Exchequer, Commissions of Oyer and Terminer, and Gaol-Deliverer, and Precepts upon Commissions of Oyer and Terminer, and Gaol-Deliverer, and all other Commissions hereafter to be made by the Clerk of the Crown in the Chancery, Chartres, and Letters Patents under the Great Seal, of Lands, Liber-

Process, Writs, Pleas, or other thing or things whatsoever, may be prosecuted and prosecuted upon.

Process and Proceedings in Courts of Justice in English in Criminal.

Pleading the General Issue.

His Majesty's assent to this Bill shall not determine the Session of this present Parliament.

ties, Honours, or Offices, do or may issue in the Kings Majesties Name, in the same manner as was usual before the making of the said first recited pretended Act, any thing in this present Act to the contrary thereof before expressed, in any wise notwithstanding. St. 13. Car. 2. cap. 12.

CAP. IV.

A Subsidy granted to the King of Tonnage and Poundage, and other sums of Money payable upon Merchandizes Exported and Imported.

The Commons assembled in Parliament, reposing Trust and Confidence in Your Majesty, in and for the Chancing and Defending of the Seas, against all persons, intending, or that shall intend the disturbance of Your said Commons, in the intercourse of Trade, and the landing of this Your Realm, For the better defraying the necessary Expences thereof, which cannot otherwise be effected without great charge to Your Majesty, Do, by and with the advice and consent of the Lords in this Your present Parliament assembled, and by the authority of the same, to the intent aforesaid, Give, and Grant unto You our Supreme Liege Lord and Sovereign, one Subsidy, called Tonnage, That is to say, Of every Ton of Wine of the growth of France, or of any the Dominions of the French King, or Crown of France, that shall come into the Port of London, and the Members thereof, by way of Merchandise, by your Natural born Subjects, the sum of Four Pounds and ten Shillings of current English Money, and so after that Rate; and by Strangers and Aliens Six pounds of like money; And of every Ton of the like Wine, which shall be brought into all, and every the other Ports and places of this Kingdom, and the Dominions thereof, by way of Merchandise, by your Natural born Subjects, the sum of Three pounds, and by Aliens Four pounds and ten Shillings, And of every Butt or Pipe of Muscades, Malmsieys, Cutes, Tents, Alicants, Bullards, Sacks, Cannons, Malmsieys, Maderoes, and other Wines whatsoever, commonly called Sweet Wines, of the growth of the Levant, Spain, Portugal, or any of them, or of any the Islands or Dominions to them, or any of them belonging, or elsewhere, that shall come, or be brought into the Port of London by your Natural born Subjects, the sum of Forty five Shillings of current English money, and so after that Rate, And by Strangers and Aliens Thye pounds of like money: And of every Butt and Pipe of the like Wine, which shall come, or be brought into all, every, or any the other Ports and Places of this Kingdom, and Dominions thereof, by way of Merchandise, by your Natural born Subjects, the sum of Thirty Shillings, and by Strangers Forty five Shillings. And of every Butt of Rhenish Wine, or Wine of the growth of Germany, that shall be brought into this your Realm, and the Dominions thereof, by your Natural born Subjects, the sum of twenty Shillings, of current English money, and Strangers and Aliens Twenty and five Shillings, which several Rates are the same which are expressed in a certain Book of Rates here in after mentioned and referred unto. And also one other Subsidy called Poundage, That is to say, of all manner of Goods and Merchandise of every Merchant, Natural born Subject, Denizen, and Alien, to be carried out of this Realm, or any your Majesties Dominions to the same belonging, or to be brought into the same by way of Merchandise, of the value of every twenty Shillings of the same Goods and Merchandizes, according to the several and particular Rates and values of the same goods and Merchandizes, as the same are particularly and respectively Rated and Valued in the said Book of Rates here in after mentioned and referred unto, Twelve pence, and so after that Rate. And of every Twenty Shillings value of any the Native Commodities of this Realm, or Manufactures, brought of any such Native Commodities, to be carried out of this Realm, by every, or any Merchant Alien, according to the Value thereof in the said Book expressed, Twelve pence over and above the Twelve pence aforesaid, Except and fore-ryied out of this Grant of Subsidy of Poundage, all manner of Wollen Clothes, made or wrought, or to be made or wrought within this Realm of England, commonly called Old Draperies, and all Wines before limited to pay Subsidy of Tonnage, and all manner of Fish, English taken, and brought by English bottoms, into this Realm, and all manner of fresh fish, and herial, that shall come into this your Realm; and all other Goods and Merchandizes, which in the said Book of Rates are mentioned to be Customs-free.

And further, We your said Commons, by the advice, Assent and Authority aforesaid, do give and grant unto You, our said Liege Lord and Sovereign, for the causes aforesaid, One other Subsidy, That is to say, of and for every short wollen cloth to be exported by your Natural born Subjects of this your Realm, and the Dominions thereof, called broad Cloth, not exceeding twenty eight yards in length, and thirskope and four pounds in weight, the sum of three Shillings and eight pence of current English money, and for every Cloth of short cloth of old Draperies of any four pence of current English money, accounting so many pieces to a short cloth, as limited and appointed therein by the said Book of Rates, to be likewise exported by your said natural born Subjects, the like sum of three Shillings four pence and so after that rate, and by Strangers and Aliens six Shillings and eight pence for every short cloth accounted as aforesaid; which several Rates are accordingly expressed in the said Book of Rates here in after mentioned and referred unto, To have, hold, take, enjoy, and perceive the Subsidies aforesaid, and every of them, and every part

The Cause and End of the Subsidy of Tonnage and Poundage.

Defending the Seas, A Subsidy of Tonnage granted to the King.

A Subsidy of Poundage.

Exported out of the Kingdom.

A Subsidy of Tonnage.

and parcel of them unto your Majesty, from the four and twentieth day of June inclusively, in the Twelfth year of your Majesties Reign, for and during your Majesties life, which God long preserve.

And be it further Enacted by the Authority aforesaid, That if any Wines, Cods, or other Merchandise, whereof the Subsidies aforesaid are or shall be due, shall at any time after be shipped or put into any Boat or Vessel, to the intent to be carried into the parts beyond Seas, or else be brought from the parts beyond the Seas into any Port, Place, or Crick of this Realm, or other your Majesties Dominions, by way of Merchandise, and unshipped to be laid on Land, the Subsidy, Customs, and other duties due or to be due for the same not paid, or lawfully tendered to the Collector thereof, or his Deputy, with the consent and agreement of the Comptroller and Surveyor there, or one of them at the least, nor agreed with for the same in the Customs-house, Burrows, there, or one of them at the least, nor agreed with for the same in the Customs-house, according to the true meaning of this Act, that then, from the said four and twentieth day of June, all the same Wines, Cods and Merchandizes whatsoever shall be forfeit to your Majesty, the one moiety of the rate thereof to your Majesty, and the other moiety to him or them that will seize the same, or sue for the same; And that it may please your Majesty, That all Merchants, aswell Denizens, as Strangers, coming into this Your Realm, be well and honestly treated and dealt with, for such things as Subsidy by this Act is granted, as they were in the time of your Noble Progenitors and Predecessors, without oppression to them to be done, paying the Subsidies aforesaid.

And, be it further Enacted by the authority aforesaid, That if any Cods or Merchandise, as aforesaid, of any Merchant being born Denizen after the said four and twentieth day of June, hath been, or at any time hereafter during your Majesties life, shall be taken by any Enemies or Pirates upon the Sea, or perished in any Ship or Ships, that shall happen to be taken or perished during your Majesties life, whereof the Subsidies and other Duties aforesaid, are, or shall be duly paid, or agreed for as aforesaid; and that duly proved before the Treasurer of England, Comptroller of the Treasury, or Chief Baron of the Exchequer for the time being, by the examination of the same Merchants, if they be alive, or of their Executors or Administrators, if they be dead, or by two credible Witnesses at the least sworn, or other reasonable Witnesses and proof may be made, in the same Port where the goods and Merchandise aforesaid were, or shall be Customed, so much other Merchandise or Goods, as the same goods or Merchandise are, or shall be lost as aforesaid, shall amount unto in Customs, without paying of any thing for the same, so as the same Proof be recorded and allowed of in the Court of Exchequer, and certified unto the Collector of the Customs of the Port where the same Wares or Merchandizes are to be newly shipped without Customs, as aforesaid. And further, That every Merchant Denizen who shall hereafter Ship any Cods or Merchandise in any Carrack or Galley, shall pay to your Majesty all manner of Customs, and all the Subsidies aforesaid, as any Alien born out of the Realm.

Provided always, that it shall and may be lawful to all and every your Subjects, at his and their will and pleasure, to convey and transport out of this Realm, in Ships and other Vessels of any the Subjects of this Realm, all and every kind of Herrings and other Sea fish, to be taken on the sea by any the Subjects aforesaid, from or out of any Port or Harbo; of this Realm, to any place out of your Majesties Dominions, without paying any Customs, Subsidy or Poundage-money for the same Herrings, or other fish so carried or transported during your Majesties life, any thing herein before contained to the contrary notwithstanding.

And because no rates can be imposed upon Merchandise, imported or exported by Subjects or Aliens, but by common consent in Parliament, be it further Enacted and Declared, by the Authority aforesaid, that the Rates intended by this present Act, shall be the rates mentioned and expressed in one Book of Rates intituled, The Rates of Merchandise, That is to say, the Subsidy of Tonnage, the Subsidy of Poundage, and the Subsidy of Wollen cloths, or old Draperies, as they are rated and agreed on by the Commons House of Parliament, set down and expressed in this Book, to be paid according to the Tenor of the Act of Tonnage and Poundage, from the four and twentieth day of June inclusively, in the twelfth year of his Majesties Reign, during his Majesties life, and subscribed with the hand of Sir Habbottle Grimston Baronet, Speaker of the House of Commons; which said Book of Rates composed and agreed on by your Majesties said Commons, and also every Article, rule and clause therein contained, shall be and remain during your Majesties life, as effectual to all intents and purposes, as if the same were included particularly in the Body of this present Act.

And it is further Ordered, That during the continuance of this present Grant, where the Cods Exported or Imported, amount to the value of five pounds or more, the Customers and Collectors, and all other his Majesties Officers in the several Ports, shall take and receive such Fees, and no other, as were taken in the Fourth year of the late King James, until such time as the said Fees shall be otherwise settled by Authority of Parliament.

Provided always, That no Person or Persons, who after the four and twentieth of June, in the Year One thousand six hundred and fifty, and before the four and twentieth of July in the same year, have paid, received, or collected any Duties, or Customs, according to the Rates used in April One thousand six hundred and fifty, shall be molested, or any way Imprached, for

The said Subsidy granted to the King for his life.

The penalty for not paying the Subsidy.

Merchants Strangers shall be well treated.

A Proof for such goods to be taken by Pirates or Perished on the Sea.

The Customs of the Port where the same Wares or Merchandizes are to be newly shipped without Customs.

Shipping of Herrings.

The rates to be imposed on Merchandise.

A Book of Rates agreed by the Commons House of Parliament.

The Fees of the Customs Officers.

A Proof for such goods to be taken by Pirates or Perished on the Sea.

no concerning the payment or Receipt of the said duties, or any other duties by this Act Imposed.

And it is hereby further Declared, That no person who hath shipped any Goods since the said four and twentieth of June, and before the said four and twentieth of July, shall be liable to the payment of any duties therefor, other than such as were used to be paid in the said month of April, One thousand six hundred and sixty.

Provided always, and be it Enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, immediately from and after the passing of this Act, to transport, ship, and carry out of this Kingdom, or out of any Port thereof, by way of Merchandize, any of these Commodities, Goods, and Merchandizes following: That is to say, Iron, Armour, Bandoliers, Pistols, Batts, Valvert Heads and Sharps, Pistols, Muskets, Carbines, Fowling Pieces, Pistols, Pike-heads, Swords or Rapier-blades, Saddles, Snaffles, Stirrups, Calashes, dyed or undyed, Geldings, Oren, Shyp-staves dyed without the Wall, and all sorts of Manufactures made of Leather, paying the respective Rates appointed by this Act, and no other, any Law, Statutes, Prohibitions, and Customs to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful, immediately after the passing of this Act, for any person or persons to ship, carry out, and transport by way of Merchandize, these several sorts of Goods following, that is to say, Gun-powder, when the same doth not exceed the price of five pounds the Barrel. And Wheat, Rye, Pease, Beans, Barley, Maize and Oats, Bar, Pease, Bacon, Butter, Cheese, Candles, when the same do not exceed in price at the Ports from whence they are Laden, and at the time of their Lading, these prices following: That is to say, Wheat the Quarter, Forty shillings; Rye, Beans and Pease, the Quarter, Twenty four shillings; Barley and Maize, the Quarter, twenty shillings; Oats the Quarter, sixteen shillings; Salt the Barrel, five pounds; Pease the Barrel, six pounds ten shillings; Bacon the pound, six pence; Butter the Barrel, four pounds ten shillings; Cheese, the Hundred, One pound ten shillings; Candles, the dozen pound, five shillings, paying the respective Rates appointed by this Act, and no more: Any former Law, Statute, Prohibition or Customs to the contrary in any wise notwithstanding.

Provided always, That it shall be free and lawful for his Majesty, at any time when he shall see cause so to do, and for such time as shall be therein expressed by Proclamation, to prohibit the Transporting of Gun-powder, or any sort of Arms or Ammunition, into any parts out of this Kingdom: Any thing in this Act contained to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That over and above the Rates herein before mentioned, there shall be paid unto your Majesty of every Ton of Wine of the Growth of France, Germany, Portugal, or Madaga, brought into the Port of London, or elsewhere, the sum of three pounds of current English money, within the space of nine months after the Importing: And of every Ton of all other Wines brought in as aforesaid, the sum of four pounds of like current Money, within the space of nine months after the Importing thereof: For the payment of which duties accordingly, the Importer shall give good Security: And if any of the said Wines for which the additional Duty in this clause mentioned, is paid, or secured at the Importation, be Exported within twelve months after their Importation, then the aforesaid additional Duty in this clause mentioned shall be returned, or the security discharged, as to so much as shall be so Exported: And if at the Importation, the Importer shall pay for the same ready money, he shall be allowed after the Rate of Ten per Cent. for a year.

And be it further Enacted, That from and after the said four and twentieth day of July, all manner of Wines whatsoever to be Imported in the Port of London, or elsewhere, shall be free and discharged, of and from the Imposition of Excise.

Provided, and it is hereby Declared and Enacted, That the passage of Wines, or pipe-Wines, ought not to pay Tonnage nor Customs, and shall not be charged with the payment of any Custom, Subsidy, or sum of money Imposed upon Wines by this Act, or any thing therein contained, Stat. 13 Car. 2. cap. 7.

CAP. V.

For continuing the Excise until the Twentieth of August, 1660, EXP. Stat. 13 Car. 2. cap. 7.

CAP. VI.

For the present Nominating of Commissioners of Sewers, His Majesty not yet having constituted any Treasurer of England, or Chief Justice of either Bench, according to the Stat. of 20 H. 8. EXP. and the said Statute of H. 8. to continue in force.

CAP. VII.

An Act for restoring unto James Marquis of Ormond, All his Honours, Manors, Lands and Tenements in Ireland, whereof he was in possession on the Three and twentieth day of October, One thousand six hundred forty and one, or at any time since. PR.

CAP.

Goods which may be exported immediately after the passing of this Act.

Goods which may be exported as being of certain prices.

The Security to be given by the Importer. The said Security to be repaid upon Exportation.

All Wines discharged of Excise.

Wines which are not to pay any Customs or Tonnage.

Marquis of Ormond.

CAP. VIII.

For continuing the Excise till the Five and twentieth Day of December, One thousand six hundred and sixty, EXP. Stat. 13 Car. 2. cap. 7.

CAP. IX.

For the speedy Provision of Money, for Disbanding and Paying off the Forces of this Kingdom both by Land and Sea: by a contribution of all persons according to their several Ranks and Degrees. EXP.

CAP. X.

Explanation of certain defaults in an Act Entitled, An Act for the speedy Provision of Money for Disbanding and Paying off the Forces of this Kingdom, both by Land and Sea.

CAP. XI.

The Kings Majesty most graciously Free and General Pardon, Indemnity, and Oblivion.

The Kings most Excellent Majesty taking into His Gracious and Merciful consideration the long and great Troubles, Disorders and Wars, that have for many years past been in this Kingdom, and that divers of His Subjects are by occasion thereof, and otherwise, fallen into and be obnoxious to great pains and penalties: Out of a hearty and pious Desire to put an end to all Suits and Controversies, that by occasion of the late Distractions have arisen or may arise betwixt all His Subjects: And to the intent that no Crime whatsoever committed against His Majesty or His Royal Father, shall hereafter rise in Judgment, or be brought in Question against any of them to the least embarrasment of them, either in their Lives, Liberties, Estates, or to the prejudice of their Reputations, by any Reproach or Term of Disgrace: And to bury all Seeds of future Disorders and remembrance of the former, as well in His own Breast as in the Breasts of His Subjects one to another: And in performance of His Royal and Gracious Wishes signified by His Letters to the several Houses of Parliament now assembled, and His Declarations in that behalf published, He pleased that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, with the advice and consent of the Lords and Commons in this present Parliament assembled, First, That all and all manner of Treasons, Suspitions of Treason, Murders, felonies, Offences, Crimes, Contempts and Misdemeanors, Committed, Committed, Aided or done since the first day of January, in the year of Our Lord, One thousand six hundred thirty seven, by any person or persons before the Twenty fourth day of June, in the year of Our Lord, One thousand six hundred and sixty, other than the persons hereafter by name excepted, in such manner as they are hereafter excepted, by virtue or colour of any command, promise, Authority, Commission, or Warrant or Instructions from his late Majesty, King Charles, or His Majesty that now is, or from any other person or persons, deriving or pretending to derive authority, mediately or immediately, from both or either of their Majesties, or by virtue or colour of any Authority derived mediately or immediately of or from both Houses, or either House of Parliament, or of or from any Convention, or Assembly, called or reputed, or taking the Name of the Parliaments of the Liberty of England, by Authority of Parliament, or by virtue or colour of any Writ, Commission, Letters Patents, Instructions or Instructions of or from any person or persons, Attended, reputed, or taken to be Lords Protectors of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging, or Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereto belonging; or assuming the authority, or reputed to be chief Justice of the Common Pleas, or Commander in chief of the Forces or Armies of this Nation, by Sea or Land, or by any pretence, Warrant, or Command whatsoever, from them or any of them, or their or either of their respective Councils or Council, or any Member of such Council or Councils, or from any person or persons whatsoever, deriving or pretending to derive Authority from them, or any of them, be pardoned, Released, Indemnified, discharged, and put in utter Oblivion.

And that all and every the person and persons, Acting, Advising, Aiding, Abetting and Countenancing the same, they, their Heirs, Executors, and Administrators, (except as before is excepted) be and are hereby pardoned, Released, Acquitted, Indemnified, and discharged from the same: And of and from all pains of Death, and other Pains, Judgments, Indemnities, Convictions, Attainders, Disabilities, Penalties, Excommunications and Forfeitures, therefore had or given, or that might accrue for the same: And that all such Judgments, Indemnities, Convictions, Attainders, Disabilities, Penalties, Excommunications and Forfeitures, and every of them, and all Grants thereupon made, and all Estates derived under the same, be and are hereby Declared and Enacted to be void, and all Estates derived under the same, be and are hereby Declared and Enacted to be void, from henceforth shall and void: And that all and every person and persons, Bodies Politick and Corporate, their and every of their Heirs, Executors, Administrators and Successors, shall be, and are hereby restored to all and every their Lands, Tenements and Hereditaments, Goods, Chattels, and other things forfeited, which to His Majesty do or shall appertain by reason of any offence herein before mentioned, and not hereafter in this present Act Excepted and Forfeited.

And be it further Enacted, That all Appeals, and all personal Actions, Suits, Pleas, Demands and Prosecutions whatsoever, for or by reason of any Act of Hostility, Treasons, Assault, Imprisonment

The Cases and Cases of this Pardon and Indemnity.

The General Pardon.

All Appeals, personal Actions and Suits and Prosecutions.



ment of breach of the Peace, Abbised, Counsellid, commanded, Appointed, Happened, Acted or done by reason of the late troubles, or the late Wars, in his Majesty's Dominions, or relating thereunto, and Judgments and Executions thereupon had before the first day of May, in the Year of our Lord, One thousand six hundred fifty eight, stand and be from henceforth discharged; But not to restore to any Person or Persons any sums of money, mean Profits, or Goods already received or taken upon such Execution, or to give any account for the same.

And he it likewise Enacted, That all Appeals and all personal Actions and causes of such Actions, Suits, Pleas, and Proceedings whatsoever, for or by reason of any Act or thing advised, counselled, commanded, Acted or done by virtue or colour of any Authority or Commission granted by his late Majesty, or his Majesty that now is, or by virtue or colour of any Order or Ordinance of one or both Houses of Parliament sitting at Westminster; Or by any Act or order made by any Persons assuming the name of a Parliament, and sitting as a Parliament at Westminster, after the death of the late King CHARLES the First; Or by the Authority of the said Exempted of the Liberties of England; Or by any Ordinance by either of the late Protectors and Council; Or by or upon any Commission, Writ, Process, or Warrant, by them or any of them, or by Authority derived from them or any of them: And all demands of Arrearages of Rents and mean Profits of Lands, Tenements, or Hereditaments heretofore incurred or grown due, which have been paid, received or disposed by virtue or colour of any the Authorities or pretended Authorities aforesaid, other then such Arrearages or mean profits as are or shall be otherwise disposed by any Act or Acts of this present Session of Parliament, be from henceforth discharged.

And it is further by the Authority aforesaid Enacted in the second place, That all and every the Subjects of these His Majesty's Realms, of England and Ireland, the Dominion of Wales, the Isles of Jersey and Guiney, and the Town of Berwick upon Tweed, and other His Majesty's Dominions, the Heirs, Executors, and Administrators of them, and every of them, and all and singular Bodies in any manner of wise incorporated, Cities, Burroughs, Shires, Ridings, Hundreds, Lathes, Wapentakes, Towns, Villages, Hamlets and Tithings, and every of them, and the Successors and Successors of every of them, shall be and are by the authority of this present Parliament acquitted, Pardoned, Released, Indemnified and Discharged against the Kings Majesty, his Heirs and Successors, and every of them, of and from all manner of Treasons, Dispositions of Treason, Felonies, Offences, Contempts, Trespasses, Entries, Wrongs, Deceits, Spitefulencoes, Forfeitures, penalties and sums of money, Infrusions, Mean profits, Warrands, Ships, Arrriages, Reliefs, Liberties, Outlets, Mains, Hean Rates, Helpits of Homage, Fines and Restitues for Alienation without License, Arrearages of Rents, (other then the Arrearages of Rents due from the late Farmers, or pretended Farmers of of the Greise or Customs respectively, other then such Arrearages of Rents, or Hean profits, as are or shall be otherwise disposed by any Act or Acts of this present Parliament) and of and from all Arrearages of Rents and Fish-fruits, Fines, post-fines, Fines, and Amerciaments, and all Recognizances, Bonds, or other Securities given for payment of them, or any of them, concealments of Customs and Greise, Arrearages of purbeance and of compositions for the same, and of and from all pains of Death, pains corporal and pecuniary, and generally of and from all other Things, Causes, Quarrels, Suits, Judgments and Executions, in this present Act hereafter not Excepted nor Forfeited, which may be or can be by his Majesty in any wise, or by any means pardoned, before and unto the twenty fourth day of June, in the year of our Lord, One thousand six hundred and sixty, to every or any of his said Subjects; Bodies Corporate, Cities, Burroughs, Shires, Ridings, Hundreds, Lathes, Wapentakes, Towns, Villages, and Tithings, or any of them.

And he it further Enacted by the Authority aforesaid, That all Grants and Patents since the twenty fifth of March, One thousand six hundred forty one, touching the Wardship and Custody of the Body and Lands, or touching the marriage of any Heir within age, and all mean profits yet unreceived, and demandable by reason thereof, shall be, and are hereby from henceforth Discharged.

And also the Kings Majesty is contented, That it be further Enacted by Authority of this present Parliament, and he it Enacted by the Authority aforesaid, That this His said Free Pardon, Indemnity and Oblivion, shall be no good and effectual in the Law to every of his said Subjects, Bodies Corporate, and others before rehearsed, in, for, and against all things which be not hereafter in this present Act Excepted and Forfeited, as the same Pardon, Indemnity, and Oblivion, should have been, if all Offences, Contempts, Forfeitures, Causes, Matters, Suits, Quarrels, Judgments, Executions, Penalties, and all other things, not hereafter in this present Act Excepted and Forfeited, had been particularly, singularly, especially and plainly named, rehearsed, and specified, and also pardoned by proper and express Words and Names, in their kinds, Natures and Qualities, by Words and Terms thereunto requisite to have been put in and expressed in this present Act of Free Pardon, Indemnity and Oblivion: And that his said Subjects, no; any of them, no; the Heirs, Executors or Administrators of any of them, no; the said Bodies Corporate, and others before named and rehearsed, no; any of them, be, no; shall be Sued, Coyed or Inquered, to, or on the behalf of the Kings Majesty, his Heirs or Successors, in their Bonds, Covenants, Chattels, Lands or Tenements, for any manner of Matter, Cause, Contempt, Spitefulness, nor Forfeiture, Restitue, Offence, or any other thing suffered, Done or committed, before the said twenty fourth day of June, One thousand six hundred and sixty, against His late Majesty King Charles,

Wardship and other profits and duties  
All things not excepted shall be by the several words of this Act as well as if pardoned by this Act

or His Majesty that now is, His Crown, Dignity, Prerogative, Laws or Statutes, but only for such Matters, Causes and Offences, as be Excepted and Forfeited by this present Act out of the same; any Statute or Statutes, Laws, Customs or Usages heretofore had, made or used, to the contrary in any wise notwithstanding; And that all and every the Kings said Subjects, and all and singular Bodies Corporate, and others before rehearsed, may by him or themselves, or by his or their Deputy or Deputies, or by his or their Attorney or Attorneys, according to the Laws of this Realm, plead and minister this present Act of Free Pardon, for his or their Discharge, or for any thing that is by virtue of this present Act Pardoned, Discharged, Given or Granted, without any Fee, or other thing, paying to any person or persons for writing or entry of the Judgements or other cause concerning such Plea, Writing, or Entry, but one shilling pence to be paid to the Officer or Clerk that shall enter such Plea, Matter or Judgement for the Parties Discharge in that behalf, any Law, Statute, Usage or Custom to the contrary notwithstanding.

And furthermore, the Kings Majesty is contented and pleased, that it be Enacted, and he it Enacted by the authority aforesaid, That this His said Free Pardon, Indemnity and Oblivion, by the general Words, Clauses and Sentences, before rehearsed, shall be reputed, deemed, adjudged, expounded, allowed, and taken in all manner of Courts of his Highness, and elsewhere, beneficial and available to all and singular the said Subjects, Bodies Corporate, and others before rehearsed, and to every of them, in all things not in this present Act excepted or forfeited, without any ambiguity, question, or other delay whatsoever it shall be, to be made, pleaded, objected, or alleged by the King our Sovereign Lord, His Heirs or Successors, or by His or any of their general Attorney, or Attorneys, or by any person or persons for his Highness, or any of His Heirs or Successors.

And furthermore, he it Enacted by the King our Sovereign Lord, and the authority aforesaid, That if any Officer or Clerk of any of His Highness Courts, commonly called the Chancery, Kings-Bench, and Common-pleas, or of his Exchequer, or any other Officer or Clerk of any other of His Highness Courts within this Realm, at any time of the passing of this present Act, make out, or write out any manner of Writs, Process, Summons, or other Precepts, whereby any of the said Subjects, or of the said Bodies Corporate, or others before rehearsed, or any of them, shall be in any wise arrested, attached, distrained, summoned, or otherwise vexed, inquired, or grieved, in his or their Bodies, Lands, Tenements, Goods or Chattels, or in any of them, for, or because of any manner of thing pardoned or discharged by virtue of this Act of Free Pardon: Or if any Sheriff or Escheator, or any of their Deputy or Deputies, or any Bailiff, or other Officer whatsoever, by colour of his or their Office, or otherwise, after the passing of this present Act, do levy, receive, take, or withhold of or from any person or persons, any thing pardoned or discharged by this Act, That then every such person so offending, and thereof lawfully convicted or condemned by any sufficient testimony, witness, or proof, shall yield and pay for recompence thereof to the party so grieved or offended thereby, his or their treble damages, besides all costs of the Suit; and shall also forfeit and lose to the Kings Majesty for every such default, ten pounds: And nevertheless all and singular such Writs, Process and Precepts so to be made for, or upon, any manner of thing pardoned or discharged by this present Act of Free Pardon, Indemnity and Oblivion, shall be utterly void and of none effect.

Except and allowed excepted out of this Free and General Pardon, all Matters done or committed by any person or persons, other then such which are pardoned and discharged in the first clause of pardon above mentioned; And also excepted and allowed excepted out of this General and Free Pardon, all and every the offences, of Piracy and Robbery upon the Seas, not done in relation to the Differences and Wars aforesaid, and every procuring or abetting of any such Offenders, and the comforting and receiving of them, or any of them, or any goods taken by way of such Piracy or Robbery upon the Seas as aforesaid; And also excepted the detestable and abominable vice of Buggery committed with mankind or Beast: And also excepted all rapes and carnal Abusments of Woman: And also excepted all Kidnappings and wilful taking away, or carrying of any Maid, Widow or Damself against her will, or without the assent or agreement of her Parents, or such as then had her in custody; and also all Offences of aiding, comforting, procuring and abetting of any such Kidnapping, wilful taking, or carrying, had, committed or done: And also excepted all Offences made Felony by a certain Act made and ordained, Entitled, An Act to restrain all persons from Marriage until their former Wives and former Husbands be dead: And also except all Offences of Inventions, Conjurations, Witchcrafts, Sorceries, Incantments, and Charms; and all Offences of procuring, abetting, or comforting of the same; and all persons now attained or convicted of any of the said excepted Offences: And also excepted all and singular the accounts of all and every person and persons appointed by any of the Authorities, or pretended Authorities aforesaid, to be Treasurer, Receiver, Fermor or Collector; (other then the Sub-collectors of the several Parishes, Towns, and Hamlets respectively, for and concerning their Receipts before the four and twentieth day of June, in the year of our Lord one thousand six hundred fifty nine) who have received or collected any Subsidy, Custom, Subsidy of Tonnage and Poundage, Prize-Coin, Assessments, Sequestration, Help Impost, or Greise, or of any the Rents and Revenues of any Lands or Hereditaments, or of belonging unto the late King, Duke, or Prince, or King that now is, or belonging unto the late Arch-Bishops, Bishops, Deans,

This Act, not to be expounded in all Courts in the same manner as the Statute

The Statute of the Officers of the Courts, shall be taken to be the same as the Statute of the Officers of the Courts

Excepted out of the Pardon  
All offences not committed to the first clause of this Pardon excepted  
Buggery  
Rapes and carnal Abusments of Woman  
Kidnapping

Doublet  
Accounts of certain Treasurers and Receivers  
Sec. 17. Car. II. cap. 3.

Deans or Deans and Chapters, Canons, Prebends, and other Officers belonging to any Cathedral or Collegiate Church, or Bishop's Vicarages, or of persons Bequeathed for their Recardial or other Bequeathed Estates received or collected by, or paid unto them since the thirtieth day of January, in the year of our Lord One thousand six hundred forty two; and of all Bonds and other Duties grown due or contracted upon the Sale or Disposition of them, or any of them.

Provided, That the Heirs, Executors, Administrators, or Tenants of the Lands of any Accountant within this Exception now deceased, shall not be charged with, nor liable unto any account for the matters in this Exception mentioned: Except for such sum or sums of Money as remain due upon any of their accounts already stated, and Determined, and are not yet paid in, and that no Accountant as aforesaid, now living, shall be liable to make account of any sum or sums of Money, paid or disbursed, or otherwise allowed or discharged, by virtue or colour of any Order, or Ordinance, of both or either House or Houses of Parliament, or any Convention, or Assembly called, or Reputed, or taking on them the name of a Parliament, or of Oliver Cromwell, pretended Protector, or of Richard his Son, while he continued, or was styled, or obeyed as Protector, or by any persons acting as a Committee, appointed by the said two Houses, or either of them, or by any such Convention, or Assembly, or any Order or Direction of such Committee or Committees, or any person or persons acting as a public Council, though having no legal authority so to do, or by their or any their Order or Orders, or Discretion.

It being further Declared and Enacted, And it is Enacted by the Authority aforesaid, That no person or persons shall be charged for any Money by him received for the Fees, Salaries, and Wages then allowed, or for Money by him disbursed upon any publick use, or pretence, though the Direction, or Authority whereby the same Money was issued, was not, or be not Legal and Reasonable in Law.

And be it further provided, That no Military, or commissioned Officer of the Armies, or Officers, or Soldier, or Garrison, who before the twenty fifth of March one thousand six hundred fifty nine, hath received any Money for his own pay, or the pay of other Soldiers, or for any other Contingencies of the Soldiers, or Garrisons under his command, or by way of reward, shall be called to account therefor.

And that no person whatsoever shall be called to account for any the matters in this Exception mentioned, after the four and twentieth day of June, which shall be in the year of our Lord God one thousand six hundred sixty and two next ensuing; And that in case any person who stands accountable for any Money received since the first of January, one thousand six hundred forty two, and before the thirtieth of January, one thousand six hundred forty eight, have been robbed, or plundered by Soldiers, or others, of the Money in their hands, or any Notes or Books of Receipt, or Acquittances touching their payments or discharges, when the said or saids of such receipt, or Acquittances of the same respectively, shall be a good discharge for so much of their account. And that the said of every Accountant in or between the years, one thousand six hundred forty two, and one thousand six hundred forty eight of what they have paid to any publick use, by, or according to any publick or pretended Order or Authority whatsoever, shall be a good discharge, as to so much of the account of such person or persons. And except all Fines, Fruits and Tenths in the hands of any Receiver not having disbursed as in the last Exception is expressed.

Provided, That all and every Judgment of Discharge, or Quietus est, had, or given at any time upon any account in the publick Exchequer, since the year One thousand six hundred forty eight, be allowed, and shall not be avoided; except all accounts of the Revenues of Churches and Vicarages in Wales, and the County of Monmouth, and all Judgments of Discharge, or Acquittances thereupon obtained; And also Excepted out of this Pardon all offences of Subornation, Perjury, and the Subornation of Perjury, or Witnesses and Offences of Forgery or Counterfeiting any Coins, Debentures, Bills of publick Faith, Scripits, Wills, or other Writings whatsoever, or of any Examinations or Testimonies of any Witness or Witnesses, tending to bring any person or persons in danger of his Life, Liberty, or Estate, and the giving the same in evidence, and the compelling or procuring of any such counterfeiting or forging to be had or made:

And also excepted all offences in betraying, imbezeling, or purloining any the Goods, Money, Chattels, or Jewels of the late King, Queen, or Prince, or any of the Children of the late King and Queen, other then Shipping, Stores, and Ammunitions of War, and other then such Goods and Chattels as have been sold or disposed of to any of the Servants or Creditors of his late Majesty, in or toward satisfaction of their debts or wages.

And also excepted out of this pardon, all Fines, and Amerciaments, Rents, and other such Duties being Levied, Received, or Collected by any Sheriff, Under-Sheriff, Bayliff, or other Officer, to, or for the use of the late King, the Parliament, or the said Heirs of the late King of England, or any other person styling himself Protector, or for his Majesty that now is, and not accounted for, and discharged.

And also excepted out of this Pardon, all and every offence and offences committed or done by any Jesuit, Seminary, or Romish Priest whatsoever, contrary to the Tenor or effect of the Statute made in the seven and twentieth year of the Reign of the late Queen Elizabeth, Entituled, An

Writs for the writs and writs of Habeas Corpus accepted.

Fees and salaries, or not to be accounted for.

Military payments not to be accounted for.

No person to be called to account after the 4th of June 1662.

Discharges and quietus est given in the Exchequer, Accounts of the Revenues of Churches in Wales, Perjury, Subornation of Perjury, Forgery, Counterfeiting, or any other offence.

Imbezeling and purloining.

Fines, rents, and amerciaments received by sheriffs.

Jesuits, Seminary, and Romish Priests.

An Act against Jesuits, Seminaries, Priests, and other disobedient persons, or of any part thereof, and all out-laws, proceedings, judgments, and executions for the same offences, or any of them.

Provided always, and be it Enacted by the authority aforesaid, That it shall and may be lawful, to, and for all and every Clerk and other Officer of the Courts at Westminster, to award and make Writs of Capias Ubligatum, at the suit of the party plaintiff, against such persons out-lawed, as be pardoned by this Act, to the intent to compel the Defendant, or Defendants, to make answer to the plaintiff, or plaintiffs, at whose suit, he or they were out-lawed; And that every person so out-lawed, shall sue a Writ of Scire facias against the party or parties at whose suit he or they were so out-lawed, before this pardon in that behalf shall be allowed him or them so out-lawed.

Provided, and be it Enacted by the authority aforesaid; That this Act of general pardon shall not in any wise extend to pardon any Out-laws upon any Writ of Capias ad Satisfaciendum until such time as the party so out-lawed shall satisfy, or otherwise agree with the party at whose suit the same person was so out-lawed or condemned.

And also excepted out of this pardon, all informations and other proceedings depending, concerning any common Highways or Bridges, and all issues returned upon any process, concerning the same, since the Thirtieth day of January, One thousand six hundred forty eight. Except also all Recognizances, Obligations, and other securities given or entered into, since the first and twentieth of March, One thousand six hundred and forty, by any Receiver, Keeper, Bayliff, Collector, or other accountant in the Court of the publick Exchequer, and their Sureties and their Accounts respectively.

Provided always, and be it Enacted; that this Act, or any thing therein contained, shall not extend, or be construed to Pardon, or discharge any Recognizance, Obligation or Bond, which is not yet forfeited.

And be it further Enacted by the Authority aforesaid; That all Acts of Hostility and Injuries, whether between the late King and the Lords and Commons then in Parliament assembled, or between any of the People of this Nation, which did arise upon any Action, Attempt, Assistance, Counsel or Advice, having Relation unto, or falling out by reason of the troubles, or in the late Wars, or publick differences between the late King and Parliament, or between His most Excellent Majesty, or any of His Subjects, and which are not in this Act excepted; That the same and what ever hath ensued thereupon, whether trenching upon the Liberties and Liberties of this Nation, or upon the Honor of His Majesty, or upon the Honor or Authority of the Parliament, or to the prejudice of any particular or private Person, shall in no time, from and after the four and twentieth day of June, in the year of our Lord one thousand six hundred and fifty, be called in question, whether forever be the quality of the person, or of whatsoever kind or Degree, Civil or Criminal, the Injury is supposed to be; And that no mention be made thereof in time to come, in Judgment, or in Judicial proceedings.

And to the intent and purpose that all names and terms of Distinction may be likewise put into utter Oblivion, be it further Enacted by the Authority aforesaid; That if any person or persons, within the space of Three years next ensuing, shall presume maliciously to call or allege of or object against any other person or persons, any Name or Names, or other Words of Reproach, any way tending to revive the memory of the late Differences, or the Occasions thereof; That then every such person, so as aforesaid Offending, shall forfeit and pay unto the party grieved, in case such party Offending shall be of the Degree of a Gentleman or above, Ten pounds; and if under that Degree, The sum of forty shillings; to be recovered by the party grieved, by Action of Debt, to be therefore brought in any of His Majesty's Courts of Record, wherein no Office, protection, or Wager of Law shall be allowed, or any more then one Imparance, so as the same Action be commenced, or prosecuted within six Months next after the Offence Committed: And if the Jury sworn to try any such or Issues that shall be moved in such Action, shall find for the plaintiff, they shall likewise give to every such Plaintiff Forty shillings Damages, over and above the penalty aforesaid.

Provided always, that this Act, or any thing therein contained, shall not Extend, or give any benefit unto any person or persons, who have had any hand in the Plotting, Contriving, or designing, the great and heinous Rebellion in Ireland mentioned in one Act passed in the Parliament, begun at Westminster the third day of November, in the first year of King Charles the first, Entituled, An Act for the speedy and effectual Reducing of the Rebels in His Majesty's Kingdom of Ireland, to their due obedience to His Majesty and Crown of England; Or in adding, arising, or settling the same; (Other then such as by another Act intended hereafter to be passed, shall be therein named, mentioned, or expressed to be pardoned,) nor to Enure to Relief to any person or persons, whose political or corporate, (other then the Barons of Oxford, Lord Steward of His Majesty's Household, and other the Protestants of Ireland,) and their Heirs, and such other person and persons, as in, and by an Act intended hereafter to be passed, shall be therein named, mentioned, or expressed in that behalf, any Estates, Liberties, Franchises, or Hereditaments in England, or Ireland, sold, or disposed of by both, or either Houses of Parliament, or any Convention, or Assembly of the People of a Parliament, or any person or persons deriving authority from them, or any of them; or which was approved, or confirmed by them, or any of them.

Writs of Habeas Corpus accepted.

Out-laws may sue a writ of Scire facias against the party.

Persons out-lawed upon writs of Capias ad Satisfaciendum.

Informations and proceedings concerning highways or bridges.

Obligation and recognizance not to be discharged.

All acts of hostility and injuries, whether between the late King and the Lords and Commons then in Parliament assembled.

The penalty given by persons who shall within 3 years next ensuing.

Persons plotting or designing the rebellion.

And to the said Proofs, Kents, or Contingencies of advantage of the same.  
 And it is further provided and Enacted, That every person or persons, hereby pardoned, may plead the General Issue, without special pleading of this Pardon, and give this Act of Pardon in evidence for his discharge, and that the same shall be thereupon allowed, and the advantage thereof had as fully to all intents and purposes, as if the same had been fully and well pleaded; And in such manner, as any Justice of the peace, Constable, or other Officer, questioned for matters acted by them as Officers, or in execution of their Offices, may have advantage of the matter of their Justification, upon the General Issue by them pleaded, by the Laws and Statutes of this Kingdom.

Provided also, That this Act, nor any thing therein contained, shall extend, or be interpreted to extend to pardon any person or persons whatsoever, for any Theft or Stealing of any Goods, or other Felonies, since the fourth day of March in the year of our Lord, one thousand six hundred fifty and nine, any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Provided also, That neither this Act nor any thing therein contained, shall extend to acquit or discharge any person or persons, from making restitution of all such Kents, sums of Money, Voyles, Cattel, or other Goods, which by a certain Act, or pretended Act lately made, intituled An Act for Repeal of two Acts for Sequestrations, are required to be restored to those from whom they were taken; Nor shall this present Act be construed to Disable, or Bar the respective Owners, or Proprietors, of, and from their several and respective Actions, or Suits at Law, or in equity, for, or by reason of the said, or any other Kents, Monies, Voyles, Cattel, or Goods which since the five and twentieth day of July, one thousand six hundred fifty and nine, have been by any person or persons wrongfully received, or taken away, and for which the said wrong-doers, are not in any wise accomplices by the said, or any other Act of Repeal.

And be it further Enacted by the authority aforesaid, That no person or persons, who by virtue of any Order or Warrant, mediately or immediately derived from his late Majesty, or his Majesty that now is, or by virtue of any Act, Ordinance, or Order of any or both Houses of Parliament, or any of the authorities aforesaid, or any Committee or Committees, acting under them or any of them, have seized, sequestered, levied, advanced, or paid to any publick use, or into any publick Treasury within this Kingdom, any Goods, Chattels, Debts, Kents, sum or sums of money belonging to any person or persons whatsoever, shall hereafter be sued, molested, or drawn into question for the same, but that they and every of them shall be discharged against all persons, for so much and no more of the said Goods, Chattels, Debts, Kents, sum or sums of money, as their several and respective Orders of discharge or acquittances extend unto.

Provided also, That nothing herein contained shall extend to discharge any person or persons, who have been by private order or instructions employed and intrusted, or have undertaken the employment to receive any sum or sums of money for the Kings Majesties Service or Supply, since the year one thousand six hundred forty and eight, from making their accounts for the same.

Provided also, That this Act shall not extend to pardon or discharge from accounts to the Kings Majesty, any person or persons for any sum or sums of money received for that illegal Tax of Decimation, or upon the account of any Militia levied or acted in, since one thousand six hundred forty and eight, and not accounted for or paid over, or discharged to, or by any that had authority, or pretended authority to discharge the respective Receivers of the same.

Provided also, That if any person or persons, being his Majesties Personal Servant or Servants, or having, or pretended to have received particular Instructions or Directions from his Majesty, have, during the time of such his or their relation unto his Majesty, or whilst he or they were acting, or pretending to Act for his Majesties Interest, in pursuance of the said Instructions, or directions, wilfully, maliciously, and Trayterously held Intelligence with any foreign Prince or Princess, State or States, or with any person or persons, usurping Supreme authority in this Kingdom, or other his Majesties Dominions, or with their or either of their Ministers or Agents, and without his Majesties license, and to the intent to betray his Majesties person or Councils; or have received any sum or sums of money, or pension for such Treachery, that then such person or persons, as to the offence in this proviso mentioned, shall be, and is hereby excepted out of this Act, any thing herein contained to the contrary notwithstanding; so as such person or persons be outlawed, or otherwise legally convicted of such offence or offences, within the space of two years from the five and twentieth day of April, one thousand six hundred and fifty.

Provided, That this Act of General Pardon, of any thing therein contained, shall not extend to the pardoning or discharging of any Debts or Sums of money due to or for the Credit of any Goods or Merchants, whereof any Entries have been made in the Customs-house, which have remain due since the twenty fifth day of March, one thousand six hundred fifty and eight, or to the pardoning or discharging of any Debts or Sums of money due to the Farmers, or pretended Farmers of Oxeye, since the twenty fifth day of March, one thousand six hundred fifty and seven.

Provided also, that this Act; nor any thing therein contained, shall extend to pardon, discharge, or give any other benefit whatsoever, unto John Lisle, William Say and Hardreit Waller, Valentine Wanton, Tho. Harrison, Edward Whalley W. Heveningham, Isaac Penington, Henry Martin,

Every person pardoned may plead the general issue.

Thrifts and Felonies since the fourth of March 1659.

This Act not to extend to goods to be restored upon an Act for Repeal of two Acts for Sequestrations.

Goods, or Acquittances and acquittances made in to any publick Treasury.

Persons who have received money privately for his Majesties supply or account.

Whom it extend upon Decimation nor Tax of Dec.

Persons that have had Directions or Instructions from his Majesty, and have received their Money, or have received their Money, or have received their Money.

Debtors who have received their Money, or have received their Money.

Persons if pardon be made.

John Barckhead, Gilbert Millington, Edmund Ludlow, Sir Michael Livesey, Robert Titchbourn, Owen Row, Robert Lilburn, Adam Seacroop, John Okey, John Hewson, William Goffe, Cornelius Holland, Thomas Chaloner, John Carey, John Jones, Miles Corbet, Henry Spavin, Gregory Clement, Thomas Wogan, Edmund Harvey, Thomas Scot, William Cawley, John Downs, Nicholas Lowe, Vincent Potter, Augustine Garland, John Duxwell, George Fleetwood, Simon Meyn, James Temple, Peter Temple, Daniel Blagrove, Thomas Wait, John Cook, Andrew Broughton, Edward Densly, William Hewles, Hugh Peter, Francis Hacker, Daniel Axell, nor any of them, nor of those five persons, or either of them, who being disguised by frocks and Vizors did appear upon the Scaffold, erected before Whitehall upon the thirtieth of January, one thousand six hundred forty and eight; nor which persons for their execrable Treason, in sentencing to death, or signing the Instrument for the horrid Murder, or being instrumental in taking away the precious Life of our late Sovereign Lord Charles the first of Glorious Memory, are left to be proceeded against as Traitors to his late Majesty, according to the Laws of England, and are out of this present Act wholly excepted and forgiven.

But in regard the said Owen Row, Augustine Garland, Edmund Harvey, Henry Smith, Henry Martin, Sir Hardreit Waller, Robert Titchbourn, George Fleetwood, James Temple, Thomas Wait, Simon Meyn, William Heveningham, Isaac Penington, Peter Temple, Robert Lilburn, Gilbert Millington, Vincent Potter, Thomas Wogan, and John Downs, have personally appeared and entered themselves (according to the Proclamation bearing Date the sixth day of June, one thousand six hundred and sixty, to Summon the persons therein named, who gave Judgement and Assisted in the said horrid and detestable Murder of our said late Sovereign, to appear and render themselves) and do pretend thereby to some favour, upon some conceived doubtful Vizors in the said Proclamation;

Be it Enacted by this present Parliament, and the Authority of the same (upon the humble desires of the Lord and Commons in Parliament assembled) That if the said Owen Row, Augustine Garland, Edmund Harvey, Henry Smith, Henry Martin, Sir Hardreit Waller, Robert Titchbourn, George Fleetwood, James Temple, Tho. Wait, Simon Meyn, William Heveningham, Isaac Penington, Peter Temple, Robert Lilburn, Gilbert Millington, Vincent Potter, Thomas Wogan, and John Downs or any of them, shall be legally Attainted for the horrid Treason and Murder aforesaid; That then, notwithstanding, the Execution of the said person and persons so Attainted shall be suspended, until his Majesty by the Advice and Consent of the Lords and Commons in Parliament, shall order the Execution by Act of Parliament to be passed for that purpose.

Except also out of this present Act Oliver Cromwell deceased, Henry Ireton deceased, John Bradshaw deceased, and Thomas Pride deceased.

Provided, That nothing in this Act contained shall extend to discharge the Lands Tenements, Goods, Chattels, Rights, Truffs, and other the Hereditaments late of the said O. Cromwell, Henry Ireton, John Bradshaw, and Thomas Pride, or of Isaac Ewer deceased, Sir John Danvers deceased, Sir Thomas Malesherbes Baronet deceased, William Puresloy deceased, John Blackiston deceased, Sir William Constable Baronet deceased, Richard Dean deceased, Francis Allen deceased, Peregrin St. J. Peckham deceased, John Moore deceased, John Aldred, alias Alured deceased, Humphrey Edwards deceased, Sir Gregory Norton Baronet deceased, John Venn deceased, Thomas Andrews Alderman deceased, Anthony Stapely deceased, Thomas Horton deceased, John Fry deceased, Thomas Hammond deceased, Sir John Bouschier deceased, or, and from such pains, penalties, and forfeitures, as by one other Act of Parliament intended to be hereafter passed for that purpose, shall be expressed and declared.

And also excepted out of this present Act, William Lord Mounson, James Chaloner, Sir Henry Mildmay, Sir James Harrington, John Phelps, and Robert Wallop; All which persons did sit and sit in that Trayterous Assembly, which in the month of January, one thousand six hundred forty eight, acted and proceeded against the Life of our late Sovereign, King Charles the first of blessed Memory; and are therefore referred to such pains, penalties and forfeitures, not extending to Life, as by another Act intended to be passed for that purpose, shall be imposed on them.

And also except Sir Arthur Hebling, for and in respect onely of such pains, penalties and forfeitures, not extending to Life, as by one Act intended to be hereafter passed for that purpose, shall be inflicted and imposed.

Provided also, That John Hutchinson Esquire, and Francis Liffels, shall be and are held by made for ever incapable to Exercise any Place or Office of Trust, Civil or Military, within this Kingdom; And that the said Francis Liffels shall pay unto our Sovereign Lord the King, one full years value of his Estate, Any thing herein before contained to the contrary notwithstanding.

Provided also, That this Act, or any thing therein contained, shall not extend to the pardoning, or to give any other benefit whatsoever, unto Sir Henry Vane, John Lambert, or either of them, but that they and either of them, are and shall be out of this present Act wholly excepted and forgiven.

Provided, That if William Lembs, William Burton, Oliver Saint-John, John Ireton Alderman, Colonel William Sydenham, Colonel John Desborough, John Blackwell of Mansfield, Christopher Pack Alderman, Richard Keeble, Charles Fleetwood, John Pyne, Richard

Persons that appear and entered themselves.

The Lands and Goods of the persons named in this Act.

Persons referred to in this Act.

Persons made incapable of any Office.

Persons excepted out of this Act.

Persons who accept any Office.

Dean, Pairo; Richard Creed, Philip Nye Clerk, John Goodwyn Clerk, Sir Gilbert Pickering, Colonel Thomas Lister, and Colonel Ralph Cobber, shall after the first day of September, one thousand six hundred and fifty, accept, or exercise any Office, Ecclesiastical, Civil, or Military, or any other public employment within this Kingdom of England, Dominion of Wales, or Town of Berwick upon Tweed, that then, such person or persons as do so accept, or exercise as aforesaid, shall to all intents and purposes in Law, stand as if he or they had been totally excepted by name in this Act.

Provided likewise, That all those who since the fifth of December, one thousand six hundred forty eight, did give sentence of death upon any person or persons, in any of the late Illegal and Tyrannical High Courts of Justice in England or Wales, or signed the Warrant for Execution of any person there condemned (except Colonel Richard Ingolsby, and Colonel Mithow Thomsom) shall be, and are hereby made incapable of bearing any Office Ecclesiastical, Civil, or Military, within the Kingdom of England, or Dominion of Wales, or of serving as a Member in any Parliament after the first day of September, one thousand six hundred and fifty.

Provided also, and it is Enacted, That all and every the persons appointed Trustees, in a late pretended Act or Ordinance made in the year of our Lord, one thousand six hundred forty nine, for, and concerning Tithes appropriate, Oblations, Oblentions, Portions, Portions of Tithes appropriate, Offerings, Fe-farm Rents issuing out of the Tithes therein mentioned, First-fruits and other things, and Enacted, or mentioned to be Enacted to be vested, settled, adjudged, or demised to be in the several hands or possession of such person and persons in the said pretended Act or Ordinance mentioned, and their heirs, shall account for, and be responsible for all Rents and Profits of the premises which came to their hands, and have not been by the said Trustees or their Heirs distributed, disposed, or implored for the maintenance of Ministers, or other uses, according to the said pretended Act or Ordinance, or some other Act, Order, or Ordinance, made in the year of our Lord, one thousand six hundred fifty, one thousand six hundred fifty four, and one thousand six hundred fifty six, by any assembly, called, or reputed a Parliament, or assuming the power of a Parliament, according to the intention of such Act, Acts, or Ordinances: And the Agents and Deputies under the Order of the said Trustees, and the Deputies and Tenants of the Premises, who have taken the premises or profits thereof into their hands, without agreement to pay Rent therefor, and have made no account or satisfaction to the Trustees aforesaid, or to some other by their Order, and also the persons who have held the same, or taken the profits thereof, under any agreement to pay Rent or Money for the same, and have not paid the same, shall respectively account, pay and make satisfaction for so much of the premises, and profits of the premises, as are unsatisfied or unaccounted for as aforesaid, and pay such Arrearages of Rents or Money, as by such agreement remaineth unpaid by them: all which payments and accounts shall be made to such persons, and in such manner as in Parliament shall be ordered. Nevertheless, it is not hereby intended, that any Minister, Schoolmaster, or other person, for whose benefit and maintenance the said pretended Act or Ordinance were made, shall be accountable or liable to make satisfaction for any Profits, Rents, or Sums of money paid to, or taken by them respectively, by virtue or colour of any Order or Appointment of the said Trustees, or any of them, or otherwise.

Provided also, That this Act do not extend to pardon any Bond, taken in his late Majesty's Name, before the month of May, one thousand six hundred forty two, for securing the proper Debt of any Sheriff or Receiver of the Revenue of his said Majesty, that hath not been paid to, or by order of some Lawful or pretended authority. And whereas by an Order of the said King and twenty fifth day of May, in the year one thousand six hundred forty one, the then House of Commons in Parliament did accept the sum of one hundred and fifty thousand pounds, as a Composition from the Farmers of several Customs voted to be illegally taken, and some of the said Farmers did procure and pay the said whole sum of one hundred and fifty thousand pounds, at the desire of the said House of Commons, and upon their Declaration, That such of the said Farmers as did not pay their Proportions, should not be pardoned, but proceeded against; and out of their fines satisfaction should be made to those who had paid the said one hundred and fifty thousand pounds, and in pursuance thereof, did on the first of June then next following Resolve, That the Estates of such persons, living or dead, as have by colour of any Patent received monies from the Subject, under pretence of such Customs, or have been under-sharers with the Patentees, ought to be made liable to restitution.

It is therefore Provided, That this Act shall not extend, nor be construed to extend to Pardon or Indempnity any person or persons, their Heirs, Executors, Administrators or Assigns, who have not paid their Proportions of the said one hundred and fifty thousand pounds, or ought to have been contributory thereunto, from, or against misdemeanors or offences relating to the said Customs, or from payment of their Proportions: But that the Estates of the dead, as well as of the living, of such who ought to have been contributory, in whole possession together (Purchasers Bonâ fide, and upon valuable Considerations only excepted) shall continue and be charged, and chargeable with the payment of their Proportions, to all intents and purposes as if this Act had not been made, any thing herein contained to the contrary notwithstanding.

Provided also, That this Act, or any thing therein contained, shall not extend, or be construed

Persons that give sentence upon any in the illegal High Courts of Justice.

Persons appointed by Ordinance to be accountable.

Bonds taken in his Majesty's Name before the month of May 1642. The acceptance of one hundred and fifty thousand pounds.

Payments of the proportions of 1642 upon the customs.

Armed to pardon or discharge any sum or sums of money due, and Accrue for Credit of War, or other Native or Inland Commodity, since the twenty fourth day of June, One thousand six hundred fifty and nine.

Provided also, That nothing in this Act contained shall extend to the pardoning, or discharging of any sum or sums of money due from any Officers, or Soldiers, to any of the Subjects of this Kingdom, for six-quarter, since the second day of July, One thousand six hundred fifty and nine, or to discharge any monies borrowed by any Officers, for purchasing of six-quarter.

Provided likewise, And be it Enacted by the Authority aforesaid, That no Condemnation, Rance, Grant, Bargain, Sale, Charge, Lease, Assignment of Lease, Grants and Surrenders by Copy of Court-Roll, Estate, Interest, Trust or Limitation of any Use or Uses of any Manors, Lands, Tenements or Hereditaments, not being the Lands nor Hereditaments of the late King, Queen, Prince, or of any Archbishops, Bishops, Deans, Deans or Chapters, nor being Lands or Tenements, sold or given, or appointed to be sold or given, for the Delinquency, or pretended delinquency of any person or persons whatsoever, by virtue or pretext of any Act, Order or Ordinance, or reputed Act, Order or Ordinance, since the first day of January, One thousand six hundred forty and one: nor any Statute, Judgment, or Recognizance, had made, acknowledged, or suffered to any person or persons, Bodies Politick, or Corporate, before the first and twentieth day of September, One thousand six hundred fifty and nine, by any of the persons before in this Act by name excepted, or their Heirs, or by any other person or persons claiming, by, from, or under them, or any of them, other than the Wife or Wives, Child, children, heir, and heirs of such person and persons, or any of them, for money bona fide to them, or any of them, paid or lent, nor any conveyance, assurance, grant, or estate, made before the fifth and twentieth day of April, One thousand six hundred and fifty, by any person or persons, to any such person excepted by Name, as aforesaid, in trust and for the benefit of any other person or persons, Bodies Politick, or Corporate, not excepted by name, as aforesaid, shall be impeached, defeated, made void, or frustrated hereby, or by the attainder, or conviction of any such excepted person or persons, but that the same shall be held and enjoyed by the Purchasers, Grantees, Lessees, Assigns, Cestuy que use, Cestuy one trust, and every of them, their Heirs, Executors, Administrators and Assigns respectively, as if this Act had not been made, and as if the said person or persons had not been excepted, attained or convicted, Any Law, Statute, Usage, or Customs to the contrary thereof in any wise notwithstanding.

Provided likewise, That this Act, nor any thing therein contained, shall not extend to Indempnity any person or persons whatsoever, who have entered into any Feoffee, Lands, Tenements and Hereditaments, called Fabrick Lands, or possess themselves of any Rent or Rents, given for the repair of any Cathedral or other Church, or who have sacrilegiously enriched themselves by converting the Plate or Utensils, and Materials, of, or belonging to such Churches, to their own private use and advantage, for or in respect of the said Crimes only. Stat. 13 Car. 2. cap. 7.

CAP. XII.

which Judicial Proceedings shall be good and effectual in Law, and which not.

BE it Enacted, and it is Enacted by his Majesty, and the Lords and Commons in Parliament assembled, and by the Authority of the same, That no Fines, nor final Concoyses, Chirographs, nor Proclamations of Fines, nor any Recoveries, Writs, Judgments, Statutes, Recognizances, nor Inrolments of any Writs or Wills, or of any such Fines, Proclamations, Recoveries, Writs, Judgments, Statutes, or Recognizances, nor any Exemptions of them, nor any of them, nor any Inquisitions, Indictments, Presentments, Informations, Writs, Sentences, Prohibitions of Writs, nor Letters of Administration, nor any Writs or Writings, or Returns of Writs, Orders, or other Proceedings in Law or Equity, had made, given, taken, or done, or depending in the Courts of Chancery, Kings-Bench, Upper Bench, Common-Pleas, and Court of Exchequer, and Courts of Exchequer-Chamber, or any of them sitting at Westminster, or in the Courts of the Great Sessions in Wales, the Courts of any Countie Palatine, or Duchy of Lancaster, or Town of Berwick upon Tweed, or in any other inferior Courts of Law or Equity; or by any the Judges, Clerks, Officers, Sheriffs, Coroners or Ministers, or others, acting in Obedience to them, or any of them, or by any the Courts of Admiralty, Delegates, Justices of Assize, Nisi Prius, Oyer and Terminer, Goal-Deliverer, Justices of the Peace, Commissioners of Bealms, Bankrupts, or Charitable Uses; nor any Writs, Process, Proceedings, nor Executions thereupon had, made, given, done, or suffered, in the Kingdom of England, since the first of May, One thousand six hundred forty two, shall be avoided for want of defect of any Legal Power in the said Courts, Judges, Commissioners, Justices, or any of them; or for, or by reason that the Premises, or any of them, were committed, prosecuted, had, made, held, or used in the Name, Style, or Title of the late King, or in the Name, Style, Title, or of the Keepers of the Liberty of England by Authority of Parliament; or in the Name, Style, Title, or of Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging; or of

Fabrick Lands, Church Goods and Churches.

which shall be avoided.

Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereto belonging; Or the same, Stile, Title or Title of Earl of Richard Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereto belonging; or for, or by reason of any alteration of the said Names, Stiles, or Titles; Or for that the said Fines, Recoveries, Proceſſes, Pleadings, Proceedings, and other things be- fore mentioned; Or the Entry and Enrolment of them, or any of them, were in the Latine or English; But that all and every such Fines, Recoveries, and other things above mentioned, and the Arings, Doings, and Proceedings thereupon, shall be of such, and of no other Force, Effect, and Vertue, then as if such Courts, Judges, Justices, Commissioners, Officers and Ministers, had acted by vertue of a True, Just and Legal Authority, and as if the same, and the Entry and Enrolment thereof were in Latine, and as if the several Acts and Ordinances, or pretended Acts or Ordinances made by both or either Houses of Parliament, or any Convention assembled under the name of a Parliament, or by Oliver Cromwell late killed Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, and his Council, War- ranting or Directing such Proceedings, had been Good, True, and Effectual Acts of Parlia- ment.

Fines Le- vied without Entry of Licenses con- cordant.

And whereas, since the death of the late King, several Fines have been Levied without any Entry, or due Entry of any sum paid pro licentia concordandi, commonly called the Kings Sol- ber, and without Entry, or due Entry of any sum given to the party for the Concord: And also whereas in the Term of St. Michael last past, several Fines were Levied and Recorded in the Court of Common Pleas, before one Judge onely of the said Court:

Fines and Recoveries of Lands in Com. Palatin. Durham.

Be it Enacted, That the said Fines and Proclamations thereupon, and every of them, shall be good and effectual, notwithstanding the defects aforesaid.

And be it also further Enacted, That all Fines, Proclamations of Fines, Recoveries, and other Judicial proceedings in the Court of Common Pleas at Westminster, since the death of His late Majesty King Charles the first, has, Levied, or Suffered, of any Lands lying in the County Palatine of Durham, shall be good and effectual, notwithstanding the said Lands were lying in the said County Palatine.

The illegal Acts and Pro- ceedings of the High Court of Ju- dicial at Law.

Provided, That this Act or any thing therein contained, shall not be Construed, Deemed, or Adjudged to make good, allow, confirm or countenance any the Proceedings in the late illegal and Un-warranted High Courts of Justice, or so called, or any of them. And whereas since the first day of May in the year of our Lord, One thousand six hundred forty one, and before the five and twentieth day of April, in the year of our Lord, One thousand six hundred and sixty, there were divers persons that adhered to both Houses of Parliament, who, for, or in respect of such their adherence, were Indicted, Charged, or Impeached of Treason: And where- as since the said first Day of May, in the Year of our Lord, One thousand six hundred forty one, and before the said five and twentieth day of April, in the Year of our Lord, One thousand six hundred and sixty, divers persons who adhered to His Majesty, or to the late King, were for such their adherence Charged, Impeached, or Indicted of High Treason:

Indemnities, &c. and all Grants there- upon made void.

Be it further Prohibited and Enacted, That the said Charges, Impeachments, Indemnities, and all Exigents, Dissolutions, Convictions, and Attainders thereupon, and all Letters Patents and Grants thereupon made, of any Fines, Lands, Tenements, or Hereditaments, Cheatey or forfeited by reason of such Attainder, and all Title to any Realme, Profit by reason of such Con- viction, Dissolution, Attainder or Grant, be from henceforth repealed and discharged: And that all Exigents, Forfeitures and Convictions by reason of such Dissolutions, Conviction or Attainder, be and are hereby restored unto such persons so Dissolved, Convicted or Attainted, their Heirs, Executors and Administrators respectively, as if no such Attainder had been.

Grants made by Ordinance of Parlia- ment.

Provided nevertheless, And be it Enacted, That this Act or any thing herein contained, shall not extend to avoid or confirm any Sales or Estates made by vertue or pretence of any Act, Order or Ordinance, or reputed Act, Order or Ordinance of Parliament, since the first day of May in the Year of our Lord, One thousand six hundred forty two, nor any Confi- rmation thereof made, or to be made thereof in this present Parliament, but that such Sales stand and be in the same plight and condition as they should or might have done if this Act had not been made.

Recogni- tions, Obligations, &c. in the name of the late King void.

And be it further Enacted by the Authority aforesaid, That all Recognizances, Obligations or other Securities, made or given to the Keepers of the Liberty of England by Authority of Parliament, or to Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, or to Oliver Lord Protector of the Common- wealth of England, Scotland, and Ireland, and the Dominions and Territories thereto belong- ing, or to Richard Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereto belonging, and not pardoned, or discharged by any Act passed or to be passed this present Parliament, or otherwise, other then such Recognizances, Obligations and Securities as have been made and given (to any the pretended power or persons aforesaid, or to any deriving or pretending to derive Authority from them) by any person or persons, for, or by reason of their adherence to His Majesty, or His said late Royal Father, or relating to, or arising only upon or in respect of the late Troubles; All which are hereby de- clared

clared to be void, and to be delivered up to be Cancelled, And all Judgments, Orders, Inqui- sitions, Executions and Seizures had for the said Keepers or Protectors, or any of them, and not likewise pardoned or discharged, other then as aforesaid, shall and may be had and prosecuted in the name and to the use of His Majesty, his Heirs or Successors; and also excepting all Obligations, Bonds, or Recognizances entered into to the said Keepers or Protectors, or any of them, by any person or persons, by Order, or Direction of any Council of State, Committee of Safety, or any Generals, Decretors, or any Officer or other person under them, or any other Spiritary power; all which Obligations, Bonds and Recognizances are hereby discharged and declared to be null and void, to all intents and purposes.

Provided also, and be it Enacted, That this Act or any thing therein contained, shall not ex- tend to continue, after the Eighth day of May, in the year of our Lord, One thousand six hundred and sixty, any Justice or Justices of our Bench or the other, or Barons of the Exchequer, Ser- jeants at Law, Commissions of Debtors, Commissions of Bankrupts, or of charitable uses, made or constituted, by or in the Name or Title of any the late pretended powers or autho- rities.

Justices, Ser- jeants, &c. Comiss. Barons of Exchequer.

Provided always, That it shall and may be lawful to and for every person and persons, who shall find themselves grieved or damaged by any Judgment, Fine, Recovery, Decree or Sen- tence given, made, levied, granted, or pronounced in any of the said Courts, to proceed in due form of Law, either by Writ of Error, Bill of Replevin, Appeal, or other lawful remedy, for the Reversing, Annulling or Revokeing of the same. In such manner as they might at any time heretofore have done, if the said Courts had been established by lawful Authority, other then for those Causes and Defects which are remedied or provided for by this Act.

Writ of Er- ror, Bill of Replevin.

Provided always, And be it further Enacted by the Authority aforesaid, That no Sun-claim upon or after any Fine or Fines hereby made good or confirmed, shall extend or be construed to bar or Prejudice any person or persons, their Heirs or Successors, or their Executors or Trustees (other then the parties to the said Fines and their Heirs general and special, and his and their Executors) as concerning such right, Claim and Interest, as they had in or to any Lands, Te- nements, or other Hereditaments, which by colour of any Act, Order or Ordinance of both or either Houses of Parliament, or any Convention sitting at Westminster, under the Name or Title, or assuming the Name or Title of a Parliament, since the first day of May, in the year of our Lord, One thousand six hundred forty and two, and before the five and twentieth day of April, in the year of our Lord, one thousand six hundred and sixty, were sold, Conveyed, or Disposed, as then, or late the Lands, Tenements, and Hereditaments of the King, Queen, or Prince, or of Archbishops, Bishops, Deans, Deans and Chapters, or other Ecclesiasti- cal persons, or of the Lands, Tenements, and Hereditaments of any other persons, for their Adherence to the late King, or His Majesty that now is, or for any their Arings relating to, or in respect of the late Troubles; So always that the said person or persons aforesaid, their Heirs or Successors, pursue their Title, Claim, or Interest, by way of Action, or lawful Entry, within five years next after the five and twentieth day of May, in the year of our Lord, one thou- sand six hundred and sixty.

Sun-claim upon fines of lands sold by Parliament.

And although in this Confirmation of Judicial Proceedings, it was necessary to mention Di- vers pretended Acts and Ordinances, by the Names and Stiles which those Persons then Mur- dered, who took upon them to pass the same, namely, some by the Stile and Name of the Keepers of the Liberty of England by Authority of Parliament; and others by the Name and Title of Protectors of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Ter- ritories thereto belonging: Yet this present Parliament doth Declare, and it is further Enacted by Authority of the same, That the Names and Stiles aforesaid, and every of them, are most Rebellious, Wicked, Treacherous, and Abominable Usurpations, Detested by this present Parliament, as Opposite in the Highest Degree to His Sacred Majesties most Just and Un- doubted Right, to whom, and to his Heirs and Lawful Successors, the Imperial Crowns of the Realms of England, Scotland, and Ireland, with their, and every of their Dominions and Territories do of Right appertain, and as violating and Infringing the just Rights and priviled- ges of Parliament, and both Houses thereof now Assembled, or that hereafter shall be called and assembled.

The said Or- dinances be- clared to be void.

Provided always, and be it enacted, That all and every pretended Judgment or Judic- iaments, Dissolutions, Inquisitions, and all Proceedings thereon of High Treason against any Per- son or Persons whatsoever, for Levying War against the late Deceased Oliver Cromwell, the so- termed Keepers of the Liberty of England, or any other Usurped Power, shall be from henceforth void and of none effect in Law. And that all Grants, Concessions, Licenses, Debates, Assuran- ces, Statutes, Recognizances, and Judgments for Debt, Damages heretofore had, made, or suf- fered by any person, or his Heirs, whose Conviction, Usurpation, or Attainder is by this Act dis- charged or made void, shall be of the same force and effect, as if no such Conviction, Dissolution, or Attainder had been. Stat. 13 Car. 2. cap. 7.

Recogni- tion of his Ma- jesties just title.

Indemnities of Eccl- esias, &c. for levying wars against Oliver Crom- well, &c. made void.

CAP. XIII.

None shall take Above Six Pounds for the Loan of an Hundred Pounds for a Year.

Wherunto  
of interest  
sumptions  
to 1.10.

As much as the Abatement of Interest from Ten in the Hundred in former times, hath been found by notable experience Beneficial to the Advancement of Trade, and Improvement of Lands by good Husbandry, with many other considerable advantages to this Nation, especially the reducing of it to a nearer Proportion with Foreign States with whom We Traffique. And whereas in fresh memory the like success to the general contentment of this Nation, as is visible by several Improvements. And whereas it is the endeavour of some at present to reduce it back again in practice to the allowance of the Statute, still in force, to Eight in the Hundred, to the great discouragement of Ingenuity and Industry in the Husbandry, Trade, and Commerce of this Nation.

The penalty  
and forfeiture  
of taking  
more than  
the said  
sum.

Be it for the Reasons aforesaid, Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, That no Person or Persons whatsoever, from and after the Twenty Ninth day of September, in the Year of our Lord, One thousand six hundred and sixty, upon any Contract, shall from and after the said Twenty Ninth of September, take directly or indirectly, for Loan of any Monies, Wares, Merchandise, or other Commodities whatsoever, above the value of Six Pounds for the forbearing of one Hundred Pounds for a Year, and so after that Rate for a greater or lesser Sum, or for a longer or shorter time. And that all Bonds, Contracts, and Assurances whatsoever made after the time aforesaid, for payment of any Principal or money to be lent or borrowed to be performed upon or for any Usury, interest or whereby there shall be received or taken above the Rate of Six pounds in the Hundred, shall be utterly void. And that all and every person or persons whatsoever, which shall after the time aforesaid, upon any Contract to be made, after the said Twenty Ninth of September, take, accept and receive, by way or means of any corrupt Bargain, Loan, Exchange, Chattelment, Whist, or Interest of any Wares, Merchandise, or other thing or things whatsoever, or by any deceitful way or means, or by any robin, engine, or deceitful conveyance for the forbearing or giving day of payment for one whole year, or and for their money, or other thing, above the sum of six pounds for the forbearing of one hundred pounds for a year, and so after that Rate for a greater or lesser Sum, or for a longer or shorter Term, shall forfeit and lose for every such offence, the treble value of the moneys, wares, merchandise, and other things so lent, bargained, sold, exchanged, or whisted.

The Statute  
of a  
Contract  
that shall take  
above the  
sum of six  
pounds for  
a year, and  
above the  
sum of six  
pounds for  
making a Bond.

And be it further Enacted by the Authority aforesaid, That all and every Scriber and Scrivener, Broker and Brokers, Solicitor and Solicitors, Dyber and Dybers of Bargains for Contracts, who shall after the said Twenty ninth day of September, take or receive, directly or indirectly, any sum or sums of money, or other reward or thing, for Brokerage, Soliciting, Writing or Procuring the Loan, or forbearing of any sum or sums of money, over and above the Rate of Value of five Shillings for the Loan, or forbearing of one hundred pounds for a year, and so rateably, or above Twelve pence for making or renewing of the Bond or Bill for the Loan, or for forbearing thereof, or for any Counter-Bond or Bill concerning the same, shall forfeit for every such Offence Twenty pounds, and have imprisonment for half a year: The one moiety of all which forfeitures to be to the King our Sovereign Lord, his Heirs and Successors; And the other moiety to him or them that will sue for the same, in the same County where the several Offences are committed, and not elsewhere, by Action of Debt, Bill, Plaint or Information, in which no Waiver, Waiver of Law, or Protection to be allowed. Stat. 13 Car. 2. cap. 13.

CAP. XIV.

A Personal Anniversary Thanksgiving, on the Nine and twentieth day of May, for His Majesties Happy Restauration.

The words  
of the  
Statute  
of the  
21<sup>st</sup> of  
May 1534.

As much as Almighty God the King of Kings, and sole Disposer of all Earthly Crowns and Kingdoms, hath by his All-shining Providence and Power miraculously demonstrated in the view of all the World, his Transcendent Mercy, Love and Graciousness, towards His most Excellent Majesty, CHARLES the Second, by his Especial Grace, of England, Scotland, France, and Ireland King, Defender of the true Faith, and all his Majesties Loyal Subjects of this his Kingdom of England, and the Dominions therunto annexed, by his Majesties late most wonderful, glorious, peaceable and joyful Restauration to the actual possession and exercise of his undoubted hereditary Sovereign and Regal Authority over them (after sundry years forced determination into Foreign parts, by the most Crayterous Conspiracies, and Armed Power of Whopping Tyrants, and execrable perfidious Traytors) and that without the least opposition, or effusion of blood, through the unanimous, cordial, Loyal Votes of the Lords and Commons in this present Parliament assembled, and passionate desires of all other his Majesties Subjects; which unexpressible Blessing (by Gods own most wonderful Dispensation) was completed on

The words  
of the  
Statute  
of the  
21<sup>st</sup> of  
May 1534.

the Twenty Ninth day of May last past, being the most memorable Birth-Day, not onely of his Majesty, both as a Man and Prince, but likewise as an Actual King, and of this and other His Majesties Kingdoms, all in a great measure new born and raised from the dead on this most joyful Day, wherein many Thousands of the Nobility, Gentry, Citizens, and other his Majesties Subjects of this Realm, conducted his Majesty into His Royal Cities of London and Westminster, with all this visible Expressions of their Joy and Loyal Affections in far greater Triumph than any of his most Magnificent Predecessors Kings of England, returned thither from their Foreign Conquest; and both his Majesties Houses of Parliament, with all Dutiful and Joyful Demonstrations of their Allegiance publicly received, and cordially congratulated His Majesties most happy Arrival, and Inheritance in his Royal Throne, at his Palace at White-Hall; Upon all which considerations, this being the Day which the Lord himself hath made and crowned with so many publick Blessings and signal Deliverances, both of his Majesty and his People, from all their late most deplorable Confusions, Divisions, Wars, Devastations, and Oppressions, to the end that it may be kept in perpetual Remembrance in all Ages to come; and that his Sacred Majesty will with all his Subjects of this Realm, and the Dominions thereof, and their posterities after them, might annually celebrate the perpetual memory thereof, by sacrificing their unfeigned hearty publick Thanks thereon to Almighty God, with one heart and voice, in a most devout and Christian manner; for all these publick benefits received and conferred on them, upon this most joyful Day. Be it therefore Enacted by the Kings most Excellent Majesty, the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That all and singular Ministers of Gods Word and Sacraments, in every Church, Chappel, and other usual place of Divine Service, and publick Prayer, which now are, or hereafter shall be within this Realm of England, and the respective Dominions thereof, and their Successors shall in all succeeding Ages annually celebrate the Twenty Ninth day of May, by rendering their hearty publick Praises and Thanksgivings unto Almighty God, for all the forementioned Extraordinary Mercies, Blessings, and Deliverances received, and mighty Acts done thereon, and Declare the same to all the people there assembled, and the Generations yet to come, that so they may ever praise the Lord for the same, whose Name alone is Excellent, and his Glory above the Earth and Heavens. And be it further Enacted, That all and every person and persons inhabiting within this Kingdom, and the Dominions therunto belonging, shall upon the said day annually resort with diligence and devotion to some usual Church, Chappel, or Place where such publick Thanksgivings and Praises to Gods most Divine Majesty shall be rendered, and there orderly and devoutly abide during the said publick Thanksgivings, Prayers, Preaching, Singing of Psalms, and other Service of God there to be used and ministered. And to the end that all persons may be put in mind of their duty thereon, and be the better prepared to discharge the same with thanksgiving and devotion as becomes them; Be it further Enacted, That every Minister shall give notice to his Parishioners publickly in the Church at morning Prayer the Lords Day next before every such Twenty Ninth day of May, for the due observation of the said day, And shall then likewise publickly and distinctly read this present Act to the people. Stat. 13 Car. 2. cap. 11.

The intent of  
keeping the  
said Day.

The 29<sup>th</sup> of  
May to be  
annually  
celebrated.

All persons to  
resort to some  
Church,  
Chappel, or  
Place where  
such  
publick  
Thanksgivings  
shall be  
said.

Notice of this  
Act to be given  
the next  
Lords Day  
before.

CAP. XV.

An Act for the speedy Disbanding of the Army, and Garrisons of this Kingdom, with Instructions for the same. EXP.

CAP. XVI.

Soldiers of the Army Disbanded, may Exercise Trades.

Whereas there are divers Officers and Soldiers now in the Kings Majesties Service, under the Command of his Excellency George Duke of Albemarle, Captain General of His Majesties Armies, who have been Instrumental, by the Blessing of Almighty God, to the happy Restoration and Restoracion of his Sacred Majesty into His Kingdoms and Territories therunto belonging; some of which are men that used Trades, others that were Apprentices to Trades, who had not served out their Times; and others who are Apt and fit for Trades, many of which, the Wars being now ended, would willingly employ themselves in those Trades they were formerly accustomed unto, or which they are apt and able to follow, and make use of for the getting of their Living by their Labour and Industry; but are, or may be hindered from exercising those Trades in certain Cities, Corporations, and other places within this Kingdom, because of certain by-Laws and Customs of those places, and of a Statute made in the Fifth year of the late Queen Elizabeth, Prohibiting the use of certain Trades by any person that hath not served as an Apprentice to such Trade by the space of seven years; For remedy whereof, and to the end that those persons who were in Actual Service under the Command of the said Captain General on the Five and twentieth day of April, in the year of our Lord, One thousand six hundred and sixty, and were Instrumental to the happy Restauration of the Kings Majesty into his Just Right of Government, as aforesaid, may not be deprived of a Means of Livelihood; For it pleases your Majesty, that it may be Enacted, and be it Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, and

Should be  
instrumental  
in this  
restoration  
cause.

Such as were  
in service  
under the  
Command  
of the  
said  
Captain  
General  
on the  
Five and  
twentieth  
day of  
April, 1660,  
and were  
instrumental  
in the  
happy  
restauration  
of the  
Kings  
Majesty  
shall  
not be  
deprived  
of a  
Means  
of  
Livelihood.

Such as have  
served the  
said service  
of the  
said Majesty  
in the  
said wars.

Apprentices to  
any other  
said service  
as they are  
bound by  
their said  
terms.

The general  
shall please  
upon this Act.

Who in the  
said service  
shall be  
bound by  
the said  
terms.

Penalty upon  
the said  
terms.

Qualities  
of the  
said persons  
and  
Companies  
and  
Corporations  
of the  
said Majesty.

by the Authority thereof, That all such Officers and Soldiers, who were under the Command of the said Captain General on the five and twentieth day of April, in the said year of our Lord, One thousand six hundred and sixty, and have not since deserted the Service, or refused to take the feveral Oaths of Supremacy and Allegiance unto the Kings Majesty that now is, his Heirs and Successors, and that have heretofore used or exercised any Trade, though they did not serve out the time of their Apprenticeship; or any other person employed as aforesaid under the Command of the said Captain General at the time aforesaid, that is apt and able to practise any Trade, may set up and exercise such feveral and respective Trades, Mysteries or occupations, whereunto he or they have been bound Apprentice, and served any Part of his or their time, or any Handicraft or other Trade exercised about Manufactures, though he was never bound Apprentice to the same, in manner following; (that is to say) Such of them as have been Apprentices, as aforesaid, may set up and exercise such feveral and respective Trades whereunto he or they have been so bound Apprentices, as fully as if they had served out their respective terms, or times for which they have been bound; and shall have and enjoy the same Immunities as they should have had and enjoyed, if they had served out their said terms or times. And all others of the said Officers and Soldiers, may set up and exercise such Trades as they are apt and able for, in the feveral Towns and Places within the feveral and respective Counties wherein they were bound, without any luit, let, or molestation of any person or persons whatsoever, for or by reason of the using of such Trade. And if any such Officer or Officers, Soldier or Soldiers, shall be sued, impleaded, or indicted in any Court whatsoever, within this Kingdom, for using or exercising any such Trades as aforesaid; then the said Officer or Officers, Soldier or Soldiers, making it appear to the same Court where they are so sued, impleaded or indicted, that they have served the Kings Majesty under the Command of the said Captain General, as aforesaid; and that they have feverally taken the said Oaths of Supremacy and Allegiance, and have not since deserted the said Service, shall upon the General issue pleaded, be found not guilty in any Pleint, Bill, Information, or Indictment, exhibited against them; and such persons, who, notwithstanding this Act, shall prosecute their said Suit by Bill, Pleint, Information, or Indictment, and shall have a Verdict pass against them, or become Plaintiff therein, or discontinue their said Suit, such person or persons shall pay unto such Officer or Officers, Soldier or Soldiers, double costs of Suit to be recovered, as any other Costs at Common Law may be recovered; And all Judges and Jurors, before whom any such Suit, Information, or Indictment shall be brought, and all other persons whatsoever, are to take notice of this present Act, and shall conform themselves thereunto; any Statute, Law, Ordinance, Custom, or Prohibition to the contrary in any wise notwithstanding.

Provided, That no Officer or Soldier shall have the benefit of this Act, that shall not prove his service as aforesaid, either by a Certificate under the Hand and Seal of some Field Officer, and two Commission Officers of the Regiment wherein he served, or some General Officer of the Army, certifying his knowledge of the Service aforesaid; and the said Certificate to be proved by one Witness at least, to be a true Certificate; or for default of such Certificate, by the Oaths of two credible Persons at least.

Provided also, That if any person or persons pretending themselves to have been Officers or Soldiers within the qualifications aforesaid, shall produce a false Certificate to the intent to have the benefit of this Act, and thereof be convicted by Confession, or due proof of Law, shall suffer Imprisonment not exceeding six months, and to lose the benefit of this Act, Any thing therein contained to the contrary in any wise notwithstanding.

Provided also, and be it Enacted, That the said Officers and Soldiers in this Act mentioned, and all other persons exercising, or that shall exercise any Trade or Profession in any City or Corporation, shall be liable to bear all Offices in the said respective Cities and Corporations, when by the said Cities and Corporations they shall be elected thereunto, and shall submit to such Orders of Corporations and Companies for search of the well and true making of their Manufacture, as others free of the said Companies or Corporations are subject unto; any Law, Usage, or Custom to the contrary in any wise notwithstanding.

CAP. XVII.

Ministers confirmed, and restored to their Benefices.

CAP. XVIII.

Shipping and Navigation Encouraged.

For the increase of Shipping, and encouragement of the Navigation of this Nation, wherein, under the good Providence and Protection of God, the Wealth, Safety, and Strength of this Kingdom is so much concerned, We it Enacted by the Kings most Excellent Majesty, by the Kings and Commons in this present Parliament Assembled, and the Authority thereof, That from and after the first day of December, One thousand six hundred and sixty, and from thenceforward, no Goods or Commodities whatsoever shall be Imported into, or Exported out of any Lands, Towns, Plantations, or Territories to His Majesty belonging, or in his possession, or which may hereafter belong unto, or be in the possession of His Majesty, his Heirs and Successors, in Asia, Africa,

Who shall be  
bound by  
the said  
terms.

or America, in any other Ship or Ships, Vessel or Vessels whatsoever, but in such Ships or Vessels as do truly and without fraud belong only to the People of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or are of the built of, and belonging to any the said Lands, Towns, Plantations, or Territories, as the Proprietors and Right Owners thereof, and whereof the Master and three fourths of the Mariners at least are English, under the penalty of the Forfeiture and Loss of all the Goods and Commodities which shall be Imported into, or Exported out of any the aforesaid places in any other Ship or Vessel, as also of the Ship or Vessel, with all its Guns, Furniture, Tackle, Ammunition and Apparel; one Third part thereof to His Majesty, his Heirs and Successors; one Third part to the Governour of such Land, Plantation, Town, or Territory, where such default shall be committed, in case the said Ship or Vessel be there seized; or otherwise that third part also to His Majesty, his Heirs and Successors; and the other third part to him or them who shall seize, Inform, or sue for the same in any Court of Record, by Bill, Information, Pleint, or other Action, wherein no Escoin, Prohibition, or Wager of Law shall be allowed; And all Admirals, and other Commanders at Sea of any the Ships of War, or other Ship, having Commission from His Majesty, or from his Heirs or Successors, are hereby Authorized and strictly required to seize and bring in as prize all such Ships or Vessels as shall have offended contrary hereunto, and deliver them to the Court of Admiralty, there to be proceeded against; and in case of condemnation, one fourth part of such Forfeitures shall be to the use of such Admirals or Commanders and their Companies, to be divided and proportioned amongst them according to the Rules and Orders of the Sea in case of Ships taken prize; and the other fourth part to the use of His Majesty, his Heirs and Successors.

And be it Enacted, That no Alien or person not born within the Allegiance of our Sovereign Lord the King, his Heirs and Successors, or Naturalized, or made a free Denizen, shall from and after the first day of February, which shall be in the year of our Lord, One thousand six hundred and sixty one, exercise the Trade or Occupation of a Merchant or Factor, in any the said places, upon pain of the Forfeiture and Loss of all his Goods and Chattels, or which are in his possession, one third to His Majesty, his Heirs and Successors; one third to the Governour of the Plantation where such person shall so offend; and the other third to him or them that shall Inform, or sue for the same in any of His Majesties Courts in the Plantation where such offence shall be committed; And all Governours of the said Lands, Towns, Plantations or Territories, and every of them, are hereby strictly required and commanded, and all who hereafter shall be made Governours of any such Lands, Plantations or Territories, by His Majesty, his Heirs or Successors, shall before their entrance into their Government take a Solemn Oath to do their utmost, that every the aforesaid clauses, and all the matters and things therein contained, shall be punctually and bona fide observed, according to the true intent and meaning thereof: And upon complaint and proof made before His Majesty, his Heirs or Successors, or such as shall be by Him or them thereunto authorized and appointed, that any the said Governours have been willingly and knowingly negligent in doing their Duty accordingly, that the said Governour so offending shall be removed from his Government.

And it is further Enacted by the Authority aforesaid, That no Goods or Commodities whatsoever of the growth, production, or manufacture of Africa, Asia, or America, or of any part thereof, or which are described or laid down in the usual Maps or Cards of those places, be Imported into England, Ireland, or Wales, Towns of Guernsey and Jersey, or Town of Berwick upon Tweed, in any other Ship or Ships, Vessel or Vessels whatsoever, but in such as do truly and without fraud belong only to the people of England or Ireland, Dominion of Wales, or Town of Berwick upon Tweed, or of the Lands, Towns, Plantations or Territories in Asia, Africa, or America, to His Majesty belonging, as the proprietors and right owners thereof, and whereof the Master and three fourths at least of the Mariners are English, under the penalty of the Forfeiture of all such Goods and Commodities, and of the Ship or Vessel in which they were Imported, with all her Guns, Tackle, Furniture, Ammunition, and apparel; one fourth to His Majesty, his Heirs and Successors; and the other three fourths to him or them who shall seize, Inform, or sue for the same in any Court of Record, by Bill, Information, Pleint, or other Action, wherein no Escoin, Prohibition, or Wager of Law shall be allowed.

And it is further Enacted by the Authority aforesaid, That no Goods or Commodities that are of foreign Growth, Production, or Manufacture, and which are to be brought into England, Ireland, Wales, the Towns of Guernsey and Jersey, or Town of Berwick upon Tweed, in English built shipping, or other shipping belonging to some of the aforesaid places, and Navigated by English Mariners as aforesaid, shall be shipped or brought from any other Place or Places, Countries or Countreys, but only from those of the said Growth, Production, or Manufacture, or from those Ports where the said Goods and Commodities can only, or are, or usually have been first shipped for transportation, and from none other Places or Countreys, under the penalty of the Forfeiture of all such of the aforesaid Goods, as shall be Imported from any other Place or Countries, contrary to the true intent and meaning hereof, as also of the Ship or Vessel in which they were Imported, with all her Guns, Furniture, Ammunition, Tackle and Apparel, one fourth to His Majesty, his Heirs and Successors; and the other three fourths to him or them that shall seize, Inform, or sue for the same in any Court of Record, to be recovered as is before expressed.

Penalty.

Goods shall not exercise the occupation of Merchants or Factors.

Governours, or of Plantations to take an Oath for the observance of the aforesaid clauses.

No Goods of foreign growth or manufacture, shall be brought into England, Ireland, Wales, the Towns of Guernsey and Jersey, or Town of Berwick upon Tweed, in English built shipping, but only from those places of the said Growth.

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And it is further Enacted by the authority aforesaid, That any sort of Ling, Stockfish, Hilschard, or any other kind of dried or salted fish, usually fished for and caught by the People of England, Ireland, Wales, Town of Berwick upon Tweed, or any sort of Codfish or Herring, or any Dyl or Slubber made of that shall be made of any kind of fish whatsoever, or any Whale-bone or Whale-bones, which shall be imported into England, Ireland, Wales, or Town of Berwick upon Tweed, not having been caught in Vessels truly & properly belonging thereto as Proprietors and right Owners thereof, and the said Fish cured, salted and dried, and the Dyl and Slubber aforesaid (which shall be accounted and pay as oyl) not made by the people thereof, and shall be imported into England, Ireland, or Wales, or Town of Berwick upon Tweed, shall pay double Aliens custom.

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And be it further Enacted by the authority aforesaid, That from henceforth it shall not be lawful to any person or persons whatsoever, to Load or cause to be Loaded or carried in any Bottom or Bottoms, Ship or Ships, Vessel or Vessels whatsoever whereof any Stranger or Strangers do or dooms (unless such as be Denizens or Naturalized) be Owners, Part-owners, or Master, and whereof three fourths of the Mariners at least shall not be English, any Fish, Victual, Wares, Goods, or things of what kind or Nature soever the same shall be, from one Port or Creek or Commodities, or things of what kind or Nature soever the same shall be, from one Port or Creek of England, Ireland, Wales, Islands of Guernsey or Jersey, or Town of Berwick upon Tweed, to any other Port or Creek of the same, or of any of them, under penalty for every one that shall offend therein, to forfeit all such goods as shall be contrary to the true meaning of this branch of this present Act, to wit, all such goods as shall be laden and carried in any such Ship or Vessel, together with the Ship or Vessel, and all her Orms, Ammunition, Tackle, Furniture and Apparel, one Voyage to his Majesty, his Heirs and Successors, and the other Voyage to him or them that shall Inform, Deist, or Sue for the same in any Court of Record, to be recovered in manner aforesaid.

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And it is further Enacted by the authority aforesaid, That where any Case, Statement, or Privilege is returned in the Town of Rates to goods or Commodities Imported or Exported in English built Shipping, that is to say, Shipping built in England, Ireland, Wales, Islands of Guernsey or Jersey, or Town of Berwick upon Tweed, or in any the Lands, Islands, Dominions, Territories to his Majesty in Africa, Asia, or America, belonging or in his possession, that it is always to be understood, and provided that the Master and three fourths of the Mariners of the said Ships, at least, be also English, and that where it is required that the Master and three fourths of the Mariners be English, that the true intent and meaning thereof is, that they should be such during the whole Voyage, unless in case of sickness, Death, or being taken Prisoners in the Voyage, to be proved by the Oath of the Master or other chief Officer of such Ships.

...the ... of ...

And it is further Enacted by the Authority aforesaid, That no Goods or Commodities of the Growth, production or Manufacture of Muscovy or of any the Countries, Dominions or Territories adjacent to the great Duke or Emperor of Muscovy or Russia, belonging, as also that no sort of Spices, Timber or Boards, no foreign Salt, pitch, Tar, Rosin, Vemp or Flax, Raisins, Figs, Prunes, Olive Oyls, no sorts of Corn or Grain, Sugar, Pot-ashes, Wines, Vinegar, or Spirits called Aquavite or Brand Wine, shall from and after the first day of April, which shall be in the year of our Lord One thousand six hundred sixty one, be imported into England, Ireland, Wales, or Town of Berwick upon Tweed, in any Ship or Ships, Vessel or Vessels whatsoever, but in such as do truly and without fraud belong to the people thereof, or of some of them as the true Owners and proprietors thereof, and whereof the Master and three fourths of the Mariners at least are English, and that no Caravans nor Commodities of the growth, production, or Manufacture of any the Countries, Islands, Dominions or Territories to the Ottoman or Turkish Empire belonging, shall from and after the first day of September, which shall be in the year of our Lord One thousand six hundred sixty one, be imported into any the aforesaid places in any Ship or Vessel, but in such which is of English built, and navigated as aforesaid, and in no other: Except only such foreign Ships and vessels as are of the built of that Country or place of which the said Goods are the growth, production or Manufacture respectively, or of such port where the said Goods can only be, or most usually are first shipped for transportation, and whereof the Master and three fourths of the Mariners at least are of the said Country or place, under the penalty and forfeiture of Ship and Goods to be disposed and recovered as in the foregoing clause.

...the ... of ...

Provided always, and be it hereby Enacted by the Authority aforesaid, That for the prevention of the great frauds daily used in colouring and concealing of Aliens Goods, all Wines of the Growth of France or Germany, which from and after the Twentieth day of October, One thousand six hundred and sixty, shall be Imported into any the Ports or places aforesaid, in any other Ship or Vessel than which doth truly and without fraud belong to England, Ireland, Wales, or Town of Berwick upon Tweed, and navigated as aforesaid, shall be accounted and pay as Aliens goods, and shall pay all Strangers Customs and Duties to his Majesty, his Heirs and Successors, as also to the Town or Port into which they shall be Imported; And that all sorts of Spices, Timber or Boards, as also all foreign Salt, Pitch, Tar, Rosin, Vemp, Flax, Raisins, Figs, Prunes, Olive Oyls, all sorts of Corn or Grain, Sugar, Pot-ashes, Spirits commonly called Brand Wine or Aquavite, Wines of the growth of Spain, the Islands of the Canaries or Portugal, Madera or Western Islands, and all goods of the growth, production or Manufacture

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Prohibe for  
Duties, and  
goods taken  
by way of  
Duties.

Prohibited, That this Act, or any thing therein contained, extend not to Bullion, nor yet to any Goods taken, or that shall be bona fide taken by way of Repurchase by any Ship or Ships belonging to England, Ireland, or Wales, Islands of Guernsey, or Jersey, or Town of Berwick upon Tweed, and whereof the Master and three fourths of the Mariners at least are English, having Commission from his Majesty, his Heirs or Successors.

Prohibe con-  
cerning  
goods of  
Scotland.

Prohibited also, That this Act, or any thing therein contained, shall not extend, or be construed to extend to lay Aliens Duties upon any Com of the growth of Scotland, or to any Salt made in Scotland, nor to any fish caught, fished and cured by the People of Scotland, and Imported directly from Scotland in Scotch built Ships, and whereof the Master and three fourths of the Mariners are of His Majesties Subjects, nor to any Seal of Russia, Imported from thence into England, Ireland, Wales, or Town of Berwick upon Tweed, in Shipping bona fide to some of the said places belonging, and whereof the Master and three fourths of the Mariners at least are English.

Goods of  
Russia.

The duty  
payable upon  
goods in  
French ships

Prohibited also, and it is hereby Enacted, That every Ship or Vessel belonging to any the Subjects of the French King, which from and after the Twentieth day of October, in the year of our Lord one thousand six hundred and sixty, shall come into any Port, Creek, Harbour, or Road of England, Ireland, Wales, or Town of Berwick upon Tweed, and shall there land or unlade any Goods or Commodities, or take in or set on Shore any passengers, shall pay to the Collector of His Majesties Customs in such Port, Creek, Harbour, or Road, for every Tun of which the said Ship or Vessel is of burthen, to be computed by such Officer of the Customs as shall be thereunto appointed, the sum of five shillings current money of England; And that no such Ship or Vessel be suffered to depart out of such Port, Creek, Harbour, or Road, until the said Duty be fully paid: And that this Duty shall continue to be Collected, Levied, and paid, for such time, as a certain Duty of Fifty Shillings per Tun lately imposed by the French King, or any part thereof, shall continue to be Collected upon the Shipping of England lading in France, and three Months after, and no longer.

Goods long to  
continue.

Goods, tobacco,  
coast of the  
growth of  
America, A-  
sia, or Africa.

And it is further Enacted by the Authority aforesaid, That from and after the first day of April, which shall be in the year of our Lord one thousand six hundred sixty one, no Sugars, Tobacco, Cotton-wool, Indicoes, Ginger, Nutmeg, or other drying tows, of the growth, Production or Manufacture of any English Plantations in America, Asia, or Africa, shall be shipped, carried, conveyed or transported from any the said English Plantations to any Land, Island, Territory, Dominion, Port, or place whatsoever, other than to such other English Plantations as do belong to His Majesty, His Heirs and Successors, or to the Kingdom of England, or Ireland, or Principality of Wales, or Town of Berwick upon Tweed, there to be laid on Shore, under the penalty of the Forfeiture of the said Goods of the full value thereof, as also of the Ship, with all her Guns, Tackle, Apparel, Ammunition and Furniture, the one moiety to the Kings Majesty, His Heirs and Successors, and the other moiety to him or them that shall seize, inform, or sue for the same in any Court of Record, by Bill, Plaint or Information, wherein no Obloign, Proscription or Wager of Law shall be allowed.

Ships of  
England, Ire-  
land, or Wales,  
sailing to  
any English  
plantations  
of America,  
Asia, or  
Africa,  
shall be bound  
to have their  
cargoes  
entered  
into  
Customs,  
&c.

And be it further Enacted by the Authority aforesaid, That for every Ship or Vessel, which from and after the five and twentieth day of December, in the year of our Lord one thousand six hundred and sixty, shall set sail out of or from England, Ireland, Wales, or Town of Berwick upon Tweed, for any English Plantation in America, Asia, or Africa, sufficient bond shall be given with one surety to the chief Officers of the Custom-house of such Port or place from whence the said Ship shall set sail, to the value of one thousand pounds, if the Ship be of less burthen than one hundred Tons; and of the sum of two thousand pounds, if the Ship shall be of greater burthen, that in case the said Ship or Vessel shall load any of the said Commodities at any of the said English plantations, that the same Commodities shall be by the said Ship brought to some Port of England, Ireland, Wales, or to the Port or Town of Berwick upon Tweed, and shall there unload and put on Shore the same, the danger of the Seas only excepted: And for all Ships coming from any other Port or Place to any of the aforesaid plantations, who by this Act are permitted to trade there, that the Governour of such English plantations shall before the said Ship or Vessel be permitted to load on board any of the said Commodities, take Bond in manner and to the value aforesaid for each respective Ship or Vessel, that such Ship or Vessel shall carry all the aforesaid Goods that be laden on board in the said Ship to some other of His Majesties English plantations or to England, Ireland, Wales, or Town of Berwick upon Tweed: And that every Ship or Vessel, which shall load or take on board any of the aforesaid Goods, until such Bond given to the said Governour, or Certificate produced from the Officers of any Custom-house of England, Ireland, Wales, or of the Town of Berwick, that such bonds have been there duly given, shall be forfeited with all her Guns, Tackle, Apparel and Furniture, to be employed and recovered in the manner as aforesaid. And the said Governours and others of them shall twice in every year after the first day of January, one thousand six hundred and sixty, return true Copies of all such Bonds by him so taken, to the chief Officers of the Customs in London, St. 13. Car. 2. cap. 14.

Ships coming  
from other pla-  
ces to any of  
these planta-  
tions.

Ships returning  
to England, Ire-  
land, or Wales,  
shall be bound  
to have their  
cargoes  
entered  
into  
Customs,  
&c.

CAP. XIX.

For preventing Frauds and concealments of Customs, and Subsidies.

Be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords and Commons in this present Parliament assembled, That if any person or persons at any time after the first day of September, One thousand six hundred and sixty, shall cause any Goods for which Customs, Subsidy, or other Duties are due, or payable by virtue of the Act passed this Parliament, (Entituled, A Subsidy Granted to the King of Turnage and Poundage, and other sums of money, payable upon Merchandize Exported and Imported) to be landed or conveyed away without due entry thereof first made, and the Customers or Collectors, or his Deputy agreed with, that then, and in such case upon oath thereof made before the Lord Treasurer, or any of the Barons of the Exchequer, or chief Magistrate of the Port or place where the offence shall be committed, or the place next adjoining therunto, it shall be lawful to and for the Lord Treasurer, or any of the Barons aforesaid, or chief Magistrate of the Port or place where the offence shall be committed, or the place next adjoining therunto, to issue out a Warrant to any person or persons, thereby enabling him or them, with the assistance of a Sheriff, Justice of Peace, or Constable to enter into any house in the day time where such Goods are suspected to be concealed; and in case of resistance, to break open such houses, and to seize and secure the same goods so concealed: And all Officers and Ministers of Justice are hereby required to be aiding and assisting therunto.

Persons  
which shall  
convey away  
any goods  
without entry  
of agreement  
for the Customs

The statute.

Prohibited also, That no house shall be entered by virtue of this Act, unless it be within the space of one Month after the offence supposed to be committed.

Who procuring  
against any  
person who  
shall within  
one month  
after the offence  
committed,  
the continuance  
of this  
Act,  
damages and  
costs against  
such offenders

Prohibited also, That this Act shall continue in force unto the end of the first Session of the next Parliament, and no longer.

Prohibited also, That if the Information whereupon any house shall come to be searched, shall prove to be false, that then, and in such case, the party injured shall recover his full damages and costs against the Informer, by Action of Trespass to be therefore brought against such Informer. St. 13 Car. 2. Cap. 7.

CAP. XX.

For raising Seventy thousand pounds, for the compleat Disbanding of the whole Army, and paying off some part of the Navy, by a two Months Assessment of 70000 L. per man, to be beginning from the first of November 1660. E. X. P. Stat. 13 Car. 2. cap. 6.

CAP. XXI.

An Act for the speedy raising of Seventy thousand pounds for the present supply of His Majesty. E. X. P. Stat. 13 Car. 2. cap. 6. & cap. 10.

CAP. XXII.

Bay-making in the Dutch Bay-Hall in Caribbee regulated.

CAP. XXIII.

Certain Impositions upon Beer, Ale, and other Liquors, For the Encouragement of His Majesties Revenue during His Life.

The Commons assembled in Parliament, in gratitude, for an humble acknowledgment of Your Majesties great Grace and Favour to us Your Commons, beyond Example of any Your Royal Progenitors, expressed in many publick Acts and Declarations, to the great relieving and general satisfaction of all Your people, which they desire to answer with returns suitable and exceeding the Examples of any of their Ancestors, for the increasing of your Majesties Revenue during Your Majesties Reign, (which God long continue) Do therefore give and grant unto your most Excellent Majesty, the Rates and Duties, Impositions, Charges, and sums of Money herein after following: And do beseech your Majesty that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty by and with the advice and consent of the Lords and Commons in Parliament assembled, That from and after the twentieth day of December, One thousand six hundred and sixty, there shall be throughout your Majesties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, raised, leaved, collected, and paid unto your Majesty during Your Life, for Beer, Ale, Sider, and other Liquors herein after mentioned, The several Rates, Impositions, Duties, and Charges herein after expressed, and in manner and form following. That is to say,

Who shall  
be liable  
to pay  
the same

St. 13 Car. 2.

- For every Barrel of Beer or Ale above six shillings the barrel, brewed by the Common Brewer, or any other Person or Persons who doth or shall sell or tap out Beer or Ale publicly or privately, to be paid by the common Brewer, or by such other person or persons respectively, and so proportionably for a greater or lesser quantity, One shilling three pence. XV. d.
- For every barrel of Six shillings Beer or Ale, or under, brewed by the common Brewer, or any other person or persons, who doth or shall sell or tap out such Beer or Ale publicly or privately, to be paid by the said common Brewer, or by such other person or persons respectively as aforesaid, and so proportionably for a greater or lesser quantity, three pence. ii. d.
- For all Syder and Perry made and sold by retail, upon every Hoghead to be paid by the Retailer thereof, and so proportionably for a greater or lesser measure, One shilling three pence. XV. d.
- For all Metheglin or Mead sold, whether by Retail or otherwise, to be paid by the maker thereof upon every Gallon, One half-penny. Ob.
- For every Barrel of Beer, commonly called Vinegar-Beer, brewed by any common Brewer, in any common Brew-house, six pence. Vi. d.
- For every Gallon of Strong-water or Aquavite, made and sold, to be paid by the maker thereof, One penny. i. d.
- For every barrel of Beer or Ale Imported from beyond the Seas, Three Shillings. ii. s.
- For every Tun of Syder or Perry Imported from beyond the Seas, and so proportionably for a greater or lesser quantity, Five shillings. V. s.
- For every gallon of Spirits made of any kind of Wine or Syder Imported, Two pence. ii. d.
- For every gallon of Strong-water perfectly made, Imported from beyond the Seas, Four pence. iiii. d.
- For every Gallon of Coffee made and sold, to be paid by the maker, Four pence. iiii. d.
- For every gallon of Chocolate, Sherbet and Tea, made and sold, to be paid by the maker thereof, eight pence. viii. d.

And be it further Enacted and Ordained by the Authority aforesaid, That the federal Rates, Duties and Charges of Excise, or Aids Imposed above mentioned, hereby set or imposed upon all and every the said foreign Liquors which shall be Imported or brought into all, or any the Ports of this Kingdom and Dominions thereof, aforesaid, from and after the five and twentieth day of December next, shall be from time to time satisfied and paid by the Merchant or Merchants, Importer or Importers of the same, in ready money, upon his or their Entry or Entries made, and before the landing thereof.

And be it further Enacted by the Authority aforesaid, That all common Brewers of Beer and Ale, shall once in every Week: And all Inn-keepers, Alehouse-keepers, Victuallers, and other Retailers of Beer, Ale, Syder, Perry, Metheglin, or Strong-water, Brewing, Baking, or Retailing the same, shall once in every month make true and particular Entries at the Office of Excise, within the limits of which the said Commodities and Manufactures are made, of all Beer, Ale, Perry, Syder, Metheglin, Strong-water, or other the Liquors aforesaid, which they, or any of them shall brew, make, or Retail, in that Week and Month respectively, as aforesaid.

And be it further Enacted by the Authority aforesaid, That all such common Brewers, who do not once a Week make true and particular Entries, shall forfeit five pounds: And that every such Inn-keeper, who doth not make true and particular Entries once a month, shall forfeit five pounds. And that every Alehouse-keeper, Victualler, or other Retailer, who doth not once a month make true and particular Entries, shall forfeit twenty shillings.

And be it further Enacted by the Authority aforesaid, That every Common Brewer, who shall not pay and clear off within a Week after he made his Entry, or ought to have made his Entry, as aforesaid, shall pay double the value of the Duty: And that every Inn-keeper, Alehouse-keeper, Victualler, or other Retailer, who shall not pay and clear off within a Month after he made his Entry, or ought to have made his Entry, as aforesaid, shall pay double the value of the Duty: The said respective forfeitures to be levied upon their Goods and Chattels, in such manner and form, as hereafter in this Act is Ordained and directed.

Prohibited that no such person, as aforesaid, shall be compelled by the Commissioners, or Sub-

The Excise upon foreign liquors Imported into this Kingdom shall be paid by the Importer or Importers in ready money upon their Entries made before the landing thereof.

The penalty for not making true and particular Entries as aforesaid.

Commissioners of Excise, to travel for the making of the said Entries or payment of the said Duties, or other cause whatsoever, touching or concerning the same, if he live in a Market-Town, or out of the said Town; if he live out of a Market-Town, then to no other place than to the next Market-Town to his habitation in the same County, on the Market-day.

And be it further Enacted and Ordained by the Authority aforesaid, That the Commissioners who shall be appointed by his Majesty for putting this Act in execution, and their Sub-Commissioners in their respective Circuits and Divisions, shall hereby have power to constitute under their Hands any Deeds, such, and so many Cagers as they shall find needful: Which Cagers, and every of them, shall at all times, as well by night as by day, And if by night, then in the presence of a Constable, or other lawful Officer, be permitted upon their request, to enter the house, Brewhouse, Distilling-house, and all other houses and places whatsoever, belonging to, or used by any Brewer, Inn-keeper, Victualler, or other retailer of Beer, Brewing, or making the same as aforesaid, or by any Distiller of Strong-waters, or Retailer of other the Liquors aforesaid, And to Cage all Coppers, Fats and Vessels in the same, And to take an account of Beer, Ale, Worts, Perry, Syder, Strong-waters, Aquavite, Metheglin, or other the Liquors aforesaid, in the said houses, Places, and Vessels, from time to time, Brewed, or Made, and Distilled; and thereof to make return or report in Writing to the said Commissioners, or Sub-Commissioners of Excise, under whose office and limits, such Brewer, Retailer, Distiller, or Makers of the Liquors aforesaid, doth dwell and inhabit, leaving a true Copy of such Return in Writing under his hand with such Brewer, Retailer, Distiller, or Makers of the Liquors aforesaid; And such Reports or Returns of the said Cagers shall be a Charge upon the said Brewers, Makers, and Retailers respectively; And if any such Common Brewer or Retailer shall refuse to permit any such Cager or Cagers to enter his Brewhouse or any other place aforesaid, or to cage or take account of his Brewing vessels, or of any such Beer, Ale, Worts, Perry, Syder, Strong-water, Aquavite, Metheglin, or other the Liquors aforesaid, such Brewer, Retailer, or Distiller shall be forthwith forbidden by the said Cager or Cagers, to sell, carry out, or deliver to any of his Customers, any Beer, Ale, Strong-water, Aquavite, or other the Liquors aforesaid; And if any such Brewer, Retailer, or Distiller of any the Liquors aforesaid, after such warning given shall sell, carry, or deliver out the same, or any part thereof, not having paid and cleared the duty of Excise, such person and persons shall besides the forfeiture of double the value, forfeit and lose the sum of five pounds, as aforesaid, for every offence, to be levied and recovered upon his or their Goods and Chattels in manner and form as hereafter in this Act is provided.

And so the avoiding of all uncertainty, and dispute, touching the returns made or to be made by the Cagers of any Beer or Ale so brewed as aforesaid; Be it Enacted and declared by the Authority aforesaid, That every six and thirty gallons of Beer taken by the Cager according to the Standard of the Ale-quart, four whereof shall make the gallon, remaining in the custody of the Chamberlains of his Majesty's Exchequer, shall be reckoned, accounted, and returned by the Cager for a barrel of Beer; And every two and thirty gallons of Ale, taken by the Cager according to the same Standard, shall be in like manner reckoned, accounted and returned for a Barrel of Ale; and all other the Liquors aforesaid, according to the Wine-gallon.

Prohibited likewise, and be it Enacted and Ordained by the Authority aforesaid, That no Brewers or Retailers of Beer and Ale shall take any more in the price thereof, upon sale of the same, than according to the usual rates and prices, having that every common Brewer shall and may take and receive of all and every person and persons to whom he shall sell and deliver any Beer or Ale, the Excise thereupon due, as aforesaid, over and above the usual Rates and Prices.

And be it Enacted by the Authority aforesaid, That for the better encouragement of all Common Brewers, and makers of Beer or Ale to make due entry and payment thereof, according as by this Act is appointed, the said common Brewer not selling the same by retail, and in consideration of waage by fillings and leakage of their Beer and Ale, shall have and be allowed out of the said Returns made by the Cagers, the federal allowances and abatements hereafter mentioned, (that is to say) upon every three and twenty Barrels of Beer, whether strong or small, returned by the said Cagers, three Barrels; And upon every two and twenty Barrels of Ale, whether strong or small, returned by the Cagers, two Barrels; which said Allowances and Abatements the said Commissioners to be appointed as aforesaid, and their Sub-Commissioners, are hereby authorized to allow and make accordingly.

Prohibited likewise, That where any common Brewer shall willingly or unwillingly make a false entry, and be convicted for the same before the Commissioners to be appointed as aforesaid, or any two of them, or before such other person or persons as are hereafter by this Act appointed, in that case such Brewer or Brewers shall forfeit and lose over and besides the penalties before mentioned, the said allowance so to be made for six months then next ensuing.

And be it Enacted and Ordained by the Authority aforesaid, That no Beer or Ale shall be delivered in by such Brewer or Maker thereof to any Victualler or other Retailer thereof, until the rate which by such Victualler or Retailer is to be paid over and above the price of the said Beer or Ale, for or in respect of this Duty, be first paid and satisfied by the said Victualler or Retailer to the Brewer or Maker thereof. Prohibited likewise, That if any person or persons shall brew and sell by retail any small quantities of Beer or Ale in any fair within this Realm, or Dominion, and shall not observe any common or usual Brewer, or Retailer thereof, and shall

No person to be compelled by the Commissioners of Excise to go further for making their entries than the next Market-Town.

Returns made by the Cagers.

what shall be reckoned a barrel of Beer.

Barrel of Ale.

Barrel of Beer.

Forfeiture for false entries.

Rate of Beer to be delivered to the victualler before the entry is paid.

Beer and Ale sold in Fairs.

before any such selling and retailing thereof, well and truly pay and satisfy the duty due for the same to the Commissioners or Sub-Commissioners within whose Limits or Division the said Fair shall be held, or to their Officers thereunto appointed; Then such person or persons so buying or retailing the same, and so; so much, and no more, nor otherwise, shall be freed and discharged from all penalties and forfeitures in and by this Act before mentioned and imposed; Any thing therein contained to the contrary notwithstanding.

The Commis- sioners may compound with any In- heritor, Retail- ler or Clerk- alike.

Any duties to this Act may be farmed for three years.

Provided nevertheless, that it shall and may be lawful so and for the said Commissioners, and Sub-Commissioners respectively, to compound for this Duty with any Inn-keeper, Victualler, Alehouse-keeper, or Retailer of Beer, Ale, and other the Liquors aforesaid within their respective Divisions, from time to time, and in such manner and form as may be most for the advantage and improvement of the receipts thereof: Any thing in this Act before contained to the contrary notwithstanding.

And it is further Ordained and Enacted by the Authority aforesaid, That the Lord Treasurer, or Commissioners of the Treasury for the time being, or such other person or persons as His Majesty shall appoint, shall have power, and are hereby authorized and empowered from time to time to treat, contract, conclude and agree with any person or persons for or concerning the Farming of all or any the Rates, Duties and Charges in this Act mentioned upon Beer, Ale, Perry, Sides, or other the Liquors aforesaid, in any the respective Counties, Cities or Places of this Realm or Dominions thereof, as may be for the greatest benefit and advantage of the said Receipt, so as the same exceed not the term of Three Years. And be it further Enacted, That every such Contract, Bargain, and Agreement of the Lord Treasurer, or Commissioners of the Treasury, or other persons aforesaid, on behalf of His Majesty on the one part, and the person or persons farming on the other part, shall be good and effectual in Law, to all intents and purposes.

Persons con- tracting that be nominated by the Justice of the Peace in every County shall have the rule of any Farm.

Provided likewise, to the end the aforesaid duty may be paid with most ease to the people: It is hereby further Enacted, That the Lord Treasurer, Commissioners of the Treasury, or other persons aforesaid, shall not within six months after the Commencement of this Act, treat, con- clude, or agree with any person or persons touching the Farming of this duty upon Beer and Ale in any the respective Counties or Places of this Realm, or Dominions thereof, other then with such person or persons as by the Justices of Peace of the said Counties or places, or the major part of them, at their publick Quarter Sessions shall be nominated and appointed in that behalf, which person or persons is to have the first refusal of any such Farm respectively, and may take the same: Any thing in this Act to the contrary thereof in any wise notwithstanding.

Provided, that the said duty shall not be let to any other person or persons, then to the person or persons recommended by the Justices, under the rate that it shall be tendered to, and refused by such person or persons so recommended.

Forfeitures or offences which in this Act are directed to be heard, adjudged and determined, by the said chief Commissioners and Governours of Excise (appointed by His Majesty) or the major part of them, or by the Commissioners for Appeals, and regula- ting of this duty, or the major part of them in case of Appeal, and not otherwise. And all such forfeitures and offences made and committed within all, or any other the Counties, Cities, Towns or Places within this Kingdom, or Dominions thereof, shall be heard and determined by any two or more of the Justices of the Peace residing near to the place where such forfeitures shall be made, or offence committed: And in case of neglect or refusal of such Justices of the Peace, by the space of 14 dayes next after complaint made, and notice thereof given to the Of- fender, then the Sub-Commissioners, or the major part of them appointed for any such City, Coun- ty, Town, or Place, shall, and are hereby empowered to hear and determine the same; And if the party and himself aggrieved by the Judgment given by the said Sub-Commissioners, he shall and may appeal to the Justices of the Peace at the next Quarter Sessions, who are hereby im- powered and authorized to hear and determine the same, whose Judgment therein shall be final; which said Commissioners for Appeals and regulating of this duty, and the chief Commissioners for Excise, and all Justices of Peace, and Sub-Commissioners aforesaid respectively, are hereby authorized, and strictly enjoined and required upon any complaint or information exhibited and brought of any such forfeiture made, or offence committed contrary to this Act, to summon the party accused, and upon his appearance, or contempt to proceed to the examination of the matter of Fact and upon due proof made thereof, either by the voluntary confession of the party, or by the oath of one or more credible witnesses (which oath they, or any two or more of them, have hereby power to administer) to give Judgment or Sentence, according as in and by this Act is before ordained and directed: And to award and issue out Warrants under their hands for the taking of such forfeitures, penalties and fines, as by this Act is imposed, for any such offence committed, upon the Goods and Chattels of the Offender, and to cause Sale to be made of the said Goods and Chattels, (if they shall not be redeemed within fourteen dayes) rendering to the party the overplus (if any be) and so; want of sufficient Distress, to imprison the party offending till satisfaction be made.

Appeals by parties aforesaid.

And be it further Enacted and Ordained by the Authority aforesaid, That all forfeitures and offences made, done and committed against this Act, or any clause or article therein contained shall be heard, adjudged and determined by such person or persons, and in such manner and form as here- after in and by this Act is directed and appointed; that is to say, all such forfeitures and offences made and committed within the immediate limits of the chief Office in London, shall be heard, adjudged and determined, by the said chief Commissioners and Governours of Excise (appointed by His Majesty) or the major part of them, or by the Commissioners for Appeals, and regula- ting of this duty, or the major part of them in case of Appeal, and not otherwise. And all such forfeitures and offences made and committed within all, or any other the Counties, Cities, Towns or Places within this Kingdom, or Dominions thereof, shall be heard and determined by any two or more of the Justices of the Peace residing near to the place where such forfeitures shall be made, or offence committed: And in case of neglect or refusal of such Justices of the Peace, by the space of 14 dayes next after complaint made, and notice thereof given to the Of- fender, then the Sub-Commissioners, or the major part of them appointed for any such City, Coun- ty, Town, or Place, shall, and are hereby empowered to hear and determine the same; And if the party and himself aggrieved by the Judgment given by the said Sub-Commissioners, he shall and may appeal to the Justices of the Peace at the next Quarter Sessions, who are hereby im- powered and authorized to hear and determine the same, whose Judgment therein shall be final; which said Commissioners for Appeals and regulating of this duty, and the chief Commissioners for Excise, and all Justices of Peace, and Sub-Commissioners aforesaid respectively, are hereby authorized, and strictly enjoined and required upon any complaint or information exhibited and brought of any such forfeiture made, or offence committed contrary to this Act, to summon the party accused, and upon his appearance, or contempt to proceed to the examination of the matter of Fact and upon due proof made thereof, either by the voluntary confession of the party, or by the oath of one or more credible witnesses (which oath they, or any two or more of them, have hereby power to administer) to give Judgment or Sentence, according as in and by this Act is before ordained and directed: And to award and issue out Warrants under their hands for the taking of such forfeitures, penalties and fines, as by this Act is imposed, for any such offence committed, upon the Goods and Chattels of the Offender, and to cause Sale to be made of the said Goods and Chattels, (if they shall not be redeemed within fourteen dayes) rendering to the party the overplus (if any be) and so; want of sufficient Distress, to imprison the party offending till satisfaction be made.

Provided

Provided nevertheless, That it shall and may be lawful, to and for the said respective Justices of Peace, Commissioners for Excise, or any two of them, or their Sub-Commissioners respectively, from time to time, where they shall see cause to mitigate, compound or lessen such forfeiture, penalty or fine, as in their discretion they shall think fit; And that every such mitigation and payment thereupon accordingly made, shall be a sufficient discharge of the said penalties and for- feitures to the persons so offending, so as by such mitigation the same be not made less than dou- ble the value of the duty of Excise, which should or ought to have been paid, besides the reason- able costs and charges of such Officer or Officers, or others, as were employed therein, to be to them allowed by the said Justices; any thing in this Act to the contrary in any wise notwithstan- ding. And it is hereby further Enacted and Ordained, That all Fines, Forfeitures and Idemali- ties mentioned in this Act, all necessary charges for the recovery thereof being first deducted, shall be employed, the fourth parts thereof to and for the use of the Kings Majesty, and the other 3th part to the Discoverer or Informer of the same: And for the better managing, collecting, securing, leav- ing and recovering of all and every the said rates and charges of Excise hereby imposed, and set upon all or any of the Commodities before mentioned, to the end, the same may be paid and disposed of according to the intent of this present Act: Be it further Enacted and Ordained by the autho- rity aforesaid, and it is hereby Enacted, That one principal Head-Office shall be erected and con- tinued in the City of London, or within ten miles thereof, from time to time, as long as his Majesty shall think fit for this duty, unto which all other Offices for the same within England and Wales, and the Town and Port of Berwick, shall be subordinate and accountable: Which said Office shall be managed by such Officers as shall be appointed by the Kings Majesty as aforesaid, who, or any two of them, are hereby appointed and constituted Commissioners and Governours for the management of His Majesties Receipt of the Excise, and to sit in some convenient place in the City of London, or within ten miles thereof, from time to time, as long as his Ma- jesty shall think fit.

Fines and for- feitures may be mitigated.

Into the said and forfei- tures shall be employed.

Commis- sioners and Governours for managing the Receipts of Excise.

And be it Enacted by the Authority aforesaid, That no person or persons shall be capable of in- termeddling with any Office or Employment relating to the Excise, until he or they shall before two or more Justices of Peace in the County where his or their employments shall be, or before one of the Barons of the Exchequer, take the Oaths of Allegiance and Supremacy, which Oaths they have hereby power to Administer, together with this Oath following, *Maurus Marandis.*

**Y**OU shall swear to execute the Office of \_\_\_\_\_ truly and faithfully without Favour or Affection, and shall from time to time true Account make and deliver to such person and persons as His Majesty shall appoint to receive the same, and shall take no Fee or Reward for the Execution of the said Office, from any other person, than from His Majesty, or those whom His Majesty shall appoint in that behalf.

The Oath

And be it further Enacted by the Authority aforesaid, That every such Justice of Peace shall certify the taking of such Oath to the next Quarter-Sessions, there to be Recorded; And it is further Enacted, That all parts of the Cities of London and Westminster, with the Burrough of Southwark, and the several Suburbs thereof, and Parishes within the liberty Bills of Mortality, shall be under the immediate care, inspection and management of the said Head-Office, and such, and so many subordinate Commissioners, and Sub-Commissioners, and other Officers and Ministers for the Execution of the premises shall be from time to time nominated and appointed by His Majesty, his Heirs and Successors, in all and every other the Counties, Cities, Towns, and Pla- ces within this Kingdom of England, Dominion of Wales, and Port of Berwick, as from time to time his Majesty, his Heirs and Successors shall think fit. And it is hereby further Enacted, That the said Office of Excise in all places where it shall be appointed, shall be kept open from eight of the Clock in the morning, till twelve of the Clock at noon; and from two of the Clock in the Afternoon, till five of the Clock in the Afternoon, for the due execution and performance of all and every the matters and things in this Act appointed and required. And it is further hereby Enac- ted, That the said Chief Commissioners of Excise, or the major part of them, shall from time to time issue forth and pay such sum and sums of money, as shall from time to time be received, collec- ted or leysed by virtue of this Act, into his Majesties Receipt of Exchequer.

Certificates at the next Quarter Ses- sions. London, Westminster, Southwark. Officers to be appointed by his Majesty.

The Office to be kept open.

The money collected to be paid into the receipt of the Exchequer.

Provided likewise, and be it Enacted, That if any person or persons shall at any time be sued or prosecuted for any thing by him or them done or executed in pursuance of this Act, he or they shall and may plead the general issue, and give this Act in evidence for his defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs be *Non-suit*, then such Defendant or Defendants shall have double costs to him or them awarded against such Plaintiff or Plaintiffs.

Persons sued may plead the general issue.

Provided also, and be it Enacted, That no Writ or Writs of Certiorari shall supersede Execu- tion or other proceedings, upon any Order or Orders made by the Justices aforesaid in pursuance of this Act, but that Execution and other proceedings shall and may be had and made thereupon, any such Writ or Writs, or allowance thereof notwithstanding.

Writs of Cer- tiorari shall not supersede the proceedings.

Provided likewise, and be it further Enacted, That this Act, or any thing therein contained, shall not be prejudicial to Edward Backwell Alderman of London, as to the sum of twenty eight thousand four hundred and fifty pounds (or any part thereof) by him advanced upon the Credit of several Orders of this present Parliament, and by them charged on the receipt of the Exchequer.

Edward Backwell Alderman of London.

that is to say, the sum of five thousand pounds payable to his Majesty's Burgeos Central for the repair of his Majesty's houses, charged by virtue of an Order of the sixth of September, 1660, with Interest for the same; the sum of ten thousand pounds advanced to her Highness the Princess Royal, being charged with Interest by an Order of the 13th of September, 1660, the sum of ten thousand pounds payable to her Majesty the Queen of Bohemia, being charged, together with Interest, by an Order of the 13th of September, 1660, the sum of three thousand four hundred and fifty pounds payable for Provisions for Dunkirk, by an Order of the 26th of November, 1660, which sum of twenty eight thousand four hundred and fifty pounds, together with Interest for the same, according to the tenor of the said Orders, after the rate of six per Cent. shall be paid to the said Edward Backwell, or his Assigns, out of the Grand Excise, and the Arrears thereof in course, as is by the said Orders appointed; and in case the same shall fall short in payment by the Twenty fifth of December, One thousand six hundred and sixty, and that no other payments be made out of the Excise, but what is appointed by this present Parliament in course to preceed the same, until the said debt due to the said Edward Backwell, be satisfied; and that in case any part of the monies due to the said Edward Backwell, be paid out of that part of the Excise which shall grow due to the Kings Majesty; that then his Majesty shall be reimbursed the same out of the first monies that shall come in of the Arrears of Excise that will be due the said twenty fifth of December. See 13 Car. 2. cap. 7.

CAP. XXIV.

The Courts of Wards and Liveries, and Tenures in Capite, and by Knights-Service, and Parityons, taken away, and a Revenue set up on His Majesty's Lien thereof.

**W**HETHER it hath been found by former experience, That the Court of Wards and Liveries, and Tenures by Knights-Service, either of the King or others, or by Knights-Service in Capite, or Socage in Capite of the King, and the consequents upon the same have been much more burthenous, grievous and prejudicial to the Kingdom, than they have been beneficial to the King: And whereas since the intermission of the said Court, which hath been from the Four and twentieth day of February, which was in the year of our Lord One thousand six hundred forty and five, many Persons have by Will and otherwise made disposal of their Lands held by Knights-Service, whereupon divers Questions might possibly arise, unless some reasonable remedy be taken to prevent the same: Be it therefore Enacted by the King our Sovereign Lord with the assent of the Lords and Commons in Parliament assembled, and by the Authority of the same, that it is hereby Enacted, That the Court of Wards and Liveries, and all Wardships, Liveries, Primer-Feines, and Quaker-Remains, Values and forfeitures of Marriages, by reason of any Tenure of the Kings Majesty, or of any other by Knights-Service, and all mean Rates, and all other Gifts, Grants, Charges incident or arising, for, or by reason of Wardships, Liveries, Primer-Feines, or Quaker-Remains, be taken away and discharged, and are hereby Enacted to be taken away and discharged, from the said twenty fourth day of February, One thousand six hundred forty five, any Law, Statute, Custom, or Usage, to the contrary hereof in any wise notwithstanding; And that all Fines for Alienations, Seizures, and Pardons for Alienations, Tenure by Homage and all Charges incident, arising, for, or by reason of Wardship Livery, Primer-Fein, or Quaker-Remain, or Tenure by Knights-Service, Escheage, and also Aide par file marier, & par file marier for Chivalier, and all other Charges incident thereunto, be likewise taken away and discharged, from the said Twenty fourth day of February, One thousand six hundred forty five, any Law, Statute, Custom, or Usage to the contrary hereof in any wise notwithstanding: And that all Tenures by Knights-Service of the King, or of any other person, and by Knights-Service in Capite, and by Socage in Capite of the King, and the Fruits and consequents thereof, happened, or which shall or may hereafter happen or arise thereupon, or thereby, be taken away and discharged, any Law, Statute, Custom, or Usage to the contrary hereof in any wise notwithstanding. And all Tenures of any Honors, Honors, Lands, Tenements, or Hereditaments, or any Estate of Nobility, or Corporate, are hereby Enacted to be turned into fee and common Socage, to all intents and purposes, from the said Twenty fourth day of February, One thousand six hundred forty five, and shall be so construed, adjudged and deemed to be from the said Twenty fourth day of February, One thousand six hundred forty five, and for ever thereafter turned into fee and common Socage, any Law, Statute, Custom, or Usage to the contrary hereof, in any wise notwithstanding.

The Statute of 13 Car. 2.

The Court of Wards and Liveries, Primer-Fein, Quaker-Remain, &c. taken away.

Fines for Alienations, Seizures, &c. taken away.

Tenures by Knights-Service.

Tenures by Homage, &c.

And that the same shall for ever hereafter stand and be discharged of all Tenure by Homage, Escheage, Voyages Royal and charges for the same, Wardships incident to Tenure by Knights-Service, and values and forfeitures of marriage, and all other charges incident to tenure by Knights-Service, and of and from Aide par file marier, and Aide par file marier for Chivalier, any Law, Statute, Custom, or Usage to the contrary in any wise notwithstanding. And that all Conveyances of February, shall be responded to be of such effect as if the same Honors, Lands, Tenements, and Hereditaments, had been then held and continued to be holden in fee and common Socage only, any Law, Statute, Custom, or Usage to the contrary hereof in any wise notwithstanding.

And

And be it further ordained and enacted by the authority of this present Parliament, That one Act made in the reign of King Henry the 8th. Entituled, An Act for the establishment of the Court of the Kings Wards; And also one Act of Parliament made in the 33. year of the reign of the said King Henry the 8th. concerning the Officers of the Court of Wards and Liveries, and every Clause, Article and Matter in the said Acts contained, shall from henceforth be repealed, and utterly void.

And be it further Enacted by the authority aforesaid, That all tenures hereafter to be created by the Kings Majesty, his Heirs or Successors, upon any gifts or grants of any Honors, Lands, Tenements, or Hereditaments, of any Estate of Inheritance at the common Law, shall be in fee and common Socage, and shall be adjudged to be in fee and common Socage only, and not by Knights-Service, or in Capite, and shall be discharged of all Wardship, value and forfeiture of marriage, Livery, Primer-Fein, Quaker-Remain, Aide par file marier, and par file marier, any Law, Statute, or reservation to the contrary thereof in any wise notwithstanding.

Provided nevertheless, and be it Enacted, That this Act, or any thing therein contained, shall not take away, nor be construed to take away any Rights certain, Heriots, or Suits of Court, belonging or incident to any former Tenure now taken away or altered by virtue of this Act, or other Services incident or belonging to Tenure in common Socage due, or to grow due to the Kings Majesty, or mean Lords, or other private person, or the fealty and distress incident thereunto; And that such relief shall be paid in respect of such Rights as is paid in case of the death of a Tenant in common Socage.

Provided always, and be it Enacted, That any thing herein contained shall not take away, nor be construed to take away any Fines for Alienation due by particular customs of particular Mannors or places, other then fines for alienations of lands or Tenements holden immediately of the King in Capite.

Provided also, and be it further Enacted, That this Act, or any thing therein contained, shall not take away, nor be construed to take away Tenures in Frank Almoigne, or to subject them to any greater or other Services then now are; nor to alter or change any Tenure by Copy of Court Roll, or any Services incident thereunto, nor to take away the honours services of Grand Serjeanty, other then of Wardship, Marriage, and value of Forfeiture of Marriage, Escheage, Voyages Royal, and other charges incident to Tenure by Knights-Service; and other then Aide par file marier, Chivalier, and Aide par file marier.

And be it further Enacted by the authority aforesaid, That where any person hath, or shall have, any Child or Children under the age of 21 years, and not married at the time of his death, that it shall and may be lawful to and for the Father of such child or children, whether born at the time of the decease of the Father, or at that time in ventre sa mere; or whether such Father be within the age of 21 years, or of full age, by his Deed executed in his life time, or by his last Will and Testament in writing, in the presence of two or more credible witnesses, in such manner, and from time to time as he shall respectively think fit to dispose of the custody and tuition of such child or children, for, and during such time as he or they shall respectively remain under the age of 21 years, or any lesser time, to any person or persons in possession or remainder, other then Papish Recusants: And that such disposition of the custody of such child or children made since the 24th. of February, 1645. or hereafter to be made, shall be good and effectual against all and every person or persons claiming the custody or tuition of such child or children as Guardian in Socage or otherwise: And that such person or persons to whom the custody of such child or children hath been, or shall be so disposed or devised as aforesaid, shall and may maintain an action of Habitation of Writ, or Writ of Habeas Corpus, against any person or persons which shall wrongfully take away or detain such child or children, for the recovery of such child or children, and shall and may recover damages for the same in the said Action, for the use and benefit of such child or children.

And be it further Enacted, That such Person or Persons to whom the custody of such Child or Children hath been, or shall be, so disposed or devised, shall and may take into his or their custody to the use of such Child or Children, the profits of all Lands, Tenements, and Hereditaments of such Child or Children; and also the custody, tuition and management of the Goods, Chattels, and personal Estate of such Child or Children, till their respective Age of 21 years, or any lesser time according to such disposition aforesaid; and may bring such Action or Actions in relation thereunto, as by Law a Guardian in common Socage might do; Provided also, That this Act, or any thing therein contained, shall not extend to alter or prejudice the custom of the City of London, or of any other City or Town Corporate, or of the Town of Berwick on Tweed concerning Apprentices; nor to discharge any Apprentice from his Apprenticeship.

Provided also, That neither this Act, nor any thing therein contained, shall infringe or hurt any Title of Honour, Feodal, or other, by which any person hath, or may have right to sit in the Lords House of Parliament, as to his or their Title of Honour, or sitting in Parliament, and the privileges belonging to them as Peers; This Act, or any thing therein contained to the contrary in any wise notwithstanding.

And whereas by like experience it hath been found, that though divers good and wise and wholesome Laws have been made in the times of sundry his Majesties most noble Progenitors, some extending so far as to see, for redress of the grievances and oppressions committed by the persons employed for making provisions for the Kings household, Carriages and other purveyance for his Majesty, and his occasions; yet divers oppressions have been still continued, and several Counties have submitted themselves to sundry Rates and Taxes, and Compositions, to relieve them.

The Acts of 22 H. 8. cap. 6. & 33 H. 8. cap. 22. repealed.

All tenures to be created by the King hereafter shall be free and common Socage.

Proviso for fines certain, Heriots, &c.

Fines for Alienations due by particular customs of Mannors.

Tenures in Frank Almoigne, Copy of Court Roll, &c.

Honours Services.

Parent may dispose of the custody of children during their minority.

Parent of child in custody of other than Papish Recusant.

The profits of lands, &c. and the management of the goods, chattels, &c. of children.

Proviso touching Titles of Honour.

Proviso touching Rates and Taxes.

themselves from such vexations and oppressions: And so much as the Lords and Commons assembled in Parliament do find that the said Remedies are not fully effectual, and that no other remedy will be so effectual and just, as to take away the occasion thereof, especially if satisfaction and recompence shall be therefore made to his Majesty, his Heirs and Successors, which is hereby prohibited to his Majesty's good liking and content, his Majesty is graciously pleased, That it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords and Commons in this present Parliament assembled, That from henceforth no sum of money, or other thing shall be taken, raised, rated, imposed, paid, or levied, for or in regard of any provision, Carriages, or purveyance for his Majesty, his Heirs or Successors.

And that henceforth no person or persons by any Warrant, Commission, or Authority under the Great Seal, or otherwise, by colour of buying or making provision or purveyance for his Majesty, or any Queen of England for the time being, or of any the Children of any King or Queen of England for the time being, or that shall be, or for his, their, or any of their household, shall take any Timber, Pewee, Cattel, Coin, Grain, Paule, Hay, Straw, Vinnal, Cart, Carriage, or other thing whatsoever of any the Subjects of his Majesty, his Heirs or Successors, without the free and full consent of the King or Queens thereof, had and obtained without menace or enforcement: nor shall summon, warn, take, use, or require any the said Subjects to furnish or find any Horses, Wren, or other Cattel, Carts, Ploughs, Wains, or other Carriages, for the use of his Majesty, his Heirs or Successors, or of any Queen of England, or of any Child or Children of any the Kings or Queens of England for the time being, for the carrying the Goods of his Majesty, his Heirs or Successors, or the said Queens, or Children, or any of them, without such full and free consent as aforesaid, any Law, Statute, Custom, or Usage, to the contrary notwithstanding.

And be it further Enacted, That no pre-emption shall be allowed or claimed in the behalf of his Majesty, or of any his Heirs or Successors, or of any the Queens of England, or of any the Children of the Royal Family for the time being, in Market or out of Market: but that it be so ever hereafter free to all and every of the Subjects of his Majesty, to sell, dispose, or employ his said Goods to any other person or persons as himself listeth, any pretence of making provision or purveyance of Victual, Carriages, or other thing for his Majesty, his Heirs or Successors, or of the said Queens, or Children, or any pretence of pre-emption in their, or any of their behalfs notwithstanding. And if any person or persons shall make provision or purveyance for his Majesty, his Heirs or Successors, or any the Queens, or Children aforesaid, or impede or take any such Carriages, or other things aforesaid, on any pretence or colour of any Warrant aforesaid, under the Great Seal, or otherwise, contrary to the intent hereof; it shall be lawful for the Justices of Peace, or such two or one of them as dwell near, and to the Constables of such parish or Village where such occasion shall happen, at the request of the party grieved: And they are hereby authorized to command, or cause to be committed the party or parties to being and offending to Gaol till the next Sessions, there to be indicted and proceeded against for the same; and that the Officers and Inhabitants of the Village or Parish where such offence shall happen, shall be assistant therein; and moreover, the party grieved shall have his Action or Actions against such offender or offenders, and therein recover his treble damages and treble costs: In which Action, no Offin, Waiver of Law, Aid, prayer, Pardon, Protection, Imparance, Immuion, or Order of Respite, shall be granted or allowed: And if any person or persons shall (after notice given, that the Action depending is grounded upon this Statute) cause or procure any Action at the common Law, grounded on this Statute, to be delayed or barred before Judgment, by colour or means of any Order, Power, Warrant, or Authority, save only of the Court where such Action shall be brought and depending, or after Judgment had upon such Action, shall cause or procure Execution of such Judgment to be stayed or delayed by colour or means of any Writ, Warrant, Power, or Authority, save only by Writ of Error, or Attaint, or Writ of such Court where such Writ of Error or Attaint shall be depending, That then the person so offending shall incur the pains, penalties, and forfeitures ordained and provided by the Statute of Provision and Purveyance, made in the first year of the Reign of King Richard the second; Provided always, That this Act extend not to premises any of his Majesty's Rights, Writs, or Duties of, in, or to, or out of any Town in the Shires of Devon and Cornwall, nor to perurbice the ancient Duties of Waterage and Weirage of Wines, but that the same shall be in the same plight that the same were before the making of this Act, any thing herein contained to the contrary in any wise notwithstanding: And notwithstanding to the intent and purpose that his Majesty, his Heirs and Successors, may receive a full and ample recompence and satisfaction, as well for the profits of the said Court of Wards, and the Tenures, Wardships, Liveries, Primer, Services, Distraintments, and other the Premises and Perquisites incident therunto; and for all Accords any law due for the same, as also for all and all manner of Purveyance and Provisions herein before mentioned, and intended to be taken away and abolished; and all sums of money due, or pretended to be due, or payable for, and in respect of any compositions for the same.

Be it therefore Enacted by the Authority aforesaid, That these shall be paid into the Kings Majesty, his Heirs and Successors for ever hereafter, in recompence as aforesaid, the several Rates, Impositions, Duties and Charges herein after expressed, and in manner and form following (that is to say)

Underwritten for the King's Majesty.

Timber, Pewee, Cattel, Coin, Grain, Paule, Hay, Straw, Vinnal, Cart, Carriage, or other thing whatsoever of any the Subjects of his Majesty, his Heirs or Successors, without the free and full consent of the King or Queens thereof, had and obtained without menace or enforcement.

The pre-emption and the like shall be free to all and every of the Subjects of his Majesty.

The Justice.

The action or cause to be committed to Gaol till the next Sessions.

Provision.

Duties of the Shires of Devon and Cornwall.

Recompence for the profits of the Court of Wards, and the Tenures, Wardships, Liveries, Primer, Services, Distraintments, and other the Premises and Perquisites incident therunto.

The rates, impositions, duties and charges herein after expressed.

For every Barrel of Beer or Ale above six shillings the barrel, brewed by the Common Brewer, or any other Person or Persons who doth or shall sell or tap out beer or Ale publicly or privately, to be paid by the common Brewer, or by such other person or persons respectively, and so proportionably for a greater or lesser quantity, One shilling three pence. XV. d.

For every barrel of Six shillings Beer or Ale, or under, brewed by the common Brewer, or any other person or persons, who doth or shall sell or tap out such Beer or Ale publicly or privately, to be paid by the said common Brewer, or by such other person or persons respectively as aforesaid, and so proportionably for a greater or lesser quantity, three pence. iij. d.

For all Syder and Perry made and sold by retail, upon every Hoghead to be paid by the Retailer thereof, and so proportionably for a greater or lesser measure, One shilling three pence. XV. d.

For all Metheglin or Mead sold, whether by Retail or otherwise, to be paid by the maker thereof upon every Gallon, One half-penny. Ob.

For every Barrel of Beer, commonly called Vinegar-Beer, brewed by any common Brewer, in any common Brew-house, six pence. Vi. d.

For every Gallon of Strong-water or Acqavite, made and sold, to be paid by the maker thereof, One penny. i. d.

For every barrel of Beer or Ale Imported from Beyond the Seas, Three Shillings. iij. s.

For every Tun of Syder or Perry Imported from beyond the Seas, and so proportionably for a greater or lesser quantity, Five shillings. V. s.

For every gallon of Spirits made of any kind of Wine or Syder Imported, Two pence. ij. d.

For every gallon of Strong-water perfectly made, Imported from beyond the Seas, Four pence. iij. d.

For every Gallon of Coffee made and sold, to be paid by the maker, Four pence. iij. d.

For every gallon of Chocolate, Sherbet and Tea, made and sold, to be paid by the maker thereof, eight pence. viij. d.

And be it further Enacted and Ordained by the Authority aforesaid, That the several Rates, Duties and Charges of Excise, or other Imposts above mentioned, heretofore set or imposed upon all and every the said Foreign Liquors which shall be Imported or brought into, or any the Ports of this Kingdom and Dominions thereof, aforesaid, from and after the five and twentieth day of December next, shall be from time to time satisfied and paid by the Merchant or Merchants, Importer or Importers of the same, in ready money, upon his or their Entry or Entries made, and before the landing thereof.

And be it further Enacted by the Authority aforesaid, That all common Vintners of Beer and Ale, shall once in every Week: And all Inn-keepers, Alehouse-keepers, Victuallers, and other Retailers of Beer, Ale, Syder, Perry, Metheglin, or Strong-water, Wine, or other Liquors, making or retailing the same, shall once in every month make true and particular Entries at the Office of Excise, within the limits of which the said Commodities and Manufactures are made, of all Beer, Ale, Perry, Syder, Metheglin, Strong-water, or other the Liquors aforesaid, which they, or any of them shall brew, make, or Retail, in that Week and Month respectively as aforesaid.

And be it further Enacted by the Authority aforesaid, That all such common Vintners, who do not once a Week make true and particular Entries, shall forfeit ten pounds: And that every such Inn-keeper, who doth not make true and particular Entries once a Month, shall forfeit five pounds: And that every Alehouse-keeper, Victualler, or other Retailer, who doth not once a month make true and particular Entries, shall forfeit twenty shillings.

And be it further Enacted by the Authority aforesaid, That every Common Brewer, who shall not pay and clear off within a Week after he made his Entry, or ought to have made his Entry, as aforesaid, shall pay double the value of the Duty: And that every Inn-keeper, Alehouse-keeper, Victualler, or other Retailer, who shall not pay and clear off within a Month after he made his Entry, or ought to have made his Entry, as aforesaid, shall pay double the value of the Duty: The said respective forfeitures to be levied upon their Goods and Chattels, in such manner and form, as hereafter in this Act is Ordained and directed.

Provided that no such person, as aforesaid, shall be compelled by the Commissioners, or Sub-

XV. d.

iij. d.

XV. d.

Ob.

Vi. d.

i. d.

ij. s.

V. s.

ij. d.

iij. d.

iij. d.

viij. d.

Rate of Excise upon Foreign Liquors, to be paid in ready money before the 15th of Decemr 1685.

That all common Vintners of Beer and Ale, shall once in every Week: And all Inn-keepers, Alehouse-keepers, Victuallers, and other Retailers of Beer, Ale, Syder, Perry, Metheglin, or Strong-water, Wine, or other Liquors, making or retailing the same, shall once in every month make true and particular Entries at the Office of Excise, within the limits of which the said Commodities and Manufactures are made, of all Beer, Ale, Perry, Syder, Metheglin, Strong-water, or other the Liquors aforesaid, which they, or any of them shall brew, make, or Retail, in that Week and Month respectively as aforesaid.

That all such common Vintners, who do not once a Week make true and particular Entries, shall forfeit ten pounds: And that every such Inn-keeper, who doth not make true and particular Entries once a Month, shall forfeit five pounds: And that every Alehouse-keeper, Victualler, or other Retailer, who doth not once a month make true and particular Entries, shall forfeit twenty shillings.

That every Common Brewer, who shall not pay and clear off within a Week after he made his Entry, or ought to have made his Entry, as aforesaid, shall pay double the value of the Duty: And that every Inn-keeper, Alehouse-keeper, Victualler, or other Retailer, who shall not pay and clear off within a Month after he made his Entry, or ought to have made his Entry, as aforesaid, shall pay double the value of the Duty: The said respective forfeitures to be levied upon their Goods and Chattels, in such manner and form, as hereafter in this Act is Ordained and directed.

Provided that no such person, as aforesaid, shall be compelled by the Commissioners, or Sub-

In the name of the King...

The power of the King...

Penalty for...

Whosoever...

Whosoever...

Whosoever...

Whosoever...

Whosoever...

Whosoever...

Whosoever...

Commissioners of Excise, to travel for the making of the said Entries, or payment of the said Duties, or other cause whatsoever, touching or concerning the same, if he live in a Market Town, out of the said Town; if he live out of a Market Town, then to no other place, then to the next Market Town to his habitation in the same County on the Market day.

And be it further Enacted and Ordained by the Authority aforesaid, That the Commissioners who shall be appointed by his Majesty for putting this Act in execution, and their Sub-Commissioners in their respective circuits and divisions, shall hereby have power to constitute under their Hands and Seals such and so many Cagers as they shall find needful: Which Cagers, and every of them, shall at all times, as well by Night as by Day, And if by Night, then in the presence of a Constable, or other lawful Officer, be permitted upon their request to enter the House, Brew-house, Distilling-house, and all other Houses and Places whatsoever belonging to, or used by any Brewer, Inn-keeper, Victualler, or other Retailer of Beer, Breeding or Baking the same as aforesaid, or by any Distiller of Strong-Waters, or Retailer of other the Liquors aforesaid, and to Open all Coppers, Fats and Vessels in the same, and to take an account of Beer, Ale, Worts, Perry, Strong-Waters, Aquavits, Methylin, or other the Liquors aforesaid, in the said Houses, Places, and Vessels, from time to time Brewed, or Made, and Distilled, and thereof to make Return or Report in Writing to the said Commissioners, or Sub-Commissioners of Excise, under whose Office and Limits such Brewer, Retailer, Distiller, or Baker of the Liquors aforesaid, both dwell and inhabit, leaving a true Copy of such Return in Writing under his hand with such Brewer, Retailer, Distiller or Baker of the Liquors aforesaid; And such Reports or Returns of the said Cagers shall be a charge upon the said Brewers, Bakers and Retailers respectively: And if any such common Brewer, Baker or Retailer, shall refuse to permit any such Cager or Cagers to enter his Brew-house, or any other places aforesaid, or to give or take account of his Brewing, Malt, or any such Beer, Ale, Worts, Perry, Syder, Strong-Water, Aquavits, Methylin, or other the Liquors aforesaid, such Brewer, Retailer or Distiller, shall be forthwith forbidden by the said Cager or Cagers to sell, carry out, or deliver to any of his Customers any Beer, Ale, Strong-Water, Aquavits, or other the Liquors aforesaid; And if any such Brewer, Retailer or Distiller of any the Liquors aforesaid after such warning given, shall sell, carry or deliver out the same, or any part thereof, not having paid and cleared the duty of Excise, such person and persons shall besides the forfeiture of double the value, forfeit and lose the sum of Ten pounds as aforesaid for every offence, to be levied and recovered upon his or their Goods and Chattels, in manner and form as hereafter in this Act is provided.

And for the avoiding of all uncertainty, and dispute, touching the returns made or to be made by the Cagers of any Beer or Ale is Brewed as aforesaid; It is enacted and declared by the Authority aforesaid, That every six and thirty Gallons of Beer taken by the Cager according to the Chamberlains of his Majesty's Exchequer, shall be reckoned, accounted, and returned by the Cager for a Hocket of Beer; And every two and thirty Gallons of Ale, taken by the Cager according to the same Standard, shall be in like manner reckoned, accounted, and returned for a Hocket of Ale; And all other the Liquors aforesaid according to the Wine-gallon.

Provided always, and be it Enacted and Ordained by the Authority aforesaid, That no Brewers or Retailers of Beer and Ale shall take any more in the price thereof, upon Sale of the same, then according to the usual Rates and Prices, saving that every common Brewer shall and may take and receive of all and every person and persons to whom he shall sell and deliver any Beer or Ale, the Duties thereupon due as aforesaid, over and above the usual Rates and Prices.

And be it Enacted by the Authority aforesaid, That for the better encouragement of all common Brewers or Bakers of Beer or Ale to make due entry and payment thereof, according as by this Act is appointed, the said common Brewer not selling the same by Retail, for and in consideration of worts by fillings and leakage of their Beer and Ale, shall have and be allowed out of the said Returns made by the Cagers, the several allowances and abatements hereafter mentioned, (that is to say) upon every three and twenty Barrels of Beer, whether strong or small, returned by the Cagers two Barrels; And upon every two and twenty Barrels of Ale, whether strong or small, returned by the Cagers two Barrels; which said allowances and abatements the said Commissioners to be appointed as aforesaid, and their Sub-Commissioners are hereby authorized to allow and make accordingly.

Provided always, That where any common Brewer shall wilfully or knowingly make a false Entry, and be convicted for the same before the Commissioners to be appointed as aforesaid, or any two of them, or before such other person or persons as are hereafter by this Act appointed, in that case such Brewer or Brewers shall forfeit and lose over and besides the penalties before mentioned, the said allowance to be made for six months then next ensuing.

And be it Enacted and Ordained by the Authority aforesaid, That no Beer or Ale shall be brewed or made by such Brewer or Baker thereof to any Distiller, or any Retailer thereof, until the duty thereon to such Distiller or Retailer is to be paid over and above the price of the said Beer or Ale, in satisfaction of this duty, he first paid and levied by the said Distiller or Retailer to the Brewer or Baker thereof. Provided always, That if any person or persons shall brew and sell by retail any small quantities of Beer or Ale in any fair within this Realm, or Dominions aforesaid, who is not otherwise any common or usual Brewer, or Retailer thereof, and shall

before

before any such selling and retailing thereof, well and truly pay and satisfy the duty due for the same to the Commissioners or Sub-Commissioners within whose Limits or Division the said fair shall be held, or to their Officers thereunto appointed; Then such person or persons so breaching or retailing the same, and for so much, and no more, nor otherwise, shall be freed and discharged from all penalties and forfeitures in and by this Act before mentioned and imposed; Any thing therein contained to the contrary notwithstanding.

Provided nevertheless, that it shall and may be lawful to and for the said Commissioners, and Sub-Commissioners respectively, to compound for this Duty with any Inn-keeper, Victualler, Alehouse-keeper, or Retailer of Beer, Ale, and other the Liquors aforesaid within their respective Divisions, from time to time, and in such manner and form as may be most for the advantage and improvement of the receipts thereof: Any thing in this Act before contained to the contrary notwithstanding.

And it is further Ordained and Enacted by the Authority aforesaid, That the Lord Treasurer, or Commissioners of the Treasury for the time being, or such other person or persons as this Majesty, His Heirs and Successors, shall appoint, shall have power, and are hereby authorized and empowered from time to time to treat, contract, conclude and agree with any person or persons for or concerning the Farming of all or any the Rates, Duties and Charges in this Act mentioned upon Beer, Ale, Perry, Syder, or other the Liquors aforesaid, in any the respective Counties, Cities or Places of this Realm or Dominions thereof, as may be for the greatest benefit and advantage of the said Receipt, so as the same exceed not the term of Three years: And be it further Enacted, That every such Contract, Bargain, and Agreement of the Lord Treasurer, or Commissioners of the Treasury, or other persons aforesaid, on behalf of His Majesty on the one part, and the person or persons farming on the other part, shall be good and effectual in Law, to all intents and purposes.

Provided always, to the end the aforesaid duty may be paid with most ease to the people: It is hereby further Enacted, That the Lord Treasurer, Commissioners of the Treasury, or other persons aforesaid, shall not within six months after the Commencement of this Act, treat, conclude, or agree with any person or persons touching the Farming of this duty upon Beer and Ale in any the respective Counties or Places of this Realm, or Dominions thereof, other then with such person or persons as by the Justices of Peace of the said Counties or places, or the mayor, chief of them, at their public Quarter Sessions shall be nominated and appointed in that behalf, which person or persons to have the first refusal of any such Farm respectively, and may take the same; Any thing in this Act to the contrary thereof in any wise notwithstanding.

Provided, that the said duty shall not be let to any person or persons, then to the person or persons recommended by the Justices, under the rate that it shall be tendered to, nor refused by such person or persons so recommended.

And be it further Enacted and Ordained by the Authority aforesaid, That all forfeitures and offences made here and committed against this Act, or any clause or article therein contained, shall be heard, adjudged and determined by such person or persons and in such manner and form as hereafter in and by this Act is directed and appointed; that is to say, all such forfeitures and offences made and committed within the immediate limits of the chief Office in London, shall be heard, adjudged and determined, by the said chief Commissioners and Chamberlains of Excise (appointed by His Majesty) or the mayor, part of them, or by the Commissioners for Appeals, and regulating of this duty, or the mayor, part of them in case of Appeal, and not otherwise. And all such forfeitures and offences made and committed within all, or any other the Counties, Cities, Towns or Places within this Kingdom, or Dominions thereof, shall be heard and determined by any two or more of the Justices of the Peace residing near to the place where such forfeitures shall be made, or offence committed: And in case of neglect or refusal of such Justices of the Peace, by the space of fourteen days next after complaint made, and notice thereof given to the Offender, then the Sub-Commissioners, or the mayor, part appointed for any such City, County, Town, or Place, shall, and are hereby empowered to hear and determine the same; And if the party had himself aggrieved by the Judgment given by the said Sub-Commissioners, he shall and may appeal to the Justices of the Peace at the next Quarter Sessions, who are hereby empowered and authorized to hear and determine the same, whose Judgment therein shall be final; which said Commissioners for Appeals and regulating of this duty, and the chief Commissioners for Excise, and all Justices of Peace, and Sub-Commissioners aforesaid respectively, are hereby authorized, and strictly enforced and required upon any complaint or information exhibited and brought of any such forfeiture made, or offence committed contrary to this Act, to summon the party accused, and upon his appearance, or contempt to proceed to the examination of the matter of fact, and upon due proof made thereof, either by the voluntary confession of the party, or by the oath of one or more credible witnesses (which oath they, or any two or more of them, have hereby power to administer) to give Judgment or Sentence, according as in and by this Act is before ordained and directed; And to award and issue out Warrants under their hands for the levying of such forfeitures, penalties and fines, as by this Act is imposed, for any such offence committed upon the Goods and Chattels of the Offender, and to cause Sale to be made of the said Goods and Chattels, (if they shall not be redeemed within fourteen days) rendering to the party the overplus (if any be) and for want of sufficient Writers, to imprison the party offending till satisfaction be made.

The Commis- sioners may compound for the Duty in the said Divi- sions.

The power of the Lord Treas- urer, or Com- missioners of the Treasury, to contract for farming any the Rates or Duties in this Act.

Persons to be appointed by the Justices of the Peace, or the mayor, chief of them, to have the first refusal of com- mending to the Justices of the Peace.

Forfeiture and offences made here and committed against this Act.

Whosoever...

Whosoever...

Whosoever...

Whosoever...

Whosoever...

Whosoever...

Whosoever...

Whosoever...

Whosoever...

Whosoever...

Proviso in the Statute...

Provided nevertheless, That it shall and may be lawful, to and for the said respective Justices of Peace, Commissioners for Excise, or any two of them, or their Sub-Commissioners respectively...

From the Statute...

The principal Office...

The Duty...

And be it Enacted by the Authority aforesaid, That no person or persons shall be capable of interfering with any Office or Employment relating to the Excise...

YOU shall swear to execute the Office of Justice truly and faithfully without Favour or Affection...

London...

all Commissioners...

Times in which the...

The general...

Copy of...

Whereas...

And be it further Enacted by the Authority aforesaid, That every such Justice of Peace shall certify the taking of such Duty to the next Quarter Sessions...

Provided always, and be it Enacted, That if any person or persons shall at any time be sued or prosecuted for any thing by him or them done or executed in pursuance of this Act...

Provided also, and be it Enacted, That no Writ or Writs of Certiorari shall supersede or remove any Proceedings, upon any Order or Orders made by the Justices aforesaid...

Provided, That this Act, or any thing therein contained, shall not extend, or be construed to extend in any matter to inalienable or indefeasible one of this present Parliament...

and thing therein mentioned and comprised, shall notwithstanding this Act, or any matter or thing therein, remain good and valid, and be of the same force, virtue and effect...

Provided...

Provided always, and be it further Enacted, That this Act, or any thing therein contained, shall not be prejudicial to Edward Backwell Alderman of London, as to the sum of twenty eight thousand four hundred and fifty pounds...

CAP. XXV.

The Selling of Wines by Retail, and for preventing Abuses in the Mingling, and Corrupting of Wines, and for setting the Prices thereof.

For the better Ordering of Selling of Wines by Retail in Taverns, and other places, and for preventing of Abuses therein, Be it Enacted by the Kings most Excellent Majesty...

The penalty of unlawful...

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful, to and for his Majesty, his Heirs and Successors, from time to time, to issue out under His or their Great Seal of England...

For the better...

And be it further Enacted by the authority aforesaid, That such persons as shall be Commissioned and appointed by his Majesty, his Heirs or Successors, as aforesaid, shall be, and be called His Majesties Agents for granting Licences for the selling and uttering of Wines by retail...

The Statute...

And be it further Enacted by the Authority aforesaid, That such Licence shall not be given or granted, but to such who shall personally use the Trade of selling or uttering of Wines by retail, or to the Landlord and owner of the house where the person using such Trade shall sell and utter Wine by retail; nor shall the same be assignable, nor in any wise beneficial or extendive to indemnify any person against the penalties of this present Act, except the first taker.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful, to and for his Majesty, his Heirs and Successors, to constitute and appoint such, and so many other Officers and Ministers, as a Receiver, Register, Clerk, Controller, Assessor, or the like, for the better carrying on of this service, as he and they shall think fit; so as the Salaries and Wages of all such Officers to be appointed, together with the Salary or wages of his Majesties said Agents, do not exceed in pence in the pound of the Revenue that shall hence arise.

And be it further Enacted by the Authority aforesaid, That the Kents, Beduennes, and sums of Money hence arising, except what shall be allowed for the Wages and Salaries of such Officers and Ministers, which is not to exceed six pence out of every pound thereof, shall be duly and constantly paid and answered into his Majesties Receipt of Exchequer, and shall not be particularly charged or chargeable, either before it be paid into the Exchequer, or after, with any gift or Pension. And his Majesties said Agents are hereby enjoined and required to return into the Court of Exchequer, every Michaelmas and Easter Terms, upon their Oaths (which Oaths the Barons of the Exchequer, or any one of them, are hereby authorized to administer) a Book fairly written, containing a full and true account of what Licences have been granted the preceding half year, and what Kents and sums of money are thereupon referred, and have been paid, or are in arrear, together with the securities of the persons so in arrear, to the end due and speedy process may be made out according to the course of the Exchequer, for the recovery of the same.

Provided always, That this Act, nor any thing therein contained shall not in any wise be prejudicial to the privileges of the two Universities of the Land, or either of them, nor to the Chancellors or Scholars of the same, or their Successors; but that they may use and enjoy such privileges as heretofore they have lawfully used and enjoyed, any thing herein to the contrary notwithstanding.

Provided also, That this Act, or any thing therein contained shall not extend or be prejudicial to the Statutes, Writings, Privileges and Commonalties of the City of London, or to any other City or Town Corporate, but that they may use and enjoy such Liberties and Privileges as heretofore they have lawfully used and enjoyed, any thing herein contained to the contrary notwithstanding.

Provided also, and be it Enacted by the Authority aforesaid, That this Act, or any thing therein contained shall not in any wise extend to debar or hinder the Mayor and Burgesses of the Burrough of St. Albans in the County of Hertford, or their Successors, from enjoying, using and exercising of all such Liberties, Privileges, and Authorities, to them heretofore granted by several Letters Patents under the Great Seal of England, by Queen Elizabeth, and King James of famous memory, for the erecting, appointing, and Licensing of three several Wine-Taverns within the Burrough aforesaid, for and towards the maintenance of the Free-School there; but that the same Liberties, Privileges, and Authorities shall be, and are hereby established and confirmed, and shall remain and continue in and to the said Mayor and Burgesses, and their Successors, to and for the charitable use aforesaid, and according to the tenor of the Letters Patents aforesaid, as though this Act had never been made, any thing herein contained to the contrary in any wise notwithstanding.

Provided also, That it shall not, nor may be lawful to or for any Officer or Officers to be appointed by his Majesty for the carrying on of this service, to take, demand, or receive any Fees, Wages, or sums of money whatsoever, for or in respect of this service, other than the Billings for a Licence, four pence for an Acquittance, and six pence for a Wound, under the penalty of ten pounds, one moiety thereof to the Kings Majesty, the other moiety to the person or persons who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, wherein no Wages of Law, Chaise, or Protection shall be allowed, any thing herein, or any other matter or thing to the contrary notwithstanding.

And it is hereby further Enacted by the Authority aforesaid, That no Merchant, Vintner, Wine-Coper, or other person, selling or retailing any Wine, shall mingle or mix any Spanish Wine, mingled with any French Wine, or Spanish Wine, Syder, Perry, Honey, Sugar, Syrups of Sugar, or any other Syrup whatsoever, nor put in any Singlas, Brimstone, Lime, Raisins, Juice of Raisins, Water, nor any other Liqueur, nor any Clay, or other such, nor any sort of flesh whatsoever; And that no Merchant, Vintner, Wine-Coper, or other person selling or retailing any Wine, shall mingle or mix any French Wines mingled with any Spanish Wines or Spanish Wines, Syder, Perry, Summer Wine, Vitriol, Honey, Sugar, Syrup of Sugar, or any Syrup whatsoever, nor put in any Singlas, Brimstone, Lime, Raisins, Juice of Raisins, Water, nor any other Liqueur, nor any Clay, or other such, nor any sort of flesh whatsoever; And that no Merchant, Vintner, Wine-Coper, or other person selling or retailing any Wine, shall mingle or mix any Spanish Wine mingled with any French Wines, or Spanish Wines, Syder, Perry, Summer Wine, Vitriol, Honey, Sugar, Syrups of Sugar, or any other Syrup whatsoever, nor put in any

And be it further Enacted by the Authority aforesaid, That from and after the first day of September, One thousand six hundred and one, no Canary-Wines, Muskie or Negnat, or other Spanish or sweet Wines, shall be sold or uttered by any person or persons within his Majesties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, by retail, for above Christian pence the quart; And that no French Wines whatsoever, shall be sold by retail, above eight pence the quart; And that no Rhemish Wines whatsoever shall be sold by retail, above twelve pence the quart; (And according to these rates, for a greater and lesser quantity, all and every the said Wines shall and may be sold) upon pain and penalty that every such person or persons, who shall utter or sell any of the said Wines by retail, that is to say, by Pint, Quart, Pottle, or Gallon, or any other greater or lesser Retail-measure, at any rate exceeding the Rates hereby limited, do, and shall forfeit for every such Pint, Quart, Pottle, Gallon, or other greater or lesser quantity so sold by retail, the sum of Five pounds; the one moiety of which forfeiture shall be to our Sovereign Lord the King, his Heirs and Successors, and the other moiety to him or them that shall sue for the same, to be recovered in manner and form as aforesaid.

Provided nevertheless, That it shall and may be lawful to and for the Lord Chancellor of England, Lord Treasurer, Lord President of the Kings Council, Lord Privy Seal, and the two Chief Justices, or five, four, or three of them; And they are hereby Authorized yearly, and every year between the twentieth of November, and the last day of December, and no other times, to set the Prices of all and every the said Wines to be sold by retail as aforesaid, at higher or lower rates than are herein contained, so that they or any of them cause the Prices by them set to be written, and open Proclamation thereof to be made in the Kings Court of Chancery yearly in the Term time, or else in the City, Burrough, or Town Corporate where any such Wine shall be sold; And that all and every the said Wines shall and may be sold by retail at such prices as by them, or any five, four, or three of them shall be set as aforesaid, from time to time, for the space of one whole year, to commence from the first day of February next after the setting thereof, and no longer, and no greater prices under the pains and penalties aforesaid, to be recovered as aforesaid, and afterwards: And in default of such setting of prices by the said Lord Chancellor of England, Lord Treasurer, Lord President of the Kings Council, Lord Privy Seal, and the two Chief Justices, or five, four, or three of them, as aforesaid, at the respective Rates and Prices set by this Act, and under the penalties as aforesaid, to be recovered as aforesaid, Stat. 27 Car. 2. cap. 7.

Further supplying and explaining certain defects in an Act, Intituled, An Act for the provision of money for Disbanding and paying off the Forces of this Kingdom, both by Land and Sea, EXP. Stat. 13 Car. 2. cap. 7.

Seventy thousand pounds to be raised for the further supply of His Majesty. EXP. Stat. 13 Car. 2. cap. 7.

And be it further Enacted by the Authority aforesaid, That no Merchant, Vintner, Wine-Coper, or other person, selling or retailing any Wine, shall mingle or mix any Spanish Wine, mingled with any French Wine, or Spanish Wine, Syder, Perry, Honey, Sugar, Syrups of Sugar, or any other Syrup whatsoever, nor put in any Singlas, Brimstone, Lime, Raisins, Juice of Raisins, Water, nor any other Liqueur, nor any Clay, or other such, nor any sort of flesh whatsoever; And that no Merchant, Vintner, Wine-Coper, or other person selling or retailing any Wine, shall mingle or mix any French Wines mingled with any Spanish Wines or Spanish Wines, Syder, Perry, Summer Wine, Vitriol, Honey, Sugar, Syrup of Sugar, or any Syrup whatsoever, nor put in any Singlas, Brimstone, Lime, Raisins, Juice of Raisins, Water, nor any other Liqueur, nor any Clay, or other such, nor any sort of flesh whatsoever; And that no Merchant, Vintner, Wine-Coper, or other person selling or retailing any Wine, shall mingle or mix any Spanish Wine mingled with any French Wines, or Spanish Wines, Syder, Perry, Summer Wine, Vitriol, Honey, Sugar, Syrups of Sugar, or any other Syrup whatsoever, nor put in any

And be it further Enacted by the Authority aforesaid, That from and after the first day of September, One thousand six hundred and one, no Canary-Wines, Muskie or Negnat, or other Spanish or sweet Wines, shall be sold or uttered by any person or persons within his Majesties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, by retail, for above Christian pence the quart; And that no French Wines whatsoever, shall be sold by retail, above eight pence the quart; And that no Rhemish Wines whatsoever shall be sold by retail, above twelve pence the quart; (And according to these rates, for a greater and lesser quantity, all and every the said Wines shall and may be sold) upon pain and penalty that every such person or persons, who shall utter or sell any of the said Wines by retail, that is to say, by Pint, Quart, Pottle, or Gallon, or any other greater or lesser Retail-measure, at any rate exceeding the Rates hereby limited, do, and shall forfeit for every such Pint, Quart, Pottle, Gallon, or other greater or lesser quantity so sold by retail, the sum of Five pounds; the one moiety of which forfeiture shall be to our Sovereign Lord the King, his Heirs and Successors, and the other moiety to him or them that shall sue for the same, to be recovered in manner and form as aforesaid.

Provided nevertheless, That it shall and may be lawful to and for the Lord Chancellor of England, Lord Treasurer, Lord President of the Kings Council, Lord Privy Seal, and the two Chief Justices, or five, four, or three of them; And they are hereby Authorized yearly, and every year between the twentieth of November, and the last day of December, and no other times, to set the Prices of all and every the said Wines to be sold by retail as aforesaid, at higher or lower rates than are herein contained, so that they or any of them cause the Prices by them set to be written, and open Proclamation thereof to be made in the Kings Court of Chancery yearly in the Term time, or else in the City, Burrough, or Town Corporate where any such Wine shall be sold; And that all and every the said Wines shall and may be sold by retail at such prices as by them, or any five, four, or three of them shall be set as aforesaid, from time to time, for the space of one whole year, to commence from the first day of February next after the setting thereof, and no longer, and no greater prices under the pains and penalties aforesaid, to be recovered as aforesaid, and afterwards: And in default of such setting of prices by the said Lord Chancellor of England, Lord Treasurer, Lord President of the Kings Council, Lord Privy Seal, and the two Chief Justices, or five, four, or three of them, as aforesaid, at the respective Rates and Prices set by this Act, and under the penalties as aforesaid, to be recovered as aforesaid, Stat. 27 Car. 2. cap. 7.

Further supplying and explaining certain defects in an Act, Intituled, An Act for the provision of money for Disbanding and paying off the Forces of this Kingdom, both by Land and Sea, EXP. Stat. 13 Car. 2. cap. 7.

Seventy thousand pounds to be raised for the further supply of His Majesty. EXP. Stat. 13 Car. 2. cap. 7.

Singlas, Brimstone, Lime, Raisins, Juice of Raisins, Water, nor any other Liqueur, nor any Clay, or other such, nor any sort of flesh whatsoever; And that all and every person and persons committing any of the offences aforesaid, shall incur the pains and penalties herein, after mentioned: That is to say, Every Merchant, Wine-Coper, or other person selling any sort of Wines in gross, mingled or abused as aforesaid, shall forfeit and lose for every such offence, one hundred pounds; And that every Vintner or other person selling any sort of Wine by retail, mingled or abused as aforesaid, shall forfeit and lose for every such offence, the sum of Forty pounds; of which forfeitures, one moiety shall go unto the Kings Majesty, his Heirs and Successors, the other moiety to the Informer, to be recovered in any Court of Record by Action of Debt, Bill, Plaint, or Information, wherein no Chaise, Protection, or Wager of Law shall be allowed.

Provided always, And be it Enacted, That from and after the first day of September, One thousand six hundred and one, no Canary-Wines, Muskie or Negnat, or other Spanish or sweet Wines, shall be sold or uttered by any person or persons within his Majesties Kingdom of England, Dominion of Wales, and Town of Berwick upon Tweed, by retail, for above Christian pence the quart; And that no French Wines whatsoever, shall be sold by retail, above eight pence the quart; And that no Rhemish Wines whatsoever shall be sold by retail, above twelve pence the quart; (And according to these rates, for a greater and lesser quantity, all and every the said Wines shall and may be sold) upon pain and penalty that every such person or persons, who shall utter or sell any of the said Wines by retail, that is to say, by Pint, Quart, Pottle, or Gallon, or any other greater or lesser Retail-measure, at any rate exceeding the Rates hereby limited, do, and shall forfeit for every such Pint, Quart, Pottle, Gallon, or other greater or lesser quantity so sold by retail, the sum of Five pounds; the one moiety of which forfeiture shall be to our Sovereign Lord the King, his Heirs and Successors, and the other moiety to him or them that shall sue for the same, to be recovered in manner and form as aforesaid.

Provided nevertheless, That it shall and may be lawful to and for the Lord Chancellor of England, Lord Treasurer, Lord President of the Kings Council, Lord Privy Seal, and the two Chief Justices, or five, four, or three of them; And they are hereby Authorized yearly, and every year between the twentieth of November, and the last day of December, and no other times, to set the Prices of all and every the said Wines to be sold by retail as aforesaid, at higher or lower rates than are herein contained, so that they or any of them cause the Prices by them set to be written, and open Proclamation thereof to be made in the Kings Court of Chancery yearly in the Term time, or else in the City, Burrough, or Town Corporate where any such Wine shall be sold; And that all and every the said Wines shall and may be sold by retail at such prices as by them, or any five, four, or three of them shall be set as aforesaid, from time to time, for the space of one whole year, to commence from the first day of February next after the setting thereof, and no longer, and no greater prices under the pains and penalties aforesaid, to be recovered as aforesaid, and afterwards: And in default of such setting of prices by the said Lord Chancellor of England, Lord Treasurer, Lord President of the Kings Council, Lord Privy Seal, and the two Chief Justices, or five, four, or three of them, as aforesaid, at the respective Rates and Prices set by this Act, and under the penalties as aforesaid, to be recovered as aforesaid, Stat. 27 Car. 2. cap. 7.

CAP. XXVI.

The levying of the Twelve Months Assessment commencing the 24th of June 1659. and the six Months Assessment, commencing the Twenty Fifth of December 1659. EXP. Stat. 13 Car. 2. cap. 7.

CAP. XXVII.

Four hundred and twenty thousand pounds, by an Assessment of Three score and ten Thousand pounds by the Month, Granted for Six Months, for Disbanding the Remainder of the Army, and paying off the Navy, with Rules and Instructions for the same. EXP. Stat. 13 Car. 2. cap. 7.

CAP. XXVIII.

Further supplying and explaining certain defects in an Act, Intituled, An Act for the provision of money for Disbanding and paying off the Forces of this Kingdom, both by Land and Sea, EXP. Stat. 13 Car. 2. cap. 7.

CAP. XXIX.

Seventy thousand pounds to be raised for the further supply of His Majesty. EXP. Stat. 13 Car. 2. cap. 7.

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CAP.





bring Lands or Hereditaments sold or given for the Delinquency, or pretended Delinquency of any person or persons whatsoever, by virtue or pretext of any Act, Statute, Ordinance, or report of the Officers or Ministers since the first day of January, One thousand six hundred forty one, nor any Statute, Judgment or Recognition had, made, acknowledged or suffered to any person or persons, Bodies Politick or Corporate, before the twenty ninth day of September, One thousand six hundred forty nine, by any of the Officers before in this Act mentioned, or their Heirs, or by any other person or persons claiming by, from, or under them or any of them, other then the wife or widow, child or children, heir or heirs of such person or persons, or any of them, for money bona fide, to them or any of them paid or lent, nor any Conveyance, Assurance, Grant, or Estate made before the twenty fifth day of April, One thousand six hundred and sixty, by any person or persons to any of the Officers aforesaid in Trust; and for the benefit of any other person or persons not being any of the offenders as aforesaid, or in trust for any Bodies Politick or Corporate, shall be intromitted, defeated, made void or frustrated hereby, or by any of the Conventions and Attainders aforesaid; but that the same shall be held and enjoyed by the Purchasers, Grantees, Lessees, Assigns, Executors, Administrators, and every of them, their Heirs Executors, Administrators and Assigns respectively, as if this Act had not been made, and as if the said Offenders had not been by this Act, or by any other course or proceedings of Law, convicted or attainted; so as the said Conveyances, and all and every the Grants and Assurances which by virtue of this Act, are, and ought to be held and enjoyed as aforesaid, shall before the first of January, which shall be in the year of our Lord, One thousand six hundred forty two, be entered and enrolled of Record in His Majesty's Court of Chancery, and not otherwise; Any thing in this Act herein before contained to the contrary in any wise notwithstanding.

Provided also, and be it Enacted by the Authority aforesaid, That all and singular the Lands, Tenements, and Hereditaments, which at any time heretofore were the Lands and possessions of Henry late Marquess of Worcester, and Edward now Marquess of Worcester, and Henry Lord Herbert, son and heir apparent of the said Edward Marquess of Worcester, or any of them; whereof or whereof the said Oliver Cromwell, or any other person or persons in trust for him, or to his use, or any other the persons attainted by this Act, or otherwise, or any person or persons in trust for them or any of them, had or claimed, or pretended to have any Estate, Right, Title, Possession or Interest, at any time before or since the decease of the said Oliver Cromwell, shall be, and hereby are vested and settled in, and shall be held and enjoyed by the said Marquess of Worcester, and the said Henry Lord Herbert, in such manner and form, and for such Estate and Estates, with such powers and privileges as they formerly had in the same respectively; Any thing in this present Act contained, or any Act, Conveyance or Assurance heretofore made or acknowledged by the said Edward Marquess of Worcester, and Henry Lord Herbert, or either of them, unto the said Oliver Cromwell, or any other person or persons, in trust for, or to the use of the said Oliver Cromwell, or any Act or Conveyance made or done by the said Oliver Cromwell, or by any in trust for him, to any person whatsoever, to the contrary notwithstanding.

Provided also, and be it Enacted by the Authority aforesaid, That all and every person and persons, Bodies Politick, and others, their respective Heirs, Executors, Administrators, all such Right, Title and Interest in Lands and Estates, which they or any of them have or ought to have, of, into, or out of any the Premises, not being in trust for any the said Offenders, nor derived by, from or under the said Offenders, since the twenty fifth day of March, which was in the year of our Lord, One thousand six hundred forty six; And that they the said person and persons, Bodies Politick, and other their respective Heirs, Executors, Administrators, and every of them, in all and every such case where his and their Entry was lawful upon such Offender, or Offenders, or the Heirs or Assigns of such Offender or Offenders, in or upon the said twenty fifth day of March, one thousand six hundred forty six, or at any time since, may without Petition, Monition or writ, Outlawry, or other Suit to his Majesty, enter on the premises in his Majesty's possession, or in the possession of his Executors and Patentes, their Heirs or Assigns, in such manner to all intents, as he or they might have done on the possession of the said Offenders, their Heirs or Assigns, in or upon the said twenty fifth day of March, or at any time since; Any thing in this Act to the contrary in any wise notwithstanding.

Provided also, That all and every person and persons which have received any of the Rents or mean profits, of, in, or out of any the Lands, Tenements and Hereditaments, Chattels real, or Possessions of any of the Offender or Offenders in this Act mentioned, before the seventh day of February, One thousand six hundred fifty and nine, and have paid or accounted for the same before the said seventh day of February, One thousand six hundred fifty and nine, unto the said Offender or Offenders, or their Heirs, or to any claiming from or under them, shall be cleared and for ever acquitted and discharged of and from the same, against the Heirs and Successors, any thing herein contained to the contrary notwithstanding.

Provided also, That it shall and may be lawful to and for Richard Ingoldby to retain and keep, as aforesaid, to sell and dispose all and singular the Goods and Chattels formerly belonging to Sir Richard Waller, in the Kingdom of Ireland, until two thousand pounds, for which the said Richard Ingoldby in the year One thousand six hundred fifty eight, was twenty bound with the said Sir Richard Waller, unto James Brooks of the City of York, Alderman, and was then

*Marginal notes on the left side of page 66, including references to 'The Statute' and 'The Act'.*

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counter-secured by a Judgment upon his Lands, and since by a Deed of Bargain and Sale of the said Goods and Chattels in Ireland, by fully paid, together with the Interest thereof; be the said Richard Ingoldby accounting for, and paying the full overplus thereof, if any shall be, unto our Sovereign Lord the King; Any thing herein before contained to the contrary notwithstanding, St. 13 Car. 2. cap. 7.

CAP. XXXI.

Leases and Grants from Colleges and Hospitals Confirmed.

CAP. XXXII.

Expiration of Wools, Woolsells, Fullers Earth, or any kind of Scouring Earth, Prohibited.

For the better preventing and avoiding of such Losses and Inconveniences as have happened, and daily do and may happen to the Kingdom of England, and Dominion of Wales, and to the Kingdom of Ireland, by and through the secret and subtle exportation and transportation, and by and through the subtle carrying and conveying away of Wools, Woolsells, Worlings, Whoolings, Wain made of Wools, Woolsells, Fullers Earth, and Fulling Clay, out of, and from the Kingdoms and Dominion aforesaid, and for the better setting on work the poor people and Inhabitants of the Kingdoms and Dominions aforesaid; And to the intent that the full and best use and benefit of the principal native Commodities of the same Kingdoms and Dominion may come, redound, and be unto and amongst the Subjects and Inhabitants of the same, and not unto or amongst the Subjects and Inhabitants of the Realm of Scotland, or of any Foreign Realms or States, as the same now of late in some great measure hath done, and is further likely to do, if some severe punishment than heretofore be not speedily induced upon such Offenders as shall be Actors or Assistants in and to such Exportation and Transportation, and in and to such carrying and conveying thereof, as aforesaid;

Be it Enacted by the Kings most Excellent Majesty, the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That no person or persons whatsoever, from and after the fourth day of January, One thousand six hundred and threescore shall directly or indirectly, Export, Transport, carry or convey, or cause or procure to be Exported, Transported, carried or conveyed, out of, or from the Kingdom of England, or Dominion of Wales, or Town of Berwick upon Tweed, or out of, or from the Isles of Jersey or Guernsey, with Sark and Alderney, being under the Government of Guernsey, aforesaid, or out of, or from any of them, or out of, or from the Kingdom of Ireland, aforesaid, into any parts or places out of the Kingdoms, Isles, or Dominion aforesaid, any Whay or Wools whatsoever, of the breed or growth of the Kingdoms of England, or Ireland, or Isles, or Dominion aforesaid; Or any Woolsells, Worlings or Whoolings, or any Wain made of Wools, or any Fullers Earth, or any Fulling Clay whatsoever; nor shall directly or indirectly pack or load, or cause to be packed or loaded upon any Horse, Cart, or other Carriage, or Load, or lay on board, or cause to be laden or laid on board in any Whay or other Vessel, in any Place or Port within the Kingdoms of England or Ireland, or Town of Berwick, or Isles, or Dominion aforesaid, any such Whay, Wools, Woolsells, Worlings, Whoolings, Wain made of Wools, or Woolsells, or any Fullers Earth, or Fulling Clay, to the intent or purpose to export, transport, carry or convey the same, or to cause the same to be exported, transported, carried or conveyed out of the Kingdoms of England and Ireland, Town of Berwick, Isles, or Dominion aforesaid, or with intent or purpose, that any other person or persons should so export, transport, carry or convey the same into any parts or places out of the Kingdoms of England and Ireland, Town of Berwick, Isles, or Dominion aforesaid, into the Kingdom of Scotland, or any foreign parts.

And be it further Enacted by the Authority aforesaid, That no Wools, Woolsells, Worlings, Whoolings, Wain made of Wools, Woolsells, or any Fullers Earth, or Fulling Clay, shall be from and after the fourth day of January, in the year of our Lord one thousand six hundred and threescore, exported, transported, carried or conveyed out of the Kingdom of England and Dominion of Wales, or Town of Berwick, or Kingdom of Ireland, or out of any Port or Place of the said Kingdoms respectively unto the Isles of Jersey or Guernsey, or to Sark, or Alderney, except as in this Act shall be hereafter limited or appointed.

And be it further Enacted by the Authority aforesaid, That all and every the Offender and Offenders, offence and offences aforesaid, shall be subject and liable to the respective pains, penalties and forfeitures hereafter following, that is to say, The said Whays, Wools, Woolsells, Worlings, Whoolings, Wain made of Wools, Woolsells, Fullers Earth, and Fulling Clay, so exported, transported, carried, conveyed, packed or loaded, contrary to the true intent of this Act, shall be forfeited, and that every offender and offenders therein shall forfeit twenty shillings for every such Whay, and five shillings for every pound weight of such Wools, Woolsells, Worlings, Whoolings, Wain made of Wools, Woolsells, Fullers Earth, or Fulling Clay; And also the Owners of the said Whays or Vessels knowing such offence, shall forfeit all their Interest in the said Whays or Vessels, with all their Apparel and Furnitures to them and every of them belonging; And that the Pastors and Farmers thereof, knowing such offence, and willingly aiding and assisting thereunto, shall forfeit all their Goods and Chattels, and have Imprisonment for the same, three months without Bail or main-prize; the one moiety of which said penalties and forfeitures shall be to the Kings Majesty, his Heirs and Successors; and the other moiety to him that will

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for the same by Action of Debt, Bill, Plaint or Information in any of His Majesty's Courts of Record, or before the Justices of Assize, or in the Central Quarter Sessions of the Peace: In which writ, no Exoner, protection or Wager of Law shall be allowed.

The penalty of this Act shall extend to the goods of the offender.

Proviso.

Offence of this Act shall be deemed to be committed in the County where the offence was committed.

Any person who shall be convicted of an offence against this Act shall be liable to imprisonment for a term not exceeding two years.

Whosoever shall be convicted of an offence against this Act shall be liable to imprisonment for a term not exceeding two years.

Proviso of this Act shall extend to the goods of the offender.

Proviso.

Whosoever shall be convicted of an offence against this Act shall be liable to imprisonment for a term not exceeding two years.

Whosoever shall be convicted of an offence against this Act shall be liable to imprisonment for a term not exceeding two years.

And be it further Enacted, That if any Merchant, or other person or persons shall after the said fourth day of January transport or cause to be transported any Sheep, Wool, Woolsells, Worlings, Whorlings, Wollen Varn, Woolsacks, Fullers Earth, or Fulling Clay, contrary to the true intent of this Act, and be thereof lawfully convicted, That then he shall be disabled to require any Debt or Account of any Factor or others, for or concerning any Debt or Estate properly belonging to such offender. Provided always, and it is nevertheless declared, That this Act, or any thing therein contained, shall not be construed to take away any greater pains or penalties inflicted, or to be inflicted for any the offences aforesaid, by virtue of any former Act of Parliament now in force.

And be it also further Enacted by the authority aforesaid, That every offence that shall be done or committed contrary to this Act, shall and may be inquired of and heard, examined, tried and determined in the County where such Sheep, Wool, Woolsells, Worlings, Whorlings, Varn made of Wool, Woolsacks, Fullers Earth, or Fulling Clay respectively shall be so packed, laden, or laid aboard as aforesaid, contrary to this Act, or else in the County where such Offenders shall happen to be apprehended, or arrested for such offence, in such manner and form, and to such effect to all intents and purposes, as if the same offence had been wholly and altogether done and committed at and in such County.

Provided always, and be it Enacted by the Authority aforesaid, That no person or persons whatsoever shall at any time hereafter be impeached for any offence aforesaid, unless such person or persons shall be prosecuted within the space of one year next ensuing such offence committed.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for any person or persons to seize, take and challenge to his or their own use and behalf, and to the use of the King, His Heirs and Successors, all and all manner such Sheep, Wool, Woolsells, Worlings, Whorlings, Varn made of Wool, Woolsacks, Fullers Earth, and Fulling Clay, as be or they shall happen to be, finde, know or discover to be laid aboard in any Ship or other Vessel or Boat, or to be brought, carried or laid on shore, at or near the Sea or any Navigable River or Water, to the intent or purpose to be exported, transported or conveyed out of the Kingdoms of England or Ireland, Town of Berwick, Isles, or Dominion aforesaid, contrary to the true meaning of this Act, or to be packed or laden upon any Horse, Cart, or other Carriage, to the intent or purpose to be conveyed or carried into the Kingdom of Scotland, aforesaid; and that such person or persons as shall happen so to seize, take or challenge any such Sheep, Wool, Woolsells, Worlings, Whorlings, Varn made of Wool, Woolsacks, Fullers Earth, or Fulling Clay, as aforesaid, shall have the full moiety thereof, to all intents and purposes.

Provided always, That such Person or Persons as shall make any such Seizure or challenge aforesaid to his or their own use, shall not be admitted or allowed to give in Evidence upon his or their Oath or Oaths against any Person or Persons which shall happen to be indicted, accused or questioned by virtue of this Act, or any thing therein contained.

And furthermore be it Enacted by the Authority aforesaid, That all and every Ship, Vessel, Hulk, Barge or Boat, of what kind soever, whereof any Alien born, or whereof any natural born Subjects not inhabiting within the Realm of England shall be owner or part-owner, and wherein any Sheep, Wool, Woolsells, Worlings, Whorlings, Varn made of Wool, Woolsacks, Fullers Earth, or Fulling Clay, shall happen to be shipped, put, or laid aboard, contrary to the true meaning of this Act, shall be forfeited to the Kings Majesty, His Heirs and Successors.

Provided always, That this Act shall not extend to any Lamb Skin ready dressed, and prepared fit and useful for Furr or Linings.

Proviso also, That this Act shall not in any wise extend to the transporting, carrying or conveying aboard of any such Woolsells or Pelts, with such Wool upon them, or to any Wools stuffed with Fleeces, which shall be carried or employed in any Ship or other Vessel for necessary use only, of and about the Ordnance or other thing in or concerning such Ship or Vessel, or only to the necessary use of any the Persons in such Ship or Vessel passing or being, and which shall not be sold or offered in any foreign parts out of the Kingdoms of England or Ireland, or Town of Berwick, Isles, or Dominion aforesaid; nor to the exporting, transporting, carrying or conveying of any Weather-Sheep, or of the Wool growing upon any such Weather-Sheep, to be carried alive in any Ship or other Vessel, for and towards the only necessary food or diet, of, or for the Company or Companies, or other Persons therein, and for and towards none other purpose.

Provided always, and be it further Enacted, That this Act, or any thing therein contained, shall not extend to any such Wool to be exported or transported out, of, or from the Port of Southampton, into the aforesaid Isles of Jersey and Guernsey, by, or for the only use or behalf of the said Inhabitants of the said Isles of Jersey and Guernsey, or either of them, or to any such Wool to be laden aboard in any Ship or other Vessel, by, or for the only use or behalf of any the Inhabitants of the said Isles of Jersey or Guernsey, or either of them, in the Port aforesaid, to be exported or transported into the said Isles of Jersey or Guernsey, or either of them: so as such person or persons that shall so Ship or lay aboard such Wool into any Ship or other Vessel, or the Shipping or lading thereof, shall be liable to the Customs, Comptroller, Surgeons, or Searcher

Searcher of the Port of Southampton aforesaid (out of which the same Wool is to be exported) a Writing under the Seal or Seals of the respective Governours of the same Isles of Jersey and Guernsey, unto which the said Wool is to be transported, or of his or their Deputy or Deputies respectively, the which Writing shall purport and express that the party named in such Writing is authorized and appointed to export, or to cause to be exported out of the Port aforesaid so much Wool, expressing the number of the Tods, to the same Isle, to be used or manufactured in one of the same Isles, or in some of the members or parts of the same, and that such party so authorized and appointed to export, or cause to be exported that Wool, hath before the making and sealing of that Writing, entered into sufficient Bond to his Majesty's use for the landing of the said Wool in that Isle. And to the intent that the quantity of Wool to be exported out of the Port of Southampton aforesaid into the said Isles, or either of them, in any one year, according to the year to begin from the first day of January next ensuing, and so yearly from the first day of January, may not exceed the quantity hereunder specified; that is to say, unto the Isle of Jersey Two thousand Tods and no more of unheated Wool, and unto Guernsey, One thousand Tods and no more of unheated Wool, and unto Alderney, Two hundred Tods and no more of unheated Wool; and unto Sarke, One hundred Tods of unheated Wool and no more, every Tod not exceeding thirty two pounds.

Alderney, Sarke.

And be it Enacted by the authority aforesaid, That the Governour of the said Isle of Jersey, or his Deputy, for whom he will answer, shall not make to any Person or Persons any Writing or Writings such as is above specified, to authorize or appoint such Person or Persons as aforesaid, to fetch, export or transport out of the Port of Southampton aforesaid unto the said Isle of Jersey, in one year, according to the year from the first day of January, One thousand six hundred and sixty aforesaid, any greater quantity of Wool than Two thousand Tods in any one year; and that the Governour of the said Isle of Guernsey, or his Deputy for whom he will answer, shall not make to any Person or Persons any Writing or Writings, such as is above specified, to authorize and appoint such person or persons as aforesaid, to fetch, export, or transport out of the Port above specified unto the said Isles of Guernsey, with Alderney and Sarke, in any one year, according to the year from the first day of January aforesaid, any greater quantity of Wool than one thousand Tods for Guernsey, Two hundred Tods for Alderney, and one hundred Tods for Sarke, in any one year; and that the Customor of the Port of Southampton aforesaid, shall keep a true account of all the said quantity of Wools so by him permitted to be laden by virtue of this Act, and shall not permit any greater quantity of Wools to be laden then by this Act is prescribed, in any one year, to either of the said Islands respectively, under any pretence whatsoever, upon the penalty of the forfeiture of his place, and the sum of One hundred pounds in money, one moiety whereof to the Kings Majesty, His Heirs and Successors, and the other moiety to him or them that will sue for the same in any Court of Record, wherein no Exoner, Protection, or Wager of Law shall be allowed. And if any of the Governours aforesaid, or any of their, or either of their Deputy or Deputies of the said Isles, or either of them, shall give, grant, or make any Licence or Licences for exporting from Southampton aforesaid, into the said Isles respectively, of any greater quantity of such Wool then is before by the true meaning of this Act limited and appointed in that behalf; That then the respective Governour or Governours of such of the said Isles shall forfeit and pay to Kings Majesty, His Heirs and Successors, the sum of Twenty pounds of lawful money of England, for every Tod of Wool which shall be so licensed to be exported over and above the rate or proportion of Wool in and by this Act, or the true meaning thereof, limited or appointed.

And be it further Enacted by the Authority aforesaid, That the respective Governours aforesaid, or their respective Deputies, or any their Clerks, Officers or Servants, for the granting, making, or sealing of every such Writing of Licence as is aforesaid, and for the entering a Remembrance of the same into some Book, which they shall have and keep for that purpose, may have and take the sum of Twelve pence, and no more, upon pain of forfeiting to the party grieved the sum of five shillings for every penny which shall be taken over and above the said sum of twelve pence, in and by this Act allowed to be taken, and so after that proportion; the said penalty or forfeiture for the taking above Twelve pence as aforesaid, to be recovered by Bill, Plaint or Information, in any Court of Record at Westminster, or elsewhere, wherein no Exoner, Protection, Exoner, or Wager of Law shall be admitted or allowed. St. 12. Car. 2. cap. 13.

CAP. XXXIII.

The Confirmation of Marriages.

VVhereas by virtue or colour of certain Ordinances, or certain pretended Acts or Ordinances, divers marriages since the beginning of the late troubles have been had and solemnized in some other manner then hath been formerly used and accustomed: And for the preventing and avoiding of all doubts and questions touching the same, It is Enacted by the Kings most Excellent Majesty, with the advice and assent of the Lords and Commons in Parliament assembled, and by Authority of the same, That all Marriages had or solemnized in any of His Majesty's Dominions since the first day of May, in the year of Our Lord, One thousand six hundred forty and two, before any Justice of Peace, or reputed Justice of Peace, of England or Wales, or other his Majesty's Dominions, and by such Justice, or reputed Justice, so pronounced or declared: And all Marriages within any of His Majesty's Dominions, since the same first day of May, in the year of Our Lord, One thousand six hundred forty two, had or solemnized according to the direction

Marriages had or solemnized according to the direction

direction or true intent of any Act or Ordinance, or reputed Act or Ordinance, of one or both houses of Parliament, or of any Convention sitting at Westminster, under the same Title, or Title of a Parliament, or assuming that same, Title or Title, shall be, and shall be adjudged, esteemed, and taken to be, and to have been of the same, and no other force and effect, as if such Writings had been had and solemnized according to the Rites and Ceremonies established, or used in the Church of England, any Law, Custom, or Usage to the contrary thereof notwithstanding.

And be it further Enacted, that where in any Suit commenced, or to be commenced in any of the Courts of the common Law, any issue hath been joined, and not already tried or determined, or shall be joined upon the point of Bastardy, or unlawfulness of marriage, for or concerning the marriage had and solemnized, as aforesaid, the same issues shall be tried by Jury of Twelve Men, according to the course of Trial of other issues triable by Jury at the Common Law, and not otherwise, any Law, Statute, or Usage to the contrary thereof in any wise notwithstanding. Stat. 13 Car. 2. cap. 11.

CAP. XXXIV.

The Planting, Sowing, or Sowing of Tobacco in England and Ireland prohibited.

YOur Majesties Loyal and Obedient Subjects, The Lords and Commons in this present Parliament assembled, considering of how great concern and importance it is, That the Colonies and Plantations of this Kingdom in America, be defended, protected, maintained, and kept up, and that all due and possible encouragement be given unto them; and that not only in regard great and considerable Dominions and Countries have been thereby gained, and added to the Imperial Crown of this Realm, but for that the strength and welfare of this Kingdom do very much depend upon them, in regard of the employment of a very considerable part of its Shipping and Drunken, and of the vent of very great quantities of its Native Commodities and Manufactures; as also of its supply, with several Commodities which it was wont formerly to have only from Foreigners, and at far dearer Rates; And forasmuch as Tobacco is one of the main products of several of those Plantations, and upon which their Welfare, and Subsistence, and the Subsistence of this Kingdom, and vent of its Commodities thither, do much depend; and in regard it is found by experience, That the Tobaccos Planted in these parts are not so good and wholesome for the Tobacco thereof: And that by the Planting thereof, your Majesty is deprived of a considerable part of your Revenue arising by Customs upon Imported Tobacco; Do most humbly pray, That it may be Enacted by your Majesty: And it is hereby Enacted by the Kings most Excellent Majesty, and the Lords and Commons in this present Parliament assembled, and by Authority of the same, That no Person or Persons whatsoever shall, or do from and after the first day of January, in the year of our Lord, One thousand six hundred and sixty, set, Plant, improve to ground, make or cure any Tobacco either in Seed, Plant, or otherwise, in or upon any Ground, Garden, field, or Place within the Kingdom of England, Dominion of Wales, Islands of Guernsey, Jersey, or Eoin of Berwick upon Tweed, or in the Kingdom of Ireland, under the penalty for the first offence of all such Tobacco, or the value thereof, or of the sum of forty shillings for every Rod or Pole of Ground so Planted, set, or sown as aforesaid; and so proportionably for every lesser quantity of Ground, one Fourth part thereof to His Majesty, His Heirs and Successors; and the other Fourth part to him or them that shall sue for the same, to be recovered by Writ, Pleint, or Information in any Court of Record, wherein no Escoign, Protection, or Writ set in Law shall be allowed.

And it is hereby further Enacted, That all Sheriffs, Justices of the Peace, Mayors, Bailiffs, Constables, and others of them, upon Information or Complaint made unto them, or any of them, by any the Officers of the Customs, or by any other Person or Persons whatsoever, That there is any Tobacco set, sown, planted, or growing within their Jurisdictions or Precincts, contrary to this Act, shall within ten days after such Information or Complaint, cause to be burnt, plucked up, consumed, or utterly destroyed, all such Tobacco so set, sown, planted or growing.

And it is hereby further Enacted, That in case any Person or Persons shall resist, or make for the same Opposition against any person or persons in the due and through Execution of this Act, that every such person or persons, for every such Offence, shall forfeit the sum of five pounds to be divided equally between the Officers of the Customs, and the Justices of the Peace, or other Officers of the Law, who shall be named in manner aforesaid. And in case any person or persons shall not pay the sums due and recovered in manner aforesaid, and in case any person or persons shall be made of money to them to be paid, by virtue of this Act, That in every such case, Writs shall be made out therefor, returning the same to the Common Goal in the County where such Person or Persons shall be committed, there to remain for the space of two months, without bail or mainprize.

Provided always, and it is hereby Enacted, That this Act, nor any thing therein contained, shall extend to the banning of the planting of Tobacco in any Physick Garden of either University, or in any other private Garden for Physick or Chirurgery, only so as the quantity so planted exceed not one half of one Pole in any one Place or Garden. Stat. 13 Car. 2. cap. 14.

These words of the Statute shall be read by the Court.

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CAP. XXXV.

A Post-Office created and established.

Whereas for the maintenance of mutual Correspondencies, and prevention of many Inconveniencies happening by private Posts, several public Post-Offices have been heretofore created for carrying and recarrying of Letters by Posts, to, and from all parts and places within England, Scotland, and Ireland, and several parts beyond the Seas; the well Ordering thereof, is a matter of general concernment, and of great advantage, as well for preservation of Trade and Commerce, as otherwise: To the end therefore, that the same may be managed so, that speedy and safe dispatches may be had, which is most likely to be effected, by creating one general Post-Office for that purpose;

Be it therefore Enacted by the Kings most Excellent Majesty, the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That there be from henceforth one general Letter-Office created and established in some convenient place within the City of London, from whence all Letters and packets whatsoever may be with speed and expedition sent unto any part of the Kingdoms of England, Scotland, and Ireland, or any other of his Majesties Dominions, or unto any Kingdom or Country beyond the Seas, at which said Office all Returns and Answers may be likewise received; And that one Master of the said General Letter-Office shall be from time to time appointed by the Kings Majesty, His Heirs and Successors, to be made and constituted by Letters Patents under the Great Seal of England, by the name and Title of his Majesties Post-Master General; which said Master of the said Office, and his Deputy and Deputies, by him thereunto sufficiently authorised, and his and their Servants, and Agents, and no other person or persons whatsoever, shall from time to time have the receiving, taking up, ordering, dispatching, sending Post or with speed, and delivering of all Letters and Packets whatsoever, which shall from time to time be sent to and from all and every the parts and places of England, Scotland, and Ireland, and other his Majesties Dominions, and to and from all and every the Kingdoms and Countries beyond the Seas, where he shall settle or cause to be settled posts or running Messengers for that purpose. Except such Letters as shall be sent by Coaches, common known Carriers of Goods by Carts, Waggones, or Packhouses, and shall be carried along with their Carts, Waggones, and Packhouses respectively; And except Letters of Merchants and Masters which shall be sent by any Masters of any Ships, Barks, or other Vessel of Merchandise, or by any other person employed by them for the carriage of such Letters aforesaid, according to the respective directions; And also except Letters to be sent by any private friend or friends in their wayes of journey or travel, or by any messenger or messengers sent on purpose, for or concerning the private affairs of any person or persons: And also except Messengers who carry and recarry Commissions, or the Returns thereof, Affidavits, Writs, Process or Proceedings, or the Returns thereof, issuing out of any Court.

And be it further Enacted by the Authority aforesaid, That such Post-Master General for the time being, as shall from time to time be made and constituted by His Majesty, His Heirs and Successors, and the respective Deputies, or substitutes of such Post-Master General, and no other person or persons whatsoever, shall prepare, and provide Waggons and furniture to be to be sent unto all through-posts, and persons riding in post by Commissions, or without, to and from all and every the parts and places of England, Scotland, and Ireland, where any post-roads are, or shall be settled and established.

And be it further Enacted by the authority aforesaid, That it shall and may be lawful to and for such Post-Master General to be constituted and appointed as aforesaid, and his Deputy or Deputies by him thereunto sufficiently authorised, to receive and take for the postage and conveyance of all such Letters which he shall so convey, carry or send Post as aforesaid, and for the providing and furnishing Postes for through-posts, or persons riding in Post as aforesaid, according to the several Rates and Sums of Lawful English money hereafter mentioned, not to exceed the same (that is to say), For the Post of every Letter not exceeding one sheet, to or from any place not exceeding fourscore English miles distant from the place where such Letter shall be received, Two pence; And for the like post of every Letter not exceeding two sheets, Four pence; And for the like post of every packet of Letters proportionable unto the said Rates; And for the like post of every packet of Writs, Wards, and other things, after the rate of Eight pence for every ounce weight; and for the post of every Letter not exceeding one sheet, above the distance of fourscore English miles from the place where the same shall be received, Three pence; And for the like post of a Letter, not exceeding two sheets, Six pence; and proportionably to the same rates, for the like post of all packets of Letters, and for the like post of every other packet of Writs, Wards, or other things, after the rate of Twelve pence of English money for every ounce weight; and for the post of every Letter not exceeding one sheet, from London unto the Town of Berwick, or from thence to the City of London, Three pence of English money; And for the like post of every Letter not exceeding two sheets, Six pence; and proportionably unto the same rates, for every packet of Letters, and for every other packet of greater bulk, One shilling and six pence for every ounce weight; And for the post of such Letters and packets as shall be conveyed or carried from the Town of Berwick unto any place or places within four English miles distance from Berwick, or any other place where such Letter shall be received, Two pence; and for every Letter not exceeding

The bill of the Post-Office shall be read by the Court.

A Letter-office created in London.

A Master of the Office to be appointed by the King.

The Post-master General shall prepare and provide Waggons and furniture to be to be sent unto all through-posts, and persons riding in post by Commissions, or without, to and from all and every the parts and places of England, Scotland, and Ireland, where any post-roads are, or shall be settled and established.

Rates for the Post-Office.



Prohibited alowes, That if the Parquet of Poile shall be carried out of England into any part beyond the Seas in any Ship or Vessel which is not of English built and Navigated with English Seamen...

Prohibited also, and be it Enacted by the Authority aforesaid, That no person or persons shall be capable of having, using, or exercising the Office of post-Master General, or any other Employment relating to the said Office...

Prohibited also and be it Enacted by the Authority aforesaid, That a Letter or packet-post shall thence ebery way come by the way of Tames and Pavin to the Town of Marketon alias Muckton in the County of Cornwall...

Prohibited also, and be it Enacted by the Authority aforesaid, That such post-master General to be from time to time appointed by his Majesty, his Heirs and Successors as aforesaid, shall continue constant posts for carriage of letters to all places...

Be it further Enacted, That the said post-Master General so nominated, appointed and constituted as aforesaid, and his Deputies, shall from time to time observe and follow such orders, rules, directions and instructions for and concerning the settlement of convenient posts and Stages upon the several roads in England, Scotland and Ireland...

Prohibited alowes, and be it Enacted by the Authority aforesaid, That no person shall have power to take, use, or carry any horses for the service mentioned in this Act, without the consent of the owners thereof...

Prohibited alowes, and be it Enacted by the Authority aforesaid, That all Inland Letters sent by any Packet Post established by this Act as aforesaid, do and shall pay the rates and prices before mentioned, at such Stages where they are last delivered only...

Prohibited alowes, and be it Enacted by the Authority aforesaid, That no person or persons at any time after the Four and twentieth day of June, in the year of our Lord, One thousand six hundred and one, during his Majesty's life...

CAP. XXXVI. The Master of the Rolls for the time being, impowred to make Leases six years, in order to new build the old Houses belonging to the Rolls. Pr. St. 13 Car. 2. cap. 6.

CAP. XXXVII. An Act in making the Precinct of Court-Garden Patochal. P. R.

Anno Regni Caroli II. Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ, Decimo Tertio.

AT the Parliament begun and holden at Westminster the Eight day of May, Anno Dom. 1661. In the Thirteenth Year of the Reign of Our most Gracious Sovereign Lord, CHARLES the Second, by the Grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c. And there continued until Tuesday the Thirtieth of July, 1661. and from that day the said Parliament was adjourned unto the Twentieth of November then next following; To the pleasure of Almighty God, and to the Weal publick of this Realm, were Enacted as followeth:

C A P. I.

For Safety of His Majesties Person and Government, against Treasonable and Seditious Practices.

THE Lords and Commons assembled in Parliament deeply weighing and considering the miseries and calamities of well nigh twenty years, before your Majesties happy Returns, and withall, reflecting upon the causes and occasions of so great and deplorable conclusions, do in all humilitie and thankfulness acknowledge your Majesties incomparable Grace and Goodness to your People, in your free and General Pardon, Remission and Oblivion, by which your Majesty hath been pleased to deliver your Subjects, not only from the punishment, but also from the reproach of their former miscarriages, which unexampled Piety and Clemency of Your Majesty hath endeavored the hearts of us your Subjects with an ardent desire to express all possible zeal and duty in the care and preservation of your Majesties Person (in whose Honour and Happiness consists the good and welfare of your People) and in preventing (as much as may be) all Treasonable and Seditious Practices and Attempts for the time to come. And because the growth and increase of the late Troubles and Disorders, did in a very great measure proceed from a multitude of Seditious Sermons, Pamphlets and Speeches, daily preached, printed and published, with a transcendent boldness defaming the Person and Government of Your Majesty and Your Royal Father, wherein men were too much encouraged, and (abode all) from a wilfull mistake of the Supreme and laudable Authority, whilst men were forward to cry up and maintain those Orders and Ordinances, Statutes and Covenants, to be less Legal and Warrantable, which in themselves had not the least colour of Law or Justice to support them; from which kind of distempers, as the present age is not yet wholly freed, so posterity may be apt to relapse into them, if a timely remedy be not provided. We therefore, the Lords and Commons in Parliament assembled, having duly considered the premises, and remembering that in the Thirtieth year of the Reign of Queen Elizabeth of ever blessed memory, a right good and profitable Law was made for preservation of her Majesties Person, do most humbly beseech your most Excellent Majesty, that it may be Enacted, and be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords and Commons in this present Parliament assembled, and by Authority of the same, That if any person or persons whatsoever, after the Four and twentieth day of June, in the year of our Lord, One thousand six hundred and one, during the natural life of our most Gracious Sovereign Lord the King, (whom Almighty God preserve and bless with a long and prosperous Reign) shall within the Realm, or without, compass, imagine, invent, devise, or intend death or destruction, or any bodily harm tending to death or destruction, maim or wounding, imprisonment, or restraint of the person of the same our Sovereign Lord the King, or to deprive or depose him from the Title, Honour, or Kings name of the Imperial Crown of this Realm, or of any other his Majesties Dominions or Countries, or to levy War against his Majesty within this Realm, or without, or to move, or stir any Forreiner or Strangers with Force to invade this Realm, or any other his Majesties Dominions or Countries being under his Majesties Obedience: And such compassings, Imaginations, Intentions, Devices, or Intentions, or any of them, shall express, utter, or declare, by any Printing, Writing, Preaching, or Seditious and advised speaking, being so well considered thereof upon the Oaths of two lawful and credible witnesses, upon trial, or otherwise convicted or attainted by due course of Law, then every such person and persons so as aforesaid offending, shall be deemed, declared, and adjudged to be Traytors, and shall suffer pains of death, and also lose and forfeit as in cases of High Treason.

And be it further Enacted by the Authority aforesaid, That if any person or persons at any time after the Four and twentieth day of June, in the year of our Lord, One thousand six hundred and one, during his Majesty's life, shall maliciously and advisedly publish or affirm the King to be an Heretic or a Papist, or that he endeavours to introduce Popery; or shall maliciously and advisedly, by writing, printing, preaching or other speaking, express, publish, utter, or declare any words, sentences, or other thing or things, to incite or stir up the people to hatred or dislike of the Person of his Majesty, or the established Government, then every such person

The grounds and Intencions of this Act.

Seditious Sermons, Pamphlets and Speeches.

13 M. cap. 2.

Other shall be adjudged Treason having the form of the Statute.

Things declared and punished by this Act.

Convicted by the course of Law.

Offences concerning the Kings Majesty.

son and persons, being thereof Legally convicted, shall be disabled to have or enjoy, and is hereby disabled and made incapable of having, holding, enjoying, or exercising any place, office, or promotion Ecclesiastical, Civil or Military, or any other employment in Church or State, other than that of his Parage, and shall likewise be liable to such further and other punishments as by the Common Law or Statutes of this Realm may be inflicted in such cases. And to the end that no man hereafter may be misled into any seditious or unquiet demeanour, out of an opinion that the Parliament begun and held at Westminster, upon the third day of November, in the year of our Lord, One thousand six hundred and forty, is yet in being, which is undoubtedly dissolved and determined, and so is hereby declared and adjudged to be fully dissolved and determined; or out of an opinion that there lies any obligation upon him from any Oath, Covenant or Engagement whatsoever, to endeavour a change of Government, either in Church or State; or out of an Opinion, that both Houses of Parliament, or either of them, have a Legislative Power without the King; All which Assertions have been seditiously maintained in some Pamphlets lately printed, and are daily promoted by the active enemies of our Peace and Happiness:

It is therefore further Enacted by the Authority aforesaid That if any person or persons, at any time after the four and twentieth day of June, in the year of our Lord, One thousand six hundred and forty, shall maliciously and advisedly, by writing, Printing, Preaching, or other speaking, writing, publish, utter, declare or affirm, That the Parliament begun at Westminster upon the third day of November, in the year of our Lord, One thousand six hundred and forty, is not yet dissolved, or is not determined, or that it ought to be in being, or hath yet any continuance or existence; or that there lies any obligation upon him, or any other person, from any Oath, Covenant or Engagement whatsoever, to endeavour a change of Government, either in Church or State, or that both Houses of Parliament, or either House of Parliament, have, or hath a Legislative Power without the King, or any other words to the same effect: That then every such person and persons so offending, shall incur the danger and penalty of a Heremye mentioned in a Statute made in the sixteenth year of the reign of King Richard the Second. And it is hereby also declared, That the Oath usually called the Solemn League and Covenant, was in it self an unlawful Oath, and imposed upon the Subjects of this Realm against the Fundamental Laws and Liberties of this Kingdom, and that all Orders and Ordinances, or pretended Orders and Ordinances of both or either Houses of Parliament, for imposing of Oaths, Covenants or Engagements, Levying of Taxes, or raising of Forces and Arms, to which the Royal assent, either in person or by Commission, was not expressly had or given, were in their first creation and making, and still are, and so shall be taken to be, null and void to all intents and purposes whatsoever. Provided nevertheless, That all and every person and persons, Bodies Politick and Corporate, who have been, or shall at any time hereafter be questioned for any thing acted or done by colour of any the orders or Ordinances herein before mentioned and declared to be null and void, and are not punished by an Act entituled An Act of free and General Pardon Indemnity and Oblivion, Intended in the Twelfth year of His Majesties reign that now is, or shall be Intended by any Act of Parliament, shall and may make such use of the said Orders and Ordinances for their Intendment according to the true intent and meaning of the said Act, and no other, as he or they might have done if this Act had not been made, any thing in this Act contained to the contrary notwithstanding.

Provided likewise, That no person be prosecuted for any of the offences in this Act mentioned (other than such as are made and declared to be high Treason) unless it be by Order of the Kings Majesty, his Heirs or Successors, under his or their Sign Manual, or by Order of the Council of his Majesty, his Heirs or Successors, directed unto the Attorneys General for the time being, or some other of the Council learned to his Majesty, his Heirs or Successors, for the time being: nor shall any person or persons by virtue of this present Act incur any of the penalties herein before mentioned, unless he or they be prosecuted within six months next after the offence contained in the said Statute, or the contrary notwithstanding.

Provided likewise, and be it Enacted, That no person or persons shall be indicted, arraigned, condemned, convicted or attainted for any of the Treasons, or Offences aforesaid, unless the same Offender or Offenders be thereto accused by the Testimony and deposition of two lawful and credible Witnesses upon Oath, which witnesses at the time of the said Offender or Offenders arraignment, shall be brought in person before him or them face to face, and shall openly admit and maintain upon Oath what they have to say against him or them concerning the Treason or Offences contained in the said Statute, unless the party or parties arraigned shall willingly without violence confess the same.

Provided likewise, and be it Enacted, That this Act or any thing therein contained, shall not extend to deprive either of the Houses of Parliament, or any of their Members, of their full ancient Freedom and Privilege of debating any matters or business, which shall be proposed or moved in either of the said Houses, or at any Conferences or Committees of both or either of the said Houses of Parliament, or touching the repeal or alteration of any old, or preparing any new Laws, or the redressing of any public Grievance; but that the said Members of either of the said Houses, and the Members of the House of Peers, and any of them, shall

Stat. 17 Car. II. cap. 7.  
The Statute made in the 17th year of King Charles II. concerning the Parliament begun at Westminster, upon the third day of November, in the year of our Lord, One thousand six hundred and forty, is not yet dissolved, or is not determined, or that it ought to be in being, or hath yet any continuance or existence; or that there lies any obligation upon him, or any other person, from any Oath, Covenant or Engagement whatsoever, to endeavour a change of Government, either in Church or State, or that both Houses of Parliament, or either House of Parliament, have, or hath a Legislative Power without the King, or any other words to the same effect.

The Statute made in the 16th year of King Richard II. concerning the punishment of Heremyes, is hereby declared to be in full force and effect, and that the same shall be taken to be, null and void to all intents and purposes whatsoever.

The Statute made in the 16th year of King Richard II. concerning the punishment of Heremyes, is hereby declared to be in full force and effect, and that the same shall be taken to be, null and void to all intents and purposes whatsoever.

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shall have the same freedom of speech, and all other Privileges whatsoever, as they had before the making of this Act; any thing in this Act to the contrary thereof in any wise notwithstanding. Provided likewise, and be it Enacted, That no Peer of this Realm shall be tried for any offence against this Act, after such conviction, be disabled during his life to sit in Parliament, unless his Majesty shall graciously be pleased to pardon him. And if his Majesty shall grant his pardon to any Peer of this Realm, or Commoner, convicted of any offence against this Act, after such Pardon granted, the Peer or Commoner so pardoned shall be restored to all intents and purposes, as if he had never been convicted; any thing in this Act to the contrary in any wise notwithstanding.

CAP. II.

An Act of Parliament, Entituled, An Act for dis-abling all persons in Holy Orders to exercise any Temporal Jurisdiction or Authority, Repealed.

Whereas at the Parliament begun at Westminster, the Third day of November, in the sixteenth year of the reign of our late Sovereign Lord King Charles of blessed memory, since deceased, an Act of Parliament was made, Entituled, An Act for dis-abling all persons in Holy Orders to exercise any Temporal Jurisdiction or Authority; which Act hath made several alterations prejudicial to the constitution and ancient Rights of Parliament, and contrary to the Laws of this Land, and is by experience found otherwise inconvenient; Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That the said Act, Entituled, An Act for dis-abling all persons in Holy Orders to exercise any Temporal Jurisdiction or Authority, and every Clause, matter and thing therein contained, shall be, and is hereby from henceforth repealed, annulled, and made void to all intents and purposes whatsoever.

CAP. III.

All such Monies, Goods, and other things which were Received, Levied, or Collected in these late Times, and are remaining in the hands or possession of any Treasurers, Receivers, Collectors, or others not pardoned by the Act of Oblivion, declared to be Repealed and sealed in His Majesty.

Whereas divers Doubts have been made, whether or no the Monies, Goods, Chattels, and other things excepted to be accounted for in the Act of Free and General Pardon, Indemnity and Oblivion, made and passed in the Parliament begun at Westminster the five and twentieth day of April, in the Twelfth year of your Majesties reign, do belong unto, and of right are in your Majesty; for that the same were not levied, received, collected, or taken by your Majesties Authority, or to your Majesties use; For remedy, and clearing whereof, We the Lords and Commons assembled in Parliament humbly beseech your Majesty, that it may be Enacted, and be it Declared, Enacted, and Ordained by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords and Commons assembled in Parliament, and by the Authority thereof, That all and every sum and sum of Money, Goods, Plate, Jewels, Hoyses, Arms, Ammunition, and other things whatsoever, levied, received, or taken since the Twentieth of January, One thousand six hundred forty two, by any of the late pretended Authorities, or by pretence or colour of any Power or Authority, derived or pretended to be derived from them, or any of them, for any publick use, which are not pardoned by the said Act, which are not otherwise vested and settled in the Kings Majesty, and all Bonds, Obligations, and other Securities likewise vested and settled in the Kings Majesty, and all Writs, Obligations, and other Securities entered into for the same, or any part thereof, be and are hereby vested and settled in the Kings Majesty, his Heirs and Successors; and that his Sacred Majesty, his Heirs and Successors, may from time to time, and at all times hereafter have, demand, sue for, and recover the same of all, and every person and persons, their Heirs, Executors, and Administrators who are accountable for the same, or in whose hands or possessions for ever the same were or are, as if the same had been levied, received, collected, or taken in his Majesties Name by Authority from his Majesty, or to his Majesties use, any Law, or Statute, Writ, or Custom to the contrary in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That all and every person or persons which have received any the aforesaid sum or sums of money from any Treasurer or Receiver for any publick use, by way of Imprest, to be accounted for, which are not pardoned or discharged by the aforesaid Act, shall be liable to account, and called to account in such manner and form, as if they had received the same out of his Majesties Exchequer, or any other publick Treasurer; and particularly those persons that have received or collected the Revenues of any Churches, or Vicarages in Wales, or in the County of Monmouth, since the year of our Lord, One thousand six hundred forty eight; Provided they have all due Allowances in their accounts, as all such persons whose accounts are excepted in the Act of Oblivion, have or ought to have. And to the end his Majesty may be the better enabled to discover, and sue for, all such Monies, Goods, and other things involved in his Majesty by this Act; it is further Ordained and

Stat. 17 Car. II. cap. 7. Rep.

Stat. 17 Car. II. cap. 7. Rep.

Goods and Chattels taken since the 12th of Jan. 1642, and not yet received, are hereby vested in His Majesty.

Stat. 17 Car. II. cap. 11.

The Revenues of Churches in Wales.

Commissioners for the Discovery.

Enacted by the Authority aforesaid, That His Majesty, His Heirs and Successors, shall and may from time to time issue forth such, and so many Commissions, to such, and so many persons, as His Majesty shall think fit, either under the great Seal of England, or the Seal of his Majesties Exchequer, for the better discovering, letting, receiving, and discharging the same.

And be it further Enacted by the Authority aforesaid, That all persons accountable to His Majesty by this Act, shall have full power and Authority, and are hereby enabled to sue for, Levy, and recover from the parties from whom the same is due, and is due, and for which they are hereby accountable, all Sums of Money and Arrears, in such manner and so far as they might have recovered and letted the same when they first grew due; Provided this Act or any thing therein contained, shall not extend to call any person to account, or to question any person for Words or other things remaining in his hands which shall not be called to account, or some Information against him, either in the Exchequer, or Commissioners to be appointed as aforesaid, before the four and twentieth of June, which shall be in the year of our Lord one thousand six hundred sixty two; and that the said Information be prosecuted with effect within twelve months after the Expiration thereof.

CAP. IV.

An Act for a free and Voluntary present to his Majesty. EXP.

As be it hereby Declared, That no Commissions or Aids of this nature can be issued or levied, but by Authority of Parliament; And that this Act and supply hereby granted, shall not be drawn into example for the time to come. 1 R. 3. ca. 2.

CAP. V.

For preventing Tumults, and Disorders, upon pretence of preparing or presenting publick Petitions, or other Addresses, to his Majesty, or the Parliament.

Whereas it hath been found by sad experience, that Tumultuous, and other Disorderly soliciting, and procuring of Hands by private Persons to Petitions, Complaints, Remonstrances, and Declarations, and other Addresses to the King, or to both, or either Houses of Parliament, for alteration of matters established by Law, redress of pretended grievances in Church or State, or other publick Concernments, have been made use of to further the ends of Faction and seditious persons gotten into power, to the violation of the publick Peace, and have been a great means of the late unhappy Wars, Confusions, and Calamities in this Nation; for preventing the like mischief for the future.

Be it Enacted by the Kings most Excellent Majesty, by and with the consent of the Lords and Commons Assembled in Parliament, and by the Authority of the same, That no person or persons whatsoever, shall from and after the first of August, One thousand six hundred sixty and one, Solicite, Labour, or procure the getting of Hands, or other Consent of any persons above the number of twenty, or more, to any Petition, Complaint, Remonstrance, Declaration, or other Address to the King, or both, or either Houses of Parliament, for alteration of matters established by Law in Church or State, unless the matter thereof have been first consented unto, and ordered by three or more Justices of the County, or by the Mayor part of the Grand Jury of the County, or division of the County where the same matter shall arise at their publick Assizes, or General Quarter Sessions, or if arising in London, by the Lord Mayor, Aldermen, and Commoners in Common Council Assembled; And that no person or persons whatsoever shall repair to his Majesty, or both, or either of the Houses of Parliament, upon pretence of presenting, or delivering any Petition, Complaint, Remonstrance or Declaration, or other Addresses accompanied with excessive number of People, nor at any one time with above the number of Ten persons, upon pain of incurring a penalty, not exceeding the sum of one hundred pounds in money, and three months Imprisonment without Bail or mainprize for every offence, to be prosecuted at the Court of Kings Bench, or at the Assize, or General Quarter Sessions within six months after the offence committed, and proved by two or more credible witnesses.

Provided always, that this Act, or any thing therein contained, shall not be construed to extend, to rebul or hinder any person or persons, not exceeding the number of Ten aforesaid, to present any publick or private Grievance or Complaint to any Member or Members of Parliament after this Election, and during the continuance of the Parliament, or to the Kings Majesty, for any Redress to be thereupon had; nor to extend to any Address whatsoever to his Majesty, by all or any of the Members of both or either Houses of Parliament, during the sitting of Parliament, but that they may enjoy their freedom of Access to his Majesty, as heretofore hath been used.

CAP. VI.

The Militia declared to be in the Kings; and for the present Ordering and Disposing the same.

Whereas as within all His Majesties Kingdoms and Dominions, the sole Supremacy Concerning Arms, Ordnance, and Disposition of the Militia, and all Forces by Sea and Land, and of all Forts and Places of Strength, is, and by the Laws of England ever was the undoubted Right of His Majesty, and his lawful Successors, Kings and Queens of England; and that both, or either

Whosoever shall be convicted of this offence, shall be liable to the same punishment as if he had been convicted of treason.

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either of the Houses of Parliament cannot, nor ought to pretend to the same; nor can, nor lawfully may raise, or levy any War Offensive or Defensive against His Majesty, his Heirs or lawful Successors; and yet the contrary thereof hath of late years been practised almost to the Ruine and Destruction of this Kingdom; and during the late usurped Governments many evil and rebellious Principles have been diffused into the minds of the People of this Kingdom, which unless prevented, may break forth to the disturbance of the Peace and Quiet thereof.

And whereas an Act is under consideration for erecting the Militia, with most safety and care to the King and his People, which Act cannot as yet be perfect; We it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords and Commons assembled in Parliament, That the Militia and Land-Forces of this Kingdom, and of the Dominion of Wales, and Town of Berwick upon Tweed, now under the Power of Lieutenants or their Deputies, shall be exercised, ordered, and managed until the five and twentieth day of March next ensuing, in such manner as the same now is actually exercised, ordered, and managed, according to such Commissions and Instructions as they formerly have; or from time to time shall receive from his Majesty.

And whereas since the Twenty fourth of June, One thousand six hundred and sixty, there have been Insurrections, by occasion whereof divers of his Majesties good Subjects have been murdered; and for the securing the Peace of the Nation, and preventing further disorders, divers persons suspected to be Fanaticks, Sectaries, or Disturbers of the Peace, have been Assaulted, Arrested, Detained or Imprisoned, and divers Arms have been seized, and Houses searched for Arms, or suspected persons; We it therefore further Enacted by the Authority aforesaid, That all and every person and persons, who have or shall have acted, or done any thing in execution of any Commission or Commissions of Lieutenancy, issued by the Kings Majesty that now is, or by colour of them, or any of them, touching or concerning the same, or any of them, or relating thereunto, shall be and are hereby saved harmless and indemnified in this behalf: And also all Magistrates, Justices of the Peace, Officers and Ministers of Justice, and all persons that have or shall have acted by or under them, or by their or any of their Commands, since the said Twenty fourth day of June, One thousand six hundred and sixty, until the twentieth day of July, One thousand six hundred sixty and one, as to any assaulting, arresting, detaining, or imprisoning any person suspected to be Fanatick, Sectary, or Disturber of the Peace, or seizing of Arms, or searching of Houses for Arms, or for suspected persons, shall be, and are hereby saved harmless, and indemnified in that behalf.

Provided, That neither this Act, nor any thing therein contained, shall after the five and twentieth of March next, be prejudicial to any County, City, or Place within this Kingdom, which are overcharged with Pen and Arms beyond their ancient proportion.

Provided, That neither this Act, nor any matter or thing therein contained, shall be deemed, construed, or taken to extend to the giving or declaring of any Power for the transporting of any the Subjects of this Realm, or any way compelling them to march out of this Kingdom, otherwise than by the Laws of England ought to be done.

Provided, That no person whatsoever shall be capable of acting as a Lieutenant, or Deputy, Lieutenant, or other Officer or Soldier, by Virtue of this Act, who hath not already taken the Oaths of Allegiance and Supremacy, since the Return of his Majesty into England, until he shall take the same according to the Laws and Statutes of this Kingdom: Which Oaths the Lords of His Privy Council, or any six of them, are hereby impowered to administer to any Part of this Realm, who shall be Commissioned by Virtue of this Act; and the Deputy-Lieutenants, or any two of them, in their respective Counties, to any Commoner. 14 Car. 2. cap. 3. & 8. 15 Car. 2. cap. 4. Stat. 3.

CAP. VII.

Publick Acts Continued.

Whereas during the late Difficulties and Crigencies of Affairs in the absence of His most Excellent Majesty, and in reference to his Return from beyond the Seas into these His Majesties Dominions, The Lords and Commons being assembled at Westminster, the five and twentieth day of April, in the Twelfth Year of his Majesties Reign, were from thence, and after his Majesties Return, continued until the five and twentieth day of December, then next following, and now last past, and then dissolved by his Majesty: In which time several Acts were passed by his Majesty, by and with the Advice and Consent of the Lords and Commons Assembled, as aforesaid, which being of necessary use, are fit to be Continued and Confirmed, although the manner of the said Assembling enforced by the Difficulties and Crigencies aforesaid, which then lay upon the Nation, is not to be drawn into Example; We it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords and Commons in this present Parliament Assembled, and the Authority of the same, That all and singular the Acts, made, or mentioned to be made by His Majesty, by and with the Advice and Consent of the Lords and Commons upon or since the said five and twentieth day of April, herein after particularly mentioned and expressed, That is to say, One Act Entituled, An Act of Free and General Pardon, Indemnity and Oblivion: One other Act Entituled, A Subsidy granted to the King of Tonnage and Poundage, and other Sums of Money payable upon Merchandize Exported and Imported

An Act under consideration touching the Militia.

Persons who have acted by commission of Lieutenancy.

Persons who have acted by commission of Lieutenancy.

Persons who have acted by commission of Lieutenancy.

Persons who have acted by commission of Lieutenancy.



ted: **One other Act Entituled**, An Act for continuing the Excise until the Twentieth of *August* One thousand six hundred and sixty: **One other Act Entituled**, An Act for Continuing the Excise till the Five and twentieth Day of *December* One thousand six hundred and sixty: **One other Act Entituled**, An Act for the speedy Provision of Money, for Disbanding and Paying off the Forces of this Kingdom both by Land and Sea: **One other Act Entituled**, An Act for Confirmation of Judicial Proceedings: **One other Act Entituled**, An Act for the speedy Disbanding of the Army and Garrisons of this Kingdom: **One other Act Entituled**, An Act for Supplying and Explaining certain Defects in an Act Entituled, An Act for the speedy Provision of Money for Disbanding and Paying off the Forces of this Kingdom both by Land and Sea: **One other Act Entituled**, An Act to prevent Frauds and Concealments of His Majesties Customs and Subsidies: **One other Act entituled**, An Act for Raising Seventeen Thousand Pounds for the compleat Disbanding of the whole Army, and Paying off some part of the Navy: **One other Act entituled**, A Grant of certain Impositions upon Beer, Ale, and other Liquors, for the Increase of His Majesties Revenue during his Life: **One other Act entituled**, An Act for taking away the Court of Wards and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for Settling a Revenue upon his Majesty in lieu thereof: **One other Act entituled**, An Act for the better Ordering the Selling of Wines by Retail, and for preventing Abuses in the mixing, corrupting, and vitiating of Wines, and for setting and limiting the Prices of the same: **One other Act Entituled**, An Act for the Levying of the Areats of the Twelve Months Assesment commencing the Four and Twentieth day of *June*, One Thousand Six Hundred Fifty and Nine: and the Six Months Assesment commencing the Five and Twentieth of *December*, One Thousand Six Hundred Fifty and Nine: **One other Act entituled**, An Act for Granting unto the Kings Majesty Four Hundred and Twenty Thousand Pounds, by an Assesment of Three score and Ten Thousand Pounds by the Month, for Six Months, for Disbanding the Remainder of the Army, and Paying off the Navy: **One other Act entituled**, An Act for the further Supplying and Explaining certain Defects in an Act Entituled, An Act for the speedy Provision of money for Disbanding and Paying off the Forces of this Kingdom both by Land and Sea: **One other Act entituled**, An Act for the Raising of Seventy Thousand Pounds for the further Supply of His Majesty: **One other Act entituled**, An Act for the Attainder of several Persons guilty of the Horrid Murder of his late Sacred Majesty, King CHARLES the First: **One other Act Entituled**, An Act for Erecting and Establishing a Post-Office: **One other Act entituled**, An Act for putting in Execution an Ordinance mentioned in the Act; and all and every the Clauses, Sentences, and Articles in them, and every of them contained, shall be, and hereby are Ratified, and Confirmed, and Enacted, and Declared to have the full Force and Strength of Acts of Parliament according to the tenor or purport thereof, and so shall be adjudged, deemed, and taken to all Intents and Purposes whatsoever, and as if the same had been made, declared, and Enacted by Authority of this present Parliament.

CAP. VIII.

Necessary Carriages to be provided for His Majesty in his Royal Progress and Removals.

**W**hereas by an Act made in Parliament in the Eleventh year of His Majesties Reign, Entituled, An Act for taking away the Court of Wards, and Liveries, and Tenures in Capite, and by Knights Service, and Purveyance, and for settling a Revenue upon His Majesty in lieu thereof: It was (amongst other Things) Enacted for the Reasons and Recompence therein expressed, That from thenceforth no person or persons, by any Warrant, Commission, or Authority under the Great Seal, or otherwise, by colour of buying, or making Provision, or Purveyance for his Majesty, or any Duken of England for the time being, or of any the Children of any King, or Duken of England, that shall be, or for his, their, or any of their Household, shall take any Cart, Carriage, or other thing whatsoever of any of the Subjects of His Majesty, his Heirs, or Successors, without the free and full consent of the Seller, or Sellers thereof, had and obtained without Force, or enforcement, nor shall summon, take, use, or require any the said Subjects to furnish or find any Horses, Wren, or other Cart, Carts, Ploughs, Waggons, or other Carriages, for the use of his Majesty, his Heirs or Successors, or of any Duken of England, or of any Child, or Children of any the Kings, or Dukes of England for the time being, in the Carrying the Quens of his Majesty, his Heirs or Successors, or the said Quens, or Children, or any of them, without such full and free consent, as aforesaid, nor Law, Statute, Custom, or Usage to the contrary notwithstanding: which Act may prove very prejudicial and inconvenient to the Kings Majesty in his Royal Progresses upon his necessary occasions to several parts of this Realm, in case any person or persons shall obstinately refuse voluntarily to provide sufficient Carriages for Royal service at ordinary and usual Rates for such Carriages, as are used by others of his Subjects in such places, contrary to the true intent and meaning of the said Act.

It is therefore Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords and Commons in this present Parliament assembled, That the Clerk, or chief Clerk of his Majesties Councils, shall three or more at least before his Majesties Arrival, by Warrant from the Chancery, give notice in writing to two, or more of his Majesties Justices of the Peace next adjoining, to provide such a number of Carts and Carriages from the places next adjacent, as his Majesty shall have present use of: expressing the certainty of that number,

Articles of the Statute of the 11th year of King Charles the First, which are hereby confirmed and ratified.

as also the time and place, when and where the said Carts and Carriages are to attend, which Carriages shall consist of four able Horses, or six Wren, or four Wren, and two Horses; for each of which Cart or Carriage, the respective Owners shall receive for price for each mile they shall go laden. And that in case any of his Majesties Subjects of this Realm shall refuse to provide and furnish his Majesty that now is, or his Duken that shall be, or his or her Household, in their Progresses, or removals, with such sufficient and necessary Carriages for their Waggons, and other necessaries, for ready monies tendered to them: or shall without just and reasonable cause, refuse to make their appearance with such sufficient Carts and Carriages, as are before expressed: that then upon due proof and conviction of such neglect and refusal, by the Oath of the Constable, or other credible Witnesses, before the said Justices of the Peace of the County, City, Burgh, or other chief Officer of the City, or Corporation, where he or they inhabit, (which Oath they shall have power to administer) the party so refusing shall for such his refusal and neglect forfeit the sum of Forty Shillings to the Kings use, to be forthwith levied by distress and sale of his Goods and Chattels (tending to the parties the overplus upon every such sale, if there shall be any) by Warrant from the said Justices of the Peace, Mayor, or other chief Officer.

Provided always, That no Horses, Wren, Cart or Wain, shall be enforced to travel above one dayes journey from the place where they receive their Loading; and that ready payment shall be made in hand for the said Carriages at the place of Loading, without delay, according to the aforesaid Rates. And in case any Justice of the Peace, Mayor, chief Officer, or Constable, shall take any Gift or Reward to spare any person or persons from making such Carriage: or shall in any manner charge or grieve any person through envy, hatred, or evil will, who ought not to make such Carriage, or shall suppress more Carriages than he shall be directed from the Chancery to do, that then upon due proof and conviction thereof, the party so offending shall forfeit the sum of twenty Pounds to the party thereby grieved, or any other who shall sue for the same, to be recovered by Action of Debt in any of his Majesties Courts of Record; wherein no Protection, Chart, or Wager of Law shall be allowed: And in case any person or persons shall presume to take upon him or them to suppress any Horses, Wren, cart, wain, or Carriages for his Majesties service, other than the person so empowered, then he or they so offending, shall, upon due conviction of the said offence, incur and suffer the punishment contained in the first recited Act.

And whereas of late in his Majesties Progresses, excessive Rates and Prices have been charged from his Majesties servants for lodging, horse-meat, stable-room, and other accommodations: We it therefore Enacted by the Authority aforesaid, That none of his Majesties said Servants shall be compelled to pay above one Shilling by the night for every bed that they shall use for their servants: And that in all such houses where any of his Majesties said servants shall pay for their bed, or for hay and provender for their Horses, convenient lodging shall be provided for themselves and their Servants, without paying any thing for the same.

And be it further Enacted by the Authority aforesaid, that any time or more of the Justices of the Peace near adjoining to the Road through which his Majesty is to pass, shall immediately after notice in writing from the said Chancery, and Advow, under their hands and seals set down and appoint such reasonable Rates and Prices to be paid during his Majesties abode there, both for hay and oats, and other accommodations for Horses, as they in their discretion shall think meet: which Rates, one day at the least before his Majesties coming to such place, the said Justices shall cause to be proclaimed in the Market Town next to such place, and in such of the Neighbouring Towns and Villages as to them shall seem meet, to the end that notice may be taken of such Rates and Prices. And if any person shall take any other sum than what is, or shall be so limited, either for Lodging, Horse-meat, Stable-room, or other such accommodations, and be thereof convicted by confession of the party, or by the Oath of one credible witness, before any one Justice of the Peace (which Oath the said Justice of the Peace is hereby authorised to administer) that then in such case every person so offending, shall forfeit, and pay to the party grieved, the sum of Forty Shillings; the same to be levied by distress by Warrant from the said Justice of the Peace, and sale thereof, returning the overplus till the end of the next Session of the next Parliament, and no longer.

CAP. IX.

Articles and Orders for the regulating and better Government of His Majesties Navies, Ships of War, and Forces by Sea.

**F**or the regulating and better Government of his Majesties Navies, Ships of War, and Forces by Sea: wherein under the good Providence and Protection of God, the Strength, Safety, and Strength of this Kingdom is so much concerned, We it Enacted by the Kings most Excellent Majesty, with the advice and consent of the Lords and Commons in this present Parliament assembled, and by the Authority thereof, That all and every the Articles and Orders in this Act mentioned, shall be duly and respectively put in Execution, observed, and obeyed in manner hereafter mentioned.

Articles for the better Government of the Navy.

Articles for the better Government of the Navy.

Articles for the better Government of the Navy.

Articles for the better Government of the Navy.

Articles for the better Government of the Navy.

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Articles for the better Government of the Navy.

**I.**  
 That all Commanders, Captains, and other Officers at Sea, shall cause the publick Worship of Almighty God according to the Liturgy of the Church of England, established by Law, to be solemnly, orderly, and reverently performed in their respective Ships: And that prayers and preachings by the respective Chaplains, in holy Offices, of the respective Ships, be performed diligently: and that the Lords Day be observed according to Law.

**II.**  
 Every person and persons in his Majesties pay, using unlaful and rash Dishes, Curtings, Creations, Dismembers, Unbecomings, or other scandalous Actions in derogation of Gods Honor, and corruption of good manners, shall be punished by fine, Impudment, or otherwise, as the Court-Partial shall think fit.

**III.**  
 If any Officer, Partner, Soldier, or other person in the Fleet, shall give, hold, or entertain Intelligence, to, or with any King, Prince, or State, being Enemy to, or any persons in Rebellion against his Majesty, his Heirs and Successors, without direction or leave from the Kings Majesty, the Lord High Admiral, Vice-Admiral, or Commander in Chief of any Squadron, every such person or persons so offending, shall be punished with death.

**IV.**  
 If any Letter or Message from any King, Foreign Prince, State, or Potentate, being an Enemy to the Kings Majesty, his Heirs and Successors, or on their behalf, be conveyed to any Inferiour Officer, Partner, or Soldier, or other in the Fleet, and the said Officer, Partner, Soldier, or other as aforesaid, do not within twelve hours (having opportunity so to do) acquaint the Superior Commander with it; or if a Superior Officer, or Partner, being acquainted therewith by an Inferiour Officer, Partner, or other, or himself in his own person, receiving a letter or message from any such Enemy or Rebel, and shall not in convenient time reveal the same to the Admiral, Vice-Admiral, or the Commander of the Squadron, every such person shall be punished with death, or such other punishment as the Court-Partial shall think fit.

**V.**  
 No person or persons of the Fleet shall relieve an Enemy or Rebel, in time of War, with money, Victuals, Powder, Shot, Arms, Ammunition, or any other Supplies whatsoever, directly or indirectly, upon pain of death, or such other punishment as the Court-Partial shall think fit to impose.

**VI.**  
 All the Papers, Charter-Parties, Bills of Lading, Passports, and other Writings whatsoever, that shall be taken, seized, or found aboard any Ship or Ships which shall be surpris'd, or seized as Pirat. shall be duly preserved, and not torn, nor made away, but the very Originals sent up intirely, and without fraud, to the Court of Admiralty; or such other Commissioners as shall be appointed for that purpose: these to be directed, made use of, and proceeded upon according to Law, upon pain of loss of all the Shares of the Takers, and such further punishment to be indicted upon the Offenders therein, as the quality of their offence and misdemeanors shall be found to deserve, and the Court-Partial shall impose.

**VII.**  
 None in his Majesties pay shall take out of any Prize, or Ship, or Goods taken on for Prize, any Money, Plate, Coins, Lading, or Tackle, before Judgment thereof first past in the Admiralty Court, but the full and intire account of the whole, without imbecylment, shall be brought in, and judgment pass intirely upon the whole, without fraud, upon pain of such punishment as shall be imposed by a Court-Partial, or the Court of Admiralty; excepting, That it shall be lawful for all Captains, Sea-men, Soldiers, and others, serving as aforesaid, to take and to have to themselves as Pillage, without further or other account to be given for the same. All such Coins and Merchandises (other than Arms, Ammunition, Tackle, Furniture, or Stores of such Ship) as shall be found by them, or any of them, in any Ship (they shall take in fight or Prize) upon or above the Gun-deck of the said Ship, and not otherwise.

**VIII.**  
 None shall imbecyle, steal, or take away any Cables, Anchors, Bails, or any of the Ships Furniture, or any of the Powder, or Arms, or Ammunition of the Ship, upon pain of death, or other punishment, as the quality of the offence shall be found by a Court-Partial to deserve.

**IX.**  
 If any Foreign Ship or Vessel shall be taken as prize, that shall not fight or make resistance, that in that case, none of the Captains, Soldiers or Mariners, being Forreiners shall be stripped of their Clothes, or in any sort pillaged, beaten, or evil entreated, upon pain, That the person or persons so offending, shall forfeit double Damages; but the said Foreign Ships, and all the Coins so taken, shall be preserved intire to receive Judgment in the Admiralty Court, according to Right and Justice.

X. Every

**X.**  
 Every Captain or Commander, who upon signal or order of fight, or victu, or fight of any Ships of the Enemy, Pirate, or Rebel, or likelihood of Engagement, shall not put all things in his Ship in a fit posture for fight, and shall not in his own person, and according to his place, be hearten and encourage the inferior Officers and common men to fight courageously, and not to behave themselves faintly, shall be cashiered: And if he or they shall yield to the Enemy, Pirate, or Rebels, or cry for quarter, he or they so doing shall suffer the pains of death, or such other punishment as the offence shall deserve.

**XI.**  
 Every Captain, Commander, and other Officer, Sea-men, or Soldier of any Ship, Frigate, or Vessel of War, shall duly observe the Commands of the Admiral, or other his Superior or Commander of any Squadron, as well for the Assaulting or Setting upon any Fleet, Squadron, or Ships of the Enemy, Pirate, or Rebels, or joining Battle with them, or making defence against them, as all other the Commands of the Admiral, or other his Superior Commander, upon pain to suffer death or other punishment as the quality of his neglect or offence shall deserve.

**XII.**  
 Every Captain, and all other Officers, Partners, and Soldiers of every Ship, Frigate, or Vessel of War, that shall in time of any fight or engagement, withdraw or keep back, or not come into the fight and engage, and do his utmost, to take, fire, kill, and endanger the Enemy, Pirate, or Rebels, and assist, and relieve all and every of his Majesties Ships; shall for such offence of cowardize or disaffection, be tryed and suffer pains of death, or other punishment, as the circumstances of the offence shall deserve, and the Court-Partial shall judge fit.

**XIII.**  
 The Captains, Officers, and Sea-men of all Ships, appointed for Convoe and Guard of Merchants Ships, or any other, shall diligently attend upon that Charge, without delay, according to their Instructions in that behalf: and whosoever shall be faulty therein, and shall not faithfully perform the same, and defend the Ships and Coes in their Convoe, without either diverting to other parts or occasions; or refusing or neglecting to fight in their defence, if they be set upon, or assaulted, or running away cowardly, and submitting those in their Convoe to hazard and peril, or shall demand and exact any money, or other Reward from any Merchant or Walker, for convoying of any such Ships or other Vessels belonging to his Majesties Subjects, shall be condemned to make reparation of the damage to the Merchants, Owners and others, as the Court of Admiralty shall adjudge; and also be punished criminally according to the quality of their offences, be it by pains of death or other punishment, according as shall be judged fit by the Court-Partial.

**XIV.**  
 Whosoever Person or Persons, in, or belonging to the Fleet, either through cowardize, negligence, or disaffection, shall forbear to pursue the chase of any Enemy or Pirate, or Rebel beaten, or bring, or shall not relieve or assist a known friend in view, to the utmost of his power, shall be punished with death, or otherwise, as a Court-Partial shall find fit.

**XV.**  
 When at any time, service or action shall be commanded, no man shall presume to stop or put backward, or discourage the said service and action, by pretence of Arrears of Wages, or upon any pretence of Wages whatsoever, upon pain of death.

**XVI.**  
 All Sea-Captains, Officers and Sea-men, that shall betray their trust, or turn to the Enemy, Pirate, or Rebels, and either run away with their Ship or any Ordnance, Ammunition, or Provision, to the weakening of the Service, or yield the same up to the Enemy, Pirate, or Rebels, shall be punished with death.

**XVII.**  
 All Sea-Captains, Officers, or Partners, that shall desert the Service or their Employment in the Ships, or shall run away, or intice any others so to do, shall be punished with death.

**XVIII.**  
 All persons whatsoever that shall come, or be found in the nature of Spies, to bring any secret Letters or Messages from any Enemy or Rebel, or shall attempt or endeavour to corrupt any Captain, Officer, Partner, or other of the Navy or Fleet, to betray his or their Trust, and yield up any Ship or Ammunition, or turn to the Enemy or Rebel, shall be punished with death.

**XIX.**  
 No person in, or belonging to the Fleet, shall utter any words of Sedition or Mutiny, nor make any endeavour to make any seditious Assemblies upon any pretence whatsoever, upon pain of death.

XX. No

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XX.

Complaints of  
injuries or  
wrongdoings  
of  
ships.

No person in or belonging to the Fleet, shall conceal any Treasonous or seditious practices, designs, or words, or any words spoken by any to the prejudice of his Majesty, or Government, or any words, practices, or designs tending to the hindrance of the Service, but shall forthwith reveal them to his Superior, that a meet proceeding may be had thereupon, upon pain of such punishment as a Court-Partial shall find to be just.

XXI.

Disobedience  
in  
obeying  
a  
superior  
Officer.

None shall presume to quarrel with his Superior Officer, upon pain of severe punishment, nor to strike any such upon pain of death, or otherwise, as a Court-Partial shall find the matter to deserve.

XXII.

Disobedience  
in  
obeying  
a  
superior  
Officer.

If any of the Fleet find cause of Complaint of the unholiness of his Viceroy, or upon other just ground, he shall quietly make the same known to his Superior, or Captain, or Commander in chief, as the occasion may deserve, that such present remedy may be had as the matter may require, and the said Superior or Commander is to cause the same to be presently remedied accordingly; but no person upon any such or other pretence, shall privately attempt to stir up any disturbance, upon pain of such severe punishment as a Court-Partial shall find meet to inflict.

XXIII.

Disobedience  
in  
obeying  
a  
superior  
Officer.

None shall quarrel or fight in the Ship, nor use reproachful or provoking speeches tending to make any quarrel or disturbance, upon pain of imprisonment, and such other punishment as the offence shall deserve, and the Court-Partial shall impose.

XXIV.

Disobedience  
in  
obeying  
a  
superior  
Officer.

That there be no wantful expense of any Powder, Shot, Ammunition, or other Stores in the Fleet, nor any imployment thereof, but that the Stores and Provisions be carefully preserved upon such penalties by fine, imprisonment, or otherwise, upon the Offenders, Abettors, Voyagers, and Recreitors, as shall be by a Court-Partial found just in that behalf.

XXV.

Disobedience  
in  
obeying  
a  
superior  
Officer.

That care be taken in the Coasting and Stowing of the Ships, that through wilfulness, negligence, or other defaults, none of his Majesty's Ships be stranded or run upon any Rocks or Shoals, or split, or hazarded, upon pain, that such as shall be found guilty therein, be punished by fine, imprisonment, or otherwise, as the offence by a Court-Partial shall be adjudged to deserve.

XXVI.

Disobedience  
in  
obeying  
a  
superior  
Officer.

All persons that shall willingly burn or set fire on any Ship, or Magazine, or Store of Powder, or Ship, Boat, Ketch, Hoop, or Vessel, or Rackie, or Furniture thereto belonging, not appertaining to an Enemy or Rebel, shall be punished with death.

XXVII.

Disobedience  
in  
obeying  
a  
superior  
Officer.

No Man, in or belonging to the Fleet, shall sleep upon his Watch, or negligently perform the Duty imposed on him, or forsake his Station, upon pain of death, or other punishment, as the circumstances of the Case shall require.

XXVIII.

Disobedience  
in  
obeying  
a  
superior  
Officer.

All Murders and wilful killing of any persons in the Ship, shall be punished with death.

XXIX.

Disobedience  
in  
obeying  
a  
superior  
Officer.

All Robberies and Theft committed by any person, in or belonging to the Fleet, shall be punished with death, or otherwise, as the Court-Partial upon consideration of circumstances shall find meet.

XXX.

Disobedience  
in  
obeying  
a  
superior  
Officer.

No Probosc-Partial belonging to the Fleet, shall refuse to receive or keep any Prisoner committed to his charge, nor suffer him to escape, being once in his custody, nor dismiss him without order, upon pain of being liable to the same punishment which should have been inflicted upon the party dismissed, or permitted to escape, or such other punishment as the Court-Partial shall think fit.

XXXI.

Disobedience  
in  
obeying  
a  
superior  
Officer.

All Captains, Officers, and Men-men shall do their endeavours to detect, apprehend, and bring to punishment all offenders, and shall assist the Officers appointed for that purpose therein, upon pain to be proceeded against, and punished by the Court-Partial at discretion.

XXXII.

Disobedience  
in  
obeying  
a  
superior  
Officer.

If any person or persons, in or belonging to the Fleet, shall commit the unnatural and detestable sin of Sodomy with Man or Beast, he shall be punished with death without mercy.

XXXIII.

Disobedience  
in  
obeying  
a  
superior  
Officer.

All other Faults, Misdemeanours, and Disorders committed at Sea, not mentioned in this Act, shall be punished according to the Lawes and Customs in such Cases used at Sea.

XXXIV. And

XXXIV.

And it is hereby further Enacted, That the Lord High Admiral for the time being shall by Verdict of this Act, have full power and Authority to grant Commissions to inferior Vice-Admirals, or Commanders in chief of any Squadron of Ships, to call and assemble Court-Partials, consisting of Commanders and Captains; and no Court-Partial where the pains of death shall be inflicted shall consist of less than five Captains at least, the Admirals Lieutenant to be as to this purpose esteemed as a Captain; and in no case wherein sentence of Death shall pass by virtue of the Articles aforesaid, or any of them (except in case of Mutiny) there shall be execution of such Sentence of Death, without the leave of the Lord High Admiral, if the offence be committed within the Narrow-Seas: But in case any of the offences aforesaid be committed in any Voyage beyond the Narrow-Seas, whereupon Sentence of death shall be given in pursuance of the aforesaid Articles, or of any of them; then Execution shall not be done but by Order of the Commander in chief of that Fleet or Squadron wherein Sentence of death was passed.

The Lord High Admiral's power to grant Commissions to call Court-Partials.

XXXV.

And be it further Enacted and Declared, That the Judge-Advocate of any Fleet, for the time being, shall have full power and Authority to administer an Oath to any person or witness in or under the Examination or Trial of any of the offences aforesaid; and in the absence of a Judge-Advocate, the Court-Partial shall have full power and Authority to appoint any person to administer an Oath to the purpose aforesaid.

Judge-Advocate of any Fleet to administer an oath to any witness.

Provided also, and be it further Enacted by the Authority aforesaid, That this Act or any thing or things therein contained, shall not in any manner or wise extend to give unto the Lord Admiral of England, for the time being, or to any his Vice-Admirals, Judge or Judges of the Admiralty, his or their Deputy or Deputies, or to any other the Officers or Ministers of the Admiralty, or to any others having or claiming any Admiralty Power, Jurisdiction, or Authority within this Realm and Wales, or any other the Kings Dominions, any other power, right, Jurisdiction, Pre-eminence, or Authority, then he or they, or any of them, lawfully have, hath, or had, or ought to have and enjoy before the making of this Act, other then for such of the offences specified in the several Articles contained in this Act, as hereafter shall be done upon the main Sea, or in Ships, or Vessels being and hovering in the main Stream of great Rivers, only beneath the Bridges of the same Rivers, nigh to the Sea, within the Jurisdiction of the Admiralty, and in none other places whatsoever, and committed only by such persons as shall be in actual Service and pay in His Majesty's Fleet, or Ships of War.

Particulars concerning the powers of the Lord Admiral.

CAP. X.

For preventing the unlawful Coasting, Hunting, or Killing of Deer.

For the better preventing of the unlawful Coasting, Hunting, Taking, or Killing of Deer, by many Idle, Lasse, and disorderly persons; Be it Enacted by the Kings most Excellent Majesty, and by the advice and Consent of the Lords and Commons in Parliament Assembled, and by the Authority of the same, That if any person or persons shall from, and after the first day of August next, unlawfully come, kill, hunt, or take away any Red or Fallow Deer, in any Forest, Chase, Park, Wood, Park, or other Ground where Deer are, or have been usually kept within the Realm of England, or Dominion of Wales, without the consent of the Owner, or person chiefly intrusted with the custody thereof, or shall be aiding or assisting therein, and shall be convicted thereof, by the confession of the party, or by the Oath of one or more credible witnesses, before one or more Justices of the Peace (who are hereby impowered to administer an Oath to that purpose) such person being prosecuted for such offence within six months after such offence done; that then every person so offending shall forfeit for every such offence the sum of Twenty pounds to be levied by way of Distress upon the Goods and Chattels of every such Offender by Warrant under the Justices hands, before whom such conviction shall be made; the one moiety of the said Twenty pounds to be given to the Informer, and the other moiety to the Owner of the Deer; And for want of sufficient Distress, the Offender shall be committed to the House of Correction for six months, and there to be put to hard labour, or to the Common-Goal for one whole year, without Bail or Main-prize, at the Discretion of the Justices of the Peace before whom such Conviction shall be (and not to be discharged from thence till he or they have given sufficient Sureties for their good-behaviour, for one whole year next ensuing after his or their imprisonment.) Provided, that where any Offender shall be punished by force of this Act, that he shall not be prosecuted nor incur the penalty of any other Law or Statute for the same offence. 19 H. 7. c. 13. 3 Jac. c. 13. 7 Jac. c. 13.

Establishment of hunting or killing of Deer.

The Penalty

CAP. XI.

The Confirmation of three Acts therein mentioned.

Be it Enacted by the Kings most Excellent Majesty, by, and with the advice and consent of the Lords and Commons in this present Parliament assembled, and by the Authority of the same, That the several Acts herein after mentioned, made, or mentioned to be made upon or since the Twentieth day of April, in the Twelfth year of his said Majesty's reign, by his said Majesty, by and with the advice or consent of the Lords and Commons assembled at Westminster upon the said Twentieth of April, and there continued until the 29th day of December then next following, and then dissolved; which said Acts are herein after particularly mentioned and expressed by the sever-

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