

lings freehold by pere) be under the hands & scales of thre Iustices of the Peace where the landolie, 5. Eliz. cap. 4.

Glassemen.

Thre Iustices of Peace (one of them being of the Quorum) may under their hands & scales, give license to Glassemen (being of good behauiour) to traualle (without begging) in that Countie, 39. Eliz. cap. 4.

Money giuen to the poore, by wayes of bridges.

The Bishop and his Chancelloz, and thre such Iustices of the Peace haue power to examine, how money or other reliefe (appointed by king Hen. 8. or any other, to the vse of the Poore or of amending of Highwaies, or Bridges) is bestowed, and to call to account the detainers thereof, &c. 14. El. ca. 5. & 29. El. cap. 18.

Deprauing the Sacrament of the Lords Supper.

It seemeth, that thre such Iustices of the peace may out of the Sessions take information and accusation by the oathes of two honest persons, against such as shall deprave the Sacrament of the bodie and blood of our Lord and Saviour Iesus Christ, against the statute, & examine them, what other witnessses were then by: and to binde them all by Recognisance, to giue in euidence at the day of trial, 1. E. 6. ca. 1. but enquire of this matter.

Four Iustices. Bridges.

Four Iustices of the peace (whereof one to be of the Quorum) may (where a decayed bridge is, & where it cannot be proued who, or what lands bee chargeable to the repairing thereof) take the inhabitants, make collectors, and appoint ouerseers, for the amendement of the same &c. 22. H. 8. ca. 5.

Six Iustices. Gaole.

Six Iustices of the Peace, may in sundry shires take

take order for the common Gaoles, whereof the Sheriffe shal haue the custody, & to the which murderers and felons &c. shall be sent: and may doe and perfozme diuers incidents thereto by the statutes, 23. H. 8. cap. 2. & 13. El. ca. 25.

Six Iustices of the Peace (two of them being of the Quorum) may for a whole pere after the expiration of any commission of Sewers execute the lawes of the Commissioners of Sewers, vntil that a new commission of Sewers bee published within the pere, 13. El. ca. 9.

To this title also doe these particular Statutes belong.

13. Eliz. ca. 23. & 23. Eliz. cap. 12. For pauing Algate, the streete by Algate.

34. H. 8. For establishing Iustices of the peace in Wales &c.

27. Hen. 8. cap. 5. For Iustices of the Peace in Cheshire, &c.

23. H. 8. cap. 2. & 5. El. cap. 24. & 13. Eliz. ca. 25. For the appointing and building of Gaoles, in sundrie shires.

18. Elizab. cap. 20. For amending of Bridges within five miles of Oxford.

18. El. cap. 10. & 27. El. ca. 26. For the reparation of the Ferry called the Kings Ferry in the Isle of Shepey in Kent.

27. Eliz. ca. 22. For Chichester haueu. Of Chichester.

Of the reward, and punishment of
Iustices of the Peace, for things done,
not done or misdome out of the
Sessions of the Peace.

CAP. IIII.

If reward and punishment (as said So-
lon) all common weales doe consist:
For as the care of equitie and Iustice
wareth colde, vnlesse there be rewarde
readie for vertue: So the negligence of euill men
must needes be corrected by seueritie and chastise-
ment of paines.

And therefore, albeit the meaning of our parlia-
ments hath alwaies beene, that choise shoulde bee
made of such person for this office of the Peace, as
needed no reward for their trauell in that behalfe:
yet, to the end that they shoulde with the more ala-
crite and cheerefulnesse proceede in their affaires,
the laws do now and then call them a trifle, rather
to let them know that they do behold their wel do-
ing, then that themselves doe stand in need of any
recompence.

Seruaunts. Whereupon euery Iustice of Peace, (sitting in ex-
ecution of the statute of Labourers & Seruaunts)
shall haue v. s. the day (for three daies together) out
of the forfeitures that grow by the same statute,
5. El. cap. 4.

And if any Person commaunded by two Iustices
of

of Peace (to appeare to be made an Ouerseer to see
the statute of Cloth making kept) do without rea-
sonable excuse refuse to come, and to take vpon
him that office, he is to forfeit for euery such refu-
sal fortie shillings: and thereof those Iustices are
appointed to haue the one halfe by the statute. 3.
Ed. 6. cap. 2.

Those two Iustices of the peace also next adioi-
ning, to whom any Cloth (faultie against the Sta-
tutes) shall be presented, may cut the same into iii.
equall peeces, & shall haue to themselves the one of
the same, by the Act 5. E. 6. cap. 6. & 4. & 5. Phil.
& Ma. cap. 5.

And euery Iustice of the Peace is allowed to
retaine to his owne vse, the one moiety of all stran-
gers goods, calling themselves Egyptians, that he
shall lawfully seise, by vertue of the statute, 2. 2. H.
8. cap. 10.

The Iustice or Iustices of the peace, that do ioine
with the Clark of the Peace, in taking the Conu-
sance of an Indenture of bargain and sale of land
to be inrolled, shall haue xii. d. therefore, if the land
exceede not in value xl. s. by the pere, and ii. s. vi.
d. if it doe exceede that value by the statute, 27. H.
8. cap. 16.

The Queenes Highnesse shall beare the costes
that the Iustices of Peace shall sustaine in the exe-
cution of the statutes, 13. H. 4. cap. 7. of Riots,
&c. 2. H. 5. cap. 8.

And the Iustices of the Peace shall make execu-
tion of the statute of Forcible entries at the costes
of

Cloth.

Faultie cloth.

Egyptians.

Inrolment of
bargain & sale

Riots.

Forcible En-
tries.

Alehouse.

and charges of the partie grieved, 8. H. 6. ca. 9.
Twelve pence is giuen to the two Iustices of peace for taking euery Recognisance of him that is allowed to keepe a common Alehouse, by the statute, 5. E. 6. cap. 25.

Punishment.

On the other side also, the statutes doe now and then correct the dulnesse of these Iustices, with some strokes of the rodde, or spur.

And therefore generally, if a Iustice of Peace will not giue remedy to a partye grieved in any thing that he may heare, determine, or execute: then vpon complaint to the Iustices of assise, or to the Lord Chauncelloz, he shall not onely be put out of the commission by the Lord Chancelloz, but shall also be punished according to his demerites, 4. H. 7. cap. 12.

Ride armed.

And particulerlie, euen at the first it was ordeined, that if the Wardens of the peace did not looke vnto the execution of the statute against such as should ride or goe armed in any place putting the countrey in feare, then the Iustices assigned by the king should enquire of their default, and punish them, Stat. North. 2. E. 3. cap. 3.

Riots.

The statute of Riots, &c. 13. H. 4. cap. 7. laiceth Eli. for seizure vpon those Iustices of Peace that shall dwell nighest to the Riot, &c. if they doe not put that statute in execution.

Certificat.

And those Iustices of the Peace, and Sherife, or vnderherife, which in sending their Certificate to the Queene and her Counsell, (concerning such Riot) do not withal certifie the names of the main-
tainers

tainers and imbracers in that behalfe, with their misdemeanors that they know shall euery of them forfait twentie pounds, vnlesse they haue reasonable excuse for not certifying the same, 19. H. 7. cap. 13.

That Iustice of the Peace which seisseth the Egyptians goods of any Egyptians, and doth not incontinently restore such part thereof as shall be proued before him, to haue bene crastille or feloniously taken, shall forfait the double thereof to such prouer, 23. H. 8. cap. 10.

If any Iustice of the peace shall take any bond Bond (made for cause touching the king) in the name of the Iustice himselfe, and not by the words, *Domino regi*, he shall be imprisoned for so dooing, 33. H. 8. cap. 39.

That Iustice of peace that doth not (after request thereof made) giue attendance vpon the assembly, Queens Lieutenant of the shire, for the suppression of any Rebellion, or unlawfull assembly, shall suffer a yerres imprisonment, vnlesse there be cause of reasonable excuse, 1. Mar. Par. 1. cap. 12. & 1. Eliz. cap. 17.

If any Iustice of peace shall be proued to be in default about the execution of the Act of the poore, by two sufficient witnesses before the Iustices of Assise, at their next general Gaole deliuey, he shall loose b. li. 14. Eliz. cap. 5.

The next Iustice of Peace which faileth in presenting y name of him that presenteth it to him, according to the statute, of shooting in Crossebowes,
Gunnes and Crossebowes,

or guns, shal forfeit xx.s. 2. Ed. 6. cap. 14. But enquire of the continuance of this, as befoze in the 7. Chapter of the 2. Booke.

Agnus Dei.

That Iustice of peace, which doth not (within fourteene daies, after matter uttered to him concerning any Agnus dei &c.) signifie the same to some one of the Queenes priuie Counsell, shal incur the paines of the Act, 16. R. 2. of Premunire: 13. El. cap. 2. And that Iustice of the peace, which after discouery made vnto him by any person, that a-
 nie Iesuite, Seminarie, or whatsoeuer other ecclesiasticall or religious person (professed by any authoritie from the See of Rome) is abiding within any the Queenes dominions, shall not within 28. daies then next following, giue information thereof to some of the Queenes priuie Counsell, or to one of the Presedents in Wales, or in the North, shall forfeit for euery such offence, 200. markes, 27. Eliz. cap. 2.

Certifie into the Exchequer

That Iustice of the Peace which (hauing taken any examination concerning Plaints in the Sherifes Court) doth not certifie the same into the Exchequer within a quarter of a yere after, shall loose xl.s. for his default, 11. H. 7. cap. 15.

Waile and certifie.

Those Iustices of the Peace, which do graunte any Waile contrarie to the Law, or do not certifie the Waile and examination of the Felony according to these statutes, shal pay such fine, as the Iustice of Gaole deliuey shal thinke meete, 1. & 2. P. & M. cap. 13. & 2. & 3. Ph. & Ma. ca. 10.

Euery Iustice of Peace, that (dwelling within seuen

seuen miles of London) doth not (vpon request) assist y Colledge of Philosophers of London in the execution of the statute, 32. H. 8. cap. 8. shall be punished, as one that runneth in contempt of the Queene 1. Mar. cap. 9.

Euery Iustice of Peace, that shall make default in the due execution of this Statute made against the deceitfull stretching of Northen Clothes and Kerlies, made beyond the Riuer of Trent, shall loose v.li. 39. El. ca. 20.

There is also a fine of xx.li. laid vpon euery Iustice of the Peace in Donmouthshire, for his negligence in not repairing the Bridges of Newpott, and Carlion there, 39. El. ca. 23.

And how that Iustice of the Peace shal be punished, that shall take vpon him the Office, not hauing perely xx.li. in lands, it hath appeared already, cap. 6. in the first Booke.

If there be no nomination of Ouerseers of the poore perely according to the Statute euery Iustice of peace dwelling within the diuision shal forfeit to the poore v.li. 43. Eliz. cap. 2.

The Epilogue.

Thus much (so shortly as I could) I thought fit to say, concerning the authoritie of Iustices of the Peace, without the Sessions: wherein I haue rather sought to admonish the (by a sleight view and rehearsal of the most part) what things they haue to handle, then laboured to accomplish them (with full skill) how to administer, and execute them all.

Neither doth that skill and knowledge lie in my power, but in their owne diligence: and must therefore be won by a continual study and painful meditation of the statutes at large: towards their helpe and furtherance, wherein I long since intreated Master *Iohn Tindall* of *Lincolnes Inne*, to take the pains to cull out all those Statutes by themselves, which were in force, and wherewithall Iustices of the Peace had to meddle: not altogether behedding them of their preambles: Nor any whit curtailing them of their words: Nor otherwise dismembriing or scattering their partes in sunder: But laying forth the bodies of them, whole and at large, vnder their proper Titles, together with the materiall parts of their preambles: and not without any of their prouisoies: Therewithall amending the corruptions of the English translation out of the Latin & French: & finally adding vnto them (where need is) some notes of helpfull direction. Which things no other man (that I know) hath hitherto assailed. Al which is so marked out in Master *Rastals* Abridgement, as euery man (that will) may easilie enioy the benefite. And I doubt not, but that (for the absolute accomplishment of so seruiceable a worke) God will hereafter giue him both minde and meanes, to conferre and testifie the whole volume of those imprinted Lawes: according to the originall and Autentique Records: then the which I know not any labour, either more auailable to the Students of the Law, or more
necessa-

necessarie for such as haue any charge thereof in the administration of the Common wealth.

The fourth Booke intreating of the Sessions of the Peace, & of things incident or belonging therunto.

THE PROHEME.

IT may peraduenture seeme, that hauing already stood long in matters that were of the lesse importance, and such as might be dispatched at home *sine strepitu*, I wil be now both long and tedious, when I beginne with those of greater weight, & which do require the solemne *Bench*, and figure of iudgement.

But, as at the first I thought it meet to helpe most, where most need was: I meane, where one or mo Iustices (pressed with the necessity of time, and destitute of the assistance of their learned companions) were to administer their office at home: So now, knowing that at the *Sessios* of the peace, there be comonly many Iustices in number, and (amongst them) sundry so wel instructed in law, as in being too busie with that which belongeth thereto, I shal as the saying is, but *set a Candle in the Sunshine*, and rather bewray want in my selfe, then bring helpe or light vnto them: I suppose to run ouer this residue more swiftly, except it be in a few places, where either the profit, or necessity, (or both) of the matters themselves shall beg licence, and procure pardon for me.

THE DESCRIPTI- ON OF THE SESSIONS of the Peace.

CAP. I.



As a man that hath recei-
ued hurt in his bodie by a
stroke wherof he bleedeth
freshly, will be contented
for the present, to admit
the helpe of anie meane
leech or Surgeon (com-
ming next to hand) for the
stanching of his bloud, and binding vp of the
wound: and yet would moze gladly haue vsed the
conference of diuers expert Surgeons for dooing
the same, if the daunger of the hurt would haue
graunted the time that will bee lost in calling
them together: euen so the common Counsell of
this Realme, finding that the body thereof may be
deepe lie wounded in some one member, and per-
ceiuing that certaine euils must be resisted at the
verie first, (least otherwise they grow past help, and
ware incurable) hath many times thought it good
to contrait to one, or to a few Iustices of the peace
(for that they be ready, and at hand) the stopping
of the blood (as it were) and first drelling of the
wound, by repressing of force, and other outrages,
that do sodainely arise: and hath yet neuerthelesse
(when

(when as the time and matter will permit) poli-
tically established an assemblie, and conference of
all the Iustices at certaine times in a full court, and
open Session.

For it is true, that if the publike Peace should
not be preserued by taking of Suertie, befoze it bee
broken: If such as doe violate the common tran-
quillitie, should not bee committed to prison when
they haue broken it: If seditious talebearers (the
sowers of rebellion) should not be snapt vp and re-
strained: If finally, riotous assemblies should not
be disperfed, and Forcible inuasions withstoode:
and remoued: the hurt bodie would bleed to death,
and too late (and all in vaine) would it bee to sum-
mon a Session for remedie. But when the bridle
is once cast vpon the head of the Offender, then,
and not befoze, is the matter ready for the Sitter.

I will (for this time) call a *Session of the peace*:
An assemblie of any two (or mo) Iustices of the
Peace (one of them being of the *Quorum*) at a
certaine day (and place within the limits of their
Commission) appointed to enquire by a Iurie
(or otherwise to take knowledge) and thereupon
to proceed to heare and determine according to
their power, of causes within their Commission,
and the Statutes referred to their charge.

And this description excludeth all meetings, that
are onely for Enquire: in so much as to enquire,
and not to heare and determine, is but a half doing,
and not worthy the name of a Session of the peace.

It shurteyth out also such assemblies as doe con-
sist

The descrip-
tion of a Sessi-
on of the
Peace.

sist of two Iustices of the Peace, meeting onely to enquire, heare, and determine of a Riot, by vertue of the Statute, 13. H. 4. For that they may do (as also they former) though neither of them be of the *Quorum*. So that it is but a particular seruice, laid vpon two Iustices & the Sherife by this Statute: the Record whereof shall not (as I thinke & haue said already) remaine amongst the Records of the Sessions of the Peace.

And therefore, the assemblie that I meane, is a meeting of such Iustices for the execution of their generall authoritie.

And albeit that happily some one matter be the motiue and chief cause of their comming together: yet if they deale with that and others (within their Commission and charge) let it (on Gods name) passe for a Session of the peace, according to my meaning.

The Sessions of the Peace then, bee grounded chiefly vpon the words of the second *Assignamus* in the Commission: the which (being, *vos, & quoslibet duos vel plures vestrum, quorum aliquem, &c.*) doe very necessarily require the presence of one of the *Quorum*.

A partition of all that which followeth in this booke. And these three things, namely to Enquire, heare and determine, do (in effect) comprehend whatsoeuer belongeth to the Sessions: So that euerie thing whereof I shall hereafter intreate, will concerne, either the Information of the Iustices by enquirie, and other meet meane: Or the Hearing and the triall of the cause it selfe: Or the Iudgement

ment and execution (which is the Determining) giuen and done vpon it. And therefore, in this path (God willing) will I treade, and by it you shall trace me to the end.

Who shall appoint the Sessions of the Peace: and how, and where.

CAP. II.



The Iustices the Peace, do (at their Sessions) take knowledge of causes within their Iurisdiction, either by the oath of Inquirours, or by the presentiment or declaration of other men: And this Inquirie is first prepared, by the apparance of the Officers and countrey, and by the Articles giuen in charge: and then performed, by the presentiment (or endorsement) of them that had the charge to make it. **Preparation for Inquirie.** Now, albeit that these Sessions be commonly, and most orderly, summoned by a precept in writing: yet is it not altogether of necessity (for the making of a lawfull Sessions) to haue it so. For if competent Iustices of the peace do get men to serue and thereupon do hold a Session (without any precept before directed) all presentmentes made before them by twelue lawfull men, shall bee of force in lawe: but no man shall loose any thing for his default of apparance there, because no man had notice

notice of their Sitting Marr.

Reuerthelesse, because the common & moze allowable maner is, to call the officers and Countie together for this seruice, by a Precept to the Shirefe, wherein both the disposition of the Iustices is notified for the holding of a Session, & the seruice and attendance of those others is commanded to be thereat with them (which also they bee well warranted to direct vnto him, by the 2. *Assignauimus* of their Commission, and by the *Mandamus* that followeth thereupon) I will lay downe the forme thereof, which hath bene like to this :

Precept to
summon the
Sessions of
the peace.

EDwardus Hoby miles, & Radulphus Hayman armiger, duo Iusticiar. dom. reg. ad pacem in comitatu Kancia conseruandam, nec non ad diuersa felonias, transgressiones, & alia malefacta in dicto comitatu perpetrata, audiendum & terminandum assignateram, vicecomiti eiusdem comitatus, Salutem: ex parte dictae domine reg. tibi precipimus, quod non omittas propter aliquam libertatem in balliua tua, quin eam ingrediaris, & venire facias coram nobis, vel socijs nostris Iusticiarijs pacis &c. (tali die &c.) proximo futuro apud Maidstone in comit. predicto, tam 24. probos & legales homines de quolibet hundredo in balliua tua, quam 24. milites & alios probos, & legales homines de corpore comitatus tui (tam infra libertates quam extra) quorum quilibet habeat 40. sol. redditus terrarum & tenementorum liberè per annum ad minus: ad inquirendum tunc & ibidem super hijs que ex parte dictae domine Regine eis iniunguntur.

Scire

Scire facias etiam omnibus Coronatoribus comitatus tui, Seneschallis, Constabularijs, Subconstabularijs, & Balliuis libertatum, infra Hundreda & libertates predicta, quod sint tunc ibi ad faciendum & perimplendum ea que ratione officiorum suorum sunt facienda. Proclamari praterea facias per totam balliuam tuam in locis idoneis predictam Sessionem pacis ad diem & locum predictum fore tenendam. Et tu ipse tunc sis ibidem, ad faciendum, & exercendum ea que ad officium tuum pertinent: & habeas ibi tunc, tam nomina Iuratorum, Coronatorum, Seneschallorum, Constabulariorum, Subconstabulariorum, & balliuorum predictum. quam hoc preceptum. Datum sub sigillis nostris apud Shoreland in comit. pred. 16. die Martij, anno regni dictae dom. nostre Reg. Eliz. Dei gratia, &c. 44.

This precept may be made (as here it is) by any two Iustices of the peace, so that the one of them bee of the *Quorum*, for two such may holde a Session of the Peace, as it doth plainly appeare by the commission: and therefore (as P. Marrow saith) it sufficeth not to haue it runne vnder the name of the *Custos Rotulorum* alone, seeing that he hath no moze authoritie in this behalfe, then any one of his fellowes hath: for the words of the said *Mandamus* in the Commission to the Sherefe be *Coram nobis, &c. venire facias, tot & tales &c.* Pea, if two such Iustices make a precept for a Session of the Peace, all their fellow Iustices cannot discharge it by their *Superfedeas*: but a *Superfedeas* out of the Chancerie will discharge it, saith Fitzh.

And

The number
of the Iustices.

And if one Iustice of the peace alone will take vpon him to holde a Session of the Peace, (that was lawfully summoned by him and an other such Iustice) and will make the stile of the Session in the names of himselfe and the other, all presentments so taken befoze him may be auoided: but if the Sessions bee in truth holden by two sufficient Iustices onely, and the stile (or title) thereof bee made in the names of thre, then all the presentments befoze them shall stand good. For it will not helpe the partie to say, that one of the three was not there, when it shall appeare that two of them (the one being of the *Quorum*) were present, which will suffice Marrow.

The time.

Touching the time of holding the Sessions of the peace, I will forbear to speake, till I shall come to diuide the Sessions.

The place.

But the place of holding them is arbitrable, and at the pleasure of the Iustices themselves, so that it be meete for access. And although the precept doe appoint the Sessions to bee holden in some one towne by name, yet may the Iustices keepe it in any other towne, and all the presentments shall bee good that shalbe taken where they hold it: but then againe, no amerciamment can bee set vpon any man for his default of appearance there, because he had no warning of it Marrow.

So if two such Iustices make a precept for a Session to bee holden in one towne, and two other Iustices make another precept for another Session to bee holden at another Towne (or in another part

part of the same Towne) the same day: then the presentments taken befoze either of them shall bee good, Marrow. And then also it seemeth, that hee which serueth at the one Session (as a Iuroz, or officer) shal be excused for his default at the other: because as they both be the Queenes courts, and of equall authoritie: So hee cannot present himselfe in them both at once.

What persons ought to appeare at these Sessions, and therein of the *Custos Rotulorum*, the Records of the Sessions, and the Clarke of the peace, and how the Iurors ought to be qualified and ordred, and of the priuiledge of the Sessions.

CAP. III.



Or the better preparation towardes this Enquirie, let vs peruse the persons that are to attend and doe seruice at the Sessions.

The Iustices of the peace bee so necessarie, as *The Iustices* without them (though all others should appeare) and their *qualitie*. no Session can be kept: and yet if any of them bee absent, their fellow Iustices can not amerce them, as the Iustices of Assise may do for their absence at the Gaole deliuerie: for *Inter pares non est potestas*, & the authoritie of all the Iustices of the peace at the Sessions is equal, so that like power hath he which is not of *p Quoru* with him that is, except it be

be in speciall cases set forth in the commission and Statutes. And therefore, it was holden (3. H. 7. Fitz. tit. Justice del Peace 3.) that if one which is not of the *Quorum*, will bee so bolde as to rebuke one that is of the *Quorum*, he and his companions may not commit him to prison for it. Neither will any discrette Justice take libertie hereby to carpe or scoorne any of his Collegues, because he is equal with them: but will rather draw from hence a lesson, to use them with all lenitie and modestie, seeing that they be not inferiour to him.

And albeit the power of these Justices be toynt at the Sessions, yet (to some purpose) each one hath a distinct power by himselfe also. For, if one of them (sitting in this Iudiciall place) shall see a Riot, he may cause the parties to bee arrested, and may also record the Riot, whereby they shall bee so concluded, as they shall haue none answer to it: Fitzh. tit. Justice del Peace 9.

The Recognizors.

The prisoners.

The Recognizors that stand bound to the keeping of the peace, and to appeare at the Sessions, and such like, be commonly tyed vnto the Quarter Sessions, whereunto I am not yet come: And those prisoners that are sent by Iustices of the peace for Felonie or manslaughter, or suspicion thereof, or bee let to Baile or Mainprise vpon any such offence, bee (for the most part) referred till the Gaole deliuerie, wherewith I haue not to do: The rest of that kind may be brought forth at euery Sessions of the Peace.

But two sortes of men there are that owe their ordinarie

ordinarie attendance at the Sessions, that is to say, the Officers or Ministers of the court, and the Jurors of the countrey.

Amongst the Officers, the *Custos Rotulorum* hath ^{The Custos Rotulorum,} worthily the first place, both for that he is alwaies a Justice of the *Quorum* in the Commission, and amongst them of the *Quorum*, a man (for the most part) especially picked out either for wisdom, countenance, or credite: and yet in this behalfe he beareth the person of an Officer, & ought to attend by himselfe, or his deputie.

For the wordes in the Commission bee to him now by his proper name, *Quod addies & loca pre-dicta breuia, precepta, processus, & indictamenta pre-dict. corā te & dictis socijs tuis venire facias*. (Whereas (vntill the 14. yeare of king Richard the second) that charge was generall to all the Justices, and not laide specially vpon any one person in the Commission: as it doth appeare in the Tower, by the Records which I haue already touched.

This man (as his very name bewraileth) hath ^{Who shall} the custodie of the Rolles (or Records) of the Sessions of the peace: and whether the custodie of ^{keepe the} the Commission of the peace it selfe doe pertaine ^{of the Peace} to him alone, it hath beene made some question.

For Marrow saith, that seeing the other Iustices may hold a Session without him, it is meete they shoulde then haue the Commission with them. But Chocke in the booke (9. E. 4. 2.) holdeth, that a Justice of the peace (in making any Iustificati-on by vertue of his Office) needeth not to shew the

the commission of the peace: because (saith he) the keeping thereof belongeth to the *Custos Rotulorum*; and for the same cause also, the Bailife of a Iustice of the peace shal not be driuen to shew the commission, as it seemeth, 10. H. 7. 7.

And truly, since it is such an entire thing, as can remaine but in the hands of one at once, it seemeth most reasonable, that hee that is put in trust with the rest of the Recordes, should bee credited with the custodie of the Commission also.

The Records
of the peace.

But under the name of the Recordes of the sessions of the peace, I do not comprehend all manner of Records concerning the peace, but those only which ought to be at the Sessions of the peace: as Bills, Plaints, Informations, Inditements, presentments, the Rolles of processes, Trials, Iudgements, Executions, and all other the Actes of the Sessions of the peace themselves: And furthermore, the Ingrossment of the rates of seruants wages, all Recognisances of the peace and good Abearing: Recognisances concerning Felonies, and Ale-house keepers, and such like as ought to bee certified (or brought) to the Sessions, of the Peace, must be numbred amongst the Records of the Sessions of the peace: for of all these there may be vse at the Sessions, and therefore the *Custos Rotulorum*, or some for him, ought to be readie there to shew them.

For which end I take it meete, that howsoever those Recordes haue heretofore bene suffered to lie in the handes of the Clarke of the Peace, and by

by the death or remoue of him haue bene to seeke: yet now the inconuenience being found, and the records themselves being growne to greater bulke, the same should be lodged in some speciall and proper roome vnder safe custodie, and not without an Inuentorie (or register) indented, whereof the one part to remaine with the *Custos Rotulorum*, and the other with the keeper of them.

Now although it were before time at the libertie of a Iustice of the peace, to certifie a Recognisance of the peace to the *Custos Rotulorum*, (as you may see 2. H. 7. 1.) Yet now by the statute (3. H. 7. ca. 1.) hee ought to certifie, send or bring it to the next Sessions of the peace, that the partie may be called, and to the end also, that his default (if hee make any) may be recorded: and by such record of his default, he is concluded to say, that hee appeared there, 13. E. 4.

As for Preceptes for Suertie of the peace, the speciall Recordes for conuictions of forcible entries, Riots, and such like, as bee made out of the Session of the Peace by particular Iustices, and be to remaine with themselves, & not appointed to be certified thither, I cannot reckon them in y^e number of the Records of the Sessions of the peace: no more then I may well doe the Inrolments of bargaines and sales: and such other Recordes lying in the charge of the *Custos Rotulorum*, or Clarke of the Peace.

And now, as this man is (by name and office) keeper of the Records of the Peace: So would it

not a little amend the seruice, if he were (in deed also) carefull for the due preservation of them, and woulde not loosely leaue them (as commonly it is found) to the onely custodie of the Clarke of the peace, without hauing any Register of their number and sorts, and without appointing any convenient place certaine, for the more ready search, and safe bestowing of them: whereby it falleth out very often, that after the death of such a Clarke, these Records are hardly recovered, & that peece-meale from his widow, seruants, or executors, who at their pleasure may embesell, misuse, or conceale what they will: The which, how farre it may reach to the losse of her Priuie in her Fines and forfeits Royall, and to the hurt of her subiects as well in their purchases of lands (the Inrolments wherof also are not alwaies orderly digested) as in their goods, & towards their persons (by p̄siching of Bonds, Enditements, or Processes) I leaue to be debated and decided in the Court of their owne consciences that take this charge vpon them.

Mr. Brooke (Tit. Commission 11.) addeth, that the Records of the Iustices of the Gaole deliuerie do remaine amongst the Records of the peace also. Howbeit I thinke he meant it not of all the records of the Gaole deliuerie.

For as the Iustices of Gaole deliuerie haue their proper Clarke, which maketh vp, and keepeth the Records of thinges determined by their Commission: so the same Iustices (being with all Iustices of peace) do leaue with the Clarke of the

the Peace, Inditements, and such causes of the Peace, as be not determined, but do hang in Process, to the ende that offenders may bee the more speedily Iusticed.

And it appeareth 13. H. 4. 10. that Hanford (Iustice of Gaole deliuerie) at his departure called the Clarke of the peace, and willed him to take the name of a prisoner that had bene sent thither for Felonie without any sufficient prooffe, and to cause it to bee enquired of at the next Sessions of the Peace.

This *Custos Rotulorum* hath credit (by 27. H. 8. ca. 16.) touching Inrolments: by 11. H. 7. ca. 15. to appoint two Iustices of the peace that may control the Sheriffs books: by 27. El. ca. 12. for taking the oath of the Vndersherife, and by 39. Eliz. cap. 12. for keeping the Ingrossment sealed of the rates of Wages for seruants and labourers.

And this office of the *Custos Rotulorum* was of auncient time giuen by the discretion of the Lord Chancellor, vntill that (about the latter end of the raigne of King Henry the eight) sundry persons (no lesse vnworthy to occupie the Office, then greedie to haue the place) did by their owne laboꝝ, and other mens friendship, obtaine at that kinges hands, grants of the same by his Letters Patents, for terme of their liues: by meanes wherof so many euils did shortly ensue, both to the hinderance of Iustice, and to the disherison of the kings subiects, that the last Parliament of his raigne, (viz. 37. H. 8. cap. 1. did somewhat restraine that course: For

The gift of
the Office of
the Custos
Rotulorum.

as it did ordaine, that none should thenceforth be appointed *Custos Rotulorum* in any shire (a fewe places of Priuiledge onely excepted) without a bil signed with the kings hand: So it tooke order also, that the same Bill signed should be but as a warrant to the Lord Chauncellor, to assigne (in the Commissions of the peace) the same person to be *Custos Rotulorum*, only vntill the king shold (by another Bill signed with his hand) make appointment of another person for the place.

But neither this ordinance had any long life: for within a fewe yeares after it was thought so preiudiciall to the power of the Lord Chancelor, and so troublesome a matter to sue to the king for bills so to be signed, that by the Parliament, (3. E. 6. cap. 1.) the Lorde Chauncellour was wholly restored to his auncient authoritie in naming the *Custos Rotulorum* againe (except in such priuiledged places) without expecting any such bill: and that the *Custos* appointed by the discretion of the Lord Chancelour, should enioy the same Office, to be occupied by himselfe, or his sufficient Deputie, in as ample maner, as if that statute (37. 8. ca. 1.) had neuer bene made.

Clarke of the
peace.

The Clarke of the Peace oweth his attendance at the Sessions also. For (omitting that hee hath speciall trust in the taking of Inrolments by 11. H. 7. cap. 15. and that he is (in a sort) incorporate by that name of his office to sue vpon the statute of Huij and Cry, 27. Eliz. cap. 13. generally: & 39. Eli. ca. 25. in one special place: because those things

things haue no reference at all vnto the Sessions: he readeth the Inditements, and serueth the court, he inrolleth the Actes of the Sessions, and draweth the Proccesse. He must record the proclamations of Rate for seruants wages, and inroll the discharge of Apprentices, 5. Eliz. ca. 4. He also is appointed to keepe the counterpane of the Indenture of Armour, 4. & 5. Phil. & Mar. cap. 2. He keepeth the Register booke of licences giuen to Badgers and Laders of coyne, 5. Eli. ca. 12. and of those that are licenced to shoot in Guns, 2. Ed. 6. ca. 14. And he is bound (vnder the paine of ex. s.) to certifie into the Kings Bench, transcripts of Inditements, Outlawries, attainders, and Conuictions, had before the Iustices of the peace within the time limited by the statute, 34. H. 8. cap. 14.

All which things he cannot do, if he be not present: so that he is an Officer to this Court, and is the Clarke of the Iustices, as the statute 12. R. 2. cap. 10. nameth him, and not (as M. Marrow thought) the Clarke of the *Custos Rotulorum* only.

You may reade also (2. H. 7. 1.) that if a Recognisance of the peace be brought in, to the *Custos Rotulorum*, and the partie grieved will not sue forward, then the Clarke of the peace (who is the Clarke & Atturney of the King, saith that booke) shall call vpon it for the Kings aduantage: and I am sure, that the said Statute (37. H. 8. cap. 1.) calleth his place an Office.

Howbeit, the nomination and appointment of

The nomination of the Clarke of the Peace.

him hath long time belonged to the *Custos Rotulorum*: and hee is to enioy his Office so long as the *Custos Rotulorum* keepeth his place: and may exercise it by himselfe, or by a Deputy sufficiently instructed in the Lawe, and admitted by the *Custos Rotulorum*.

And this Office was also (for a time) giuen by the Kings Letters patents for terme of life, as that of the *Custos Rotul.* was, vntill the said statute (37. H. 8. ca. 1.) recontinued the ancient order of giuing it by the *Custos Rotulorum* onely.

The Coroners.

Furthermoze the Coroners (as the common forme of the precept sheweth, and the Statute 27. H. 8. ca. 5.) presumeth) ought to bee present at the Sessions: But yet, that is not for to certifie their Inquisitions, which ought by 1. & 2. Ph. & Mar. cap. 12. to be done at the generall Gaole deliuerie: nor yet to receiue any Approver, for neither that belongeth to the Iustices of the Peace, 9. H. 4. 1. but it is onely (saith M. Marrow) because the Coroners be parties to the Exigents, and be Iudges of the Vlwaries: Howbeit they are (besides that) Conservators of the peace also, and may (in cases) commit men to prison, and therefore ought to be at the Sessions, to object against them.

The Sherife

The Sherife in like manner ought to attend at these Sessions, for the double duty that he beareth: the one as Shirife to returne the Precept, to take the charge of prisoners, and so to serue the Court otherwise, as hee hath in charge by the *Manutenus* that is mentioned in the Commission: the other,

other, because he also hath Care and Charge of the Peace.

The Bailifes of Franchises, and the Constables of Hundreds are to serue heere, the one as Ministers, and the other as Jurors, & therefore ought to giue their attendance.

And euery of those (except it be the *Custos Rotulorum*: for thereof I doubt) may without controuersie be amerced, if they make default.

But the Ordinarie oweth not his attendance at any sessions of the Peace, as he doth at euery gaole deliuerie, in the opinion of M. Marrow. In deede he is not warned by the common forme of Precept, and therefore cannot so conueniently take knowledge of the sessions of the Peace. Howbeit, I thinke that he ought to serue, when he shall be called, for matter of Clergie.

The Ordinarie.

But especially, here ought to appeare such Jurors, as be returned by the Sherife, and warned by his Bailifes, whether it be for Enquiry, or triall. And in this behalfe, both the commission, the common forme of the precept, and the Law it selfe (11 H. 4. cap. 9.) willeth, that they should be, *Probi & legales homines*.

Jurors for Inquarie and triall.

If or, if any of them be discredited in Law, as by Attainder in Conspiracie, Attaint, *decies tantum*, Subornation of Periurie, Concealement, or such like, they be not *Probi*, & their presentment is void by it, vnles there be xii. (besides them) that are not so blemished.

Againe, if they be outlawed, abiured, condemned in a

in a Premunire, or attainted of treason, felonie, or such like: then be they not *Legales*, and their presentment is meere void also, as it may be gathered vpon the case, 11. H. 4. 41.

And women, infants vnder fourteene peeres of age, Aliens, and such as be within orders of the Ministerie, or Clergie, cannot be empanelled amongst others. Mar.

Generally also, these Iurozs ought, either to be inhabiting within the Shire, or els to haue lands there: for the Comission willeth, that they should be such, *Per quos rei veritas melius sciri poterit*: which must needs be vnderstood of such, as haue cause to know the Countrey: And the Precept is vsually accordyng to the same forme, especially (in the Countie of Palatine of Lancaster) ech Iuroz of enditement & triall, ought to haue to the perely value of v. li. by order of the statutes, 7. H. 5. ca. 1. 18. H. 6. cap. 12. & 33. H. 6. cap. 2.

If any of these Iurozs returned, be threescore and ten yeres of age, or haue any continuall infirmite, or be otherwise decrepite, yet that shall not excuse him for not appearing, if the Iustices will exact his seruice: but he is byiuen to his Action vpon the statute (W. 2. cap. 38.) against the Sherife for his returning of him, Marr.

And if he haue a Charter of Exemption, hee ought to shew it to the Sherife: against whom (if he wil not withstanding empanel him) he may haue onely his Action vpon the Case, and none other remedie, 18. H. 8. 5. *Chr.* which may be truely said, as

to

to the sauing of his issues: but (by some other bookes, and namely 42. Ass. pl. 5. and Mar.) he is to be discharged vpon his apparance, and speciallie where he hath in his Charter of Exemption these woordes, *Licet tangat nos*, vnlesse it fall out that there want others that be sufficient to serue and furnish the number, in which case, none is to be spared.

Now, though some of the Iurozs of this Enquirie, be of affinitie (or consanguinity) with anie partie griued, that procureth the inditement: yet that hindereth not their presentment: howbeit it is no discretion, for the Iustices to suffer any such to be empanelled.

Our common maner in Kent (agreeing with the forme of the precept) is to returne particuler Iuries for the Hundreds, and one generall Iurie for the bodie of the shire: this last is made by with vs (for the most part) of the Constables onely: and those others (if they be not filled at the first) are wont to remaine, and to be renewed with the Tales from Sessions to Sessions. But that vsage is no smal hinderance to the seruice (as many do thinke) by reason that (those particuler Iuries being seldom serued with ful apparance) the whole Enquirie standeth onely vpon their labour that are empanelled for the bodie of the Shire, that is to say, vpon one man of each Hundred, or two (at the most) who cannot be thought to see so much as a whole Iurie of eyes both may and doth see.

And therefore, they thinke, that it were good to make

General and
particular
Iuries.

make vp some of the particular Juries also (when they be not full) *de circumstantibus* of other Hundreds: by which meane, either the whole Shire, or (at the least) a great many parts thereof, might be perused, and serued.

And to this opinion M. Marrow seemeth to incline, saying, that in default of those which are returned, the Iustices may take a Jurie *de circumstantibus*: And hereunto also the Statute (3. H. 8. ca. 12.) sheweth some good consent, in that it giueth power to the Iustices, by their discretion to command the Sherife, or his deputie, to adde, alter, or diminish the names of the pannell, which if he refuse to doo, he shall forfait xxx. li. for his contempt.

Neither is it to be objected, that men (being all of one Shire) may not take knowledge of things done in diuers Hundreds: Seeing, they haue diuers occasions of meeting together, as at the Collicie Court, the Sherifes turnes, the Assises, and general Quarter Sessions. And if a Jurie of one Hundred would make presentment of an offence done within any part of the Shire (out of their owne Hundred) this were good in Law.

Besides the which (if M. Marr. mixture be followed) fewe of them that doe appeare, shall loose their labour, whereas now the most part of them doe come in vaine.

But these men be not truely Jurors, till they be sworn, as their name pretendeth, and otherwise their presentment is utterly void. And if it should
(by

How they of
the Jury must
be sworn, and
ordered.

(by any ouersight) happen, that they or some one of them, were not sworn at all: yet if the Recorde make mention, that they be sworn, their presentment is of force ynough: for the Recorde may not be gainesaid.

And the Iustices may (vpon cause) remoue a Juror, after he is sworn 20. H. 6. 5. Againe, if (after the swearing of the Jurie) their seruice be put off till the next day, (vpon any vrgent occasion) then may they be sworn of new, as if they had not before appeared, 7. H. 4. 38.

Each Jurie of Enquirie ought to containe xii. in number at the least, and if there be 18. (or moe) it shall not bee amisse: Yea, it is a common order with vs, to haue them of an odde number, as 17. 19. or 21. to the ende (as it seemeth) that if they should dissent in opinion somewhat equally, yet there should bee alwaies one to weigh downe the side, and cast the ballance. But if xii. of them doe agree, the gain-saying of the residue cannot hinder the presentment. Yea, the Law was (in the time of king Elthred) that in a Jurie of xii. the agreemēt of viii. should preuaile and make a good verdict, although for a long time together it hath beene, and yet is otherwise vsed.

The Iustices ought not to commit these Jurors of enquirie to any keeper: nor to keepe them without meate or drinke: nor to carry them out of the Towne: and yet they may adiourne them to another place, to giue their verdict.

If these Jurors doe wilfully conceale offences
(Concealment
(presentment)

(presentable and that bee complained of by Bill) then may the Iustices choose an Enquest of persons (whereof euerie one may dispend xl.s. by yere) to enquire of their concealement: And if any such concealement bee found within the yere, euery one of the first Enquest shall be amerced in full Sessions, by the discretion of the same Iustices, 3. Hen. 7. cap. 1.

And because the Jurors of those daies were yet wilfully in their concealements, it was provided within eight yeres after, that the Iustices of peace should determine causes, vpon information, without any such presentment. But manie times *In vitium ducit culpa fuga*: and therefore, that ordinance endured not long, as you shall hereafter perceiue.

Neuerthelesse, it is to be wished, that these and such other Inquiroyrs would more carefully employ themselves in that seruice, which is the chiefe and almost the onely ground, whereupon the Iustices are to work: considering that rarely any other then common promoters (that hunt for priuate gain, and are not led by zeale of Justice) wil be intreated to informe against offenders.

And this shal they the better doe, if they will be directed by these fewe counsels, following, viz. First, that they come prepared, to further the good of their Country, and not to saue their issues, or to serue for fashion sake: then, that they giue credite to credible persons, swozne to informe them: thirdly, that they measure their doings by the right line
of

of Lawe, and not by the crooked corde of a pretended equitie and counterfeite conscience. Furthermore, that they hold not a court of comon plea, by admitting pzoofe of witnesses against the Queene, as knowing that they are not to trie an issue, but to offer an information, the truth or falsitie whereof shal be afterwards tried by another Jury: Finally, that they discouer not their owne doings, for it is vsually a part of their oath, that they shal keepe the Queenes Counsel, and their fellowes. And we read in Fitz. (in Coron. 207. & 272.) that to indite a man of felony, and then to shew abroad to others what they haue done therein, hath bin taken for felony: Howbeit, that offence is now holden to bee fineable onely.

keepe counsel

And now, as all these owe their seruice at the Sessions, either by reason of their Office, or by vertue of the Sommons: So all others also may freely attend there, if not for any thing that specially concerneth themselves, yet for the aduancement of publike Justice, & for the seruice of the Queene. And to this end, they are inuited thither (as I may say) by a certaine freedome of access, and by protection from common arrest: a thing, that is incident to each court of Record, & without the which, Justice should be greatly hindered. So that, if a man come voluntarily to these Sessions, with the minde, either to preferre any bill of Enditement, or to giue information against an other: or to tender a fine vpon an Enditement, touching himselfe: or doe come compelled to make appearance for the

Priviledge of the Sessions.

the sauing of his bond: and be arrested by the Sheriffe vpon common & originall procelle, in his coming thither, or during his carrying there: it seemeth that (vpon examination of the matter vnder his oath) he shall be dismissed thereof by the priuiledge of this Court, euen as it is vsed in the higher Courts at Westminster, 1. H. 7. 12. &c.

Of the Articles that are to bee giuen in charge, at the Sessions of the Peace.

CAP. IIII.



It was the auncient manner, that twise in the yere at the Sherifes turne (which was sometime a court of great authoritie, & called Shire-moote,) the Bishop of the dioces, and the Alderman (or Carle) of the Shire, should be present: the one, to informe the people in the lawes of God: and the other to instruct them in the lawes of the land: Archaionom, *In legibus Canuti*, cap. 17.

And it were to be wished, that as there is commonly at euery Assise, a Sermon (uttered by some learned man) so also the like might be at each generall (or quarter) Sessions of the peace. For seeing that the lawes of men must be obeyed for God, it doth of necessitie ensue, that he which will seeke

to

to haue man obeyed rightly, must first cause God to be preached truly.

The Iustices of the Peace (saith M. Fitzh.) for their parts be bound to informe the people: and (no doubt) the charge is giuen, as wel to instruct those that be ignorant, least they offend vnwares: as to enquire of those that haue already fallen into danger by offence and thereof it is, that many statutes doe expressly commaund, that they shall bee openly read (or declared) at the Sessions, as you shall see in place for it.

But the maner of giuing the Charge, and receiuing the Verdict at this day, differeth from that which the Iustices in Eyre were wont to vse: for you may see M. Bracton fol. 116. that first one of the Iustices did open before the whole assembly, the benefits of the seruice in hand: the commodities of keeping the Peace: and the euils of the contrarie: and that then the Articles of the Charge were read by one and one to the Jurors: who (receiuing the same at the hands of the Iustices) did also make answer (in the yeelding vp of their verdict) to ech article seuerally, and by it selfe.

Which custome, as it had many profits: so is it woorthie (in mine opinion) to be recontinued and brought in vze againe.

Neither ought the multitude of the Articles (now inquirable) to discourage any man in this behalfe: for if those lawes which be least seruiceable (either for the present time, or for the place, or other iust respect) were onely touched or run ouer,

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The auncient
order, of gi-
uing the
charge in Eyre

by way of short articles: then would there be the more time afforded for speech, that might be well spent, as well in discourse of exhortation, or debortation, as in the larger handling of such other statutes, whereof there is greater use and necessitie. And this libertie the Iustices in Eire themselves did use also, as the same H. Bracton in the same place reporteth.

The points of
the charge di-
vided.

The points of the charge that we haue in hand, may be reduced to a few heads, & that after sundry sorts of distribution: of which (for examples sake) I will shew you some. First thus:

1 All the matters inquirable, be either Ecclesiasticall, or Lay, and Temporall, and these Temporal, be either high treasons, petite treasons, felonies, or otherwise punishable and fineable offences: D; thus,

2 All these points, doe either concerne God, the Prince, or Subiect: D; thus,

3 The breach of these Articles, is offensive, either against the first, or the second Table of the x. Commandements of God: D; thus,

4 All these matters be enquirable, either by vertue of the Commission of the Peace, and of the statutes therein implied, or els by power of the Statutes not comprehended within the Commission: D; thus,

5 All these Lawes doe either command or prohibit, things agreeing, or repugnant to some of the foure Cardinal (or principal) vertues, Prudence, Iustice, Fortitude, or Temperance: D; thus,

6 All

6 All offences inquirable here, be either voluntarie, inuoluntarie, or mixt: or thus,

7 All these ordinances doe either draw vs to the good, or withdraw vs from the euill, of the mind, the bodie, or Fortune: D; thus,

8 Men doe offende these lawes, either by dooing nothing of that which is commaunded: or by dooing an other thing then is commaunded: or by dooing that amisse, which is commaunded wel: or thus,

9 These lawes bee offended, either by dooing too much, or too little.

They may also bee diuided, by the varietie of the punishments, and by some other accidental respects: all which I leaue to the choice of such as shal giue them in charge, and will now (for this time) set downe the Articles themselves, after the order of the first and third sorts of diuision, pointing out in the first place the Ecclesiasticall causes, and then pursuing the Temporal.

In which doing, first, I will omit all such statutes, as doe concerne, but onely some one, or a few particular places: knowing that I write to the most part, who haue not to do with them.

Secondly, I will purposely pretermitt the distinct rehearfall of punishments, contained in the statutes that I am to run thorow: as well for breuities sake, because those doe rather pertaine to the Iustices, then to the Iurors, as also for that I haue an auncient Precedent or two, to make for me: the one of the Iustices in Eire, who (in their charge)

The manner of
this charge.

did onely read the Articles in offence, without saying any mention of the paines due vnto the same, As it appeareth by *Bracton*, *Britton*, and the smal volume of the olde Statutes, vnder the Title, *Capitula Itineris*: and another like, of the Articles deliuered to the Enquest of office, in the Kinges Bench, as is to be seene in the book of *Assises*, lib. 27. pla. 44.

And yet, if in some speciall point it may be seruiceable, to haue the pain: of the Law laide wide open (as in a great many, though the lenitie thereof, it will doe no good at all) the Reader shall finde it for the most part quoted in the *Margine* heare, & readie to be vsed by him.

Lastly, I will neither recite al the parts of each generall Statute by it selfe, nor yet comprehend them wholly and fully with others: because the first of these waies would be very long, though the often iteration of the same things, and the other would be so crooked and comberous (though the varietie and difficultie of the exceptions) that the hearer would be many times lost, before I shoulde come to the end.

I know, that *M. Fitz.* was of the opinion, that the Iustices of peace ought at their quarter Sessions, and might at their priuate Sessions, giue in charge to the Enquest, all such matters as they haue power to determine: and this he vsgerh, aswel by the oath of the Iustices (who are sworne to doe right in all causes within their Commission, or the Statutes) as also by the ignorance of the Iurozs, who

who be instructed onely by the charge: which if it be so, I see not (for my part) how either these Iustices (that are bound to hear all) can bee discharged, or the Iurozs (that ought to heare all) can be enforced without this, or some such compendious and plaine way, that may both shortly for the time, and lightsomly for the order, comprehend the chiefe substance of al that which belongeth to their Enquirie.

Howbeit, as I thinke it the best for the Iustices, to rehearse all such points, whereof the Iurie may make presentment before them: so yet, I hold them discharged (in my slender opinion) if they unfold onely the articles of their Commission, and of such other statutes as doe expressly authoize them to make Enquirie.

For, as there be sundry lawes that doe giue to Iustices of the peace a certaine special (or particular) power in them & doe not yet yeeld vnto them any authozitte to enquire vpon the same (of which sort be *Statutes*, 27. H. 8. ca. 20. & 32. H. 8. ca. 7. of Tithes: The statute 35. H. 8. ca. 17. of Woods: The statute 23. El. ca. 9. of Logwood, and sundrie others:) So also there be diuers others, that do asfor to the Iustices of peace the power of hearing and determining, and yet do not expressly giue them the name of Inquirie.

And, soasmuch as they may heare and determine of these, by Information (giuen to themselves, and by them recommended to the Iurie) it seemeth to me, that they be not so necessarily bound to giue them

them in charge, but that they be well inough discharged, if they be open and readie to receiue the informations and presentments that shall be offered vpon them: And of this kind be the statutes of Highwaies. (5. El. cap. 13. & 18. Eliz. cap. 9.) the statute of Fighting in Church or Churchyard (5. Ed. 6. ca. 4.) the statute of Informers (18. El. cap. 5.) and sundrie others, whereof it would be superfluous to make rehearfall.

Neuerthelesse, because I will not that my fantasie shall either stand against his iudgement, or be prejudicial to other mens profit, I haue contented (what I may) to deliuer the principall & most seruiceable parts, not onely of the Commission and of such Lawes as doe specially containe their Inquiritie within them, but also of all such other statutes as may be heard and determined by Iustices of the Peace at any their Sessions: and that in so narrow a roome, as (if I be not after some prooffe, deceiued) they may be distinctly read ouer in a couple of houres, at the most: So alwaies, that the varieties of the punishments, the peres of the Kings and their Parliaments, and such other Notes as fall in by the way, be left vnread, and bee passed ouer.

Ecclesiasticall causes.

Extoll any
foraine power

If any person haue (within this halfe yere) by writing, printing, teaching, preaching, expresse deeds, or act, aduisedly, maliciously, and directly affirmed, holden, set forth, or defended, the authoritie, prehe-

preheminence, power or iurisdiction Spiritual or Ecclesiasticall, of any foraine prince or person

whatsoever heretofore claimed,

1. Premunire. used, or vsurped in this realme, or any the Queenes dominions, or haue aduisedly, maliciously, & directly, put in vse or executed any

2. Treason. thing for the extolling, setting forth, or defence of any such pretended or vsurped iurisdiction, preheminence, or authoritie, or any part thereof. Or if any person (compellable to take the oath of Recognition of the M. Maiestie to be

supreme Gouvernor in all causes within her dominions) haue refused to take the

1. Premunire. said oath, after lawfull tender thereof to him made, 1. Eliz. cap. 1. 5. Eliz. cap. 1. enquirable by

2. Treason. words of 23. Eliz. cap. 1.

If any person, vnder the Queenes obedience haue at any time (within this yere) by writing, cyphe-ring, printing, preaching, or Act, aduisedly holden, or stood with, to extoll, or defende the power of the Bishop of Rome, or of his See heretofore claimed Pope, or vsurped within this realme: or by any speech, open deed, or act, aduisedly attributed any such manner of authoritie to the said See of Rome, or to the Bishop thereof, within any the Queenes dominions, ye shall present him, his abbettors, procurers, counsellors, aiders, and comforters, 5. El. cap. 1.

If any person haue by any meanes practised to absolue, perswade, or withdraw any other within

Withdraw as
ne from obe-
dience,

Treason.

the Queenes dominions from their natural obedience, or (for that intent) from the religion now established here, to the Romish religion, or to moue them to promise obedience to the See of Rome, or other estate: Or if any person haue bene willinglie so absolved, or withdrawne, or haue promised such obedience.

Misprison of
Treason.

And if any person haue willingly aided or maintained any such offendor, or knowing such offence haue concealed it, and not within xx. daies disclosed it to some Iustice of Peace, or other higher Officer, 23. El. cap. 1.

Whistle.

1. 200. markes, and a yeres prisonment.

2. 100. markes, and a yeres prisonment.

If any person haue said
1. or sung Whistle: or haue
willingly 2. heard Whistle,
23. El. cap. 1.

If any person haue used, or put in vse, any Bull, writing, or instrument of absolution or reconciliation, or of other sort, gotten from the Bishop of Rome, or See of Rome, or from any person claiming authoritie from the same: Or haue by coloz of any such taken vpon him to absolue, or reconcile any person: or haue published any such Bull or instrument, Or if any person haue receiued such absolution, or haue procured, abbetted, or counselled any such offendor, to the intent to uphold such offence.

If any person haue (after such offence) aided, comforted, or maintained such offendor, to the intent to uphold the authoritie of the said See of Rome.

If any person (to whom such Bull or Instrument
hath

hath bene offered or perswaded) haue not within five weekes next after signified the same to some of the Queenes priuie Counsell, or to the Queenes priuie Counsell, or to the Lord President of the North, or of Wales.

If any person haue brought hither from the bishop or See of Rome, or from any person authorized, or claiming to be authorized by any of them, any *Agnus Dei*, crosses, pictures, beades, graines, or such like superstitious things, and haue the same deliuered, or caused, or offered to bee deliuered to any the Queenes subiectes to vse or weare in any wise: and if any person haue to such intent receiued or taken the same, and haue not apprehended the officer thereof, nor within three dayes after disclosed him to the Ordinarie, or to some Iustice of the peace, nor within one day deliuered the thing to some Iustice of the Peace 13. Eli. cap. 2. 23. Eli. cap. 1.

If any person (being at libertie or out of hold) haue since the 8. day of May, in the 27. yeare of her Maiesties raigne, wittingly and willingly, receiued, aided, or maintained within any part of her highnes dominions, any Iesuit, seminarie priest or such other priest, deacon, or religious, or ecclesiastical person, being borne within this realme, or any her highnes dominions, & (at any time since midsummer in the first yere of her Maiesties raigne) made, ordained, or professed by any authoritie deriued, challenged, or pretended from the See of Rome, knowing him to be a Iesuite, Seminarie priest, or
other

other such priest, beaçon, or religious or ecclesiastical person, 27. Eli. cap. 2.

**Felonic.
Coniuration.**

If any person haue vsed Inuocation, or coniuration of euill spirites for any cause: or haue vsed Witchcraft, Inchantment, Charming, or Sozcerie, whereby any person is killed or destroyed, 5. Eli. cap. 16.

**De-
fence**

- If any person haue practised any Witchcraft, enchantment, charme, or Sozcerie, wherby any person hath beene wasted, or lamed, in body, or members: or wherby any the goods, or cat-tels of any person haue beene wasted, or empayzed. And if any haue beene aiders, or counsellors, to any of these.
- 1 One yerres imprisonment, & foure times on Pillorie.
 - 2 Felonie.

**De-
fence**

- If any person hath vnderaken, by Witchcraft, Inchantment, Charme, or Sozcery, to tel in what place any treasure of Gold or siluer might bee found: or where goodes lost (or stollen) should become: Or
- 1 Prisonment and pillorie as before.
 - 2 Forfeit all goods, and prisoned for life.

if any person haue practised any Sozcerie, Inchantment, Charme, or Witchcraft to the intent to prouoke any person to unlawfull loue, or to hurt or destroy any person, in body, member, or goods, 5. Eliz. cap. 16.

Prophecying.

If any person haue within these five Monethes aduisedly advanced, published and set forth by writing, printing, open speech, or deed, to any other person, any fantasticall or false prophecy, vpon armes, fields, beasts,

**De-
fence.**

- 1 Tenne pounde, and
- 2 yerres imprisonment.

beasts, or badges, or vpon any time, name bloodshed, or war, to the intent to make thereby rebellion, dissention losse of life, or other disturbance within the Queens Dominions, 5. Eliz. cap. 15.

2 All his goodes and prisonment for life.

If any person haue by setting of figure, casting of natiuitie, or by calculation, prophecie, Witchcraft, Coniuration, or other unlawfull meanes whatsoeuer, sought to know, and haue set forth by expresse wordes, deed, or writing, how long her Maestie shall liue, or who shall raigne after her decease: or els haue aduisedly, and with a malicious intent against her Maestie, vttered any direct prophecie to such purpose. And if any person haue aided, procured, or abetted any such offenders, 23. El. cap. 2.

Felonic.
Set forth how long the Queene shall liue.

If any person haue unlawfully procured any other to commit wilful and corrupt periu- rie, in any cause depending in suit in any of the Queenes Courtes of Record, or in any Leete, Court baron, hundred, or Court of ancient demesne: or haue corruptly suborned any witnesses sworne to testifie in perpetua rei memoriam: or if any person haue vpon such procurement, or by his owne act wilfully committed such Periu- rie, 5. El. ca. 9. & 14. El. ca. 11.

Halfe a yeres prisonment, stande vpon the pillorie, and disabled for a witnesse.

If any person hath of purpose, maliciously or contemptuously molested, or by any unlawfull means misused any preacher lawfully authorized, in any his open Sermon or preaching, in any church, or other place

Three monthes prisonment, and bound to his good port,

used

bled, or to be appointed: and who were his aiders, procurers, or abettors, 1. Mar. cap. 3. Learne if this statute do stand for this part.

Sacrament.**Imprisonment and fine.**

If any person haue (within these 3. monthes) by contemptuous, or reuiling words, or haue aduisedly in any other wise, depraued, despised, or reuiled the blessed Sacrament of the body and blood of Christ, 1. Edw. 6. cap. 1. & 1. Eliz. cap. 1.

Service and Sacraments.

If any Parson, Vicar, or minister haue refused to vse the common praier, or to minister the Sacraments according to the booke of common praier: or (wilfully standing in the same) haue vled any other forme in open praier, or in administration of the Sacraments, or haue spoken any thing

Fine.

- 1 Losse of his promotion for a yeare: and imprisonment by Sixe Monethes.
- 2 Deprivation, and imprisonment by a yeare.
- 3 Deprivation, & prisoned for all his life.

- 1 100. markes, or sixe monethes prisonment.
- 2 400. markes, or twelue monethes prisonment.
- 3 All his goodes and prisonment for life.

Repaire to Church.

If any person (being aboue the age of sirteene yeares, and not hauing lawfull and reasonable excuse to be absent) haue not repaired and resorted to his

his or her parish Church or Chappell accustomed, or (vpon let thereof) to some vsuall place where common praier is to be vled, vpon euery Sunday and other holy day: and haue not there orderly and soberly abiden, during y^e time of such comon praier, preaching, or other seruice of God: and how long such person hath sozborne so to repaire and resort, 1. Eliz. cap. 2. & 23. Eliz. cap. 1.

If any Popish Recusant, or other Seditious Sectaries: which is by any the Statutes (35. Eli. cap. 1. & 2.) to be abiured this Realme and all her Maiesties Dominions haue either refused to make such Abiuration, or making it, haue not gone to such haue within such time, as was to him there: fore appointed, and haue not from thence departed this Realme: or after such departure haue returned into any her Maiesties Dominions without her speciall licence, 35. Eliz. cap. 1. & 2.

If any person haue kept or maintained any Schoolemaster which Schoolemaster. resorteth not to the Church, or is not allowed by the Bishop or Ordinarie of the diocesse, 23. Elizabeth cap. 1.

The maintainer 10. li. for each moneth.
Schoole-master prisoned for a yeare, and disabled.

If any person haue maliciously stricken any other with any weapon, in any Church, or Churchyard, or drawn any weapon there to that intent, 5. Ed. 6. cap. 4.

Fighting in Church or church-
garde.

Loose one of his eares, or to be marked with f.

If any person haue kept faire or

faire or Market in Church-
garde.

market

Fine.

market in the Churchyard, Stat. Winton.

Robbe Church 02

13. Eliz. 1.

Chappell.

Felonie.

If any person haue feloniously taken goods out of any Church 02 Chappell.

Felonies in Lay causes.

Petite Treason.
 Seruant and maister
 Husbände and wife,
 Clarke and Prelate.

If any seruant haue killed his 02 her maister, 02 mistresse: 02 any wife her husband: 02 any Ecclesiasticall person his prelate 25. E. 3. cap. 2.

Murder.

Felonie: and so be the
 rest that follow.

If any person haue (of pretended malice) killed 02 murdered another, openly 02 privately, whether he that was killed were an Englishman 02 a straunger, liuing vnder the protection of the Queene.

Poisoning.
 Murder.

If any haue wilfully killed any other by poisoning: and who be his aiders, abettors, procurers, and counsellors. 1. E. 6. cap. 12.

Handslough-
 ter.

If any person haue by chance-medley feloniously killed another.

Cut out tong,
 02 put out eyes

If any person haue of malice prepensed, cut out the tong, 02 put out the eyes of any of the Queenes subiects, 5. H. 4. cap. 5.

Gaoler hand-
 ling straitly
 his prisoner.

If any Gaoler, keeper, 02 underkeeper of a prison, haue by duress and paine compelled any his prisoner, to become an appeacher of others against his will, 14. E. 3. cap. 10.

Buggerte.

If any person haue committed the detestable vice of Buggerie with men 02 beast, 25. H. 8. cap. 6. & 5. Eliz. cap. 17.

If

If any man haue rauished a maide, widowe 02 Rape.
 wife, aboue tenne yeare of age, against her will,
 though she consented afterwarde, W. 2. cap. 34.

If any man haue carnally knowen and abused Child.
 any woman child, vnder ten yeares of age, though
 she consent before, 18. E. 1. cap. 7.

If any person haue taken a maid, widow, 02 Take woman
 wife, hauing lands, 02 goods, 02 being heire appar-
 rant to any, against her will unlawfully (other
 than his warre, 02 bondwoman) and of his procurers,
 abettors and receiuers, knowing thereof, 3.
 H. 7. cap. 2.

If any person haue robbed another, going 02 ri- Robberte.
 ding by way, 02 otherwise, how much, 02 how lit-
 tle soeuer it be that he taketh from him: 02 haue
 priuily and fraudulently picked 02 cut the purse of Cut purse.

another, being vpon him, 18. Eliz. cap. 4. 02 haue Robhouse.
 robbed any house by day, 02 by night, any person
 being in the same, 02 thereby put in feare: 02 haue
 robbed any person in any part of his dwelling, the
 owner, wife, children, 02 seruants being therein,
 02 within any other place within the precinct ther-
 of and then being waking 02 sleeping: 02 haue
 robbed any person being in a tente 02 booth, in a
 faire 02 Market, the owner, his wife, children, 02 Booth 02 tent
 any seruant being then within the same, sleeping
 02 waking, 5. Ed. 6. cap. 9. 02 hath robbed by day
 time (though no person were then therein) any
 dwelling house, 02 outhouse thereto bled, & hath
 taken thence goodes to the worth of v. s. 02 aboue,
 39. Eli. ca. 15.

If

**Larcenie and
petite Larceny**

If any person, or persons, haue feloniously taken the goods of any other: and whether the same bee aboue twelue pence in value, or vnder.

Puruepours.

If any puruepour for the Queenes Maiesties house, or his vnder taker, deputie, or seruant, haue made any purueyance without warrant, and haue caried any thing away against the consent of the owner, being aboue vij. s. in value 28. E. 1. cap. 2. 18. E. 2. cap. vltim. 5. E. 3. cap. 4. 2. & 3. Phil. & Mar. cap. 6.

If any puruepour of the Queene, or his vnder taker, deputie, or seruant, haue taken any carriage in any other maner then is contained in his commission, 36. E. 3. cap. 2. Or haue made purueyance without the testimonie and appraisement of the Constable, and foure honest men of the towne, and without deliuering tales or indentures vnder his seale, testifying his purueyances, the goods being aboue twelue pence in value, 5. E. 3. cap. 2. 25. E. 3. ca. 1. Or hath taken any sheep with their wools betweene Easter and Midsummer, at small prices, and caried them to his owne house, & shorne them, 25. Edw. 3. cap. 15.

Quere, if the felony of purueyours (made 36. E. 3. ca. 6.) be not altered by 23. H. 6. cap. 14.

If any person haue found a Falcon, Tercelct, Lanoz, Lanerct, or other Falcon, that was lost, and hath not forthwith brought it to the Sheriffe, that he might proclaime it, but did steale and carry away

away the same, 34. Ed. 3. cap. 22. 37. E. 3. ca. 19.

If any seruant (being 18. yerres of age, and not being an Apprentice) hath gone away with, or hath conuerted to his owne vse, any money, iewelless, goods or cattels of his maisters or mistresses, and of his or her deliuerie to keepe, of the value of forty shillings, to the intent to steale the same, 21. H. 8. ca. 7. 5. Eliz. cap. 10.

If any person haue by night broken any house, tower, walles, or gates, and hath entred in with an intent to do any robberie, murder, or other felonious act there: Or if any person haue burned any dwelling house: or haue by night burned any barne neare to a dwelling house.

If any person imprisoned for felonie, haue broken the prison, 1. Ed. 2. Or if any other person haue broke the prison for such a prisoner, by which he escapeth: Or if any Gaoler haue willingly suffered such a prisoner to escape: and if any person, being arrested for felonie, haue bene rescued, and by whom.

If any person haue deuised unlawfully & maliciously to set at libertie any prisoner indited of treason (concerning the Queenes person) and haue expressly uttered the same deuise, 14. El. cap. 2.

If any person haue deuised maliciously to take or keepe from the Queene, any of her Castles, townes, fortresses, or holdes, or to raze, burne or to destroy any of them maliciously & traitterously (the same hauing munition, or soldiors therein of hers) and haue uttered the same deuise, 14. El. cap. 1.

**Servant em-
beffelling
goods deliue-
red.**

Burghlarie

**Burne house
or barne.**

**Breake pri-
son.**

**Enlarge a
prisoner.**

**Take, keepe
or destroy
Castles, &c.**

Conuey mu-
nition, or vic-
tualls.

If any person, hauing the charge or custodie of any Armour, Ordnance, Munition, Shot, Powder, or habiliments of Warre of the Q. Maesties, or of any victualles (prouided for the victualling of any Souldiers, Gunners, Hariners, or Pyoners) shall for any lucre, or gaine, wittingly, aduisedly, and of purpose to hinder or impeach her Maesties seruice, embeslie, or conueigh away any of the same, to the value of xx. shillings at once or at severall times, 3 1. Eliz. Reg. cap. 4.

Hunting by
night.

If any person haue unlawfully hunted in the night, in any Forrest, Parke, or warren, or with painted faces, visors, or other disguisings, to the intent to be unknowne, and haue vpon examination by one of the Queenes counsell, or by a Iustice of Peace of the same shire, wilfully concealed such hunters or hunting, or haue disobeyed any arrest for such hunting, or made rescue to any person warranted to arrest such hunter, so that the warrant was not executed, 1. H. 7. ca. 7.

Multiplying. If any person haue practised the arte of multiplication of gold or silver, 5. H. 4. cap. 4.

Conuey sheep. If any haue the second time brought, sent, or receiued, into any ship or hottome, any rams, sheepe or lambes being aliue, to bee conueyed out of the Queenes dominions, or haue procured the same, 8. El. ca. 3.

Conuey hoz-
ses into Scot-
land. If any person haue solde, exchanged, or deliue-
red wthin Scotland, or the batable ground, to the
vse of any Scot: without the Queenes lycence,
vnder her great Seale (or sold, exchaunged or de-
liuered

liuered to any Scot wthin England, Wales, Bar-
wicke, the Marches, or batable ground, to the in-
tent to bee conueyed into Scotland (without such
licence) any horse, gelding or mare: if any haue so
bought any of the same, 23. H. 8. c. 16. r. El. cap. 8.

If any person haue (aduisedly, and with a ma-
licious intent against the Queenes Maestie) deu-
ised, written, printed, or set forth any booke or wri-
ting, containing any false, seditious & slanderous
matter to the belamation of her maiestie, or to the
incouraging or mouing any insurrection or rebel-
lion wthin her Realme or dominions: or haue (adu-
isedly, or with a malicious intent against her ma-
iestie) procured any such booke or writing to bee
written, printed, or set forth: Or haue maliciously
by any words, writing, or printing, wished, or desi-
red her Maesties death, or depriuation, or any thing
directly to that effect: and if any haue aided, pro-
cured, or abetted any such offender, 23. El. ca. 2.

Slanderous
newes.

If any persons (of or aboue y^e number of twelue) haue beene assembled, and haue intended, gone a-
bout and practised with force of armes unlawfully
to change any lawes of this Realme, or to cut or
cast downe any inclosure of parke, or inclosed
ground, or the bankes of any fish pond, or any con-
duit heade or pipe, to the intent they should lie o-
pen, or void, or to haue any Common or way there:
Or to destroy the Deere or Conies in any Parke,
or Warren, or Dovehouses, or fish in Poole, or in
pond, or to cut downe any houses, Barnes, Milles,
or Wages, or to burne any stacke of cozne or graine,

Rebellious
assemblies.

or other vsuall sustenance of men: and (being commanded by the Shirife, or any Iustice of the peace of the shire, or by the Mayor, Shirife, Iustice of peate, or Bailifes of the Citie, Borough, or Corporate Towne, where the assemblie was, by proclamation in the Queenes name to depart to their houses) haue notwithstanding continued together one houre after, or haue after that, forcibly attempted to do any such thing.

And if any person haue unlawfully by ringing of Bell, sounding of Trumpet, Drum, Hoene, or other Instrument, or by firing of Beacon, or by malicious speech, or Outcrie, or by setting vp, or casting any writing, or by any other act raised, or caused to be raised twelue persons, or aboue, in such maner, and to any such intent as is aforesaid, and they (being commanded by proclamation, as befoze) haue neuerthelesse continued together one houre after, or haue afterward attempted forcibly to doe any of the said things: And if any the wife, or seruant of any the said assembled persons, or if any other person haue willingly and without compulsion deliuered or conueyed money, harnes, weapon, or victuall to any of the said persons assembled during their abode together as befoze. And if any person haue hindered or hurt any that did proclaim or went to proclaim, as befoze: and if any the parties so assembled (knowing of that hinderance, or procuring it) haue neuerthelesse afterward committed or put in vze any the things aforesaid: And if any persons (to the number of fortie or moe) haue

so

so assembled to the intent to do any the said things or any other felonious or rebellious acte, and haue continued together three houres, after such proclamation made, at or nigh the place of assemblie, or in some market towne next adjoining, and after notice to them therof giuen, 1. Mar. Parl. 1. ca. 12. & 1. El. cap. 17.

If any solbier (entred a solbier of Record) and Southmour, hauing taken part of the Queenes wages, or any Harmer, or Gunner (hauing taken prest wages to serue the Queene on the sea) haue not accordingly gone to his Captaine (vnlesse hee were letted by notorious sicknes, or other impediment from God) or haue departed from his Captaine, without his licence vnder his seale, 18. H. 6. cap. 19. 2. & 3. E. 6. cap. 2. 4. & 5. Phil. & Mar. cap. 3. & 5. Eliz. ca. 5. But consider whether this entring of Record, haue any vse now.

If any strangers, calling themselves, or being commonly called Egyptians, haue remained in the Realme one moneth: And if any person (being fourtene yeares of age) which hath bene scene, or found in fellowship of such Egyptians, or which hath disguised himselfe like to them, haue remained here or in Wales by the space of one moneth, either at one time or at feveral times, 1. & 2. Phi. & Mar. cap. 4. 5. El. cap. 20.

If any dangerous Rogue, that was banished the realme, or adiudged perpetually to the Gallies, haue returned into the realme without lawfull licence, 39. El. cap. 4.

Wh 3

If

**Idle Soldi-
our and Ma-
riner.**

If any Souldier or mariner, or other person (as souldier or mariner) haue wandred idle, without setting himselfe to seruice, labour, or other lawfull course of life, and hath not repaired to his place of Byrth, or dwelling: and had not a lawfull Testimoniall from a Iustice of peace of, or neere the place where he landed: or hath counterfained such Testimoniall, or hath caried the same (knowing it counterfaint) 39. El. ca. 17.

**Felonies o-
mitted.**

Note that some felonies be here omitted, eyther because there is none vse of them now, or els for that they be for particular places, as:

Prouisors.

The felonie of Prouisors. 13. R. 2. Stat. 2. ca. 2.

Wools.

The felonie of Wools and Wooll-sellers, 18. H. 6. cap. 15. and certaine felonies in the Statutes of the Staple, 27. Ed. 3. whereof I doubt.

Powdike.

The felonie of *Powdike*, 12. H. 8. cap. 11. & 2. & 3. Phil. & Mar. cap. 19.

Armed.

It seemeth also by 25. E. 3. c. 2. that there was a felonie for riding armed, &c. which (I think) is not so construed now.

Records.

The Felonie of Embefelling Recordes, 8. H. cap. 12.

**Accessaries
befoze.**

If any person haue commaunded, counselled, waged, or procured to bee committed any Petite treason, murder, manslaughter, Rape, Robberie, Burghlarie, or other the felonies aforesaid.

**Accessaries
after.**

If any persons knowing the saide Felons, haue receiued, comforted, aided, abetted, or fauoured them, befoze their attainder, or after.

Hitherto of Felonies and their accessaries in
Lay

Lay causes, all which are punished by the paines of death, except petite Larcenie.

If any person haue mained another of any member, whereby he is the lesse able to fight, as by putting out his eye, striking off his hand, finger, or foot, beating out his foreteeth, or breaking his Scull: **Malme. Griuous. Fine.**
And of their Accessaries.

If any haue committed unlawfull assault, beating, wounding, or such like trespass, against the body of any man: or haue with force and against the law taken the goodes of another, or haue done any trespassse in the lands of another, Commission of the peace. **Trespasse. Fine.**

If any Dybanarie, Archdeacon, Officiall, Sheriffe, Escheator, Coroner, Undersheriffe, Bailiffe, Gaoler, or other Officer, haue by colour of his office, or for doing his office, taken a greater, or more excessive reward or fee than belongeth to him: or haue taken any fee or reward for expedition in doing his office, or haue unlawfully exacted any oath or other vndue thing: Commission of the peace. **Extortion. Fine.**

If any Escheator (other then of such a Citie, Borough or Towne, as hath authoritie to make Escheators within themselves by Letters Patentes of the Queene, or her Progenitoys) haue taken vpon him that office in this Shire, or occupied it by himself, or another, & had not then in this Shire, lands, tenements, or rents, for life at the least of 20 pounds by yeare: or haue sold, or set to ferme that office, or made any deputies for whom he will not answer, & whose names he hath not certified with
Escheator. Lose forty pound.

in 20. dayes after into the Eschequer, 12. E. 4. 9.

Loose fortie
pound.

Loose five
pound.

Sherifes and
their Minis-
ters, &c.

Forfeit fortie pound, and
loose treble dammages
to the partie.

¶ If any Escheator hath taken for the executi-
on of any *Diem clausit extremum*, or other Writte
in one Countie, aboue fortie shillings in all: or
that fortie shillings where the lands are not found
to be holden *in capite*: 23. H. 6. ca. 17. & Fitz. 143.
¶ If he hath taken for the finding of any office of lands
(not exceeding 5. pounds by yeare aboue) xv. s. in
all, for all the things thereof, 33. H. 8. ca. 22.

¶ If any Sherife haue letten his countie, or any
his Bailiwikes, Hundzethes or TApentakes:
or haue returned in any pannels, any bailifes, offi-
cers, or their seruantes, or seruantes seruantes, or
haue refused to let to baile (vpon sufficient suer-
ties) any person being in his custodie, because of a-
ny action personall, or because of Enditement in
trespasse, & not being in for any condem-
nation, execution, vclawzie, excommu-
nication, suertie of the peace, or com-
maundement of any Iustice, or for be-

ing a bagabond: ¶ He haue taken any obligation
by colour of his office, but onely to himselfe, and
vpon the name of his office, & vpon condition one-
ly to appeare according to the Writte or War-
rant: or haue taken for an arrest aboue xx. pence.
¶ If he, or any other minister, haue taken any
thing, for making of any Returne or Pannell: or
aboue 4. d. for the copie of a Pannell: or aboue
4. pence for the saide Obligation, or for any war-
rant or Precept: ¶ Any bailife aboue 4. d. for ma-
king any arrest: or the Gaoler aboue 4. d. vpon the
committing

committing to his Ward of any person arrested,
or attached, 23. H. 6. cap. 10.

¶ If any Sherife, or other his minister, haue arre-
sted, or imprisoned, or caused any fine, or ransome, **Sherifes, ar-**
or amercement to be leuied of any person by rea-
son of any Enditement, or presentment made in **resting, or les-**
the Sherifes turne, or lawday, without processe **uying fine for**
from the Iustices of peace for the same first obtai-
ned: ¶ He haue not brought in such enditements and **Enditements**
presentments to the Iustices of the Peace, at their **in his turne.**
next sessions, 1. H. 4. cap. 2.

¶ If any Sherife, or any his ministers, haue entred **Sherifes**
into his booke, any plaints in any mans name, not **entring of**
being present in the court, either in his owne per- **plaints, and**
son, or by sufficient and honest attorney, or deputy: **leuying a-**
¶ He haue entred any moe plaints then the plaintife **merciaments.**
supposeth that he hath cause of action for: ¶ He haue **Loose fortie**
leuied the hire amerciaments without booke in- **shillings.**
debted betweene them and two Iustices of the
Peace: or if the Bailife of the Hundzeth haue made
default in warning or executing any warrant a-
gainst any defendand in the Sherifes Court, 11.
H. 7. cap. 15.

¶ If any Sherife or his Minister haue **Fine to the**
leuied any the debts of the Queen, with- **king, treble**
out shewing to the parties the Estreates **damages to**
of the same, vnder the seale of the Esche- **the partie.**
quer, 4. E. 3. cap. 9. & 7. H. 4. cap. 3.

¶ If the Sherife of this shire, or any other person **Sherifes must**
(to whom it appertained to make returne of anie **return additi-**
Writ) hath returned any Iuroz without the true **ons of Iuroz**
addition

addition of the place of his abode at the time of that returne, or within a yeere next before, or without some other addition by which that Juror might

Five marks to the Queene. wel be knowe, If any Estreat of issues
Five marks to the partie. hath been gathered of any person, other then such as by vertue of the said Estreate was of right chargeable or charged therewith, 27. Elizab. cap. 7.

Undersherifs,
clarks, & bail-
lifer to bee
sworne.

If he that taketh vpon him to be the Undersherife of this shire, hath not (before his exercising of that Office) taken the oath of the Supremacie, and the oath of his office, before the Iustices of Assise or one of them, or before the *Custos Rotulorum*, or two Iustices of the Peace, the one, being of the *Quorum*.

Loose fortie
pound.

If any Bailife of fraunchise, deputie, (or clark) of the shire, or vndersherife, or other person taking vpon him to returne any enquest, Turp, or Tales, or to meddle with the execution of processe in any court of Record, haue not before that receiued and taken the said oath of Supremacie, and the oath appointed for such officer to take) before some of the said Iustices, after this maner.

I, A.B. shall not vse or exercise the Office of Vndersherife (Deputie, Clearks, Bailife, &c.) corruptlie during the time that I shall remaine therein: Neither shall or will accept, receiue or take, by any colour, means, or deuise whatsoever, or consent to the taking of any maner of fee, or reward, of any person, or persons for the empanelling, or returning of any enquest, Iurie, or Tales,

Tales, in any Court of record for the Queene, or betwixt partie and partie, about ij.s. or the value thereof, or such fees as are allowed or appointed for the same by the lawes and Statutes of this Realme. But will, according to my power, truly and indifferently with conuenient speed impa- nell all Iurors, and returne all such Writs touching the same, as shal appertain to be done by my dutie or office, during the time that I shal remain in the said office. So helpe me God.

If any vndersherife, or other of the said persons, hath committed any Act contrarie to the said othes, 27. Eliz. cap. 12. Treble damages to the partie.

If any sherife or gaoler haue denied to receiue felons, by the deliuey of any Constables or townships, or haue take any thing for receiuing of such, 4. E. 3. cap. 10. Sherife and Gaoler. Fine.

In liberties, the bailifs, stewards, and other ministers there, haue like fees, and punishments for extortion, as sherifes and their ministers haue out of liberties, 27. H. 8. cap. 24. Fees in liberties.

If any Coroner haue refused to doe his office vpon the viewe of a dead body by misadventure, without taking any fee therefore, 1. H. 8. cap. 7. or haue taken vpon the viewe of the dead body of a man slaine or murdered, about xliiij. s. of the goods of the slayer or murderer, if he had goods, or (otherwise) of the Towne, where hee was slaine in the day time, and was suffered to escape, 3. H. 7. cap. 1. Coroner. Loose fortie shillings.

If any Dyvinarie, or his Scribe, or Register, Dyvinarie, haue Loose sue pound.

Loofe tenne pounce, and to the partie so much as is taken contrary to this Act.

haue taken moe, or greater fees, for the probate of a Testament, or for letters of administration, then he ought to take, that is to say, 6. pence for the scribe, for writing the probate of a Testament, that shall be brought written in parchment, and likewise six pence for the administration, where the goods of the testator or intestate, be not above ii. li. If the goods be above five pounds, and not above forty pounds, then two shillings six pence for the Ordinarie, and 12. pence for the scribe. If they exceede forty pounds, then two shillings six pence for the Ordinarie, and two shillings 6. pence to the scribe, or else one peny for every ten lines at ten inches length, at the scribes election: the like shall be giuen for euery copie of a Testament or Inuentorie, or els after the rate of lines as before, 21. H. 8. cap. 5.

Parson.
Vicar.
Curate.

If any parson, vicar, or curate, haue taken above foure pence for entring into the Church Booke the licence of a sicke person to cate flesh vpon the fish-daves, 5. Elizab. cap. 5. Or above two pence for Registring of a Testimoniall of any seruant departing from one place to another, 5. Elizab. cap. 4.

Mortuarie.

If any spirituall person (or any other for him) haue taken Mortuarie (or corpes present) or anything for the same in any place, where the same was not vled to be giuen before the one and twentieth pere of king Henrie the eight: or taken (in places where Mortuaries were then vled) anything for

for a Mortuarie where the goods of the dead person were under ten markes: or more then three shillings foure pence therefor, where the goods were of the value of ten markes, or under thirty pounds: or above six shillings and eight pence therefor, where the goods were under xl. pounds: or above ten shillings where the goods were above xl. li. 21. H. 8. cap. 2.

Forfeit so much as he shall take ouer: and loole for the shillings to the partie grieved.

If the Clarke of the Peace haue taken above twelve pence for the inrolling of the bargain and sale of any land, not exceeding xl. shillings by the pere: or above ii. s. vi. d. if the land exceed that value by the pere, 27. H. 8. cap. 16. Or haue taken above two shillings in all, for any licence and recognuance of a badger, drouer, kidder, or lader, and for the Registring thereof, 5. Eliz. cap. 12. Or haue taken above xii. d. for a Recognuance of him that taketh a rogue into his seruice for one yeere, 14. Eliz. cap. 5.

If the Clarke of any Iustice of Peace haue taken above xii. d. for any recognuance of an Alehouse keeper, or Tipler, 5 E. 6. cap. 25.

If the Clarke of the market haue taken any money, to dispense with fautes: or hath ridden with more then six horses, or hath tarried longer in the country then the necessity of his businesse required, 13. R. 2, cap. 4.

If any officer haue in any Towne taken Scavage, or Shewage (that is to say) any thing for the shewing

Scavage.
Loofe twentie pound.

Iustices.
Clarke.
Fine.
Clarke of the market.

1. 2. li.
2. 10. li.
3. 20. li.

shewing of ware, marchandize that be truly custo-
med to the Queene before, 19. H. 7. cap. 8.

Seale
weights.

If the Baioz of this Towne of Maidstone (and
so of other townes in other shires) haue taken a-
boue one peny for sealing a bushell measure, or a-
boue a halfe peny for any other measure: or aboue
one peny for sealing an hundred weight or aboue a
halfe peny for halfe a hundred weight, or aboue a
farthing for any lesse weight, 7. H. 7. cap. 3. & 11.
H. 7. cap. 4.

Loose fortie
shillings.

Fees omitted. Sundry other fees of officers there be, as of
Alnageours, Gaugeours, Sericants at Armes, and
others whereof there is not so common vse, and
therefore I omit them: Howbeit, such are enqui-
rable, and punishable here also.

Purueioz.

If any Puruepour of the Queenes Maestie
haue taken any thing of the value of xl. s. or vnder,
without ready payment therfore made:
if any Constable or Bozsholber haue not
(vpon request made) assisted the owners
to resist the Purueioz so taking. And if
any of the Queenes officers haue procu-
red any to be arrested or vexed for such resistance,
20. H. 6. ca. 8. & 23. H. 6. cap. 2.

Loose { Double of the
thing taken.
Double dama-
ges.

Loose twentie
pound.

Loose fortie
shillings for
each tree.

If the Purueioz haue taken, or felled any tim-
ber trees (meete to be barked) but onely in barking
time, except it were for the reparation or building
of the Queenes houses or ships: or haue taken any
more then the very nuber of such trees, 5. El. ca. 8.

If

If any such Purueioz haue taken a-
ny thing of any man, to the end to spare
him: or haue taken coyne by any other
measure then by the striken bushell, or
by any more then eight such bushells to
the quarter: or haue taken carriage
therfore, without making reable pay-
ment 24. Ed. 3. cap. 1. 36. E. 3. ca. 3. &
1. H. 5. cap. 10.

Two yerres imprisonment:
treble damages and rawn-
some.

One yerres prisonment.
Five poundes to the Q.
and five poundes to the
partie.

Of Purueioz within five miles of Oxenforde, Vniuersities,
or Cambridge, See 2. & 3. Phil. & Mar. cap. 15.
14. E. 3. cap. 11. & 39. E. 3. cap. 18.

If any common Informer or Promoter (as he Informer)
is commonly called) haue compounded or agreed Loose tenns
with any person for any offence against any penall pounds, and
law, without the order or consent of some of the stand on the
courts at Westminister, or haue willingly delaied pillorie.
or discontinued his suite once commenced, 18. Eli.
cap. 1. & 27. Eli. cap. 10.

If any man haue raised buy and cry without buy and cry,
cause, or (it being raised) vpon good cause, haue not Fine.
been ready at the commaundment of the Sherife
or at the buy and cry of the Country, to pursue and
arrest felons, or such as haue dangerously hurt any
man: And if the Sherife or any Bailifes haue not
followed such buy and crye with horse and armour.
W. 1. 1. Ed. 1. cap. 9. 3. Ed. 1. Officium Coronatoris,
Stat. Winchest. 13. Ed. 1.

If the watch in euery Borough and Towne, Watch,
haue

Fine. haue been kept from Sun rising to Sun setting, betweene Ascension day, and Michaelmas day, to arrest straungers that passe by in the night season. Stat. Winton 13. Ed. 1.

Highways. If any Lord of the soile haue not enlarged the highway from market to market, so that no dike, bulsh nor tree (except great trees) be within two hundred foote of each side thereof: Stat. Winchest. 13. Ed. 1.

Ride or goe armed. If any persons (except the Queenes seruants and officers, in doing their seruices, and their company, aiding them in that behalfe) haue ridden or gone armed, by day or night: or haue brought force in affray of the people, before the Queenes Iustices, or otherwise: Statute Northampton, 2. Ed. 3. cap. 3.

Imprisonment and losse of the Armour. If any person arrested, or imprisoned for ffe- lonie, haue bene negligently suffered to escape, 1. R. 3. cap. 3.

Escape by negligence. Fine. If any be a Barretour, or a common quarrellor, or otherwise of euill name and fame, 34. Edw. 3. R. 3. cap. 3.

Barretours. If any be a Barretour, or a common quarrellor, **Maintainers** or otherwise of euill name and fame, 34. Edw. 3. **Embracers.** or otherwise of euill name and fame, 34. Edw. 3. cap. 1. Or a maintainer of quarrels, or an Embracer of Iuries, 33. Hen. 8. cap. 10. & 37. H. 8. cap. 7. & 38. Ed. 3. cap. 13.

Barretour. The word (Barretor) may be deriued either of the French *Barat* (and so it seemeth to be taken in the Statute of Champartie, W. 2. cap. 49.) signifying deceit; so that Barretor should notifie a deceiuer: or els of the Latin *Baratro*, or *Balatro*, (as some write it) which betokeneth a vile knaue

knave or vnrift, and (by a *Metaphore*) a spot in the common-wealth: But whatlocuer the word doth properly denote, common vse (*Quem penes arburium est, et ius, et norma loquendi*) taketh it for a common quarreller, or maintainer of *Quarrels*: and in that sense I thinke it to stand in the old Statute called *Ragman*, and it meaneth him that medleth in the quarrels of other men, whether it be by fight, or by suite in Law.

If any be a Champartour, that is to say, one that moueth pleas or suites, or causeth or procureth them to be moued at his owne costes, to the end to haue part of the land, or other thing in variance 33. Ed. 1.

Champartours

If any Iury in any Inquest heere, haue taken any thing of any man to make his presentment faire and honourable.

Jurour Imprisonment and ransome.

If any person haue by himselfe, or other for him, giuen any Liuerie of signe or company, or badge, or retained any man, other then his house- hold seruant, Officer, or learned man in the Law, 1. H. 4. cap. 7. 2. H. 4. cap. 33. & 8. E. 4. ca. 3.

Liueries of companies and badges. Prisonment, fine & ransome. v. l. losse to the retainer, & the like for each month.

If any company of men (other then men of seruities, and men of artes in cities and boroughs) haue made any one generall sute of cloth, hoodes or hattes amongst them, to be knowne by 7. H. 4. cap. 14.

Loose fortie shillings.

If any perss haue (within this thre moneths) abusedly, and with a malicious intent against the Queenes Maiestie, of his owne imagination

Cc

spoken

Loose his ears
or pay 200. li.
for the first
offence.

Lose one care,
or 200. marks
for the first
offence.

Prisonment.

False tokens
or letters.
Suffer any cor-
poral paine,
except death.

Who be
Rogues.

To be whip-
ped.

spoken anie false seditious and slanderous newes,
or sayings of the Queenes Maiestie: or haue (with-
in the said time) aduised lie, and with a malici-
ous intent, spoken anie such newes or tales, to
the slander and defamation of our said Queene,
of the reporting or speaking of any other, 23. Eli-
zab. cap. 2.

If any person haue by writing, or open speeche
notified, that the eating of fish, or forbearing of
flesh, vpon any daies, nowe vsually obserued as
fish daies, is of necessitie for saluation of soules, or
is the seruice of God, otherwise then as other poli-
tike Lawes be, 5. El. cap. 5.

If any person haue falsly and deceitfully gotten
into his possession any money, or any other things
of any other mans, by colour of false priuie token,
or of counterfeit letter, made in another mans
name, 33. H. 8. cap. 1.

If any person (aboue the age of seven peeres)
calling himselfe a Scholler, hath gone about
begging: or if any Seafaring man (not hauing
suffered Shipwracke, nor hauing a lawfull testi-
moniall from a Iustice of Peace, of, or neere the
place where he landed) haue gone about begging,
or haue transgressed such Testimoniall: or if anie
Idle person haue gone about begging, or haue vs-
ed any subcill craft, or vnlawfull game or play, or
haue feigned knowledge in Whislognomie, Pal-
mestrie, or other like crafty science, or haue preten-
ded to tell destinies, fortunes, or such like phanta-
sicall imaginations: Or haue vttered himselfe to
be

be a Doctour, procurer, Patent gatherer, or Col-
lectour, for any Gaole, Prison, or Hospitall: Or if
any Sencer, Bearewarde, Winstrell, or common
Player of Enterlubes, (other then such Play-
ers of Enterlubes, as belong to a Baron, or o-
ther person of greater degree, and bee authorized
under his hand and Seale of Armes) Jugler, Cin-
ker, Peolier, or petty Chapman, (other then Glasse-
men, of good behauiour, and licensed under the
hands and Seales of thre Iustices of Peace, of
which one to be of the Quorum) haue wandered
abroad: Or if any wandring person, or common
Labourer, (not hauing otherwise then by labour to
maintaine himselfe) being able of bodie, haue vsed
sottering, or refused to worke for lawfull Wages:
or if any person deliuered out of gaole, haue begged
for his fees, or traualled begging: or pretending losse
by fire, or otherwise, haue wandered begging: Or
if any (not being a felon) haue pretended to be an
Egyptian: or haue wandered in the forme, or
haue of counterfeit Egyptians: Or if any im-
potent or diseased person (licensed by two Iustices
of the Peace, to go to Bathe, or Burton) haue not
sought to begge, or haue not returned according
to such licence: or if any poore person (appointed
to aske reliefe in the same Parish, by the Church-
wardens and Ouerseers thereof) shall begge in a-
ny other sort then is so appointed. For all such bee
declared, to bee Rogues, Vagabonds, and sturdy
Beggers, 19. El. ca. 3. & 4.

The woord Rogue is but a late Guest in our Law: For the elder Statutes call such a one, a valiant, strong, or sturdy Begger and Vagabond, & it seemeth to be fetched from the Latin *Rogator*, an asker, or Beggar, and in which sense Martial the Poet long since vsed it saying:

Inter rancos ultimus Rogatores,

Ore caninas panis improbi buccas.

And ranged last among the roaring Rogues,
In vaine a morsell may he begge of bread,
So bad, as hungry Dogs disdain to byte.

Officers not
punishing or
conueyng
Rogues.

Loose 10. s. for
each offence.

Whoze and
Rogues.

Forfait v. li. &
be bound to
good behauior

If any Constable, Vozholder, or Tythingman, haue not done his best indeuour to apprehend such Rogues as haue begged or made aboade within their Limits, or haue wilfully suffered any of them to escape punishment.

If any such Officers haue not conueyed such rogues, towards their places of birth or last dwelling: Or if any person haue hindered, by Releuous, or otherwise, the execution of these Statutes of Rogues, or of the Whoze, 39. El. ca. 3. & 4.

Loose 20. s.

If any the Churchwardens and Ouerseers of any parish haue not takē order for setting to work, or for reliefe of their pooze: or haue not assessed the Inhabitants and occupiers of lands in their Parish therefore: or haue not indeuoured to leuy such assesses, or haue absented themselues from their monthly meeting, or haue not accounted as they ought, 39. El. ca. 3.

Imprisonment

If any Parents or children, being of sufficient
abilite,

abilite, haue not relieved their pooze and impotent Children or Parents, at their owne charge, in such sort as hath at any Quarter sessions of the Peace bene appointed for them to doe. Or if the Minister of any Parisse haue not kept a Register booke of the testimonialls for Rogues, 39. Elizab. cap. 3. & 4.

Loose 20. s. for
euery moneth.

Loose 20. s. for
euery default.

If any persons (to the number of three or more) haue bene riotously assembled, to beat anie man, to enter upon a possession, or to doe any such unlawfull act, and haue done it ineebe, or attempted to doe it: Or haue bene assembled together in houses for any common quarrell: Or otherwise unlawfully against the Queenes Maiesties Peace, 2. H. 7. cap. 7. Commission vnder the name of Conuenticles.

Riots, routs,
unlawful as-
semblies.
Prisonment
and fine.

If any persons (about the number of two, and under twelue) being assembled, haue intended unlawfully with force to murder or slay any of the Queenes Subjects: Or to cut or cast downe any inclosure, or banks of any fish-pond, or conduit brau, or pipe, or to doe any the deeds (mentioned in unlawfull assemblies before) and haue not departed upon proclamation, but haue attempted to doe any of those things.

Rebellious
assemblies.

Oneyeres pri-
sonment, and
treble dam-
mages to the
party grieved,
and costes.

Or if any person (being moued to make any rebellious assembly) haue not within 24. houres after notified the same to a Iustice of the Peace, or to the Sheriffe: Or if any person haue stirred or procured any other to make such assembly, 1. Mar. Par. 1. cap. 15. 1. El. cap. 17.

3. Months pri-
sonment.

Fine.
Lying in a-
waite.

Forcible en-
tries.

Prisonment
and fine.

Cut poude
head, & hunt

Deere: take
hawkes, or

their egges

Three months prisonment,
and bound to his good be-
havior for seven yerres.

Take Hawke
egges: take
Hawkes, or
drive them a-
way.

One yerres and a daies pri-
sonment and fine.

Loose ten pound.

Loss of the Hawke.

Wille hawke

Dogs, Pets,
Ferrets.

If any haue lien in awaite, to maim, or kill a-
nie other.

If any haue entered into lands or possessions with
force, or entering peaceably, haue holden the same
with force, 8. H. 6. cap. 9.

If any person haue unlawfully broken, or de-
stroyed the head or damme of any Ponde, Pore,
Stewe, or seuerall pitte wherein fishes are put by
the owner thereof: Or haue wrongfully fished in
any of the same, to the intent to take away the fish

against the owners will: Or haue
wrongfully entered into any Parke or

other ground, before this statute in-
closed, or after this Statute, (by the licence of the
Prince) to be inclosed & bled for keeping of deere,
and haue wrongfully hunted, driven out, hurt or
killed any Deere there: Or if any person haue un-
lawfully taken away any Hawke, or the egges of
any Hawke out of the woods or grounds of any o-
ther person, 5. Eliz. cap. 2 r.

If any person haue taken, or caused to be taken,
upon his owne, or other mens ground, the egges of
anie Falcon, Goshawke, Lanner, or Swanne, or
haue taken any Citer, Falcon, or Gos-
hawke, Tercel, Lanner, or Lanneret,
or haue purposely driven them out of
their couerts: or haue bozne any Hawk
of the breed of Englands, called a Wille Gosh-
hawke, Tassell, Lanner, or Lanneret, 11. Hen.
7. cap. 17.

If any Artificer, Labourer, or other Lay man,
not

not hauing lands or tenements of R.L.S. by pere, or
any spiritual person aduanced to ten pounds living
by the pere, haue kept greyhound, hound, or other
dog to hunt: or haue used ferrets, nets, or other en-
gins, to take or bestrop Deere, hares, conies, or o-
ther gentlemans game, 13. R. 2. ca. 13.

If any person haue traced, killed, or bestroyed a-
nie hare in the snow, 14. H. 8. cap. 10.

If any person whatsoeuer, haue taken, or killed
any pheasant or Partridges, with any maner of net
or other beuile whatsoeuer, upon the freehold of a-
nie other, without speciall licence, or in
the night time, except it were unwill-
tingly, by lawbelling or tramelling, who also
was then & there presently let
them go againe: Or, if any person haue
hawked, or with his Spaniels hunted in any grove
(not being his owne) where any cozne or graine
was then growe, or before it was shocked, or cop-
ped, without the consent of the owner of such cozne
or graine, 11. H. 7. cap. 17. & 23. El. cap. 10.

If any person haue by himselfe or any other sold
any marchandizes or wares to any other, and haue
within thre monethes next after that, by him-
selfe or by any other bought the same, or any part
thereof agayne, upon a lesser price, knowing
them to bee the same: Or if any person haue by
any corrupt bargaine, mortgage, or other meanes,
taken in gaine aboue the rate of tenne pounds, for
the hundred, for one whole yeeres forbearance,
and so after that rate, for more or lesse, 37. H. 8.

One yerres
prisonment.

Trace Hare.
Loose a Noble
for each hare
Take Phe-
sants or Para-
tridges.

Twentie shillings
for ech Pheasant.

Loose
Ten shillings for
each Partridge.

Hawking in
Cozne.

Loose fortie
shillings.

Wurts.

Loose the trea-
ble value: and
be prisoned,
and fined,

Forestallers. cap. 9. 13. Eliz. cap. 8. & 27. Eliz. cap. 11.
Regrators. If any haue within these two yeeres forestalled,
Ingrossers. regrated, or ingrossed unlawfully.

Forestaller.

- Offence.**
- 1. Loose the goods, and be prisoned two moneths.
 - 2. Loose double the goods and be sixe monethes imprisoned.
 - 3. Loose the goods, and stand on Pillorie.

A forestaller is he, that buyeth or causeth to bee bought, or maketh contract or promise for the hauing or buying of any victuall or wares, comming by land or water towards any Faire or market to be sold, or coming from beyond the Sea towards any Citie, Port, Hauen, Creeke, or road of this Realme to be sold, before the same shal be in the Faire or Market, Citie, Port, or Hauen readie to be sold: Or that by any meanes maketh motion to any person for enhancing the price of the same: or that doth dissuade, mooue, or stirre anie person (comming to the Market or Faire) to forbear to bring any of the same to any Faire, Market, Citie, Port, or Hauen to be sold.

Regrator.

A Regrator is he that regrateth or getteth into his possession, in any faire, or market, any corne, wine, fish, butter, cheefe, candles, tallow, sheepe, Lambes, Calues, swine, pigges, geese, capons, hennes, chickens, pigeons, conies, or other dead victuall whatsoever brought to any faire or market to be sold, and selleth the same againe in any faire or market kept there, or within fower miles thereof.

Ingrosser.

An Ingrosser is he, that ingrosseth or getteth into his handes by buying, contract, or promise taking (other then by demise, lease or graunt, of

of land or tithes) any corne growing in the fields, or other Corne or graine, butter, cheefe, fish, or other deade victuall, within England, to the intent to sell the same againe. But such as doe buy Barley or Oates, (without forestalling) & turne the same into Malt or Oate-meale, and sell it againe: and such victuallers of all sortes, as buy victuall (without forestalling) and sell it by retails againe, and Badgers and Drovers (being lawfully licensed and not abusing their licences) are excepted. So be all buyers of wines, oyles, spices, and other forraigne victuall brought from beyond sea hither, except fish and Salt onely, 5. E. 6. cap. 14. 5. Elizab. cap. 12. 13. Eliz. cap. 25.

If any person haue within these two yeeres **Seede corne.** bought corne in any faire or market for change of his seed (hauing then sufficient for his house, & for sowing his ground for a yeare) and did not bring thither (if he might) so much as he did so buy, and did not the same day sell it after the price then going, 5. Ed. 6. cap. 14. **Loose the double.**

If any person haue (at any time within this **Making of** yeare, the monethes of June, July, & August onely **Malt.** excepted) made any barley Malt, that was not the time of three weekes (at the least) in the fatte, flooze, sleeping, and sufficient drying: and if in any of the said three monethes, and was not leuē. **Loose twentie** teenē bayed (at the least) in the fat, flooze sleeping, and sufficient drying. **pence for e-**
uery quarter

If any person haue within this yeare mingled any

any malt not sufficiently made, (or made of mowe burnt or spired barley) with other good malt, and after put the same to sale.

If any person hath within this yeare put to sale any malt not sufficiently well troden, rubbed and fanned, whereby halfe a pecke of dust, or moze may be fanned out of one quarter thereof. But this act extendeth not to malt made for the prouision of a mans owne house or familie. 2. & 3. E. 6. cap. 16. and reuiued 27. Eli. cap. 14.

Imprisonment
3. daies and til
he be bound
in forty pound

If any person (being lawfully restrained touching his making of Salt) haue not accordingly forborne to make the same, 39. El. ca. 16.

Live cattell.

Lose the double.

Tanned leather.

Lose the price thereof.

Woolen yarne.

Lose the value thereof.

Weinlings under two yeares.

If any person haue within these two yeares bought oxen, rontes, steeres, kine, haifers, calves, sheepe, lambes, goats or kids, liuing, and solde any of the same againe aliue, before he hath kept them sixe weekes, 5. E. 6. cap. 14.

If any person (not hauing the Queenes special licence) haue bought or ingrossed tanned Leather, to sell it againe, vnlesse hee bee an artificer that maketh wares of such tanned Leather, and worketh it in the same, 5. Edw. 6. cap. 15. 1. Elizab. cap. 9.

If any person haue bought any Woollen yarde, and haue not made cloth thereof, 8. Hen. 6. cap. 5. Or haue bought any wooll, but of the owner of the sheepe, and of the tithes 14. Ric. 2. cap. 4.

If any butcher or other person, haue killed any weinling, bullocke, steere, or haifer (under the age of two yeares) to bee sold whole, or by retails:

or

or haue killed any calfe for to sell being under sixe weekes old, 5. E. 4. ca. 11. & 24. H. 8. cap. 9.

If any person haue willingly (betweene the first of March and last of

Time in any yeare) taken away, or destroyed the egges of any wild fowle (such as to be eaten) from the place where they sit lay them, 25. H. 8. cap. 11. 3. E. 6. cap. 3.

If any person (feeding about a hundred and twenty sheare sheepe for the most parte of the yeare, upon his grounds that he meete for milch kine, and wherein no person hath any common) haue not for each 60. such sheepe reared one

calfe, during the time of keeping such sheepe, 2. & 3. Phil. & Mar. cap. 3. 13. E. cap. 25. or if any person feeding upon his seuerall pastures about

twenty Oxen, ronts, steers, scrubs, haifers or kine, haue not for euerie ten such beastes kept one milch Cow, and for euerie two kine weaned and reared by yearely one calfe, except it chaunce to die, *ibid.*

He that feedeth such sheepe or beastes onely to bee spent in his house, is excepted, *ibid.*

If any person haue taken any Salmon, betweene the feast of nativite of the blessed virgin Marie, and of S. Martin in any

riuers or waters: Or haue take yong salmones at any mill poole, or other place, betweene the midst of Aprill & Midsummer:

Loose a noble for each oxe.
Calues under sixe weekes olde.

Loose a noble for each calfe.
Egges of wild fowle

Prisonment for a yeare, and loose after a rate for each egge.

Whitchkine and calves.
Loose twenty shillings for euerie moneth for each cow, and the like for each calfe.

The like peine as the last before.

Salmons.

- 1 Burne the nets.
- 2 Three moneths prisonment.
- 3 One yeares imprisonment.

or

or haue at any time cast into any waters any net, by which the frie of any fish may bee taken, W. 2. ca. 48. 13. R. 2. cap. 19. 17. R. 2. cap. 9.

Frie of fish.

If any person haue with any nett, or meane, taken and killed any frie or spawne of any fish, in any weare, floudgate, streame, or riuer, (salt or fresh) or at the taile of any mill: or haue taken there any Salmon, or Trowes, out of season, that is, being kippers or shedders: Or haue taken and killed any

**Salmons.
Trowes.**

Loose the fish, and xx. s. for each offence.

Wise of fish.

Pets.

Engling.

Pickrel under ten inches fish in length, or Salmon under sirteene inches, or Trowe under eight inches, or Barrell under twelue inches: or haue fished in any the said places with any net, but such whereof euerie mesh was two inches and a halfe broad: But angling is excepted, and so is the taking of Smeltes, Loches, Pinews, Binheads, Gudgeons, and Celes, in places onely where they haue bene used to bee taken, 1. Elizab. cap. 18. 14. Eliz. cap. 11. & 27. Eliz. cap. 11.

Vicquallers prices reasonable.

Loose the double of that he received.

Brewers.

Loose sixe shillings for euerie barrell, and so after that rate.

Vicquallers conspiring.

If any Butcher, Fishmonger, Inholder, Tipler, Brewer, Baker, Powlter, or other seller of Vicquall, haue not solde the same at reasonable prices, and for moderate gaines, 23. Ed. 3. cap. 6. 13. R. 2. cap. 8. If any Beere-brewer, or Ale-brewer haue solde their drinke at higher prices then haue bene appointed by the Iustices of peace, 23. H. 8. cap. 4.

If any Butchers, Bakers, Brewers, Powlters, Cookes, Fruiterers, or any mysterie

mysterie of any of them, haue conspired, or taken

any oath, or promise, not to sell but at prices certainly agreed betwene them, 1. Edwar. 6. cap. 11.

Of tence
1 Ten poundes, or twentie dayes imprisonment.
2 Twentie pound, or stand on pillorie.
3 Fortie pound, or loose one eare and be infamous.

If any Butcher haue sold or offered to sell, swines Corrupt flesh, or any flesh that died of the murraine: Or if any other vicqualler haue solde or offered to sell any corrupt or unwholesome vicquall: Stat. *Plurimum*, cap. 7. 13. H. 3.

If any person haue, against proclamation thereof made, transported or carried out of this realme any corne, graine, or malt, growing, or made here: or any beere, butter, cheese, or wood in any befall season, here (except to Warwicke, or the Marches thereof) ring, wood,

without sufficient authoritie, or any sea-fish, or Herrring not taken by a naturall boyn subject here: or haue by any means conueyed, or willingly consented to conuey any of the said things, to any vessell being on the Sea, or in any place of Habitation of this Realme to be transported ouer Sea, or into Scotland, without sufficient authoritie: or if any person haue licence to conuey any of the said things, haue fraughted or laden his vessell, or any part thereof, at any more places than one only, 1. & 8. Phil. & Ma. cap. 5. 13. El. cap. 11. & 13.

If any person haue bought (to sell againe) any butter or Cheese, vntlesse it be in open faire or market by retailling it after the wey of cheese and barrell

The owner of the vessell to loose it.
The owner of the vicquall to lose the double value
The master & mariners, to lose their goods, & to haue a yers imprisonment.

Butter and cheese.

rell of butter, or after a lesse quantitie: or vnlesse it be victuallers for that which shall be retailed or spent in their houses, 3. E. 6. cap. 21. & 14. El. cap. 11. & 27. El. cap. 11.

Fish packed.

Bought of strangers.

Loose three shillings foure pence for ech barrell.

Loose the Herring or the value.

Rammes, sheepe, Lambes, transported.

Offence { Lose his goods and his lesse hand.

Drying of Fish brought by strangers.

Loose the fish or the value.

Coddes or Lings in caskes.

Loose the fish or the value.

Set price or tare vpon sea-fish.

Loose the value of the fish.

Durypour.

If any person haue packed fish in barrells, and haue mixed the countable fish with the small fish, 22. Ed. 4. cap. 2. 11. H. 7. ca. 23. or haue bought of a stranger bozne, or out of a strangers bottom any herring (other then such as comes hither by reason of shipwacke) not sufficiently salted, packed and casked, 5. El. ca. 5.

If any haue brought, sent, or receyued into any shippe or bottom, any rammes, sheepe, or lambs being alive, to be conueied out of the Queenes dominions: or if any person haue procured the same, 8. El. ca. 3.

If any person haue dyed, in this realme to bee solde, any fish taken or brought hither by any stranger bozne, 13. El. cap. 11.

If any stranger bozn, haue brought into this realme, any cods, or lings, packed in barels, or other caskes, 13. E. c. 11.

If any person (within this yeare) haue taken vpon him to set price, to take toll, or to demande any tare vpon any Sea-fish taken by any Subject of the Queenes in their owne vesselles: if any Durypour or other person haue within that time,

by

by colour of any Commission taken any such Person, or Sea-fish (other than the accustomed composition fish for *Island*) against the will of the byinger in therof: or if any person haue within that time, caused to be taken and carried in any vessel (whereof any stranger bozne, is wholly or partly owner or master) any fish, victual or other thing, from one port or Creeke of this Realme, to any other of the same: or if any person haue within that time brought into this Realme, or any part thereof, or other than into the Ile of *Man*, or into *Wales*, any wine coming out of the dominions of *France*, or any *Wholouse* *Woad*, but only in such vessel whereof some Subject of the Queenes was then owner, or part owner, 5. E. c. 5. & 27. Eliz. ca. 11.

If any person authorized to sell wine by retails, haue within this yeere sold the same aboue the prices thereof limited by the Queenes proclamation, if there haue bin any, 5. El. ca. 5. & 27. El. cap. 11.

If any person, not being the Sonne of a *Piere* (or *Baron*) of this Realme, nor hauing landes or profits to the yearely value of a hundred markes, or goods to one thousand markes, haue kept in his house any vessel of *Calcoigne*, *Quion*, *French*, or *March* wine, contayning aboue tenne gallons, to the intent to spend the same in his house, 7. Ed. 6. cap. 5.

If an *Inholder*, *Tauerner*, *Alehouse-keeper*, common victualler, common *Cooke*, or common *tavern-keeper*, hath detred, or put to sale any kinde of

Forfait the double value. **Sea-fish and Herring.**

Loose the goods so laden or the value.

Wine or Woad in a strange bottom.

Forfait all the Wine and woade.

Wines retailed.

Loose 3. s. 4. d. for euery gallon, and so after that rate.

Not aboue 5. gallons of wine. Loose tenne pound.

Wine-fish. Loose 5. pound, & haue 2. daies imprisonment.

flesh victuall, vpon any day in the time of Lent, or vpon any fryday, saterday, or other day appointed by former law to be fish day (not being Christmas day) except it bee to such person, as (resorting to such house) had lawful licence to eate the same according to the statute thereof made the fift yeare of her Maiesties raigne, 27. El. cap. 11.

Eate flesh.
Lose xx. s. or
haue one
months im-
prisonment.

**Mise of bread
and Ale.**
Fine.

**Weights and
measures.**

**Pen-
cence** { 1 Lose a Noble.
2 Lose a Marke.
3 Lose xx. s. and
stand on pillory.

**Common
weights and
measures.**

If any person (other than by reason of age, sicknesse, childing or licence) haue within this yeare, eaten flesh in Lent, or vpon any fish day obserued by the custome of this realme, 2. Ed. 6. ca. 19. & 5. El. ca. 5. 35. El. ca. 7.

If any common Brewer, Baker, or Tipler, haue broken the assise of bread, beere, or Ale: And if any Steward of Leete, or officer in market towne, haue taken any fine for breach of the assise of bread or Ale, in such cases, where corporal punishment is appointed, 13. R. 2. ca. 8.

If any person haue bought or sold by any vnlawfull weightes or measures: or if any person haue bought or sold in any citie or Market, with any weight or measure that is not lawfully marked or signed: 11. H. 7. ca. 4. Or haue bought cozne by heaped measure, in any place (except within shipboorde) or haue vsed double measure, the one to buy, the other to sell with 15. R. 2. ca. 4. 11. H. 7. ca. 4. 5. E. 3. de Pi.

If they of the towne where the Kinges Standerd is appointed to remaine, haue not their common weightes and measures signed, or haue not there

there by signed weightes and measures solbe to all that haue required the same: And if the head officers of market townes haue not twise yerely made view and examination of weightes and measures there, 11. H. 7. cap. 4.

If any vessel for beere or ale haue bene sold or put to sale, being made of vnreasonable woode or not hauing thereupon the marke of him that made it: or if any barrell for Beere containe not of the Queenes standard 36. gallons: the kilderkin 18. gallons: the firkin 9. gallons: euerie barrell of ale 13. gallons: the kilderkin 16. gallons: and euerie firkin 8. gallons, 23. H. 8. ca. 4.

If any haue made or brought into this realme any tunne of wine, not containing 252. gallons: or pipe not containing 126. gallons: or tertian not containing 82. gallons: or hogthead not containing 63. gallons: or butte of Palmsey not containing 126. gallons: Or barrell of herring not containing 32 gallons of wine measure: Or barrell of Celes not containing 42. gallons: or butte of Salmon not containing 84. gallons: or any kilderkins tertian, firkins or rundlets, but after the same rate, 2. H. 6. cap. 11. 1. R. 3. cap. 13. & 28. H. 8. cap. 14.

If any haue made any vessel of sope, that being emptye containeth not 32. gallons for the barrell, 16. for the halfe barrell, and 8. for the firkin: or wateh about 26. li. the barrell, 13. li. the halfe barrell, or 6. li. and a halfe the firkin, 23. H. 8. cap. 4.

If any Millers haue taken toll by heaped measure

Fine and amercement.

Vessel for ale or beere.

Loose 3. s. 4. d.

Vessels for wine, honey, oile, herring, Gales, Salamon.

Loose the wine, hony, oile, and herring.

Vessels of Sope. Loose 3. s. 4. d. for each one.

Do

Toll by measure

sure 3 i. Ed. 1. de Pistor. & Braciat.

Artificers conspiring.

- If any Artificers, workemen or labourers, haue conspired or promised together, or made any oathes, that they will not doe their workes but at a certaine price or rate, or but at certaine times, or but a certayne worke in a day, or that one of them shall not take vpon him to finish that which another hath begun, 2. Ed. 6. cap. 15.
1. Ten li. or haue twenty daies prisonment, with bread and water.
 2. Twenty li. or stand on Pillorie.
 3. Fortie li. or loose one eare, and bee infamous.

Arrowhead Smiths.

Lose the head and be prisoned, & make fine.

Tanners.

Lose all the Hides and skins, tanned by him.

If any person doe vse any arte or manuell occupation, (vled in the first yere of this Queene) which hath not bene brought vp therein seuen yeares (at the least) as an apprentice: or hath set any to work in it, which is not a workman, or a journeyman by yeare, or hath serued as an Apprentice, 5. El. c. 4.

If an Arrowhead Smith haue not well boyled, brased and hardened at the point with Steele, and marked with his marke, such heades of Arrows and quarrels, as he hath made, 7. H. 4. ca. 7.

If any person (during such time as he vled the misterie of Tanning of any hide of skinne of Dre, Steere, Bull, Cow, Calfe, redde or fallow Deere, Goate, or Sheepe) haue vled also the misterie of a Shoemaker, Currier, Butcher, or of any Artificer vlling the cutting or working of such Leather.

If any person haue gashed or cut the hide of any Bul, Dre, Steere or Cow, whereby it is impaired: or if any Tanner haue put to sale any such hide.

If any person (other then such as at Michaelmas

mas 1559. had freeholde of fortye pound by the yeare, or had then any Tanhouse, and did occupie tanning of Leather, or hath bene an apprentice or taught as a hired seruant seauen yeares to a Tanner, or hath bene wife to a Tanner, or the sonne of a Tanner, and brought vp foure yeares in that arte, or the sonne or daughter of a tanner, or such as hath married the wife or daughter of a tanner, that left to the same his Tanhouse and (facts) hath tanned any Leather, or hath taken any profite by the tanning thereof.

If any Tanner haue suffered any Hide to lie in the times longer, than till the haire falleth off, or may bee taken off: or haue vled any other, then Lime, Culuerdung, Wendung, cold Water, Mose of cold water, and Dkenbarke, in his Tanning, or haue ouerlimed any Hides in the pits, or put them in vessels befoze the lime be perfectly wrought out, or haue suffered his leather to bee frozen with the frost, or to be parched with the fire or the Sunner: Or haue tanned any rotten Hides, or wrought them negligently in the Mose, or haue not renued the Mose so oft as neede was: Or haue not suffered the Hides (for outer sole and cloute Leather) to lie in the Mose twelue moneths, and for the hyper Leather nine moneths: Or hath not sufficiently tanned any Hide: Or hath tanned any Hide of Dre, Steere, or cow, otherwise than whole, and without cutting any parte thereof away, except three or foure bends ouerthwart for clout leathers: Or haue tanned any bull hide, horse hide, or sheepe

Loose all the leather tanned by him.

Forfait the Hides.

Lose the hides or the value.

skin: or hath put any of them to sale, being tanned.

If any person haue put to sale any tanned leather (red and unwrought) vnlesse it be sufficiently tanned and dyed, and vnlesse it bee in the places appointed for it, in open faires and markets, and vnlesse it be first searched and sealed: Or haue departed with the hide of ore, Steere, or Cowe, but onely whole, without any parte cut off, except Bends for clouting leather, as before.

Lose the hides
or value.

Loose all the
hides and
skinaes of
the value.

If any person haue bought, contracted for, or bespoken any rough hide, or calues skines in the haire (except salt hides for the vse of ships) but such persons onely as shall take the same: or shall and may by this act, tanne the same: Or haue bought or bespoken any tanned leather, not wrought into made wares (other then necks or thyeds of sadlers or girdlers) but such persons onely, as will conuert and worke the same into made wares, 5. El. cap. 8.

Curriers.

If any Currier haue curried any leather, but in his owne house, and that being in a corporate or market towne: Or haue curried any leather not well tanned, or not thoroughly dyed after his wette season: Or haue vsed in his wet season any deceitfull meanes to corrupt the same: Or haue curried better sole leather with any other stufte than harde tallow, or inner sole, or ouer leather with any salt stufte: Or haue not licozed them both thoroughly: Or haue burned, sealded, or shauen too thinne, or not wrought sufficiently any leather: Or haue ga- shed or hurt any leather by any meanes: Or haue refused to currie within foure dayes in Summer, and

Lose a Noble
for each of-
fence ex-
cept gash-
ing.

and ten daies in winter, well and sufficiently any leather, by any cutter of leather, or his seruant, bying with him good stufte for the perfite lico- ring of the same, 5. El. ca. 8.

If any Currier haue (during the time that hee hath occupied currying) vsed the seat of a Tanner, Shoemaker or Butcher, or other Artificer, vsing cutting of leather, 5. El. ca. 8.

Lose a Noble
for each hide,
or skinne.

If any Shoemaker haue made any Bootes, buskins, shoes, slippers or pantofles, or any parte of them of English leather wette, curried (other than Deeres, Goates or calues skins, dyelled like Spanish leather) but of Leather well tanned and curried, or well tanned onely, & well sewed with threed well twisted, waxed, and rosened, with the stiches hard drawne, with hard leathers, and without mixing Meates or Calues leather in the vpper Leathers thereof: Or haue put in any Bootes, Buskins, Startups, or slippers (betweene the last of September, and the twentieth of Aprill) meet for any person aboue foure yeares olde, any drie English Leather (other then Calues or Goats skins, dyelled like Spanish leather:) Or haue shewed for sale, any of his wares vpon the Sunday morning before diuine seruice be ended: Or haue put into any of his said wares, lether made of sheepes skins, bull, or horse hide, or into the vpper leather of any shoes, Startups, slippers or pantofles, or into the neather part of any boots, (the inner sole and halfe of the shoe, onely excepted) any part of the womb, necke, flanke, flanke, poll, or checke: Or into any

Loose 3. s. 4. d.
for euerie
paire.

utter sole other then the best of the Dre or Steeres hide: or into the inner sole other then the wombes, necke, poll, or checke: or in the trespelles of the double soled shoes, other then the flankes of the said hides, 5. El. cap. 8.

Search and
seale leather.
Loose xl. li. for
euerie yeare.
The appoin-
ters to loose
xl. s. for each
offence.

If any Lord of faire or market, haue not appointed two or three honest and skilfull persons, to be serchers and sealers of leather there: And if any of the searchers & sealers so appointed, haue refused to seale good Leather: or haue made default in search: or haue concealed any faults, 5. El. c. 8.

Loose 3. s. 4. pence for
each diker of leather: &
and so for each dozen
of skins.

If any such sealer haue not cut the wombes from the utter sole Leather truly tanned, before it bee curred: or haue not registred the bargains for leather taking due fees, *ibidem*.

Loose five
pound.

If any person haue denied any such searcher to enter into any place, to search tanned leather, and wrought ware, or to seile and carrie away that which was insufficient: Or if any haue caried out of any faire or market, any whole ore or steere hide (whereof any sole leather may be cut) before the wombes be cut off: Or haue put away any tanned leather (red and unwrought) without registering the same, and the price thereof: Or haue bought any tanned leather, before it was searched and sealed, or haue caried it out of any faire or market before it was registred, 5. El. cap. 8.

Goldsmithes
and gilding.
Forfeit the
double value.

If any Goldsmith, or worker of silver, haue wrought any silver, that is not so fine in allay as the sterling, or haue not set his marke hypon his worke

worke before hee set it to sale, 2. H. 6. cap. 14. And if any haue gilded any sheathes, or any mettall but silver, sauing the spures of Knights, and the apparell of a Baron, or such as are aboute that estate, 3. H. 5. ca. 5.

Forfeit ten times the value of the thing gilt, and bee prisoned one yeare.

If any Pewterer, or Vasser, haue solde, or exchanged any vasse or Pewter, but onely in open faire or market, or in his house, vnlesse he were thereto required by the buyer: or hath wrought any hollow wares of lay mettall, which is not according to the assise of the lay mettall wrought in London: or haue not set his seale or marke vpon the said ware, 19. H. 7. cap. 6. & 4. H. 8. cap. 7.

Loose x. li. for
each default.

If any Tilemaker haue not digged and cast by his earth for Tile, till after the first of Nouember, or haue not stirred and turned it till after the first of Februarie following, or if hee haue wrought it before the first of March following, or if hee haue not wrought and tried it from stones, veines, and chalke: Or if he haue made or any person haue put to sale, any plaine Tile, vnder tenne inches and a halfe in length, sixe inches and a quarter in breadth, and halfe an inch and a quarter in thickness: or any rooffe Tile vnder thirteene inches in length, and halfe an inch and halfe a quarter in thickness, with conuenient deepnesse: or any gutter Tile vnder ten inches and a halfe in length with conuenient thickness, breadth, and depth: And if any searcher

Loose the
warcs.

Tilemakers.
Lose the double value to the buyer.

Loose for eue- rie	{	1000. of plaine Tile,
		five shillings.
		100. of rooffe Tile,
		a noble.
		100. of corner Tile,
		two shillings.

Loose tenne
shillings for
each default.

chers appointed for the oversight of the true making of Tile, haue not done their effectuall inuour and diligence in this behalfe, 17. Edw. 4. cap. 4.

Ware woz-
bers.

If any person haue solde or set forth Candles or other wozkes of Ware to sale, at higher price then after the rate of foure pence for the pound, or

Fotseit the works, or the
value: and to make
Fine.

uer the common price of plaine ware be-
thweene marchant and marchant, 11. H. 6. cap. 12.

Clothmaking
and Dying.

If any Clothmaker haue not set his seale of Leade vnto his cloth, thereby declaring the iust length thereof, to be tried by the water, 3. E. 6. c. 2.

Fine.

If any person haue stretched any Cloth aboue one yarde and a halfe in length, or one quarter of a yarde in breadth, or haue put to sale, any Cloth that hath shrunke more in the wetting than is aforesaid: Or haue stretched any narrow streite or Kersey, aboue one yarde in length, and a quarter of a yarde in breadth, or haue put any such to Sale that haue shrunke more in the wetting, 5. Edw. 6. cap. 2.

Loose twentie
shillings for
each offence.

If any Dyar of Woollen cloth, haue died any browne Blewes, Pewkes, Tawncies or Violets that were not perfectly boyled, grained or madde-
red vpon the Wood, & shot with good cooke or choll sufficiently, 3. E. 6. cap. 2.

Loose forty shillings for
each Cloth, or Wooll,
sufficient for a Cloth.

If any person haue Died any Wooll for Cloth called Russettes, Parbles, Grapes, Wapes, or such like. or for Pattes, or Tappes, vnesse it were perfectly wooven

wooven, boyled, and madderred: Or haue died with brazel, to the intent to make a false colour, in any such Cloth or wooll: or haue put any flore, chalke, starch, or other deceivable thing vpon any Cloth (except certain Deuonshire & Cornwal straights, 3. E. 6. c. 2.) Or haue occupied any yron carbs or picards, in rowing of any wollen cloth: or haue solde any Cloth of any lesse measure then after the true content thereof by the yarde and inch: or haue put to sale in this realme any cloth (being pressed) to be occupied in England, Wales, or Irelande, 3. E. 6. cap. 2.

Loose 20. s. for
each offence.

Loose 40. s. for
each offence.

Loose them, &
xx. shillings.

Loose a noble
for each yard,

Lose the cloth
or the value.

If any Duerseers of Cloth, appointed by the Iustices of peace for this yere, haue refused to be ouerseers, or haue not with-
in their charge, made due search thereof
once euery quarter: And if any person haue inter-
rupted them to make such search, 3. E. 6. cap. 2.

To loose as the offenders
them selues should loose.

Loose xx. li.

If any Keneish broad cloth (except course cloth onely, not exceeding vi. li. price) hath bene made, that contained not in length betweene
eight and twenty and thirtie yards, be-
ing wet: and in breadth seuen quarters
within the listess: and in weight seuen-
tie li. pounds, being well scowzed,
thicked, milled and fully dyed, 5. E. 6. cap. 6. & 4.
& 5. Ph. & Mar. cap. 5.

Loose twenty shillings for
each fault of breadth, or
length: and the like for
each want of weight, a-
boue foure pound.

And so changing it after their rates for other countries, as by those Statutes appeareth.

For regrating of woolls by *Hallifax* men, See
2. & 3. Phil. & Mar. cap. 13.

If

Linnen cloth. If any person haue vbled, or caused to be vbled, any racking, beating, or casting of any deceitful li- quor, or other mean, with any kind of linnen cloth, whereby the same became deceitfull, or the worse for the good vse thereof, 1. monethes imprisonment, and pay fine. Eliz. cap. 13.

Scites of religious houses. If any owner of any Scite or Precinct, and Demeasnes of any late dissolved Religious house (that was in yearely value vnder 200.li.) doe not keepe an honest and continual household thereupon 27. H. 8. cap. 22. & 5. El. cap. 2.

Note that the offences against the statute of *Husbandrie & Tillage* 39. El. c. 2. which extendeth not to Kent, Essex, Suff. and many other shires, nor to the greatest part of Wales, are enquirable and determinable at the Quarter Sessions: but I leaue them to the Iustices of those shires in which they haue force.

2000. sheepe. If any person haue at one time kept aboue the number of 2000. sheepe of all sortes, against the purpose of the statute, 25. H. 8. cap. 13.

Faire & market for horses. If any owner, officer, or ruler of any faire or market haue not appointed one certaine open place there, for the sale of horses, geldings, mares, and colts, and one sufficient person to take toll, and keepe the said place: And if a- nie such toll-gatherer, or his deputie haue taken any more then one penny toll for one contract, or for entering the names of the parties, and that in the same place onely, and betweene ten of the clocke in the morning, and Sunne setting, 2. & 3.

Loose fortie shillings for each default, and answere shee partie grieved.

2. & 3. P. & Mar. cap. 4.

If any person haue in any faire or market, sold, giuen, or put away, any horse, mare, gelding, colt, or filly: vntill the toll-taker, booke keeper, bailie, or chiefe officer thereof, will take vpon him perfect knowledge of the same person his name, surname, and place of dwelling, or residence, and shall enter the same into a booke kept for horses sold: or vntill the said person do bring to such toll-taker, booke keeper, &c. one sufficient and credible person, that can and will testifie, that he knoweth the seller, giuer, or putter away, his name, surname, misterie, and dwelling place: and there enter into such booke, as well the same, as the name, surname, misterie, and place of dwelling, or residence of such testifier, together with the true price that shalbe taken for any such horse, mare, gelding, colt, or filly so sold: None shall so testifie, vntill he doe in deed trulie know the same, vpon paine to forfeit 5. li. for every default in any the premises. And the like pain vpon the toll-taker, or other officer aforesaid, that shall refuse to giue to the buyer, or taker of such horse, &c. a true note in writing of that his entrie, the partie paying two pence for the same, 31. El. cap. 12.

If any inholder (dwelling in any Citie, Towne corporate, or Market towne, wherein is any common baker that hath bene apprentice there seven yerres) haue within his owne house made any horse-bread: or (dwelling in any other thowmfare) haue made it insufficiently, and not of due assise, 13.

R. 2.

R.2. cap. 8. & 32. H. 8. cap. 41.

Hay & oats.

If any Inholder haue taken any thing for litter: or haue taken excessiue for hay, or haue taken about one halfe penny in a bushell of oats, ouer the comon price in the market, 13. R. 2. ca. 8. & 4. H. 4. ca. 25.

Loose the quadruple value of that which he hath taken more.

Servants not retainable for lesse then one yere.

If any person haue bene retained into seruice to worke for any lesse time then a whole yere, in any the artes of a clothier, wollen weauer, tucker, fuller, clothworker, sherman, dier, hosier, tailor, shoemaker, tanner, pewterer, baker, brewer, glover, curler, smith, ferroz, currier, sabler, spurrier, turner, capper, hatmaker, feltmaker, bowier, Fletcher, arrowhead-maker, butcher cocke, or miller. And if any person being unmarried (or vnder thirtie yeeres of age, and married) and being compellable to serue in any of those artes, haue refused to serue.

The retainer is void.

Refusing to serue.

Prisoned till he wil serue.

Prisoned till he will serue.

Greater wages.
Loose v. li.

Testimoniall.

Prisoned for one and twentie dayes, and whipped then if he bring not a Testimoniall.

If any person retained in husbandrie, or any the said Artes, haue after his retainer expired, departed out of one limite, towne or parish, into another without a Testimoniall: And if any person haue

haue accepted into his seruice, any so departing, without shewing such testimoniall. Loose v. li. for each offence.

If any person haue put away his servant before the end of his terme, without reasonable & allowed cause before a Iustice of the peace, or at the end of his terme, without a quarters warning before given: and if any servant haue departed without such cause before the end of the terme, or at the end thereof, without such warning given before two lawfull witnesses. Put away, or depart away. Loose x. li. Prisoned till he wil continue.

If any Artificer or Labourer, hired by the day or weeke, haue not continued at his worke so many houres in the day as he ought: or taking any worke by the great, haue unlawfully departed before the finishing thereof.

Undertake worke, and not finish it. Loose one penny, for each houres absence. Loose five pound and haue one moneths prisonment.

If any servant, workman, or Labourer haue wilfully and maliciously made any assault or affray vpon his Master or dame, or other person hauing the charge of such workers or worke.

Assault Master or dame. One yeres prisonment, and other open corporall punishment, not extending to life or limme.

If any Constable or head officer, haue not vpon complaint put into the stocks two daies and one night every Artificer or person, meeke to labour, that hath refused to labour in hay time or harvest, for the getting or carrying of corne, hay or graine, being thereto appointed by a Iustice of Peace, or such Constable or head Officer. Loose x. li.

If any person haue taken any Apprentice against the order of the Law: and if any person haue exercised

**Prisoners re-
leased.**

Loose v. li.

Loose v. li.

Loose v. li.

Inmates.

Loose v. li.

Loose v. li.

Loose v. li.

Loose v. li.

Loose v. li.

Loose v. li.

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Loose v. li.

Loose v. li.

Loose v. li.

Loose v. li.

Loose v. li.

exercised any Art, not being brought by therein as an apprentice 7. veres, 5. El. cap. 4. & 5.

If the Churchwardens of any parish have not euerie Sunday leuied the money for reliefe of the prisoners in the Gaole, & once in euery quarter paid it to the Constable of the Hundred: or if that Constable haue not at euery quarter sessions paid ouer the same to the Collector thereto appointed: or if such Collector haue not weekly distributed the same for reliefe of the said prisoners, 14. El. ca. 5.

If any person hath (since the end of the last Session of Parliament) made, builded: or erected, or caused to be made &c. any manner of cottage for dwelling: or conuerted, or ordained any building, or housing, to be used as a Cottage for dwelling: vntlesse the same person haue laid thereunto 4. acres (at the least) of ground (to bee accounted by the Ordinance de Terris mensurandis) being his or her owne freeholde and inheritance, lying neere to the said Cottage to bee continuallie manured therewithall so long as that cottage shall bee inhabited.

If any person haue willingly maintained or byholden such cottage, not hauing so many acres so lying and manured.

If there bee any Inmates, or mo. householdes then one, dwelling in any one Cottage, by the placing or suffering of any owner or occupier of such Cottage.

Cottages.

But this statute extendeth not to any Cottage in anye Citie, corporate (or market) towne, or ancient

cient Borough: Nor to the dwelling of any workers in Minerall workes, coale-mines, Quarries of stone, or slate, or about the making of Bricke, tyle, lime, or coale: so that they be not distant about one mile from the workes, and be used onely for the habitation of such workers: nor to cottage within a mile of the sea, or vpon the side of any Nauigable riuer within the Admirals iurisdiction: So as none dwell therein but Saylers, or men of Manuell occupation for the making, furnishing, or victualling of ships, or vessels used to serue on the sea: Nor to any cottage in any Fortell, chafe, warren, or parke inhabited onely by them that keepe the Deere, or game there: Nor to any cottage hereafter to be made, wherein onely a common hearth, ma, or comon sheheard of any towne, or any poore, lame, sicke, aged, or impotent person shall dwell: Nor which for any iust respect (vpon complaint to the Iustices of Assise at the Assises, or to the Iustice of Peace at the N. Sessions) shall by their order (entered in open Assises, or N. Sessions) be decreed to continue for dwelling, for so long time onely as by such decree shall be limited 31. Eliz. Reg. cap. 7. Nor extendeth to any Inmates to be placed by the order of the Iustices in their quarter Session, with the leaue of the Lord of any Mass or Common, at the charge of the Parish, Hundred, or Countie, 43. El. cap. 2.

If any man boine within the Queenes dominions (except it be the sonne and heire apparant of a knight, or the sonne of one of higher degree, or such as may

Strike in a
parcell.

Loose x.li. for
each day.

Loose roo.li.

Bridges.

Highwaies.

Fine.

as may dispend xx. pounds by yere, in lands, offices, fees, or other yeerely reuenues for terme of life, or be worth two hundred pounds in goods, or haue bene head Officer in anie Citie, Borough, or Towne corporate, or be the Queenes seruant in Ordinarie and wearing her luerie) haue worne anie maner of silke, in, or vpon his hat, bonet, nightcap, girdle, scabbard, hose, shoes, or spurre leathers: And if any person knowing any seruant of his to offend herein, haue not (within 14. daies next after such knowledge) put him out of seruice, if he were no apprentice or hired seruant, and if he were, then if he haue not put him away at y^e end of his terme, or if, hauing put him away therfore, he haue retained him againe within one yere next after that offence 1. & 2. Ph. & Ma. cap. 2.

The Statute of apparel (made 24. H. 8. ca. 13.) is not thought altogether meet for this time, as it may appeare by some proclamations published.

If any Bridges in the highwaies (being out of the Cinque Ports, and members thereof) be broken or decayed, to the annoyauce of passengers, and if yea, then what Hundred, Citie, Towne, Parish or person certaine, or bodie politique, ought of right to repaire or amend the same, 22. H. 8. ca. 5.

If the Constables and Churchwardens of anie parish, haue not in Easter weeke called their parishioners together, and appointed Duerseers of the workes for amendement of the highwaies, leading to any Market, or haue not appointed the vi. daies for that worke: and if any such Duerseers, haue refused

refused that charge. And if any person (hauing a plow lan in tillage or pasture, or keeping a draught or plowe) haue not found one waine or cart, furnished to worke 8. houres, euery of the said daies: Or if any other person (being assessed in subsidie to v. li. in goods, or xl. s. in lands) haue not likewise found two able men: or if any other houtholder or Cotager, haue not by himselfe or another, so wrought euery of the same daies.

If the hedges, ditches, trees, and bushes, in and on each side of any such high way be not kept low, scoured, & cut downe by the owners of the grounds adjoining: If any such Duerseer, haue not within one moneth after any of the said offences done, presented the same to the next Iustice of the peace: and if any person occupping land adjoining to any such Highway, haue cast the scouring of any ditch thereof into the high way.

If any Bailifes, Constables, Suruicors or Churchwardens, haue not leuied the forfeitures for the offences aforesaid, and employed them vpon their said highwaies, and accounted thereof, 2. & 3. Ph. & Mar. cap. 8. 5. Eliz. cap. 13. 18. Eliz. cap. 9. & 27. Eliz. cap. 11.

If any owner, occupiour, or fermor of any maner of pyon worke, haue not (for euery three loads of Coale or Wyne, and also for euery tun of pyon that he hath caused to be carried by any waine or Cart, betweene the xii. of October and the first of May, by the space of one mile through any high way

Loose x.s. for
euery draught.Loose xij. d. for
each day.Loose x.s. for
each default.Loose xij. d. for
euery rod.Bailifes and Constables to
loose xl. s.
Suruicors and Churchwar-
dens to be fined.Highwaies in
the Weald of
Kent, Sussex,
and Surrey.