

*Anno primo HENRICI VIII.*

Statutes made at *Westminster*, in the first year of King HENRY VIII. and in the year of our Lord 1509.

**T**HE King our sovereign lord Henry the Eighth after the conquest, by the Grace of God King of England and of France, and lord of Ireland, at his parliament holden at Westminster the one and twentieth day of January, in the first year of his most noble reign, after the prorogation, to the honour of God and of holy church, and for the common weal and profit of this realm, by the assent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, hath done to be ordained, made and enacted, certain statutes and ordinances, in manner and form following.

## CAP. I.

Exp.

A repeal of an act made Anno 8 H. 6. c. 2, prohibiting the King's subjects to repair into *Denmark* and *Iceland*, saving to the town of *Northbarm*.

## CAP. II.

Exp. 17 H. 8.  
c. 12.

The King nor any other shall take advantage of the penalties limited by the statute of 1 R. 3. c. 8. touching the making of several sorts of cloths before the next parliament.

## CAP. III.

All acquittances made by *John Heron*, general receiver of the King's revenues, shall be a discharge against the King; and *John Heron* shall stand chargeable to others having interest in receipts. *To endure only to the next parliament.*

## CAP. IV.

Exp. 18 El. c. 5.  
31 El. c. 5.

All actions, &c. for the King upon any penal statute shall be taken within three years after the offence committed, and for any other person within one year. *To endure to the next parliament.*

## CAP. V.

*A repeal of the act made, that no man enter goods, but in the owner's name, in the customers books.*

The penalty for customing goods where- by the King loseth his duty.

**W**HEREAS at a parliament holden at Westminster, in the third year of the reign of King Henry the Seventh, it was ordained and established by the authority of the same, That no manner of merchant, denizen or stranger, should take upon him to enter, or cause to be entered in the books of any customer of any port within this realm, any manner of merchandises coming into this his said realm, or going out of the same, in any other merchant's name, saving only the name of the merchant owning the same upon pain of forfeiture of all such goods and merchandises so entered; (2) and every of the said merchants, which so shall take upon him to cause such untrue entry to be made, to have imprisonment, and to make fine thereof at the King's pleasure: (3) it is now by our sovereign lord the King, and his lords spiritual and

3 Bull. r. 22.

and temporal, and the commons, in this present parliament assembled, well considering, that the intent and cause of the making of the said statute was only, forasmuch as by the subtil dealing of some Englishmen, colourably entering in their own names the goods of merchants strangers, the King's Highness was deceived in his customs, and that the said statute was made for none other cause; yet forasmuch as the words of the said statute were general, it was extended as well unto the goods of an Englishman entered in the name of one other Englishman, as to the goods of a stranger entered in the name of an Englishman, to the great hurt, loss, and damage of many and divers of the King's subjects, and contrary to the very intent and meaning of the said statute.

The intent and cause of the making of the statute of 3 H. 7. c. 7.

II. It is therefore ordained, established and enacted by the authority of this present parliament, That the act afore rehearsed, made the said third year, and all things contained in the same, be from henceforth repealed, adnulled, utterly void, and of none effect.

A repeal of the said statute.

III. And furthermore, be it enacted by our sovereign lord the King, the lords spiritual and temporal, and the commons, in this present parliament assembled, and by authority of the same, That it shall be lawful from henceforth, that every Englishman, and all other the King's subjects, may in every port or haven within this realm of England, Ireland, and Wales, and the marches of the same, and in the town of Berwick, where it shall happen any merchandise to arrive, or to be charged and carried out, to custom in his name all manner of goods and merchandise of another Englishman, or the King's subjects.

One Englishman may custom goods in another Englishman's name.

IV. And in like form, every merchant stranger to custom in his name any goods or merchandise of any other merchant stranger, so that the said merchant stranger that customs the goods of another merchant stranger, and the very owner or proprietary of the goods so customed, be charged with like custom, subsidy, and other things, so that the King's Grace be not defrauded of his right.

One merchant stranger may custom goods in another's name. 1 Roll, 143, 146.

V. And if any merchant stranger or denizen, or any other the King's subject, custom any goods or merchandises of another stranger or denizen, or of any other the King's subject, whereby the King's Grace should lose his custom, subsidy, or other his right or duty, that then the said merchant stranger or denizen, or any other the King's subject that so taketh upon him or them, to forfeit to our said sovereign lord the King the goods or merchandises so customed; and over that, to forfeit to the party or parties in this behalf grieved, as much money as the goods or merchandises of the merchant stranger, denizen, or other the King's subjects (so cautelously customed) amounted unto.

The penalty for customing of goods, whereby the King loseth his custom. The penalty enlarged by 2 & 3 Ed. 6. c. 22.

VI. And that no citizen of London, or other the King's subjects, inhabiting in the cinque-ports, or any other being free of prisage or butlerage of wines, by grant, custom or otherwise, custom no wines of any person or persons not being free of any prisage or butlerage.

No wines free of prisage, &c. to be customed.

VII. And if any person, free of the said prisage or butlerage, so

so

so do, that then the said person or persons (that so do) forfeit to our said sovereign lord the double value of the prisage of the said wines so customary.

VIII. And further, That it be lawful to any person or persons grieved contrary to this act, to have an action of debt against every person or persons that so custom the goods or merchandises in his name, and not in the owner's name, of the sum or the value of the said merchandises so customary and forfeited; in which action none essoin nor protection shall lie, nor the defendant to wage his law.

1 El. c. 11.

#### CAP. VI.

4 Inst. 41.

A repeal of a statute made *Anno 11 H. 7. c. 3.* giving authority to justices of assize and justices of peace in their sessions to hear and determine all offences and contempts committed against any statute in force, saving treason, murder, or felony.

#### C A P. VII.

*For coroners.*

A rehearsal of  
3<sup>rd</sup> H. 7. c. 1.  
touching the  
fees of coroners.

No fee due to  
a coroner  
where any  
person is slain  
by misadventure.

3<sup>rd</sup> Ed. 1. c. 10.  
28 Ed. 3. c. 6.

Justices, &c.  
may inquire of  
and determine the  
faults of  
coroners.

**W**HEREAS by a statute made at Westminster the third year of King Henry the Seventh, it was enacted, That a coroner shall have for his fee, upon every inquisition taken upon the view of the body slain and murdered, thirteen shillings, four pence, of the goods and chattels of him that is the slayer or murderer; (2) where by the common law a coroner had not, or ought not to have any thing for their office doing, as by the same statute more plainly doth appear: (3) with which statute so made, the coroners have used, that if any person hath happened to be slain by misadventure, and not by no man's hand, that they will not inquire upon the view of the body so by misadventure slain, except they have for their labour thirteen shillings, four pence, which is contrary to the common law, and also to the statute afore rehearsed; whereby great inconvenience doth daily grow to the King's subjects, forasmuch as oftentimes the person that is so by misadventure slain lieth long above the ground unburied, to the great noyance of the King's liege people: (4) wherefore the King our sovereign lord, by the assents of the lords spiritual and temporal, and the commons, in this present parliament assembled, and by authority of the same, ordaineth, That upon a request made to a coroner to come and inquire upon the view of any person slain, drowned, or otherwise dead by misadventure, the said coroner diligently shall do his office, upon the view of the body of every such person or persons, without taking any thing therefore, (5) upon pain to every coroner that will not endeavour himself to do his office, as afore is said, or that he taketh any thing for doing of his office upon any person dead by misadventure, for every time forty shillings.

II. And that the justices of assizes, and justices of peace within the county where any such default of the coroners be, have authority and power to inquire thereof, and determine the same, as well by examination as by presentment.

CAP.