

1 El. c. 4.

chargeable to pay to our said sovereign lord, of his or their proper money, cost or charge, for or in discharge of the lessor or lessors, owner or owners of the same, by reason of any covenant, bargain, bond, condition, clause of re-entry, or other thing heretofore made or concluded; (2) but that every of the said lessors and owners and their successors, shall be charged and chargeable to pay and satisfy the same of his and their proper cost and charge, to the King our sovereign lord, his heirs and successors, according to the grant thereof; any covenant, bargain, contract, bond, condition, clause of re-entry, or other thing heretofore made or concluded to the contrary thereof, in any wise notwithstanding.

## CAP. XVIII.

EXP.

The King's pardon to all his subjects of all felonies, trespasses, and offences not excepted.

Statutes made at *Westminster Anno 27 HEN. VIII.*  
and *Anno Dom. 1535.*

**A**CTS made in the session of this present parliament, holden upon prerogation at Westminster the fourth day of February in the seven and twentieth year of the reign of our most dread sovereign lord King Henry the Eighth, and there continued and kept till the fourteenth day of April next ensuing, to the honour of God, and for the common weal and profit of this his realm.

## CAP. I.

P R.

For the re-edifying of Nottingham, Gloucester, Northampton, and other towns.

## CAP. II.

REP. 1 Ed. 6. It shall be high treason to counterfeit the King's sign-manual, privy-signet, or privy-seal.  
c. 12. f. 8.

## CAP. III.

REP. 33 H. 8. A restraint of the exactions taken by the mayor and commonalty of the town of Hull.  
c. 33.

## CAP. IV.

*For pirates and robbers on the sea.*

The inconveniencies of the trial of piracy after the course of the civil law,

**W**HERE pirates, thieves, robbers and murderers upon the sea, many times escape unpunished, because the trial of their offences hath heretofore been ordered before the admiral, or his lieutenant or commissary, after the course of the civil laws, the nature whereof is, that before any judgment of death can be given against the offenders, either they must plainly confess their offence, (which they will never



*never do without torture or pains (or else their offences be so plainly and directly proved by witnesses indifferent, such as saw their offences committed, which cannot be gotten but by chance at few times, because such offenders commit their offences upon the sea, and at many times murder and kill such persons being in the ship or boat where they commit their offences, which should bear witness against them in that behalf, and also such as should bear witness be commonly mariners and shipmen, which for the most part cannot be gotten ne bad always ready to testify such offences, because of their often voyages and passages in the seas, without long tarrying or protraction of time, and great costs and charges, as well of the King's highness, as of such as would pursue such offenders :* (2) for reformation whereof, be it enacted by authority of this present parliament, That all such offences done in or upon the sea, or in any other haven, river or creek where the admiral or admirals pretend to have jurisdiction, shall be enquired, tried, heard and determined in such shires and places in this realm as shall be limited by the King's commission to be directed for the same, in like form and condition as if such offences had been done upon the land ; (3) and that such commissions shall be had under the King's great seal, directed to the lord admiral or admirals, or to his or their lieutenant, deputy or deputies, and to three or four such other substantial persons as shall be named by the lord chancellor for the time being, as often as need shall require, to hear and determine such offences after the common course of the laws of the land used for felonies done and committed within this realm.

Before what persons offences committed upon the sea shall be heard and determined.

II. And be it enacted by the authority aforesaid, That such persons to whom such commissions shall be directed, or three of them at the least, shall have full power and authority to enquire of such offences, by the oaths of twelve good and lawful men inhabited in the shire limited in their commission, in such like manner and form as if such offences had been committed upon the land within the same shire ; (2) and that every indictment found and presented before such commissioners, of any felonies, robberies, murders or manslaughters, done upon the seas, or in or upon any other haven, river or creek, shall be good and effectual in the law ; (3) and if any person or persons happen to be indicted for any such offence done or hereafter to be done upon the seas, or in any other places above limited, that then such order, process, judgment and execution shall be used, had, done and made, to and against every such person and persons so being indicted, as against felons and murderers for murder or felony done upon the land, as by the laws of this realm is accustomed ; (4) and that the trial of such offence, if it be denied by the offenders, shall be had by twelve men inhabited in the shire limited within such commission, which shall be directed as is aforesaid, and no challenge to be had for the hundred ; (5) and such as shall be convict of any such offence, by verdict, confession or process, by authority of any such commission, shall have and suffer such pains of death, losses

By what jurors the same offences shall be enquired of.

The trial, judgment and forfeiture of offenders in piracy.



losses of lands, goods and chattels, as if they had been convict of any felonies or murders done upon the lands.

Clergy shall not be allowed to pirates.

III. And be it enacted by authority aforesaid, That for robberies, felonies and murders done upon the seas, or in any other places above rehearsed, the offenders shall not be admitted to have the benefit of their clergy, but be utterly excluded thereof, and also of the privilege of any sanctuary.

Things taken upon the sea by necessity.

IV. Provided alway, That this act extend not to be prejudicial or hurtful to any person or persons for taking of any victuals, cables, ropes, anchors or sails, which any such person or persons, compelled by necessity, taketh of or in any other ship, which may conveniently spare the same, so that the same person or persons pay out of hand for the same victual, cables, ropes, anchors or sails, money or money-worth, to the value of the thing so taken, or deliver for the same a sufficient bill obligatory to be paid in form following; that is to say, if the taking of the same things be on this side the straits of *Marrok*, then to be paid within four months; and if it be beyond the said straits of *Marrok*, then to be paid within twelve months next ensuing the making of such bills; and that the makers of such bills well and truly pay the same debt at the day to be limited within the said bills.

Commissions directed into the five ports.

V. Provided alway, That whensoever any such commission for the punishment of the offences aforesaid shall be directed or sent to any place within the jurisdiction of the five ports that then every such commission shall be directed unto the lord warden of the same ports for the time being, or to his deputy, and unto three or four such other person or persons as the lord chancellor for the time being shall name and appoint; any thing in this present act to the contrary thereof in any wise notwithstanding.

28 H. 8. c. 15.

VI. Provided also, That whensoever any commission shall be directed into the five ports for the inquisition and trial of any of the offences expressed in this act, that every such inquisition and trial to be had by virtue of such commission, shall be made and had by the inhabitants in the said five ports, or the members of the same; any thing in this act to the contrary thereof notwithstanding.

#### CAP. V.

*For the making of justices of peace within Chester and Wales.*

The lack of the execution

THE King's highness considering the manifold robberies, murders, thefts, trespasses, riots, routs, embraceries, maintenances, oppressions, ruptures of his peace, and many other malefactions, which been daily practised, perpetrated, committed and done within his counties and county palatines of Chester and Flintshire in Wales, adjoining to the said county of Chester, and also in his counties of Anglesey, Cayernarvan and Mereineth, within his principality of North-wales, and also in his counties of Cardigan, Cayermarthen, Pembroke and Glamorgan, in South-Wales; by reason that common justice hath not been indifferently ministred there, like