

## CAP. VII.

*This session of parliament (by reason of the increase of the sickness and other inconveniencies of the season, requiring a speedy adjournment, nevertheless) shall not determine by his Majesty's royal assent to this and some other acts. EXP.*

III. **A**ND all statutes and acts of parliament which are to have continuance unto the end of this present session, shall be of full force after the said adjournment, until this present session be fully ended and determined: (3) and if this session shall determine by dissolution of this present parliament, then all the acts aforesaid shall be continued until the end of the first session of the next parliament: (4) and all statutes and acts of parliament which before the said adjournment shall pass by his Majesty's royal assent, shall be put in execution immediately after forty days after the said adjournment, notwithstanding that by the words or letters of the said acts or any of them, they be limited to take effect, or be put in execution, from or at any time after the end of this present session.

Acts that are to have continuance shall remain in force.

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

*Anno Regni CAROLI Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, tertio.*

**A**T the parliament begun at Westminster the seventeenth day of March, Anno Dom. one thousand six hundred twenty-seven, in the third year of the reign of our most gracious sovereign lord Charles, by the Grace of God, of England, Scotland, France and Ireland, King, defender of the faith, &c. and there continued until the twenty-sixth day of June following, and then prorogued unto the twentieth day of October next ensuing; to the high pleasure of Almighty God, and to the weal publick of this realm, were enacted as followeth.

*The petition exhibited to his Majesty by the lords spiritual and temporal, and commons, in this present parliament assembled, concerning divers rights and liberties of the subjects, with the King's majesty's royal answer thereunto in full parliament.*

*To the King's most excellent majesty.*

**H**UMBLY shew unto our sovereign lord the King, the lords spiritual and temporal, and commons in parliament assembled, That whereas it is declared and enacted by a statute made in the time of the reign of King Edward the First commonly called Statutum de tallagio non concedendo, That no tallage or aid shall be laid or levied by the King or his heirs in this realm, without the good will and assent of the archbishops, bishops, earls, barons, knights, burgesses, and

The petition, of right.

34 Ed. 1. stat. 4. c. 2.

and other the freemen of the commonalty of this realm; (2) and by authority of parliament holden in the five and twentieth year of the reign of King Edward the Third, it is declared and enacted, That from thenceforth no person should be compelled to make any loans to the King against his will, because such loans were against reason and the franchise of the land; (3) and by other laws of this realm it is provided, That none should be charged by any charge or imposition called a benevolence, nor by such like charge: (4) by which the statutes before mentioned, and other the good laws and statutes of this realm, your subjects have inherited this freedom, That they should not be compelled to contribute to any tax, tallage, aid or other like charge not set by common consent in parliament.

25 Ed. 1. stat. 1.  
c. 6.  
1 Ed. 3. stat. 2.  
c. 6.  
11 R. 2. c. 9.  
1 R. 3. c. 2.

II. Yet nevertheless, of late divers commissions directed to sundry commissioners in several counties, with instructions, have issued; by means whereof your people have been in divers places assembled, and required to lend certain sums of money unto your Majesty, and many of them, upon their refusal so to do, have had an oath administered unto them not warrantable by the laws or statutes of this realm, and have been constrained to become bound to make appearance and give attendance before your privy council and in other places, and others of them have been therefore imprisoned, confined, and sundry other ways molested and disquieted; (2) and divers other charges have been laid and levied upon your people in several counties by lord lieutenants, deputy lieutenants, commissioners for musters, justices of peace and others, by command or direction from your Majesty, or your privy council, against the laws and free customs of the realm.

9 H. 3. stat. 1.  
c. 29.

III. And where also by the statute called The great charter of the liberties of England, it is declared and enacted, That no freeman may be taken or imprisoned, or be disseised of his freehold or liberties, or his free customs, or be outlawed or exiled, or in manner destroyed, but by the lawful judgment of his peers, or by the law of the land.

28 Ed. 3. c. 3.

IV. And in the eight and twentieth year of the reign of King Edward the Third, it was declared and enacted by authority of parliament, That no man of what estate or condition that he be, should be put out of his land or tenements, nor taken, nor imprisoned, nor disseised, nor put to death without being brought to answer by due process of law:

37 Ed. 3. c. 18.  
38 Ed. 3. stat. 2.  
c. 9.  
42 Ed. 3. c. 3.  
17 R. 2. c. 6.

V. Nevertheless against the tenor of the said statutes, and other the good laws and statutes of your realm to that end provided, divers of your subjects have of late been imprisoned without any cause shewed; (2) and when for their deliverance they were brought before your justices by your Majesty's writs of habeas corpus, there to undergo and receive as the court should order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but that they were detained by your Majesty's special command, signified by the lords of your privy council, and yet were returned back to several prisons, without being charged with any thing to which they might make answer according to the law:

2 Inst. 187.

VI. And whereas of late great companies of soldiers and mariners have been dispersed into divers counties of the realm, and the inhabitants against their wills have been compelled to receive them into their houses,

houses, and there to suffer them to sojourn, against the laws and customs of this realm, and to the great grievance and vexation of the people :

VII. And whereas also by authority of parliament, in the five and twentieth year of the reign of King Edward the Third, it is declared and enacted, That no man should be forejudged of life or limb against the form of the great charter and the law of the land; (2) and by the said great charter and other the laws and statutes of this your realm, no man ought to be adjudged to death but by the laws established in this your realm, either by the customs of the same realm, or by acts of parliament: (3) and whereas no offender of what kind soever is exempted from the proceedings to be used, and punishments to be inflicted by the laws and statutes of this your realm: nevertheless of late time divers commissions under your Majesty's great seal have issued forth, by which certain persons have been assigned and appointed commissioners with power and authority to proceed within the land, according to the justice of martial law, against such soldiers or mariners, or other dissolute persons joining with them, as should commit any murder, robbery, felony, mutiny or other outrage or misdemeanor whatsoever, and by such summary course and order as is agreeable to martial law, and as is used in armies in time of war, to proceed to the trial and condemnation of such offenders, and them to cause to be executed and put to death according to the law martial:

VIII. By pretext whereof some of your Majesty's subjects have been by some of the said commissioners put to death, when and where, if by the laws and statutes of the land they had deserved death, by the same laws and statutes also they might, and by no other ought to have been judged and executed:

IX. And also sundry grievous offenders, by colour thereof claiming an exemption, have escaped the punishments due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers of justice have unjustly refused or forbore to proceed against such offenders according to the same laws and statutes, upon pretence that the said offenders were punishable only by martial law, and by authority of such commissions as aforesaid: (2) which commissions, and all other of like nature, are wholly and directly contrary to the said laws and statutes of this your realm:

X. They do therefore humbly pray your most excellent Majesty, That no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or such-like charge, without common consent by act of parliament; (2) and that none be called to make answer, or take such oath, or to give attendance, or be confined, or otherwise molested or disquieted concerning the same, or for refusal thereof; (3) and that no freeman, in any such manner as is before-mentioned, be imprisoned or detained; (4) and that your Majesty would be pleased to remove the said soldiers and mariners, and that your people may not be so burthened in time to come; (5) and that the aforesaid commissions, for proceeding by martial law, may be revoked and annulled; and that hereafter no commissions of like nature may issue forth to any person or persons whatsoever to be executed as aforesaid,

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25 Ed. 3. stat. 5.  
C. 4.

9 H. 3. stat. 1.  
C. 29.

25 Ed. 3. stat. 5.

C. 4.

28 Ed. 3. c. 3.

The petition.  
25 Ed. 3. stat. 1.  
C. 6.

3 Inft. 52.

left by colour of them any of your Majesty's subjects be destroyed, or put to death contrary to the laws and franchise of the land.

XI. All which they most humbly pray of your most excellent Majesty as their rights and liberties, according to the laws and statutes of this realm; and that your Majesty would also vouchsafe to declare, That the awards, doings and proceedings, to the prejudice of your people in any of the premisses, shall not be drawn hereafter into consequence or example; (2) and that your Majesty would be also graciously pleased, for the further comfort and safety of your people, to declare your royal will and pleasure, That in the things aforesaid all your officers and ministers shall serve you according to the laws and statutes of this realm, as they tender the honour of your Majesty, and the prosperity of this kingdom. *Quâ quidem petitione lectâ & plenius intellectâ per dictum dominum regem taliter est responsum in pleno parlamento, viz. Soit droit fait come est desire.*

### CAP. I. (II.)

*An act for the further reformation of sundry abuses committed on the Lord's day, commonly called Sunday.*

A carrier, &c. that travels on the Lord's day shall forfeit 20 s.

Butchers that sell or kill victual upon that day shall forfeit 6 s. 8 d.

After conviction, and by warrant from a justice, &c.

**F**ORASMUCH as the Lord's day, commonly called Sunday, is much broken and profaned by carriers, waggoners, carters, wainmen, butchers, and drovers of cattle, to the great dishonour of God, and reproach of religion: (2) be it therefore enacted by the King's most excellent majesty, and the lords spiritual and temporal, and by the commons, in this present parliament assembled, and by the authority of the same, That no carrier with any horse or horses, nor waggon-men with any waggon or waggons, nor carmen with any cart or carts, nor wainman with any wain or wains, nor drovers with any cattle, shall after forty days next after the end of this present session of parliament, by themselves, or any other, travel upon the said day, upon pain that every person and persons so offending shall lose and forfeit twenty shillings for every such offence: (3) or if any butcher, by himself or any other for him by his privity or consent, shall after the end of the said forty days kill or sell any victual upon the said day, that then every such butcher shall forfeit and lose for every such offence the sum of six shillings and eight-pence; (4) the said offences and every of them being done in view of any justice of peace, mayor or other head officer, of any city or town corporate within their limits respectively, or being proved upon oath by two or more witnesses, or by the confession of the party offending, before any such justice, mayor or head officer, within their several limits respectively, wherein such offence shall be committed: to which end every such justice, mayor or head officer, shall have power by this act to minister an oath to such witness or witnesses: (5) all which sums or penalties shall or may be levied by any constable or church-warden, by warrant from any such justice or justices of the peace, mayor or other head officer, as aforesaid, within their several limits where such offence