

Citation: 4 Statutes of the Realm 1547-1624

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to bee disclosed the same, wthin fourty dayes next after suche knowledge or hearing the same, in some Courte of Recorde, so as thoffendo' may bee punished according to the Lawes in that Case provided, shall for every the first Offence cōmitted against this Article, forfeite One Hundrethe Powndes, and for the Seconde Offence shall forfeite his Office.

XLII.
Penalty on false
Certificates, £100.

AND bee it further enacted, That every Customér Officer or Officers deputie that shall make any false Certificat of tharrvyall of any Leather in any Porte Creek or Place of this Realme, shall also forfeite for every suche Offence, One Hundrethe Powndes.

XLIII.
Act shall not extend
to Scotch Hides
brought to
Berwick, and
there registered.

PROVIDED alwaye, That neither this Acte nor any Article Exposition nor Thing therein contained shall extende to any Scottishe Hydes to bee brought into the Towne of Barwyke out of the Realme of Scotlande, being registredd in a Book therfore to be kepte by suche pson or psons as the Mayo' of the said Towne for the tyme being shall theronto name and appointe, wth the name and surname of the Buyer and Seller, to thintent Thenglishe Hides maye bee knownen from the Scotyshe, but that thinhabitantes of the sayd Towne of Barwick maye sende carrye and transporte suche Scottishe Hydes as they laufully might transporte before the making of this Acte.

XLIV.
The following Acts
repealed, viz.

25 E. III. st. 2. c. 4.
13 R. II. st. 1. c. 12.
4 H. IV. c. 35.
2 H. VI. c. 7.
4 E. IV. c. 7.
1 H. VII. c. 5.
19 H. VII. c. 19.
3 H. VIII. c. 10.
5 H. VIII. c. 7.
14, 15 H. VIII. c. 9.
22 H. VIII. c. 6.
24 H. VIII. c. 1.
2 & 3 E. VI. c. 9.
3 & 4 E. VI. c. 9.
5 & 6 E. VI. c. 15.
§ 6.
1 Eliz. cc. 8, 9.

AND forasmuche as the Statutes heretofore made touching Cordeweyners Curriours Tanners and Leather have been throughly consydneyd, and so much of them and every of them as semethe requisite and necessarie to bee revived and continued ys inserted and enacted in this pnte Acte: Bee it therfore enacted, That the Statutes hereafter mentioned; that ys to saye, One Statute made in the Fyve and Twentithe yere of King Edwarde the Thirde, the fourthe Chapter; And one other Statute made in the [Twelfth¹] yere of the Reigne of King Richarde the Seconde, the twelfth Chapter; And one other Acte or Statute made in the Fourthe yere of King Henrye the Fourthe, the five and thirtithe Chapter; And one other Acte made in the Seconde yere of King Henry the Sixthe, the seventh Chapter; And one other Acte made in the Fourthe yere of King Edwarde the Fourthe, intituled Cordwainers and Coblers; And one other Acte made in the First yere of King Henry the Seventh, intituled An Acte against Tanners and Cordwayners; [And one other²] Acte made in the [Ninthe¹] yere of the Reigne of the said King Henry the Seventh, intituled For Curriours and Cordwayners; And [one other²] Acte made in the Thirde yere of the Reigne of oure late Sovereigne Lord King Henry Theight, intituled An Acte for Curriers to have Searche of Leather; [One other²] Acte made in the Fifthe yere of our Sovereigne Lorde King Henry Theight, entitled An Acte for Strangers for buyeng of Leather in open Market; [One other²] Acte made in the Fourtene or xvth yeres of our said late Sovereigne Lorde, intituled An Acte concerning the Libertie of Cordewayners and Shoemakers; And one other Acte made in the Two and twentithe yere of our said Sovereigne Lorde King Henry Theight, intituled An Acte concerning Tanners and Butchers; And one other Acte made in the xxiiith yere of our said late Sovereigne Lorde King Henry Theight, intituled An Acte concerning true tanning and currieng of Leather; And one other Acte made in the Seconde and Thirde yeres of the Reigne of our late Sovereigne Lorde King Edwarde the Sixthe, the ninthe Chapter, and revived in the First yere of our Sovereigne Ladye the Quenes Ma^{tie}, intituled An Acte for true currieng of Leather; One other Acte made in the Thirde and Fourthe yeres of our said Sovereigne Lorde King Edwarde the Sixthe, intituled An Acte for buieng of Roughe Hydes and Calves Skinnnes; And asmuche of an Acte made in the Fifthe and Sixthe yeres of oure said late Sovereigne Lorde King Edwarde the Sixthe, intituled An Acte against regrating of tanned Leather, as dothe provide or gyve libertie to any persone or psons to carry over any Shoes Bootes Buskinnes Startuppes Slippers and other made Wares to the Towne of Callice; And one other Acte made in the First yere of our Sovereigne Ladye the Quenes Ma^{tie}, intituled An Acte touching Shoemakers and Curriers; And one other Acte made in the said First yere, intituled An Acte touching selling of tanned Leather; shall from and after the said Feast of S^t Mighell nexte cōming bee utterly repealed.

CHAPTER IX.

AN ACT for the Punyshement of suche persones as shall procure or cōmit any wyllfull Perjurye.

Recital of Statute
32 H. VIII. c. 9. § 3.
against suborning
of Witnesses;

WHERE in the Parlyament holden at Westminster in the two and thyrtythe yere of the Reigne of the late Kyng of famous Memorye Kyng Henrye Theight, emongst other Thinges yt was ordeyned enacted and established, that no pson or psons of what Estate Degree or Condiçōn soever he or they were, shoulde from thensforthe unlawfully suborne any Witnes or Witnesses by tres Rewardes Promyses or by any other synister Labour or Meanes, for to mayntayne any Matter or Cause, or to the Disturbance or Hynderance of Justice, or to the Procurement or occasion of any maner of Perjurye by false Verdict or otherwise in any of the Kinges Courtes of the Chāncerye the Starre Chamber the White Hall or elsewhere wthin any the Kinges Dominions of Englande or Wales, or the [Marches³] of the same, where any pson or psons have or from thensforthe shoulde have auctoritee by vertue of the Kinges Commission Patent or Wryt to holde Plee of Lande or texamine heere or determine any Title of Landes, or any Matter or Witnesses concerning the Title Right or Interest of any Landes Tenementes or Hereditamentes, upon payne of Forfeiture for every suche Offence Ten Poundes, thone Moietie therof to bee to the King, and thother to the ptie that would sue for the same; as by the same Estatute amongs divers other Thinges more playnely yt dothe appeare: Sithence the making wherof for that the said Penaltie ys so small towards thoffendoures in that Behalf, the said Offence of Subornaçōn and sinister Procurement of false Witnes hathe nevertheles greatly encreased and augmented, and by reason of the wilfull Pjurie committed by the same suborned Witnesses, divers and sundry of the Quenes Ma^{ties} Subjectes have susteyned Disherison ande greate Impoverishment, aswell of their Landes and Tenementes as also of

¹ So in Original Act, erroneously.

² an other O.

³ nishes O.

their Goodes and Cattelles: Bee it therefore enacted by our Sovereigne Ladye the Quene, by thassent of the Lordes Spyrituall and Temporall, and the Cōmons in this p̄nte Pliament assembled, and by thauthorite of the same, That all and every suche p̄son and p̄sons w^{ch} at any tyme after the Tenthē Daye of Aprill next cōming, shall unlauffully and corruptly procure any Wytnes or Wittnesses, by Lettres Rewardes Promises or by any other synister and unlauffull Labour or Meanes whatsoever, to cōmitte any wilfull and corrupte Perjurie in any Matter or Cause whatsoever nowe depending, or w^{ch} hereafter shall depende in sute and varyance by any Writ Action Byll Complaynt or Information in any wise touching or concerning any Landes Tenementes or Hereditamentes, or any Goodes [Cattles'] Debtes or Damages in any of the Courtes before mentioned, or in any of the Quenes Ma^{tes} Courtes of Recorde, or in any Leete (¹) Viewe of Franke Pledge or Lawedaye Auncyent Demeane Courte Hundredcourte Court Baron, or in the Courte or Courtes of the Stannerye in the Counties of Devon and Cornewall, or shall lykewise unlauffully and corruptly procure or suborne any Witnes or Wittnesses w^{ch} shall from and after the said Tenthē Daye of Aprill be sworne to testifie In perpetuam rei memoriam, that then every suche Offendour or Offendoures shall for his hers or their said Offence, being therof lauffully convicted or attaynted, lose and forfeite the sōme of Fourtye Powndes; And yf yt happen any suche Offendour or Offendours so being convicted or attainted as aforesayd not to have any Goodes or Cattelles Landes or Tenementes to the value of xl li. that then every suche p̄son so being convicte or attaynted of any thoffences aforesayd shall for his or theyr said Offence, suffer Imprysonement by the Space of One Half Yere w^{thout} Bayle or Mayneprise, and to stande upon the Pillorye by the Space of One whole Houre in some Market Towne next adjoyning to the Place where thoffence was cōmitted, in open Market ther, or in the Market Towne it self where the Offence was cōmitted; And that no p̄son or p̄sons beyng so convicted or attaynted to bee from thensforthe received as a Witnes to bee deposed or sworne in any Courte of Recorde w^{thin} any of the Quenes Highnes Doinnyons of Englande Wales or the Marches of the same, untill suche tyines as the Judgement gyven agaynst the saide p̄son or p̄sons shalbee reversed by Attainte or otherwise, and that upon every suche Reversall the pties greeved to recover his or their Damages, against all and everie suche p̄son and p̄sons as dyd procure the said Judgement so reversed to bee first gyven agaynst them or any of them, by Actyon or Actions to bee sued upon his or their Case or Cases according to the course of the Cōmon Lawes of this Realme.

Penalty on suborning of Witnesses, £40;

and in Default of Payment, Half a Year's Imprisonment and Pillory.

Offenders convicted disabled from being Witnesses until Reversal of Judgment, and Damages paid to the Party grieved.

AND bee yt further enacted by thauthoritee aforesaid, That yf any p̄son or p̄sons after the sayd tenthē daye of Apryll next cōming, either by the Subornatyon unlauffull Procurement synister Persuatyon or Meanes of any others, or by their owne Acte Consent or Agreement, wilfully and corruptlie commit any maner of wilfull Perjurie by his or their deposition in any of the Courtes before mentioned, or being examined Ad perpetuam rei memoriam, that then every p̄son and p̄sons so offending and being therof dulye convicte or attainted by the Lawes of this Realme, shall for his or their said Offence lose and forfeite twentye powndes, and to have imprisonment by the space of vj monethes w^{thout} Bayle or Mainepriise, and Thothe of suche p̄son or p̄sons so offending from thensforthe not to bee receyved in any Courte of Recorde w^{thin} this Realme of Englande or Wales or the Marches of the same, untill suche tyme as the Judgem^t gyven against the said p̄son or p̄sons shalbee reversed by Attaynte or otherwise: And that upon everye suche Reversall the pties greeved to recover his or their Damages against all and every suche p̄son and p̄sons as dyd procure the said Judgement so reversed to bee gyven against them or any of them by Actyon or Actyons to bee sued upon his or their Case or Cases according to the course of the Cōmen Lawes of this Realme: And yf yt happen the saide Offendour or Offendours so offending not to have any Goodes or [Cattelles'] to the value of xx li. that then he or they to bee sett on the Pillorye in some Market Place w^{thin} the Shiere Citie or Bourghe where the said Offence shalbee cōmitted, by the Shryf or his Ministers yf yt shall fortune to bee w^{thout} any Citie or Towne Corporate, and yf yt happen to bee w^{thin} any suche Citie or Towne Corporate then by the said Heade Officer or Officers of suche Citie or Towne Corporate or by his or their Ministers, and there to have bothe his Eares nayled, and fromthenceforthe to bee discredited and disabled for ever to bee sworne in any of the Courtes of Recorde aforesaid, untill suche time as the Judgem^t shalbe reversed, and therupon to recover his Damages in maner and forme before mentioned; Thone moietie of all w^{ch} sōmes of Money Goodes and [Cattelles'] to bee forfeited in maner and fourme aforesaid to bee to the Quene our Sovereigne Ladye her Heires and Successoures, and thother moietie to suche p̄son or p̄sons as shalbe grieved hindered or molested by reason of any Thoffence or Offences before mentioned, that will sue for the same by Action of Debt Bill Playnt Information or otherwyse in any of the Quenes Ma^{tes} Courtes of Recorde, in the w^{ch} no Wager of Lawe Essoigne Protecōn or Injunction to bee allowed.

II.

Penalty on Persons guilty of Perjury, £20. and Six Months' Imprisonment and Disability, &c.

On Non-payment of Penalty, Pillory and Disability, &c.

Application of Penalties.

AND bee yt also enacted by thauthoritee aforesaid, That aswell the Judge and Judges of every suche of the said Courtes where any suche Suite ys or shalbee, and wherupon any suche P̄jurie is or shall happen to be cōmitted, as also the Justices of Assises and Gaole Deliverie in their severall Circuites and the Justices of the Peace in every Countie w^{thin} this Realme or in Wales, at their Quarter Sessions bothe w^{thin} the Liberties and w^{thout}, shall have full power & auctoritee by vertue hereof tenquire of all and every the Defaultes and Offences perpetrated cōmitted or done contrarie to this Acte, by Inquisition Presentement Bill or Informatyon before them exhibited, or otherwise lauffullye to heare and determyne the same, and therupon to geve Judgement, awarde Proces and Execution of the same according to the course of the Lawes of this Realme.

III.

Judges of the severall Courts, Justices of Peace, &c. may determine Offences.

AND bee it further enacted by thauthoritee aforesaid, That the Justices of Assise of every Circuite w^{thin} this Realme and els where w^{thin} the Quenes Dominions, shall in every Countie w^{thin} their Circuites [twyse'] in the yere, That ys to say, in tyme of their sittings, make open Proclamaçōn of this Estatute or of theeffecte therof, to thintent no p̄son or p̄sons shall bee ignorant or miscognisant of the Penalties herein conteyned.

IV. Act shall be proclaimed at all Assises.

¹ Chattellē O.

² Courte O.

³ two tymes O.

V.
Act shall not
extend to the
Spiritual Courts.

PROVIDED [always, '] That this Acte nor any thing therein conteyned shall not extende to any Spuall or Ecclesiasticall Courte or Courtes wthin this Realme of Englande or Wales or the Marches of the same ; but that all and everye suche Offendour of Offendours as shall offende in fourme aforesaid shall and maye bee punished by suche usuall and ordynarye Lawes as heretofore hath been and yet ys used and frequented in the said Ecclesiasticall Courtes ; Any thing in this p^{nt}e Acte conteyned to the contrarye in any wise notwithstanding.

VI.
Penalty on
all Witnesses
neglecting to
attend, 10.
and Recompence
to the Party
grieved.

PROVIDED also and bee yt further enacted by thauthoritee aforesaid, That yf any pson or psons upon whom any Proces out of any of the Courtes of Recorde wthin this Realme or Wales, shalbee served to testefie or depose concerning any Cause or Matter depending in any of the same Courtes, and having tendred unto him or them, according to his or their Countenance or Calling, suche reasonable sōmes of Moneye for his or their Costes and Chardges as having Regarde to the distance of the Places ys necessarye to bee allowed in that Behalfe, doo not appeare according to the tenour of the said Proces, having not a lafull and reasonable lett or impedymnt to the contrarye, that then the p^{tie} making defaulte to lose and forfeite for everye suche Offence tenne pound^l, and to yelde suche further Recompence to the p^{tie} grieved as by the discretion of the Judge of the Courte out of the whiche the said Proces shalbee awarded, according to the losse and hindrance that the p^{tie} w^{ch} procured the said Proces shall sustayne by reason of the non appaerance of the said Witnes or Witnesses ; The said severall sōmes to bee recovered by the p^{tie} so greeved against Thoffendo' or Offendo' by Accōn of Det Bill Plaint or Informacōn in any of the Quenes Ma^{tie} Courtes of Recorde, in w^{ch} no Wager of Lawe Essoigne or Protecōn to bee allowed.

VII.
Proviso for the
Power of the
Lord Chancellor,
&c. in the Star-
Chamber under
11 H. VII. c. 25.
and for President,
&c. of Wales, &c.

PROVIDED alwaies, That this Acte or any thing therein conteyned shall not [in any wise extende¹] to restraine the Power or Auctoritee geven, by Acte of Pliament made in the tyme of King Henry the Seventh, to the L. Chancellour of Englande and others of the Kinges Counsell for the tyme being, texamine and punishe Riottes heinous Pjuries and other Offences and Misdemeaninges ; w^{ch} Lorde Chancello' and other sithens the making of the saide Acte, have most cōmonly used to heare and determyne suche Matters in the Courte at Westm̄ cōmonly called the Starre Chamber ; nor to restrayne the Power or Auctoritee of the Lorde Presydent and Coūcell of the Marches of Wales or of the Lorde President and Coūcell in the Northe, nor of any other Judge having absolute Power to punishe Perjurie before the making of this Estatute ; but that they and every of them shall have and maye proceade in the Punishe^m of all Offences heretofore punishable, in suche wise as they might have done and used to doo before the making of this Acte to all Purposes, so that they set not upon the Offendo' or Offendo' les Punishment then is contained in this Acte. This Acte to continue unto the ende of the next Pliament.

CHAPTER X.

AN ACT to revyve a Statute made Anno xxj^o H. Octavi, towching Servantes embeaselyng theyr Maysters Gooddes.

Recital of Statute
21 H. VIII. c. 7.
for Punishment
of Servantes
embezzling their
Masters' Goods ;

WHERE in the Parliament holden at London the thirde daye of November in the one and twentithe yere of the Reigne of the late King of most famous and worthy memory King Henry Theight, and fromthence adjourned to Westm̄, and there holden and continued by divers Prorogations unto the dissolution therof, It was ordeyned and enacted amongst other thinges, That all and singler Servantes to whom any Caskettes Juels Money Goodes or Catteltes by his or their M' or M^{re} shoulde from thensforthe bee delyvered to kepe, that yf any suche Servant or Servantes withedrawe him or them from their said Maysters or Mastresses, and goo away wth the said Kaskettes Juells Money Goodes or Catteltes or any parte therof, to thintent to steale the same and defraude his or their said Masters and Mastresses therof, contrary to the Trust and Confidence to him or them put by his or their said M^{re} and Mastresses ; or els being in Service of his said Masters or Mastresses wthout thassent or cōmaundement of his Masters or Mastresses embesyll the same Caskettes Juels Money Goodes or Catteltes or any parte therof, or otherwise convert the same to his owne use wth like purpose to steale yt, that yf the sayde Caskettes Juels Money Goodes or Catteltes that any suche Servant shall go away wth or whiche he shall embesell wth purpose to steale yt as ys aforesaid, bee of the value of fourtye shillinges or above, That then the same false fraudulent and untrewre Acte and Demeanour should fromthensforthe be demed and adjudged Felonye, and that he or they so offending shoulde bee punished as other Fellons for Felonye cōmitted by the course of the Cōmon Lawe ; as by the sayd Acte amongst other Thinges therein conteyned more at large yt dothe and maye appeare : Whiche said Acte in the Pliament begūne and holden at Westminster the fifthe day of October in the first yere of the Reigne of the late Quene Marye, and there continued to the xxjth day of the same Monethe, That ys to saye in the first Session of the same Pliament, by the generall Woordes of one Acte then and there made, entituled An Act repealing of certeine Treasons Felonies and Preminire, was frōthensforthe utterly repealed and made voyde : And forasmuche as sithens the Repeale of the same, the said Acte is thought necessary for the Cōmonwelthe of this Realme ; Bee yt therefore enacted by our Sovereigne Ladye the Quenes Ma^{tie} wth Thassent of the Lordes Spuall & Temporall and the Cōmons in this p^{nt}e Pliam^t assembled and by thauthoritee of the same, That the said Acte made in the said one and twentye yere, and every Clause Article Branche Sentence and Provision therein conteyned, bee from hensforthe revived and put in due execution according to thintent and meaning therof, and fromhensforthe shall stande good endure and continue for ever.

Repealed by the
general Words of
1 M. st. 1. c. 1. § 3.

Recited Act
21 H. VIII. c. 7.
revived and made
perpetual.

¹ Also O.

² extende in anywise O.