

*But abuses crept in, and disorders multiplied by the increase of them as was perceived so long since as 11 H. 7. c. 2. whereby power was given to two Justices of the Peace to lessen their number; yet the mischief arising by their increase and licentiousness growing every day more considerable, a good and profitable Law was made 5 & 6 E. 6. c. 25. for the redress of that general inconvenience without working that reformation that was desired and intended.*

And therefore to prevent the mischiefs and great disorders happening daily by the abuses of such houses, his said Majesty of late famous Memory, and our now gracious Sovereign Lord King Charles, have graciously been pleased that divers good and profitable Laws should be made for the redress thereof, as followeth:

Every keeper of Tavern (keeping also an Inn or Victualling in his house) and every Ale house keeper; Inn-keeper; and Victualler, which shall suffer any Townsman, or any Handicraftsman, or Labourer, working in the same City or Town, to remain and continue drinking in their said house, (except such as shall be invited thither by a Traveller, and shall accompany him during his necessary abode there; and except Handicraftsmen, Labourers and Workmen, in Cities, Towns Corporate and market Towns upon the working day, for one hour at dinner time to take their diet there, or sojourning or lodging there; or except they be allowed by two Justices of Peace) the said Offence being seen by any Justice of Peace within his Limits, or being confessed by the Offender before the Justice of Peace, Mayor or Bailiff, or Head Officer, or being proved before any Justice of Peace by one Witness upon Oath; every such Taverner, Ale-house-keeper, &c. shall forfeit for every such offence 10 s. to the use of the poor.

*And note, that the voluntary Confession (before the Justice of Peace, or other person authorized to minister the Oath) of any Offender against either of the Statutes of 1 Jac. cap. 9. or 4 Jac. cap. 5. shall suffice to convince the person so offending; and after such Confession, the Oath of the party so confessing shall be taken, and be a sufficient proof against any other offending at the same time. 21 Jac. reg. cap. 7.*

If any Taverner (keeping also an Inn, or Victualling in his house) or any Inn-keeper, Ale-house-keeper, or Victualler shall at any time utter or sell within his house, or without, less than one full Ale quart of the best Beer or Ale for 1 d. and of the small two quarts for 1 d. (the said Offence being proved before any Justice of Peace, &c. by one Witness upon Oath) then every such Taverner, Inn-keeper, &c. shall forfeit for every such Offence twenty shillings, to the use aforesaid.

And yet note, That wheresoever any Conviction shall be before the Justice of Peace, by or upon the Oath or Testimony of any other person than the Delinquent himself, there the Justice of Peace must first send for or convent the Delinquent before him, to make answer, &c. and to hear and examine him of the Offence, &c. for it may be, that he can make sufficient defence or excuse of the Fact. And this was the direction of Sir Nicholas Hyde, Lord Chief Justice of the Kings Bench, and well agreeth with the Rule here before, chap. 2. *Qui aliquid statuerit, parte inaudita altera, æquum licet statuerit, haud æquus est.*

*Note, that the St. 1 Jac. 9. is made perpetual by 21 Jac. 7. and yet the Statute of 21 Jac. 28. amongst 57 other Statutes recites the title of the Statute 1 Jac. 9. doth continue the same with other Statutes untill the end of the first Session of the next Parliament, so that unless the Statute of 21 Jac. 7. doth perpetuate it, it is expired for ought I find.*