

this Statute of 18 H.6.19. is now of little force, for that the ancient manner of retaining of Soldiers, to which this Statute hath reference; is now altogether changed, &c. And yet if a Soldier who is retained, or hath taken any Preft-mony, shall at this day depart out of the Kings Service without Licence, it is felony by the Statutes 7 H.7.1. & 3 H.8.5. Which two last mentioned Statutes are yet in force, and are Acts perpetual. *Co.ib.* And by the said Statute of 3 H.8. c. 5. such Licence of departure must be made by the Kings Lieutenant.

Raff. 50. Soldiers, if they shall depart without Licence, after they have served in the Kings Wars, it is felony without benefit of Clergy; none but the Lieutenant shall give a Soldier Licence to depart, 2 Ed. 6. c. 2. Co. 6. 27. See 4 & 5 Ph. & Ma. c. 3.

If any Mariner or Gunner, having taken Preft-wages to serve the King on the Sea, shall not come unto, or shall depart from his Captain, without Licence, it is felony. Yet *Quere*, and see the Statute of 5 El.c. 5. at large, for that it doth relate to the aforefaid Statute of 18 H.6. 19. which (as appeareth before) is now of little force.

39 El. 17. Soldiers and Mariners, and all idle Persons wandring as Soldiers and Mariners, which will not settle themselves to some lawful course of Life, but shall wander up and down idly, or beg up and down, it is felony in them without benefit of Clergy. *Soldiers.*

2. So it is if any idle or wandring Soldier or Mariner, coming from beyond the Seas, or from the Seas, shall not have a lawful Testimonial under the Hand of some one Justice of Peace near the place of his landing, setting down therein the place and time of his landing, and the place unto which he is to pass, and a convenient time for his passage, 39 Eliz. 17.

3. Or having such Testimonial, if they shall wilfully exceed the time therein limited above fourteen days, *Ibid.*

4. Or if they shall forge or counterfeit any such Testimonial; or shall have any such forged Testimonial, knowing the same to be forged, &c. *Ibid.*

5. Or being retained into service after his Arraignment, &c. if he shall depart within the year without Licence of his Master. In all these former Cases, it is felony in such Soldier, &c. without any benefit of Clergy.

39 EL. 17. Justices of Peace may hear and determine these Offences by Soldiers, Mariners, and idle Persons wandring, and shall execute the Offenders convicted before them, except some Subsidy-man, or honest Freeholder, to be allowed by the Justices, will be content, before them, to take him into service for a year, and be bound in a Recognizance of 10 l. to keep him a year, and to bring him to the next Sessions after the year: And if he depart from his service, before the year ended, he shall be indicted, tried and judged as a Felon, and not to have his Clergy.

And yet see the Statute of 43 El. 3. that Soldiers and Mariners begging, or counterfeiting a Certificate from their Captain, shall be adjudged and punished but as Rogues. See *hic antea tit. Rogues.*

8 El. 3. P.Fel. 12. Transporting or sending any live Sheep out of the Kings Dominions, the second Offence is felony. §. 25. *Sheep.*

27 E. 3. c. 3. 7. 12. & 18. It was made felony for any Man to carry or to transport any Wools, Leather, Woolfels or Lead, out of England or Ireland; but see other Statutes since made concerning the same, 38 Ed. 3. cap. 6, 7. & 14 Rich. 2. cap. 1 & 5. §. 26. *Wools.*

Witches. See *Conjurations*

Women

M.c. 12. Fel. 27.

El. 43. l. 34.

Ac. 7. Vag. 4.

El. 15. Co. 11.

Clergy

Ed. 6. 9. m. 405. H. 8. c. 1

e Co. 11. 32, 36. mf. 126

mb. 261. 23 H. 8. l. 1. 2. 6. c. 9.

9 El. c.

ac. 4. Recuf.

16. 10. Fel. 23. cap. 3. 6. 27.