



The Petition of Right [1627]

1627 CHAPTER 1 3 Cha 1

Reciting that by (25) 34 Ed. I. st. 4. c. 1, by Authority of Parliament holden 25 Ed. III. and by other Laws of this Realm, the Kings Subjects should not be taxed but by Consent in Parliament;

HUMBLY shew unto our Sovereigne Lord the King the Lords Spirituall and Temporall and Comons in Parliament assembled, That whereas it is declared and enacted by a Statute made in the tyme of the Raigne of King Edward the first comonly called Statutum de Tallagio non concedendo, That no Tallage or Ayde should be layd or levyed by the King or his Heires in this Realme without the good will and assent of the Archbishops Bishops Earles Barons Knights Burgesses and other the Freemen of the Comonaltie of this Realme, And by Authoritie of Parliament holden in the five and twentieth yeare of the raigne of King Edward the third, it is declared and enacted, That from thenceforth no person should be compelled to make any Loanes to the King against his will because such Loanes were against reason and the franchise of the Land, And by other Lawes of this Realme it is provided, that none should be charged by any charge or Imposicion called a Benevolence nor by such like Charge by which the Statutes before mencioned and other the good Lawes and Statutes of this Realme your Subjects have inherited this Freedome That they should [^{X1}not] be compelled to contribute to any Taxe Tallage Ayde or other like Charge not sett by comon consent in Parliament.

Annotations:

Editorial Information

X1 interlined on the Roll

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II and that Commissions have of late issued on which Proceedings have been had contrary to Law.

Yet neverthesse of late divers Comissions directed to sundry Comissioners in severall Counties with Instruccion have issued, by meanes whereof your people have been in divers places assembled and required to lend certaine somes of mony unto your Majestie, and many of them upon their refusall soe to doe have had an Oath administred unto them not warrantable by the Lawes or Statutes of this Realme and have been constrainyd to become bound to make apparance and give attendance before your Privie Councill and in other places; and others of them have been therefore imprisoned confined and sondry other waies molested and disquieted And divers other charges have been laid and levied upon your people in severall Counties by Lord Lieutenants Deputie Lieutenants Comissioners for Musters Justices of Peace and others by Comaund or Direccion from your Majestie or your Privie Councill against the Lawes and free Customes of the Realme.

III–V F1

Annotations:

Amendments (Textual)

F1 Ss. 3–5 repealed by [Justices of the Peace Act 1968 \(c. 69\)](#), [Sch. 5 Pt. II](#)

VI and that Soldiers have been dispersed in divers Counties, and Inhabitants compelled to receive them.

And whereas of late great Companies of Souldiers and Marriners have been dispersed into divers Counties of the Realme, and the inhabitants against their wills have been compelled to receive them into their houses, and there to suffer them to sojourn against the Lawes and Customes of this Realme and to the great grievance and vexacion of the people.

Annotations:

Modifications etc. (not altering text)

C1 S. 6 restricted by [Army Act 1955 \(c. 18\)](#), [s. 164](#) and [Air Force Act 1955 \(c. 19\)](#), [s. 164](#)

VII 25 E. III. and that Commissions have issued under the Great Seal for Proceedings according to Martial Law.

And whereas alsoe by authoritie of Parliament in the five and twentieth yeare of the Raigne of King Edward the third it is declared and enacted that no man should be forejudged of life or limbe against the forme of the Great Charter and the Lawe of the Land, And by the said Great Charter, and other the Lawes and Statutes of this your Realme no man ought to be adjudged to death but by the Lawes established in this your Realme, either by the customes of the same Realme or by Acts of Parliament. And whereas no offendor of what kinde soever is exempted from the pceedings to be used and punishments to be inflicted by the Lawes and Statutes of this your Realme, Neverthesse of late [^{X2}tyme] divers Comissions under your Majesties great Seale have issued forth, by which certaine persons have been assigned and appointed

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Comissioners with power and authoritie to proceed within the land according to the Justice of Martiall Lawe against such Souldiers or Marriners or other dissolute persons joyning with them as should comitt any murther robbery felony mutiny or other outrage or misdemeanor whatsoever, and by such sumary course and order as is agreeable to Martiall Lawe and as is used in Armies in tyme of warr to proceed to the tryall and condemnacion of such offenders, and them to cause to be executed and putt to death according to the Lawe Martiall.

By pretext whereof some of your Majesties Subjects have been by some of the said Comissioners put to death, when and where, if by the Lawes and Statuts of the land they had deserved death, by the same Lawes and Statuts alsoe they might and by no other ought to have byn judged and executed.

And alsoe sundrie greivous offenders by colour thereof clayming an exempcion have escaped the punishments due to them by the Lawes and Statutes of this your Realme, by reason that divers of your Officers and ministers of Justic have unjustlie refused or forborne to proceed against such Offenders according to the same Lawes and Statutes uppon pretence that the said offenders were punishable onelie by Martiall law and by authoritie of such Comissions as aforesaid. Which Comissions and all other of like nature are wholly and directlie contrary to the said Lawes and Statutes of this your Realme.

Annotations:

Editorial Information

X2 interlined on the Roll

VIII The Petition.

They doe therefore humblie pray your most Excellent Majestie, that no man hereafter be compelled to make or yeild any Guift Loane Benevolence Taxe or such like Charge without comon consent by Acte of Parliament, And that none be called to make aunswere or take such Oath or to give attendance or be confined or otherwise molested or disquieted concerning the same or for refusall thereof . . . ^{F2} And that your Majestie would be pleased to remove the said Souldiers and Mariners and that your people may not be soe burthened in tyme to come. And that the aforesaid Comissions for proceeding by Martiall Lawe may be revoked and annulled. And that hereafter no Comissions of like nature may issue forth to any person or persons whatsoever to be executed as aforesaid, lest by colour of them any of your Majesties Subjects be destroyed or put to death contrary to the Lawes and Franchise of the Land.

All which they most humblie pray of your most Excellent Majestie as their Rightes and Liberties according to the Lawes and Statutes of this Realme, And that your Majestie would alsoe 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. And that your Majestie would be alsoe graciouslie pleased for the further comfort and safetie of your people to declare your Royall will and pleasure, That in the things aforesaid all your Officers and Ministers shall serve you according to the Lawes and Statutes of this Realme as they tender the Honor of your Majestie and the prosperitie of this Kingdome.

Quaquidem Petitione lecta & plenius intellecta per dictum Dominum Regem taliter est responsum in pleno Parlamento videlicet.

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for the The Petition of Right [1627]. (See end of Document for details)*

R. Soit droit fait come est desire.

Annotations:

Amendments (Textual)

F2 Words repealed by [Justices of the Peace Act 1968 \(c. 69\)](#), [Sch. 5 Pt. II](#)

Changes to legislation:

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