

ADMIRALTY OFFENCES.

28 Hen. VIII.,
c. 15.

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AN ACT for Punishment of Pirates and Robbers of the Sea.

Trial of offences committed upon the sea, or within the Admiral's jurisdiction, by the King's Commission.

WHERE traitors, pirates, thieves, robbers, murderers, and confederates upon the sea, many times escaped unpunished, because the trial of their offences hath heretofore been ordered, judged, and determined before the Admiral, or his Lieutenant or Commissary, after the course of the civil laws, the nature whereof is that before any judgment of death can be given against the offenders either they must plainly confess their offences (which they will never do without torture or pains), or else their offences be so plainly and directly proved by witness indifferent, such as saw their offences committed, which cannot be gotten but by chance at few times, because such offenders commit their offences upon the sea, and at many times murder and kill such persons, being in the ship or boat where they commit their offences, which should witness against them in that behalf; and also such as should bear witness be commonly mariners and shipmen, which, because of their often voyages and passages in the seas, depart without long tarrying and protraction of time, to the great costs and charges as well of the King's Highness as such would pursue such offenders:

All treasons, felonies, robberies, murders, and confederacies hereafter to be committed in or upon the sea, or in any other haven, river, creek, or place where the Admiral or Admirals have

or pretend to have power, authority, or jurisdiction, shall be inquired, tried, heard, determined, and judged in such shires and places in the realm as shall be limited by the King's Commission or Commissions to be directed for the same, in like form and condition as if any such offence or offences had been committed or done in or upon the land; and such Commissions shall be had under the King's Great Seal, directed to the Admiral or Admirals, or to his or their Lieutenant, deputy and deputies, and to three or four such other substantial persons as shall be named or appointed by the Lord Chancellor of England for the time being, from time to time, and as oft as need shall require, to hear and determine such offences after the common course of the laws of this realm used for treasons, felonies, robberies, murders, and confederacies of the same done and committed upon the land within this realm.

2. Such persons to whom such Commission or Commissions shall be directed, or four of them at the least, shall have full power and authority to inquire of such offences, and of every of them, by the oaths of twelve good and lawful inhabitants in the shire limited in their Commission, in such like manner and form as if such offences had been committed upon the land within the same shire.

Offenders shall be proceeded against.

Every indictment found and presented before such Commissioners of any treasons, felonies, robberies, murders, manslaughters, or such other offences committed or done in or upon the seas, or in or upon any other haven, river, or creek, shall be good and effectual in the law; and if any person or persons happen to be indicted for any such offence done or hereafter to be done upon the seas, or in any other place above limited, then such order, process, judgment, and execution shall be used, had, done, and made to and against every such person and persons so being indicted, as against traitors, felons, and murderers, for treason, felony, robbery, murder, or other such offences done upon the land, as by the laws of this realm is accustomed.

The trial of such offence or offences, if it be denied by the offender or offenders, shall be had by twelve lawful men inhabited in the shire limited within such Commission, which shall be directed as is aforesaid, and no challenge or challenges to be had for the hundred; and such as shall be convict of any such offence or offences by verdict, confession, or process, by authority of any such Commission, shall have and suffer such pains of death, losses of lands, goods, and chattels, as if they had been attainted and convicted of any treasons, felonies, robberies, or other the said offences done upon the lands.

The punishment of offenders.