

*Statutes made at Westminster, 1 Hen. 5.—A. D. 1413.*

CHAP. 5. In which original writs additions of the defendants names shall be put.

It is under this statute that the addition of the estate, &c. is inserted in writs and indictments. In the case of the state against Hughes, for an assault, the addition was omitted, (with a design, as I have heard, to try the question;) a plea was put in as follows: "Because he saith that by form of the statute in such case made and provided, the addition of the estate, degree, or mystery of him the said C. ought to be contained in the said indictment, and this he is ready to verify; wherefore, for that such addition is not contained in the indictment of him the said C. The said C. prays judgment of the said indictment, and that the same be quashed," which was accordingly done. A reference was made by one of the judges to several acts of assembly, in which the process of outlawry was mentioned.

*Statutes made at Westminster, 2 Hen. 5, Stat. 1.—A. D. 1414.*

CHAP. 2. A *corpus cum causa* or *certiorari*, to remove him who is in execution at another man's suit. (Part.)

The writ of *corpus cum causa* mentioned in this statute, is the *habeas corpus ad faciendum et recipiendum*. This statute is mentioned in 3 Bac. Abt., title *Habeas Corpus A*, and 4 Com. Dig. p. 330; as a general provision, it appears to have been applicable to the province, and it may be proper to be incorporated, &c. As to writs of *certiorari*, or to writs of *habeas corpus*, see the note on 21 James 1, Ch. 23.

CHAP. 8. Commission shall be awarded to enquire of a riot, and of the justices default therein. (Part.)

See the note on 13 Hen. 4, Ch. 7.

*Statutes made at Westminster, 9 Hen. 5, Stat. 1.—A. D. 1421.*

CHAP. 4. The justices may amend defaults in records or process, after judgment given.

As to the extention of the several statutes of amendment and jeoffaille, see the note on 14 Edw. 3, Ch. 6. As to this statute, which referred to that, and explained the doubts whether amendments might be made as well after judgment as before, see 8 Co. 157. See also 4 Hen. 6, Ch. 3, confirming this statute.

*Statutes made at Leicester, 4 Hen. 6.—A. D. 1425.*

CHAP. 3. Justices in certain cases, may amend their records according to former statutes.

See the note on 9 Hen. 5, Ch. 4, which this statute confirmed, together with 14 Edw. 3, Stat. 1, Ch. 6.