

14 H. 7. 9. b  
Lam. 185.  
Br. Peace  
7.  
Lamb 79.  
124

And therefore every Justice of Peace of the County, hearing of any Rout, or of any intention of a Riot, (without making any Precept, or carrying for his Fellow Justice, or for the Sheriff) shall do well to go himself (if he be able) with his Servants, or other power of the County (if need be) to the place where such persons be so assembled, and to suppress them, and all such as he shall find and see riotously assembled (and armed) to Arrest them, and to force them to put in surety for the Peace, or for their Good Behavior: And for refusing to give such surety, or in default of surety, to imprison them. And also he may take away their Weapons and Armor, and seise and prize them for the King. *Vide tit. Armor, and Forcible Entry.*

So that one Justice of Peace seeing a Riot, may and ought to Record it, and to attach the Rioters, and to commit them, or bind them over to the Good Behavior; but he may proceed no further therein. For he cannot Fine them without Inquiry, which Inquiry must be by a Jury, and before two Justices of Peace; and may be any time within the month. Otherwise, for omitting of Attraching or Arresting the offenders at the first, the Justice which saw the Riot is punishable: But the Inquiry by a Jury must be within one month, *sub pœna 100 l.* to the two next Justices, &c. See *hic postea.*

§. 3.  
Se. want.

11 H. 7. 10.  
Br. Peace

And if the Justices of Peace (being come to the place) shall not find the Rioters yet come thither, he may leave his servant there (with his Warrant in writing, or without warrant, as it seemeth) to restrain them in their said enterprife, or else to Arrest such offenders when they shall come, if they shall offer to commit any Riot, or to break the Peace: And this for speedy remedy.

So if the Justice be sick, and shall hear of a Riot, he may send his servants, or other power of the County, if need be, (with his Warrant under his Hand and Seal, or without such Warrant, by word of mouth) to the place to repress it; or to Arrest such offenders, and to bring them before him, to find Sureties for the Peace: And all this he may do without expecting the coming of any his Fellow Justices, or of the Sheriff, or Under-Sheriff: And this also for expedition.

14 H. 7. 10  
Br. Peace

Also one Justice of Peace, by the Statutes made 1 M. c. 12. and 1 El. 16. might have made Proclamation in the Kings name, that all persons riotously assembled, should depart to their Habitations, &c. The Form of which Proclamation you may see in the same Statute, and in *P. Riots, 27.* But the said Statutes are now expired.

§. 4.  
Proclamation.

R. 16. 27.

Also any one Justice of Peace (by the first *Assignavimus* in the Commission) may cause to be kept and put in execution, all other Statutes made for the repressing of Riots, Force, and Violence; But therein he must deal only according to the Form and Order in such Statutes prescribed.

13 H. 4. c.  
7. R. 5.

But the ordinary power of punishing of Riots belongeth unto two Justices of Peace at least; and therefore the two next Justices of Peace which dwell nearest in the County, where any Riot, Assembly or Rout of people shall be against the Law, together with the Sheriff or Under Sheriff of the County, upon complaint or other notice of the Riot, shall do execution of the Statute 13 H. 4. 7. (*sc.* of all and every part thereof respectively, as to them is appointed) every one of them, upon pain of 100 l. And in default of the two next Justices; the other Justices of Peace of and within the County (upon notice of such Riot) ought to do execution thereof, every one upon danger to be fined: But the penalty of 100 l. is only to be laid upon the two next Justices.

§. 5.  
Two Justices.

Dyer 210.

Crompt. 63.  
Lam. 322.

See the Case of *Drayton Bassett, hic antea, tit. Forcible Entry*; where certain Justices of Peace which were not the next, nor did not dwell nearest to the place where the Riot was committed, and yet were fined upon the

Statute