

§. 10.  
Two Justices and the Sheriff  
1. To go with Posses Comitatus.

And now to the particulars of that which the two next Justices of Peace, with the Sheriff or Under-Sheriff, must do in execution of this Statute of 13 H. 4. 7. every one upon pain of 100 l.

1. First, they shall go to the place in person, if they be able, where the Riot, &c. shall be.

And they shall take the power of the County (if need be) *sc.* they shall have the aid of all Knights, and other temporal persons under that degree, that be above the age of fifteen years, and be able to travel: For all the Kings Subjects that are in the County where a Riot, &c. shall be, being able to travel, must be aiding and assistant to the Justices of Peace, Sheriff, or Under-Sheriff, (or other Commissioners) when they shall be reasonably warned to ride or go with the said Justices and the Sheriff, &c. in aid to resist such Riots, &c. upon pain of imprisonment, and to make Fine and Ransom to the King; which Ransom shall be treble so much at the least as the Fine, *Dyer 232.* Yet by others, by Ransom, is intended, That the party is to make his Agreement with the King, *Ad verum valorem omnium bonorum suorum mobilium.*

Fine and Ransom.

But Sir Edward Coke, *L. 127.* saith, That in legal understanding, a Fine and Ransom are all one.

But it is referred to the discretion of these Justices, how many, or few, they will have to attend them in these businesses; and in what sort they shall be armed, weaponed, or otherwise furnished for it.

§. 11.

Again, it is not good for the Justices to assemble the power of the County, without certain information, or knowledge of such riotous assembly; yet if upon false information of a Riot, to be at such a place, the Justices shall cause the power of the County to be assembled, the Justices shall be excused by reason of the information; and if without information, the Justices shall think that such a riotous Assembly is made in such a place, and shall assemble the power of the County to go thither and arrest the Rioters, and when they come to the place they find a Riot there indeed, they must arrest and imprison the offenders, and shall be excused of the assembly made by them: But if they shall find no Riot there, then shall they be punished for making such an assembly of their own heads, without information.

§. 12.  
Arrest.

2. All such offenders as they shall find there present, they shall arrest them, or cause them to be arrested, and shall remove the force. *sc.* shall commit to prison all the Rioters, and take away their weapons.

Also it seemeth, that all such as came in the company with such Rioters, or in the company of any of them, if that the Justices shall find them there present, though they do nothing, and though they came without any intent of their parts to commit any Riot, yet they shall be arrested, imprisoned, and fined. See to this purpose in the title *Forcible Entry.*

Also all such Rioters as the Justices shall meet in their way (riotously arrayed, and coming from the place) they may arrest and imprison them, for that they found them unlawfully assembled; but they cannot Record any Riot by them done, for that they saw it not, yet they must afterward (as it seemeth) inquire thereof by a Jury, that so the offenders may be fined, &c. See more in this title.

§. 13.  
Record.

But if the Justices do come and see the Riot committed, and after the said Rioters shall escape from the Justices at that time, yet the said Justices shall record it; but they cannot arrest them, at any other time, except it be presently after, and in fresh Suit: neither can they Fine the offenders, nor award any Process against them upon that Record which they shall make; and yet for that they saw the Riot (and these Rioters that be escaped, committing the Riot) they shall Record it. But that Record shall not be kept