

kept amongst the Records of the Peace, but the said Justices shall send the said Record to the *Kings-Bench*, that Process may from thence be made upon it, against those Rioters that be escaped; where also the said offenders shall not be admitted to any Travelse, but must of necessity make Fine for their said offences.

Lam. 312.

If after the Justices and Sheriff shall see the Riot, the said Rioters shall escape, and the Justices and Sheriff shall Record the same Riot, and then one of the Justices be put out of the Commission, or the Sheriff, or one of the Justices shall happen to die, yet shall that Record be sent or certified into the *Kings Bench*, by the other Justice and Sheriff, *Lamb. 320.*

§. 17. Escape.

But if (after the Inquiry, and before the Certificate) the Sheriff, or the Justices shall die, or be put out of the Commission, or that their Authority doth cease by the death of the King, or otherwise, such Record cannot be certified without the Kings Writ of *Certiorari*, *Br. Record. 17.64* and *Lamb. 320.*

§. 18. Certificate.

Also such offenders, as the Justices saw committing the Riot, though they shall escape from the Justices, yet the said Justices may after grant out their Warrants for them, and send them to the Gaol, till they shall find Surety for their Good Behavior.

Good Behavior.

If such offenders shall be departed before the coming of the Justices, yet (upon certain information of their being there) the said Justices may also grant out their Warrants for them, and may commit them till they have found sureties for their Good Behavior: Or rather the Justices shall do well to proceed against them, by Inquiry, and so to fine the offenders for the King, &c. See more in this title.

13 H. 7. Comp. 196.

14 E. 3. P. Just. 18.

Also in the Execution of this Arrest of the Rioters, the said Justices, &c. may justifie the beating, wounding, or killing of any of the Rioters that shall resist them, or that will not yield themselves to them. *Vide tit. Homicide, bis.*

§. 16. Resistance.

Also the said Justices may take from such Rioters, their Armor, Harness, and Weapons, and shall cause the same to be prized and answered to the King, as forfeited.

Armor.

3. After the Arrest made, the said Justices and Sheriff, or Under-Sheriff, shall make a Record in writing of the said Riot (*scil.* of all that which they shall see, and find done in their presence against the Law) without any other Inquiry: And that their Record is a sufficient Conviction of the offenders.

Record.

If two Justices of Peace shall see any making of a Riot, they may command others to Arrest the Rioters, and then make their Record thereof, and the offenders shall be concluded thereby, *Fitz. Just. of Peace, fol. 17.*

Vind.

But if the Justices of Peace do not themselves see the Riot, they cannot make a Record thereof; but then they must inquire thereof.

If the Justices of Peace, &c. going to see a Riot, another Riot shall happen in their presence; they may Record this, and arrest and imprison the offenders.

So if the Rioters shall make a Riot upon the Justices (and Sheriff) that do come to Arrest them for their former Riot, they may Record that also.

Other Riot.

So if two Justices of Peace (and the Sheriff, or Under-Sheriff) shall meet for any other cause of service, or for any private business (as upon an arbitrament, or other like matter,) and a Riot shall happen to be done upon themselves, or in their sight, they may Record it, and may Arrest, and Imprison the offenders.

And if the Justices of Peace shall Record a Riot, and upon examination of the Matter after, it shall appear to be no Riot; or that they saw it not, or that there was no Riot at all; yet the parties shall be concluded there- by,

Conclusions.

H. 4.7. H. 7. 2.

1. 5. 1. 12.

1. 309. Comp. 64.

Lam. 310. Comp. 62. 158.

13 H. 4. 27. P. 1.

Mar. Lec. Comp. 61.

9 H. 6. fol. 60. Comp. 63, 64.