

And if the Justices shall not proceed herein (*Ex Officio*) without some will give in evidence for the King. *Quære*; if they shall not be hereby in danger to lose the Hundred pound upon this Statute, for the Reasons above-said.

Complaints  
without  
cause,

And it seemeth, that the Justices of Peace may justly bind to their Good Behavior, the Parties that first complained to them of this Riot, and have caused them to meet, and now will not prosecute the same for the King, but have agreed it.

§. 24.  
Hear and  
determine.

After such Inquiry had, and the truth of the Riot found, the said Justices have authority (by the said Statute) to hear and determine the same according to the Law, *viz.* They may make out their Warrant, or Process, (*sc.* a *Venire facias*;) against the offenders under their own *Teste* (thereby to cause the offenders to come in and answer) and upon the appearance of the said offenders, the said Justices may assess their Fine, and may commit them to Prison, till they have paid their said Fine, and may deliver them after payment of the same Fine; or upon Sureties taken for it (which Sureties ought to be bound by Recognizance;) or otherwise they may receive their Traverse, and thereupon (if the matter will so serve) to discharge and dismiss them: But then the said Justices shall do well to send such Indictment or Inquisition found (and such Traverse) to the next Quarter Sessions, or into the *Kings Bench*, and there the Traverse shall be tried and determined according to Law, *P. R.* 30. 13 H. 4. c. 7. P. 2. Lam. 317. Br. Imp. 100.

§. 25.  
Removal.

Note, that all Indictments, Inquisitions, or Presentments, taken and found before Justices of Peace, of any Riot, Forcible Entry, or other thing against the Peace, may be delivered into the *Kings Bench*, by the hands of the same Justices of Peace, before whom the same was found, or otherwise may be removed from the said Justices of Peace, before the Justices of the *Kings Bench*, by a *Certiorari*: In both which Cases the Justices of the *Kings Bench* may proceed to hear and determine the same. Lam.

Now by the Statute made 2 *H. 5. c. 8.* the King is to bear the charges of the Justices of Peace, which shall execute the Statute of Riots. And therefore,

§. 26.  
Charges.

Concerning the Fine so assessed by the Justices of Peace, the Justices of Peace may thereout (as it seemeth) pay the charges of the said Justices, and of the Jury (which made the Inquiry, and by whom the Riot was found) *sc.* For their Dier, and the Sheriffs Fees, &c. And then they may bring the Record of this Inquiry to the next Quarter Sessions of the Peace, and there deliver the same Record to the Clerk of the Peace, together with the residue of the Mony remaining of the Fine, &c.

Also the Clerk of the Justice which maketh up the Record of this Inquiry, may have his Fees out of that Mony; or else he may take of every offender Twelve pence, when they have paid their Fine: For so the Clerks of the Peace use to do.

The Justices  
charges.

Or rather the said Justices are to be paid their charges (in going and continuing in doing, and executing their said Office) by the Sheriff, by Indentures made between the Sheriff, and the said Justices; whereof the Sheriff, upon his accompt in the *Exchequer*, may have due allowance, 2 *H. 5. cap. 8.*

§. 27.  
Fine.

But when Men are indicted of Riots (or the like) they will usually yield themselves, and pray to be admitted to their Fine (in which case the Justices of Peace commonly do assess but some small sum or fine) and upon the payment thereof, do discharge the offender; and hereby the offenders are not imprisoned, (which would work more for fear in such offenders, than such Fine) and therefore it is behoveful for the Justices of Peace to use good care