

ratably and proportionably tax and assess upon every Inhabitant and Dweller in every such Town, Parish, Village, or Hamlet, for and towards the payment of such Taxation and Assessment so made by the said Justices upon such a Town, &c. And if any Inhabitant of such Town, &c. shall refuse to pay the said Taxation, so by the Constables taxed, then it shall be lawful for the said Constables, and every of them to distrain for the same, &c. And the same Distress to sell, and the Money thereof coming, the said Constables must deliver over to the same Justices, or to one of them within ten days after Collection. All which the said Justices shall deliver over (upon request) to the parties charged, to whose use the same was collected.

Ibid. Note, A person coming to inhabit after the Robbery and Judgment given is not chargeable to be taken in Execution; and so was the Opinion of the Court in one Dean's Case, Mich. 10 Car. in the Common Bench.

But a person coming after thither to inhabit is assessable, because the Country is chargeable at the time of the assessment, and not the persons which were there at the time of the Robbery committed. Or as Justice Barkley said, and the Court seemed to agree in Sir Jo. Compton's Case. Pas. 15 Car. in the Kings Bench. *Quære the difference.*

Note, That the Inhabitants of any other Hundred (within the same County where the Robbery was committed, or within any other County, with the Franchises within the Precincts of such Hundred) wherein negligence, fault or defect of pursuit, and fresh Suit after Hue and Cry made, shall happen to be, shall answer and satisfy the one moiety, or half of all and every such sums of Money and Damages as shall be recovered or had against the Hundred in which the Robbery was done.

And the Recovery of such moiety shall be in the name of the Clerk of the Peace, where such Robbery and Recovery is, without naming his Christian or Sirname: And such Suit shall not abate by the death or removal of such Clerk of the Peace. 27 El. 13.

And the like Taxation, Assessment, Levying and Payment, as aforesaid, shall be had and made for a Contribution within every Hundred where there was any negligence, fault or defect of pursuit, and fresh Suit after Hue and Cry, viz. If upon Suit any Recovery and Execution of any Money, or any Damages shall be had against some one or few persons of that Hundred where such default was (towards the ease of that Hundred where the Robbery was done) upon complaint made by the parties so charged, to any two such Justices of Peace, the said Justices may make the like Assessment, &c. toward the relief of the said parties so charged.

27 El. 13.
P. Hue and
Cry 6.

7 El. 13.
Hue &
Cry 4. f.

Co. 7. 6. Note, That if any man be robbed in his House; the Hundred shall not be charged therewith, whether it were done in the day or in the night.

Ibid. Also a Robbery done in the night shall not charge the Hundred; but yet if it be in the day time, or by day-light, though it be before the Sun-rising, or after the Sun-setting, the Hundred shall answer for it.

S. 4.
When the
Hundred is
not Charged.

If upon pursuit any one of the offenders be apprehended, the Hundred shall not be charged, although the residue of the offenders happen to escape; but pursuit without apprehending some one of the Robbers is no excuse.

27 El. 13.
P. Hue and
Cry 7.
Co. 7. 7.

Co. 179. If the party that was robbed shall himself take any of the Thieves after Hue and Cry made, this shall excuse the Hundred.

Although