

Every Constable, Churchwarden, Headborough, Tithing man, Ale-comer and Sideman shall in their several Oaths incident to their several Offices be charged to present the Offences contrary to that Statute 4 Jac. 5. and so likewise to present Offences against 1 Jac. 9. and 4 Jac. 5. 21 Jac. 7.

No person shall be impeached or molested for any Offence against that Statute, unless he shall be thereof presented, indicted, or convicted within Three months after the Offence, and shall be but once punished for each Offence, 4 Jac. 5.

Now, for to know a Drunken man the better, the Scripture describeth them to stagger and reel to and fro, Job. 12. 25. Esa. 24. 20. And so where the same legs which carry a man into the house cannot bring him out again, it is a sufficient sign of Drunkenness.

Jac. 9. 6. Every Justice of Peace (within his limits) hath Authority to minister the said Oath to such witnesses. 21 Jac. cap. 7.

Jac. P. 5. All and every the Forfeitures aforesaid shall be to the use of the Poor of the Parish where such Offence shall be committed; and the said Forfeitures are to be levied by Distress and Detainer of the Offenders goods, (and after six days by Sale thereof, &c.) by the Constables or Church-wardens of the same Parish, upon a Warrant from any one or more Justices of Peace, under his or their Hand and Seal. §. 6. The Forfeitures.

The said Forfeitures of the Taverners, Ale-house-keepers, Inn-keepers and Victuallers, being distrained for as aforesaid, if within six days next ensuing they shall not pay the said Forfeiture; then may the Constables or Church-wardens, by virtue of the said Warrant, presently apprise and sell the said Distress; but they must deliver the surplusage to the party of whom the Distress was taken. 1 Jac. 9. L. 7.

1 Jac. 9. P. 7. For every Offence aforesaid, the Ale house-keeper, Inn-keeper, and other Victualler, for want of sufficient Distress to be taken for such Forfeitures, shall (by any one Justice of Peace) be committed to the common Gaol, there to remain until the said Penalty be paid.

4 Jac. 5. 1 Jac. 9. 21 Jac. 7. Every Townsman, or other person whatsoever, &c. that shall continue drinking, or be found tipling in any Inn, Ale-house, or other Victualling-house, contrary to the Statute, and he being convicted of it according to the Statute of 1 Jac. 9. (for want of sufficient Distress, and not being able to pay the said Forfeiture of Three shillings four pence) shall be set in the Stocks for every such Offence four hours, (upon Warrant or commandment from any one such Justice of Peace.)

1 Jac. 9. If the Constable and Church wardens shall neglect to levy, or shall not levy the said several Forfeitures, of Ale house-keepers, &c. suffering tipling in their houses, or for their Measure of Ale or Beer; or in default of Distress shall neglect by Twenty days to certify the same defaults of Distress to the Justice of Peace; then every such Constable and Churchwarden shall forfeit for every such default 40 s. to the use of the Poor, to be levied by Distress (of the Offenders goods,) by like Warrant to any other indifferent person, from any one (or more) Justices of Peace, &c. under their Hand and Seal: the said Distress to be taken and detained for the said Forfeiture for the space of Six days; within which time if payment be not made, then the same Goods to be presently appraised and sold, and the Surplusage to be delivered to the party, &c. And for want of sufficient Distress, such Constables and Church-wardens to be (by any such Justice of Peace, &c.) committed to the common Gaol, there to remain until they have paid the same Forfeiture. And. §. 7. Defaults or neglect of Officers.