

But now by the said Statute made 21 Jac. c. 15. It is Enacted, Such Justices or Justice of Peace, as by reason of any Act of Parliament, now in force, are authorized upon Inquiry to give restitution of possession unto Tenants of any Estate of Freehold, of their Lands, Tenements, which shall be entred upon with force, or from them with-holden by force, shall now have the like and same authority (upon Indictment of such Forcible Entries, or forcible With-holdings before them duly found) to give like restitution of possession unto Tenant for term of years, Tenants by Copy of Court Roll, Guardians by Knights Service, Tenants by *Elegit*, Statute Merchant, and Staple of Lands or Tenements by them so holden, which shall be entred upon by force, or holden from them by force.

§ 9.
Weapons.

Now to shew something more, what the Law accounteth to be Force, and what Weapons be offensive, in these and the like Cases.

Master *Bracton* saith, *Omnes illos dicimus armatos, qui habent cum quibus nocere possunt.* Which have any thing about them, wherewithal they may strike or hurt. Co. L. 16.

And therefore to have Harness, Guns, Bows and Arrows, Cross bows, Halberts, Javelins, Bills, Clubs, Pikes, Pitchforks or Swords not usually born by the parties, shall be said to be *vis armata*.

Again, *Si quis venerit cum armis, & deiecerit, vis tamen armata dicitur, sufficit enim terror armorum.*

Si quis venerit sine armis, & in ipsa concertatione, ligna sumserit, fustes ibidem aut lapides, vis dicitur armata.

And so to use casting Stones, hot Coals, scalding Water or Lead or any other thing wherewith one may hurt the person of another, shall be said to be *vis armata*, armed Force or Force with Arms.

Lawful Force. CHAP. CXXVII. V. 78.

§. I. **W**here a Force or Forcible Defence is justifiable, and where not.

Force being opposed against the Law, is utterly forbidden; but being used in the maintenance of the Law, and with the Warrant of Law, it is allowed, for that it maintaineth the peace of the Realm: And therefore Force may lawfully be used by all the Kings Officers, Ministers and Subjects thereunto deputed for the Execution, or advancement of Justice, or of the Judgments of the Law. P. R. 44

And so first it is a lawful Force whereby all Offenders in Treason, Felony and other great Crimes, be pursued, apprehended, carried to Prison and receive their condign punishments.

It is a Lawful Force, whereby the Sheriff and his Officers do apprehend any person by vertue of the Kings Writ.

It is a Lawful Force, whereby Justices of Peace do remove unlawful Entries or Holdings of Possessions and repress Rioters, and do arrest and send to prison such Offenders.

And in these and the like Cases, the Kings Officers (*sc.* the Sheriff, Justice of Peace and Constable) may take the help of others (what number they shall think meet) to assist them, when need shall require. See hereof *Posse in vi. Posse Comitatus.* 3 H. 7.
Br. R. 104
31. q. 101

Also it is a Lawful Force, which Justices of Peace, Sheriffs, Coroners and Constables, shall use in apprehending or committing to prison such as within their several Jurisdictions, and in their presence shall in any sort break,