

‘Lingua, tribus } Præcepto }
 ‘modis. } Consilio } de his vid. cap. 108.
 } Tutitione }

‘Facto, quatuor } 1 Voluntate, de qua postea.
 ‘modis. } 2 Justitia } de quibus postea.
 } 3 Necessitate }
 } 4 Casu, de quo postea.

Felo de se. C H A P. CXLIV.

BUT first to write something of *Felo de se*, ‘who destroyeth himself §. 1.
 ‘by hanging, poysoning, drowning or otherwise. *The Fall.*

For the hainousness thereof, it is to be observed, That it is an offence against God, against the King, and against Nature. Also it is within the degree of, or of the quality of Murther, *sc.* pretended and resolved of (in his mind) to be done, before it be done: yea it is holden to be a greater offence than to kill another Man, *Plo. 261. & in hoc casu Christianæ sepulture interdicitur.*

And yet the Civil Law maketh a difference of such Offenders, and of their punishment, according to the quality of their minds, whereby they were moved to kill themselves; for if they kill themselves through grief or impatience of some infirmity, no punishment followeth such their fact (by the Civil Law) but they are left to the Tribunal of the Almighty Judge of the Quick and the Dead; But if they Kill themselves upon any other Cause, their Goods are confiscated, and their dead Bodies (for the terror of others) are drawn out of the House, &c. with Ropes, by a Horse, unto a place appointed for punishment or shame, where the dead Body is hanged upon a Gibbet; and none may take down the Body but by the authority of the Magistrate, &c. *Vide Fulbeck 90. & Dr. Cowell 249.*

But by the Common Law, if a Man kill himself (either with a mediate hatred against his own life, or out of distraction, or other honour) he is §. 2.
 called *Felo de se*; and he shall forfeit to the King all his Goods and Chattels real and personal, and his Debts due to him by specialty (but no Debts due to him without specialty, or upon simple contract, *Dyer 262. 16 E. 4. 7.*) *Forf.*

‘And their Goods are usually granted and allowed by the King to the ‘Bishop *Almoner*, and in such sort as *Deodands* are, *Ba. 3. V.*

But he shall not forfeit his Lands, neither shall his Blood be corrupt: See *Fitz. Coron. 362, & 426.*

‘Yet if a Man be guilty of another Mans Death, or a manifest Theft, &c. ‘and be taken, and for fear thereof killeth himself; here he shall forfeit ‘his Lands, *ac heredem non habebit*, *Bract. lib. 3. cap. 13.*

If a Man do give himself a deadly Wound, and dyeth thereof within a Year and a Day after, all his Goods, &c. which he had at the time of the Blow given, or any time after, shall be forfeited to the King, *Plo. 262. ad.*

Yet the Goods of *Felo de se*, be not forfeited till his death be presented and found of Record, neither can these Goods be claimed by prescription, (by Lords of Liberties, &c.) but by the Kings Grant.

And although he cannot be attainted of his own Death, for that he is dead before that there is any time to attaint him, yet the finding of his Death by the Coroner (or other Person thereto authorized) is by Law equivalent to an Attainder in deed, as to his Goods, *Plo. 258. b.*

143.

amb. 23.

D. 7. 13.

Comp. 24.

D. 7. 14.

Dyer 262.
Plo. 261.

Fl. Cor.
301.
Plo. 261.

Plo. 262.

Co. 1. 110.
211. 7. 33.