

<sup>36 Ed. 3. 2.</sup>  
<sup>23 H. 6. 12.</sup> 2. Or having a Commission, shall buy or take (any thing) in other manner than is contained in their Warrant or Commission, *P. Purv.* 19. *Fel.* 25. *Rast.* 350. *36 Ed. 3. cap. 2.*

<sup>P. Fel. 15.</sup>  
<sup>P. Purv. 19</sup> 3. Or shall take any Carriage in other manner than is comprised in their Commission, *36 Ed. 3. 2. P. 19. 23 H. 6. 1, 2.*

<sup>26 Ed. 3.</sup>  
<sup>c. 2.</sup>  
<sup>Rast. 351.</sup>  
<sup>Cromp. 48</sup> 4. Or having a Commission, shall take and carry away any thing (above the value of twelve pence) and to the value of forty shillings or under, against the Owners will, or not paying for the same presently according as they can agree with the Seller; or if the Buyer and Seller cannot agree, then to take any thing without being prized by the Constable and four Townsmen sworn, and by Indentures sealed by the Purveyor, &c. of the things so taken, &c. See the Statutes *5 E. 3. 2. 10 E. 3. 1. 25 E. 3. 1. 36 E. 3. 2. 2 H. 4. 14. & 20 H. 6. c. 8.*

And yet, if it be but of the value of forty shillings or under, some do hold, That in this last case the Purveyor shall only lose to the party grieved the treble value of his Goods so taken; and his costs and treble damages; and that it shall be at the election of the Owner of the Goods to recover his said damages and costs, &c. either against the Purveyor, or against the Neighbours, Apprisors, and Towns adjoining; which being required, shall not resist the Purveyor or Taker, doing contrary to the Statute. See the Statutes *2 H. 4. 14. 20 H. 6. 8. & 23 H. 6. c. 1 & 2.* But *Quare*, for all those former Statutes do stand still in force, and be confirmed by these later Statutes, and by the Statutes made *2 & 3 Ph. & Ma. c. 6.*

<sup>P. Fel. 25.</sup>  
<sup>P. Purv. 18</sup> 5. Or shall take more Victuals or Carriages for the Kings House than he shall deliver to the same House, *36 Ed. 3. cap. 4. Fitz. Just. of P. 114.*

<sup>P. Fel. 25.</sup>  
<sup>P. Purv. 9.</sup>  
<sup>25 E. 3. 15.</sup> 6. Or shall take any Sheep with their Wools, between *Easter* and *Midsummer* at small prices, or more than be sufficient for the Kings House, and carry them to his own House and shear them, *Fitz. Ibid.*

In every of these Cases it seemeth to be felohy in such Purveyor, their Deputies and Servants. And yet a Purveyor or Taker, &c. may take Victual or any such thing; according to his Commission, at reasonable prizes, to the use of the Kings Majesty, and according to the Statutes, although it be against the will of the Owner, *Br. Purv. 1.* But then he must take it by the Apprisement of the Constable and four Neighbours, &c. *ut supra.*

And yet *quare*, whether the Apprisement shall be made by the Constables and four Neighbours, or by the Lords of the Towns, or their Bailiffs; and also, whether the said Indentures shall be made and sealed between the Purveyors and Owners, or between the Purveyors and Apprisors, &c. for therein the said Statutes do somewhat differ.

<sup>Co. B. 146.</sup> But if a Purveyor shall take any Provision for the Kings House by force of his Commission, and shall after sell away the same. Now his first taking is become notorious, and he punishable as a Trespasser, if not as a Felon, *ab initio.*

If the Kings Hunters or Falkners, shall take any thing against the Owners will, without paying for the same presently, it seemeth to be Felony, *36 Ed. 3. cap. 5.*

If the Kings Purveyors, or Takers of Carriage, shall take any thing to spare another, they shall be imprisoned for the space of two years, forswear the Court, and pay treble damages to the party grieved, *36 Ed. 3. cap. 3.*

<sup>34 E. 3. 2.</sup>  
<sup>36 E. 3. 6.</sup>  
<sup>7 R. 2. 9.</sup> If any Subjects Caterer, or other Officer, shall take any Victuals, Corn, Hay, Carriage, or other thing against the Owners consent, or do not pay