

nor Posterity. See *Co. II. I. b. & Littleton 745. & Co. L. 391, 392.*

3. He shall forfeit his Fee-simple Lands (from the time of the Offence, *ibld. &c.*) wherein the King shall have *Annum, diem & vastum*, to the intent that the Offenders Wife and Children shall be cast out thereof, his Houses razed, his Trees rooted up, his Meadows ploughed up, and all his Land wasted and destroyed. And after the year, day and waste, the Land shall go by Escheat to the chief Lord of the Fee: (But yet the Lord may fine with the King for all, *sc.* for the year, day and the waste, and so have the Land presently.) *Quare*, if the Lord may enter; it seemeth he cannot. See 17 E. 2. c. 16. & *Stams. de Prer. 49. Fitz. Tra. 48. & Reseis. 36.*

4. The Offender shall forfeit and lose all his Goods and Chattels, from the time of his Attainder only.

The King shall have all the Goods of Felons which be condemned, and which be fugitive, wheresoever the said Goods be found; *scil.* All their Goods moveable and unmoveable, their Corn growing, and the profits of their Fee simple Lands, for a year and a day, and the issues and profits of their other Lands, during their lives; and all their Debts due to them by Statute, Recognizance, Obligation or simple Contract, and Mony due upon Accounts. And the King, or he to whom the King shall give such Debt, shall have an Action therefore in his own name; and yet the King shall not pay such Debts as the said Felons did owe.

*Uncore le offender ne forfeitera ses Terres pur Manslaughter; nec in cases de Homicide per Misadventure (in fessans chose loyal,) nec pur Homicide sur Necessity, ou se defendendo. Vide Ba. 2, 3. & Co. L. 391.*

§. 2. By the Common Law, after a Felon is found guilty before the Coroner, or that it be found before the Coroner, that he did flee for the Felony, there the Coroner, Sheriff, Under-Sheriff, or Escheator, &c. may (for the King) seize the Goods of the Felon, and praise them by an Inquest, &c. before his Attainder; for by such thing found before the Coroner, the Goods of the Felon are forfeited without further inquiry, or Tryal of the Felon; and yet the Officer may not in such case carry the Felons Goods away, but (after appraisment as aforesaid) must leave them in the custody of the Felons Neighbours where he dwelt, or in the custody of the Town where the Goods were, to be answered to the King: And if he were indicted of Felony, yet his Goods should not be removed out of his house until he were attainted, but the Officer was to seize and praise them, and to take Surety of the party, that they should not be imbezilled; and if the party would not find Surety, then the Officer was to deliver them to the Neighbours, and the said Goods should be kept by his Neighbours all the time of his imprisonment: And the Felon must have had reasonable maintenance of his Goods for himself and his Family, until he were convicted and found guilty of the Felony; and then the remainder was the Kings. See 25 Ed. 3. c. 14. P. Ind. 5. & *Bract. fol. 123. & 136. b.*

And now by the Statute made 1 R. 3. c. 3. it is ordained, That if any Sheriff, &c. or other person, do take or seize the Goods of any person arrested and imprisoned for Felony, or suspicion thereof, before the same person be convicted or attainted of such Felony, or that the same Goods be otherwise lawfully forfeited; he shall pay to the party grieved the double value of the Goods so taken or seized, &c. which Statute seemeth to be but a confirmation of the Common Law, saith Mr. *Stams. fol. 193.* save that it giveth the party grieved a more ample recompence, and more speedy remedy than the common Law before did: So that before Attainder or Conviction, the Goods of the Felon that is in Prison ought not

*ibld. Stat. Prer.*

*Reg. c. 16. Co. 3. 32. F. Cor. 317. 334. 10 H. 6. 47. Dyer 30.*

*22 Aff. 96. Br. For. 33. 43 E. 3. 24. Br. For. 7. 7 H. 4. fol. ult. Stams. 192*

*P. Sheriff. 24*

*P. Indit. 5. Stams. 193*