

Causes of Suspicion. CHAP. CLXVI. 113.

Now upon the Examination of Felons, and other like Offenders, these Circumstances following are to be considered.

1. His Name; *sc.* if he be called by divers names. *Duplex nomen malum omen.*

His Parents; if they were wicked, and given to the same kind of fault.

His Education; whether brought up idly, or in any honest Occupation.

His Ability of Body; *sc.* if strong and swift, or weak or sickly, not likely to do the Act.

His Nature; if civil or hasty, witty and subtil, a Quarreller, Pilferer or Bloody-minded, &c.

His Means; if he hath whereon to live or not, *or Si solutio ditius se habuerit in vestibus & in aliis ornamentis, cibis, & potibus, & hujusmodi. Br. fol. 120. 122.*

2. Quality.

His Trade; for if a man liveth idly or vagrant, (*nullam exercens artem nec laborem*) it is a good cause to arrest him upon suspicion, if there have been any Felony committed, 7 E. 4. 20. Br. *Faux Imp.* 22.

His Company; if Ruffians, suspected persons, or his being in company with any the Offenders, 7 E. 4. 28.

His Course of life; *sc.* if a common Ale-house-haunter, or riotous in Diet, Play, or Apparel.

Whether he be of evil Fame or Report.

Whether he hath committed the like Offence before, or if he hath had a Pardon, or been acquitted for Felony before. *Nam qui semel est malus semper presumitur esse malus in eodem genere mali.*

So if he hath formerly abjured the Realm, or been Outlawed for Felony, although he hath his Pardon.

If he hath any Blood about him or his Apparel, or that his Weapon be bloody.

If any of the Goods stolen be in his possession.

If any of the Apparel of the party Murthered be in his possession.

The change of his Countenance, his Blushing, Looking downwards, Silence, Trembling.

3. Marks or Signs.

His Answers doubtful or repugnant.

If he offered Agreement or Composition.

If he hath laboured his Neighbours not to speak thereof.

The measure of his Foot, or his Horses Foot.

The bleeding of the dead body in his presence.

If, being charged with the Felony, or called Thief, he saith nothing. F. Cor. 24.

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