

If he fled: *Fatetur facinus, qui iudicium fugit. Co. 11. 60.*  
 If he hides himself or takes Sanctuary.  
 If he is lurking in a place where he had nothing to do.  
 If he were the first that found the party murdered.

Place; *Sub* convenient for such an Act, as in a House, in a Wood, Dale, &c.  
 Time; the year, day, hour, early or late.  
 4. The Fact Where the Offender was at the time of the Fact, and where the day or night before; his business and company there: and Witness to prove all these.  
 Manner; if willingly, by chance, or necessity.

5. The Cause. If former malice.  
 If to his benefit, or what hope of gain.  
 If for the eschewing of any hurt or danger.

6. The Person. *Agens*: if Principal, or Accessary, Infant, Lunatick, &c.  
*Patens*: if against the King, Commonwealth, Magistrate, Master, &c.

Note. That a man accusing another but upon suspicion is not to be proved, though the party accused be proved to be innocent. *Numb. 5. 28, 31.*

A Felon brought before a Justice of Peace accuseth others; it is sufficient cause for the Justice to grant out his Warrant for the rest. *See postea.*

A man going to Execution accuseth another of Felony; it is sufficient cause to arrest him. *F. Cor. 211*

§. 2. *Communis vox & fama*, that he did the Offence, is sufficient cause of suspicion, *sc.* where such a Felony is done, otherwise not. *Br. Faux. Impr. 16*

But yet for the better conceiving what may breed or give just cause of suspicion, mark some of Mr. *Bullock's* Rules.

*Fama.* *Oritur suspicio ex fama: Fama vero que suspicionem inducet, oriri debet apud bonas & graves, (non quidem malevolas & maledicas, sed providas & fide dignas) personas, idque non semel, sed sapienter. Vane autem voces populi non sunt audienda.* *Stamf. 91*

And therefore where the common Proverb is, *Vox populi est vox Dei*, it should be, *Vox populi Dei est vox Dei.*

*Si Furtum in manu alicujus inventatur, vel sub potestate alicujus, tunc ille in cujus domo vel potestate res furtiva inventa fuerit, tenebitur, (nisi Warrantum intenerit quod cum inde defendere possit: )* for, as another faith, *Cum adsunt testimonia ratum, quid opus est verbis.* *Stamf. 29*

*Si quis noctu cubaverit in domo salus cum aliquo qui interfectus sit, vel si duo aut plures ibi fuerint, & fluctuans non leqavere, nec plagam a latronibus vel interfectionibus in defensione faciendam accipere, nec attendunt quis de se vel de aliis hominibus interfecerit; his casibus mortem reddere non possunt.* *Stamf. 199*

*Si quis in domum suam notum vel ignotum accipere qui vitius ingredi visus est, vero postea nunquam nisi mortuus, dominus domus, si tunc domi sit, vel alij de*