

Man may arrest any other, yea every Man in the Town may be arrested, when any felony is committed.

*Mes quel est sufficient cause de suspicion, & quel nemy, serra trie per les Justices. Fi. 127.* 7 E. 4. 20. Br. Exec. 8. 14. 15. 25.

Also the Defendant must plead, That he himself had a suspicion of the Plaintiff: for if the Constable (or other Person that shall arrest one that is suspected) doth not suspect him himself, it seemeth he may not arrest him upon his own Authority: and yet by the Opinions of *Keble, Vavasor* and *Townsend*, as well the Constable, as others in his aid, may arrest one that is suspected of felony, upon the suspicion and complaint (made to the Constable) of the party robbed, 2 H. 7. 15, 16. *Br. Faux Imprif. 14.* yet *alii e contra, ibid. sc.* that the suspicion can extend to none other, but only to him that hath the suspicion, and *Br. 14 H. 8. 16. a.* accordeth: *tamen quare.* For if Felons may not be arrested or stayed but only by those that shall suspect them, and that others may not aid and assist the party that shall suspect another to have robbed him, many Felons shall escape, and Felons shall often go unpunished. See *Plo. 46. a. & Finch 127.*

But now by the Stat. 7 Jac. 5. the Constable, &c. in the former cases may plead the General Issue (Not guilty,) and give the said special matters in Evidence.

Also if the Constable, or other Person, shall arrest another upon suspicion of felony, by virtue of a Warrant from a Justice of Peace, such Warrant shall excuse him, it being given in Evidence, &c. *Vide postea tit. Warrants.*

Bail