

Warrant to the Church-wardens, &c. for the levying of the Forfeitures, and if the said Offenders shall not have whereby they may be distrained for the same Forfeitures, the said two Justices of Peace may commit the Offenders to the common Gaol, there to remain without Bail, until payment shall be made of the Sums so forfeited; &c. *hic antea Cloth.*

*Deer.* Persons committed to prison for committing any Offence prohibited by the Stat. 5 *Eliz. cap. 21.* concerning unlawful hunting or killing of Deer, shall remain there three months and farther, until they shall find sufficient Sureties for their good Behaviour for seven years, &c. See *hic antea.*

*Diers* using Logwood, and being thereof convicted, they shall remain in Prison without Bail, until they have satisfied the Forfeiture, 23 *Eliz. cap. 9. P. Dying 1. & 39 El. cap. 11.*

Also such Offence (of using Logwood) being found by the Examination of any Justice of Peace, if the Offender shall refuse to be bound (by the Justice of Peace) to appear at the next Gaol-delivery or Quarter-Sessions, &c. then the said Justice of Peace may commit such Offender to the Gaol, there to remain until such Offender shall be bound accordingly. See *antea tit. Dying, 39 El. cap. 11.*

*West. 1. 15. 4 El. 23. See 23 H. 6. c. 10.* Excommunicated persons, taken by a Writ de *Excommunicato capiendo*, or yielding their Bodies to the Sheriff or other Officer, upon any Writ of *Capias* awarded, and Proclamation thereupon made, according to the Stat. of 5 *El. cap. 23.* provided for the due execution of the said Writ de *Excom. capiendo*, such persons shall not be bailed, *where Bail is taken away.*

*Execution.* Such persons as are in Execution upon any Statute or Recognizance, or upon Judgment given in the Kings Court at the Suit of any person, they shall not be bailed until they have agreed with the Plaintiff, 1 *R. 2. c. 12. 23 H. 6. c. 10. Fitz. Na. Br. fol. 93. c. & 121. a.* And yet then the Justices of Peace are not to bail them.

*Feesants.* See *Partridges.*

Felons taken for the death of a Man are not bailable; and yet if it be not Murther, and their Offence not apparent, it seemeth they may be bailed. See *hic antea.*

2. Felons taken with the manner are not bailable, *West. 1. c. 15.*

3. Nor if it be apparently known that they did the felony, *Ibid.*

4. Nor if they confess their felony upon their Examination before the Justices of Peace, *Cromp. 152. b.*

5. Nor if it be a Thief openly known, *West. 1. 15.*

6. Nor if he be of evil Fame by credible report, *Br. Mainp. 75.*

Yet in these former cases of felony, if the Theft be not twelve pence, or above the value of twelve pence, the Justice of Peace may bail the Prisoner, it being no felony of Death.

7. Nor is he which is convict or attaind of felony bailable. See before *sub hoc tit.*

*5 El. c. 21. P. Fish. 7.* Accessaries in felony shall not be bailed, after that the principal (or any one principal) is attaind. But before the principal is attaind the Accessary is bailable by the Common Law, *Stamf. 71.*

*Fish.* Destroyers of Ponds, Pools or Moats, wherein any Fish are; or unlawfully to fish in any several Pond, Pool or Moat, to the intent to rake, kill or destroy any Fish there; every such Offender, being thereof lawfully convicted, shall have three months Imprisonment, and then shall find sufficient Sureties for the Good Behaviour for seven years after, or else shall remain in prison without any Bail, untill they have found Sureties accordingly.

2. Gagers