

shall remain in prison until they have made Fine and Ransom, according to the Justices discretion, 9 H.5.8. Parl.2. *Quare* whether this Statute be now in force.

Witches, Conjurers, Sorcerers, and such others, which shall take upon them to hurt any persons in body, though it be not effected:

2. Or shall take upon them to tell any Treasure or Goods, (lost or stolen) where it may be found :

3. Or shall take upon them to provoke any person to Love :

4. Or shall hurt any Cattel or Goods thereby :

Every such Offender, being of any the said Offences lawfully convicted, shall have one whole years Imprisonment without bail.

Women. Taking of Women (unmarried, and under the age of 16 years) out of the possession of their Parents, or other person having lawfully the keeping, &c. of them, and against their wills, the Offender being thereof convict, shall be two years imprisoned without bail, &c.

2. Taking away and deflowring such Maid or Woman Child, as aforesaid :

3. Contracting of Marriage with such a Maid, against the will of, or unknown of, or to the Father of such a Maid, (if he be living) or against the will, &c. of the Mother, having the custody and governance of such Child :

The Offenders in these two last cases, being thereof lawfully convicted, shall have five years Imprisonment without bail, &c.

See more concerning Women, *antea Recusants.*

There be divers other Statutes made since the publication of the Author, which take away bail, but they being abridged in the first part of this Book under their proper Titles, I forbear to repeat them.

Recognizance. C H A P. CLXVIII. V. 116.

A Recognizance is a Bond of Record, testifying the Recognizor to owe a certain Sum of Mony to some other; and the acknowledging of the same is to remain of Record; and none can take it but only a Judge or Officer of Record. §. 1.

And these Recognizances, in some cases, the Justices of Peace are enabled to take, by the express words of certain Statutes: but in other cases (as for the peace and good behaviour, and the like) it is rather in congruity, than by any express Authority given them, either by their Commission or by Statute.

Note, wheresoever any Statute giveth them power to take a Bond of any Man, or to bind over any Man to appear at the Assizes or Sessions, &c. or to take Sureties for any matter or cause, they may take a Recognizance. Yea, wheresoever they have Authority given them to cause a Man to do a thing, there it seemeth they have (in congruity) power given them to bind the party by Recognizance to do it. And if the party shall refuse to be bound, that then the Justice may send him to the Gaol; for it is a Rule in Law, *Concesso uno aliquo, etiam id concedi videtur sine quo prius concessum haberi nequit.* But yet inquire of this last Case, for there is also another Rule, *In generali concessione non veniunt ea, quæ, quis non esset verisimiliter in specie concessurus.*