

(or of any Benefices or Offices of the Church) contrary to these Statutes, without any examining, questioning, or standing upon the Right or Title of either party, ought in convenient time) at the costs of the party grieved) to do Execution of these Statutes in manner and form hereunder following. See *Lamb.* 150.

15 R. 2. 2.
Lamb. 152. §. 1.
View.
1. First, he ought to go the place where such force shall be. And he may take with him sufficient power of the County, or Town, by his discretion, and the Sheriff also, if need be, to aid him, for the better Execution of this business; *sc.* as well for the arresting of such Offenders, as also for the removing of the Force, and for the conveying of them, to the next Gaol. And whosoever (of that County) shall refuse to attend and assist the Justice of Peace herein, shall be imprisoned, and make Fine to the King. 15. R. 2. cap. 2.

2. He ought to arrest and remove all such Offenders, as at his coming he shall see or find continuing the Force; and may take away their Weapons, Harness, and Armour, and presently cause them to be prized, and after to be answered to the King as forfeited, or the value thereof. *Vide Libr. Intrat. tit. Faux. Imprisonment, di. 7.* Arrest.

If the doors be shut, and they within the House shall deny the Justice to enter, it seems he may break open the house to remove the Force.

But if such Offenders, being in the House at the coming of the Justice, shall make no resistance, nor make shew of any Force, then the Justice cannot arrest or remove them, except upon the Enquiry after, a Force be found. See *Cromp.* 73. and the other title, *Forcibly Entry.*

Cromp. 71. Also if the House or Land which is holden with Force shall extend into Two Counties, and the Offenders remove their Force into that part of the House or Land which is in the other County, when the Justices do come, they cannot then remove the Force.

14 H. 7. 8.
Co. 8. 121. §. 3.
Restitution.
And if the Justice at his coming shall see or find a Force; and shall remove the Offenders, yet he may not upon this his own view restore the party ousted to his Possession again, without inquiry first made of the Force by a Jury, as appeareth hereafter.

Lamb. 15.
163. & 175. §. 4.
Record.
3. Also the Justice ought to make Record of such Force by him viewed; which Record shall be a sufficient Conviction of the Offenders, and the parties shall not be allowed to traverse it.

21 H. 6. 5.
Br. Peace.
Co. 8. 120.
P. 2. And this Record (being made out of the Sessions by a particular Justice) the said Justice may keep by him; or he may make it indented, and certify the one part into the King's Bench, or to leave it with the Clerk of the Peace, and the other part he may keep himself.

The Form of the Record; see the other title, *Forcible Entry* among the Precedents.

4. Also he ought to commit (immediately) to the next Gaol all such persons as he shall find and see continuing the Force at his coming to the place; the said Offenders there to remain convict by his own eye, Testimony and Record, until they have paid a Fine to the King, (or given Security for the payment thereof:) for this Sight and View of the Force by the Justice (being a Judge of Record) maketh his Record thereof (in the Judgment of the Law) as strong and effectual, as if the Offenders had confessed the Force before him; and (touching the restraining of Traverse) more effectual than if the Force had been found by a Jury upon the Evidence of others. §. 5.
Imprison.

P. 2. And yet the words of the Statute seem more large; *sc.* And if he do find any that made any such Forcible Entry, or that hold the place with Force, &c. he shall commit the Offenders to the Gaol, &c. But such Force must