

where it is presumed that Interest or Influence will prevent Justice being done would be destructive of those ends and inconsistent with the Wisdom and Policy of an English Statute

There are Instances where Fines that have been punished by the Justices of the Peace but not in proportion to their Crime have been brought into the Star Chamber and such a further fine imposed on them as made the whole Punishment equal to their Offence and that standing as it is judged to be no way repugnant to the Rule of Law of not punishing twice for one Offence but inflicting a penalty adequate to the Crime at different times which proves clearly that other Courts have Jurisdiction of those things as well as Justices of the Peace

By the Statute already cited it appears that the Justices of the Peace and Sheriff may if they find a difficulty in punishing the Offenders certify all the Circumstances to the King and Council in order without Question that proper measures may be taken therein and if the Justices fail they are punishable and it would be a new Doctrine and a very absurd one that the Omission of Superior Officers and their punishment should excuse other Offenders or prevent Superior Officers taking Care to prosecute Offenders and certainly the Government may Judge when it is proper to do it in the Supreme Courts according to the Common Law as well as a Private Justice of Peace when it is proper for them to Proceed or make the Certificate prescribed by the Statute

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