

Bro. Riots, 2, 3.
Bro. Parliament, 108.
Fitz. Return. de Viccont. 17.
Co. Lit. 145. b.
13 Co. 31.
Enforced and amended by 3 Ed.

‘ liver them without Let or Gainsaying of him that took the Beasts, if they were taken out of Liberties. (2) And if the Beasts were taken within any Liberties, and the Bailiffs of the Liberty will not deliver them, then the Sheriff, for Default of those Bailiffs, shall cause them to be delivered.’
1. c. 17. Regist. 82, &c. 2 Inst. 139.

Cotton MS.
contradiccione ejus qui dicta averia cepit, deliberare possit, si extra libertates capta fuerint. Si infra libertates capta fuerint, & ballivi libertatis ea liberare noluerint, tunc vicecomes per defaultam eorum [ipsorum] ea faciat deliberari.

C A P. XXII.

None shall compel his Freeholder to answer for his Freehold.

* Not in the Original.
2 Inst. 142.
Enforced by 15 R. 2. c. 12. and by 16 R. 2. c. 2. which gives

‘ NONE from henceforth may distrain his Freeholders to answer for their Freeholds, nor for any Things touching their Freehold, * without the King’s Writ: (2) Nor shall cause his Freeholders to swear against their Wills; for no Man may do that without the King’s Commandment.’

Nullus de cetero possit distringere libere tenentes suos ad respondendum de libero tenemento suo, nec de aliquibus ad liberum tenementum suum spectantibus; nec jurare faciat libere tenentes suos contra voluntatem suam; deficut hoc nullus facere possit sine [speciali] precepto domini Regis.

a Forfeiture of 20l. to the King on Breach, by the compelling of Tenants, &c.

C A P. XXIII.

A Remedy against Accomptants.

Fermors shall make no Waste.

Fitz. Brief, 791, 806.
Fitz. Procefs, 203.
Fitz. Exigent, 12.
1 Roll. 182.
2 Inst. 143.
* Not in the Original.
Mirror 320.
5 Co. 18.
Dyer, f. 287.
Fitz. Wast, 12, 22, 30, 32, 37, 42, 43, 46, 47, 48, 53, 68, 69, 76, 78, 82, 88.
4 Co. 63. Rast. maintainable.

‘ IT is provided also, That if Bailiffs, which ought to make account to their Lords, do withdraw themselves, and have no Lands nor Tenements whereby they may be distrained; then they shall be attached by their Bodies, so that the Sheriffs, in whose Bailwick they be found, shall cause them to come to make their account.’

Provisum est eciam, quod si Ballivi, qui dominis suis computum reddere tenentur, se subtraxerint, & terras & tenementa non habuerint, per que distringi possint; tunc per eorum corpora attachientur, ita quod Vicecomes, in cujus balliva inveniantur, eos venire faciat ad computum suum reddend’.

‘ II. Also Fermors, during their Terms, shall not make Waste, * Sale, nor Exile of House, Woods, and Men, nor of any Thing belonging to the Tenements that they have to ferm, without special Licence had by Writing of Covenant, making mention, that they may do it; which Thing if they do, and thereof be convict, they shall yield full Damage, and shall be punished by Amerciament grievously.’

Firmarii tempore firmarum suarum vastum vel exilium non faciant de boscis, domibus, vel hominibus, nec de aliquibus ad tenementa que habent ad firmam spectantibus, nisi specialem inde habuerint concessionem, five convencionis mentionem, adeo quod hoc facere possint. Et si fecerint, & super hoc convincantur, dampna plene refundant, & graviter per misericordiam puniantur.

689. 2 Inst. 144. Enforced by 6 Ed. 1. stat. 1. c. 5. which gives treble Damages. See further 11 H. 6. c. 5. against whom Waste is

C A P. XXIV.

For what Causes Townships ought to be amerced.

Amercement of Towns in Eyre,

Just. in Eyre. Enquests of the Death of Man. Fitz. Wast, 11, 39, 53, 66, 72, 73, 101, 103, 120. 2 Inst. 147.

‘ THE Justices in Eyre from henceforth shall not amerce Townships in their Circuits, because all being twelve Years old came not afore the Sheriffs and Coroners, to make Inquiry of Robberies, Burnings of Houses, or other Things pertaining to the Crown; so that there come sufficient out of those Towns, by whom such Enquests may be made full: except Enquests for the Death of Man, whereat all being twelve Years of Age, ought to appear, unless they have reasonable Cause of Absence.’

Justiciarii itinerantes de cetero non amercent villatas in itinere suo, eo quod singuli duodecim annorum non venerint coram Vicecomitibus & Coronatoribus, ad inquisitiones de roberijs, & incendiis, & aliis ad Coronam spectantibus faciend’; dum tamen de villatis illis venerint sufficientes, per quos hujusmodi inquisitiones plene fieri possint: exceptis inquisitionibus de morte hominis faciend’, ubi omnes duodecim annorum venire debent, nisi rationabilem habeant causam absentie sue.

C A P. XXV.

What Kind of Man-slaughter shall be adjudged Murther.

Keyling 123. Co. Ent. 354. 2 Inst. 148. 2 Roll. 120.

‘ Murther from henceforth shall not be judged before our Justices, where it is found Misfortune only, but it shall take place in such as are slain by Felony, and not otherwise.’

Murdrum de cetero non adjudicetur coram Justiciariis, ubi infortunium [fortunium] tantummodo adjudicatum est, sed locum habeat murdrum in interfectis per feloniam, & non aliter.