

before him, shall be found to have made any Forcible Entry (into other Mens Possessions) or to detain them with force. *Vide antea tit. Forcible Entry.*

Also the Sheriff, or other Officer, upon any lawful Warrant for the apprehending of any Popish Recufants, &c. may take *Posse Comitatus*, &c. See the Statute of 3 Jac. 4. P. Rec. 12.

The Sheriff, Under-Sheriff, or Bailiff, &c. (if need be) may by the Common Law take the Power of the County (what number they shall think good) to execute the Kings Process or Writ, be it a Writ of Execution, *Replevin*, *Estrepement*, *Capias*, or other Writ, it being the Kings Commandment. See also the Statute *Westm. 1. 17. Westminster 2. 39.* 3 H. 7. 1.
10.
Co. 5. 115.
P. Distr. 4.
P. Rector. 5.
Br. Fin. R.
37.
Br. Riots
2, 3.

And such as shall not assist them therein (being required) shall pay a Fine to the King. *See hic antea.*

The Sheriffs Bailiff, to execute a Replevy, took with him three hundred Men armed (*modo guerrino, &c.*) with Brigandines, Jacks and Guns; and it was holden lawful: for the Sheriffs Officer hath power to take Assistance as well as the Sheriff himself, for that is all one Office, and one Authority. 2 H. 7. 1.
Br. Tref.
266. &
Riots 2.

A Man demands the Peace in the Chancery against a great Lord, and hath *Supplicavit* directed to the Sheriff: there, if need shall be, the Sheriff may take *Posse Comitatus* to aid him to arrest such a Lord, &c. *Vide antea tit. Surety for the Peace.*

So it seemeth, if a *Supplicavit* be directed to a Justice of peace, the Justice of peace, or Officer to whom the Justice of peace shall make his Warrant in this behalf, (upon resistance made) may (if need be) take *Posse Comitatus* to aid him to arrest the party: *Quia quando aliquid mandatur, mandatur & omne per quod pervenitur ad illud.* Co. 5. 115.

But every Sheriff is inabled besides by his Writ of Assistance, whereby there is commandment (under the Great Seal) to all Archbishops, Dukes, Earls, Barons, and all other the Kings Subjects within the same County, to be aiding to him in whatsoever belongeth to his Office, &c.

The Sheriff may take *Posse Comitatus* to apprehend Felons, &c. or disturbers of the Peace, *Vide antea tit. Forcible Entry.*

So he may take *Posse Comitatus* to execute the Precept of the Justice of Peace. *Ibid.*

The Constable (of a Town) upon a Felony committed, or upon any Affray, or the like, may take the aid of his Neighbours, or other persons being present, to apprehend the Felons, or to cause the Peace to be kept, and to carry the Offenders before the Justice, &c. See *Br. Riot 3.* 5 H. 7. 10.
13 H. 7. 10.
Br. Trefp.
432.

One hath hurt another, whereby he is in peril of Death, the Constable may take power or aid to arrest him, &c.

So may the Constable take the aid of his Neighbours for executing of the Justices Warrant directed to him.

Yea all and every such persons as are Conservators of the Peace by the Common Law, (*sc.* every petty Constable, High Constable, Coroner, Sheriff, Steward of a Leet, or of a Court of Pipowders, Steward of the Sheriffs Torn, and other Judge in any Court of Record) may command and take the meet help, aid and force of others, to pacifie and to arrest all such who in their presence, and within their Jurisdiction, shall go about to break the Peace by Word or Deed. 28 E. 3. 8.

Every