

served, forfeitures for crimes are abolished, but it might probably be held here that by force of the words "otherwise lawfully forfeited," the Statute would extend to a seizure of goods by the sheriff, or other officer, under pretence of re-imbursing the expenses of prosecution, or securing reparation for the injured party in case of conviction. It has been decided that the Court has no power at common law to direct the disposal of chattels in the possession of a convicted felon, not belonging to the prosecutor, *R. v. Pierce*, Bell's C. C. 235; S. C. as *R. v. City of London*, E. B. & E. 509.

Without going further into the subject it may be observed, that while forfeitures for felony prevailed, it was always holden that a person indicted of felony or treason might *bona fide* sell any of his chattels real or personal, for the maintenance of himself and family until they were actually forfeited, 3 Inst. 229; Fleetwood's case, 8 Rep. 171 b.; Whitaker v. Wisby, 12 C. B. 44; Chowne v. Baylis, 31 Beav. 351. But in Jones and Ashurt, Skin. 357, where a person in Newgate for burglary and robbery made a bill of sale of all his goods to his son before conviction, Lord Holt held in an action of trover, brought by the son against the sheriffs of London, that the bill of sale was fraudulent, for though a sale *bona fide* and for valuable consideration had been good, because the party had a property in the goods till conviction and ought to be reasonably sustained out of them, yet such a conveyance as that could not be intended to any other purpose than to defraud the king and prevent a forfeiture, and this was a fraud at common law; and see Buckley v. Stapelton, 9 L. J. Chan. 263; *In re Saunders' estate*, 32 L. J. Chan. 224.

As to conveyances executed by a person accused of theft to the injured person by way of reparation, see *Gotwalt v. Neal*, 25 Md. 434; Chowne v. Baylis *supra*.

253 *The SECOND PARLIAMENT holden in the third Year of
King HENRY VII. and A. D. 1486.

CAP. I.

The Authority of the Court of Star-Chamber. Where one Inquest shall inquire of the Concealment of another. A Coroner's Duty after a Murder committed. A Justice of Peace shall certify his Recognisance, Indicts, &c. of Murder.

The last part only of this Statute, relating to Recognizances, has been extended.

(26) And also it is ordained by the same Authority, that every Justice of Peace within this Realm, that shall take any Recognisance for the keeping of the Peace, that the same Justice do certify, send, or bring the same Recognisance at the