

tumultuously assembled together to the disturbance of the public peace'; they must continue riotously and tumultuously together for one hour after the proclamation in the King's name (commonly called 'The Riot Act') ordering them to disperse has been read by a Justice of the Peace or other authorized person.

Demolition of houses or other buildings by rioters is also a statutory felony punishable with penal servitude for life, whether the riot be at common law or under the Riot Act, and for damage not amounting to demolition seven years' imprisonment may be awarded.

Such, in its broad outlines, is the English law as to riot. But persons contemplating the execution of a common purpose may be guilty of two lesser offences, which are deserving of a passing notice. The mere assembling together of a number of persons in circumstances calculated to endanger the public peace is an "unlawful assembly" punishable as a common law misdemeanour with fine and/or imprisonment. Intermediate between unlawful assembly and riot is the offence of 'rout.' An unlawful assembly becomes a rout when a motion is made towards the execution of the common purpose: it is a riot, complete except for the execution of the purpose.

The four stages of the rioter's progress may be made clear by an illustration. At 6 p.m. A, B, and C meet and arm themselves with axes and crowbars and say, 'We will go and smash D's new factory.' That is an unlawful assembly; it remains an unlawful assembly during the preparatory process of filling themselves with Dutch courage and Government ale at the nearest publichouse. But when, at 7 p.m., they start to walk to D.'s premises to carry out their design it becomes a rout, and continues a rout through the intermediate calls for fresh supplies of Dutch courage. Arriving at D.'s factory at 8 p.m., the first blow is struck and, assuming their demeanour shows an intention to resist interference by force and is calculated to alarm even one reasonably courageous person, the rout has become a common law riot. By 9 p.m. nine other men have joined in the destruction. A magistrate may now 'read the Riot Act,' and at 10 p.m. the 12 rioters, if they are still making merry with D's property, become statutory rioters and guilty