Justice Twisden said, he remembered a shoemaker brought an action against one, for saying he was a cobbler: and though a cobbler be a trade of itself, yet it was held the action lay in Chief Justice Glyn's time (1 Mod. fol. 19).

When an execution is lawfully begun, or hath a legal commencement, this diversity was taken and agreed for law in *Sir William Fish's case.* Sir William was looking out of his window, and the sheriff *per fenestram*, delivered to him a *capias ad satisfac.* to take the said Fish and apprehend him, and Fish escaped from him, and the sheriff broke the door of his house, *maintenant*, and re-took him; and adjudged lawful, because there was a lawful beginning of the execution before, which was presently pursued (Palmer, 53).

A sheriff cannot, upon private process, rush into a house, which by craft, as knocking at the door, &c., he procured to be opened unto him, and then the first entry was held unlawful; for the opening of the door was occasioned by craft, and then used to the violence intended (Hob. fol. 62).

If one shall the second time, use any conjuration or witchcraft to provoke love in a maid, this will be felony (1 Jac. cap. 12).

A man entered into a condition not to sell his wife's apparel; and held a good bond, though it was moved to be against law, and contrary to the liberty of a husband, so to oblige himself; but Coke held it clearly good; as if one should oblige himself to a stranger, to pay to his wife yearly 20*l.*; this without question is good (*Smart* v. *Watson*, 1 Roll. Rep. 334).

An adulterer takes away another man's wife, and puts her in new clothes: the husband may take the wife with her clothes; for it is as it were a gift of the said appparel unto her. Besides, the more worthy thing draws to it things of less worthiness; as a base mine where there is ore, shall be the King's, for the worthiness of the ore (Finch's Law, 22, 23. And see Cro. Car. 344).

A wife cannot feloniously take her husband's goods; and though she so take 'em, and deliver 'em to a stranger, yet no felony in the stranger. And if a feme covert say of J. S., he stole my plate out of my chamber, although she may not have plate of her own, yet because in common speech 'tis well known that the wife accounts her husband's goods her goods, yet the words are actionable (Cro. Car. 52). Yet for all this she cannot dispose of her husband's goods; and therefore 'twas adjudged, in *Stephen's case*, that where a wife played at cards, and lost 40*l.* of her husband's money, that the husband should recover it again in trover against the gamester (1 Sid. 122; 1 Keb. 340). *Quære*, what remedy has the gamester if he loses to the wife? Or will the law construe it a gift of the money to her, &c.?

'Twas moved to quash an indictment of forcible entry, because the addition of the parties was in English sail-weaver, confectioner, &c.: but the court overruled it; for many persons *have been hanged that have had no other addition* in their indictment. *Note*, it is the constant practice to put them in English in indictments (*Rex.* v. *March*, 1 Sid. 101).

If I make J. S. my attorney, and he (the warrant of attorney still continuing) is made a knight, yet the warrant of attorney is not determined, though the word knight, which is now part of his name, be not in it (Owen, 31).

Libel for calling a man a knave, prohibition lies, *because* in the time of Henry VI. knave was a good addition (Week's case, Latch, 156; 1 Sid. 149).

It was resolved by the court, that negroes are by usage *tanquam bona, and shall go to the administrator until they become* Christians, and thereby they are infranchised. This was upon a special verdict in an action of trover; the jury finding that negroes are usually bought and sold in India (*Butts* v. *Penny*, 3 Keb. 785).

So trover lies for monkeys, because they are merchandize, and valuable, without showing they are tame or reclaimed (2 Cro. Car. 262).

In the time of popery if a stranger had taken my goods and offered them to an image in a consecrated ground, this had made as good exchange of the property of my goods as if I had sold them in market overt; but if I found the goods after in the wrong doers possession, I might take them again (34 H. 6; 10 Co. 91).

If the wife of an attorney of the King's Bench be arrested, she ought not to claim the privilege of that court, not to put in bail to the action, as her husband may; but he must put in bail for her, and for want thereof she shall go to prison. (Stiles, Prac. Reg. 446).

A writ of conspiracy for indicting one for felony, does not lie but against two persons at the least; therefore you shall not have such a writ against husband and wife, because they are but one person, and one cannot be said to conspire with himself (F. N. B. 116 K).

One said of a justice of the peace, "he is a logger-headed, a slouch-headed, and a bursen-bellied hound." This is no cause of indictment before justices of the peace in their sessions, partly for want of jurisdiction, and partly because the words are not actionable. This was assigned for error after judgment (1 Keb. 629).

Justice Dodridge says, it has been wittily observed, that all words which end in "ment" shall be taken and expounded according to the intent; as parliament, testament, arbitrament, &c. (Latch. 41, 42).

It has been held that Sain John and Saint John are several names: so are Elizabeth and Isabel; so Margaret, Marget, and Margerie; so Gillian and Julian; so Agnes and Anne; so *cousin* and *cozen*; so Edmund and Edward; so Randulphus and Randal; so Randulphus and Randolphus; and so Randolph and Ranulph (See Anderson, 211, 212. 2 Cro. 425, 558. 2 Roll. 135). So also Miles and Mils are not one name. (Stiles, 389). But Piers and Peter are one name (2 Cro. 425). So Saunder and Alexander; so Garret, Gerrard and Gerald. (2 Roll. 135). So Joan and Jean (2 Cro. 425). So Jacob and Jaacob (1 Mod. 107. 3 Keb. 284). And James and Jacob are several names; yet Jacobus is Latin for both, and will serve for either of them (2 Roll. 136).

Cooper brought an action upon the case against Witham and his wife, for that the wife maliciously intending to marry him, did often affirm that she was sole and unmarried, and importuned *et strenue requisivit* the plaintiff to marry her; to which affirmation he gave credit, and married her, when *in facto* she was wife to the defendant; so that the plaintiff was much troubled in mind, and put to great charges, and much damnified in his reputation. He had a verdict, but no judgment; for by Twisden J. the action lies not, because the thing here done is felony: no more than if a servant be killed, the master cannot have an action *per quod servitium amisit*, *quod curia concessit* (1 Sid. 375).

One Carey brought an action of trespass *vi et armis* against Stephens, for casting wine upon his velvet doublet; and well brought, though he might have had an action on the case. (Noy, 48.)

In Fox's Book of Martyrs, there is a story of one Greenwood, who lived in Suffolk, that he had perjured himself before the Bishop of Norwich, in testifying against a martyr who was burned in Queen Mary's time: and had therefore afterwards by the judgment of God, his bowels rotted in him, and so died. But it seems this story was utterly false of Greenwood, who after the printing of the Book of Martyrs was living in the *same parish. It happened after, that one Booth*, a parson, was presented to the living of that parish where this Greenwood dwelt: and some time after in one of his sermons, happenned to inveigh severely against the sin of perjury, and cited the passage out of Fox, that Greenwood was a perjured person, and was killed by the hand of God: whereas in truth he was present at the sermon; and therefore brought an action on the case for calling him a perjured person: and the