

that the Plaintiff was an *Inhabitant of the Town*; for he might be a Stranger, and then he could not appoint him to watch, nor put him in the Stocks for refusing, but must complain to a Justice of the Peace.

But those who are Inhabitants within the Town are not to watch at the Will of the Constable, but only when their Turn cometh, unless 'tis the Custom of the Place to do otherwise.

*Warrants to execute.*

Constable is excused if he execute a Warrant of a Justice wherein he *exceeded his Authority*, because he is not to dispute, but to obey; but if he execute a Warrant of a Justice where he had no Authority, he may be punished, and so he may where 'tis apparent, that the Warrant is mistaken in the Penalty, or if he is commanded to do something out of his Liberty.

He may acquaint the Party with the Contents of the Warrant, but is not obliged to shew it.

If he apprehend a Person without a Warrant, and get one afterwards, 'tis False Imprisonment.

But he may justify the detaining an Offender for a Day by the Command of a Justice of Peace, without a Warrant, not having Opportunity to examine him.

If he let a Man go upon his Promise to return, he cannot retake him by Vertue of the first Warrant; but if the Person escaped, he may pursue him into another County and bring him back.

In Treason, Felony, or Breach of the Peace, he may *break open Doors* by Vertue of a Warrant; but first he ought to demand Entrance, and to acquaint the Person for what purpose he came.