

that power and Authority which her husband hath over her that she is not deemed accessory to a felony for receiving her husband guilty of it, as her husband is for receiving her for 3 July 108 Hale pl. 8. 65. Hawkins pl. Co. lib. 1 Cap. 2. And Nor doth she suffer any punishment for committing a bare theft by Coercion of her husband, or in Company with him in which case it is presumed that the husband is the Author. Rep. 31 Stamford pl. 67. 26 Hale. Hawkins id. Sect. 9 Wood Just. Vol. 2 lib. 3 Cap. 1. pr. But if a wife commit a theft of her own voluntary act, or by the bare Command of her husband, or he did not join in it, or be guilty of treason Murder or Robbery in Company with or by Coercion of her husband, it is presumed that she is as much as if she were sole Author. Wood id. Hawkins id. Sect. 11. A wife may be also condemned jointly with her husband to the Gallies for keeping a bawdy house Hawkins id. Sect. 12. Because this is an offence relating to the Government of the house, and the wife had a principal share, and such as is presumed to be managed by female Intrigues. And generally a person cannot must answer as if she were sole, for any offence against the Common law or Statute, and if it be of such a Nature that it may be committed by her alone without the Concurrence of her husband, she may be punished for it without the husband, and he who was no way going to it shall go at large. But if a wife incur the forfeiture of a general Statute, the husband may be made a party to the Action or Information for the same, as he may be General to any suit for a cause of action given by his wife, and he be liable to answer what shall be recovered thereon. Hawkins id. Sect. 13.

An University City or Incorporation which is not a Natural intelligent person, but no man Juris or an Aggregate body Represented by its Magistrates or governing Authors or Administrators Existing only in dependence of law, cannot properly be in fault or be guilty of Crimes committed by such Magistrates &c. in the single Capacity of private men. 15. 51. f. do. Hale. And Murder or other oppression or being guilty of any such Crime are punishable in their Natural, not

So. best Comm. 2. f. do. Const. princ. n. 21 in fine

not in their political Capacity. Prop. p. Farin. do. De Lib. 2. Dist. 1. n. 110. Jones. 3. Van. Cap. 2. do. De Lib. 2. Cap. 1. n. 52. yr. Bullon do. p. 25. a. M. Lewis. Crim. part. 1. Tit. 3. 9. But law supposed such a Collective body to offend in some cases by its Magistrates or Administrators. U. C. Incorporation or City is Understood guilty of what the Magistrates or Administrators themselves do. Amis in the proper business of the Corporation, as in the Making Statutes or by Laws, imposing Taxes or Contributions, Raising and using unlawful Indulgences or Licenses. Item that the Corporation, C. do. Episc. & Cleric. Constit. Frederici 2. do. Statut. & Constit. contra Libert. Eccles. Prop. p. Farin. id. n. 110. & p. 99. And the body of itself may be charged with the guilt of Crimes committed by private persons, if done by order of the Lords and Managers called and met in a Common Council of the Society. l. 9. 51. f. quod Mat. caus. Prop. p. Farin. id. n. 129. If of that Crime continued for some time, as doth a tumult or sedition; and the Magistrates or Administrators do not upon the first Notice speedily call a Council, and give effectual orders for suppressing it, when they might have safely done it, because in that case the Society is understood to have consented at or tacitly approved of the Crime; Prop. p. Farin. id. n. 131. 134 & p. 99. Again, Crimes of Omission may be Imputed to Corporations; when their Administrators neglect what law Command is. l. 10. C. do. 88. Eccl. M. Lewis. Crim. part. 1. Tit. 159. So Corporations have been understood, and their Liberty seized into the Kings hands for suffering a dangerous riot to happen within their Jurisdiction without using their Endeavours to suppress it. Hawkins pl. Co. lib. 1. Cap. 65. 513.

The Grant of Incorporation of the office of Magistracy to Govern, carries in it an original trust, and a tacit Condition to govern well, and the greater the trust the stricter is the Condition. For the King trusts them with the local and special Government of that particular District, upon Account of and subordinate to the public Government of the Kingdom; and therefore a breach of the public trust is a forfeiture and good cause to separate the Political Capacity from the Natural. When so ever the law creates a trust, the same provides a remedy if the trust be broken, for putting that trust into safer hands because there is a Person