

§ 6.
Oath of
Supremacy.

I Michael Dalton do utterly testifie and declare in my conscience, That the Kings Highness is the only Supream Governour of this Realm, and of all other his Highness Dominions and Countries, as well in all Spiritual or Ecclesiastical things (or causes) as Temporal; and that no forein Prince, Person, Prelate, State, or Potentate, hath, or ought to have, any Jurisdiction, Power, Superiority, Pre-eminence, or Authority, Ecclesiastical or Spiritual, within this Realm: And therefore I do utterly renounce and forsake all forein Jurisdiction, Powers, Superiorities, and Authorities, and do promise, That from henceforth I shall bear Faith and true Allegiance to the Kings Highness, his Heirs and lawful Successors, and (to my power) shall assist and defend all Jurisdiction, Priviledges, Pre-eminences and Authorities granted or belonging to the Kings Highness, his Heirs and Successors, or united and annexed to the Imperial Crown of the Realm. *So help me God, and by the contents of this Book.*

§ 6.
Crom. 11.
P. Crown
& vide.

The Justices of the Peace ought to take this Oath for the Supremacy in the open Court of Sessions where they shall serve, by the Statute 5 *Eliz.* 1. (as *M. Crompton* holdeth:) and it were very fitting so to be; or else to be taken at the Assizes by the Judges, lest (by indirect practice) it be neglected.

See 1 E. 1.

Ye it is most usual that both of these Oaths are taken by a special Commission, (*viz.* by a Writ of *Dedimus Potestatem*, directed out of the Chancery to som ancient Justice of Peace to take the same Oath(s) which by them is to be certified into the same Court, at such day as the Writ commandeth. *The form of which Certificate, see hic postea.*

1 El. 1.

“ And the words of that Statute being, that the Oath shall be taken before such person or persons, as the Queen her Heirs and Successors under the Great Seal of *England*, assign and name, by that it seemeth that it must be taken before Commissioners under the Great Seal only, unless the taking thereof be by any later Statute directed to be before other persons.

§ 7.

The Justice of Peace (or other person) to whom a *Dedimus Potestatem* shall be directed, to take the Oaths of a new Justice of Peace, if he shall return the Commission, and the Oaths to be taken, when they were not taken, he is fineable in the Star chamber.

Co. 8. 98.

“ But at this day, in as much as the Star-chamber is taken away by the Stat. of 17 *Car.* 1 c. 10. the proceedings against such Commissioner for his miscarriage herein, or against a Justice of Peace for execution of his Authority, not having first taken Oaths required of him, may be in the Court of Kings-Bench, as is declared by that Statute they might have been before, for it is thereby recited that all matters examinable or determinable in the Court commonly called the Star-chamber, may have their proper remedy and redress, and their due punishment and correction by the Common Law of the Land, and in the ordinary course of Justice elsewhere, which was a very great reason of taking away the said Court.

So if the new Justice of Peace shall exercise this Office before he hath taken both these Oaths, he is likewise fineable in the Star-chamber.

Crom. 11.
Co. 11. 98.

Also if a Justice of Peace shall not perform his Oath (concerning his Office,) it seemeth he is fineable in the Star-chamber, &c. Yet see *Co.* 11. 98. a. That a man shall not be charged in any Court Judicial for the breach of a general Oath, which he taketh when he is made an Officer or Minister, &c. But if he do a thing contrary to his Oath, that aggravates his offence.

There is a third Oath tending to the Declaration of such duty as every well affected Subject by bond of Allegiance, and by the Law of God, ought

*The Oath of
Allegiance.*