

before them, may be in this or the like form: and either in the King's name or under the name of the Justices, &c.

Vide hic  
cap. 130.

*Jacobus, Dei grat. Rex Angliæ, &c. Vicecom' Cantabr. salutem. Præcipimus tibi quod non omittas propter libert' aliquam Comit' tui, quin venire fac' coram Justic' nostris de pace in Comitatu' præd' conservand. assign' apud Linton in Co. præd. die Julii proxim' sequent' 24 probos & legales homines de Hundred' de Radfield & Chilford, ad audiend' & faciend' ea quæ eis ex parte nostra ibidem tunc fuerit injurgend'. Et habeas tunc & ibidem hoc mandatum. Teste Mi. D. (apud West-wratt'ing) tali die, &c.*

C H A P. CXVI. V. 67.

Sureties for the Peace.

Lamb. 77.

**S**urety for the Peace, is the acknowledging of a Recognisance (or Bond) What it is. to the King (taken by a competent Judge of Record) for the keeping of the Peace: and it is called Surety, of the word *Securitas*, because the party that was in fear, is thereby the more secure and safe.

F. N. B.

79. h.  
Lamb. 77.

This Surety for the Peace every Justice of peace may take and command in two manners, or by a two-fold authority

§. 2.  
Two ways  
Supplicavit.

1. First, As a Minister (commanded thereto by a higher authority) as when a Writ of *Supplicavit*, directed out of the Chancery or King's-bench, is delivered to his hand: upon this Writ, that Justice of peace only (to whom such Writ is delivered) is to direct his Warrant, to cause the party to be brought before him (alone) to find Sureties for the peace. And therein the said Justice is to do in every behalf according as the same Writ doth direct him.

See more concerning this Writ of *Supplicavit*, &c. *postea, sub hoc titulo, Surety for the peace.*

2. Secondly, As a Judge, (and by virtue of his Office, and of his own power derived from his Commission) he may command this Surety of the peace to be found; and that either of his own motion and discretion, or else at the request or prayer of another.

The Justice of peace, upon his own motion and discretion, may (if he see cause) command Surety of the peace to be found, or may bind a man to the Peace (and that against all the King's Subjects, if the Justice shall so think meet) in these cases following: §. 3. Upon discretion.

5 H. 7. 6.

1. One that maketh an assault or affray upon the Justice of peace himself, the Justice may cause or command him to be arrested or attached, and carried presently before another Justice of peace, who may commit him to prison till he hath found Sureties for the peace. *Vide hic.* For what Aff.

P. R. 18.

19.

2. Such as in his presence shall make an affray upon another, or shall strike or assault, or offer to strike another, the Justice may commit him to prison until he hath found Sureties for the peace. *Vide antea, tit. Affray & Br. faux imprison. 12.*

3. So of such as in his presence and hearing shall threaten to kill, beat or hurt another, or to burn his house.

J. R. 18.

4. So of such as in his presence shall contend only in hot words; for from thence oftentimes do ensue affraies and batteries, and sometimes maims, yea, manslaughters and murders.

See Crom.

76. 142.

P. R. 4.

5. So of such as in his presence shall go or ride armed offensively, or with an unusual manner of Servants or Attendants: for these are accounted to be an affray and fear of the People, and a means of the breach of the