

1 H. 7. 7.
27 H. 8. 14.
13 H. 7. 10.
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3. Also against common Whore-mungers, and common Whores; for (by good opinion) Avoutry or Bawdery is an offence temporal, as well as spiritual, and is against the peace of the Land.

Upon Information given to a Constable, that a Man and a Woman be in Adultery or Fornication together (or that a Man and a Woman of evil Report, are gone to a suspected House together in the night) the Officer may take Company with him; and if he find them so, he may carry them to prison; or he may carry them before a Justice of Peace to find Sureties for the Good Behaviour.

4. Also against Night-walkers that be suspected to be Pilferers, or otherwise like to disturb the Peace, or that be persons of evil Behaviour, or of evil Fame or Report generally, or that shall keep company with any such, or with any other suspicious person in the night, 13 H. 7. 10 & 13 E. 1. *Winch. cap. 4.*

Against such as by night shall Evefdrop Mens Houses.

Against Night-walkers, that shall cast Mens Gates or Carts, &c. into Ponds, &c. or shall commit other like misdemeanors or outrages in the night time.

5. Against suspected persons who live idly, and yet fare well, or are well apparelled, having nothing whereon to live; (except upon examination, they shall give a good account of such their living.)

6. Against common haunters of Ale-houses or Taverns and common Gamsters; but more especially if they have not whereon to live.

7. Against common Drunkards; and yet by the Stat. 4 Jac. 5. such Offenders must be thereof lawfully convicted: *sc.* by presentment of the Offences at the Assizes, Quarter-Sessions of the Peace, or in the Court Leet, and there upon a due proceeding to conviction, by the verdict of another Jury; or by the confession of the Offender in Court.

But now by the Stat. 21 Jac. c. 7. any one Justice of Peace (or any head Officer in any City, &c.) hath power to convict any person of Drunkenness, &c. See *hic antea, tit. Ale-houses.*

And for the second offence of Drunkenness, any one Justice of Peace may, (upon his view, confession of the party, or proof of one witness upon oath) as it seemeth, bind such Offender to the Good Behaviour, 21 Jac. cap. 7.

8. Against all such as ~~to~~ go on message of Thieves, see Stat. 18 E. 2. P. L. 1.

For all these former Offenders and the like, are evil Members in the Commonwealth, and such their demeanor and living is greatly to be suspected, (and besides, do seem to be more properly said against the peace of the Land, than Avoutry in the case before, 1 H. 7. 7.) and therefore it seemeth reasonable, just and expedient, that the Justices of Peace (upon their discretion) should convent such persons before them, and examine them and their courses of life; and if they cannot yield a good reason and account of such their courses, then to bind them to their Good Behaviour.

Also the Good Behaviour seemeth grantable, against such as shall make false Out-cries, or shall raise Hue-and-cries without cause; for these are disturbances of the peace, *Cromp. 179.*

If one Man do levy Hue-and-cry upon another without cause, either of them may be attached (and bound over) as disturbers of the peace, P. R. 156. 29 E. 3. *Fitz. Trespass 252. tamen quere,* concerning him upon whom the Hue-and-cry is levied: Except that he be either a Man of evil Fame, or that there be some Felony committed, &c.

Also it seemeth grantable against Cheaters and Couseners.