

§. 2.
Libels.

Libellers (it seemeth) also may be bound to their Good-behaviour, as P.R. 11. disturbers of the Peace, whether they be the contrivers, the procurers or the publishers of the Libel: for such libelling and defamation tendeth to the raising of Quarrels and effusion of Blood, and are especial means and occasions tending, and inciting greatly to the breach of the Peace.

Libellus, literally signifieth a little Book.

By use it hath also two other significations: First, it signifieth the original Declaration of any Action in the Civil Law.

Secondly, it signifieth a criminous report of any person, cast abroad, or otherwise unlawfully published, and is called an infamous Libel.

Another describeth it thus, *Famosus libellus est qui impingit delictum aliquod notabile*.

And yet this libelling may be done after divers sorts or manners.

1. By scandalous writings, be it in book, ballad, epigram or rhyme, either in metre or prose as aforesaid. Co 5. 12.

2. By scandalous words, scoffs, jests, raunts or songs, maliciously repeated or sung in the presence of others.

3. By pictures or signs, as by hanging of pictures of reproach, or signs or tokens of shame, or disgrace near the place where the party thereby traduced, doth most converse: As the pictures of the Gallows, Pillory, Cucking-stool, Horns, or such like. Co. 5. fol. 125.

And in such cases it is not material whether the Libel be true or false, or the party thereby scandalized, be living or dead, or be of good name or evil.

And these libellers, as also their procurers, and the publishers thereof, Ibid. may be punished in divers other manners.

1. Either they may be indicted for the same.

2. Or the party grieved may have his Action upon the Case, and recover his damages; *Lib. Intr. fol. 13. Mes cest semble quand les parols sont actionables*.

If therefore any Man shall find a Libel, and would keep himself out of danger; if it be made against a private Man, the finder may either burn the same, or else he must presently deliver the same to some Magistrate.

But if it concerns, or be made against a Magistrate, or other publick person, the finder ought presently to deliver the same to some Magistrate, to the intent that by the examination and industry of such Magistrate, the Author may be found out.

§. 3.
Cases.

Also this surety of the Good-behaviour, is used to be granted against the putative Father of a Bastard-child. See *tit. Bastardy*.

It seemeth also grantable against unlawful Hunters in Parks, after their examination taken, See before *tit. Hunting*.

Also it shall be granted against him that shall abuse a Justice of Peace, Constable, or other Officer of the peace in executing their office.

A. assaulted a Constable in doing his office, it is a good cause to bind A. to the Good-behaviour. *Fitz. Barr. 202. Cromp. 135.*

The Sheriffs Bailiff, upon a Warrant from the Sheriff (to make execution of the Goods of A.) went into the House of A. finding the doors open, and A. shut the doors upon the Bailiff, and so detained him as a Prisoner in his House, and Sir Robert Houghton, one of the Judges of the Kings Bench, thought it a good cause to grant out process of the Good-behaviour against A. for thus abusing an Officer of the Law, *Anno 17 Jacobi Regis*.

A Justice of Peace seeth a Man break the peace, (sc. make an assault, or affray upon A.) and he chargeth him to keep the peace, and the other answereth that he will not, the Justice of Peace may bind him to the Good-behaviour. For

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