

For if (as one saith) contempt, or contumely, used to the person of a mans better, neither Policy for Example, nor Religion for peace, may tolerate, much less may any use contempt towards, or abuse such as are in authority, especially when they are in executing their Office. words.

See Exod.
22. 23.

Nay, it seemeth that he which shall use words of contempt, or *contra bonos mores*, against a Justice of peace, though it be not at such time as he is executing his Office, yet he shall be bound to his good behaviour. See Exod. 22. 28.

“ But it was adjudged between *Dean and Garret. T. 41 El.* That good behaviour is not requirable for unseemly words spoken of a Magistrate or Justice of peace, when he is not in the execution of his Office; and “ it was resolved in *Sir William Brunickers Case B.R.P. 23 Car.* That a Justice of peace cannot commit one, until he find Sureties for the good Behaviour, unless the party be thereof convicted, or at least indicted, and “ it seems reasonable so to do, unless for any offence committed against a Justice of peace personally: And so also it was adjudged *M. 29 El.* That “ to call a Mayor Fool, unless it be when he is in the execution of his Office, is not cause to imprison or bind to the good Behaviour, *Mer. Rep. p. 247.*

Co. 11. 98.

If a Citizen or Freeman of a Town Corporate, shall use words of contempt, or *contra bonos mores*, against the chief Officer of the City or Town, or his Brethren, they are good causes to commit him to Prison, until he shall find Sureties for his good Behaviour; For Obedience and Reverence ought to be yielded to the Magistrate for that they derive their Authority from the King; and *obedientia est legis essentia.*

Also he that shall abuse a Justice of peace his Warrant may be bound to the good Behaviour. See after, *tit. Warrants.*

A man complaineth of a Riot, or Forcible Entry; so that the Justices of peace are assembled to inquire thereof, then the party that complained will not prosecute the matter, it seemeth that the said Justices of peace may bind him to the good Behaviour for thus deluding them.

And so of such as shall charge another with Felony before a Justice of peace, and yet will not give evidence, &c. See before, *tit. Felony.*

A. is bound to keep the peace against *B.* only, and getteth a *Superseas*, and after *B.* releaseth him; after *A.* is arrested for Surety for the peace at another mans Suit, and sheweth his first *Superseas*, it seemeth he shall be bound to his good Behaviour for this deceit.

Crompt.
134.

Yet, whatsoever act or thing is of it self a misbehaviour, or is against the good Behaviour, is cause sufficient to bind such an Offender to the good Behaviour: For the Magistrate ought to maintain all civil honesty.

Also by the expresse words of the Statutes, the Offenders hereunder named shall be bound to their good Behaviour:

1. Disturbers of Preachers, *1 M. 3. P. 1.*

2. Destroyers of Fish-ponds, &c. or stealers of Fish, after lawful conviction, &c.) *5 Eliz. 21. P. Fish 7.*

5 Eliz. 21.

3. Takers of Hawks or Hawks eggs, out of other mens ground, after lawful conviction, &c. *P. Hawks 1.*

3 Jac. 13.

7 Jac. 13.

4. Unlawful stealers, hunters, or killers of any Deer or Conies in the night or day-time, in any Park or Warren, after lawful conviction, &c.

See the Stat. *5 Eliz. cap. 21.*

But all these former Offenders must be bound at the Sessions.

5. Popish Recusants, absenting themselves from Church twelve months, shall be bound in the Kings Bench, *23 El. 1. P. Recusants 1.*

§. 4.
By Statute.

6. He