

6. He that is attainted of Felony, and hath a pardon for the same, shall within three months find Sureties for his good-Behaviour; but he shall be bound before the Sheriff and Coroners, who shall return the same into the Chancery. <sup>10 E. 3. 3. P. pardon 5.</sup>

Also he that is acquitted of Felony, if he be of evil Fame, or of evil Behaviour, it seemeth the Justices of peace upon their discretion, may bind him to his good Behaviour, *Cromp.* 135.

7. Such persons as shall disturb the execution of the Stat. 39 Eliz. 4. concerning the punishing, or conveying of Rogues; any two Justices of peace may bind them to their good-Behaviour. See before *tit. Rogues.* <sup>39 Eliz. 4.</sup>

8. So of Such as shall disturb the execution of the Statute for the relief, setting on work, or setting the poor. See before *tit. Poor.*

9. The Mother of a Bastard-Child (which may be chargeable to the Parish) for her second offence shall be committed to the House of Correction, there to remain, until she can put in security for her good-Behaviour, &c. See before, *tit. Bastardy.* <sup>7 Jac. 4.</sup>

10. Such as have their Houses infected, or be themselves infected with the Plague, and being commanded to keep their Houses, shall disobey, &c. they shall be bound to their good-Behaviour for one whole year. See before, *tit. Plague.* <sup>1 Jac. 31.</sup>

§. 5. What Act shall be a Forfeiture of the Recognisance taken for the good-Behaviour. See here before.

Also it seemeth, that the party bound to his good-Behaviour for offending against any the Statutes here before mentioned, if he shall afterwards offend against any the said Statutes, he shall thereby forfeit such his Recognisance. <sup>Lamb. 123</sup>

To be drunken, is a breach of the good-Behaviour, as Sir Nicholas Hyde did deliver it in his Charge at Cambridge, Lent Assize, Anno tertio Caroli Regis.

“ One bound to the good-Behaviour at the prosecution of Stamp, and he said to him Thou art a quarrellsome fellow, and a scurvey knave, and adjudged these words were no breach of the Recognisance; but to speak such words to an Officer in the execution of his Office, is a breach of the good-Behaviour, for it may be an impediment and a disgrace to him in the execution of his Office. And to say of a Merchant that he is a Bankrupt, is no breach of such a Recognisance. So one said of a Mayor playing at Tables, he is a fool, this is no cause to imprison a man; but if he were in the execution of his Office it is otherwise, *Stamps case H. 20 Jac. B. R. Roll. Rep. part 2. p. 272. & fo. 200.*

“ A Trespass done, and indictment and conviction for the same, *quod vi & armis clausum fregit & averiam cepit & abduxit & adhuc detinet*, is not a breach of the good-Behaviour, So likewise, for saying of another he is a Pelter, a Lyer, a Drunkard, and I will make him a poor Kirton by three Justices, for they are not words which menace Battery, and he ought to do such act as imports an intention to do violence to his body; as to say, I will meet with thee. <sup>Moors Rep. P. 249.</sup>

The form of a Warrant for the good-Behaviour. *Vide postea, titulo Warrants.*

The form of the Recognisance for the good-Behaviour. See after, *tit. Recognisance.*

§. 6. Release.

Whether the Surety of the good-Behaviour (taken upon complaint) may be released by any special person, some do doubt, because it seemeth more popular than the Surety of Peace; yet others do hold, that it may be released, either by the Justice of peace himself that took it, in discretion, <sup>Lamb. 126</sup>