

Every Justice of Peace (in his own discretion, and *ex officio*) may bind all such to the Peace as in his presence shall strike another, or shall threaten to hurt another, or shall contend only in hot words. *Vide tit. Sureties for the Peace.*

P. Just. 173.
10 H. 7. 20.
Cromp.
154. If any person be dangerously hurt in any Affray (or otherwise,) every Justice of Peace, within the year and day after such hurt, may commit to the Gaol such Offender, there to remain until the day and year be expired, or that the said Offenders shall find Sureties to appear at the next General Gaol delivery, to answer to the Felony, if the party hurt, happen to die within a year after the hurt. *Vide Stat. 3 H. 7. c. 1. And by Gods Law Exodus 21. 18, 19. If the party happen to recover, the Offender shall pay to the party hurt for losing his time, and also for his healing.* §. 7. Dangerous hurt.

But where the hurt shall be dangerous, or wound mortal, although the Justice may bail the offender, living the party so hurt; yet it shall be better discretion for the Justice to commit the Offender to the Gaol, there to remain, until there shall appear some good hope of recovery in the other: And so Sir Nicholas Hyde advised at Cam. Lent Assizes, An. 5 Car. Regis.

And by the Stat de officio Coronatoris 3 or 4 E. upon Appeal of Wounds, and such like, especially if the Wounds be mortal, the parties appealed shall be taken immediately, and kept till it be known perfectly whether the party hurt shall recover, or not; and if he die, the Offender shall be kept; and if he recover, he shall be attached by four or six Pledges, as the Wound is great or small: and if it be for a Maim, the Offender shall find no less than four Pledges; if it be for a small wound or maim, two Pledges shall suffice.

5 H. 7. 6.
Br. Faux.
Imp. 41. If an Affray or Assault shall be made upon a Justice of Peace or a Constable, they may not only defend themselves, but may also apprehend and commit the Offenders, until they have found Sureties for the Peace: the Justice of Peace may presently cause them to be arrested, and carried before another Justice, who may send them to the Gaol: and the Constable must commit them to the Stocks for the present, and after carry them before a Justice of Peace, or to the Gaol. *Vide hic postea.*

C H A P. IX.

Armour.

2 E. 3. c. 3.
P. 1.
7 R. 2. 13.
20 R. 2. c. 1. IF any person shall ride or go armed offensively before the Kings Justices, or any other the Kings Officers or Ministers doing their Office, or in Fairs, Markets, or elsewhere, (by night or by day) in Affray of the Kings people, (Sheriff, and other the Kings Officers) and every Justice of Peace (upon his own view, or upon complaint thereof) may cause them to be staid and arrested, and may bind all such to the Peace or Good behaviour, (or, for want of Sureties may commit them to the Gaol;) and the said Justice of Peace (as also every Constable) may seize and take away their Armour and other Weapons, and shall cause them to be apprised, and answered to the King as forfeited. And this the Justice of Peace may do by the first *Assignavimus* in the Commission. See hereof *antea.* §. 1. One Justice

Lam. Offic.
of a Const.
13. So of such as shall carry any Guns, Daggs, or Pistols that be charged, or that shall go apparelled with privy Coats or Doublets, the Justice may cause them to find Sureties for the Peace, and may take away such Weapons, &c. *Vide tit. Surety for the Peace.*

2 E. 3. c. 3.
Co. 5. 72.
20 R. 2. 1. And yet the King's Servants in his presence, and Sheriffs, and their Officers, and other the Kings Ministers, and such as be in their company assisting them in executing the Kings Process, or otherwise in executing of their