

Co. 11.82. Every Man may assemble his Friends and Neighbours to defend his
 21 H. 7. 39. person, &c. (being in his house) against violence, &c. but not to go
 abroad with him to a Fair or Market, &c. *Vide antea, tit. Forcible
 Entry.*

Certain Advices to the Justices of Peace. CHAP. CLXXIII. V. 120.

THIS being such a Form of Subordinate Government for the tranqui-
 lity and quiet of the Realm, as no part of the Christian World
 hath the like, as saith my Lord *Coke*, 4 *Inst.* 170. if the same be duly
 executed; much of the happiness and tranquility of this Nation de-
 pends on our Justices of the peace well and faithful discharge of their
 duty, and their due or ill Administration of the Authority given
 them, must needs add to the Reputation of our Government, or the
 Defamation thereof, especially since their Authority is so much en-
 larged by several Statutes: It will concern them therefore for their
 direction and security, to peruse the Statute of 4 *H.* 7. 12. where they
 may find their Duty to give just relief, and the danger of neglect.
 And therefore I thought it not amiss here shortly to admonish the Ju-
 stices of peace again of some few things mentioned before, for their bet-
 ter memory.

1. First, That they exercise not the Office of a Justice of peace before
 they have taken the Oath of their Office, and the Oath of Supremacy.
Vide antea, cap. 4.

2. That they execute not this their Office in their own case, but cause
 the Offenders to be convened or carried before some other Justice, or de-
 sire the aid of some other Justice being present; *quia iniquum est aliquem
 sua rei esse judicem.* *Coke* 8. 118. And some late Statutes have taken special
 care to prevent this, as you may see *hic tit. Trespass, &c.*

Besides, *idem non potest esse agens & patiens*, 14 *H.* 8. 13. And when a
 Man is a party, he cannot be a Judge indifferent, 8 *H.* 6. 19 *Auxy ad estre-
 sovent view, que Justice de Peace que ad execute ceo Office en son Case demesne,
 ad estre puny pur ceo in Camera Stellata.* *Cromp.* 68.

3. That they be careful for the Execution of the Statute of Riots.
Vide antea, tit. Riots.

And that neither in the case of Riots, or any part of their Office be-
 sides, they meddle (if they can avoid it) where any Relation is con-
 cerned, for it brings a Suspition upon their Proceedings, but if they
 must needs meddle (as it is not always in their choice, that they carry
 themselves uprightly herein: For one *Carew* (a Justice of Peace of *De-
 von*) was censured, he going to view a Riot, and the Rioters being
 escaped before his coming, he refused to go to the place where they were,
 although but a little way off; and the Peace being required against them,
 he took Recognizances to keep the peace against others that demanded
 it not, and granted *Superfedeas*, and procured the peace to be released
 the next day. And all this in favour of his Brother.

If upon their inquiry of a Riot the truth cannot be found, by reason
 of any maintenance, &c. that they certify the same within one month,
Ibid.

4. That upon Forcible Entry they make no Restitution without En-
 quiry. *Vide antea, tit. Forcible Entry.*