

Also note that the Recognizance runneth, *De terris & tenementis, bonis & catallis, &c. fieri & levari, &c.* And yet the King may be at his election, to take the Execution of the Bodies of the Recognizors (as well of the Principal as of the Sureties) or of their Lands and Chattels, (for the Sum in the Recognizance contained) *Per Curiam 7 Hen. 4. 34. a. Vide antea tit. Surety for the Peace.*

And it seemeth by the Common Law, before the Statute of 33 H. 8. 39. in all cases where a Man is a Debtor to the King, as well his Body as his Lands and Goods are liable to the Kings Execution: For *Theſaurus Regis est Pacis vinculum, & Bellorum nervi*: And therefore the Law doth give to the King full remedy for it. See *Coke 3. 12. b. & Coke 11. 93. a.*

A Recognizance to give in Evidence against a Prisoner.

cant. b. **M**emorandum, quod 20 die Martij, anno Regni Dom' nostri Caroli, Dei gratia, Angliæ, Scoriæ, Franciæ & Hiberniæ Regis, Fidei Defens. decimo, &c. R. T. de C. in Com' pred' Yeoman, venit coram me Ro. Th. Armig' uno Justic' dict' Dom' Reg' ad Pacem in Com' predict' conservand' assignat' & cognovit se debere dicto Domino Regi quinq; libr' legalis monete Angliæ, sub conditione, quod si ipse personaliter comparebit coram Just' dicti Dom' Regis ad prox' generalem Gaole delib' in Com' pred' tenend' ad tunc & ibid' ostendend' in Evidenc' secund' form' Stat' vers. D. F. nuper de W. in Com' pred' qui modo attach' & suspect' Feloniæ Gaole dicti Dom' Regis Com' pred' commissus existit; quod tunc, &c. alioquin, &c.

Or this may be done by a single Recognizance, with a Condition endorsed, as followeth.

A Condition to prefer a Bill of Indictment, and to give in Evidence against a Prisoner.

THE Condition of this Recognizance is such; That whereas one *A. B.* of *G.* Labourer, was this present day brought before the said Justice by the within bounden *D. E.* and was by him charged with the Felonious taking of twenty Sheep of the Goods of him the said *D.* and thereupon was sent by the said Justice to the Kings Majesties Gaol: If therefore he the said *D. E.* shall and do at the next general Gaol-delivery (to be holden in the said County) prefer, or cause to be framed and preferred, one Bill of Indictment of the said Felony against the said *A. B.* and shall then also give Evidence there concerning the same, as well to the Jurors that shall then inquire of the said Felony, as also to them that shall pass upon the Trial of the said *A. B.* that then, &c. or else to stand in full force for the King.

Or thus, to give in Evidence.

THE Condition of, &c. That if the above-bounden *D. E.* do at the next general Sessions, &c. pursue and give such Evidence as he knoweth, against *A. B.* now Prisoner in the Castle of *C.* concerning certain Felonious Acts by him committed: then, &c.