

Words tending to Sedition &c. and also by all such illegal
 and behaviours and are intended to be prevented by such a
 Recognizance but not by barely giving cause of suspicion
 of what perhaps may never actually happen, *Sutton de
 pace etc. Hawkins pl. Cr. chap. 61 & 6.*

A Bond for the peace or good behaviour may be discharged
 by the Death of the King, or death of the principal party
 bound thereby if it was not forfeited before, but may not
 be discharged at some (Sutton de pace 216) would have by
 the party at whose Complaint it was taken, the Release
 being forfeited without at the usual forfeiture of the peace,
 because the Recognizance is not granted to the Complainant
 but to the King. However such a Release by the Complainant
 or his Non appearance in order to pray the Court in
 name of the Recognizance, will be a good inducement to the
 Court to which such a Recognizance is forfeited, to discharge
 it; *Hawkins ibid. Chap. 60 § 17.* The King cannot pardon
 or Release such a Recognizance before it is broken, because
 the party at whose Complaint it was taken had a fine of
 judgment. But after a Recognizance is forfeited and
 thereby a debt due to the King, his Majesty may Release
 and pardon the forfeiture *Sutton ibid. § 22 a. Hawkins ibid.*

Tit. 2.

Several Kinds of Breaches of the Publick Peace
 Direct Breaches of the Publick Peace punishable
 by our Law, are ^{sedition, affrays, or Feuds,} Sedition, Affrays, or Feuds, and Riots
 which being Crimes of Misdemeanour or Felony, and
 being Breaches of the Peace, whose Consequences to the
 Safety of Government, whose Foundation have been
 often stretched and laid thereby, many good and well
 Laws for restraining and punishing thereof both in
 Scotland and England have from time to time been made
 and carefully Executed.

Section 1.

Of Sedition.

Sedition is that which is done, because it is
 Monarchical themselves and draw others after them
 is a Commotion or rising of the people without
 Authority, in order to do any thing tending to a Disturbance
 of the Peace.

Disturbance of the Publick Peace, the the Disturbance to be not Executed
 For. Which is raised either upon a publick or private Account

Sedition upon a publick Account, (called *De hoc Regno Vol
 Executio Reg. Majest. l. 6. c. 1 M. 2.*) is a rising of people against the pub
 lick Order and Discipline for Redressing publick Grievances
 or for Reforming Religion, or for Remouing or Compe
 from the King the great Making, Leagues or Bonds, or the Con
 ating or Raising of Commissions in Burrows, to the hindering
 of the Common Law, without Command of the head officer, is
 punishable with Confiscation of the offenders Movable
 and their lives to be at the Kings Will Act 77 Parl. 1 A. 2.
 Act 34 Parl. 3 J. 4 Act 17 Parl. 18 J. 6. so that their lives may be
 taken *McLewin. l. 1. p. 1. on ch. Act 34. Nov. 18. to make printing
 Conventions, just or otherwise, but play banners or printed
 trimpets or use Political Instruments without licence from the
 Sovereign and the Magistrates under the pain of death. Act
 83 Parl. 9 J. M. Good persons being punished for Raising a
 Dangerous Commotion and Unlawfull Convocations of Apprentices
 and others within Edinburgh Burrows with Pistols, Swords and
 other offensive Weapons, breaking up the doors of houses to
 more easily and threatening them, and dishonourably opposing
 his Majesties Authority in the person of the Magistrates and
 other officers sent by the Kings Commissioners to Redress
 those Grievances. Shops houses were attacked, the Parliament
 was found Relevant to suffer the pain of death. The papers
 at the said Convocations with the being in Arms and words
 of Reception uttered, was sustained Relevant to suffer the
 said pain 22 November 1664 for the Breach of a Convocation
 of Apprentices and Tradesmen in Edinburgh under Guard of
 Night, who threatened to break open the prison doors
 except they got out some persons imprisoned by order of the
 Magistrates; and having got them Released, Refused to
 Dispute till the Keys of the prison was Delivered to them;
 they further did force the Doors of the Mitchell shop
 ment or printed names for Convocating their Breach
 and Rebellious Neighbourhood, at least bind them to be
 for his Majesties Service, and found Relevant to suffer*