

reckoned all peers, on account of their being counsellors of the crown; all knights, who were bound to defend the kingdom from invasions; all ecclesiastics, who were expressly confined by cap. 4. of the constitutions of Clarendon, on account of their attachment in the times of popery to the see of Rome; all archers and other artificers, lest they should instruct foreigners to rival us in their several trades and manufactures. This was law in the times of Britton^p, who wrote in the reign of Edward I: and sir Edward Coke^q gives us many instances to this effect in the time of Edward III. In the succeeding reign the affair of travelling wore a very different aspect: an act of parliament being made^r, forbidding all persons whatever to go abroad without licence; *except* only the lords and other great men of the realm; and true and notable merchants; and the king's foldiers. But this act was repealed by the statute 4 Jac. I. c. 1. And at present every body has, or at least assumes, the liberty of going abroad when he pleases. Yet undoubtedly if the king, by writ of *ne exeat regnum*, under his great seal or privy seal, thinks proper to prohibit him from so doing; or if the king sends a writ to any man, when abroad, commanding his return; and in either case the subject disobeys; it is a high contempt of the king's prerogative, for which the offender's lands shall be seised till he return; and then he is liable to fine and imprisonment^s.

III. ANOTHER capacity, in which the king is considered in domestic affairs, is as the fountain of justice and general conservator of the peace of the kingdom. By the fountain of justice the law does not mean the *author* or *original*, but only the *distributor*. Justice is not derived from the king, as from his *free gift*; but he is the steward of the public, to dispense it to whom it is *due*^t. He is not the spring, but the reservoir; from whence right and equity are conducted, by a thousand chanel, to every individual. The original power of judicature, by the fundamental prin-

^p c. 123.

^q 3 Inst. 175.

^r 5 Ric. II. c. 2.

^s 1 Hawk. P. C. 22.

^t *Ad hoc autem creatus est et electus, ut iustitiam faciat universis.* Bract. l. 3. tr. 1. c. 9.
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