

Acts of parliament are either public or private.
Public Acts are those which concern and bind the whole Kingdom. Such
Laws are either absolutely new, which were never under the Legislature's considera-
tion before, or declaratory or corrective.
Declaratory Laws are those which do not enact any thing new, but only declare
what was Law formerly.
Corrective Laws are those which abrogate or restrict former Laws.

Penal Statutes are properly such as inflict Arbitrary or Pecuniary pain.
Act. 27. Part. 1. Ch. 1. Act. 9. Part. 2. J. 6. Mich. Obs. on d. Act. 27. which
of frequently discharged.
Acts of Parliament against Heresy, ^{or} impossible to be performed, are judge
void take. d. Rep. 110. 119. 120. 129. For Law forces no one to that which is
impossible or vain.

It being which is repugnant to the Body of an Act is void take. Ind.
333. a.
Acts of Parliament against the power of subsequent Parliaments bind
not take. 4 Inst. 43.

Seeing Law is Command coming from a person who has power over
those whom he commands, and not a Counsel: what shall we say of such
Laws as seem to be conceived in the forms of Advice viz. Act. 62. Part. 3.
J. 1. which runs thus: It is seen Speedful that &c. And the many Responses
of the old Roman Lawyers, that are qualified with a Videtur; and yet has
the Authority of Law? It is answered: When the Parliament says that
any thing seems Speedful, that is convenient to be done; this is a tacit or a
virtual Command to do it, the Denial of the Law gives being virtual Command
to do it. In the Parliament of Great Britain the Kings Answer to a bill which
his Majesty likes not is: No. The King will take it into Consideration,
is held for an absolute Denial to pass it in a civil way.

So the Laws of Nature regulate both what is past and what is to come, yet
Positive Laws and Statutes generally look forward, and regulate future
cases. L. 7. C. de Legib. Act. 19. Part. 10. Act. 102. Part. 13. J. 6. Because Subjects
cannot observe what is not yet made. Consequently Proceps are to be deter-
mined according to the Laws anterior to the commencing thereof, and
not made thereafter, the before Decision in the Proceps. Mich. Obs. on d.
Act. 19. Part. 10. J. 6. A notable Instance whereof was this: The Parliament
made a Law upon the Occasion of a Proceps depending before the Session,
to be a Rule in such cases for the future; and left that depending Proceps to
be decided by the Lords as they saw just. Act. 94. Part. 6. J. 6. An Heretor
to whom a Vicar's Glebe had been feued a year before the Statute (Act. 79.
Part. 9. 2. M.) was charging the pernicious practice of selling Masses in
Fen or any such, was allowed a proportionable Relief off the Heretors of
Church Lands within the Parish 12. February 1635. the contra Decision
of Bucktergrove, which case is wrong stated by Sir George Mich. Obs. on
d. Act. 72. Part. 9. 2. M. Again upon a case between L. Weston
= prange and Lady Craigketh where a Lady provided by her Contract
Marriage

Marriage to a great Jointure, claimed also Right to a Force, referred
by the Lords of the Session to the Parliament; A Law was made, that a Wife
having any particular provision from her Husband, should be excluded from
a Force, unless expressly reserved to her in the same Will: with Proviso
to the Lords of Session to judge Contracts and Provisions formerly made
according to former Law and Custom Act. 10. Part. 3. Ch. 2. Land Rights
before H. James the first's Reign were sufficiently established by Charter
and Delivery of natural possession; and those acquired after that time,
till the Year 1617. when Feifins were appointed to be registered, were effectu-
all by Charter and Feifin, without necessity of registering the Feifin.
Therefore Rights made in these respective periods of time, are to be
judged conform to the Law then in being; the posterior Rights are to
be determined conform to the Law in Force when they were granted.
Again, the in the Year 1695. apparent Feirs were rendered incapable to
purchase any Right to their Predecessors Estate, otherwise than fairly at
a publick Hoop, without incurring a publick Title Act. 24. Sep. 5. Part.
H. W. Yet such apparent Feirs as had acquired partial Rights to their
Predecessors Estates, were allowed to proceed in purchasing ^{conform} to the
former Law Act. 11. Sep. 6. Part. H. W.

Some Laws are extended even to what is past, that is both ^{both} ^{backward}
and regulate ^{even} ^{cases prior} ^{to them} ^{such as} ^{Declaratory}
Laws Proceps. Part. 2. Ch. 1. Act. 193. Part. 10. J. 1. that the Governour
of the Realm might not annul the Crown Lands Act. 29. Part. 5. Junct.
Act. 55. Part. 7. J. 3. concerning the Prescription of Obligations Mich. Obs.
on d. Act. 55. Act. 3. Sep. 2. Part. W. & M. concerning robbing the
Pacquet, and Acts explaining former Laws have also a Retrospect. 2. Some
Acts are for particular Reasons or upon weighty Considerations made expro-
-ly with a retroactive Effect or to take place even in things that are past
as Act. 39. Part. 2. J. 6. Act. 21. Sep. 1. Act. 21. Sep. 3. Part. 1. Ch. 2. Act. 22.
Sep. 1. Part. 1. Ch. 2. Act. 24. Sep. 6. Act. 3. Sep. 9. Part. H. W. in so far as
it annuls voluntary Rights by a Papist in favour of his apparent Feir
also a Papist. Act. 62. Part. 1. Sep. 1. Ch. 2. giving equal Favour to all ap-
-prisors within Year and Day of the first effectual Apprising. Act. 4. Part. 5. ^{(as was}
J. 6. which is a singular Instance of drawing back Acts, in so far as it con-
tains a Clause rescinding all former Practices contrary to it. This was done
as similar in his old Practices observed; because several Decisions had past
in Favour of the Earl of Mortons Creditors sustaining Rights made by the Earl,
who was after 20 years latent guilt, convicted of concealing the designed
Murder of the Earl of Lennox 2. Mary's Husband Mich. Obs. on
Act. 3. Part. 2. J. 6.
^{But Laws made abrope with a Retrospect, do not regard cases judicially or otherwise determined;}
^{proceps. Part. 1. Ch. 1. Act. 193. Part. 10. J. 1.}

Private Acts are those in Favour of particular Persons or Socie-
ties. Because such private Acts are made without hearing or calling of
those