

hereafter to be taken by the said Executioner to the no  
and have to stand with that paper on his fore head of  
ten hundreth Eleven a Clocke whiche sentence upon a poit  
offered by the offendre & brother v. the said Executioner  
into transports to the Kings plantations in Amer  
rica; the felonies growing a land of cattell that has  
fleched Ridel should remove to the said plantations for  
as an easchon offence for their transportation, and not  
turne to hellande under the paine of fiftie thousand m  
to be despatched off at the aforesaid daye the felonies  
bould remeved all of Scotl. 20 Feby 1652 affid by J. H.  
may by treasonable & corrupte, who are instrumentall to pame  
nised to be punisched by banishment or otherways death  
as their lordships shall see cause abt 1653 p[ro]b[abiliter] Act. 2. R. M. 1653  
Stuart contra felibuton, of they bors and determineing in  
instantaneoous committment by the prouisor or condider ag  
the other party in any action depending before the court  
or before hand inferior to the 29 Part. 14 & 6 23 January  
1653 S[ecundum] contra signatorym Act. 29 Part. 14 & 6 23 Januari  
first tried by the criminal judges which was not observed of  
Crimes of Rymond 1 Part. 21 of 6 and Cratery Act 2 Part. 1. to  
be tried before the Court of Justice v. The Lord of Reffion  
for falf hood of Articles & punish the offendre by Declaring them to be  
mons 8 Novem 6 1652 Crim Spences filling them on the Ch[art]re  
with report on their Crimes 20 November 1652 Stuart conuen  
or Comitt them to the Court of Justice to be punisched according  
to law. Which agrees to the Rule of law among the Doctoris  
cum fidei principali et cognoscendo Regum & Grandis et  
misericordia plorat de Crimina illo Cognoscere Aug 6 1653 pro  
ferre the trial of forgerie first begins ordinariy before the iur  
of fespy who not being Clepped by a jury of peyson fespy  
in law made diligent Inquiry into the falle hood, and only  
in the Directe Massende by the oathes of the predeceded Just  
mentary Witnes, but also in the Indirecte Way by all Evidence  
and Circumstances that may Deserued the Sced: which is the  
most laborious proceſſe that cannot always wold be Determined  
by an Aſſize in the Court of Justice, in Respect of  
the peculiare fixe Preemptory diets thereof. The Lands of ff[ac]  
ordinariy try falſehood upon a Summons of Improbation  
sometimes doit summarily upon a simple Bill or Complaint  
viz when the Crime is Committed by a Member of the Hall  
of Justice; or when the fayre or any part of a poit is  
recently falſified M[odestus] Remane Briton part 1 & 27 55 1711  
probation of a poit bearing to be subſcribed in boller  
and to Convey an estate in Scotl. & Raſfed at the instance of  
a perſon having another right to that poit from the fene tithe  
with the concion of the Kinge Revocable was declared to be  
Determined by the Lord of fespy that if the poit were foun  
proven it might be cancelled what ever was the tenor therof or  
right Convey therin. Albeit the Defendant had after his arra  
dicted pendente lite gone to Scotl where the poit for  
entered a suit against him selfe there had also a finall pro  
tence of a Soveraigne Court there finding a true write Because  
a party injured by a writ forged in Scotl may call for pro  
tection therof to the effect it may be fengroen cancelled or torn  
and the Damages that the poit hath sustaine or may yet  
sustaine thereby satisfied, on which case there is no regard to the ten  
tents of the writ whether it contain a right of land in Scotl. &  
any where else in the same manner & if any poit in Scotl  
had entered by force a poit from another obliging him to付  
an alienation of land in Scotl, that other might pursue pur  
suech of such a poit for remouing and canceling theroff  
not upon the particular interest therin or upon bidders of  
Scotl, but upon Common Meids fureis Gouernour which is a com  
mon Lawe among them Agaynt Factor howe he forced it to Scotl and  
the Defendant decline the poit, because he was to bring in Scotl  
the time of the forgerie when it was committed, and being al  
ledged here we fuissemons hit with crasing afterward contineual  
alter the Compe lency of the poit, Effect 1652 Murray et  
Murray of Birngayton The poit of factor may be purgated by a fayre chare or  
sing a poit, or purgation calling in Edinburgh with the mandamus of the poit to the poit  
concerning the poit to the Lord of Reffion to be called  
by the execution of poit after he had judg'd 1652.

If the Lord of Reffion in any poit before the poit, we shall  
couſe act 104 Part. 7 S[ecundum] that is Conſult with the partie  
or Directly or Indirectly late bried act 93 Part. 6 S[ecundum] they are  
punifiable by the fayre deuotion and Confidacion of the  
Weables. Where any poit is Indirectly bried or informed by  
word or letter in a Depoſitory or for the faveſe of one of the  
parties to the others poitice (act 93) Where Verbal information  
is Received or allowed judicially or before fudictors, or in the pas  
sing of Bills of Improbation or Suspension or in any poit he com  
mented to one of the Lords to be accommodated or made up the  
Solicitor is fined according to his queſt: viz. A Gentleman  
in 300 Merks a Baron or Knight in 200 Merks, an Hector Gent  
leman or Chief burges in 100 pound, and each other person in  
100 Merks to be made for the poors wife: and Unlesſ the Lord  
and relited by Verbal folicitation. Papers written from the  
Speaker or solicited by an Epſtyle and the same to the  
Lords in poſſeſſion, he may be delined, Act of Scotl. 6 November 1652.