

days there to undergo the law for the several Crimes Contained
 in their respective Judgments, and that ye affix Copies
 at Effairs: and also that ye summon the hail witnesses
 above Named to bear Leil and soothfast witnessings
 for as they know of the said Delinquents their guilt of
 the Crimes aforesaid, with so Many honest and faithful
 Affixers as dwell within your Jurisdiction of the Number
 Contained in the list of Affixes, herewith delivered to ye
 to pass upon the said Delinquents their trial, as to Compere
 days and place to the effect aforesaid, every one of them
 under the pain of 100 Marks, and that ye deliver to every
 Delinquent a Just copy of his Pittay, with a list of witne
 ses and hail affixers, that are to pass upon their trial
 And also that ye your Deputes and officers be present at
 the said Justice court before the down sitting and fone
 thereof, bringing with you this Roll upon the Arresting
 of the said Delinquents, and summoning Witnesses
 and Affixers. The which to do commits to you Conjoin
 tly and severally full power by this precept given before
 us of the Lord Justice General, Justice Clerk and Com
 missioners of Justiciary at Edinburgh the 25. day of Apr
 1733 Year under the hand of H.C. Clerk to the Justiciar
 court, who signs the precept. This Roll is transmitted by
 the Clerk to the Sheriff, who, in obedience to the subject
 as Warrant, causes Messengers or his officers of court
 cite the persons Accused to appear in such a Circuit
 upon any sitting day thereof, by giving full Copies
 of their Judgments, with lists of the Witnesses and
 Affixers on the same paper, 10 days before their re
 spective trials, and causes such Messengers or Maors
 cite also the Witnesses and Affixers. Which Delinquents
 and Witnesses, that they may be Effectually in court
 at the time appointed, and by the Sheriff or their Com
 mitter to Custody, or put under sufficient Bail to appear
 them. The Sheriff Returns the Judgment duly served
 and

And Executed, Against the parties Accused, and Legal Executions
 against the affixers and Witnesses, to the Clerk who is
 to serve in the Circuit a reasonable time before the
 day Appointed for its Meeting.

Also in the Court of Justiciary at Edinburgh persons
 Against whom Judgments or Criminal Letters are Executed
 may by warrant from any one of the Lords, Raife let
 ters of Exculpation in the Kings Name: so that who are
 Judges for Crimes to be tried before a Circuit, may, upon
 an Application to the Judge or Judges of that Court obtain
 precepts of Exculpation in his or their Name signed
 by the Circuit Clerk for citing Witnesses to clear
 their Innocence of the Crime laid to their Charge. Of
 the which precepts, the person must get full doubles
 with lists of all the Witnesses to be produced by Virtue
 thereof, a competent time before the Judges are brought
 to their trials.

His Majesty's Advocate, or any other person, is not
 restrained to inform and prosecute any Criminal Action
 before the Circuit in the same way as it is to be done
 before the Justiciary court at Edinburgh; or to alter
 or Innovate the Method of returning Jury Men or
 Affixers by the Sheriff, upon precepts Directed to them
 as formerly & A. cap. 1656.

Sec. 2.

The form and Method of ordinary trials in
 the Circuit Courts.

Criminals are tried in the Circuits, much in the
 same Manner as before the Court of Justiciary at
 Edinburgh, except in some particulars which I shall
 briefly hint at.

On the first day of the Justice air, the two Judges,
 or one of them if the other be absent, sit down at eleven
 of the Clock in the forenoon Act 86 Parl. 11 J. 6. the
 law doth not annul courts holden at any other hour
 and