

Whence of proceadency pag. 91. This high office of Constable
lary, whose of the Badge is a Nether sword was Enjoyed by
the family of the Morvill under King David; and his
Grand Ouldson King Malcom and King William, from
whom it descended to the lords of Galloway, and from
thence to John Balliol Sir Gilbert Hay of Errol obtain
d from King Robert the Bruce, whose hereditary suc
cessor Charles Hay Earl of Errol was Lord High Con
stable at the Union.

There are also in Scotland Governours of Castles
called by the Name of Constables, as the Constable of Dun
dee, constable of Forfar, Constable of Brechin &c. who
have the power of proclaiming and Dising fairs, and Uplifting
the Customs thereof, and Exercise a Criminal Juris
diction in the place during the fair, for which and the
Prison keys are surrendered to them. But this Juris
diction of Constable Extends not to fairs erected after
it 18 July 1676 Earl Kinghorn contra town of Forfar, &
is Intirely regulated by use and Custom. Because for
stables used to Extort Customs at their fairs upon
protestions of its use of payment: such Customs were
Discharged to be Exacted by any Constable, Unless his In
vestment carried Right to them Act 6 & 7 Geo 60 Parl 13 J. 2
Act 24 Parl 5 J. 3. But possession by Virtue of a General
clause in fairs & Divorjts of a Constables office in
an Investment, was sustained as sufficient, to Intitle
the Constable to particular Casualties cleared by Use
of payment 18 July 1706 Earl Kinghorn contra town
of Forfar 9 December 1679 Lord Hatton contra town
of Dundee

The Lord Marshal is another honorable office
of the Crown, who Exercises his Jurisdiction and keeps
his guards in the parliament house during the sitting
of the Parliament. This is another name and dignity of office first introduced by
King Malcom 2. Abercromby Jbid

Dignity of office first introduced by Malcom 2 King of Scotland Abercromby's Manual Antiquities page 221.

At the time of the Union, the office of Constable was held by the Earl of Errol, who was the hereditary Constable of Scotland. The office was then transferred to the Earl of Mar, and then to the Earl of Argyll. The office was abolished in 1707.

Chap. 7.

Of Taxes and Public Burdens.

Public burdens are either imposed by lawfull Authority
of Parliament, or a Convention of Estates; or they are inherent,
and imposed by the respective Communities.
The first are taxes or Gascations, that is certain sum of
Money Levied by Authority of parliament or a Convention of
Estates for supplying the Wants of the Government and for
the security of the Nation, and to Answer all public Exi
gences; which subjects are bound in Duty to contribute to,
by opening their purses, at occasion Requires.

Pl. 1.

Concerning Taxes.

The Necessity of public Money called taxes in time
of peace and war for Defraying the expences of War, sub
sisting of Garrisons, and other public Exigences of the
State, Demands a Contribution from the subjects for
raising of it. I shall first treat concerning the several
kinds of taxes. 2% of the Levying on and Levying taxes. 3% Con
cerning the persons liable to pay taxes, and those Exempted
from such payment.

Sect. 1.

Concerning the several kinds of Taxes.

Taxes of the kind which is the most common, viz. that by which subjects
are affected in a certain sum in proportion to their Goods
and personal estate, and to what they Acquire by their Labour
and Industry. 2% That which is Raised on lands and Inmoveables.
3% The Duties or Imposts on Goods and Merchandises.
Personal taxes, called in the Civil law tributum
Capitis l. 3. s. de Contribut. apud Money, are imposed upon
the heads of families in proportion to their good and
Acquisitions by their Industry. In Making which abate
ment, the Conditions Debts and Other Charges of the
person are Considered.
A tax Raised on Inmoveables and Lands or tenements
called