

knowledge from the other, as if one knowing a Man to be  
Dead should wager that he would die before a Year expired,  
law would not find him liable for such a wager, because it  
is a Cheat in Effect when made.

Chap. 13.

Of sumptuary laws.

For restraining the Great heart and prejudices as  
to a nation by the superfluous Expence bestowed in  
and Apparel, by all sorts of people promiscuously without  
Distinction of persons of Rank or Quality or substance,  
particularly at Baptisms, Marriages, banquets & Banals,  
may profitable sumptuary laws have been made, tho' ill  
observed. Nor were the old Romans without them, even in  
their laws of the twelve tables, when Luxury was at a great  
Height.

The sumptuary laws that obtained in Scotland, are act  
25 Parl. 5 L. M. act 114 Parl. 7 act 25 Parl. 23 J. 6. act 128 14  
Parl. 3 Ch. 2. act 16 J. 2 Parl. J. 7. act 38 J. 5 Parl. W. 2. act  
junct act 14 J. 4 Parl. L. A.

Part 2.

Concerning the Administration of Justice.

The Having explained in the first part of this third Volume  
the general Idea of the Government and Policy, which  
Regulates in the State every thing that relates to the Com-  
mon good of the Society of Mankind; I proceed in this second  
part to what concerns the Administration of Justice  
to the persons who compose the said Society, in order to  
contain them all in their Duties to the publick, and to  
Maintain among them in particular peace and tranquillity,  
which ought to be the fruit of the order of Government.  
For laws were made for little purpose if men cannot be  
forced to obey them; they are <sup>without effect</sup> other ways like fiddlers well,  
whom small fleas are caught, when greater safely escape  
and break thro' them. The Administration of Justice consists  
in regulating the Differences which set persons at Variance  
together and disturb the Quiet of families, and the parties  
themselves will not make an end of by arbitration or tran-  
saction; and in restraining and punishing those who disturb  
the publick order and tranquillity, ~~and~~ by Attempts  
offences and Crimes. It is for obtaining of these ends, that Juris-  
diction and tribunals or Courts of Justice were set up and  
Established.

Concerning Jurisdiction vid. Vol. 1 pag. 159 & seq. & Vol. 2  
pag. 668.

A Court of Justice is a place where power is Judicially Adminis-  
trated, or where Causes are heard and Determined. The Persons who  
are to be considered in the order of Judicial proceedings or in  
a Judicial trial are the Judges, the parties who are at Variance  
with one another, and those whose Ministry is necessary either  
to the parties or to the Judges, Viz. Advocates and procurators,  
Agents, Clerks, Notaries, Ministers and Messengers of the  
Court.

Concerning Judges vid. vol. 1 pag. 160 & seq. & vol. 2 pag. 695 & seq.  
Concerning Advocates vid. Vol. 1 pag. 175 & seq. & Vol. 2 pag. 709 & seq.  
Concerning Clerks vid. vol. 1 pag. 176 & seq. & vol. 2 pag. 709 & seq.  
Concerning procurators, Agents, Ministers, Messengers, Clerks, Notaries, Ministers and Messengers of the Court vid. vol. 1 pag. 177 & seq. & vol. 2 pag. 710 & seq.