

safely be established, than in those, whom our Law binds
 as persons of legal public Spirit Honour and Inclination to
 say that it allows them not to deduce their own oaths or oaths of
 on ground of Iniquity, as if they could not be guilty of this
 law or perverting Justice, but at the same time our ordinary
 Rules of Law are so well digested, Calculated and suited to
 our Laws, that the Courts have seldom occasion to let any
 nicety, for qualifying Words form with Equity. It may
 not seem strange to let forth some Instances where in
 Courts of Justice the great and worthy and Eminent pro-
 17 We have Excortition penal tied under the Name of
 Expenses, are for the Content of parties in Bonds or
 Bonds, the Costs Moderate and Reasonable to the
 Expenses and Damages sustained by the party to whom
 obligation is granted 30 November 1660 Ex. Pennine contra
 Ham. But this in other cases no Expenses are allowed save
 it necessary or profitable, the Costs in this case
 Expenses, are settled with the proof of the Expenses
 and Justice the same whether Plaintiff or Defendant, the
 cost not the conventional penalty Stat. lib. 4 Tit. 32
Verdicts 27 They further bind the Plaintiff or Impor-
 sisted in Appraising or adjudication to take off an Expens-
 equal which is unavoidably to allow the Land to be ad-
 ended within a year term: and Justice such Judges
 Materially just as reasonable penalties, the Labouring and
 many Penalties and Inconveniences, where some favour all
 rights, stand not in Competition with Liberty, Stat. lib. 2
Sec. 2 27 The Acts of Parliament Act 106 Stat. lib. 2
 Act 27 Stat. lib. 23 Sec. 6. Appoint Appraising to proceed against
 an Appraisal heir upon a Charge to Enter for the proof of
 bond, or for the Appraisal heir own Debt, but provide
 no Bond in case the Appraisal heir Renounce: which the
 Court supply as office made by deposing all in the
 Stat. lib. 2. Sec. 47 For making effectual Deposi-
 tions of Land or Annual rents wanting process of Justice
 procurators of Appraising the Court introduced adju-
 dication in Implements, Stat. lib. 2. Verdicts 27 27 The Statute
 Act before Answer, is another Instance of their officium
 Stat. lib. 2. Verdicts 27 27 Stat. lib. 2. Verdicts 27 27 For the
 Court prohibited the Judge of the High Court of Admiralty
 to do it in process of Deposition or Confiscation of Ship
 as prize for clearing who was ^{the} owner 12 June 1673
 contra Owners of the Board at 17 Decemb. 1673 Stat. lib. 2. Verdicts

owner of the said Ship for John Mitchell Dec. 48 Amending the
 Statute 15 Novemb. 1666 let us, that he ever thought the
 allowing parties to prove before Answer, which was a late pro-
 due in his time to be Anomalous and accompanied with many
 Inconveniences such as if the keeping process long and after such
 irregular way of proof, Refusing the Relevancy to the great
 Variation of the Law and parties. 27 After the words sub-
 of Relevancy, there may be again, also contestation, and so two kinds
 contestations in one cause. 27 It is not clear whether the Relevancy
 contestation in such case before Answer should be, that the Relevancy
 shall be held as not responded, or that the Lords may advise which
 in Effect is no Contestation at all. But the Making of it to be
 fore Answer is found to be both Expedient. And the Party in
 may cause the Party to pay. But use for John Mitchell before of any
 weight to condemn the practice. Because if it is the Will of
 Relevancy may be Referred after the proof, yet in such cases
 as matter he has proposed after the Evidence before Answer is con-
 sidered and the Party is allowed: for the proof in such case
 stand in place of Relevance, and another. It is not to be held
 upon any point, competent and limited, it pronouncing the bet-
 it not to be Expedient, that the Party is allowed to prove
 be proceeded by either party, the term will be deemed success-
 not proving; the the order of his jurisdiction usual is Excluded
 the Relevancy is first determined. If a third party be
 whom the party of Appeal is in Appraising matter, and not well
 determined, the order of Appraising will not be deemed
 The principal sum in a case being 100 pounds with annual rent.
 At such time after the Statute with what term trustes the
 Names of the Appraising; and both the Grants and those trustes
 having dies without determining the Manner and terms of
 payment; the Lords in a writ for payment do decree
 for the principal sum and annual rent, but from the date
 of the Decree at June 1711 Stat. lib. 2. Verdicts 27
 the Instance of this Nature 28 Feb. 1629 Stat. lib. 2. Verdicts
 the Statute.

The officium Nobis may be more often believed have finished
 in those that are Statute first Stat. lib. 2. Verdicts 27 27
 but these. It is a Maxim well known, that ea que sunt de
 officio non possunt delegari. See v. 16 January 1627 Stat. lib. 2. Verdicts
 the Statute.