

Albeit it was Alleged, that the producer of the witness by whom he had carried the cause, could never quarrel their oaths. In respect their posterior Testimony could not Degrade from the first, and a witness may not correct himself after his testimony is perfected and Subscribed, for prevention of perjurication and Perjury to alter their testimony. But the purposer of the Reduction was allowed to raise a special Action of Reprobation, wherein he might prove the Corruption and prompting other ways, 25 Feb. 1667. A Militour contra Lady Milbourne. Quare of Reprobation upon Corruption and Prompting of witness, protected for before sentence; may after sentence in foro be proved only Scripsit vel Juramento of the party, by whom the witness was produced, or if it be probable pro-
 =vota June 25. It may be pleaded for its being proved only, by oath of party or writ that there is *Indignitatem* parts by the Extracted sentence or Judicated which pro veritate habet and cannot be annulled by the posterior testimony of witness. For, if sentenced in foro, which are the Great security of people, he Decided upon such personal Exceptions against the witness, these words be no period of pleas: Seeing if the testimony of the witness where upon the first sentence proceeded may be Reprobated by other witness, a sentence in the Reprobation, the Reprobatory witness might be Reprobated by others, & sic in Infinitum. 2^o Periculum cannot by our law be questioned after sentence, tho the witness may be punished if Corruption or falsehood be discovered in them; for if should personal exceptions against witness be then sustained to be proved by other witness. 3^o Writ may not be taken away by witness, and sentenced in foro are Scripsit vel Juramento. 8^o For-
 =ned. CONTRA, it may be urged, that such Reprobation may be proved pro et Jure by other witness. Quare a door would other ways be opened to corrupt witness and Reprobated and void Pleas. For to prove the by oath of the party who corrupted the witness, is as good as to refuse Reprobation: Seeing it cannot be imagined that one should as to corrupt witness, is not supposed to deny it upon oath. 2^o The Inconvenience of perpetually prosecuted, if Relevantly would not only take away all Reprobation, but also all Reduction: For a Decree of Reduction may be quarrelled by a second Reduction.

And that by a third &c. Nor can it be thought that every purposer of a Reprobation will prevail, which such an infinite progress suggests; but only that witness in Reprobation ought to be more inquired than the witness quarrelled thereby. But on the other hand, it is Dangerous Inconvenience by not allowing Reprobation to be proved by witness is obvious, Viz. Parties would venture more readily to corrupt witness, if they suppose Corruption, when fine not to be discovered by him who corrupted them. 3^o Witness prove not above 100 pound in cases where writ used to be *De hinc inde*, in *panam Regi-
 =gontia*, yet they prove in other cases of the highest concern, as Improbation of writs, proving of tenors, Extortion, *Cur-
 =cumsonation*, *Squilleries*, *Exactions* and *Subornation* of what ever kind or quantity. Which I trust it now Doctor
 =minded thus: Reprobation upon Corruption and prompting of witness examined in presence of the purposer of the Repro-
 =bation, are allowed only if protected for before sentence in the principal cause to be proved by witness above Exception, either before or after Decree proceeding upon the testimony of the witness quarrelled. But such Reprobation of the testimony of witness examined in absence of the purposer of the Reprobation, or Against hope Examination he was not admitted to object, or Reprobation come to the purposer knowledge since the sentence are allowed to be proved before or after sentence, tho not protected for before sentence 25 Feb. 1684. *Newtown* of that *fil contra* Page 30 July 1668. *Milbourne* contra *Lady Milbourne* puncta 31 January 1671 & 20 Feb. 1672 *Jules* Epom. But the Lord thought it desirable that a statute were made for kindring Reprobation to be pursued after Expiring of three Years after sentence, unless the Evidence of the Corruption or Inhability of the witness were then come to Knowledge. A Reprobation before sentence for rejecting the testimony of a witness as being infamous and a *Vagabond*, was not admitted without citing the witness 9 Novemb. 1676 *Peter* contra *John* Pound, whose name was *Placety* & *Conce*
 =ned.