

Measure in the case of high treason which may be brought into after the committers death to Wax families of them and Intersit upon Protest of Crimes Committed by their Decedents some Hundred of Years before. 4^o Prescription of Crimes is chiefly pursued to punish the Negligence of such as omit to prosecute in due time: And any process raised after Expiring of the term of Prescription, is presumed to proceed Rather upon some New Suborrel or fresh perjury, than upon Account of the old Crimes. Again, this may be, by having so Many sworn officers up and down the Country, Inconvenience is to be feared for want of Information about Crimes: and if Judges should prove Remiss in their duty, they are Obnoxious to Legal punishment. 5^o Lying under the fear of punishment and the Loss of a guilty Conscience, so long a time, is in it self a sufficient punishment, as Almighty thought in Paris case. And as by our Laws some Crimes viz. Murder with Red hands, and Infancy theft, are more severely punished than others: so, as any Crime is punished to grow dead, the punishment thereof should be Mitigated. For there is no such Necessity to punish etc, as to punish late Crimes, to be a terrible Example to others. 6^o There is more Need for a particular Statute among us to Regulate the prescription of Civil Rights, than to Regulate the prescription of Crimes: because the term of prescription in this world among the Romans was not Uniform, nor observed by other Nations; And their Rule of prescription in Criminal Matters was Very Reasonable and Exactly observed where observed. Again, this Question in Civil Law is to punish persons believed to be taken away by positive Statute, where as by Crimes there is no Justness in the King before sentence for till then the just had no Right to the Criminals goods, nor power to sit upon thereof. 7^o It is not to be supposed, that a Malefactor continuing in his evil course, will be found void at and never prosecuted within 20 Years: and if he prove himself a Reformed Man by living 20 Years so discreetly, and soberly as that his former Crime was not thought fit to be noticed, there is no great hazard to be feared from his future Occasions

Prescript

Prescription of Crimes is interrupted by a prosecution within the term; and doth not Run in favour of persons who have already Received sentence for their Crimes, nor is of any advantage to Forfeiturees Absents, Propp. Ferris de Inquisit. n. 25. The Doctors are clear, that prescription doth Extinguish Crimes so as the Criminal Cannot there after be found out upon his own Confession Propp. Ferris de Inquisit. n. 14 Barjov. Crim. part 3. Quest. 141 n. 29. Quia Confiteor & de quo Contra cum non est Actio l. 18 pr. ff. de Interrog. Prescription of a Crime being Equivalent to his fashion for it l. 17 § 6, ff. de Juris

Some Crimes are Declared, ^{to extend} in a shorter time than twenty Years. Thus none can be prosecuted for any Crime of treason that may occasion Corruption of Blood to the offender or his heir, or for Misprision thereof, unless the Indictment be found by a grand jury within three Years after the treason or Offense committed: But any who Design or Attempt to offend the King, may be tried at any time 7 W. 3 cap. 3 § 5 & 6 treason by Maintaining foreign Authority, or the Authority of the see of Rome, or by bringing in and Executing Bulls or Instruments from Rome, or withdrawing any to the Romish Religion, or by being Recorited or withdrawing that Religion, are to be Enquired of within Year and a half after such Offense committed 23 Eliz. cap. 1 § 8. Treason by Making, or attempting to Make, or Mending any Coining Tool, or Instrument prohibited, or by Marking of Money Round the Edges with letters or Gravings, must be prosecuted within six Months after the Offense 7 A. cap. 25 § 2. No person can be tried for denying the Kings title, or asserting any other pretended Right to the Crown, by a false speaking, unless some Information of such words be given before a Justice of peace within three days after they were spoken, and the Offense be prosecuted within three Months after the Information 6 A. cap. 7 § 3. Ministers of Equestrian Congregations must be prosecuted for Not Expressly praying for the King and Successor &c. within two Months after the Offense 10 A. cap. 7 § 12.

No person can be prosecuted upon the Statute of 1 George 1. cap. 5 entitled an Act for preventing tumults and Disorderly Assemblies, and the more speedy and Effect