

Effectual permitting the Arrests unless such prosecution be Commenced within twelve Months after the offence  
cap. 5. 58.

Action for wrong and Imprisonment prescribed, if not pursued within three Years after the last day of such Imprisonment; and the Commencement within that time, if not followed in Yearly, thereafter del 6 Sept. 8 & 9 Parl. R. 11.

Tit. 4.

Concerning Pardons of Crimes.

The Boundaries of Different Sovereigns and States in League together are sanctuaried to servants or fugitives flying from one to another for safety; who upon Demand made by the fugitives Natural Prin<sup>s</sup> are not to be Delivered up Code 3 Sept. 180. Privileges of Refuge were by Divine appointment Established among the Israelites to shelter Innocent Men slayed from the hand of the Avenger of Blood 35. 6. Josh. 20. 7. 8. Which other Nations copied after in allowing the Privilege of Sanctuary to certain places, as Churches, or Church Yards, Religious Houses &c. Where Criminals might find protection from the Stroke of the Law till they might have an Equitable and fair Hearing of the Judges, and not be proceeded against Barbarously and rigorously, under pretences and Colour of Justice. In England when the Committer of Felony came into a Sanctuary before he was apprehended, he could not have been drawn thence to undergo the usual trial at Law for a certain Number of days; and had a Right to be demanded if laid out against his will within that time, Hawkins pl. 1. lib. 2. Cap. 32 § 2. But Confessing his Crime to the Justice was admitted, to take an Oath whereby he abjured the Kingdom and swore that he should make haste to such a port, without going out of the High way; and when come there would diligently seek passage; and tarry longer then one Evening and flowing; and if he

could not have passage in that time would go every day up to the knees in the sea praying to pass over; and if he could not do it within 40 days together, he would return to the sanctuary as a felon of our Sovereign Lord the King. He who thus abjured the Realm could only wear a foot shirt and Britches, and be allowed to go bare headed carrying a staff in his hand, in token that his life was saved by Religion; and what over he had besides was forfeited to the King, Fulton de pacis 182. b. 182. a. Stamford. Pl. Cr. 119 others were also once sanctuaried in Scotland, called Girth or Girth hold Stat. Will. cap. 5 Stat. Rob. 2 cap. 9 Hen. 2 Stat. Sig. nif. Verb. Girths Such were the Kings House where he actually Resided, Churches and Consecrated places: which allowed only persons guilty of Capital Crimes or sudden Slughter, and not Murderers upon fore thought felony del 36 Parl. 5 §. 3 del 23 Parl. 4 §. 3. Churches in Foreign Countries are still a shelter to Criminals except those whose Crimes are very atrocious Prosp. Parin. de Immunitate Ecclesiarum cap. 68 says Kings Churches are sanctuaried in other Nations of the Princes be Dissolving the same, the King gives no Protection to such as are Notorious and atrocious Criminals Vol. 17 cap. 7 but none of the Kings palaces were sanctuaried to Criminals in Scotland although a person on del 26 Parl. 5 §. 3. It being at length found by Experience that this privilege of Sanctuary for Criminals was much abused and a discouragement to magistrates and Lordships Practise it could not obtain in Scotland so. Stat. Comm. del Tit. 1 del 1. Custos. & Exhib. Reor. n. 2 and is now taken away both in England 21 Jac. cap. 25 § 7 Code 34. § 115. 116. Stat. 11. §. 3. 228 and in Scotland, Mithrid. Observ. on act 36 Parl. 5 §. 3. And Cities of Refuge, were only provided for the protection of those whose Infelicity it was without their fault, to Occasion the Death of another, with us who knows no guilt of Blood but the Magistrates, the Lord & his sufficient out sanctuary for those whose Minds are Innocent tho their Hands be guilty, and have need no others so that now Criminals in Britain cannot get their punishment put off or escape the Stroke of the Law without the Good will of the King.

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