

But the outlawry was obtained: the said proviso was found to extend only to outlawries in Civil Actions or in the Rebel party and party, and not to any outlawry upon a Criminal prosecution, 23 January 1710 Gilbert Kennedy of Shuckburgh and his factor supplicants.

A particular pardon is the forgiving a particular person or offenders, out of some special Regard to him or his family or to other Circumstances, such a particular pardon passeth by a Signature Under the Kings hand presented to the Chancery, as in other Countries gratis before a Secretarius, or Logunatur Pragmaticis, i.e. Approvers, preventing Unlawful practices for such as obnoxious, suppression of the truth or a false suggestion & c. Stat. 13 Ed. 3. ult. Stat. 59 Ed. 3. 10 d. goods Under the great seal or a Clerk upon it, and should be Composed and subscribed by the Treasurer, at least should be Entered both in his and the Secretaries Register, as all papers that pass Under the Kings hand Stat. 16 Ed. 3. 10 d. The Writer of Signature or Letter to pass the Kings hand, should subscribe his Name upon the back of it before it is presented to Majesty at 13 Ed. 3. 10 d. 6. or a Clerk before it is presented to the Secretaries Register 2 Pl. 28 Ed. 3. 2 ob. on d. Stat. 13.

Remissions have not only been granted Directly by the King, but also Medially by his Majesty's Commissioners authorized for that Effect. Which Remissions granted in Virtue of the Sovereign's Commission, should be passed the Seal 2 Feb. 1678 James & Alexander Gordon.

Because ill conditioned persons are encouraged to commit Crimes in hope of easily procuring pardon; and fear of the loss of Money is fully set in them to do Evil for that the Sentence against an Evil work is not executed speedily Eccles. 8. 11. The Sovereign's granting pardons should be in respect, and with a Careful hand, hath been restrained by Interpretation both in England and Scotland thus a pardon obtained by this Requestation or for such as obnoxious, suppressions Vari or

Expressions fall by suppression of the truth when the King was not fully apprized of the villainousness of the Crime or procured by a false suggestion, is void as being gained by suppression on the King, and may be stopped the King's Majesty is Rightly Informed 27 Ed. 3. Stat. 1. Cap. 2. Stat. 3. Just. 238 and his further pleasure known. Which is agreeable to the Law of other Nations, Jo. Voel. Common. d. Tit. 8. 28 book page 18 Stat. 1. 1. 7

For the Law seems to have intimated the King with the high prerogative, upon a special Confidence, that he will spare those only whose case, and ~~not~~ have been fore going the Law if it may be presumed willing to have for ever, and out of its General Rule, which the Lord of Man cannot possibly make so perfect as to put every particular case. If it appear from the Rental of pardon, that the King was misinformed either as to the Nature of the case, or the proceedings thereupon, the pardon is void, Stat. 13 Ed. 3. 10 d. cap. 37 Stat. 6. A pardon of slaughter that had passed the great seal for falling, was sustained against the indictment of Murder. Albeit it was pleaded, that such a Remission appeared to have been procured by subornation or obsequium: In respect any objection that might have been made to stop a Remissions passing the Seal, cannot be noticed after it hath passed the Seal, and the Law against giving Remissions, do not annul them when granted, 4 March 1717 Hugh Attridge Nor was a person having a Respite for Slaughter past the privy Seal, put to the Knowledge of an Inquest for that Crime while the Respite was current, upon a private Letter to the Justice from the King, bearing that his Majesty had never any Knowledge of such a Respite, and if any be produced it is suspiciously purchased: because private Letters of that kind are Reprobated by Law, and cannot derogate from a Respite past the Seal: Albeit it was alleged, that Law is allowed only private Letters for staying Justice, and that was sufficient for the furthering of Justice, and the punishing an