

to be a crime l. 2. Sec Condit obtemp. caid. And that for dei non huc Vendens justum judicium, & h licet ad rem Vendens justum Patrium, & non consulte Roctum Compl um c. 71 can. 11 Qu. 3. Jud has ought not to be sol, be caus Judges have salari. And if the god were allowed to take gifts or rewards upon any term, a door would be opened to justify the taking of Bribes by Colourable Protestors, that it was to do justice, and it were hard to discuss this brief case of the Barthol, Farinacius, and other Lay or think that the Judges may not receive simple Gifts pro for to be done, as it is not carried from Remuneration gift for past services. But such Remuneration is only to be allowed for good deed and services extrinsec to his office of a Judge; as the Managing a friend Country affair, for with Necessaries to go abroad, or the like. For if the Remunerating Judge generally were holerated, they would be allowed to Do, in favour of the Rich and litigant and from whom they could Expect a Recompence, without any regard to the poor part from whom they had no right to take any thing after he had been dis missed by virtue thereof. l. ut. c. ad. l. Jul. de Reputand offic l. 48 Ed. de for for during a plea or upon Account of it, or some such public Confederations; and far less can he be allowed in that Respect during his office; And the Matth. de Primum l. 98 Et. c. cap. 1 n. 8. Whom is Cr part 1 Et. 23 52. Verd it is very Ob servable. And the Civil law do not Abridge a Judge or Magistrate of the profits of Meal and Drink that are profertly givent, Especially whom given by his Kindred l. c. 33 Ed. de offic. pro curat. Delegat. Nor is the taking of Meal and Drink of small Value Accounted Bribery by the law of England Or by the law of France, Dumort. Prac. Crim cap. 1 n. 9. 10.

When Judges are guilty of Bribery for what is taken by their Wives or servants, that is Understood off. b. taking known of and approved by them; in which case qui fact pro alterum fact pro se. For he who is a Wholly ignorant of what his wife or servants do in that Matter, cannot be punished for their fault when it is Crim. part; Et 25 52 ver the second Observation. Seeing other ways it were in the power of the servants of a Judge, if they cannot influence him in his Decision of causes, to lose his credit and Reputation by taking of his Gifts but the forward of a Judge is punishable for Receiving a Bribe Code 3 Just. 147.

Not only the Receiver but also the giver of a bribe is punishable l. ut. c. ad. l. de Reputand. Item de Reputand offic l. 48 Ed. de for for during a plea or upon Account of it, or some such public Confederations; and far less can he be allowed in that Respect during his office; And the Matth. de Primum l. 98 Et. c. cap. 1 n. 8. Whom is Cr part 1 Et. 23 52. Verd it is very Ob servable. And the Civil law do not Abridge a Judge or Magistrate of the profits of Meal and Drink that are profertly givent, Especially whom given by his Kindred l. c. 33 Ed. de offic. pro curat. Delegat. Nor is the taking of Meal and Drink of small Value Accounted Bribery by the law of England Or by the law of France, Dumort. Prac. Crim cap. 1 n. 9. 10.

By the law of England, a Justice of the Peace, or Ministerial officer, is punishable by loss of office; fine and imprisonment Code 3 Just. 146. Restraint of offic l. 48 Ed. de for for during a plea or upon Account of it, or some such public Confederations; and far less can he be allowed in that Respect during his office; And the Matth. de Primum l. 98 Et. c. cap. 1 n. 8. Whom is Cr part 1 Et. 23 52. Verd it is very Ob servable. And the Civil law do not Abridge a Judge or Magistrate of the profits of Meal and Drink that are profertly givent, Especially whom given by his Kindred l. c. 33 Ed. de offic. pro curat. Delegat. Nor is the taking of Meal and Drink of small Value Accounted Bribery by the law of England Or by the law of France, Dumort. Prac. Crim cap. 1 n. 9. 10.

Who hath suffered himself to be solicited in favour of either party without showing the same to the Lord in presence, may be deemed as suspect of partiality in that case Hold of Lord 69 November 1677 29 December