

to be given upon the terms of the Execution subscribed by them in justification thereof; and the said Execution which was subscribed as a probative Evidence, could not be admitted upon the judicial testimony of witnesses, charging or proving facts to bear the oaths of other witnesses upon the fact therein mentioned. Nor could these subscribing witnesses be hindered by reason of such an accidental Emergency to touch the Execution; they being the necessary witnesses to what they were specially required. But then they were admitted witnesses in Notary, so as their testimonies should not amount to a full proof, unless there were a concurring witness to both. And before taking of their oaths, the Execution of Enforcement signed by them was ordained to be cancelled 29 & 30 June 1691. W. Ham Giffo.

Tit. 3

Opposing hindring and Molesting ~~the~~ Officers of the Customs or Excise, in the Discharge of the duties of their Office.

A person for Opposing Molesting hindring or obstructing an officer or officers of the Excise in the due Execution of the powers or Authorities granted by law to such officer or officers, for so much the sum of 10 pounds sterling, whereof one moiety goes to the King, and the other to the Informer or pursuer 6 G. 1 cap. 21. 57.

Eight or more persons armed with Club or any manner of Weapon, tumultuously assembled, forcibly hindring wounding or beating any officer of the Customs in the Execution of his office, or such as act in their aid or assistance, are to be transported to the King's plantations in America for such a term, as the Court think it fit, not exceeding seven years, and returning before the term expired, suffer as felons without benefit of Clergy 6 G. 1 cap. 21. 53. 54. 55.

What

Which offences relating to the Excise (ibid 59) or Customs (ibid 59) may be heard and Determined either in the Court of Exchequer, or in the Court of Sessions, or the Violent hindring or the beating or bounding any officer of the Customs in the exercise of his office, or the carrying away goods seized by him after they were in his possession; were full and separate Relevant to infer an Arbitrary punishment. And it was found that a helol for Informing Custom house officers needed not to bear that Notification was made to the Informers, that the persons molested were such officers, as by Reading their Commission or by Acquainting them that they were Custom house officers, or that the Informers knew them to be such officers; or that the officers had made search upon Information given; Entered his house where the goods were seized in presence of Constables, and had a hint of assistance; and that the goods seized had not paid the Duty 8 November 1725. Thomas Anderson for 8. 10. 11.

The Insulting one of the Kings land Surveyors in the exercise of his office of Surveyorship by using injurious words against him, and taking him by the Button, or of his Coat, or fratching at him face several times, was found Relevant to infer an Arbitrary punishment 5 July 1714 James Mait. One for Uttering to the Constables of a false proverb and Seditious speech against his Majesty's Council and judgment of peace, and that he would not give a far of his Arse for either the King or his Council, or the justice of peace, and had them come light his Arse, was ordained to be seized through the City of Edinburgh and there after to be banished the Kings Dominions not to return within the term of hanging without further doom 13 March 1612 William Judice.

But