

English men and strangers apprehended in Scotland, were tried before the high court of Admiralty there for piracy committed on the coast of Malabar in the east Indies without the Scottish seas, 5 March 1707 Captain Thomas Green and his crew. For albeit his jurisdiction be limited inwardly as to the land, it is unlimited outwardly as to the seas in what ever part of the world. But treasons and Misprisions of treason committed by any Native of Scotland upon the high seas, or in any place out of great Britain, are now to be tried before the court of Judicary or Commissioners of Oyer and Terminer 7 A. cap. 21 § 5. The Admiral hath the sole jurisdiction of all ^{other} Criminal Maritim causes foreign or Domestic in the first Instance act 16 Parl. 3 Ch. 2. Under which Criminal causes I comprehend the seizing Anciently goods Imported or Exported the punishing forestallers and Regrators of Corn, fish, Drink, firewood carried over sea; Exporting beyond sea traitors, Rogues and fugitives from Justice; Throwing Land or Ballast in harbours or Channels to block the Entrance used by shipwrights or boat Makers; Lading away bins, or cutting of cables; using false weights and Measures at sea, causes relating to Pirates, and their Abettors, out traders and Regrators. Sometimes the Admirals Criminal jurisdiction, as Doubtless can be used by reason of Counting money, reacheth to Judge the Escapes of a pirate out of prison, and to follow Malefactors out of his jurisdiction when the pursuit was Common within it, the then the Magistrate of the place must Concur, Loccon. cap. 3 n. 2. When Criminal causes may be Advocated from the high Admiral to the Justices courts.

The Admiral hath besides his Judicial capacity several powers and privileges Competent to him. He had power of appointing Musters in time of war

at which all Inhabitants within a Mile of the coast are bound to appear Under penalties he thinks fit. The Privilege of granting passes to ships once belonged to the Admirals of Burches Royal, and in time of the last Dutch war, a particular person Named by the sovereign called Surveyor General was authorized to grant passes after he had gone aboard and surveyed the ships, and was permitted to officiate in aboard and beyond it by a Deputy. But now the Admiral and his Deputy only are privileged to grant passes and safe conducts to ships act 16 Parl. 3 Ch. 2. Wrecks and strays, Doodards and wrecks fall to the Admiral. He hath also Lagan flotsam & Goffam and the tenth of all lawful prizes. The Admiral ^{ordinarily} grants warrants to apprehend persons suspected to be in Meditations fuges. For the extent of his jurisdiction (which is ordinarily Exercised over persons who have an easier way to convey themselves out of the Country, and are ordinarily very little obliged to one place) allows a very summary procedure, McKenzie offers on act 1621 against Bankrupts.

Tit. 4.
The Courts of Sheriffs, stewards, Bailiffs of Royalty and Regality, and Magistrates of Burches.

Because these Judges differ in some things, and agree in others; I propose to treat of them first Separately in so far as they differ, and then jointly in what things they agree.

Sect. 1.
The Kings immediate Judges as Sheriffs, stewards, and Bailiffs of Royalty, are termed the Lords of the Royal act 10 Parl. 6 § 2.
A Sheriff (quia si) shire was a Governour of a shire from the saxon Goresa, Contracted into Grefa and Grew and