

As law that favours prisoners Desires to be bring to a speedy trial; so it discourages all courses tending for Delaying of Justice and putting off trials therefore the granting of Respite or Exemptions from trial for term of Years by the King to Criminals was Discharged as more Against Justice than plain Remissions Act Par. 13 J. 3. Partly, because Remissions are granted only after some trial, whereas Respite pass more easily and were sought more frequently before the state of the case was Enquired into, partly, for that in Respite the party's injuries are not Assisted, as in Remissions. The Respite have been granted and sustained, which pass on the privy seal 2 August 1705 Maawol of Cowhill and his son. And albeit it was too ordinary for Criminals before the Revolution in Britain, yet to procure from the King precepts to the Judges in the court of Justice, commanding them to continue their due diligence against such Criminals, or instructing them how to proceed, and practice is contrary to law act 47 1699 Par. 11, 6 and to that Claim of Right 1689; and Judges are Authorized to proceed without regard to such orders from the throne.

4.  
The transporting Criminals from one prison to another, and the fund appointed for Defraying the Charges of Apprehending, Subjisting and prosecuting them.

When a Criminal is seized and Committed to Jail within a Jurisdiction whereof the Judge does not Jurisdict to try him, or when there are other reasons for removing him from one prison to another, a warrant may be procured from the Justice Clerk, or in his absence from any Lord of Justice, ordering the Magistrates of the place who have him in custody to Deliver up his person to the Sheriff of the Shire, who is Committed to accept him of their hand

heads, and to transport him with a fire guard, and Deliver him over to the Sheriff of the Shire adjacent Shire, and he to the Next Sheriff, and so forth from County to County, till the Criminal is brought to the prison of Edinburgh, where the Magistrates are to receive and Detain him till he be tried and liberated.

That Criminals may not Escape the punishment due to their offences, thro want of a sufficient fund for Defraying the Charges of Apprehending, Subjisting and prosecuting them; it is lawful to the free holders in every Shire, County or District in North Britain, to Assess the several Shires or Stewartries, where their Estates lay, at their Meetings at any of the head courts Yearly, in such sums as they shall Judge Reasonable and sufficient for the purposes aforesaid. Which Money so assessed is to be Collected, Received and Accounted for by such person and persons, and in such Manner, as the free holders shall from time to time Appoint; and to be Applied for Defraying the Charges of Apprehending Criminals, of Subjisting them in prison until prosecution, and of carrying on the necessary prosecutions against them for their several offences by due course of law 11 G. 1 cap. 25. Some times the lords of Justice modify a sum to be paid to the private pursuer of a capital crime, out of the Exchequer goods of the person Condemned, for Defraying the Expenses of the trial 31 January 1694 Daniel Nicolson Doctor Elliot & Maawol 6 April 1681 Margaret Gart.

5.  
The Raising serving, or Executing Judgments, Criminal letters, letters of Exculpation, letters of Acerrimation, and letters of Revocation. Crimes are tried upon Judgments, when the supposed Criminals are in prison, and Upon Criminal letters or Summons, when they are all liberty. But before any Judgment or Summons be Raised,