

himself judicially to report them 18 January 1675. John
Dinning supplicant 25 Feb. 1676 Peter M^g his Supp^{er} heard
the Clerk of Justiciary is Unprovable for the sufficiency of
surety Accepted by him McKenzie observe on Act of Parli^{am}
J. 5. And the punishment of taking Insufficient Caution, seem
to be Arbitrary but the Receiving of Surety that is Notori-
ly Insufficient is Equivalent to the Letting a Malefactor
Escape.

After surety given to Report the Criminal letters,
or Dispositions with, such letters or summons are raised in
the terms following. George By the Grace of God King of
Great Britain France & Ireland, Defender of the faith to
our Lovts &c. Masters Messengers at Arms our Sheriffs
in that part conjunctly and severally specially Constituted
Greeting. For so much as it is humbly Meant and Com-
plained to us by &c. upon &c. that whereby the laws &c. the
ever the least it is of Verity that &c. By all which it is Evi-
dent, that the said &c. above Designed is guilty art and part
of the Crimes and offences charged upon him in Manner
Above Mentioned or one or other of them; which being found
proven by the Verdict of an Assize before our Lord Jus-
tice General Justice Clerk and Commissioners of Justici-
ary, he ought to be punished &c. to the Example and ter-
ror of others to Commit the like in time coming. Our will
therefore and we Charge You strictly and Command, that
You continue this our Letters seen, You pass and in our Name
and Authority command and charge the said &c. to Compare
and find sufficient caution and surety noted in the books of
the Assize, that he shall Compare before our Lord Jus-
tice General Justice Clerk and Commissioners of Justice
any Within the tollbooth or Criminal court house of
Edinburgh the &c. day of &c. Next to come in the hour of
cause, there to Understand the law for the Crimes above Men-
tioned; and that under the pains Contained in the Acts of
Parliament; and that You charge him personally if he can
be Apprehended; and failing thereof at his Dwelling
place and at the Market Cross of the head burgh of the
shire

shire Stewarty Regality or other Jurisdiction where he dwells
to come and find the said Caution and surety noted in Man-
ner foresaid within &c. days Next after he be Charged by you
thereto under the pain of Rebellion and putting him to our
horn; which &c. days being by gone and the said surety
not found, nor no Intimation made by him to You for find-
ing thereof, that incontinent thereafter you do Denounce
him our rebel and put him to our horn, Escheat and inbring
all his Movable goods and Gear to our use for his Ran-
som and Disobedience; and that You within 15 days there-
after Cause Registrars this our letters with the Executi-
ons thereof in our Book of Adjournal, conform to
the Act of Parliament Made: and if he come and find
the said Caution and surety noted in Manner aforesaid
Intimation being always made by him to you of the
finding thereof that you summon an assize hereto not
Exceeding the Number of 45 persons, together with
such Witnesses as best know the Verity of the promises
for whose Names shall be given You in list subscribed
by the said complainers or either of them, all to Compare
before our said Lord day and place foresaid, the said per-
sons of Inquest to pass upon his assize, and the said
Witnesses to bear deal and forth fast witness, so far as they
know or shall be Inquired at them ilk witness & assizer
under the pain of 100 Marks, According to Justice, as you
will Answer to us thereupon. You who led to do we Com-
mit to you conjunctly and severally our full power by
this our Letters Delivering them by You duly Executed
noted and Indorsed Again to the bearers. Given Under
our signet at Edinburgh the &c. day of &c. and of our
Reign the &c. Year
Ex Deliberatione Domina
rum Commissionarium
Justiciarum
Persons on the south side of the River For must be
Charged on six days, those on the North side of that
River