

Embezzling the king's armour or stores. 5. *Desertion* from the king's armies, by land or sea.

SECT. VIII. *Of præmunire.*

(1.) *PRÆMUNIRE*, in its original sense, is the offence of adhering to the temporal power of the Pope, in derogation of the regal authority. Penalty: outlawry, forfeiture, and imprisonment: which hath since been extended to some offences of a different nature.

(2.) Among these are, 1. Importing Popish trinkets. 2. Contributing to the maintenance of Popish seminaries abroad, or Popish priests in England. 3. Molesting the possessors of abbey-lands. 4. Acting as broker in an usurious contract, for more than ten *per cent.* 5. Obtaining any stay of proceedings in suits for monopolies. 6. Obtaining an exclusive patent for gunpowder or arms. 7. Exertion of purveyance or pre-emption. 8. Asserting a legislative authority in both or either house of parliament. 9. Sending any subject a prisoner beyond sea. 10. Refusing the oaths of allegiance and supremacy. 11. Preaching, teaching, or advised speaking, in defence of the right of any pretender to the crown, or in derogation of the power of parliament to limit the succession. 12. Treating of other matters by the assembly of peers of Scotland, convened for electing their representatives in parliament. 13. Unwarrantable undertakings by unlawful subscriptions to public funds.

SECT. IX. *Of misprisions and contempts affecting the king and government.*

(1.) MISPRISIONS and contempts are all such high offences as are under the degree of capital.

(2.) These are, 1. *Negative*, in concealing what ought to be revealed. 2. *Positive*, in committing what ought not to be done.

(3.) *Negative* misprisions are, 1. Misprision of *treason*. Penalty: forfeiture and imprisonment. 2. Misprision of *felony*. Penalty: fine and imprisonment. 3. Concealment of *treasure trove*. Penalty: fine and imprisonment.

(4.) *Positive* misprisions or high misdemeanors and contempts, are, 1. *Mal-administration* of public trusts, which includes the crime of *peculation*. Usual penalties: banishment; fines; imprisonment; disability. 2. Contempts against the king's *prerogative*. Penalty: fine, and imprisonment. 3. Contempt against his *person and government*. Penalty: fine, imprisonment, and infamous corporal punishment. 4. Contempts against his *title*. Penalties: fine, and imprisonment; or fine, and disability. 5. Contempts against his *palaces or courts of justice*. Penalties: fine; imprisonment; corporal punishment; loss of right hand; forfeiture.

SECT. X. *Of offences against public justice.*

(1.) CRIMES especially affecting the *commonwealth* are offences, 1. Against the public *justice*. 2. Against the public *peace*. 3. Against the public *trade*. 4. Against the public *health*. 5. Against the public *police or economy*.

(2.) Offences against the public *justice*, are, 1. *Embazzling* or *vacating* records, and *personating* others in courts of justice. Penalty: judgment of felony, usually without clergy. 2. *Compelling* prisoners to become *approvers*. Penalty: judgment of felony. 3. *Obstruſting* the execution of process. 4. *Escapes*. 5. *Breach of prison*. 6. *Rescue*. Which