

content, to regulate the intercourse between independent states.

(2.) In England, the *law of nations* is adopted in its full extent, as part of the law of the land.

(3.) Offences against this law are principally incident to whole states or nations; but, when committed by private subjects, are then the objects of the municipal law.

(4.) Crimes against the law of *nations*, animadverted on by the laws of England, are, 1. Violation of *safe-conducts*. 2. Infringement of the rights of *ambassadors*. Penalty, in both: arbitrary. 3. *Piracy*. Penalty: judgment of felony, without clergy.

#### SECT. VI. Of high treason.

(1.) CRIMES and misdemeanors more peculiarly offending the king and his government are, 1. *High-treason*. 2. *Felonies* injurious to the prerogative. 3. *Præmunire*. 4. Other *misprisions* and *contempts*.

(2.) *High treason* may, according to the statute of Edward III. be committed, 1. By *compassing* or *imagining* the death of the king, or queen-consort, or their eldest son and heir; demonstrated by some overt act. 2. By *violating* the king's companion, his eldest daughter, or the wife of his eldest son. 3. By some overt act of *levying* war against the king in his realm. 4. By *adherence* to the king's enemies. 5. By *counterfeiting* the king's great or privy seal. 6. By *counterfeiting* the king's money, or importing counterfeit money. 7. By *killing* the chancellor, treasurer, or king's justices, in the execution of their offices.

(3.) *High treasons*, created by subsequent statutes, are such as relate, 1. To *papists*: as, the repeated defence of the pope's jurisdiction; the com-

ing from beyond sea of a natural-born popish priest; the renouncing of allegiance, and reconciliation to the pope or other foreign power.

2. To the *coinage*, or other signatures of the king: as, counterfeiting (or, importing and uttering counterfeit) foreign coin; here current; forging the sign-manual, privy signet, or privy seal; falsifying, &c. the current coin. 3. To the *protestant succession*; as, corresponding with, or remitting to, the late Pretender's sons; endeavouring to impede the succession; writing or printing, in defence of any Pretender's title, or in derogation of the act of settlement, or of the power of parliament to limit the descent of the crown.

(4.) The *punishment* of high treason, in *males*, is (generally) to be, 1. Drawn. 2. Hanged. 3. Embowelled alive. 4. Beheaded. 5. Quartered. 6. The head and quarters to be at the king's disposal. But, in treasons relating to the coin, only to be drawn, and hanged till dead. *Females*, in both cases, are to be drawn, and burned alive.

#### SECT. VII. Of felonies injurious to the king's prerogative.

(1.) FELONY is that offence which occasions the total forfeiture of lands or goods, at common law; now usually also punishable with death, by hanging; unless through the benefit of clergy.

(2) *Felonies* injurious to the king's prerogative (of which some are within, others without, clergy) are, 1. Such as relate to the *coin*: as, the wilful uttering of counterfeit money, &c; (to which head some inferior misdemeanors affecting the coinage may be also referred). 2. Conspiring or attempting to kill a *privy counsellor*. 3. Serving *foreign* states, or enlisting soldiers for *foreign* service. 4.