

rary, for the Scripture tells us, *that he did what was right in the sight of the Lord, and turned not aside in any thing, &c.* save only in the matter of *Uriah*.

Now if *David* might lawfully reprove and pardon a Murderer amongst the *Jews*, to whom these Laws were given by *Moses*, and which they were strictly bound to obey; there can be no manner of obligation from those Laws, especially to Christian Princes to whom they were never given, and by which they cannot be bound; but they may reprove, and pardon those, who are guilty of Murder.

Of A P P E A L S.

THIS Discourse of Pardons puts us in mind of another legal Prosecution, in which the Subject hath a particular Benefit, and that is by *Appeal*, of which it may be convenient to give a short Account.

Where a Criminal deserveth to be punished with Death for any Offence, and particularly for Murder, there are two ways to bring him to answer, one is by an Indictment, which is at the Suit of the King, and the other is by *Appeal*, which is at the Suit of the Party injured by the Murderer; as a Widow, a Son whose Father, or a Brother whose Brother, hath been murdered.

Now if the Offender be found guilty upon the Indictment, a Pardon hath been sometimes obtained. But in an Appeal all agree, the King can grant no Pardon. Nay, if a Person be tried by Indictment, and acquitted, or convicted, and get a Pardon, yet an Appeal may be brought, and if he be thereupon convicted, notwithstanding such his former Acquittal or Pardon, he must be hanged.