their being chosen and deputed by the King. This court was after
turned into a daily Council Elected by the King (so called to Distinguish
it from the privy council) who sat continually at Edinburgh where
the King thought fit, and had their Setting Notified to the people
by open proclamation 1st & 2d Parl. 6 K. J.

Judges thus Changeable Ambulatory and Uncertain, not
apt to Discern thoroughly, and found liable to Commit Iniquity
the Dispensing of Justice ignorance or Corruption stinking
of the session and daily councils a College of Justice or perpetual
session was first Instituted after the first Model abroad in the 24th
of King James the fifth Anno 1532 Confirmed by the Estates
Heritably and Ratified in Parliament 6th Parl. 36th K. Jas.
5th and after 1st 93 Parl. 7th K. James Majority.
court was then held at Edinburgh the Reason of calling
mation from the pope (whose usurpation upon the temporalty
were evident) all sessions ceased for a Great Time
those related the Kingdom the Clergy against a Parliament
tion Women impowered upon the Benefices of Prelates
of the Judges of this College of Justice which Drawn
peal to Rome was Compromised for 1000 Merks paying the
=ing a meal Interest in Lieu yearly Scots wood Fish. Cat.
Eg. But then the Pope's Confirmation was Ratified under
Seal 1st. K. Jas. of Parliament with great joy.

The Inundation of the Nation began at Edinburgh in
of the Year 1637 by a Tumult upon the occasion of Reading
Service Book in the Church of Edinburgh, King Charles the first
then was Intended Removed the Court of Session Council
Burgh to Stirling 9th Jul. 1638. Then the Administration of Justice
=fered Much Interruption from the Cast of Party 1639 Pacification
Treaty of Pacification 1640. Parliament 1641 Abolishing
Court of Justice 1649. Parliament by the Delegates which Ranged in the
1649 and 50 of the State Troubles when the Voice of Laws
not be heard for the Noise of Arms, according to the old Saying
inter arma silent leges. All which time the Parliament having
=nd out Eight ordinary and two Extraordinary Lords of Session
for Running Counter to the projects then set on foot, Cromwell
as many to Supply their places.

When the Sovereign was forced to let go the helm of Gov
=ment, and the English Army Under Oliver Cromwell's Command
over run all Scotland, after a Surcease of Justice for some time
a Commission for the Administration of Justice, Composed
of a Mixt Company of Scottish and English Judges, was set
up in place of the Session. Soon after, the oath commonly call
the Tender, abjuring the Royal Name of Stuart being
=posed, the Most Eminent Lawyers Retired from the Bar, and
=tuted only in their Chambers. The new Judges (as all Gover
=nment or not Concerned for the Laws of their Country Ar

were filled with new Statutes and Rules for Dispatch and Administra
=tion of Justice. They Increased heavily on Juries; and Suppressed the
Outter house. Finding that they being Strangers to our Laws and Cus
=toms, could move the Wheels of Justice but Heavily, they introduced
the Manner of Debates in Writings: that they might have Time and Mind
to Deliberate on their Decisions, and Judicially Consult the Assistances
of the Great Lawyers. Which written Debates under Pretext of
non Compearing Lawyers and Appeals on Paper Especially
the Bar. But this way of Evidence in Writ more Heavy
Government was forced by Gentle Remonstrance to Let
pence with the Lawyers of the Common Liberty to allow the Outter
Lawyers to Return to the Bar. When a good Correspondence
betwixt the Sovereign and the Subject was Established
real Restoration upon Petitions for that Effect to the Estates
=tions in the Parliament at Edinburgh 14th May 1707.

The Unhappy Divisions [illegible]
=nity, and [illegible]
in the Session, which [illegible]
Irish Clamour [illegible]
Confidence [illegible]
were Ratified in Parliament 1st 1690. [illegible]
other [illegible]
& 1696.

The total Diversion [illegible] in the Session in the Years
1674 was the Most Notable Piece [illegible]
Which Continued in Vacancy of [illegible]
=ates to Meet in Edinburgh [illegible]
2d September 1681 the Summer Session was Interrupted and
discharged, and in place thereof the Months of March and
=ed to the Winter Session, 1st Parl. 3d K. James 2d was
thought, that two Sessions in the Year did not Encourage
Litigious People to Attain any Country Decision Really Debated,
and one Session might end Decisions Expeditiously. Especially that many
Result could be Expected from the Summer Session (which was Still
ally Confounded in the preparatory Steps and Hurry of Winding
would not Compensate the Expense it brought upon the Ma
=tion, and the Prejudice it Intailed by Robbing and People from
home in the Season proper for Building par Engor of the Country
Policy. But 26 May 1686 the Nation Burning [illegible]
huge Inconveniency by obliging People to Attend Law Business
all the Months of March, which is a part of their Seed Time and
withholding from them the Benefit of Justice for Seven Months
(wherein other Countries they have four or five Terms for Ad
=mini=tering Justice in the Year) which had a pernicious Influence
upon Commerce: Our Laws Quickly thought fit to Restore the Summer
Session 1st 6 Jas. 2 Parl. 7 K. which failed Inconveniently Behind the
Seed