

Chancellor whose Character intitled him to preside at, Part 1, Part 2 and 3 to take place of a Chancellor in Scotland near the Royal family) and four Extraordinary Lord's Act 36.8. 1st & 2d. We had no Chancellor of Scotland since the year 1708, James Earl of Dunbar, and incapable before that of Cavendish. This in the Scotch was reformed from 1709, the Protestant was also to be either a layman or an Episcopate such 93. 2. C. 6. 1. the Bishops in time of Proclay have been Extraordinary, there is no instance of an Ecclesiastical ordinary so far in the Reformation, save that of Mr Robert Polt Minister of Ruthervale, whom the General Assembly in the year 1679 caused to accept of a Lord's Baron then in the offer, thinking affairs in that Critical juncture could not go the worse, then hee was a man in his opinion, but with just exception, he did good not ill drawn into an Example for Ministers to mix themselves in the secular affaires, by sitting in Civil & Ecclesiastical. When which account a law made in the year 1685 (Act 133 Part 1 C. 2) did qualifying Ministers to bear any office in the College of Justice, obliging this Senate to give his Civil post, and the same was bestowed on Mr John Graham of Claverhouse. Now the Judges of the session Court of fifteen Ordinary and four Extraordinary Lord's who Enjoy'd places to them selfs and Culpeper quondam to beene Gefferten, and named by the King, were drawn from the four, signified to the King of his choice. The most act of ordinary Lord's was named by the King with consent of the Estates of Parliament act 93 Part 1. It is only given to the King to be made by the King, but because the first nomination being a part of the Jurisdiction of the College of Justice, which is a publick Law, Canon & Equity of the Clergy and the King doth often for the Gavel Law, etc. to do to qualify the subject, with the comfort of the amount to what he might do by his own Royal Injunctions, Act 4. Oct 15. 23. The Lord's of Session were all drawn by the Sovereign till after the Earl of Morton being forced to leave wth the Regency, King James the Sixth took the Government in his own hands before he had passed his majority. Complaints arising in the year 1679 about the Young King's planting the session wth Unskilfull Judges a law was made Act 93 Part 1 C. 6. 1 to obviate that trouble where by trial of the qualifications necessary in an ordinary Lord of session, was he referred to the Rest of the ordinary Lord's who were Imprisoned to refuse the person presented by the King if found not qualified according to law, and to chuse their President. Garrison on Act 16. 2d. was made 16. June 1685 in presence of and subscribed by the King that his Majestie should present no person to an Ordinary Lord's place in Scot-

Session, 6. R. twenty days after the Vacancy, and should then proceed there at least to the Lord's out of which they were to chuse one fit for any one they thought best qualified and Declaring of his Qualifications in the same Manner as his Qualification of Election by the election of a list of three recommended by the Queen and approved for some time. But 23 feb 1697 it was at the Kings Earliest desire Dispersed with in the omission of his David 2nd. 1st. of Edel to the place of a new Ordinary of Scotland. A subsequent Commission was made in time of Parliament shewing that it was fit to have a new Ordinary and Apparition, the offices of Sheriffdoms and Burghs being in any case necessary remaining on the bench in a publick and hereditarie manner. But still the same act approv'd by the Majority of the Lords of Session Act 16. April 1697. But after the Restoration of King Charles the second the Nomination of a Lord of Session was demanded before the year 1697 to be an inherent privilege of the Crown and as the part of his royal Prerogative like 6. 3. March 1671. Commission issued to him, the Privy Council were in it to have power to chuse him in his seniority by election Directed to the last of the Act.

The person presented to be an Ordinary Lord must of course twenty five years or Apparition go by him, serving the same and be accepted in his nomination of the College at least once yearly or 20. Quarters of Octroyal Act 93 Part 1 C. 6. 1. 1685. And the same to be admitted no longer but as was formerly first knowne to the publick Lawrenciae to have his election in England. Act 93. Part 1. 1685. And in France (longe conditio regis) Venerabilem. 2. 2. 3. The case as to the electio- na. overigne Justice is the same as in Scotland. A fear of Offending God by taking in only law. ds. 2d. is his nomination of the integrity of Record, which if accepted on their behalf a dreadfull Excommunication of the Sacrament of Confirmation when God will judge them and of the punishment which he prepared for those who shall not have feared that use of the power be put into their hands which is required of them. The want of which is off God's hands and fall into his justice. And for their bearing the Character of a bad Judge in the Gospel, is not to have the fear of God Lk 18. 25. C. 6. It was required, that a Lord had to More of yearly Rent to prevent all temptation of bribing, and that his lands injured by any Lord might have a fund to get reparation from him to whom sume recompence. And that part of the Law relating thereto by Royal of Lord of Session has not beene触犯, observed till Henry 8. 1. 1694. Act 132 Part 1 C. 12. 1. 6. 2. Remittit to be one who had served five years as an Advocate or Principal Clerk of Sessions or ten years as a writer to the signall firms qualified for the Station of an Advocate by the faculty of the Writers in a publick and private trial upon the Civil Law two years before he comes up to be a Lord Art. 19 of the Union 1599. The qualifications of a person nominated to the place of an Ordinary