

Such as other Courts have a privative jurisdiction of the  
1733. pay 1600. Which they may find only in the second instance  
ad vocations, suspensions or Excommunications.

It hath been Much Controversied whether the said Lords  
have power to Judge Appellations & Motus in the last Resolu-  
on (April 28 Feb. 1674 in a process of the presence of the  
of Summons against the Earl of Bathurst & some other  
parties being appointed to be heard & summoary in presence  
in calling of the cause, when the Defendants had underwritten  
before premissory, the Earl of Bathursts Lawyers offered  
to bring a motion, which the said Advocates of the King upon the  
Attorneys gave in his signed King's commands an Appeal from  
the said of session to King and his Councils to the said Attorneys  
Rejected the said King's Command. They would proceed to do  
wherein the King's Command, which they would proceed to do  
of session should be made void and Determined by their own  
any Remedy from King and Parliament but for that they  
the premissory sentence and Decree of the Court of Justice  
have the same force and Effect as Decrees of the Court  
of session by the said 39 Stat. 1674. Nay farther, our said  
had of session with Consent of Parliament Declared by the  
Statutes, that they would maintain the Authority of their Court  
as representing the Royal Authority; which also by many  
superior Courts is done by us the said Advocates live in  
confess. The said having by a Statute Feb. 1674 given an Answer  
to his Majesty of what had passed by King and the last  
Month, that the said Motion Declared to his Appellants the  
Lawyers who appeared for him left to give their  
concerning this or other the said or the said Appellations  
testations leading to Charge the sentence of the Court with  
the said: The Lawyers were upon the 24 June thereof  
from the King Debarred from the Exercise of their  
men to. Upon which a bond 5000 l. was taken with  
them from the session whom the said 2 July 1674 Deprived  
their office. All which Lawyers were Conformed to a Statute  
his Majesty to the Lords dated 12 Decemb. that Year by the  
by Proclamation 12 Stat. from Edinburgh. Which  
Outwardly, a few Excepted, applied at different times by  
libious to the Lords praying to be restored to their offices  
were admitted to the Exercise of their Employment  
their appearing in presence and giving satisfaction for  
their not attending, some in February 1675 and some in the  
subsequent summer sessions.

As to the said Michael Coublin and questions of the said  
Lords of session was of opinion that the said of session  
and inferior have the same power Extensive as the  
subject of their jurisdiction, that the said of session had

Not Interfere as to Judging without Appeal, if not Expressly. The  
cause the Decree by the Clause with the same power. It is to  
be understood of the ordinary power belonging to the Judges  
and Incorporations as such, and not of any extraordinary power  
and jurisdiction. It is declared in the Statute of the High Court  
of Parliament 11 James 1679 to be the Right and Privilege of the Subjects  
to protest for Remedy of law to King and Parliament against  
patented pronounced by the said of session; provided the same  
do not stop Execution. In which such protest is made from  
Appeal, which put all Execution upon the sentence pronounced  
from. The Viscount of Stair (Ch. 4 Tit. 1 51888) being that  
it was not intended by introducing these protests to destroy  
of law, that all sentences of the said of session should be  
a Review in Parliament, but only such as the Lords had ex-  
ceed their Authority in pronouncing, was they refused  
to do the Law Even by the 4 & 5 Par. 2 Stat. of that is full Justice  
without favour or bias by the said of session. The same  
will full Act of Justice. That great a copy of public such  
an Extraordinary Remedy, as a protest for Remedy of law,  
against Sentences of the said of session (where of them it is  
testimony in the Records of session or Parliament) might be  
allowed only in three Cases, 1<sup>st</sup> Where the said of session had  
which falls not within their jurisdiction as if they should  
lead upon them to Judge an Criminal Matter, where of the  
said of Justice are sovereign and ordinary. The 2<sup>nd</sup> Where of the  
in former instances in Matters caused appropriate to the  
Comital or Consistorial, belonging to the Bishop, or other  
causes for sums not Exceeding two hundred Merks. The 3<sup>rd</sup>  
left to the superior Judges Stair 1674. 51888. 2<sup>nd</sup> Where the  
said themselves cannot remedy the party grieved by their  
sentence, so that a protest for Remedy of law might not be  
used against the said of session. Except such as concern  
Declarations of the Lords Jurisdiction. The same are Excepted  
because, if the Lords had taken themselves Complaint to Judge  
where they are not, the Justice of that is full Justice  
Regarding such Declinations, may be reviewed in Parliament.  
Nor ought any person to protest against Decrees of the  
said in a former or Decrees of session upon allegiance,  
Rejected at pronouncing for not being instantly verified, or in  
any other case where the said can Review and Rectify their  
own sentence by Reduction, or use to Revoke parbed of  
against them, as Certifications and Circumstances of  
being recently quarrelled after Extracting upon Re-  
-able except for purging Contumacy. Because Anno Domini