Remedium extraordinarium [illegible] ubi locus est ordinario Stair ibid. 557. & 559. 30. If the Lords should [illegible] Alter their own decreets in foro upon Iniquity, this is a ground to protest for Remedy of Law: because sitch sentences, or interlocutors pleas to be perpetuall and endless, ought not to be reviewed by the Parliament, and far less by the Lords themselves who are Iuridi officio Stair ibid. But clean hard by he [illegible] posse, that the States of Scotland understood it to be the privilege of subjects to protest for Remedy of Law to the Parliament against sentences of the Lords of Session upon some [illegible] in Matters proper to their Iurisdiction. Seeing it were impossible for the Parliament, which sitteth but seldom and [illegible] determine time, to discuss all protests that every Litigious person might bring in at pleasure to satisfy his Extravagant humour. Besides it would be free to all to mare against the Lords, albeit they represent the King [illegible] bearing his authority, and have been acknowledged [illegible] supreme Judicature in all Civil causes Act 23 Act 50 [illegible] 1 Sess. 1 Chap. 30. If Parties were allowed to protest for Remedy of Law to the Parliament upon pretence of Iniquity [illegible] by the Lords of Session in Matters proper to their Iurisdiction there could never be an end of any plea: because Decreets of Parliament may be Reversed or altered over again by the Parliament or any other Parliament.

The Lords of Session once inclined to have got liberty of protests for Remedy of Law cautioned and provided against by an Article of the Union betwixt Scotland and England. And at the desire of Sir Hugh Dalrymple of Northberwick Lord President, Sir David Dalrymple of Hailes King's Advocate and some other of the Lords of Session, I wrote a paper concerning the Unreasonableness and hurtfulness of Protesting the Inhabitants of Scotland to bridge to Westminster as the Dernier Resort in Civil causes. But their Lordships partly fearing I should have Miscarried, if such a project had been brought in to the Parliament of Scotland, from the Opposition they would have infallibly met with therein from our Peers; partly they have been Made believe, that the House of Commons would have done the thing Effectually to their hand in the English Parliament; and likewise considering, that the Claim of Right allows only protests for Remedy of Law to King and Parliament, that Peers could not draw Mention to by to their house, which is only a part of the Parliament of Great Britain: It was thought fit to Make no protest for Remedy of Law at the Repealing of the Articles of Union. But now we see our Expectation there in Frustrate, and our protests for Remedy of Law resolved into Appeals to the Lords in parliament assembled; and by being obliged to prosecute Appeals at Westminster find our selves almost Reduced to the State we were once in, when Appeals from our Courts were Made to Rome, whereby our Rights at the State Act 1. 115 Parl. 7 J. 6. Phrase it, all utterly harried. The Manner how Appeals are Made and prosecuted is Explained supra pag. 1683 & sqq.

Barons, officers and Members of Exchequer may be pursued in Justice before the Lords of Session for crimes not Competent to the Court of Exchequer 6. Act. Cap. 26 & 10.

The Lords of Session are Empowered in a process of Ale of a bankrupt's effaies, if no Bairns be found at the Date determined by them, to Divide the effaie among the Creditors According to their Diligence and preference Act 20 Sess. 2. Act. 11. W. & M. And now all Commonties not belonging to the King in property, or to Royall Burrows in Burgage, may be got Divided upon a Summons before the Lords of Session Act 38 Sess. 3. Parl. K. W. The Lords of Session were also appointed sole Judges of Appeals from Stopping or obstructing common high ways to and from Free Burghs, Travelling on Sabbath days to and from Churches, and to adjacent Burghs in order to Discover Offenders upon a Charge on oath and to have Convening, and to find caution to Depart under an Arbitrary pain to be Determined by their Lordships half to the King and half to the party grieved Act 83 Parl. 2 W. & M. June 6 Act. 156 Parl. 12 Ch.

Albeit the Lords of Session are only Sovereign Judges in Civil Matters yet they redress by fining, Imprisonment or other Arbitrary punishment injuries done to or by any Member of the College of Justice in Matters relating to their Employment, and punish such as Dishonour or Contemn their own Authority, false witness &c. The Lords having found Hugh Riddell guilty of Cutting some Silver Buttons off a Gentleman's Clothes in the Butter house while the Court was Sitting for which he was Committed to prison: they ordered him to be brought by the Publick Hangman from prison to the great door of the Session house at Nine a Clock in the forenoon, and to stand there with a paper on his fore head expressing his Crime; and there