

upon six days against persons living in Scotland and upon six days against those out of Scotland.

The Clerk every Monday in the time of sessions affixes upon the walls of the inner and outer house, a roll of causes to be called that week according to the order in the Book containing 19 Ordinary Actions 27 Acts 37 Causes to be presented & concluded Causes. Informations and petitions relating to causes in this Court, are put in the Boxes of the Lord on Tuesday after noon, and also in the Clerks Boxes. All Solicitation are prohibited.

The Court sits each Wednesday during the sessions between two & three a Clock in the afternoon, the Clerk calls Summons, where of the days of Comparison are Come, and the process being given out seen and returned, is Entered in a Book of Inrollment kept by him.

The Lord sits down at three a Clock in the afternoon in the inner house (there being no occasion for an Ordinary in the Outer house) and continues judging commonly till five, if the Roll be not Dismissed sooner. Where they adjudge and Vote with flint doors.

Petitions and answers are first advised: and the Clerk is Discharged to offer to the Lord any Bill or Answer which was not put into his Box, except Bills Relating to Bills or Decrets ready to be Extracted. Then ordinary Actions are called. If the pursuer appear not before the Just, the President Declares that Cause in the Roll, and it will not be again Called, till it is Enrolled de novo and Come in by Course of the Roll. If the Defendor appear not, or Make no Defence, the Lord sustains process and grant to the pursuer either bill or Decret as he Desires: For they seldom, if Ever, Continue causes, seeing they Meet only once in the week. An Act of Intercouritation may be Extracted immediately after pronouncing; unless the President sign a written Stop, for a Reclaiming petition be Lodged in the Clerks hands before the Decret is given out; which Bill must be offered to the Lord the next Forour day after.

When the ordinary Actions are over, the Acts are called, and parties and witnesses thereupon Made party, who are Reclaiming after Closing of the Courts by an Ordinary appointed for that End who is the ordinary in the outer house.

house for that Week. Interdum is made with proof presented, and admitted to an ordinary to prepare a state of the cause is the ordinary on the Bills for the time in the sessions. In order to preparing a state of the process, the Cause is put in a Roll of Causes caused to be prepared. When the state is prepared, it is Entered into a Roll of Concluded Causes to be called. Which Roll is Called after the Acts are over.

Decrets in this Court cannot be Extracted till the next Forour day after that in which they were pronounced in Chapter: to the End that parties Concerning them selves may apply for Decret by a Reclaiming Bill, forth in that time any Reclaiming Bill be given in that must be advised before Decret is given out. But if no petition be offered betwixt and the next Forour day after date of the sentence the Clerk cannot Refuse an Extract. The Court of Commission in former times used to grant the Remedy of Every Forour, and to insert their names in Decrets: but this hath gone in disuse. The Lords of sessions now use former Commissions used to do. Reduce their own Decrets, or Decrets of former Commissions; tho they are not in use to suspend the same.

These aforesaid are mostly the specialities in the General form of proceeding in this Court; for in other things proceed as are Managed as before the sessions. And there is against the writ in this Court an Appeal to the Lord in Parliament as against Decrets of the sessions: for they are Empowered to Judge here only as fully and freely as they do in other Civil Causes Act 3rd Parl. 2. c. 11. The Particular Steps of the matter in special Actions before this Court are observed in the proper places. I proceed to Enquire in the several kinds of Civil suits fall into the Cognizance of the Commission viz. 1st of the Modelling of Ministers Appointed which is Compared before the Valuation of Wills: 2nd Cause by the Submissors, the Royal Decrets Arbitration and several Acts of Parliament, Ministers are to be provided before the heretors have Liberty to Value their Wills. 2nd The Valuing and selling of tithes shall be set forth 3rd The Uniting or Annexing and Dividing parish Churches the Erecting of New Churches, and Transplanting others are Explained.