

Hamilton of Whitlaw one of the Lords of Session 31 octo
 1704 Adam Cockburn of Ormestoun 26 January 1705 &
 Mr James Erskine of Grange one of the Lords of Session
 7 July 1710 Got Commission to be Justice Clerk only
 during the Kings pleasure. Sir Archibald Napier of
 Marchistoun 28 November 1623 Sir George Elphinstone
 of Blythwood 2 December 1625 Sir James Ba-
 michael of that ilk 3 December 1634 Sir John Ham-
 ton of Oriskning November 1636 had gifts for life
 of the office of Justice Clerk and Master of Common
 at the Creation of Charles Lord and Baron, and all
 other solemn assemblies where honourable Ceremo-
 nies were used in Scotland. Sir John Rennie of Kenton
 10 December 1663 Sir James Lockhart of Lee 20
 November 1671 had the office of Justice Clerk. Sir James
 Cockburn of Ormestoun 24 July 1721 had it for life
 The Justice Clerk appears anciently to have been
 the Justice General's Clerk. Leg. Malcolmi cap. 31.
 He names the Clerk of Court, who is called his Deputy
 Whence Sir George Mackenzie (Crim. part 2 pt. 15 54)
 concludes, that the Justice Clerk was not original
 a Judge but only principal Clerk, and assumed the
 power of Judging by Usurpation after he was created
 an officer of State. But the Lord Rennie at his admis-
 sion to the office of Justice Clerk (10 December 1663)
 was by an Act of the Privy Council of Scotland, for
 to be as such one of the Judges and to have a Vote
 in the Court.

The other five Lords of Judiciary are upon Letters
 from the Sovereign admitted to the office and Vitzum
 aut Pulpa; and have each of them 1200 pounds
 salary Act 3 sess. 2 Parl. G. A.

The Judges aforesaid hold Court at Edinburgh
 each Monday, because on that day the Lord of
 Session do not sit; or hold Courts of Session if business
 so requires: they being a Sovereign Court Judge with-
 out Appeal Act of Regul. 1672 except in the case

of high treason and Misprision thereof 7 A. cap. 21. They
 Meet at Nine of the Clock in the Morning when the Court
 Bell (called the Corporal Bell) Rings. They sit in scarlet
 Robes faced with white satin, that of the Justice Gene-
 ral being distinguished from the rest, by lining of
 Ermin, and the Justice Clerks by a facing of white pen-
 ted satin. The Justice General, if present, presides, and
 in his absence, the Justice Clerk who takes his Chair.
 Where both these are absent, the next present Elect
 one of their Number to preside for that time. Four
 of these Judges are a quorum in time of Session Act of
 Regul. of the Justice Court Art. 1 and three in the Vaca-
 tion Act 22 Parl. 3 Ch. 2. Their Quorum is Determined
 according to the terms, and Vacation of the Court of Ses-
 sion: for as hath been already observed, this Court hath
 no fixed terms of sitting or Vacation.

It is high treason to kill any Lord of Judiciary
 sitting in Judgement 7 A. cap. 21 58. They are Authorized
 to Regulate the inferior officers of Court, and to do
 every thing concerning it.

A Quorum of the Court is necessary to sign a list of
 any grand jury d. Act of Regul. art. 3 or for Judging.
 But one Lord may adjourn the Court, or continue a
 diet of Comparance till one other certain day; or may
 pass bills for raising Criminal Letters or Summons,
 or Letters of Intimation, or Letters of Diligence, for
 Citing Criminals, witnesses, and seizers, in the case of
 Judgments; or bills for raising Letters of Recusation
 or Recrimination.

of Sect. 2.
 of Advocates & Procurators.

The Kings Advocate or Solicitor, or both, pleads
 for the pursuer in a Criminal trial, it being the so-
 vereign cause; and other Advocates for the Pannel,
 and some times the Kings Advocate employ other
 Advocates to assist them. His Majesties Advocate
 concurs in all suits for Crimes or breaches of peace