

Must ascend by Degrees without passing by any, as from the Kirk session to the Presbytery, from the Presbytery to the Synod, and from the Synod to the General Assembly: Except an Appeal be Made from a Presbytery after the Synod is past and immediately before the General Assembly, or in the time thereof. Persons thinking themselves injured by the sentences of any inferior Church Jurisdiction, may Appeal at passing thereof, and give in their Appeal with the Reasons of it in writ to the Moderator or Clerk within ten days after appealing, whereof they must procure and present extracts to the Next Meeting of the Jurisdiction Appealed to, and then Insist if there be ten free days betwixt the time of appealing and that Meeting.

An Appeal being Made, the Execution of the sentences Appealed from stops, till the Matter be discussed by the Court Appealed to, or till they throw it out.

### Chap. 2.

#### Of temporal Courts of Justice.

Temporal Courts of Justice, are either Extraordinary or Ordinary.

Extraordinary Temporal Courts are, 1<sup>o</sup> of the Parliament. 2<sup>o</sup> of the Court of a Lord high steward of the Kingdom. 3<sup>o</sup> of the temporary Commissions of Oyer and Terminer, and other Commissions of Justiciary. 4<sup>o</sup> of Courts Martial. All which are treated of Vol. 2 pag. 674 & seqq.

Ordinary temporal Courts, are either sovereign, whose sentences or Decrees cannot be stopped or reviewed by any other Court than the Parliament. Others are inferior or subordinate Courts, whose proceedings may be stopped by advertisement to the sovereign Courts and whose sentences may be suspended and reviewed there.

### Tit. 1.

#### Of the sovereign ordinary Temporal Courts in Scotland.

These are the Courts of Session, the Commission for plantation of Churches and Valuation of tithes, the Court of Justiciary, the Circuit Courts and the Court of Exchequer. In every one of which sovereign Courts there are several Judges in a Collegiate body, as 15 Lords of Session

Session the same Number in the Commission for plantation of Churches &c. seven Commissioners of Justiciary.

Concerning the Court of Session vid. Vol. 1 pag. 173 & seqq.

Concerning the Commission for plantation of Churches and Valuation of tithes vid. Vol. 1 pag. 1936 & seqq.

Concerning the Court of Justiciary vid. Vol. 2 pag. 687 & seqq.

Concerning the Circuit Courts vid. Vol. 2 pag. 708 & seqq.

It remains only here to set forth the Constitution of the Court of Exchequer.

Of the Court of Exchequer.