fees are raised as the Excise Act 35 Par. 1 Sess. 2 Ch. 2. Which is a part of the Kings Revenue excepted in the Act Discharging General Letters. Letters of horning may be Also Summarly Directed for the Lords Contribution Mony against the particular persons Named Accustomed to pay that Stent; these being founded Act of Sess. 8 1665 Stair lib. 3 Tit. 3 § 13. lib. 4 Tit. 3 § 25 Tit. 47 § 6. The Privilege granted to Ministers for the More easie Ingathering of their Stipends, viz. Allowance of Expenses and Summary process, and no Suspension except on Consignation being Extended to Universities Schools and hospitals for their Rents and Debts Act 14 Sess. 6 Par. K. W. Queritur if General letters be Allowed to Universities Schools and hospitals?

Formerly Special or particular letters of horning could not pass upon the Decreets of Inferior Judges Summarly, without a previous Decreet conform before the lords of Session. And now horning may be Directed Summarly upon such Decreets by a Warrand from the lords of Session only, conform to Acts of parliament Authorizing horning to pass upon them. Nor could the privy councill Issue forth letters of horning upon a Decreet of an inferior Judge 19 Decemb. 1676 Tenant Young and others contra procurator fiscal of the Regality of Ogilface observed by Dirleton. Because the lords of Session only and not the privy Council, are expressly warranted by Statute to issue forth Summary horning upon Decreets of Inferior Judges, and Statutes are Stricti Juris. The Reasons why it was so ordered are, Because 1° The Lords of Session in term time are allways Sitting to Receive and pass Bills of Suspension if there be causes where as the privy councill did ordinarly Sit but once a week in term time and but thrice in the Vacation. 2° The Lords of Session do Not pass suspensions without Considering the Grounds of the Charge, which was not proper to the privy Council to do. 3° There is oftimes

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A necessity to Raise with a suspension a Reduction of a decreet, and the privy councill were not competent to Judge in the Reduction of Decreets. Of old no execution was Competent upon Burrow Acts, but only warding and poinding Spotswood Pral. Tit. Horning.

But now Special or particular letters of horning are Raised 1° upon Decreets not only of the Session, and the orders of that Court for Citing Witnesses or havers of writs ad probandum, or upon Decreets of the Exchequer Act 18 Par. 1 Ch. 2 Decreets and Acts of a journal of the Court of Justiciary for Criminal Causes, Acts of the general Convention of the Royal Burrows Act 6 Par. 19 J. 6. 27 July 1710 Vere Kennedy Supplicant contra Stuart. But also upon Decreets of Inferior Courts, as magistrates of Burghs Act 177 Par. 13 J. 6. Sherriffs or Baillies of Royalties or Regalities act 10 Par. 18 J. 6 Admirals. Act 15 Par. 20 J. 6 and Commissaries Act 7 Par. 21 J. 6. Here it is to be observed that the Statute Act 177 Par. 13 J. 6. appoints letters of horning to be granted [illegible] Summarly yet [illegible] privileges [illegible] excepts by express [illegible] 7 Par. 21 J. 6. But it seems [illegible] been [illegible]. Again, poinding upon Decreets of Sherriffs Commissaries and other Inferior Judges is granted by one Statute (Act 24 Sess. 1 Par. 1 Ch. 2) In the same Manner as letters of horning are granted to pass upon these Decreets by another Statute (Act 10 Par. 18 J. 6) where neither Commissaries nor admiral is Named, but only Sherriffs Stewarts Baillies of Royalty and Regality and Magistrates of Burghs. But notwithstanding of these Mistakes the law Referred to, seeing that making the Reference expressed Commissaries and other Inferior Judicatures, it hath been the Meaning of the Parliament to have poinding directed on all Decreets of Inferior Judges upon which horning may pass. 2° Letters of horning are Raised upon Obligations Registred in order to Execution in the Books of Session or other Competent Jurisdiction, that is where the debtor, and not where the Creditor Lives,

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