Our Kings gave the Lords of Session great privileges and Immunities.

They are the first Gentlemen in Scotland, taking Rank and precedency next to the Sons of Earls, and in publick appearances go next to them and the Nobility.

Their persons the Lords are Sacred, the foreigners special care and protection from all harm and injury Act 65 Parl. 6 Ja. It is high treason to Kill any Lord of Session Killing in Judgement within Scotland 7 R. Cap. 21 58. They are Exempted from paying taxes and other Extraordinary Charges, and from bearing office within or without Burgh, unless they consent Act 65 Parl. 5 Ja. 5. Act 23 Parl. 1 Ch. 1. Act. 23 Parl. 1 Ja. 1 Act. Parl. 2 Jac. 2 Cha. 2. But if they be not Excepted in the Acts imposing Taxations they use to get a Letter from the King Dispensing Them free: Which some are Recorded among the Acts bearing Them free: Which some are Recorded among the Acts Decreet 19 July 1671 19 November 1687. The Sir George Mackenzie Observation Act 65 Parl. 5 Ja. 5) thinks such procuring of Letters of Exemption a Needless and superfluous Caution. Excuse from Juries is allowed to the Commissioners of the Exchequer by Regal. Cap. 2. To the Commissioners of Trade Regulat. Act. 1 Ja. 6. It is extended to their Widows Reg. Cap. 29 Ch. 2 L. Jul. Adlers. But Immunity from taxes is not Extended to the Widows of Lords of Session after their Husbands death Wilkie ibid.

The Lords Remit Revocations and Vollaries. Mr Dall from Juries an Ordinance to prescribe their Chapters Clerks Examined and Approved Act 78 Parl. 6 Ja. 5. And they Clerks entering to and Exercing their offices without being tried and Approved by the Lords are liable to be Deprived of their offices, Act of Sederunt 27 July 1680.

Queen Mary of Scotland by a Writing under the Privy Seal 7 January 1566 gave the Resolution of all Commissories in Scotland, their Clerks and officiars to the Lords of Session: Commanding to them to examine Diligently whom they presented, that such places might be Conferred only on Men of Discretion and Judgement. Which privilege the Lords exercised till the Year 1609 when Commissariots were Erected to Bishops, with power to them to appoint Commissaries, Bailies, Clerks and all other Members of Court. But at the same time, the Lords of Session were Declared to be the Kings great Consistory; and had a Supreme Commission Granted to them for all Consistorial causes Act 6 Parl. 20 Ja. 6. Not as if they were Made Judges of such cases in the first Instance, but only that they can Revocate them from the Commissaries or Reduce their decreets Stair b. 4 tit. 1 § 9

330. The Lords of Session had also right to the Lands of Bastardy, which upon their Resignation were given to the Bishops, and instead the rent ten thousand pound was ordained to be paid to the Lord Treasurer out of the Kings customs, which for that end were in Lieu of Bastardy to be Delivered from the crown Act 11 Parl. 20 Ja. 6. An Executor Nominate having Represented to the Lords of Bill that he from misnomer of the Bounds his Testament could have Confirmed the Testament of the Deceased was recommended. The Lords are being the Kings Great Consistory and having Authority to supply the Defects of Inferior courts granted Warrant to the Lord Treasurer to Transmit with the Moveables of the Deceased and Licence to pursue 17 January 1676 in Argyle Applicant.

The Lords of Session are Expressly Incorporated to Make Acts and Tables for ordering of Process and Rules of Decisions of Justice Act 65 Parl. 5 Ja. 5 Act 93 Parl. 3 Ja. 6 Acts of Sederunts Which are Necessary for Explicating their Jurisdiction 6. 28 Jurisdiction they are Authorized not only to Regulate the Jurisdiction but also to give rules to other Inferior courts and to Bind to the Justice Regulated before the Lord Chancellor of Scotland in the Year 1692. And Power to all Inferior courts Act 19 Parl. 23 Ja. 6 Act of Sess. 1626 even in causes which they are not Competent to Judge in the First Instance. To Reconcile the Mor. Respect to their Authority Chapter Act 29 to prescribe any Inferior Office of Commissary Bailie Clerk in the Acts Ordinary the mode of Depositing their Bargain Act of Sederunt 21 May 1605 no Lord of Session shall be an Arbitrator: but this Rule is not a Statute.

The Lords of Session Inferior to Acts of Parliament and have some times extended the Law regard the Nobility Priviledge of Reason. Jane Dishonours Manners of the Bishop of Ross, only to buy Lands Rooms professional Upon Bailie in Justice, only to Bind Lands Rooms professional Upon Bailie plea Act 216 Parl. 14 Ja. 6. Which is not Law. The Lords Extend to Moveable debts and Rights. Mackenzie observation They also Restrict the Generality of Words in Acts of Parliament to the sense they can practicably bear. Thus the Law which ordains Cautioners in any bond or Contract for Sums of Money to Continue No Longer bound than Seven Years after the date Act 8 Sess. 8 Parl. K. W. Was Restricted to Cautioners in bonds of borrowed Money 18 January 1709 Balmaird contra Walton Vid. Sup. pag. 1030. And the both the Rubrick and Statutory part of Ambit Bear that no Charges of Horning shall be Directed against any person dwelling beyond the Water of Dee upon fewer than fifteen days Act 23 Parl. 16 Ja. 6. Yet in Respect of the Narrative in that Law, that Best Majesties Subjects in the North part of Scotland were drawn or Inconvenienced