

Tit. 4.

The Maecors.

The Ministers and Messengers of Peace who go by the Judges have headed to clear the way &c. Summons are granted to Court, proclamation made there, Execute the Orders Court called in the Civil Law apparatus, and in English (justices) are termed in the Foreign Courts of that Land Maecors.

Maecors of the Session (Selected from the Silver Maecors) each of them Barons in his kind are four in Number, two of three are named by the King and the fourth by the Lord Chief of Justice who is an hereditary Maecor. They wear a red gown, and Each of them carries a silver Mace in his hand upon duty. One Maecor attends constantly the Lord in any in the outer Court, another serves the ordinary at the King Bar, and the other two wait the Maecors of the Lord in the Inner Court.

These Maecors call or proclaim causes, After the Lord and Execute their immediate Orders, as to Cite and Appoint persons Summarily Complain'd of to Inquire, for want of it devoted for suddenly keeping up of process, to see good order observed in the Session Court, by their servants and the common people. They are likewise of all Briefs issued forth of the Chancery, the Lord usually assigns some of their own Number of persons to direct them, and sometimes the whole Bench are appointed to them; because the Lord is not in the first instance Compell'd to Judge in the service of Briefs.

Tit. 5.

Keepers of the Rolls.

At old times, early after institution of the Code of Justice the Realm of Scotland was Divided into quarters, and all Summons were set down in a table to come in only at the these quarters, which was called tabulating Summons. But being found Very Inconvenient, that no person could pass but in his own quarter of the Year and so belov'd to want Justice for three quarters, cause came to be called promiscuously at the option of the Ordinary in the Outer Court, and

and of the Chancellor or president in the inner Court, when friend ship ^{of} Mayor determined the order of Calling. So obviate this Inconvenience, that every person having business in the Session might know to be present when it comes in, and not be put to Uncertain Attendance, for which when it is call'd, and that none might be preferred in obtaining Justice to another who was not ready on a Demand, it before cause were appointed to be heard without the presence of persons attending to the order of Calling, except such as were in the proper place.

Three books of Jurament are made up for the Outer Court, and two for the Inner Court. The first for the Outer Court contains causes that require most Dispatch, as a judgment, as well as calls, Removings, Ejections, and a contempt, except the second and every other cause proper to the Outer Court. The first Book of the Inner Court for the Inner Court contains all manner of Actions Appropriate to that Court, viz. Reductions when the parties do not follow, Declarations of Right, proving of usury, Expenses concerning wills, which, after Dismissing of Dilatory Defences are one liminary point, great Reformation is made, and the Lord upon Report addain to be heard in presence of the cause of the Injuriance, perjury, or preparative, and the other book is gather up of concluded causes, which were in Evidence hath been produced to be decided. This last book consists of two parts, the one part contains Concluded causes to be prepared, and the other Concluded causes prepared for the arising. At of 27th 1712 concerning the 1712 & 1713.

All which Books of Jurament both for the Inner and Outer Court are patent to the Judges gratis. The books of Jurament for the Outer Court were appointed to be kept by one named by the Lord, and the books of Jurament for the Inner Court to be kept by a person named by the Lord Chancellor. Both which Squares were sworn at their death to take nothing for a right of their Books, and to let no more for Enrolling causes than their stated fees, and if they transgressed they were to be turned off and otherwise punished as the Lord saw cause of Regal. 1672 lib. 2^d 4. 5. 8. But now since we had no Chancellor, the Presidents servant keeps all the Books of Jurament. Causes are enrolled in term times, behind two and