to Remove from Tribunals the Liberty which parties ha
to Vent their passions, and that a due Decorum and order of
ceeding Might be observed in the Distribution of Justice
use of Agents (called in France Procators, in the courts o
common law in England Attorneys because they stand in
stead or turn of Clients, and in those courts where the Ci
and Canon Law obtains Proctors or Procurators) has been
introduced; that is, persons who give Constant Attendance
and are thoroughly versed in the several steps to be taken
in order to a final Decision of Differences and law suits
who, at the Request of parties, following the Methods of Pro
=ceedings, manage and carry on the practical part of their Causes
such practitioners in France, kind in England are a set of
=ficers of Justice having Fees established by Law. In Scotland
Agents are not authorized persons, on the contrary they are
=ted from the court of Session, and none save Advocates and
their servants allowed to Negociate and Manage processes
Reg. 1672 concerning the Session Art. 21. And Clerks of
Session and their servants were Discharged to give copies
send out processes or writs produced to any other persons
Act of Sederunt 26 feb. 1678. But this Bar upon Agents is
now Loosed and taken off by Disuse. Clerks and Clerks of Session were discharged to give copies to Solicitors, Agents or Procurators in Causes, or to send out any processes or writs produced to any other persons, under the penalty of exclusion from their Offices, & Fifteen pounds Sterling to the Clerks, and Fifty pounds Sterling to the Agents, Act of Sederunt 7 August 1694.
Agents should have a thorough knowledge of the
Rules of their profession. They should apply themselves
to the affairs committed to their Charge, with such a
glance Diligence and care, as that their Clients may
not be any Ways surprised, and that their causes be
ried on without any Delay. They are also to observe with
respect to the Adverse party, every thing which the
of Justice, and a fair Upright dealing may Require,
and to Content themselves with Modera Lecfees. Agents
are incapable to be appointed factors on Sequestrated Es
=tes by the Court of Session, Act of Sederunt 23 November 17
They are suspected witnesses for their Clients.

Chap. 2.

Concerning offices and officers Relative & subservient to the Session.

These offices are the Chancery, the offices of the Seal
of the Registers and the Lyon.

Pti. 1.

The Chancery or Chancellary.

Some will have the Chancery to have been Erected by King James the first, a Most Excellent prince and of the Greatest Experience in the Order of Administring Justice, He quired this his being sometime in France, and 15 years under an easie and honourable Confinement in England Craig Feud. lib. 2 Tit. 12 §14 in fine. Stair lib. 4 Tit. 1 §2 Tit. 3 §4. Others affirm that we had a Chancery before King James the first, and that King Malcolm the second Justiciair Cancellarius in Scotia Reb. Ges. Scot. In Vita Malcolmi 2. But it is generally owned that the Chancery was Much Improved and Enlarged by the said King James, After his Return from England.

The Chancery is an office Managed by the Director there who Derives his Commission from the King, and by his Deputies. The Director pays a fee to have been only a servant to the Chancellor, for a fee was paid to the Chancellor's Clerk for Crieves (Reg. Malcolm. 2 Cap. 2. N. 4 Skene Ins. Tit. Clerk for Crieves) Craig Malcolm. 2 Cap. 2. N. 4 Skene Ins. not. ibid. McKenzie of precedency pag. 39) which now belong to the Director of the Chancery.

All Charters, patents of Dignities, gifts of offices, Remissions, Legitimations, Brevies, presentations, Commissions, Brevies, Colours, precepts Chancery and all other writs appointed to pass the Great Seal, or the quarter Seal, kept by the Director of the Chancery are Recorded in this office. There are here two kinds of Registers: one of Parchment for Charters and such perpetual Heritable Rights, and this in paper, where of one is for temporary and Redeemable rights, as gifts, pensions, infeudications, appriszings &c. and the other for Colours. The Responed book containing the perquisites due to the crown at the Entry of heirs is made up and kept here, and a just copy thereof Yearly Extracted and given in by the Director to the Exchequer on the first day of July as a Charge against Sheriffs Stewards Bailies &c. for Clearing their Intromissions with that Branch of his Majesties Revenue.

The Director and his Deputies observe in all writs Extended in the Chancery a certain formula kept in Record by them, called the order of Chancellary. And writs passing this office are to be Recorded before they are given out to be seated Act 7 Parl. 2 Sess. 3 Ch. 2 and a Minute book thereof Must be kept.