The Brieves of Chancery (in latine Brevia) are Kings precepts Commanding some thing to be done, a new Copied after those in England. Which are Directed to, and Executed by Sheriffs, Stuarts and Bailies of Royalty respectively. These are called brieves from the Verb = prehending Much Matter in few words, Skeand Verb. = nif. Verb. Breve. Craig Feud. lib. 2 tit. 1 § 6 M. Henrie = ferr. on act 126 & 127 Parl. 9 K. J. And bar. the foot of the = te me ipso apud Edinburgum &c. die Mensis &c. Anno = ni Nostri &c. Georgius Secundus Rex, which words = Called the Test of the Breve. Formerly all points of Right were Determined upon Brieves of Right, and points of possession upon brieves Disseisin taken out of the Chancery and Directed to Sheriffs, according to the present English Fashion. But the Brieves of Right and Brieves of Disseisin are now in Disuse = ies. The Brieves that are yet to this day issued forth of the Chancery are of two sorts, viz. Brieves Retoured to the Chancery, and brieves not Retoured.

Retoured Brieves, are those which are executed without filing particular parties, at the Market Cross of the Head burgh of the Jurisdiction, upon 15 days warning, thence called Brieves = pleadable. But yet Parties not specially called may appear and plead at the services of such brieves by objecting or Exceptions upon what they can instantly verify against the Brieves and Executions thereof. The pleadable Brieves are, brieves of Mo = linesty for serving heirs in Brieves of Pupillarity for serving = tors of law to Pupils, and brieves of Idiotry and furiosity for serving tutors of law to Idiots and furious persons. Whereupon = vices expeded by the Judge Ordinary are returned to the Chancery where they are Recorded, and extracts thereof given out = led Retours.

Brieves not Retoured, are Directed to Sheriffs &c. to hear and Determine upon filing of parties specially, thence called pleadable Brieves. The none of the parties filed appear, they are not Reckoned Contumacious; nor do Executorials by horning and poinding follow upon what the Judge Determines as in other Decreets. The pleadable Brieves are Brieves of Service, brieves of Division, Brieves of Lining, and brieves of perambulation.

All which brieves are served before the Sheriff or other ordinary Judge by Inquisition, and come not before the Session in the first instance. And the they may be advocated where the Ordinary Judge is Concerned in the cause or too Near Relation to one of the parties, or at Enmity with him: Yet they must be Remitted to other Ordinary Judges in their place and

As brieves for serving heirs, and brieves of Idiotry use to be Remitted to the Macers, and assessors joyned to them for their assistance in case of Difficulty. But now for the more Expedition, all Commonties not belonging to the King in property, or to Royal Burrows in Burgage, may be Divided by the Lords of Session upon a summons before them Act 38 Sess. 5 Parl. K. W.

The Director of the Chancery (22 January 1669 Collector of the Gaselion contra Director of the Chancery 23 Feb. 1687 College of Justice contra Town of Edinburgh) his Depute, and two Clerks of Chancery (Coram ou inter Esquires) are Members of the College of Justice. For the Chancery and Writers in that office Depend Immediately and Chiefly upon the Lords of Session, who Issue orders to it from time to time to give out precepts to Superiors Sheriffs, Bailies, for Infefting persons.

Tit. 2.

Offices of the Seals.

The Publick Seals in Scotland are the Signet, the Great Seal, the Quarter Seal, and the privy Seal.

Sect. 1.

The Signet.

Summons for Citing persons before the Lords of Session, letters of horning, Caption, Publication, arrestment and other personal or Real Diligence, Signatures, and precepts, passed the Kings Signet, Sent by the Secretary of State for Scotland, in Virtue of his office, who Commits the Custody and care thereof to his Servants.

All that ordinarily passeth the signet is written and Subscribed by persons thence called writers or Clerks to the Signet. All Letters Under the signet Consisting of More sheets than one (except only Summonds) must be Subscribed by Writers to the signet upon the Margin at the Juncture of the sheets. Act of Sess. 6 July 1691 = Writers to the signet only can be Clerks to services Expede before the Macers. They draw personal rights and Securities as well as other writers, with this Distinction, that the latter get for their pains only two parts of the Rates allowed to the former, Act of Regnt. 1672 Concerning the Session Art. 33. Writers to the Signet have Dropping