

Committed than the Rest of the Judges 24 January 1675 *Mun*
 contra Maxwell but must be justified against *Pradosi* *varia*
 and allowed the Common *vidua* *Legales* *glia* is a *Porter* for
 the *Signet* in *judging* *his* *then* was not obliged *summarily* to *decide*
 upon a *petition* about *his* *having* of *writs* to *be* *longer* to *the* *place*
 = *toner*, who *could* not *say* that *he* *whof* *salk* *was* *braved* *had*
hgh *writs* *from* *him* *Rathone* *officij*, or *ada* *bruttee*, 2 July 1708
Jempe *contra* *Bunninghame*.

Chap. 3.

The form of process before the Sessions.

The Sessions is one of the Most August Decent and
 dourly judicial in Europe. Where our Kings often sat in
 person. The Method of proceeding is or of doing business before
 it, is called The Form of Process, Answering to *Magis* *his*
 = *ria*, *Arbitra* *Teri*, the Practice of Courts, in other places.
 John Leslie Bishop of Cash Co. org. & Monibus *Scalabit*
 Cap. d. Magistrali *Says* *of* *it*: *Duo* *habe* *formaque* *re* *que*
 = *claris*, *omnibus* *re* *ful* *lam* *Oppos* *tuna*, *tem* *Alit* *pl*
 = *lam* *He* *ceparia*, *ut* *omnibus* *Re* *quis* *Ord* *in* *um* *g* *o* *sp* *re* *pl*
 = *Vigat*; *et* *quand* *in* *re* *publica*, *et* *al* *Vigabit* *g* *re* *pl* *o*
 The State of our form of process hath by the long Experience of
 Now more than 200 Year been from time to time improved
 and perfected from all Matters of fancied Inconvenience as
 much as possible, that it is at present, more accurate, did
 = *strict* *Expeditious* *safe* *and* *Discretable*, than the *practice*
 = *Ante* *and* *orders* *of* *any* *other* *foreign* *court* *that* *has* *ever*
 = *fallen* *within* *the* *Compass* *of* *My* *observation* *or* *Reading*
 = *and* *I* *have* *perused* *Wofe* *of* *the* *best* *Not* *in* *Europe*. *I* *had*
 = *give* *a* *General* *View* *of* *the* *Excellent* *and* *strict* *and* *order* *of*
 = *Judicial* *Proceedings* *before* *of* *England* *to* *a* *particular* *and*
 = *scripture* *or* *Minute* *detail* *of* *Circumstances*.

That Justice may be administered without the need
 of persons causes are heard according to the order of the
 = *one* *of* *any* *of* *the* *Power* *or* *Authority* *to* *be* *exercis*
 = *ed* *by* *Anticipation* *out* *of* *its* *due* *place*, the *prosecutors*
 = *Advocate* *may* *Refuse* *to* *assist*, or the *Defendant* *with* *Advocate*
 = *to* *answer*, and the *Neither* *of* *these* *should* *be* *objects* *of* *any*
 = *Other* *Anterior* *in* *the* *Roll* *are* *thereby* *Injured*, the
 = *Clarks* *are* *prohibited* *to* *put* *upon* *any* *such* *process*
 = *called* *out* *of* *its* *due* *course*, or *to* *subvert* *an* *order* *of*
 = *Deer* *roll* *there* *upon* *Act* *of* *Regul* *1672* *Concerning* *the*
 = *off* *for*

Session art. 12.

Persons who have to do before this court have little
 ground to fear harm by the great proceeding either in the
 = *parties*, or in the *Management* *of* *process*, or in the *Judges*, who
 = *are* *all* *sufficiently* *restrained* *from* *Debauching* *and* *Unfair*
 = *Dealing*. *Parties* *are* *bound* *to* *good* *behaviour* *one* *toward* *the*
 = *Other*. *Not* *if* *the* *prosecutor* *or* *Defendant* *in* *any* *action* *stay* *Words*
 = *or* *swear* *the* *Other* *party*, to *as* *he* *may* *be* *Criminally* *per*
 = *jured* *for* *it*, or *be* *Whit* *and* *swear* *by* *advising* *to* *Commit* *such*
 = *an* *offence* *at* *any* *time* *from* *Executing* *the* *summons*, till *the*
 = *final* *Execution* *of* *the* *Process*; the *quilty* *person* *Cap* *the*
 = *plea* *and* *sentence* *should* *be* *given* *in* *presence* *of* *the* *party*
 = *interested*, upon *trial* *of* *the* *Charge* *and* *Verdict* *with* *but* *five*
 = *Days* *Delaying* *into* *the* *cause* *or* *the* *grounds* *of* *displeasure*
 = *Act* *13th* *Ch. 8* *Act* *219* *Act* *14* *S. 6.*

Distressing Delays and Grievances by either of the
 = *parties* *in* *process* *is* *reduced* *and* *has* *been* *by* *the* *inflicting*
 = *of* *penal* *ties* *Act* *of* *Edw* *6* *Statute* *1711* *which* *has* *been* *made*
 = *and* *by* *the* *Statute* *in* *the* *Statute* *Book* *1711* *which* *has* *been* *made*
 = *Act* *1717* *and* *best* *of* *the* *Statute* *Book* *1717*, the *ordinary*
 = *before* *whom* *any* *cause* *is* *depending* *may* *in* *any* *step* *of*
 = *the* *process* *order* *expensive* *to* *be* *paid* *by* *either* *of* *the*
 = *parties* *whom* *he* *finds* *distressing* *or* *delaying* *Act* *of* *Edw*
 = *31* *Decem* *1725* *87*. *The* *Advocate* *Book* *Report* *or* *other* *of*
 = *must* *in* *the* *Session* *tripping* *in* *Walter* *Committee* *the*
 = *also* *to* *be* *fined* *and* *otherwise* *punished* *according* *to*
 = *the* *Degree* *of* *his* *offence* *without* *Mercy*. *Ye* *Advocates*
 = *using* *indecent* *or* *disrespectful* *expressions* *in* *papers*
 = *drawn* *up* *by* *them* *are* *to* *be* *debarred* *from* *the* *Exercise* *of*
 = *their* *office* *for* *a* *time*, or *farther* *punished* *as* *the* *Lords*
 = *see* *in* *the* *Act* *of* *Edw* *31* *July* *1709*.

As the several Judicial Bench, Courts and Sessions
 = *to* *which* *any* *Material* *Cause* *is* *liable* *before* *it* *is* *finally*
 = *Determined* *in* *the* *Session*, will not suffer any Indifferent
 = *person* *to* *think* *easily*, that *Matters* *will* *go* *forward* *there*
 = *through* *ignorance* *of* *the* *Judges*: So *there* *is* *as* *little* *Reason*
 = *to* *suppose* *that* *they* *can* *show* *them* *selves* *partial*
 = *in* *cases* *before* *them*. *For* *the* *Laws* *and* *Acts* *of* *Parliament*
 = *against* *giving* *partial* *Counsel* *or* *taking* *bribes*, *the*
 = *great* *Number* *of* *the* *clerk*, *their* *having* *Right* *to* *their*
 = *places*