

and to observe the instructions given them by the Royal Burrows Under severe penalties. The Burrows have agreed Many privileges at the staple port which are contained in a Contract betwixt the Convention and the Magistrates of Campvere. The Conservator of the Scots privileges at Campvere hath Jurisdiction to Judge with him or at least four honest Merchants with him in Matters of trade or other Differences betwixt Merchant and Merchant beyond seas act 61 Parl. 6 J. 4. This None but burghers foremen of burghs Royal can trade to the staple port the 97 Parl. 6 J. 4. The less they have the Benefit of the Communication of trade from the Royal Burrows. They have sent upon occasion Commissioners from the whole body into France England Denmark and Poland to Negociate Matters relating to their body, to Complain of Grievances and the like.

UPON the whole the Convention have ever since their first Constitution, Decided burgher Differences betwixt Magistrates and Citizens and betwixt distinct Burghs; have regulated the Method of Elections of Magistrates and Councils; fined Delinquents of their Decrees; tried the Misdoemours of the Conservator and factious Abuses appointed Committees of their own Number to Visit Enquire into and Report the state of Particular Burghs, as to their Realms Capital Aents and Revenues, their trade and shipping, their harbours and built works, the Condition of their houses, and the Management of their Common stock. They are Judges in Making their Rent Roll, and laying on such proportions as they think fit upon each Burgh: Conform to which Particular Burghs must pay their Missions. Their Sentences and Decrees Receive Summary Execution by burning and other diligences Act 119 Parl. 7 act 61 Parl. 6 J. 4. And by the Treaty of Union (Art. 21) the Rights and Privileges of the Royal Burrows in Scotland are preserved in as ample manner as words can Express.

but

sect. 6.

Of Justices of peace & their Courts.

bid. vol. 1. pag. 740. 746. 1318. vol. 2. pag. 744 & 749. 267 & 749. 712. 991.

sect. 7.

Of Commissioners & their Courts.

The Bishops of Scotland in time of Popery had both a Spiritual and Civil Jurisdiction within their own Dioceses. Each had his official who judged in all Matters of Litch, Divorce, Bastardy, Testaments, and Causes of Minor Orphan and poor Widows, called therefore judges of the Court of Officials. At the Reformation Commissioners came in the Room of Officials, and their ^{jurisdictions} were termed Commissariats. In Anno 1563 Queen Mary did Institute a Commissary Court at Edinburgh, Consisting of four Commissioners Named by her self called Judges Regij by a Gift of the Canon following.

Maria Dei Gratia Regina scotorum, omnibus Prohibere munitur fuit, ad quos presentibus litteris. Porrovenit, salutem. NOVERITIS, quod ubi palam constat ob Oppositionem seu Absentiam Ecclesiasticarum Jurisdictionis Officialium & Commissariariorum intra hoc Nostrum Regnum, omnes Actiones & causas Beneficentiales Cognoscendi & in Consistoriis Decidendi Antea in infirmis, per longam Justitie Delationem se dampnificata Existerunt, magna in a parte Nostrorum Subditorum quod ipsi quae dictas Actiones Occurrentes habent, Moribus, Existentia promptitudinem aliquam ad proseguendum habent Multimodis per Carontiam ordinis. Quisom postpositi Existunt: Et nos Jugens Gravamen aut populi Nostrum lesionem per hujusmodi Accipimus, ac illas Accipimus Volentes eos inde Relevare, Nos non per provisionem viam in hujusmodi locum Vulgo Roma, bonam quendam Ordinem Stabilire, sic quod