with David Makgill for executing the office of his majes­ty’s advocate ; and in 1590 he was associated with Colonel Stewart in an embassy to some of the princes of Germany.@@1 During the same year he was employed on an embassy to the States-General.@@3 In 1592 an act of parliament author­ized the chancellor, assisted by other commissioners, of whom Skene was one, to institute a general examination of the municipal laws, to consider what laws and acts should be known to the king’s subjects, and to take the necessary steps for printing them.@@’ The most laborious part of this undertaking devolved upon Skene ; and after an interval of five years, he published “ The Lawes and Actes of Par­liament maid be King lames the First and his Svccessovrs, Kinges of Scotland : visied, collected, and extracted furth of the Register.” Edinb. 15 Martii A.D. 1597, fol. Ac­cording to our present mode of reckoning, the book was published in the year 1598. With a separate title, it in­cludes a treatise “ De Verborum Significatione. The Ex­position of the Termes and difficill Wordes, conteined in the fovre bvikes of Regiam Majestatem, and vthers, in the Actes of Parliament, Infertments, aud vsed in practicque of this Realme, with diuerse rules and common places, or principalles of the Lawes : collected and exponed be M. lohn Skene, Clerke of our Soveraine Lordis Register, Councell, and Rolles.”

In September 1594 he had been appointed to the office of Clerk Register, in the room of Alexander Hay of Easter Kennet, whom he also succeeded as one of the Judges of the Court of Session. He was admitted on the 30th of November. For his preferment he is said to have been in­debted to the influence of Walter Stewart, prior of Blan- tyre, who had married a sister of Skene’s wife, Helen the daughter of Sir James Somerville of Cambusnethan. In 1596 he was nominated one of the commissioners of the exchequer, commonly described as the Octavians ; but be­ing viewed by the people as a dangerous junto, they re­linquished their office in the course of the following year. In 1604 he was associated with other commissioners for discussing the terms of a union between the two king­doms.

About the beginning of the year 1607 he had prepared another work for the press ; and “ the meanness of his estaite and fortune not answerand to his witt, ingyne, and literature,” the privy council, after having examined it, ad­dressed a letter to the king, requesting him to provide the means for its publication.@@1 His manuscript was afterwards presented to parliament, and having been highly approved, was ordered to be printed. With the view of defraying the expense, and procuring some remuneration to the editor, a sum of money was ordered to be paid by the sherifls, bailies, stewards, and other judges, and likewise by the prelates, earls, lords, and boroughs of the kingdom. A commission was appointed for the purpose of fixing the rate of the dif­ferent contributions. James Carmichael, minister of Had­dington, was selected as the fittest person for correcting the press; and on the 13th of October 1608, the privy council requested the presbytery to grant him leave of ab­sence for the period of about two months.@@4 This period must however have been too short for correcting one half of the work. It was at length published, under the title of “Regiam Majestatem. Scotiæ veteres Leges et Constituti­ones, ex Archivis publicis et antiquis libris manuscriptis collecte, recognite, et notis juris civilis, canonici, Nort-

mannici auctoritate confirmatis illustrate,”&c. Edinb. 1609, fol. A Scotish translation speedily followed : “ Regiam Majestatem. The avld Lawes and Constitvtions of Scot­land, &c., translated out of Latine in Scottish language, to the vse and knawledge of all the subjects within this Realme, with ane large table of the contents therof, be Sr John Skene of Curriehill, Clerk of our Soveraigne Lordis Register, Counsell, and Rollis. Qvherevnto are adjoined twa Treatises, the ane anent the Order of Proces observed before the Lords of Counsel) and Session ; the other of Crimes, and Judges in Criminal Causes.” Edinb. 1609. fol.

The labours of Sir John Skene were highly valued by his contemporaries, who must have found them useful at a period when so little had been effected for illustrating either the principles or the history of our law. It is not however to be concealed that his publications are deficient in critical accuracy, and even in editorial fidelity. It is well known that the treatise “ De Legibus et Consuetu­dinibus Regni Angliæ,” commonly ascribed to Glanville, was at an early period adopted in Scotland, with a few changes and modifications ; and that, under this new form, it bears the title of *Begiam Majestatem,* from the initial words of the prologue. Ranulph Glanville was chief jus­tice of England during the reign of Henry the Second, and he still retained his office when Richard succeeded to the throne.@@6 Sir Mathew Hale has remarked that although it perhaps was not written by him, yet it seems to have been wholly written at that time.@@7 According to the title of the book, it was composed in the time of Henry the Second, “justiciæ gubernacula tenente illustri viro Ranulpho de Glanvilla ;” an inscription which by no means de­scribes the chief justice as the author. From these words, says Lord Lyttelton, I infer that the book was not written by Glanville himself, “but by some clergyman, under his direc­tion and care ; I say clergyman, because it is written in La­tin, which could hardly be done but by a clergyman of that age.”@@8 Sir Thomas Craig easily discerned that the original work was not Scotish but English.@@9 Skene was however anxious to exhibit *Begiam Majestatem* as the original, and to represent it as having been composed and divulged by the authority of David the First, who closed his reign in the year 1153. From what manuscripts he derived his text, he has not thought proper to specify ; but several are to be found which contain a reference to Glanville by name. Henry, under whom he acted as chief justice, did not be­gin his reign till the year 1154. Lord Cromarty’s MS. contains references to the gloss on the Decretals of Gre­gory IX. and to the Decretals of Boniface VIII.@@10 The pontificate of Gregory extended from 1227 to 1241 ; that of Boniface from 1294 to 1303. It is sufficiently evident that a writer in the reign of David could not quote such authorities. Of this circumstance Skene was sufficiently aware ; and the passages which refer to Glanville and the canon law are silently excluded from his edition. This is not merely a defect in literary accuracy ; it is a want of that ordinary fidelity which every editor is bound to exercise. If he had excluded such passages from the text, and stated in the notes his reasons for rejecting them as spurious, his conduct would not have been liable to censure.

Having reached an advanced age, he became anxious to secure for his eldest son James the office of Clerk Re-

@@@ Moysie's Memoirs of the Affaire of Scotland, p. 84. Edinb. 1830, 4to.

@@@’ Maidment's Analecta Scotica, vol. i. p. 51.

@@@∙ Acts of the Parliaments of Scotland, vol. iii. p. 564.

@@@4 Brunton and Haig's Historical Account of the Senators of the College of Justice, p. 232.

@@@• M,Crie's Life of Melville, vol. ii. p, 318.

@@@\* See Sir Francis Palgrave's Introduction to the Rotuli Curi® Regis, p xxxix.

@@@^ Hale's History of the Common Law of England, p. 138.

@@@, Lyttelton’s Hist, of Henry II. vol. ii. p. 267.

@@@’ Cragii Jus Feudale, p. 51.

@@@10 See Lord Hailes’s Examination of some of the Arguments for the high Antiquity of Regiam Majestatem, p. 7. Edinb 1769, 4 to.