

1677. *January.* ANENT DEPREDACTIONS BY HIGHLANDERS.

WHERE depredations are made by the Highlanders, (for whom the clans are caution,) if intimation be duly made at such and such places by a notary, and instruments, then Major Grant and the heads of the clans are bound to refund the damage; and his pension forth of the treasury, for keeping these countries peaceable. may be arrested for the same, though commonly pensions are not arrestable.

*Advocates' MS. No. 528, § 8, folio 272.*

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1677. *January.* ANENT THE CALLING OF THE ROLL.

THE Lords at this time by their act renewed that part of the act of Parliament, and regulations about the calling of the roll, and what is not brought to an act or decret to-day, that it may be marked and called to-morrow; and in case the pursuer insist not the second time, then to delete it; and not to be heard again, till it be of new enrolled, and come in behind all that is before it in the book of enrolment. By which rule, if observed, they sweep clean before them. But it was made for the weak Lords; because many pursuers shunned to insist before them. *Vide* this renewed 1st November, 1677, No. 644.

*Advocates' MS. No. 529, folio 272.*

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1677. *January.* ANENT THE ADVOCATES' ROOM.

SIR ANDREW BIRNY, and some of the conformist advocates, having made an act to seclude noblemen, and all other persons whatsoever, from entering into the Advocates' room and walk, much umbrage and discontent was taken thereat; as I have marked in my session occurrents, 2d January, 1677. The reason of this act was because they drew up only with the late entered Advocates, and discountenanced the conformist ones; for which cause, the President, &c. caused make the said act for excluding them. The Earls of Dalhousie, Home, &c. with the Lord Forrester, came one day and required leave to enter; and the keeper refusing, they took instruments in the hands of two notaries they had brought with them. Whereon they gave in a complaint to the Secret Council, founded on their peerage, and that they had ever been in possession of it, and that their business might suffer else.

The Secret Council after some heat referred it to the session, who called the parties next day. Sir G. M'Keinzie alleged they were so crowded with throngs, that it was the lieges' interest not to come in and disturb those who were met there only to do their business, and that he had seen the Earl of Crawford kept at the door; and that during Sir G. Lockhart's own government, there was an act for seclusion of all but Advocates made. Sir G. ANSWERED, there was no such act in the books, nor could be shewn. M'K. REPLIED, it was a part of his arbitrary tyranny, if it was not recorded. This and some other harsh expressions Mr George Bannerman