

for not producing of it; that is, protests that he heard further obliged to answer in the Division and that the cause be committed and sent back to the Judge from whom it was brought to be tried; which protestation and Remit the ordinary grants, and returns the Answer of the Bill of Divorcement to pay 15 pound to the other party Act of Teden 4 July 1661 which is called protestation Money. If the Bill of Divorcement be produced, the ordinary ordains the parties to see and enter change and be ready at the next Calling, after which the cause goes on as if it had come in before the ordinary of the other though by the course of the Roll.

### Specialties in a Bill of Suspension.

A Bill of Suspension shews, that such a person claimed a Decree, and by Virtue of it that of having received or to be raised Charge, or intends to Charge the Complainer, most wrongfully and unjustly for Reasons mentioned in the Bill; and therefore craves, that the Lords would suspend all Execution on the for said Decree; never the less the Complainer offers caution to pay the Charge in case the Lords at Disputing the Reasons find that he ought so to do, or he offers to Resign what is Demanded of him.

There is no suspending of Diligence for proof before sentence Act 4 July 1672 & 36. Nor will Suspension of Execution be granted upon Arrestment and on Arrest Extracting, whether the Arrestment proceed on a Decree or depending Action, except by way of Double pointing, that both the Creditor and arrestor may be called Act of Teden 1 Feb. 1677. The ordinary on the third may suspend all Decrees of Superior Courts, except that of the High Admiralty; and even suspend Decrees of Sessions appointed in absence of the Deftender. But Bills of Importance can be passed only by a Quorum of the Lords in term time, is the time of Session or by three Lords met together during the Vacations. Such Bills of Importance are 1<sup>o</sup> those for suspending decrees in foro before the Lords, 2<sup>o</sup> those for professor protestations, Act of Regule 1672 concerning the Session Act 19. Nor are such Decrees in foro to be suspended upon Reasons coincident with Defences proposed and rejected, or Compelled and omitted in the Decree. For Understanding what decrees were to be suspended

suspended are in foro, and what are second kind or professor protestations, All kinds of the Bills get a double of the Minute Book of those from the Receiver thereof, Act of Regule 1672 ibidem. Suspension of a Decree in foro having pass in the Vacation time by one ordinary, was found that as the warrantably pass, and the letters found orderly proceeded without from knowing the Reasons of Suspension 25 January 1692 ibidem contra. 2<sup>o</sup> Decrees of the High Court of Admiralty Act 16 Parl. 3 Ch. 2 or Bills of Suspension proposed by a former ordinary in his week, or new Bills on the same ground Acts of Teden Feb. 1675 & 9 Feb. 1680 or 18. As suspending the Kings Annuity, or Decree 6 Decemb. 1677 can be passed only by a Quorum of the Lords in term time, or by three Lords met together during the Vacations. Suspension should not pass in the Vacation of a Charge given in time of Session, but only of a Charge given in the Vacations, for which effect a Copy of the Charge should be produced, and the production shall taken upon the solemnity thereof Act 4 July 1672 & 16 verb. lastly.

Some Bills of Suspension may be passed upon the suspender finding caution; others can be passed only upon his consigning the sum charged for. A Suspension against a Minister of a Charge for the Debt of his Benefice, or Stipend contained in a special Decree, or Suspension against an University, College, School or Hospital of any Charge for their Debts in special Decrees, cannot pass except upon production of the Charge, or upon Consignation of the sum charged for, or 100 Mark for each Chalice. A special Charge for a Charge proportionally if the Charge be for less, without production of a higher Charge or Lower Modification a Discharge Act 6 Parl. 2 Sept. 1 Ch. 2 Act 27 Sept. 5 June. Act 19 Sept. 6 Parl. 4<sup>o</sup> W. No Suspension can pass of any Charge for sum lent by or to the Bank of Scotland, but upon Discharge or Consignation of the sum charged for, Act of Parliament 17 July 1695 which is not suspended in the printed Collection of the Statutes of Scotland. Protestations are suspended only upon Consignation in the Case of the Clerk of the Bills of eight pound where the sum charged for is 100 Shards, and often pound if above 100 Merks or not liquid Act of Teden 4 July 1661. Because these Suspensions of protestations do more easily pass