

on a waivering the Against B. per C. Albert protestation be put up after Year and Day, yet if there was a former put up within the Year, that the second will hinder sleeping. When a protestation is not found or stopped, the Keeper of the Minute Book writeth upon the Notice Copy formerly given to the Clerk by the Praver of the Protestation: such a day given out to be Extracted, and signs the same, which is a warrant for Extracting the Protestations. 3^d The Extracting of Protestation is done by producing the principals Advocation, or an Extract there of out of the signet office; when the principal letter of Advocation are left. But a Copy or Alleged doubles of the same cannot be held for a principal by the Keeper of the Minute Book or the Clerk, but the other party must conform thereto, that would sift up the secretaries dues for Extracts out of the signet, but of Dec. 30 Novemb. 1692. 4th The warrant for Extracting a Protestation be subscribed, yet Extracting may be stopped by production of the Advocation to the Praver while the warrant is in his hand; or to the Clerk of the Extractor Employed when it comes to his hand; upon Confining the Expence of taking out the Warrant, and satisfying the Extractor for his pains. The Expence of Extracting the protestation itself must also be Confounded, if the same was paid to the Extractor of the Clerk's dues before offering the Advocation to the Clerk or Extractor. After Protestation is stopped by producing the principal Advocation, the Keeper of the Minute Book should write on the Back thereof thus: produced per D. (Advocate for the Praver of the Protestation) to E. (Advocate for the purpose of the principal cause whose name was entered in the Minute Book at putting up the Protestation) to which is subjoined the Clerk's March as in the Minute Book, and the date of the Protestation. The Clerk who puts up the Protestation becomes thereby Clerk to the process, and March his name on the Back of the Letters or signet Extract there of, and words on the Warrant as following, thus: such a day after Called D. to E. per which calling is of the same date with that of the Protestation in the Minute Book. 5th Directed by the Keeper thereof upon the Letters

Letters or Extracts

The Advocation being produced to the Advocate for the purpose in the principal cause; who is Advocate for the Defendants in the Advocation; he after taking a Note of the Reasons of Advocation gives him the principal process to the other parties Advocate to be seen, and there with Returns the Advocation, and Every particular of the said writs are expressed in the out going signed by him. Which process being seen and Returned, as before observed in the case of ordinary Actions, is upon the next or any subsequent Saturday Entered in the Book of Inrolment of Advocations and suppressions Conform to the date of the Return; and the date of the Inrolment Marked on the writ Containing the out going and Return.

All falling of the cause in the course of the Roll before the Ordinary in the outer house; if the principal process be not produced, the Advocate producing his Advocation, may get the cause to be Advocated till the principal process be produced. Which Interim Interlocutor saith that cause before that ordinary, but with little other Effect, seeing it is taken off when ever the principal process is produced; or the Advocate may crave the Advocation to be forced out off the Roll, which is never Refused, and obligeth the other party to provide do Novo before he can resist. If at falling the praver produce his process, and the Advocation be not produced, the praver may get a protestation and Remit of course, whether the Reasons of Advocation be relevant and Justified or Not. Which, called a Judicial protestation is a kind of Decree of a Judge and may be Extracted within 24 hours from the Reading thereof in the Minute Book, Running in the same Style and having the same Effect as the former, the warrant of that is a Signature under the hand of the Keeper of the Minute Book, and this is Authorized by the Ordinaries Interlocutor. After which Judicial protestation unless the cause be again called by the ordinary and the Advocation produced the same week, it cannot be taken in by the Clerk or the party in more Reproved, without paying to the Reverse party, or to the Clerk for his behoof ten shillings Sterling, and the Clerk writing upon the process bill that sum be paid is liable in the Double Act of Dec. 1 January 1703.

When both parties produce, the purpose of the principal cause repeats his libel, and all the steps of