

- No 1.** they being convened, the just and necessary cause of the stent ought to be signified to them, and that the common-good is not able to defray the same, being otherways exhausted; and for that effect, that the Town's books be made patent, that thereby it may appear how the common-good is employed; and that the stent masters are to be elected by the Town Council, but their names to be intimated to the whole burgesses and neighbours, that they may be heard to propone any just exception against them, and that the stent roll be made known to all, that every one may know his proportion thereof.

*Gilmour, No 92. p. 70.*

**No 2.**  
Stent for the  
charges of  
Commission-  
ers in Parlia-  
ment.

1665. *February 7.* LYON of Muiresk *against* HERITORS of the SHIRE.

LYON of Muiresk, having been Commissioner in the Parliament 1648, did, by virtue of the act of Parliament 1661, allowing Commissioners' charges, to those who served in Parliament 1648, who adhered to the engagement, charges the Heritors of the Shire to meet, and stent; and there being a stent made, conform to the valuation, he charges thereupon. Some of the Heritors suspend; and *allege*, That they were not charged to meet, and so the stent roll is null; *2do*, That it is not instructed, that the charger attended all the days in the Parliament; *3tio*, That the roll ought to be made according to the retour, and not to the valuation, conform to the custom before the troubles.

THE LORDS found, That seeing the Heritors who met, expressed in the stent roll, that all the Heritors were charged; that it was sufficient though the executions against each one of them were not now produced; and because the sederunts of the Parliament 1648 were not to be found, they found he had right to the whole charges during the Parliament, unless for such time, as they shall prove by his oath, that he was absent; but found, that the stent roll ought to be according to the retour, and not to the valuation.

*Stair, v. I. p. 266.*

**No 3.**  
Who liable  
for the tax of  
maintenance?

1665. *July 27.* ADAM RAE *against* HERITORS of CLACKMANNAN.

UMQUHLE Colonel Rae, having advanced victual to the army, at Leith, *in anno* 1650, and gotten an assignation to the maintenance of August and September, from Sir John Smith, then General Commissary; in satisfaction thereof, pursues the Heritors of Clackmannan for their proportions; who *alleged*, That by their quartering of the King's army, their whole rents, *anno* 1650, were exhausted. It was *answered*, That it was notour, that the exhausting was after the battle of Dunbar, which was upon the 3d of September 1650, and so