

advocate before the same court; and that it had been refused to Mr James Graham, when he was clerk to the bills. The Lords resolved to consider farther anent it, in regard he represented that Blackness was to exerce as clerk. But he still continued *in titulo*, and had right to the half of the profits, and might enhance, monopolize, and thirle much of the employment of suspensions and advocations to himself; and yet it was not doubted but before the Privy Council, Commission of Teinds, or any other judicatory, except the Session, one of their clerks might plead as an advocate; and he offered to restrict himself to ordinary actions, and not to meddle with bills of suspension and advocacy.

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1697. *February 27.*—We observed *supra*, 19th November 1696, that Sir Alexander Anstruther was dealing to officiate both as clerk to the bills and as an advocate, (at which the Lords connived without giving any allowance or approbation.) He now transacts his office, and makes over the right of it to Mr William Thomson and John Inglis, two Writers to the Signet, who reimburse him of the money he gave out for it: But the other writers threaten to deprive them; in regard, by acts of their calling, they must accept of no other office during their exercising as writers, and that thir were incompatible places; and it might be prejudicial to the rest by their enhancing and monopolizing all the employment. To this they ANSWERED,—They were content to renounce the writing of any suspensions or advocations; but it were hard to deprive them *quoad* expeding signatures at Exchequer, of being clerks to services, and the like, seeing they are willing to be restricted in manner foresaid. *Vol. I. Page 772.*

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1697. *July 11.* ELPHISTON *against* CREDITORS of SIR WILLIAM and ANDREW DICK.

MR James Elphiston, Writer to the Signet, having acquired a wadset on the lands of Craighouse, and resolving to reside there in summer; but the mansion and office-houses being very ruinous and decayed, he applies by a bill to the Lords, craving they may nominate some of their number to visit the place, and call for tradesmen, and see, by their advice, what sum will be necessary for repairing the houses, and putting them in a habitable condition. The creditors of Sir William and Andrew Dicks appeared, and craved, since this was to be a burden and eik to the reversion, he might, in the first place, expend the £10 sterling they have hitherto got of yearly rent for the house, park, and yards; and that it be not bestowed upon voluptuary reparations, for pleasure or conveniency, but only for what is absolutely necessary to keep the houses up; else they would not answer *hoc loco* till they were called *via ordinaria* in a process; which would be a vast expense, they being so numerous and dispersed *per omnes regni angulos*. Yet the Lords named two of their number to visit and report, and withal to hear the creditors on their interest and prejudice; seeing, if the buildings decay, the lands will give the less price when exposed to sale.

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