

## S E C T. X.

Act 20th Geo. II. Cap. 20.

1748. *January 23.* The EARL OF FINDLATER, Supplicant:

IT is statued by an act 20th Geo. II. that any person who continued loyal during the late rebellion, and whose house had been invaded by the rebels, and his writs and evidents, or any part thereof, carried off or destroyed, might, on or before the 20th July 1747, apply by petition to the Court of Session; and the said application being published in the manner directed by the act, might bring proof of the allegiance; which being found, and the procedure recorded, no claim of debt, to be brought against the petitioner or his heirs after the 15th of November 1748, should be sustained, unless resting owing were referred to their oath.

The Earl of Findlater applied, and having proved his allegiance, was found entitled to the benefit of this act. See JURISDICTION.

*Fol. Dic. v. 3. p. 236. D. Falconer, v. 1. No 230. p. 318.*

No 75.

## S E C T. XI.

Act 20th Geo. II. Cap. 41.

1756. *July 28.* LEITH of Freefield *against* His MAJESTY'S ADVOCATE.

DURING the late rebellion, John Gordon of Glenbucket, accompanied by other rebels, invaded the house of the pursuer, a loyal person, and plundered it, carrying away with him goods and effects to the value of L. 180. This happened posterior to the 24th June 1745.

After the attainder of Glenbucket, the pursuer entered his claim in terms of the vesting act; and *pleaded*, That, had there been no forfeiture, his claim would have been unquestionably good against Glenbucket and his heirs; and therefore, as that act anxiously provides for the relief of all the lawful creditors of the forfeiting person, the pursuer's claim ought to be sustained.

No 76.

A loyal person, from whom a rebel carried away goods during the rebellion, found to have no claim for the value of these goods out of the rebel's effects belonging to the Crown.