

1612. *January 18.* ARCHBISHOP of ST ANDREWS *against* LORD ROXBURGH.

No 56.

A WARNING to remove upon sixty days against a person, being furth of the country, at his dwelling-place, ground of the lands and parish-kirk where the same lies, was found sufficiently done by the warner's own precept, albeit he had neither warrant of the LORDS by their letters, nor made any publication at the market-cross, or shore and pier of Leith.

Fol. Dic. v. 2. p. 337. Haddington, MS. No 2335.

1612. *June 16.* HOME *against* HOME.

No 57.

THE heritor may charge summarily for the manor-place after the liferenter's decease, without any warning.

Fol. Dic. v. 2. p. 335. Haddington.

* * * This case is No 2. p. 9627, *voce* PART and PERTINENT.

1613. *July 2.* FORBES *against* FORBES.

No 58.

IN an action of ejection pursued by John Forbes of Blackton *contra* Robert Forbes, Prior of Monymusk, the LORDS repelled an exception founded upon voluntary removing, and certain deeds qualified to infer the same, such as delivery of the plenishing of the house, selling a part of the corn being upon the lands, transporting of the rest to a room called ———, selling of the oxen that laboured the land, familiar haunting of the house of Tullich, out of the which the pursuer's father was ejected, and that his father nominated the defender overseer to his son in his testament.

Kerse, MS. fol. 191.

1622. *January 12.* The LADY KINCAID *against* ———.

No 59.

THE Lady Kincaid, liferenter of the lands of ———, in which lands she was infest by her umquhile husband, and from the possession whereof she was debarred by the liferent right, standing in the person of ———, her mother-in-law, who bruiked the same by her liferent thereof, so long as she lived after the decease of the said mother-in-law, she charges by a summons two persons who had entered to the possession of the houses and lands liferented, as said is,

A liferenter, after the decease of a former liferenter, has the same privilege with a fiar of summary removing.