

1630. *July 19.* NISBET *against* The LADY ABERCORN.

A CREDITOR using diligence against his debtor, rebel, before a declarator be sought of the rebel's escheat, preferred to the donatar.

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1630. *July 22.* WILLIAM OLIPHANT *against* The EARL of MARISHALL.

MR William Oliphant charges the Earl of Marishall to content and pay to him an annualrent of fifty bolls victual, by virtue of an heritable bond whereby the said Earl was obliged to infest the said William in certain lands of Strabrick, under reversion of 2500 merks. He charges for divers years since the date of the bond, which was *in anno* 1617. The Earl suspends, upon this reason, That the said Mr William was never in possession of the said victual, and is content to pay him ten for the hundred. The Lords ordain him to pay ten for the hundred of the byruns.

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1630. *July 22.* BROWN *against* NISBET.

UMQUHILE Kellie, clerk of Dumbar, his prothocoll was produced before the Lords to verify a transumpt of a seasine produced in an action betwixt Brown and Nisbet. In the which prothocoll, a great deal of the seasines were subscribed by the clerk: and many were not subscribed by him, but written with his servants' hand; amongst the which, the seasine quarrelled was one. Yet, because it was in the midst of the prothocoll book, and no suspicion of falset could be perceived, the transumpt was sustained, because it was offered also to be proven, by witnesses inserted in the seasine, that the same was truly given.

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1630. *November 12.* LAIRD LIMPIDLAW *against* MR JAMES AIKENHEAD.

THE legal reversion expires after seven years from the date of the comprising, and not from the time of the Lords' allowance of the comprising, or from the time of the infestment following thereupon.

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1630. *November 16.* The LAIRD of CLACKMANNAN *against* JAMES ALLARDYSE.

THE Laird of Clackmannan, being infest and seised by Collace of Bonny-