

1631. *July 16.* ————— *against* —————.

A WARNING made to remove at any time of the year nor before Whitsunday, conform to the Act, will not be sustained. Mar. Par. 6, 136.

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1631. *July 10.* EARL of KINGHORN *against* STRANG.

A COMPRISING deduced upon a greater sum nor was justly owing, is reducible, and will not stand for any part of the said sum which was truly owing.

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1631. *July 21.* JOHN ADAMSON *against* MASTERTOUNS.

THE bailies of a burgh may not be judges to the transferring of a decret given by the dean of guild of that same burgh, because the jurisdiction of the dean of guild is different from that of the bailies. Notwithstanding, it was thought by the most part of the Lords at the same time, that the bailies of a burgh, or any other inferior judge, may be judge to the transferring of a decret given before that same judge.

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1631. *July 23.* ROBERT NAIPER *against* MR JOHN ROLLOCK.

A HORNING, executed at a wife's instance having a husband, except the letters bear his name for his interest, is null.

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1631. *July 31.* HALKUTE, Donatar to the Escheat of John Gordon of Rothemay *against* The LAIRD of FRENDRAUGHT.

THE sums of money contained in a bond bearing annualrent after the term of payment ; if, before the term of payment, he to whom the bond is made, become rebel, and his liferent happened to be disposed to a donatar before the term of payment, the sums contained in the bond fall under escheat, and will pertain to the donatar.

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