

years preceding the summons, there being no interruption *ut supra*, and would not receive the reply in this place, upon the nullity of the said feu, founded upon the act of Parliament 1606, anent the not consent of the superior thereto, in respect of the possession had conform *bona fide*, which was sustained for the years foresaid, wherefore no interruption was made. Thereafter the pursuer took up this process by warrant of the Lords, and the interlocutor foresaid was refused to be extracted, although the defender urged, that he ought to have the extract of the same, which was refused. See WARD.

No. 204.

Act. *Stuart & Mouat.*Alt. *Hope & Nicolson.*Clerk, *Gibson.**Fol. Dic. v. 2. p. 426. Durie, p. 290.*1628. *March 18.*LORD BLANTYRE *against* PARISHIONERS OF BOTHWELL

Inhibition of teinds found a sufficient interruption of tacit relocation, not only of the year in which it was served, but of all subsequent years whereof the titular received not payment.

No. 205.

*Fol. Dic. v. 2. p. 427.** * This case is No. 37. p. 6434. *voce* IMPLIED DISCHARGE.1633. *February 15.* LAIRD of LOCHINVAR *against* _____.

The Laird of Lochinvar having the life-rent of the lands of Dryburgh fallen in his hands as superior to James Lindsay of Banschop, pursues removing against the tenants. It is alleged for William Scot, one of the tenants, that he offered him to prove, that since the warning he has done service to Lochinvar: He led peats to the Laird's house, which was a part of the duty of his lands; which peats were a certain number of teind peats received from him by the Laird's servants, and burnt in the Laird's house: *Item*, That at command of the officer of the Barony, he has shorn in the Mains since the warning: *Item*, That he has paid taxations and feu-duties for the lands to the Laird's officer and chamberlain. To which it was answered, not relevant, except the services had been done by the special direction of the Laird, and the taxation and feu-duties paid to and received by the Laird. The Lords repelled the exception in respect of the reply, but ordained the tenants to remove at Whitsunday next.

No. 206.

Auchinleck MS. p. 200.