

in 1643, when Episcopacy was abolished. The Minister of Creiff said, he had the benefit of a possessory judgment, and could not be quarrelled *hoc loco*.

The Lords found he was not *decennalis et triennalis possessor*, because the Bishop had interrupted within the 13 years; and therefore preferred the Bishop.
Vol. I. Page 323.

1684. *December 23.* BRUCE of BORDY *against* JOHN KIERIE.

IN a cause between Bruce of Bordy, and John Kierie, chamberlain to the Earl of Mar, the Lords loosed a decret led upon probation by witnesses, so far as to ordain the depositions to be put by the clerk into the President's hands, that he may revise and peruse the same; and, as he reported, the Lords did incline to re-consider the same, if they should re-advise proven or not; though this may reflect on their former advising. But they did the like for the *Marquis of Queensberry* in his process against the *Children of Douglas of Monsuall*, on the *20th of December 1682.*
Vol. I. Page 323.

1685. *January 7.* CORNELIUS VANHEYDE *against* JAMES GRAHAM.

ONE Cornelius Vanheyde, a Dutchman, pursues James Graham, late bailie of Edinburgh, on a bond granted by one whom he had intrusted as merchant and factor in a ship, *actione institoria*. ALLEGED,—He offers to prove that the man was furious the time he subscribed the bond. ANSWERED,—*1mo*, He took not the fury till he was coming home in the ship; and, if he was subject to it before, he was in a lucid interval when he gave it; for it is all written with his own hand. REPLIED,—That is no argument; for it was all dictated to him.

Yet a madman will not readily write as he is directed. But, in regard Bailie Graham had given a bond of corroboration of this debt, the allegiance was repelled, especially seeing it depended on an onerous cause; though the Bailie pretended, that the price in the bond was most exorbitant, and his prentice's *mania et rabies* did not consist with his knowledge at the time he signed the corroboration.
Vol. I. Page 328.

1676, 1677, 1679, 1682, 1683, and 1685. SIR ALEXANDER and SIR PETER FRASER of DURRIS *against* JAMES HOGG of BLERIEDREN, and JEAN LINDSAY, Lady Bleriedren.

1676. *June* .—SIR Alexander Fraser of Doors, principal physician to his Majesty, against Hog of Blyriedren.

The Doctor, as having right to the reversion of the lands of Bleriedrene, causes use an order and pursues a declarator of redemption. In which, *1mo*,