

An infestment of annualrent was quarrelled, because the seasine bore the delivery of a piece of silver money; whereas the symbol of it precisely is "a penny," *secundum veterum nostrorum prædecessorum paupertatem*. Yet I think the silver, as *majus, continebit sub se minus*.

The Lords, in January 1680, in the case of *Homer Maxwell of Kilbain against The E. of Nithsdale's Tenants*, sustained a seasine the attestation whereof was only the contracted subscription which a notary uses to put to any other inferior kind of instrument, such as the intimation of an assignation, or the like; *viz. ita esse attestor signo et subscriptione his meis manualibus*.

In another cause, they found a seasine valid, though it was registrate with the notary's name blank, *Et ego vero notarius publicus*; because the party condescended on him, and so filled it up *ex intervallo*, and abode at the truth of it. *Vol. I. Page 122.*

1680. *December 23.* THOMAS WILSON *against* WILLIAM BROWN.

IN Thomas Wilson's case with William Brown, (12th Nov. 1680, *supra*, p. 37,) the Lords declared they would not admit of qualified oaths when it was only an oath of calumny; because, there, other probation is admitted against it.

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1680. *December 23.* HAMILTON of RAPLOCH, and JEAN LOCKHART his Spouse, *against* JOHN BONNAR.

IN James Bonnar's improbation against Hamilton of Raploch, and Jean Lockhart his Spouse, who was formerly wife to John Bonnar, the Lords found the bond produced by the said Jean, false, and improved it.

*Nota.*—Falsehood turning so bold and frequent, the Lady Knox's bond and this being two in one week, it should be more severely punished.

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1680. *December 23.* DAVID FERNE *against* WILSON of CROGLEN.

IN David Ferne's cause against Wilson of Croglen, the Lords found the father liable to pay the debt contained in his umquhile son's bond,—the creditor proving that the cause of the bond was for aliment, and that the son staid at his house; and again found it relevant to assoilyie the father, *secundum S. C. Macedonianum*, that he offered to prove that he gave his son at that time a competent allowance, upon which he might have lived, or paid for his own aliment. *Vide 24th November 1682, Alston.*

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