

1682 and 1683. M'INTOSH of ABERDOUR *against* M'QUEEN of CORRIEBRUGH and OTHERS.

1682. *December 5.*—M'QUEEN of Corriebrugh gives in a petition against M'Intosh of Aberdour, objecting against some Lochaber witnesses, led by M'Intosh against him, for proving his spuilie of a horse, as being notour thieves, and denounced by the Sheriff of Inverness.

The Lords refused to delay the examining of the witnesses, in regard the objections were not instructed; but, in respect of the suspicion against them, they declared they would receive any instructions for proving the objections against them, that should be adduced before advising the probation of the spuilie. *Vide 8th Nov. 1683.* *Vol. I. Page 198.*

1683. *November 8.*—The spuilie pursued by Macintosh against Macqueen of Corriebrugh and Others, (5th Dec. 1682,) being advised; the Lords found it proven, by the depositions of the witnesses, that the defenders spuilied from the pursuer's cedents the goods following, of the values after specified, (here omitted as unnecessary;) the prices in all extending to 800 merks. And decern the defender to make payment of the said sum, with 400 merks more for the violent profits of these goods. *Vol. I. Page 241.*

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1683. *November 20.* SIR WALTER SETON *against* CHARLES SEDEN.

Sir Walter Seton's cause with Charles Seden, an Englishman, upon a bond of 5000 merks for borrowed money by Sir Walter, and Dundass of Magdalens, (who was forfeited in 1661,) and Edmonston, was advised.

Sir Walter produced sundry accounts and bills, and receipts, under Gavin Lawry, the factor at London his hand. But the Lords repelled the compensation, and instructions of payment; and found the bills and bond (which bore for borrowed money,) did not meet; and so found the letters orderly proceeded. *Vol. I. Page 244.*

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1683. *November 22.* SIR ALEXANDER BRUCE *against* The EARL of KINCAIRN.

Sir Alexander Bruce of Broomhall, pursuing a special declarator of the single escheat of the late Earl of Kincairn:

It was ALLEGED,—A stock of money he had laid in the Royal Fishery Company, was not moveable to be carried by single escheat, because it was a *jus fixum*, rendering profit like a sum bearing annualrent, which falls not under the single escheat. Yet the Lord Pitmedden found such a stock simply moveable, and not like a bond upon annualrent. *Vol. I. Page 244.*