

gifts were sustained before, 29th June 1677, *Archbishop of Glasgow against The Commissary Clerk of Peebles.* Vol. I. Page 279.

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1684. March 6. JAMES REID *against* JOHN REID.

JAMES Reid, merchant in Edinburgh, against John Reid, skipper in Leith, is debated, and decided, anent the setting of a ship, and reducing a decret of the Admiral's. The Lords found, though the set expressed no more but only James Reid and the skipper; yet it behoved to be interpreted not only for the skipper's four parts of the ship, but also for the parts belonging to the other owners, who were called as defenders and joined with the skipper; and so decerned against James for the price of eight sixteen-parts. But, in regard the skipper had not yet, upon oath, given in an inventory of the ship's whole furniture and tackling, they ordained him to depone thereanent: though James was at a great loss by the eleven months' delay, and plea; so that the ship was turned unserviceable; *et res non erat amplius integra.* Vol. I. Page 279.

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1684. March 6. SIBILLA ARNOT *against* ROBERT YEAMAN.

SIBILLA Arnot having given in a bill against Robert Yeaman, portioner of the Nungate of Haddington, bearing that she, as heir served to her goodsire, had an improbation depending of his rights of some lands which his father had acquired from her goodsire; and, *medio tempore*, craved some modification and aliment from him, his rights being only redeemable, and he being more than paid by his possession and intromission:

The Lords refused the desire of this bill. Yet they had granted the like to Maxwells against Carlisle, *supra*, at the 17th of January 1683.

Vol. I. Page 279.

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1682, 1683, and 1684. JAMES DALMAHOY, &c. Tacksmen of Excise, *against* WILLIAM CLEGHORN, THOMAS BORELAND, &c. Brewers.

1682. March 28.—Mr James Dalmahoy, and the other tacksmen of the Excise of Edinburgh, against Bailie Thomas Boreland at the West-port, and some other brewers. The Lords, on Redfoord's report, found the letters orderly proceeded against the brewers,—Dalmahoy and the other chargers finding caution to refund whatever George Miln's brewing should be found to extend to, more than the survey which the tacksmen gave up, upon Sir John Nicholson's decret-arbitral. *Vide infra*, 17th March 1683. Vol. I. Page 181.

1683. March 17.—Mr James Dalmahoy and the other tacksmen against William Cleghorn and the Brewers. The Lords, contrary to what they did 28th March 1682, do now allow the Tacksmen to prove, by witnesses, that, before the assignation they made of the tack to thir defenders, they had consented