

The Lords recommend to the Chancellor, High Treasurer, and some others, to endeavour the settling between the two brethren. *Vol. I. Page 284.*

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1684. *March 21.* ANDREW DICK *against* CRAIGIE of GAIRSEY.

IN Captain Andrew Dick's action against Craigie of Gairsey in Orkney;—the Lords, on Marcus's report, found the discharge produced by Gairsey, though it only mentioned for rests of some of his lands, and not of the whole, imported a full exoneration of all his feu-duties preceding 1655, for his scait and udal lands. *Vol. I. Page 284.*

I find much of their feu-duties consists in meal and butter: but the steward, or his chamberlain at his girnell, converts them into a price in money.

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1684. *March 21.* JOHN IRVINE *against* BROWN of CARSLUITH.

HARCUS reported the debate between John Irvine in Dumfries, and Brown of Carsluith;—and the Lords found a back-bond granted by Maxwell of Coull, Irvine's cedent, not being precisely correlative nor relative to the bond charged on, though of one date, did not meet Irvine, who was an assignee, unless it were without an onerous cause, or for the cedent's behoof, or that the back-bond founded on had expressly related to the bond charged on, and the one had been made the cause of the other; which was *Hector Mackenzy's* case in 1676, and *Arthur Forbes's with the Master of Salton*, in November 1673.

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1684. *March 25.* LORD MORDINGTON'S CREDITORS.

By an order of the Lords to Marcus, the lands of Nether-Mordington, belonging to Douglas, Lord Mordington, are roup'd, on the late Act of Parliament 1681, anent the sale of bankrupts' lands, upon citation of the creditors; and Lieutenant Joseph Douglas buys them at 17 years' purchase, and seeks no other warrandice from the creditors but efferand to the sum they get from him. Provost Curry, a creditor, opposed this all he could; but Charles Oliphant, the under-clerk, another creditor, carried it on. *Vide supra*, the roups of *Bogie and Cunnochie*, by order of the Lords of Session, though before that Act of Parliament. *Vol. I. Page 285.*

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1684. The EARL of ABERDEEN, Chancellor, *against* SIR ALEXANDER FORBES.

*February 27.*—THE Earl of Aberdeen, Chancellor, and Sir Alexander Forbes of Tolquhon their case was decided, anent *viæ regię, vicinales, publicę, et privatę*.