

- No. 9. said minor's tutor anent the keeping of his persoun, bot sould on na wayis be preferrit thairintill to the superiour or wardatar.

*Balfour, p. 337.*



- No. 10. 1533. *January 15.* A. against B.

Gif the tutor happinis to intromet with the gudis and geir of the pupill, not beand responsal thairfoir, he may be removit fra intromissioun, unto the time he find sufficient caution in maner abone expremit.

*Balfour, p. 118.*



1533. *March 27.* JONET NEWTOUN against N. KER of Mersingtoun.

- No. 11. Albeit the superiour, tutor, or ony uther persoun, have the keeping of the persoun of the pupil, nevertheles the pupil beand of fourtene zeiris of age compleit, his persoun is not under his keeping, bot he is fre, and at his awin libertie; because ward and keeping of minoris pertening to the superiour, tuiching the keeping of the minor's persoun, the samin endis at the samin terme and zeiris as tutorie usis to do, viz. at fourtene zeiris; albeit it be utherwayis tuiching landis, gudis and geir, the keeping of which enduris quhill his perfeit age. Gif the superiour gevis and disponis to ony man the ward and mariage, or allanerlie the mariage of ony air, pertening to him, the said donatar aucht and sould not have the keeping of the said air's persoun, he beand of the age of xiiij. zeiris compleit, because he is then at his awin fre will and libertie to remane quhair he pleisis, et intelligitur venisse in suam tutelam, et esse in sua ipsius custodia.

*Balfour, p. 337.*

\* \* The like found 26th March, 1534, William Mathesone against Jonet Wedderby. IBIDEM.



- No. 12. 1533. *April 15.* A against B.

Tutorie testamentar, lauchfull or dative, endis and expyris quhen the pupill, beand male, is of xiiij zeiris compleit, and beand female, of xij zeiris; and thairfoir, gif the tutor be callit, as tutor, in ony cause, and he alledge and prove that the pupill is past the age of xiiij. or xij. zeiris, he sould not be compellit to answer as tutor thairanent.

*Balfour, p. 121.*