

1540. *March 16.* TENANTS of Liberton *against* SOMERVILLE.

No 45.

GIF ony landis, haldin of our soverane Lord in cheif, fallis and becumis in his Hienes's handis be ressoun of foirfalture, led and deducit for the crime of lese-majestic committit be the proprietar thair of, his Hienes's vassal; and the samin be disponit be his Hienes to the said immediat superiour, with this provisioun, that he sall enter the sub-vassalis and fre tenentis in thair tenandries, thay payand thair part to him of the compositioun quhilk he payit for the haille, efter the rate and quantitie of thair tenandries; he sould give thame new infestment, thay payand the rate of the compositioun to him thairfoir, for thair part of the said compositioun; and, gif he and thay cannot agre thairanent, thay aucht and sould pay na mair for ilk tenandrie than thre zeiris maillis, for thair part of the said compositioun.

*Balfour, (FORFEITURE.) No 3. p. 561.*

1542. *December 19.*

A. *against* B.

No 46.

ANE tenent or fre-halder, haldand landis of ony persoun quha is foirfaltit may not be put fra his possessioun be the King, or his donatar, except he be lauchfullie callit and ordourlie put thairfra.

*Balfour, (FORFEITURE.) No 2. p. 561.*

1543. *March 20.*

CAMPBELL *against* GRANGE.

No 47.

LIKE as ane beand foirfaltit, all his sub-tenentis cumis under foirfaltour; swa he beand restorit, all his fre tenentis aucht and sould be reponit in thair awn place, in the quhilk thay wer befoir the geving of the dome of foirfalture; and na paction or appointment maid betwix him quha is restorit, and the King's grace, concerning thair tenandries, without thair consent, may be hurtful or prejudicial to thame anent thair restitutioun.

*Balfour, (FORFEITURE.) No 14. p. 564.*

1621. *November 27.* EARL of NITHSDALE *against* IRVING.

No 48.

IN an action of removing, pursued at the instance of the Earl of Nithsdale *contra* Irving, founded upon an heritable right to the lands of ———, made to the said Earl, by his umquhile brother the Lord Maxwell for the time, wherein it was excepted by the defender, that the sasine of the pursuer could give him

If the forfeiture shall be rescinded, the intermediate acts of the vassal are good.