

REPARATION.

SECTION I.

Assythment.

1542. June 24. CHILDREN of Forrest against L. CLERKINGTON.

THE LORDS decerned assythment for the slaughter of David Forrest of Haddington, committed by the Laird of Clerkington, as well to the said David's bastards, as lawful bairns, but not equally, for ilk lawful daughter got 1125 merks; the bastard daughter but L. 40; the eldest lawful son and heir to the said David got 1100 merks; the second son L. 100; the bastard son 41 merks. The hail assyishment was 2000 merks, because David Forrest was a right honest substantial man; and also the said Laird was a rich man.

Fol. Dic. v. 2. p. 340. Sinclair, MS. p. 35.

No 1.

Assythment must be made to children, as well unlawful as lawful, though not equally.

1605. July 18. GUILD and BERGIE against HOME.

GUILD, relict of Mr James Bergie, and her Bairns, pursued David Home, son to Broxmouth, who slew her husband, and used remission for assythment to her bairns and her. THE LORDS found process at both their instance, and, without trial or probation of the estate of the pursuer and defender, ordained L. 600 to be paid for assythment thereof; the two parts to the bairns, and the third part to the mother.

No 2.

Fol. Dic. v. 2. p. 340. Haddington, MS. No 931.