

LITIGIOUS.

DIVISION I.

Litigious by Process.

SECT. I.

What understood to make a *lis pendens*.—Assignment granted *pendente lite*.—Marriage *pendente lite*.—Encroachments *pendente lite*.—Titles made up *pendente lite*.

1608. December 30.

LADY MONCUR *against* The LADY MANER and her HUSBAND.

No 1.

IN an action pursued by a woman against the Lady Maner and Mr Alexander Monteith, now her spouse, for a debt of 100 merks, lent to her during her widowhood, and offering to refer it to her oath of verity, the LORDS would not sustain that probation in prejudice of her husband, but ordained the pursuer to refer it to the husband and wife's oath conjunctly; and they likewise decided at that same time betwixt the Laird of Lesmoren and a woman called Duncan and her spouse.

Fol. Dic. v. 1. p. 552. Haddington, MS. No 1520.

1630. November 23.

SMITH *against* GRAY.

No 2.

ONE Gray being pursued as intromitter with his father's goods, to pay a debt owing by his father to the pursuer; after the which pursuit, the de-

One was pursued as intromitter with his fa-