

L I F E R E N T E R.

S E C T. I.

What is comprehended under a liferent right of lands.

1553. April 20. EARL of MORTON *against* LADY MORTON.

No 1.

GIF onie Ladie is infest in conjunct-fee of ony landis or baronie, havand powar of regalitie, scho hes na powar to hald justice airis be resson of the said regalitie, and thairfoir may not compel hir tenentis of hir conjunct-fee landis to compeir befoir hir Baillie in ony sic justice airis; because the heritabill proprietor of the saidis landis hes powar to do the samin be virtue of his regalitie.

Balfour, (REGALITIE.) No 2. p. 289.

1609. March 4. LADY MOCHRUM *against* LAIRD MOCHRUM.

No 2.

THE old Lady Muchrum pursued the Laird of Mochrum; her oye, for contravention of lawburrows, by spuilzing of two kye from her tenant. *Ipse, Excepted*, that he did no wrong, because that tenant having committed an bluide in his barony, he had convicted him and poided the saids goods for the bluide unlaw. It was *answered*, That the exception should be repelled, being that the pursuer was infest in her conjunct-fee lands *cum curiis* holden of the King; and so, during her lifetime, the Laird had no power to hold courts upon her lands, nor upon her tenants of the saids lands. In respect of the which reply, the LORDS repelled the allegiance.

Fol. Dic. v. 1. p. 548. Haddington, MS. No 1592.

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A liferenter being infest holden of the King *cum curiis*, it was found that the fiar could not hold courts during the liferenter's life.