

REGISTRATION.

1610. *March 9.* LINDSAY *against* LAIRD OF LUNDIE'S HEIRS:

No 1.

IN an action of registration of a bond of 3000 merks made by George Seaton of Parbroth, the Lord Lindsay and the Laird of Lundie, as cautioners to Walter Chisholm, to the which bond, Mr John Lindsay had good action to seek it to be registered against the Laird of Lundie's Heirs, notwithstanding the principal bond, for the which the Clerk Register and his deputes were called, was not produced, but only the extract of the said bond being of before registered by compearance of procurators for Parbroth and my Lord Lindsay, and not for Lundie, in respect he was deceased; which extract, under the Clerk Register's hand, they found sufficient to instruct *per se* without production of the principal, which was tint by negligence of the clerks or procurators.

Kerse, MS. fol. 189.

1614. *March.* HOG *against* PATERSON.

No 2.

A DECREET, or other charge, being once lawfully suspended, albeit against the party, being personally apprehended and denounced, that horning will be null, in respect of the first suspension standing undiscussed. If a man, being denounced, suspend, and relax, and register not the relaxation, if any assignation be made by him, the relaxation not being registered, it will be null, as made by a rebel.

He who relaxes and registers not, cannot alienate, being still reputed rebel.

Fol. Dic. v. 2. p. 329. Haddington, MS. No 2560.

1622. *July 26.* BUCKIE *against* DAVIDSON.

No 3.

OBLIGATION may be registered, the party being dead in whose favour it was made, if there be a third person alive who has a claim of provision in his favour.

Kerse, MS. fol. 189.