

SECT. III.

Casualties due SI PETANTUR TANTUM.

1610. July 12. ARCHBISHOP of ST. ANDREW'S *against* L. TORSONCE.

No. 7.

He who holds his lands blench of a subject, for payment of a blench-duty at Whitsunday or at Martinmas, *si petatur tantum*, will not be subject to pay that blench-duty if it be not craved within the year after the term of payment.

1611, June 15.—He who is bound by his charter to pay yearly *libram cerae*, or any such duty *ad festam Pentecostes vel sancti Martini nomine albæ firmæ si petatur tantum*, if his blench-duty be not craved within the year after the term of payment, the vassal will be free thereof in all time thereafter.

Fol. Dic. v. 2. p. 406. Haddington MS. No. 1956. E 2218.

* * Kerse reports this case :

In an action betwixt the Bishop of St. Andrew's and John Hoppringle of Torsonce, the Lords found, That Torsonce having the lands of Hoppringle holden of the Bishop for payment of a stone of wax at Martinmas *si petatur tantum*, was not obliged for the by-gone duty, because it was not required before the next term ; and the Bishop of St. Andrew's should be obliged not to require within the space of the next term.

Kerse MS. fol. 68.

1627. February 16. LORD SEMPLE *against* GAVIN BLAIR.

No. 8.

Blench-duties, *si petantur*, not due if they be not asked within the year.

Fol. Dic. v. 2. p. 406. Kerse MS. fol. 68.

* * Durie's report of this case is No. 18. p. 5447. *voce* HERITABLE AND MOVEABLE.