

1628. *June 24.* SIR THOMAS DISCHINGTOUNE *against* WILLIAM DISCHINGTOUNE.

A BOND made to a party, but not delivered to him, although it came to the said party's hands thereafter, by the knowledge or direction of him that made the bond, is found null, in so far as it might be objected, that it might prejudice other lawful creditors of him that made the bond.

*Page 142.*

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1628. *June 27.* The LAIRD of PILRIG MONIPENNIE *against* SYMON RAMSAY.

THE Laird of Pilrig Monipennie pursues improbation of an inhibition served against him at the instance of Mr Symon Ramsay, by reason the execution bore that the Laird was inhibited at his dwelling-house at Pilrig; and he offered him to prove, that his wife and family was removed out of Pilrig three months before; and that, fifteen days before that execution, he had wadset the lands of Pilrig to Mr James Raith, who had then received possession, and bruiked the same while the redemption. The defender alleged, That, in fortification of his execution, he offered him to prove, that he dwelt there forty days immediately preceding execution. The Lords preferred the defender to the probation, lest, by their means, inhibition should be prejudged.

*Page 94.*

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1628. *June 29.* The MAGISTRATES of WIGTOUN *against* The EXECUTORS of MEIKLE, their Sheriff-Clerk.

THE Provost and Bailies of the town of Wigtoun pursued the executors of Meikle, their Sheriff-clerk, to deliver to them his protocol, conform to the Act of Parliament, James VI, Par. 22, cap. 22. Which the Lords ordained to be done, notwithstanding it was alleged, that, in the said protocol, divers seaisines were inserted, pertaining to other men, then burgesses of the said town.

*Page 176.*

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1628. *July 1.* ————— *against* —————.

If a woman be pursued for a debt contracted in her widowhood, and her husband, whom she has married, in this pursuit be likewise called for his interest, and the summons referred to the wife her oath of verity, she will be holden to depone; but her deposition will work nothing against her husband, but against herself only, if she outlive her husband, as is daily in use.

*Page 261.*