

1632. February 1. CUNINGHAM *against* WILLIAMSON.

No 13.

IN an action of poinding of the ground for an annualrent, there is no necessity to summon any other party but the present heritor and the tenants, but not the heritor's author.

*Auchinleck, MS. p. 161.*

\*\*\* Durie's report of this case is No 115. p. 2238. *voce* CITATION.

1633. December 21. Lord WEMYSS *against* STEWART.

No 14.

A PROCESS of molestation, commenced before an inferior court, may, after advocacy to the Lords of Session, be turned to a process of declarator of property.

*Fol. Dic. v. 2. p. 180. Durie.*

\*\*\* This case is No 44. p. 2197, *voce* CITATION.

No 15.

1638. December 19. CORSER *against* DURIE.

PROCESS sustained to crave the lands to be adjudged upon a renunciation to be heir, and the defender also to be decerned for bygone rents, intromitted with by him, both in the same summons.

*Fol. Dic. v. 2. p. 180. Durie.*

\*\*\* This case is No 4. p. 44. *voce* ADJUDICATION.

No 16.

1638. February 22. BROWN *against* BROWN.

CONTRACTS cannot be registered, nor charges raised thereon at the instance of parties who are only consenters, the principal party being dead, but must be pursued by way of action.

*Auchinleck, MS. p. 175.*

No 17.

1662. February 7. ACHINBECK *against* M'LEOD.

IN an improbation at the instance of the Laird of Auchinbeck *against* M'Leod,