

his gift. Upon sight of the gift, the defender not compearing to allege any thing in the contrary, the Lords gave furth decreet conform to the desire of the summons. *For the King's advocate*, compears Norvell; *for Leslie*, James Abernethic. Hay. *Signet MS. No. 3. folio 1.*

1663. *November 18.* JO. KNOX *against* The EARL of Roxburgh.

ROBERT, Earl of Roxburgh, by his bond dated 1635, binds him and his heirs to content and pay (for causes specified in the bond,) yearly a pension of 100 merks to Mr. Jo. Knocks, Minister at Boudon, and Agnes Borthwick his wife, during all the years of his lifetime, yearly at Yule. My Lord Roxburgh lives till 1650. All this while, not a farthing of it is paid. William, now Earl of Roxburgh, oy and heir of tailye and provision, serves and retours himself heir to the deceased Robert, his grandfather. In whose time nothing of the pension is paid either. In the meanwhile, Mr. Jo. to whom the pension was due, dies, *in anno 1656.* His son, Mr. Jo. Knox, late Minister at Leith, confirms his father's testament, and gets himself made executor dative to him; whereon he charges this Earl of Roxburgh for to make payment to him of the said sum of 100 merks yearly, for twenty years, which made 2000 merks; *item*, for 10 pounds of failie that was in the bond, and that for every year. For instructing his title, he produces, first, the bond of pension; then his father's testament, confirmed before the Commissary of Roxburgh; then a seasine conform to a precept out of the Chancellery, extracted out of the registers, whereby the now Earl infests himself as heir to his grandsire. Which the Lords held for a sufficient and relevant probation; and, therefore, gave furth decreet, ordaining William, Earl of Roxburgh, *nomine quo supra*, to make payment of the said 2000 merks to the pursuer.

*Act.* Mr. John Colvill.—It's a decreet in absence. Kello.

*Signet MS. No. 4. folio 4.*

1663. *November 18.* GORDON of Lesmoir *against* GORDON of Clunie and GORDON of Craig.

SIR ALEXANDER GORDON of Clunie, James Gordon of Lesmoir, and Jo. Gordon, fiar of Craig, at Invernes, 1626; bind and oblige them in behalf of George Lord Gordon, and for relief of part of his debts, to content and pay to William Dick, merchant in Edinburgh, afterwards Sir, &c. the sum of 14,000 merks. The bond has a clause of relief among themselves. Clunie warrants for L.4000; Lesmoir for 5000 merks, and Craig for 2000 merks. Clunie receives infestment, for his security, of lands in Scurdarg, Newseat, and Strathbogie; which, because they were liferented by the Marquis of Huntlie, therefore during his lifetime, my Lord Gordon gives him infestment of the 15 merk land of Susgarrow, in Lochaber, to be intromitted with by him in contentation of the annualrent of his money. *Item*,