1682. *January* 27. JOHN CARNEGIE *against* WILLIAM CUTHBERT.

JOHN Carnegie, Provost of Forfar his charge against William Cuthbert is reported, and the reasons of suspension repelled, and the Provost's decreet sustained, bearing, that Cuthbert had judicially, in face of Court, confessed the contumacious expressions libelled against him; though his confession was not subscribed by him, but was only the assertion of the town-clerk. *Vide* 19*th December* 1679, *M'Jor,* where the contrary was found, in his case with the Town of Kircudbright. *Vol. I. Page* 171.

1682. *January* 27. MAJOR ARNOT *against* ARNOT of FAIRNEY.

MAJOR Arnot's case against Arnot of Fairney, his nephew, was decided, and the bond found to be moveable, and so to belong to the Major.

The Lords recommended Fairney to the Major's favourable discretion; as they did the Fleshers of the Canongate to the Magistrates of Edinburgh, *November* 1677. But *legis est jubere et imperare, non suadere solum.*

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1682. *January* 31. HAMILTON of WISHAW *against* —————.

THE case betwixt Hamilton of Wishaw and ground of compensation repelled. was reported, and his *Vol. I. Page* 171.

1681 *and* 1682. The MASTER of BALMERINO *against* FOTHERINGHAM of POURIE.

1681. *February* 2.—THE Master of Balmerino's cause with Pourie Fotheringham was decided in the Master's favours, because Pourie could not prove that he had acquainted the Master with the communing betwixt him and the Earl of Crawfurd, for that gift of Bandoch's casualties. See 1*st Feb.* 1682.

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1682. *February* 1.—The debate betwixt Pourie Fotheringham and the Master of Balmerino, (Feb. 2, 1681,) was advised, and the progress of the right found sufficient; only the Master, for Pourie's farther security, is ordained to give him real warrandice out of other lands. *Vol. I. Page* 171.

1682. *February* 1. BOWAR of KINCALDRUM *against* The EARL of MARISHAL.

BOWAR of Kincaldrum's pursuit against the Earl of Marishal, as representing his brother and father on the passive titles, was reported, and the Earl assoil-