

for which they were granted should cease. *July 16, 1678, Wier against the Earl of Callender*, and in the case of the *Earl of Wintoun against the Lord Pitmedden*.

The Lords found, that Sir Robert Forbes's assignation to Sir Robert Sinclair, of the fee and pension libelled, did entitle the assignee to it, not only during the cedent's possession by virtue of the gift on Sir Archibald Sinclair's demission, but also during the cedent's enjoyment of the office by the new gift from the Duke of Lennox : because the first gift, which Sir Archibald Sinclair was not bound to warrant, being only *durante beneplacito*, and the assignment to the pension not expressly restricted to the time that the cedent enjoyed the office by virtue thereof ; it is understood to be effectual, so long as he enjoyed the said office *quocunque titulo*.

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1711. *June 15.* JOHN EWING, Writer to the Signet, *against* WILLIAM ROWAN, Merchant in Greenock.

JOHN EWING, husband to Margaret Rowan, heir of tailyie and provision to John Rowan of Bedland, her father ; having, as assignee to several moveable debts owing by John Rowan, pursued William Rowan for payment, upon the passive title of vitious intromission with John Rowan's moveable effects : the Lords found, that Margaret Rowan, being heir of tailyie to the debtor, the pursuer could not insist to make the defender liable *passivè*, but only *in valorem* of his intromission. Albeit an intromitter with a defunct's moveable effects, is universally liable to his creditors ; and the pursuer had action competent to him, for relief out of the defunct's executry.

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1711. *July 17.* The MAGISTRATES OF GLASGOW, and their STENT-MASTERS, *against* ROBERT SANDERS of Aldhouse, Printer in Glasgow.

KING CHARLES the Second, having, by his gift and patent under the great seal, May 12, 1671, granted to Andrew Anderson, his partners, substitutes, and assignees, the sole privilege of printing and causing to be printed and published, all manner of books, learned or vulgar, within Scotland, together with the direction and regulation of all other presses there, and an express immunity and exemption from taxations, stents, annuities, and impositions upon the said office or trade to him and his foresaids, for the space of forty-one years after his entry thereto : Andrew Anderson assumed four printers as his co-partners in the art of printing, and communicated to them the privilege of the gift. Robert Sanders