

DECISIONS
OF
THE LORDS OF COUNCIL AND SESSION.

REPORTED BY
ALEXANDER TAIT, CLERK OF SESSION,
ONE OF THE REPORTERS FOR THE FACULTY.

ADJUDICATION.

1774. *November 23.* **JEAN SMELLIE, Petitioner.**

WHEN an abbreviate of adjudication happens not to be recorded within the sixty days, the Lords are in use of granting a special warrant upon special application for that purpose. They were in use to do so formerly, as to the allowances of comprisings. *17th December 1657, Mack., Obs. p. 396, Stair against Innes, 1665*; and they are now in use to do the same as to abbreviates of adjudication. *Bank. B. 3, tit. 2, § 50.*

In this last case, Jean Smellie having obtained a decret of adjudication against Thomas Beveridge, *29th June 1774*, her doer neglected to record the abbreviate within the sixty days. An application was made to the Lords, *22d November 1774*, for a warrant to record the abbreviate; which the Lords granted; and it was recorded accordingly.

1764. *June 21.* **JOHN SIBBALD, Petitioner.**

IN the case of John Sibbald, *111 New Coll. 21st June 1764*; the Ordinary who pronounced the decret of adjudication, having died without signing the abbreviate, the Lords remitted to another Ordinary to sign the abbreviate, and when signed, granted warrant for recording it, although the sixty days were long before expired. But they reserved all objections.