

served him negatively; because he neither produced his father's charter nor sasine. This service was craved by him to be reduced, because he produced before the Lords a decret of theirs; whereby they had decerned the superior of the same lands to infest the pursuer's grandsire in them, to be holden blench. *Item*, Another decret wherein the same superior did judicially confess that he had infest the pursuer's father in the same lands, conform to the tenor of the first decret, with a precept of sasine of the said superior's for giving of sasine to the pursuer's father. More, a decret of transumpt of a prothecal before the commissary of Dunkeld, wherein was contained a sasine given by virtue of the former precept of the superior's. *Ex his judiciis licet nullum instrumentum publicum extaret*. The Lords reduced the service and retour.

*Page 30.*

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1550. *December 16.* The TUTOR of PITCUR *against* LORD GRAY.

IN an action, pursued by the Tutor of Pitcur *against* the Lord Gray, for burning of Dundee, it was observed, that, *in prædiis urbanis*, three quarters being bounded in the libel, it was sufficient, though the fourth quarter was not bounded nor expressed.

*Page 24.*

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1552. *December 6.*

It is enough to prove one heir to his father, &c. by production of a decret given either with him or against him as heir to his father, &c. though there be neither retour nor sasine shown.

*Page 137.*

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1555. *January 28.* The LAIRD of CRAGYHALL *against* ———.

THE Laird of Cragyhall having analyied certain lands to B. under reversion; as he was pursuing a declarator of redemption, and had consigned the money, it happened, at the burning of Edinburgh, that this reversion was lost;—then Cragyhall summoned B. to hear and see the tenor of the reversion proven by witnesses; which he having sufficiently proven, and obtained decret thereupon, and letters in four forms, he charged B. to make him a new reversion conform to the old; which he refusing to do, disobeyed the charge, and passed to the horn. Then Cragyhall called him before the Lords, either to make him a new reversion, or else to hear and see it decerned by the Lords, that the first decret should have the strength and force of a reversion, and be as sufficient to redeem the said lands, as if it were a sufficient reversion made by the defender. Which the Lords sustained.

*Page 305.*