

1622. *January 30.* STEWART of the Merse *against* LAIRD of Wistnisset. No 205.

A FINE for a bloodwit of L. 100 Scots, imposed by a vassal of the King, who was not a Baron, was modified to L. 27.

Fol. Dic. v. 1. p. 501. Durie.

* * * This case is No 10. p. 7299.

1622. *March 16.* L. BOQUHEN *against* L. CLUNIE.

No 206.

IN an action of suspension pursued by L. Boquhen *contra* L. Clunie, for suspending of a decret given by L. Clunie against Boquhen, for his unlaws for absence from the head-courts holden by Clunie, as Bailie-depute of the bishoprick of Aberdeen, which unlaws for absence from ilk court, were decerned each unlaw to L. 40; the LORDS found, That the unlaw for absence from any Baron's head-court, should not exceed L. 10; therefore modified ilk unlaw in the sentence to L. 10.

Act. Baird.

Alt. Lawtie.

Clerk, Gibson.

Fol. Dic. v. 1. p. 501. Durie, p. 22.

* * * Haddington reports this case :

IN a suspension raised by the Laird of Boquhen of a charge used against him by Clunie Gordon, for unlaws for not compearing at the Bishop of Aberdeen's head-courts, before Clunie the Bishop's Bailie; the LORDS found, That the unlaw of a Baron's court should not exceed L. 10; and that the vassals could not be unlawed, unless the head-courts had been kept at the ordinary days usually observed; and if the Lord or Bishop changed these days, the vassal should be particularly warned to the court.

Haddington, MS. No 2614.

1624. *February 7.* SANDILANDS *against* ROBERTSON.

IN an action betwixt Sandilands and Robertson, for suspending and reducing of a decret given against him by the sheriff of Edinburgh, whereby the reducer of that decret was ordained by the said sheriff to pay an unlaw of L. 50, for not compearance before them, being cited for a blood committed by him; this decret for the sheriff's unlaw foresaid, was given *in pœnam contumaciæ*, there being no other cause of the sentence, but only given in absence, and for the parties not compearance, without any probation of the fact, or

No 207.

No inferior judge can unlaw in more than L. 10 Scots, for contumacy. This found with respect to a sheriff.