

1626. July 21. P. GOLDMAN *against* GRIEVE.

No 84.

ONE being obliged to pay a legacy to a wench when she was of perfect age, the LORDS sustained action for the same at her instance, being of fifteen or sixteen years of age, althought it was alleged that she could not be counted of perfect years, unless she were one-and-twenty years old, or married to a husband.

Spottiswood, (MINORS and PUPILS.) p. 213.

1628. July 1. HENDERSON *against* KNOCKHILL.

No 85.

A PUPIL being pursued for reduction and improbation of his rights, and having no tutor, gives in a supplication to the Lords to continue the process for a certain space, till his friends may judicate and authorise him with a tutor or curator *ad lites*; which the LORDS granted to a certain day with certification if his friends did not authorise him then, the LORDS would grant proof to his party without longer delay.

Auchinleck, MS. p. 133.

* * * Durie reports this case :

IN the improbation of Mr James Henderson, whereof mention is made June 28. 1628, No 84. p. 2221, *voce* CITATION, the defender, who was a pupil, being convened, and his father as administrator convened with him, and the father dying since the intenting of the cause, whereby the pupil was destitute of one to defend him, and he compearing by his procurators, and desiring that the process might be delayed to a fit and competent day as the Lords should assign, betwixt and which he might choose tutors and curators, *ad hunc litem*, to consider of his rights, and to defend him in this pursuit; which desire the LORDS found reasonable, and therefore superceded all proceeding in this process until the first of November, that betwixt and that day the pupil might provide himself of tutors and curators, to maintain and assist him in the defence of this process; and that at that day, they would proceed and do justice in the process against him without delay, whether he were authorised with tutors or curators or not.

Durie, p. 379.

1631. July 13. A. *against* B.

No 86.

If a minor be pursued as heir to his father, not having tutors or curators, he offers to renounce. The pursuer *alleges*, That renunciation, without consent of