

- No. 13. 1628. *February 13.* A. *against B.*
 Blench-duties are excepted (from terce); whether feu-duties or not, *sub judice lis est*. In this same action it was found, that the lady tercer had no right to the third of feu-duties.

Spottiswood, p. 336.

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- No. 14. 1628. *February 13.* LADY DUMFERMLINE *against Her SON.*
 The terce extends to the third of the teinds in which the husband died heritably infest.

Durie.

* * This case is No. 106. p. 14707. *voce SOLIDUM ET PRO RATA.*

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- No. 15. 1628. *February 14.* LAIRD of LAMINGTON *against His MOTHER.*
 The Lady falls not a terce of feu-duties; nor of coal-heughs, but to her own use.

Auchinleck MS. p. 236.

* * Durie's report of this case is No. 4. p. 8240. *voce LIFE-RENT.*

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- No. 16. 1628. *February 16.* ROBERTSON *against* ———.
 Janet Robertson, relict of umquhile ——— Campbell, and executor to him, pursues four of her husband's debtors, whereunto she was made assignee to her husband, in satisfaction of her third part of his goods and gear which might fall to her by his decease. The defenders alleged, No process at her instance as assignee; no assignation made by her husband to her *stante matrimonio* could subsist, but immediately after the making thereof the same returned to the husband as his own gear, and behoved to be confirmed in his testament. The Lords repelled the allegiance, seeing the debtor had no interest to propone the same.

Auchinleck MS. p. 239.