

1633. *January 22.* JANET GORDON *against* GILBERT MACKQUHAIRN.

*A Proposition not unfit to be motioned in Parliament.*

To provide for freeing of buyers of lands from the hazard of infeftments of annual-rents given out of the same lands, by the fewers thereof, to be holden base of themselves, which may be easily concealed from the buyers, and cannot readily come to their knowledge, not being public; but, after that the buyer hath been in possession, perhaps twenty or thirty years, the persons having but infeftments of annual-rents out of these lands, may seek to have the lands poided for the bygones; and, lest they should be challenged for want of possession, they may allege they have been in possession of uplifting of the annual-rents from the sellers of the land, but not from their tenants of the ground; by which means the singular successor might have come to the knowledge thereof. This was represented in the poiding of the ground, for an annual-rent of twenty pounds, for twenty years bygone, pursued by Janet Gordon against Gilbert Mackquhairn.

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1633. *February 1.* The LAIRD of PANMURE *against* The YOUNG LAIRD of GEIGHT and his WIFE.

IN a declarator of the old Laird of Geight's escheat, pursued by Panmure;— Alleged for young Geight and his Wife, That the declarator could not be extended to certain lands wherein they were infeft by the old Laird, by virtue of their contract of marriage. Replied, That ought to be repelled; because, before the contract foresaid, the old man was rebel at the horn, after which time he could neither contract, nor do any deed in prejudice of the superior. Duplied, This contract being of an onerous cause, *scilicet, pro dote*, which is most favourable, cannot be prejudged by his lying at the horn; otherwise many inconveniences should follow upon it, to the hurt of poor women. The Lords repelled the exception, in respect of the reply.

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1633. *February 9.* DENNISTON *against* LINDSAY.

THE same found as in Grant against Grant and Others, 28th January 1632, Dict. p. 8037.

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1633. *February 20.* The COLLEGE of GLASGOW *against* PATRICK STUART.

THE College of Glasgow, having right to the teinds of the parish of Govan, and having recovered decret conform *in anno 1585*, raised letters, and charged