

1632. February 1. CUNINGHAM *against* WILLIAMSON.

No 13.

IN an action of poinding of the ground for an annualrent, there is no necessity to summon any other party but the present heritor and the tenants, but not the heritor's author.

Auchinleck, MS. p. 161.

*** Durie's report of this case is No 115. p. 2238. *voce* CITATION.

1633. December 21. Lord WEMYSS *against* STEWART.

No 14.

A PROCESS of molestation, commenced before an inferior court, may, after advocacy to the Lords of Session, be turned to a process of declarator of property.

Fol. Dic. v. 2. p. 180. Durie.

*** This case is No 44. p. 2197, *voce* CITATION.

No 15.

1638. December 19. CORSER *against* DURIE.

PROCESS sustained to crave the lands to be adjudged upon a renunciation to be heir, and the defender also to be decerned for bygone rents, intromitted with by him, both in the same summons.

Fol. Dic. v. 2. p. 180. Durie.

*** This case is No 4. p. 44. *voce* ADJUDICATION.

No 16.

1638. February 22. BROWN *against* BROWN.

CONTRACTS cannot be registered, nor charges raised thereon at the instance of parties who are only consenters, the principal party being dead, but must be pursued by way of action.

Auchinleck, MS. p. 175.

No 17.

1662. February 7. ACHINBECK *against* M'LEOD.

IN an improbation at the instance of the Laird of Auchinbeck *against* M'Leod,