

stance against Alexander Arnote of Lochrigge and the Laird of Rowalland, the Lords did not respect 20 years' possession, with the clause *cum curiis et earum exitibus*; in respect the Laird of Rowalland his superior had these lands within his barony, *cum* ————— and other points of jurisdiction.—*See below,*

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1650. *January 11.* ALEXANDER ELPHINGSTONE *against* LORD ELPHINGSTONE.

IN the action pursued by Alexander Elphingstone against my Lord Elphingstone, the Lords sustained the same, upon a missive that was holograph, all written with Mr James Elphingstone of Barnes, his father's, hand to Gorden of Killoche, the said Alexander his mother's brother; both for stock and brock, as the said letters bear, because the holograph was proven. Neither did they respect the registrate bonds five or six years before, and produced in the process, because of the clause in the foresaid letter, which was long posterior; but they ordained the said Alexander to make cession thereof in favours of the said Lord.

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1650. *January 11.* The LAIRD of CROMLIX *against* JAMES KER.

IN the suspension at the Laird of Cromlix his instance against James Ker, the Lords found the letters orderly proceeded, notwithstanding the decreets obtained against him before the sheriff of Pearth, upon arrestments; because he ought not to have made payment; but, in respect of James Ker's arrestment, to have suspended upon a double pouding; wherein all parties' rights might have been discussed, and the decreets being produced, sundry nullities might have been alleged.

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1650. *January 12.* ROBERT TAILYEUR *against* ARNOTE of LOCHRIGGE and the LAIRD of ROWALLAND.

[*See page 464.*]

IN the double pouding against Arnote and Rowalland, Arnote alleges now, That he is infest *cum* —————. And it is answered by Rowalland, that he did use the attachment first, and ought to be preferred. But Arnote alleged the first decret.

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1650. *January 12.* SPENCE *against* DOWGLAS.

IN the action of registration, Spence against Dowglas, where the execution of the summons was offered to be improven by way of exception, no other being