

onerous causes, and *in rem versum* to the minor; (*vide* 15th January 1684;) and he had succumbed, and the term was circumduced against him, and the minority proven. ANSWERED,—James Gib was not concerned in this reduction, farther than that he gave John Thomson a bond for 700 merks, as the price of the lands disposed; and, seeing the land was evicted, the bond became null, *causa data causa non secuta*.

The Lords reduced the disposition, and declared the bond null; and ordained it, with a discharge, to be given up, and also the disposition to be given back.

Then William Leggat craved a visitation of the houses, to try what condition they are now in, that they may leave them in as good condition at the expiring of the tack; because they were so slightly built with cat and clay, that they would continue little longer than the space of the tack. ANSWERED,—There has been a visitation already, and this is not competent *hoc loco*, but at the end of the tack; and that all houses naturally, in process of time, are deteriorated.

The Lords found no necessity of appointing a visitation of the houses at this time; but declared the defender James Gib, at the expiring of the tack, shall be obliged to leave the houses in as good condition as other tenants use to do at their removal; but would not determine the manner thereof.

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1685. *December 2.* COMMISSARY MONRO, Petitioner.

THE Lords, on a bill, and his taking the test, re-admit Commissary Monro to be an advocate, being now pardoned for high treason and the conspiracy. This gave a general discontent to the advocates; for though the remission red-integrates, *yet nota inuritur, nec tollitur infamia, sed pœnæ tantum gratiam facit; l. 3, C. de Generali Abolit.* And the Lords should be more tender of the Faculty's reputation, by which most of themselves have risen, unless they were commanded to do it by superior powers.

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1685. *December 2.* JAMES LITHGOW *against* JAMES HAMILTON.

JAMES Lithgow, merchant, his charge on the indentures, against James Hamilton, was reported by HARCUS. The Lords found, he being bound prentice to Delchamp, a Frenchman, in the art of making paper, he was not obliged to stay, Delchamp having deserted; unless James Lithgow, the charger, will offer to prove, by his oath, that he was the person who truly indented with him, having only assumed Delchamp to be his partner, and that he alone entertained him in bed, board, and clothing, and was truly his master, and that Del-