

MINOR.

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No. 1. 1735, July 18. GUSTAVUS MUNRO *against* CAPTAIN GEORGE MUNRO.

THE Lords gave an act before answer, to prove the common rate of the country in such bargains. Some of the Lords thought that curators could not farm a whole estate; but most of the Lords differed, and therefore gave the act before answer for proving lesion.

No. 2. 1735, Dec. 5. DUKE OF DOUGLAS *against* LORD TORPHICHEN.

THE Lords found they could not authorize the curators of Dirleton to renounce any part of his security but upon payment, though they thought if the money were paid they would authorize them to lend it to the Duke.

No. 3. 1736, Feb. 24. CURATORS OF NISBET OF DIRLETON.

THE Lords refused to interpose, and were pretty unanimous that they could not, except the President and Dun.

No. 4. 1736, June 3. TURNBULL *against* RICHARDSON.

A REDUCTION *ex capite minorennitatis* being pursued of a bond and bill granted by a defunct, which reason of reduction was admitted to probation, with a defence that they were granted for clothes furnished to the defunct;—the minority was fully proven; and for proving the defence three witnesses were adduced, one a tailor, who deponed pretty distinctly upon the furnishings; the other two deponed upon some furnishings in general; and two other accounts were produced of the furnishings in 1713 and 1715, the one agreeing exactly with the sum in the bill, and the other with the sum in the bond; the Lords in absence of the defender sustained the defence, the defender giving his oath in supplement, because the proof was necessary only to astruct the onerous causes of these debts, though it would not have been sufficient to constitute a debt.

No. 5. 1737, June 7. NISBET of Dirleton *against* DICKSON, His Factor.

MY LORD PROBATIONER (Arniston) reported a question, If a factory during pleasure by a minor and his curators can be revoked by the minor without his curators? The Lord Reporter thought it could not, and we were all of the same opinion.