

1745. *February 5.* CASE OF DUNBARTONSHIRE.

No. 29.

FOUND the Chancery books a public record and sufficient evidence of the old extent, and gave the same judgment with that given in the case of the shire of Renfrew, No. 22, and sustained the title, albeit the total sum in the *valent* exceeded the particulars in the descriptive clause in L.1. 16s. 8d. which was thought only an error in summing up 72 articles, it being the Duke of Lennox's retour. (See DICT. No. 12. p. 8572.)

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1745. *February 6.* CASE OF ROSS-SHIRE.

No. 30.

A COMPLAINT being entered in terms of the act 1743,—found that the freeholders could not turn the persons complained of out of the roll, and that therefore they must be held as still on the roll; and fined the freeholders who turned them out in L.10 and expenses, but would give no judgment against Seaforth, a Member of Parliament. (See DICT. No. 219. p. 8844.)

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1745. *February 7.* CASE OF HAMILTON of Westburn.

No. 31.

HAMILTON of Westburn produced infestment in the just and equal half of the 20 merk land of \_\_\_\_\_, and verified that the whole was a 20 merk land by a retour in 1625, but there had been no division made of the lands and extent, but a voluntary contract between the heritors of both halves in 1671, and the lands have been ever since possessed agreeably to that contract; which objection we sustained upon the act 1743.—Adhered. *Vide* Colonel Abercromby, 28th February 1753, *infra*. (See DICT. No. 30. p. 8603.)

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1745. *February 12.* CASE FROM ABERDEENSHIRE.

No. 32.

FOUND that a vassal now holding of the Crown *ratione forisfacturæ*, the former superior being forfeited, although he took not the benefit of the Clan Act, so that the superiority may yet be sold for the use of the public, is notwithstanding entitled to a vote until it be sold, agreeably to the 26th act, 6th Parl. Jas. II. *Vide* Case of Mearnshire, No. 5. (See DICT. No. 98. p. 8684.)