

NON-ENTRY.

S E C T. I.

Non-entry duties how ascertained.—In what holdings does Non-entry take place. Takes place until actual infeftment. But not if the superior be *in mora*.

1502. *March 13.* THE KING *against* HENRIE SCROGEITH.

GIF ony vassal or frehalder resignis the landis in his superiouris handis, in favouris of ony uther persoun, the said landis or tenement ar in non-entres in the superiouris handis, ay and quhill lauchful sasine be takin thair of be vertue of the said resignatioun or utherwayis, as effeiris.

No 1.

Fol. Dic. v. 2. p. 4. Balfour, (NON-ENTRY.) No 3. p. 257.

1514. *December 14.*

GAVIN DUMBAR *against* ARCH-DEANE of Sanctandros, and ALEXANDER CUIK.

TENEMENTIS lyand within burgh, haldin of ony superiour spiritual or temporal, ar in the superiouris handis be reasoun of non-entres, be deceis of the last laushful possessour thair of, unto the entre of the lauchful air thairto.

No 2.

Fol. Dic. v. 2. p. 4. Balfour, (NON-ENTRY.) No 17. p. 260.

1527. *December 10.* The Burgh of HADINGTOUN *against* JOHNE CARNBEE.

AIKERIS, or ony uther burrow-field land, lyand within the fredom of ony burgh within this realme, as ane part thair of in comountie, on na wayis may fall.

No 3.