

S E C T. V.

Stellionate.

No 11.

Granting of
double rights
punished with
confiscation
of moveables.

1505. *January 15.*The KING *against* JOHN TELFER.

GIF ony man committand the crime of *stellionatus*, gevis and makis, willinglie and wittinglie, doubill infestmentis, takkis, assedatiounis, or ony alienatiounis, or dispositiounis of his landis to divers and sindrie persounis, he may be callit at the Kingis instance, and all his moveabill gudis and geir may be confiscat be his hienes for making of the samen.

Fol. Dic. v. I. p. 233. Balfour, (DOUBLE ALIENATIONS.) No I. p. 166.

* * * The like was found, 26th April 1513, Adam Kinghorn *against* John Macalister.

S E C T. VI.

Suicide.

No 12.

1610. *January 30.*SHEARER *against* STIRLING.

A DECLARATOR being sought of the escheat of a man in Stirling, as alleged having drowned himself;—it was *excepted*, That the defunct's escheat could not fall by that fact, because he drowned not himself wilfully; but having given a deadly stroke, with a durk, in Stirling, to a man, and, being pursued with drawn swords, by one Lairston, guid-brother to the hurt man, and the Laird of Craignageli, he was so hardly pursued by them, that he was forced, for safety of his life, to take the water of Forth; and so, drowning by accident, his escheat could not fall.

Fol. Dic. v. I. p. 233. Haddington, MS. v. 2. No 1767.

No 13.

The Lords
refused to sus-
tain action of
declarator of

1613. *June.*REDPATH *against* ———.

IN an action of declarator of escheat, pursued at the instance of Robert Redpath, as donatar to the escheat of umquhil Marion Forrester, spouse to William