

No 56.

pier and shore of Leith. The publication at the market-cross of Ayr, in the present case, was merely used *ob majorem cautelam*. If publication at the market-crosses of the head burghs of every shire where the lands lie, were required, no inhibition could be depended upon, with respect to the debtor's subsequent acquisitions, unless it were published at the market-cross of the head-burgh of every county in Scotland; Stair, IV. 50. 10.; Macdowall, I. 7. 136.; Erskine, II. 11. 6.

THE COURT, upon the ground stated for Mrs Ross, 'Repelled the objection.'

Lord Ordinary, Swinton. Act. Rolland, Swinton. Alt. Wight. Clerk, Sinclair.
Fol. Dic. v. 3. p. 187. Fac. Col. No 21. p. 43.

S E C T. V.

Denunciation of Comprising.—Denunciation upon Horning.—
Relaxation.

1561. June 19. LAIRD OF BLANERNE *against* LAIRD OF RESTALRIG.

No 57.
A comprising was found null, because the lands lying within a regality, the denunciation was made, not at the head burgh thereof, but at the head burgh of the shire.

THE denunciation of landis to be comprisit sould be maid at the ground of the samin, and at the mercat cros of the principal burgh of the schirefdome or schirefdomis quhair the landis lysis.

1562. January 27. LORD SEYTON *against* EARL OF MONTEITH.

BUT gif the landis lysis within ony regality, the denunciation thair of aucht and sould be maid at the ground of the saidis landis, and als wa at the principal and heid town of the said regality; uther wayis, gif the landis lyand within the regalitie be denuncit at the mercat cros of the heid burgh of the said schirefdome, the denunciation, comprising, and all that followis thair upon is of nane avail, and may be reducit.

Fol. Dic. v. 1. p. 262. Balfour, (COMPRISING.) No 1. p. 401.

* * * See Act 268th, Parliament 1597.

No 58.

A party put to the horn, must be de-

1583. June. EARL OF ANGUS *against* The DONATAR of his ESCHEAT.

THE Earl of Angus persewit for reduction of the gift of his escheat, disponit in sundrie portions to sundrie persons. The second reason of the summons was,