

DECISIONS

OF THE

LORDS OF COUNCIL AND SESSION,

REPORTED BY

SIR JAMES DALRYMPLE OF STAIR.

1662. *February 7.* JEAN ACHESON *against* The LAIRD of M'LEAN.

DAME Jean Acheson pursues the Laird of M'Lean, as representing their predecessors, who was cautioner in a suspension. The defender alleged, Nothing produced to prove the suspension discussed, but letters of horning upon a protestation, which cannot instruct the protestation. The Lords repelled the defence, in respect of the absence of the register, and the oldness of the horning.

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1664. *November 12.* The DAUGHTERS of BALMIRRINO *against* _____.

THE daughters of Balmirrino having pursued the heirs-male for their portions contained in their mother's contract of marriage, and for a competent aliment until the same were paid, the defender renounced to be heir, and was absent. The Lords advised the contract, by which they found the portion payable at the daughter's age of fifteen, and aliment till that time, but no mention of annualrent, or aliment thereafter; yet they found, that the aliment behoved to be