alleged any thing in his favour in the Act, he might extract it. *2dly*. The defender could not claim the benefit of his tack 1641; because the bishops are restored to all they possessed *in anno* 1637; And so not only right, but possession, is restored to them as then, which is as sufficient an interruption, by public law, as if it were by inhibition or citation. Which the Lords found relevant, being *in recenti* after the Act, and never acknowledged by the bishops.

Vol. I, Page 270.

1665. *February* 24. M'Gregor *against* Menzies.

There being a question arising betwixt M'Gregor and Menzies, upon a decreet-arbitral,—the Lords found the decreet-arbitral null, proceeding upon a submission of this tenor;—submitting to the arbiters, aye and while they meet, at any day and place they found convenient, with power of prorogation, without any particular day for giving their sentence, blank or filled up; because the decreet-arbitral was not within a year of the date of the submission, nor any prorogation during that time.

Vol. I, Page 276.

1665. *June* 8. ——— *against* ———.

The Lords intimated to the writers, keeper of the signet, and clerk of the bills, an Act of Sederunt, prohibiting general letters, upon presentations or collations of ministers, whether having benefices or modified stipends, until every incumbent obtain a decreet conform; albeit they should produce their predecessor's decreet conform, or a decreet of locality, containing the stipend particularly.

Vol. I, Page 279.

1665. *July* 5. George Dumbar *against* The Earl of Dundie.

George Dumbar having charged the Earl of Dundie, as cautioner for the Laird of Craig, to pay 8000 merks of tocher, provided by Craig's sister's contract of marriage; the Earl of Dundie suspends on this reason, That he is but liable for his half, because they were not bound conjunctly and severally. The charger answered, That he was bound as cautioner and full debtor, which was sufficient. Which the Lords sustained.

Vol. I, Page 305.

1665. *December* 23. The Laird of Cesnock *against* Lord Bargany.

The Laird of Cesnock and the Lord Bargany and Balcarras being bound,