

1665. *February 21.* CREDITORS of the LAIRD of CRAIG *against* His LADY.

LAIRD of CRAIG having given his lady a jointure of thirty chalders victual, and thereafter *stante matrimonio* having given her an additional jointure of twenty more : and this additional &c. being craved to be reduced, *1mo*, Upon the act of Parliament made against dyvors : *2do*, That the same was revoked by her husband, by giving infestments of his lands for debt contracted by him ; at least, the creditors having comprised in his own lifetime or thereafter :

The Lords found that for debts contracted before the additional jointure he was no bankrupt, having an estate sufficient at that time to have paid them ; and, therefore, ordained the lady to pay the annualrents of these debts, during her lifetime, or the creditors to find a merchant for the sale of so much as would pay them ; and the lady to renounce her liferent of so much as should be sold for their satisfaction, but prejudice to her to affect the rest ; and for debts contracted after the additional jointure, whereon other infestments or comprisings have followed, they found the same no tacit revocation, as was alleged, and that her right did subsist notwithstanding thereof.

Act. Norvell.

Alt. Cunyghame.

In P. D.
Advocates' MS. folio 53.

1665. *January 20.*

BARCLAY *against* BAPTIE.

BAPTIE having given a ticket subscribed with his hand, bearing him to have confessed that he had gotten a bairn with Barclay, under promise of marriage ; whereon the woman having recovered decret before the Commissaries of Edinburgh against him for adherence and solemnizing the marriage ; and being suspended on thir reasons, that *ex æstu et fervore passionis* he had given that ticket, which was also vitiated *in substantialibus*, and that she had since borne a child to another man : this the Lords desired to hear *in presentia*. The information of it I have largely set down.

Act. Cunyghame.

Alt. Lockhart.

Advocates' MS. folio 53.

COLONEL FULLARTONE'S cause against my Lord Kingstone I have in a paper at length, which is well worth the considering.

Act. Sinclair.

Alt. Cunyghame.

In P. D.
Advocates' MS. folio 53.