

. Auchinleck reports this case :

1633. *March 18.*—THE LAIRD of Edmiston being minor, is, by letters of caption, taken by the Lord Erskine, and incarcerated within the tolbooth of Edinburgh. He means himself by bill that he is content to renounce to be heir to his father, for whose debts he is incarcerated, and together with this bill produces a renunciation. THE LORDS ordain him to be put to liberty, in respect of his age, being but a bairn of 14 years of age, without prejudice to his creditors to pursue his lands and gear.

Auchinleck, MS. p. 136.

No 7.

1677. *January 31.* ———. *against MURRAY.*

THERE being a decret obtained against Patrick Murray, an infant of four years old, as charged to enter heir to his father,

THE LORDS decerned against him, but superceded execution till his pupillarity were past, in respect he had no tutor.

Fol. Dic. v. 1. p. 575. Stair, v. 2. p. 501.

No 8.

. Dirleton reports this case :

A PUPIL of four years of age, being pursued upon the passive title of a charge to enter heir, and the friends conceiving that it were fit to renounce, none of them being curators, nor being willing to meddle, and to authorise the pupil to renounce; the LORDS decerned, but superceded personal execution until the pupil should be past pupillarity.

Reporter, Castlebilk.

Dirleton, No 446. p. 217.

1707. *July 17.*

THE TUTORS of Sir ROBERT GORDON of Gordonston, Supplicants.

THE LORDS, upon a representation given in by the Tutors of Sir Robert Gordon of Gordonston, found that neither he, nor his Tutors were bound, in the ranking of the Creditors on Sir Patrick Ogilvy of Boyn's estate, to depone upon the verity of a debt for which he the pupil was a creditor by adjudication. And therefore stopped any certification against his interest for not deponing, until he were of age to depone; and allowed his interest to be ranked in the mean time.

Fol. Dic. v. 1. p. 575. Forbes, p. 184.

No 9.