

## SUMMARY APPLICATION.

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1677. November 15. THOMSON *against* ROSS.

No. I.

THE Lords, upon a summary application, took trial for a forgery, being in a poor man's cause.

*Fol. Dic. v. 2. p. 402. Fountainhall MS.*

\* \* This case is No. 15. p. 9397. *voce* OATH OF PARTY.

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1681. December 21. The LAIRD OF LAMERTOUN *against* The EARL OF HOME.

No. 2.

There being a bill of complaint given in by the Laird of Lamertoun against the Earl of Home, making mention, That he was in possession of several lands of the barony of Home, by virtue of infestments; that the Earl of Home had held courts, and decerned the tenants to make payment to him of the mails and duties, notwithstanding there were several suspensions raised at his and the tenants' instance of the former decreets obtained by the Earl in his said Baron Court, for other terms preceding, which suspensions the Earl hath never discussed; and it being alleged for the Earl, That albeit he was cited upon the said complaint by a Macer, yet he was not obliged to answer without a Signet letter, he not being a member of the College of Justice; and it being replied, That this being a contempt done to the Lords' authority, the former suspensions being not only for the terms specially mentioned therein, but in time coming, he ought summarily to answer to the said complaint; the Lords ordained letters of horning to pass against the Earl, ordaining him to find caution to desist from troubling the tenants, until the discussing of the suspensions.

Any person, though not a member of the College of Justice, is bound to answer summarily a complaint for contempt of the Lords' authority.

*Fol. Dic. v. 2. p. 402. P. Falconer, No. 12. p. 5.*

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1700. February. HAMILTON *against* LORD ELIBANK.

No. 3.

A minor, with concurrence of his friends, craving by bill, that his tutors might be removed, as suspected, for not making inventories in the terms of the act of Parliament, the Lords refused the desire of the bill, and remitted them *ad actionem*