

read, he had not found so pregnant an example of a contrived and complicated cheat as this was. *Vol. I. Page 199.*

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1682. *December 8.* WILLIAM PATON *against* STIRLING of ARDOCH.

WILLIAM Paton, writer, against Stirling of Ardoch, is reported by Forret. The Lords, notwithstanding all the objections against the decreet *in foro*, did religiously adhere thereto, and would not loose the same. *Vol. I. Page 200.*

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1682. *December 13.* THOMAS WILSON *against* JOHN and JAMES MUIRS.

THE case between Thomas Wilson and John and James Muirs, is reported by Drumcairn. The Lords, in regard he was holden as confessed, refused to repone him presently; but found the letters orderly proceeded, superseding extract for eight days, to see, if, in a reduction to be raised by Muirs, they could purge their contumacy. *Vol. I. Page 200.*

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1682. *December 21.* SIR JAMES TURNER *against* JAMES PILLANS.

THE competition between Sir James Turner and Mr Pillans about the lands of Craig, being reported by Boyn; the Lords found that Mr James, though a compriser within year and day, yet ought not to come in *pari passu* to a share of the maills and duties with Sir James; because Mr James, having intromitted already, had got part of his annualrents, whereas Sir James had got none: and therefore allowed him to possess till he were as far forward as Mr Pillans was: and then allowed them after that to come in *pari passu*.

This was reclaimed against by Mr Pillans, (who had not spread his informations before reporting,) as not the equality meant by the 62d Act Parliament 1621, seeing *vigilantibus jura subveniunt*; and all that Sir James could claim was by an action to repeat his proportion; and, even in that case, he would defend himself that he was a *bona fide* possessor, as the Lords found in 1675, *Baird and Johnston*.

But the bill was refused 15th March 1683, and the Lords adhered to their former interlocutor. *Vol. I. Page 203.*

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1682. JAMES PILLANS *against* DAVID PLENDERLEITH and ANDREW BURN.

*January 24.*—THE competition between Mr James Pillans, late one of the Regents of the College of Edinburgh, and David Plenderleith, writer, being reported by Tarbet, Lord Register; the Lords found, that David Plender-