

bearing their cheatry, falsehood, and unfaithfulness in their trust; and then to return to prison, and Waddel to lie till he pay the debt. Which ignominious sentence was accordingly executed.

Thus little rogues are caught in the cobweb net of our law, which the great ones break through.

Douglas alleged, that Waddel enticed him to a cellar to take a chopin of ale; and there, with the help of a dragoon, violently robbed the bond from him. But this appeared to be but a falsehood.

The Clerk-register, upon this attempt and emergent, proposed to disjoin that part of registering bonds from his depute's office; it having much hazard annexed thereto, through their being liable for their mean servants, who may be easily bribed to such villainies; and to erect it into an office by itself, and exact caution for it.—This was to bring in a round sum of money from him whom he placed therein. But he having proposed it to the Parliament in June 1685, his deputies gave him a composition to continue it with them; and they are to substitute a particular trustee for that effect. Which provokes some to registrate their writs in inferior courts.

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1685. *March 28.* JAMES CORNWALL of BONHARD *against* The EARL of WINTON.

JAMES Cornwall of Bonhard having denounced and registrate the Earl of Winton at the horn, as cautioner for Sir Walter Seton in a contract of salt, and my Lord having paid the debt, Bonhard was content the horning should be taken out of the register; but George Robertson, the keeper, durst not give it back, lest the Clerk-register should take advantage of him for it; therefore Bonhard and Winton's advocate signed a bill to the Lords, to get their warrant to take out the horning, it being paid, and very recent; and the Register backed it.

Yet the Lords very circumspectly refused it, unless Bonhard deponed that he gave no warrant for the registration: which he did. And so the Lords recalled it as unwarrantable.

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1685. *March 28.* JAMES TURNER *against* ANNAND, &c.

JAMES Turner, cabinet-maker, gives in a bill of suspension against Mr Annand, dean of Edinburgh, and his Kirk-session, for imprisoning him upon a bond he had given to forbear one Widow Biggar's company, with whom he had conversed scandalously, and yet continued therein; as also refused to satisfy for sundry fornications. He pretended, that, these being before the late act of indemnity, they were all pardoned.

ANSWERED,—Kirk-censures and satisfaction for scandals could not be included therein, else all church discipline should be cast loose.

My Lord Drumcain repelled the reason, and found the letters orderly proceeded.

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