

cured a ratification of it there, when he was past 21 years ; and having brought him home *anno* 1670, when he was 23 years old, he, at Dumfermline, impe- trated from him another disposition of all, and restricted his annuity to 3000 merks a-year ; and that the pursuer having complained of this to the Parlia- ment in 1681 and 1685, they remitted it to the Session. And they were redu- cible deeds, the first being taken from a minor by his sole intromitting curator, *sine quo non* ; and the second was *ante rationes redditas*, and a continued tract of the same cheat, and worse than *Cornelius Neilson's to Bonar's Heirs*, men- tioned 7th December 1682.

ANSWERED,—He was a perverse boy, and riotous, refusing to stay at home ; and he choosed George Wardlaw himself, though he had at first Mr Robert Melvil, his own uncle, and a grave man, to be his tutor. 2do, That the first disposition was acknowledged to be but a trust ; but the 2d at Dumfermline was most onerous, and adjusted by the Lords Preston and Cranston, his friends ; and if he and his mother (who has a great liferent) live long, it will be a dear bargain to Pitrevie. 3tio, It is homologated since, by his discharging the an- nuity quarterly, and a new disposition since his complaint in Parliament, revised by Mr David Dewar, advocate, his good-brother. 4to, Pitrevie bruiks by valid rights granted by a major not declared an idiot ; and so they cannot be taken from him ; and Dury, 5th July 1635, *Leslie*, shows, that the Lords rejected a reduction on qualifications of circumvention stronger than thir. 5to, Pitrevie cannot count now for his tutory, his father being dead and discharged, and so presumed to have given up all his instructions. But it was offered to be proven they were yet in his own hand. The President desired to know the true value of the estate dispoed, that he might consider the lesion Abden had by the bargain.

This cause being advised on the 17th February 1688, the Lords sustained the many reiterated acts and contracts to purge the circumvention ; and as- soilyed.

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1687. June 29. The EARL of LAUDERDALE *against* JOHN WATSON.

IN the Earl of Lauderdale's removing against John Watson, late collector of the cess in the Merse, from a roum in Swinton ; the Lords, on Saline's report, repelled his other defences, but sustained this, that Sir William Sharp, who stands in the right of that estate, gave orders to David Maitland to let him sit another year ; and found it probable *scripto vel juramento* of Sir William.

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1681, 1682, 1684, 1685, 1686, and 1687. The CHIRURGEONS of EDINBURGH *against* The APOTHECARIËS.

See the prior part of this case *supra*, page 408.

1682. January 24.—His Royal Highness the Duke of Albany and York