

## ARBITRATION.

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1735. *February 12.* SKENES *against* CREDITORS of Sir D. THOIRS.

No. 1.

SUBMISSION not being signed by some parties concerned till producing their interests before the arbiters, not sufficient to bind them to, or to support a decret-arbitral against them.

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1736. *December 10.* SIMPSON *against* Mr. PATRICK STRACHAN.

No. 2.

AN arbiter having pronounced his decret, and put it in the hands of the clerk of the submission, cannot, after the submission is expired, cancel or alter it, but it may be recovered by exhibition.

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1738. *January 12, 17.* BLAIR *against* GIBB.

No. 3,

DECREET-ARBITRAL being pronounced, but not delivered till the parties would gratify the arbiters for their pains; Blair, one of the parties, who knew nothing of the contents of the decret, was willing to join with Gibb to gratify them, but not to give what they demanded; therefore Gibb, the other party, paid them, and thereupon the arbiters gave the decret to be registrated. The Lords found this was corruption, and reduced the decret, and ordered the money paid to the arbiters not to be restored to Gibb, (because he was *particeps* of the corruption,) but to be put into the poor's box; and did not go to a higher censure, because the arbiters seemed to have acted in the belief that it was lawful. (See DICT. No. 67. p. 664.)

Gratuity to arbiters.