No. 40. Court thought there was no necessity to appoint a *curator bonis*, and that they could directly authorise the minor to discharge and renounce the former security, the money being at the same time re-employed on sufficient security, and therefore remitted to the Ordinary on the bills to enquire into the sufficiency of the new security. (This was Lord Royston's heir, son to Colonel Stewart.)

1748. *January* 6. CAVERS DOUGLAS'S CASE.

No. 41.

UPON the claims given in pursuant to the late act for abolishing heritable jurisdictions, and for giving our opinion touching the value of them, we found in the case of Cavers Douglas, that in respect of a private act of Parliament in 1633, proceeding on his own petition, whereby his Sheriffship was declared redeemable by the creditors for L.20,000 Scots, he therefore could claim no more. But in our report to the King in Council, we also reported our opinion touching the value of it, by the same rule that we valued other heritable Sheriffships, if it had not been so redeemable.

1748. *January* 7. EARL of MORTON'S CASE as to LANGTON.

No. 42.

LANGTON had been part of the regality of Morton, but had been sold off *cum privilegio regalitatis*, and charters granted in these terms by the Crown, and since purchased back by the family of Morton. We found, that the alienation dissolved the regality, and that the *privilegium regalitatis* could not pass with the lands to the purchaser without a new erection, and that Earl of Morton's purchasing them back could not revive again the regality as to these lands.

1748. *January* 12. A. *against* B.

No. 43.

WE determined two general points on which many claims depended, after full hearings at the Bar and memorials; viz. 1*mo*, That the positive prescription was sufficient to sustain all heritable jurisdictions, whether Sheriffships or regalities, though granted after the acts of James II. in 1455;

2*do*, That ratifications in Parliament were sufficient to sustain regalities, though created after these acts. But the Bar did not insist for our judgment with respect to ratifications of Sheriffships, because they were all safe by prescription. No. 43.

1748. *January* 21.

EARL of MORTON'S CLAIM of JUSTICIARY of ORKNEY.

No. 44.

FOUND that the Justiciary of Orkney is subordinate to the High Court of Justiciary; but afterwards in valuing it, we put the same value on it as we did on regalities, where the Lord was also heritable Sheriff of the same lands.

1748. *January* 26. LORDS of REGALITY and BISHOPS, *Claimants*.

No. 45.

FOUND that Lords of Regality, and even Bishops who were such, might create heritable Bailies of Regality.

Eodem die.

EARL of EGLINTON'S CLAIM of SHERIFFSHIP of RENFREW and REGALITY of PAISLEY.

No. 46.

EARL of Eglinton's claim of Sheriffship of Renfrew and Regality of Paisley: These were by the investitures redeemable by the Crown for L.5000 sterling; but we found, that notwithstanding thereof, if the true value should appear to be less, he could on this act claim no more than the true value. However, when we came to value, the value of it amounted to that sum.

1748. *March* 1.

The CASES of URQUHART and PATRICK HEPBURN, as Adjudgers from Sir JOHN GORDON, Deputy-Sheriff of Parts of the Shire of Cromarty.

No. 47.

THE Lords found, that heritable Sheriffs could create heritable Deputy-Sheriffs over different parcels of the shire, and sustained the claims of these Deputies, *renitent.* Minto, Monzie, Tinwald, *et me*, (but I was in the chair, and it came not to my vote.)