

1776. December 14. AGNES PEADIE, Petitioner.

LORD Stair, p. 582, says, that adjudications on the Act 1672 may pass upon a summons of one diet, of six days, where parties are near. Lord President and Lord Braxfield, in considering a petition of Agnes Peadie, gave it as their opinion, (14th December 1776,) that this, of one diet, could only be followed in second adjudications, but that all first adjudications, on the Act 1672, behoved to be on two diets, with the common *induciæ*.

See INDUCIÆ LEGALES.

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In the same petition, it was held *as established*, that it was not a no process to make the diets of compearance fall in the Christmas vacation:—and it was not controverted. This was repelled by Lord Elliock, 28th February 1771.

A dilator of this sort repelled by Lord Justice-Clerk, 28th July [1774, in a reduction of a decret of the Commissioners of Supply of Clackmannan.

See Forbes, 23d June 1713, *Colquhoun*; and 23d July 1713, *Gordon*.

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1775. June 15. FEUARS of CAMELAS *against* PROPRIETORS of CLYDE NAVIGATION.

LORD Kilkerran, p. 316, marks a decision, where the Lords found, that, in a question concerning the jurisdiction of the Court, the reclaiming days did not run. This decision was approved, and held to be law 15th June 1775.

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ELECTIONS OF WICK.

A DEFENDER proponing improbation of the executions, must do it *in initio litis*, and, further, must do it *peremptorie*, March 1773, see Dict. Vol. II. p. 186, *Jameson against Hay*. Contrary, 28th November 1744, *M'Lauchlan*.

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1772. December 4. MACNEILL *against* BUCHANAN.

It was objected to a decret of adjudication, that the special charge on which it proceeded was only narrated in the libel, but not mentioned in the production of the decret; and, as the extract is the proper record, it must be held as in truth not to have been produced. But the Lords found that this