

1776. *December 21.* POOR ANDERSON *against* WILSONS.

A LIKE demand was made, and also to find caution *judicatum solvi*, in a process of oppression and damages, Poor Anderson *against* Messrs Wilsons, ministers at Gamery, before Lord Hailes; which demand his Lordship refused, and pronounced an act for proving, and Messrs Wilsons did not, upon that point, reclaim.

1745. *June 28.*

JEAN SYMONS.

A PURSUER was allowed the benefit of the Poor's Roll in a cause where her libel was admitted to proof, although the defenders were Magistrates of a royal burgh, and that the pursuer, as was alleged, lay under a bad character.

PRESCRIPTION.

1777. *February 27.* The TRUSTEES of BOYDS *against* The EARL of HOME.

DILIGENCE upon a bond saves prescription of a relative bond of corroboration, the Trustees of Boyds *against* Earl of Home, 18th June 1776. On a reclaiming petition the Lords demurred, and superseded further consideration of the point till November; and, upon advising the petition and answers, they altered and found the bond of corroboration prescribed, though the bond corroborated was not. This day, 27th February 1777, refused a reclaiming petition without answers, and adhered.

The bond of corroboration in this case not only corroborated the principal, but turned some annualrents owing, into a principal. The Lords were of opinion that, to save a bond of corroboration from prescription, a document behaved to be taken on it within the forty years.

1776. *August* . JOHN GORDON *against* ROBERT OGILVIE.

WHERE a minister and his predecessors have possessed lands as part of his benefice for the term of the *decennalis et triennalis possessio*, it is sufficient to secure him, till called in question by a process of reduction, if there is a right by any deed to the lands under challenge,—or by process of declarator, if there is no deed but possession only. This distinction between a reduction and de-