

(Læ debito naturali.)

In a suspension of this judgment, at the instance of Oliver, the Lord Ordinary found that he was liable in that sum annually, until the child should attain the age of fourteen years.

But the Court, in reviewing this judgment, were of opinion, that, for persons in his circumstances, the sum was too large, and the time too long; and, therefore, they 'restricted the quantum of the aliment to L. 3 in the year, to be paid quarterly, until the child should attain the age of seven years; and also, thereafter, until either that the father shall take the child into his own keeping, or that the child shall attain the age of ten years.'

For Suspendor, *H. Erskine.*Adv. *Adam Ogilvie.**Fol. Dic. v. 3. p. 25. Fac. Col. No 21. p. 36.*

1782. November 19. JANET GLENDINNING against JAMES FLINT.

JANET GLENDINNING sued Flint for aliment of a bastard female child, whom she had born him.

In determining the *quantum* of that allowance, the Court was influenced by a specific obligation under the hand of Flint. With regard to the endurance of it, or of the mother's right to the custody of her child, their Lordships seemed to be chiefly moved by the consideration of the child's being of the female sex.

THE LORD ORDINARY had found, 'That the pursuer, Janet Glendinning, was entitled to keep the child until it attain the age of seven years, and to be paid an aliment therefor, at the rate of L. 100 Scots yearly.' But

The Court varied that interlocutor, and 'found the pursuer entitled to aliment for her child, at the rate of L. 10 Sterling per annum, ay and until she arrives at the age of ten years complete; reserving to the child to apply afterwards for aliment, as accords.'

Lord Ordinary, *Westhall,* Adv. *Little.* Adv. *Henry Erskine.* Clerk, *Colquhoun.**Fol. Dic. v. 3. p. 25. Fac. Col. No 68. p. 106.**Stewart.*

1782. November 29. AGNES PATERSON against ALEXANDER SPEIRS.

AGNES PATERSON, a woman of low rank, having brought an action against Speirs, who was possessed of a considerable estate, for aliment of a natural child of the male sex, of whom he was the father, the Lord Ordinary pronounced two interlocutors, one of them respecting the *quantum*, and the other concerning the duration of the aliment.

No 76.

No 77.

How long the mother is entitled to the custody of a female bastard child, and to payment from the father for its maintenance.

No 78.

To a male bastard child, an aliment of L. 100 Scots per annum, till he arrive at.