

finally to pay to the charger L.50, for expences, as modified by them, and really debursed by the charger, in obtaining his decret and defending.

*For the suspender, Act.* Mr. George Norvell and Sir George M'Kenzie. *Alt.* Sir George Lockart, and Mr. Robert Trotter.

*Signet MS. No. 11. folio 4.*

1663. *November 28.* CORNELIUS CRAWFURD of Jordanhill, *against* M'CAILZONE and OTHERS.

MR. NINIAN CAMPBELL, minister at Roseneth, *in anno* 1656, by his bond, grants him to have received from Cornelius Crawford of Jordanhill, the sum of L.754; and for the said Cornelius his surer repayment thereof, he infefts him in an annual of L.44. 12s. 8d. as effeiring to the said sum of L.754, to be uplifted out of the three merk land of Carreask and Balingoune, within the Lordship of Cavell and Sheriffdom of Argyle. Cornelius afterwards coming to know that the said Mr. Ninian had some monies in the parishioners' hands, he arrests the same: and then (Mr. Ninian being dead,) he pursues to make furthcoming; summoning thereto the relict and his son, with his curators for their interest, if he any have. For instructing his summons, [he] produces in presence of the Lords the bond granted him by Mr. Ninian, his instrument of seasine, with the letters of arrestment, and their executions; and what cannot be verified by thir, he is content to refer to the defenders (in whose hands the arrestment was made) their oaths of verity.

This the Lords found relevant; and therefore assigned him a day against which he should summon them to that effect. Which he having done, and they failyieing, they were held as confessed; and decret given against them, ordaining them to answer the pursuer in his desire of the libel.

*Signet MS. No. 12. folio 4.*

1663. *December 1.* THOMAS KINCAID *against* JAMES CRAWFURD.

ALEXANDER CRAWFURD, son to James Crawford, goldsmith in Edinburgh, by his bond, *in anno* 1648, obliges him to pay to Charles Watstone, writer in Edinburgh, and Mary Young his spouse, the sum of 2000 merks, with the usual annualrent thereof, with L.200 of expense in case of failyie. This bond Charles Watstone, *in anno* 1650, assigns to Mr. Robert Young, minister at Dumbarin; who, for his better security, obtains a wadset of a tenement of land in Halkerston's Wynd, appertaining to the said Alexander Crawford, redeemable upon payment of the foresaid principal sum. *In anno* 1653, Thomas Kincaid, chirurgeon apothecary, marrying the said Mr. Robert Young's sister, (their father was Mr. Andrew Young minister at Abercairne,) he dispones over to Thomas, by his translation, his right to the said bond and wadset: who immediately procures letters of charge, to enter heir within forty days, against Mr. James Crawford, son and heir to the said Alexander, conform to the act of Parliament; and thereon summons him and his