

- No 156. trary of which is frequently acknowledged in the pursuer's own libel, being inconsistent with several other reasons of reduction commonly libelled; that our law appoints writs to be produced to every one who can show he has an interest in the production; and it appoints the production to be under the penalty of certification of being held as false or feigned; this is not discerning them false or feigned, but only that they shall be of no faith in judgment, more than if they were false or feigned.—See APPENDIX.

Fol. Dic. v. 1. p. 452.

S E C T. VIII.

Grounds of Reponing against a Decree of Certification.

1622. *January 31.* AUCHINTORY *against* BRUCE.

No 157.

THE LORDS found a decret of improbation irreducible, albeit given for not compearance, and that it was sought to be reduced within half a year, and that no adminicle of improbation was taken away because the writ itself was.

Fol. Dic. v. 1. p. 453. Kerse, MS. fol. 207.

1629. *January 15.*

No 158.

THE EARL OF GALLOWAY *against* THE LAIRD OF ROLLWOOD and Others.

THE Earl of Galloway pursued an improbation against the Laird of Rollwood and others, and obtained certification against all writs not produced by the defenders. Three or four years afterwards there were some other writs produced by the defender, which were called for in the pursuer's summons, which writs he desired might be taken in yet, in respect that the certification was neither booked nor extracted *et sic res erat adhuc integra*; which the LORDS admitted.

Fol. Dic. v. 1. p. 453. Spottiswood, (IMPROBATION.) p. 166.

No 159.

The Lords refused to re-
pone a party

1667. *June 14.*

FORBES *against* BLAIR.

DR FORBES and his spouse, having recovered a decret against David Edgar, the said David did grant a disposition in favour of his mother, whereof the Doc-