

Keepers of the registers and records, to exhibit and produce, before the said Lords, any grounds or warrants, and books, that can clear the whole matter. And ordain the Lords to make report. *Vide 13th March 1683.*

*Vol. I. Page 216.*

*March 13.*—George Seton of Barns, in the affair between him and the Lady Bearford, &c. (mentioned 7th Feb. 1683,) on a bill gets a deliverance and warrant to examine the Commissary-clerk and his servants on the said minute and its extracts; as also a commission to examine Mr Robert Hodge, the arbiter, and writer of it, &c.—*Vide 30th current.*

*Vol. I. Page 225.*

*March 30.*—The Viscount Granard, Lady Logie, and Lady Bearford, against George Seaton of Barns, (mentioned 13th current,) being advised; the Lords found, by the writs produced, the deposition of Mr Robert Hodge of Westgladsmuir, the arbiter, and writer of the minute of the decreet-arbitral, and the Commissaries their clerks and servants, and particularly by the oaths of Home and Sandy, that the said decreet at the beginning has borne *his estate*, and is since made *this estate*, by adding the letter T to *his* in two places of it, where Sir John Seaton, his father, is empowered to dispose upon the rest of his estate; and that it has no other vitiation in it; and that it appears that Barns, neither by himself nor others, had any accession thereto.

Barns, in this process, to blunt Lady Margaret Hay his stepmother's process, by the popish priests, agreed with her. Yet the enemies he left behind prevailed thus far, as we have seen; which they sought to counterbalance and enervate Barns's suit he had commenced in Ireland, for some lands there belonging to his father, where they made use of the foresaid decreet-arbitral as a renunciation of all he had to crave, save the lands of Barns.

*Vol. I. Page 231.*

1683. SIR DAVID CARNEGIE OF PITTARROW *against* SMITH and MONTGOMERY.

*March 23.*—Sir David Carnegie of Pittarrow against Smith and Montgomery, tenants of Graham of Crigie, reported by Drumcairn. The Lords refused to allow the payments made by these tenants to Barbara Ramsay, and Lyles, her children; because, though they had preferable infestments to Pittarrow's, yet, being called to his decreet of preference among the other creditors, they are not ranked there, and that decreet of preference was the only rule for paying; and allowed the rest of the articles of their discharge. Only ordained the prices of the victual to be calculated at the sheriff's fiars for these years. *Vide 30th current.*

*Vol. I. Page 229.*

*March 30.*—Sir David Carnegie of Pittarrow his general declarator of escheat against Smith, Crigie's tenant in Mathers, being reported by Castlehill; the Lords found the denunciation of the said tenant to the horn, null, because it was general for payment of a superplus not then liquid, and which could not be; because the very annualrent of those creditors ranked before Pittarrow in his own decreet, was far more than all his rent extended to, though there was a superplus due among the whole tenants.

*Vol. I. Page 231.*