

WARRANDICE.

1549. *March 28.* L. DRUMMOUND *against* ROBERT STEUART.

GIF ony man sellis or annalziez landis heritable, or settis the samin in tak and assedatioun to ane uther, *titulo oneroso*, or with general clause of warrandice alanerlie, he may not be compellit to warrand the samin fra ward, releif or non-entres; because na persoun may be callit and convenit for warrandice of ony landis annalzeit and disponit be him, fra ward, releif or non-entres, except he be speciallie and expreslie bund and oblist thairto; because ward, releif, and non-entres pertenis to the superiour be the commoun law of this realme, fra the quhilk na man is exemit, and sould be knawin to all our soverane Lordis lieges; and thairfoir the uther sould impute it to himself, gif he, not makand special provisioun heiranent, incurris ony skaith throw his awin negligence and inexcusabill ignorance.

Balfour, p. 318.

No. 1.
Warrandice
of ward,
relief, &c.

1563. *March 14.* LAURENCE SIMPSON *against* JOHNE ZOUNG.

Gif infestment, alienatioun, or disposition be made with particular clausis of warrandice, fra wardis, releifis, and non-entres, and fra sic uther special caissis that may follow, togidder with ane general clause of warrandice, fra all uther thingis that may stop or mak impediment to him, to quhom the said infestment is maid, to bruik peciablle the saidis landis at his pleasour; gif thair be ony sic thing as takkis or liferentis not contenit expresslie amang the saidis specialities of warrandice, na actioun of warrandice thairanent sould be gevin, notwithstanding the general clause foirsaid.

Balfour, p. 319.

No. 2.
General
clause.

1583. *May.* LD. KENFAUNS *against* LD. CRAIGIE.

The Laird of Kenfauns pursued the Laird of Craigie to warrant to him certain lands holden of the Abbacy of Scoone, called the Craigtown, and by a sasine of a

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No. 3.
Where no
warrandice
was express-