

EXECUTION.

DIVISION I.

Warrant of Execution.

1604. *March.* MONCUR *against* L. of CRAIG.

IN an action of spulzie, pursued by Moncur against the Laird of Craig, THE LORDS found an inhibition null, because the tack bore that the lands lay within the parish of Caterlin, and the inhibition was served at the kirk of Kethouse, albeit the pursuit offered to prove that the kirk of Caterlin was ruinous, and no service thereat, and the people of both the parishes were in use to resort to the preaching and sacraments at the kirk of Kethouse.

Fol. Dic. v. 1. p. 258. Haddington, MS. No 715.

No 1.
An inhibition was found null, because it was served at another church than the church designed in the body of the letters, although that church was ruinous, and the congregation went to the one at which the inhibition was served.

1627. *January 24.* ROBERT ERSKINE *against* The L. of ERSKINE.

THE LORDS found an inhibition null used against Sir James Erskine personally, because the letters bore warrant to inhibit only upon sixty days warning at the market-cross of Edinburgh, pier and shore of Leith, and market-cross of Stirling upon sixty days warning.

This same found and more, 19th March 1628, Lamb *contra* Blackburn. See Div. 4. Sect. 1. *b. t.* See No 4. p. 3683.

Fol. Dic. v. 1. p. 258. Kerse, MS. fol. 61.

No 2.