

EXHIBITION.

S E C T. I.

Who have an Interest to Pursue Exhibition.

1610. *January 23.* WILLIAM STEWART *against* COLIN CAMPBELL.

No 1.

A BOND being called for to be exhibited and delivered to the pursuer as unlawfully taken from him, it being in his possession as his proper evident, the LORDS will not suffer the defender to dispute upon the validity or invalidity of the bond ; but will sustain the summons for re-delivering of it, as wrongously gotten by the defender, reserving to him his defence against the effect or execution thereof, when he shall be pursued upon it.

Fol. Dic. v. 1. p. 282. Haddington, MS. No 1752.

1623. *July 4.* E. of HUME *against* CRANSTON.

No 2.

IN the improbation pursued by the Earl of Hume, the LORDS sustained the Earl's incident for charters, sasines, bonds, reversions, contracts, and all other writs called for, although they nowadays concerned the cause, only upon pretext of comparison of the handwrits of the body, with the body of the writs taken to be improven : Whereof I thought the consequences very dangerous.

Fol. Dic. v. 1. p. 281. Haddington, MS. No 2885.