

GIFT OF NON-ENTRY.

S E C T. I.

What it Comprehends.

1543. July 31.

The QUEEN and EDWARD STEWART *against* GEORGE COLQUHOUN.

ANE gift or dispositioun of the non-entres or ward of ony landis, maid and gevin be the superiour to ony man, as beand in his handis be ressoun of non-entres or ward, the time of the making of the said gift or dispositioun, gif it be of veritie that the saidis landis were nather in non-entres nor ward the time foirsaid; the donatour hes na richt nor titill be ressoun of the said gift to the saidis landis, albeit the samin efterwart, at ony time followand the day and dait of the said gift, happin to fall in non-entres or ward. For the gift of non-entres may not comprehend or be extendit to the non-entres supervenient efter the dait of the gift.

Fol. Dic. v. I. p. 349. Balfour, (NON-ENTRY.) No 10. p. 259.

1631. July 20.

EARL of KINGHORN *against* GEORGE STRANG.

GIFT of non-entry gives ony action to the donatar for the retoured mail, and not the farms and duties of the land, before declarator be obtained upon the gift.

Fol. Dic. v. I. p. 350. Auchinleck, MS. p. 140.

No 1.

A gift of non-entry was found not to extend to non-entries supervenient after the date of the gift.

No 2.