

minute, as they are before deduced; as also ay and while he purge all and hail the burdens affecting the said lands to be given up in a note by the charge; [and] till which time, that the writs and evidents produced lie in the clerk's hands.

*Suspender*, Mr. Alexander Spottiswood. *Alt.* Mr. David Falconer.

*Signet MS. No. 19, fol. 6.*

1663. *December 3.* HELEN HILL *against* LAUHLANE MACLEINE of Lochburie.

MURDOCH MACLEINE of Lochburie, by his bond, binds, obliges him to content and pay to Helen Hill, relict of Jo. Maxwel, burgess in Glasgow, the sum of L.800. *In anno 1657*, she registrates the bond and raises letters of horning thereupon. He suffering himself to be denounced, she obtains letters of caption: by which having apprehended him, he grants her a bond of corroboration of the said sum, with this addition, that if he did not thankfully pay her betwixt and Martinmas 1657, that then he should enter himself prisoner immediately to the governor of Divart, and that under the pain of L.500. He neither pays it within the term of payment, nor does he enter his person, according to his engagement, but dies a little after. His brother Lauchlane Macleine serves and retours himself heir to him. Helen Hill, (who married afterwards Mr. William Weir, advocate,) she pursues Lauchlane Macleine now of Lochburie, to make payment to her of the sums contained in the bond of corroboration; and, for instructing the summons, produces the bond corroborated, the bond of corroboration, letters of horning, and caption, together with an extract of a service under the subscription of Mr. Archibald Nisbet notary, bearing Laughlan M'Laughlan, [Lauchlane Macleine?] to have been heir served and retoured to his brother, before the four ordinary maissers, in January, 1663.

All which the Lords having considered, they decerned the defender to make payment of the said bond: because, albeit, the time of litiscontestation in the said matter, it was alleged by the defender's procurator, that he ought and should be *simpliciter* assoilyied from the said summons, because he offered him to prove *paid*: which allegiance the Lords admitted as most relevant, and therefore assigned him a term for proving thereof, which he failyied to do; so that the term was circumduced against him, and protestation admitted in favours of the pursuers, and decret given as is above written.

*Act.* Mr. Robert Burnet. *Alt.* Mr. George Mackenzie.

*Signet MS. No. 20, fol. 7.*

1663. *December 5.* JOHN ARTHUR of Newton-Arthur *against* JAMES HOUDON.

WILLIAM HOUDON smith in Restalrig, by his bond, grants him to have borrowed, in 1623, the sum of L.340 from Patrick Whytlaw, burgess in Edinburgh, and obliges him to repay the same. This bond Patrick, *in anno 1624*, causes registrate, and immediately raises letters of inhibition against the said William;