

No 101. be made within four years after minority. THE LORDS would not sustain this reason, except the pursuer joined therewith lesion; and also found, that the same ought to be pursued within four years after the minority, as is appointed by the 'L. 3. Si quando Cod. Si major factus alienationem factam sine decreto ratam habuerit, quæ est tit. 74. lib. 5. Cod.' and because the pursuer condescended in his reason upon lesion, and that he *replied*, that the minor himself had revoked *debite tempore*, and intented his action of reduction of that alienation; therefore this reply was sustained to interrupt the prescription, and it was found, it being so interrupted once by the minor himself, the singular successor might *de novo* intent this new action of nullity, without necessity to insist upon that prior reduction. See PERSONAL AND TRANSMISSIBLE.

Act. Stuart.

Alt. Nicolson.

Clerk, Gibson.

Fol. Dic. v. 1. p. 579. Durie, p. 488.

No 102. 1631. July 21. EARL OF KINGHORN *against* GEORGE STRANG.

If a tutor make disposition of a minor's heritage, either in his infancy or with his consent, and the buyer obtained possession upon his infetment, the same cannot be taken away by exception, but by action of reduction or restitution.

Fol. Dic. v. 1. p. 579. Auchinleck, MS. p. 135.

No 103. 1666. July 26. M'KENZIE *against* FAIRHOLM.

A BOND granted by a minor as cautioner for his father, found null, and that the *quadriennium utile* being elapsed, did not bar reduction.

Fol. Dic. v. 1. p. 579. Dirleton, Stair.

* * * This case is No 72. p. 8959.

* * * See 24th February 1672, Corsar *against* Deans, No 60. p. 8944.

No 104. 1666. December 13. THOMSON *against* STEVENSON.

Although the lands of a pupil may not be alienated without authority of a judge, those of a minor may,

JANET THOMSON pursues a reduction of a disposition made by her to Stevenson upon minority and lesion; and also upon this reason, that the disposition was done within some few days after her pupillarity, and it being of land, ought not to have been done without authority of a Judge, especially seeing she had no curators. The defender *answered* to the *first*, There [was] no lesion,