Dundee of a burgh royal was thus degraded to less than a burgh of barony; and it was known that the Scrymziors, former constables of Dundee, who were haughty and great men, never possessed all these privileges. However, the President said, they had now the marches of their jurisdictions, and that the Lords had left Dundee as they found it, and had taken nothing away from them whereof they found they had ever been in possession. No. 85.

Fountainhall, v. 1. *pp.* 33. *and* 43.

1679. *February* 13. A. *against* B.

No. 86.

It is objected against a witness, that he had told what he was to depone, and so was *proditor testimonii*. The Lords found, they might be asked what they knew of the matter, providing no paction be made with them to abide at that information.

Fountainhall MS.

1680. *July* 16. ROOME *against* M'BRAIR.

No. 87.

In a cause Roome against M'Brair, the Lords sustained this objection against a witness, that he was a moveable tenant wanting a tack at the citation, though he had gotten a tack afterwards, because it might be given him of purpose to capacitate him.

Fountainhall MS.

1680. *July* 21. ARBUTHNOT of Knox *against* The LADY.

No. 88.

It was objected against Lamb of Brigtown, one of the witnesses led by her, that Lawriston her nephew had been sounding him what he could say; and Lamb confessed that Lawriston had asked him what he knew anent that bond which was quarrelled by Arbuthnot, and what he could depone thereabout. And he having confessed all this, and it being reported to the Lords, they "found, since there was no good deed nor promise of it, the objection ought not to cast him from being a witness."

Fountainhall, v. 1. *p.* 109.