No. 40. 1747, Dec. 3. MORISON of Craigleith *against* STEWARTS.

A DEBTOR of a minor in an heritable sum wanting to pay the money, premonished him, and offered a bill of suspension and to consign. The minor was willing to take the money and re-employ it, (the sum was L.1000) but then his administrator-in law was abroad and could not concur in discharging the former security, though they had found another debtor to take it. The Lords would not appoint a curator *ad hunc effectum*, but thought they could themselves authorize the minor to discharge, but before they would do so, they remitted to the Ordinary to enquire into the sufficiency of the new security offered, and to report.

No. 41. 1748, Jan. 6. CAVERS DOUGLAS'S CASE.

FIND the claimant lawfully possessed of the office of Sheriffship and entitled to a recompense in the terms of the late act, but find that in respect of the private act in 1633 in his favours he can claim no more than L.20,000 in recompense.

No. 42. 1748, Jan. 7. EARL OF MORTON'S CASE AS TO LANGTON.

THE branch of his claims now under consideration was for the regality of Langton, which had been part of the regality of Morton, but was conveyed away in 1666 *cum privilegio regalitatis*, upon which charters were granted by the Crown, and has been since purchased by Lord Morton. The Lords found, that by the alienation and the Crown charters it was dissolved from the regality, and that the *privilegium regalitatis* could not pass with it, and though it now was again purchased the regality did not revive.

No. 43. 1748, Jan. 12. CLAIMS OF D. OF DOUGLAS, E. OF SUTHERLAND, &c.

Two very general questions were before the Christmas vacation argued at the Bar very fully because many of the claims depended on them; viz. 1st, As to regalities evicted or heritable Sheriffships granted since the acts of James II. 1455, Whether ratifications in Parliament were sufficient to sustain them? or 2dly, If the positive prescription would make them valid? and informations being by order given in were this day reported by Arniston as last week's President, and after long and full reasoning (but with a thin Bench) we sustained all such regalities as had been ratified in Parliament, and sustained the positive prescription as to both, but gave no judgment on ratifications of Sheriffships, the Bar not seeming to insist upon it, (at least not at the pleading) though I believe our opinion would have been the same as to them if it had been insisted for. Against the first part of the interlocutor were Arniston, Tinwald, (then in the chair) Monzie, and Murkle. For it were Minto, Drummore, Haining, Strichen, Shewalton, and I. Dun and Kilkerran (who were all that we could expect present) were indisposed. My reason in short was, that the question neither was nor could be of the power of the Parliament but of their intention. That at first we would not judge of reductions at the instance even of third parties after ratifications in Parliament, as appears by our reference to Parliament 16th December 1561, betwixt Earl of Caithness and Earl of Huntly, in our sederunt-book,