

and other rights requiring no Substitution and not Com-
to Executors by their Inclusion in *Factum futuri temporis* My
such rights were acquired by the Deceased their heirs & had a
Albert Bonquest by the Deceased was found to belong to the
hair of line Kings Maj. Pral. Gts. Succession & Dumbar lib.
23 June 1683. Ferguson contra Ferguson 3^d The hair of line
right to personal bonds where in Executors are expressly excluded
January 1706 Biggie contra Biggie & Hair lib. 37. 4th The hair of line
ables (called in England her books) which are the left of books
of Moveables belonging to the Deceased 27 January 1666 Mont
contra Mont Hair lib. 88. These are called the hair of line Moveables
because the heir draws them from the Executors who succeed to
rest of the Moveables, as will appear after ward in the proper
The Dumbar Law (Leg. Burg. Cap. 128) Expresseth what is Move-
hair things, and a more full Roll of such Moveables is in the lower
office at Edinburgh. The Roll are in a great Measure altered
this Day by Reason of the vast Alteration betwixt the Ancient
and Modern furniture of Houses. I shall content my self
to Notice 1st of the hair of line Moveable takes place only in Books
of things in kind, and not in quantities or quantities as Move-
from Roll 89. Which is Num bered Weighed or Measured.
Do the floor of a fall pan out of use laid under the hair of line Move-
= able, the same being reckoned on a yon, Hair lib. 3. 2^d 3. 2^d
50 Infir 2^d The hair of line Moveables some times a single
thing, some times a pair or dozen of things of one sort, as
as they are used by pairs or dozens. Thus the hair of line of an
or the hair of line of a pair of oxen. Pts 20 July 1610 Black
hair of line of spoons of one sort is a Dozen, if there be 12
or more. But if there be only Eleven or fewer, the hair of line
rest let's say with one spoon, Leg. Burg. Cap. 125. Hair of line
Moveables are to be drawn of the whole Moveables, of
any Division by law or partition. But a Roll provided by
trial of Manings to that effect of her husband's estate and to
shis Moveables, as hair of line of both her and her husband's.
cast if there were v. g. a Dozen of silver spoons, the whole
full under hair of line, and not one spoon only as if there were
but six, because of the wife's right to the half, & which do
the hair of line, and the wife. See 12 November 1680
contra Paul. By Statute (act 54 Par. 7. 3) Hair of line Moveables
belong only to the heirs of Barons, Gentlemen, and Breas-
ders according to the Burrow Law (Leg. Burg. Cap. 125) Bur-
= over Customs Extends the Privilege to the heirs of Prelates,
Barons, and Burgesses. Either because these being then the
three States of Parliament, should only be allowed such
= considerable privilege as hair of line Moveables; or for that
No body in those days but persons of these qualities could
have such Moveables Pral. Gts. Ch. 2. 2^d 3. 3. M. 1071

The hair of line is a portable estate in kind, and is not a right in re, but a right in personam, and is not a right in re, but a right in personam, and is not a right in re, but a right in personam.

observ. on act 54 Par. 7. 3. Under Prelates, was comprehended
all Beneficed persons in Beneficio at their death 25 November 162
= 23 Red contra M. Kenzie. But some prelates in 9th James prela-
= test: For if a Beneficiary Demitted or was Deceased before his death,
his heir would have the hair of line, lib. 3. 2^d 3. 2^d 3. 2^d 3. 2^d 3. 2^d 3. 2^d
are signified all persons dying in Scotland as proprietors, who
not created in a Barony Kings Maj. Pral. Gts. Succession & Dumbar
M. Kenzie & Riddie contra Riddie Or Annual rolls 19 July 1664
= 2000 contra Executors of Murray And these once except, are presumed
to continue to till death, according to the Brocard tenet Baro tempore
Baro, unless the contrary be proved, that he was disvested before
by Apprising or resignation, or other way, in such
case, *praeiudicium fidelitatis* 27 January 1636. S. Graces contra
Clairville Hair lib. 3. 2^d 3. 2^d 3. 2^d 3. 2^d 3. 2^d 3. 2^d 3. 2^d 3. 2^d 3. 2^d 3. 2^d
7. 3. He is understood to have continued Baron, not withstanding
of a Decree of Apprising or Resignation against his heir, before
if the decal was not expired at his death 26 Feb. 1663 Bullion
contra Mours of Guelter Hair of line is not Computed to a person who
died in possession of lands as Apprentice, without being in fact
the heir might have been justly 22 December 1671 Hair of line
= the father. Sir George M. Kenzie observes, on act 54 Par. 7. 3. If the
hair to one who had only a Disposition without Infeudation, may
draw hair of line Moveables?

Sir George M. Kenzie (ibid.) Moves also that Decree without Resol-
= vingly, Execution of an Appraisal to a Resignation of lands, shall nullify the
assigneys hair to Moveables, being all assignations to Resol-
= lions are real rights?

By Burgeses are not understood honorary Burgesses, as some
= such as having been once Traffickers afterwards gave over their
business and retired to a Country life; but only traders or artificers
Resident and working or selling within Burgh as Burgeses & Bur-
= by 1625 Dumbar contra Leslie 25 November 1623
= Sir James Craig is not presumed to be proper heir, Spotswood Pral. Gts.
= Hair of line is not presumed to be proper heir, Spotswood Pral. Gts.
= of said half Hair of line Moveables, if he died at the floor and his
= school was gifted and Declared 26 Feb. 1663 Bullion contra Mours
= in June 1663 Gordon of Lesmore contra Leslie. For thereby the
= property of his goods fell to the King, and so having nihil in bonis
= he could have no hair of line Moveables. Some times no hair of line
= Moveables are drawn even where the Deceased had such Moveables
= at when he leaves but one Child, or but his portion is drawn
= In such a case the heir and Executor being the same person, there