

1610. *June 27.* AGNES CRAIG *against* RICHARTSON.

A woman having given reversion being pursued for redemption, and all others having interest, that will be restricted by the Lords' declaration, to all others having interest from her allenary, and to no others. A writ of consequence is not lawful, unless it be subscribed by the party or two notaries, if the party cannot write. It is not to be allowed that a notary shall subscribe for both the parties in a contract.

No. 35.

The same notary cannot subscribe for both parties in a contract.

Haddington, No. 1925.

1612. *March 14.* OGILVIE *against* HEIRS of DIN.

A man giving command to two notaries before four witnesses to subscribe a writ for him because he could not write, and when the same shall thereafter be used in judgment against him, he allege it is null because he can write himself, the writ will be sustained and the allegiance repelled, unless he improve the writ as not having given command to subscribe it for him.

No. 36.

Haddington, v. 2. No. 2442.

1613. *June 3.* MR. ROBERT ABERCROMBY *against* ———.

In a suspension raised by Mr. Robert Abercromby against ———, the Lords found a back-bond being of that same date and witnesses with the principal assignation to be null, because it had only two notaries and two witnesses, being a matter of importance, against the act of Parliament 1579.

No. 37.

Kerse MS. fol. 47.

1617. *January 7.* A. *against* B.

A submission was found null, because only subscribed by one notary, it being about an heritable right.

No. 38.

Kerse MS.

* * * This case is No. 289. p. 12453. *voce* PROOF.