

W R I T.

S E C T. I.

Subscription of the Party.

1628. *January 9.* P I E R Y *against* R A M S A Y.

A subscription of a bond by two capital letters of the debtor's name, together with the notary's subscription, sustained by the Lords; the pursuer proving that it was the debtor's custom to subscribe other bonds and writs in that manner.

Auchinleck MS. p. 217.

* * * Spottiswood reports this case :

In an action of registration pursued by Margaret Piery, executrix confirmed to her father Andrew, against A. Ramsay, executrix confirmed to her father David, of a bond of 250 merks granted by the said David Ramsay to umquhile Andrew Piery, alleged, That the bond was null, as being only subscribed by a notary and three witnesses. Replied, Ought to be repelled, in respect that the granter thereof had subscribed the same with the two initial letters of his name, D. R. as he used to do in all such cases : And for the notary's subscription which bore, De mandato dicti Davidis scribere ut asseruit nescientis, it was superfluous, and she used him only as a witness, and for no other effect. The Lords sustained the subscription, the pursuer proving that David Ramsay was in use to subscribe his name after that manner in all writs made by him.

Spottiswood, p. 65.

1631. *January 20.* H O U S T O N *against* H O U S T O N.

The Lords sustained a bond signed before witnesses by initials, being done in Ireland; nor was it put upon the pursuer to prove, That the granter was in use so to subscribe.

Durie.

* * * This case is No. 5. p. 8050. *voce* LEGACY.

No. 1.

It was found relevant to sustain a bond subscribed by initials, that the granter was in use so to subscribe.

No. 2.