

## IMPROBATION.

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1735. *January 16.* RANKINE *against* CRAWFURD.

No. 1.

CERTIFICATION hardly to be opened upon nullities after long taciturnity, and that the means of improbation are perished.

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1741. *June 9.*

ABERCROMBY of Tulliebodie *against* CUMMING of Pitully.

No. 2.

THE defender producing a progress of above 60 years, and probable evidence by tacks of his possession more than 40 years, but which was not sufficient to exclude without complete legal evidence of 40 years possession, the Lords assigned the defender a term to satisfy the production, but assigned him the same term to prove 40 years possession.

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1743. *December 7.* ROBERTSON *against* JOHN ALLASON.

No. 3.

IMPROBATION being proponed against a bill accepted by four persons, whereof three Allasons brothers; but one brother insisted his subscription was forged, whereas none of the other three acceptors denied their subscriptions; the creditor was allowed to abide by under protest, that the bill was delivered to him signed by all the three brothers, and that upon the faith thereof he lent his money to one of them, Robert Allason.

\* \* \* The same judgment given 16th June 1747, Connell *against* Orr.