

1749. *December 1.*

LOCHIEL'S CASE.

No. 12.

A CLAIM was also entered to the estate of Lochiel, in name of John Cameron, infant son of Donald Cameron of Lochiel, pretending that he was not attainted, because the attainder was of Donald Cameron, younger of Lochiel, whereas he was Donald Cameron of Lochiel, and not younger of Lochiel, because though his father John was still alive, yet he was forfeited in 1716, and the son Donald carried the estate by a decree of this Court, and settled the estate in his marriage-contract; but the Court found that he is attainted, and dismissed the claim.

1750. *February 15.*DEMPSTER *against* LADY KINLOCH.

No. 13.

THE deceased Sir James Kinloch, and the late Sir James his son, now attainted, granted to George Dempster an heritable bond of L.20,000 in November 1742, whereon he was infest, but under backbond, declaring that he had then paid but L.8735, the remainder and interest on demand; and in December 1743 he retired the backbond with a short discharge signed by father and son. We sustained Dempster's claim on this bond, though granted after 24th June 1742, the term in the vesting act, in respect it was granted by Sir James the father, then proprietor of the estate, who never was forfeited. *Vide inter eosdem voce* COMPETITION, *et voce* INFESTMENT.

1750. *November 20.*

ALEXANDER FRASER'S CLAIM on the ESTATE of LOVAT.

No. 14.

LORD LOVAT having in 1741 executed a settlement of his estate to himself in liferent, and to his eldest son and other heirs in fee, in form of a strict entail, but with reserved powers to himself, to feu, wadset, contract debts, &c. which he in the same year recorded in the register of tailzies and books of Session, but never completed it by infestment; and the estate being surveyed by the Barons as forfeited by him, it was claimed by his two youngest sons, as next heirs of entail after the master was also attainted; but because the tailzie was not completed by infestment, and because of the great powers reserved, the Lords found the estate forfeited in his person, *reni-*