

deceased Mr Alexander Irvine of Saphock, advocate, and Mr Ramsay, on the faith of which Mr Ramsay married Saphock's daughter, then about 11 years of age in December 1744, together with a formal contract of marriage in terms of these articles, but with some variations in favours of the Lady in May 1745, though Saphock continued in perfect friendship with Ramsay till his death in December 1746, and gave him a factory for managing his estate, and though the Lady lived in perfect harmony with her husband till her death in 1750, and conveyed to him a valuable personal estate that descended to her from her father; however, the Court, though greatly divided, reduced both articles and contract by the President's casting vote. They altered that interlocutor, and found the reasons of reduction not proven; but they again altered this last interlocutor, and adhered to the first, 2d March 1753. Ramsay appealed, and the House of Lords, though they seemed not to approve either of the articles, or of the manner of entering into them, yet since marriage actually followed, they on Lord Chancellor's motion reversed our decree *nem. con.* 10th December 1753. *Vide inter eosdem voce IMPROBATION.*

No. 32.

1753. December 21.

WILLIAM STEWART'S CASE, as accessory to Forging a Bond by LOCHIEL to FASSEFERN his Brother.

WHETHER a person, after being served with a complaint of forgery can himself be put on examination? Argued at the Bar and on the Bench, when the Court seemed inclined to examine him, but proposed first to have a precedent laid before them in the case of Fitzgerald; upon which the prisoner's counsel passed from the objection, and for him agreed to submit to examination, and he was examined accordingly. I was for examining him. *Vide* my reasons on the papers.

No. 33.

See Case of Gordon of Park, *voce* TAILZIE.

See No. 1. *voce* HUSBAND AND WIFE, and Case of Orr and Sibbald against Harvie, 10th June 1735, *IBIDEM.*

See Scott Hepburn against M^cLauchlan, 14th January 1752, *voce* PACTUM *ILLICITUM.*

See Rogers against Renny, 24th February 1737, *voce* WRONGOUS IMPRISONMENT.

See Duke of Roxburgh against Chatto, 5th July 1753, *voce* WITNESS.

See NOTES.