

tor to repeat the payment. Lord Ankerville and Lord Covington, 6th November 1776, refused the bill, and this day, 21st November 1776, the Lords refused a reclaiming bill and adhered.

5th December 1776, refused a second bill.

The Lords had past two such bills formerly; one in the case of Cuthbert Gordon, merchant in Leith, and another at the instance of John Aird.

And this day, upon presenting a third petition, with a minute of his creditors, that his liberation was highly expedient for ingathering his effects, and there being no opposition, the Lords remitted to the Ordinary on the Bills to pass the bill.

1764. *July 21.*

JAMES PURVES, writer to the signet, having been apprehended on a caption by James Lindsay messenger, who carried him to a coffee-house; Purves gave him his honour, as Lindsay alleged, to return in an hour; but, in place thereof, he retired to the Sanctuary. Lindsay complained to the Court, and insisted that Purves should be examined in presence,—and, if the facts were as he alleged, that he should be delivered up to him, as having by fraud eluded legal diligence, for which the Sanctuary could afford no protection.

The Lords, after examining Mr Purves, replaced him in the jail, and ordered memorials. The point was not determined.

## PROBATION.

1776. *August 10.* JOHN WILSON *against* ARCHIBALD M'LEAN.

IN prosecutions where forgery is alleged, proof *ex comparatione literarum* is frequently offered, and is, of all others, the most delicate. In the times before the Revolution, in several political trials, it was highly complained of: it is reprobated in the practice of England: in France, though it is allowed, yet the decision thereof is left to certain stated officers of Court skilled in comparisons of that kind. In short, it is of a very delicate nature.—So argued in the cause, John Wilson, ironmonger in Glasgow, *against* Archibald M'Lean, merchant in Laggan Ulva, in the Island of Mull. Debated in presence 25th July 1776.

This was one of the most extraordinary causes pleaded in my time, on account of the contrariety of evidence. The Lords seemed inclined to wish for further evidence; so said the parties also. After a hearing in presence for six days, 26th July 1776, the Lords pronounced the following interlocutor:—"The