

No 212. allowed the condescending upon the writer, or his designation, till that was discharged by act 1681.

Duplied; The freeholders could not judge of the validity or truth of any deed, which was, *ex facie*, complete, as in the present case; and, even suppose a regular process of reduction had been brought, the acknowledgment and homologation of the granter would have been an unanswerable defence.

'THE LORDS repelled the objections, and dismissed the complaint.'

Act. *H. Erskine.*

Alt. *R. Blair, & R. Dundas.*

D.

Fac. Col. No 15 p. 28.

1781. February 8. DALRYMPLE of Orangefield *against* CAMERON.

No 213.

A CLAIM of enrolment was lodged with the sheriff-clerk of Ayrshire, in the name of Lieutenant John Cameron of the West Fencible Regiment; and a person was enrolled at the Michaelmas meeting of that county, 1780, who, as it afterwards appeared, was not Lieutenant John Cameron, but Lieutenant Duncan Cameron. A complaint having been brought against this enrolment, on account of the misnomer, Mr Cameron *pleaded*, That it could be proved that he had agreed to accept of a liferent qualification in the county; and that he was baptised by the name of Duncan John; that though he held his commission under the name of Duncan, yet the designation of Lieutenant Cameron, of the West Fencible Regiment, would have been sufficient, there being no other officer of the name of Cameron in the regiment at the time; and that the addition of John was no misnomer, for that though not the whole, it was part of his christian name. This ingenious argument, however, had no weight with the Court, for they found, 'That the freeholders had done wrong in enrolling the respondent under the name of Lieutenant John Cameron, and granted warrant for expunging him.'

Supplement to Wight, p. 18.

1783. January 25. M'KENZIE *against* MONRO.

No 214. THE claim of an apparent heir to be enrolled, must, in the same manner as any other, be lodged two months before the Michaelmas meeting.

Fol. Dic. v. 3. p. 429. Fac. Col.

* * * This case is No 182. p. 887.