

# APPENDIX.

## PART I.

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### PROOF.

1804. Jan. 24.

STEIN *against* MARSHALL.

WHEN this case, No. 271. p. 12443., was printed, there was an appeal depending. The House of Lords, (25th May 1805), Ordered and Adjudged, That the appeal be dismissed, and that the interlocutors therein complained of be affirmed, with L. 150 costs.

NO. 1.

1804. May 15.

EDMESTONE and COCHRANE *against* COCHRANE.

IN the year 1797, Agnes Edmestone was delivered of a female child, of which Andrew Cochrane was the father.

In 1801, a declarator of marriage was brought by her before the Commissaries; and it also concluded for a declaratory of legitimacy in favour of Agnes Cochrane, her daughter. The libel founded upon a letter written by Cochrane to the pursuer, (which, however, she had been prevailed upon to give back to him), in the following terms: " My dear, As a full proof and testimony of my regard and affection for you, I hereby agree and bind myself to be your real husband in all senses of the word, and expects only the common ceremony of the outward rule of marriage; and,

NO. 2.

Marriage established by an explicit writing.