

No. 187. tained in his bond to the late David Simpson, conform to the conclusions of the libel."

Against this judgment, a petition was presented by Ferguson, (26th May 1801), which was advised with answers, and counsel were also heard in presence, when the Court " found the disposition and settlement executed by the late David Simpson in 1782, a valid and subsisting settlement, so far as it concerns the legacy of £3000 thereby bequeathed to the defender; they do therefore alter the interlocutor reclaimed against, and sustain the plea of compensation pleaded for the defender."

The Kemps now reclaimed, and upon advising their petition, with answers, the Court (17th November 1801) altered the interlocutor reclaimed against.

Ferguson, again, in his turn, reclaimed; and on advising his petition, with answers, the Lords (2d March 1802) altered the last interlocutor, and returned to that pronounced on 26th May 1801.

Lord Ordinary, *Justice-Clerk.* For Ferguson, *H. Erskine, Hay, Gillies, C. Ross.*
Agent, *J. Dundas, C. S.* Alt. Lord Advocate *Hope, Robertson, A. Campbell junior.*
Agent, *A. Duncan, W. S.* Clerk, *Sinclair.*

F.

Fac. Coll. No. 28. p. 54.

1804. July 6. MACARTHUR *against* SIMPSON.

No. 188.

A missive letter, not altogether formal, sustained as a lease of an urban tenement for two liferents.

Fac. Coll.

* * This case is No. 31. p. 15181. *voce* TACK.

SECT. VII.

Solemnities of Deeds written Bookwise.

No. 189.

1716. June. EARL of FINLATOR *against* LADY BOYNE.

It was objected against a sasine, That the witnesses did not sign every leaf, as required by the act 17, Parl. 1686. It was answered, That the act was repealed by