

1816.  


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HIGGINS, &C.  
v.  
LIVINGSTONE,  
&C.

would not alter the case as to the contracts made at former meetings, but the condescendences of those individuals do not carry the case further than I have stated.

“ My Lords, the difficulty I have really is this, Whether you should now conclude the case, or remit it back to the Court of Session? Because I believe it was the intention of those noble and learned Lords to whom I have alluded, that this condescence should be of a very different nature from what it is; that it should specify the *acts* and *deeds* in addition to the mere presence at meetings, out of which this right of contribution is claimed. No such thing has been done, and I do not think you can send this back from time to time, and from year to year, to give a second, a third, and a fourth opportunity of considering the case in condescendences. I hope you may be advised to affirm the several interlocutors according to the terms which I have stated, and there are several petitions, which must be noted specially in the terms of the order.”

Accordingly, it was ordered and adjudged that the original and cross appeal be dismissed, and that the interlocutors be, and the same are hereby affirmed.

For the Appellants, *Sir Saml. Romilly, Henry Erskine.*

For the Respondents, *Wm. Adam, Robt. Forsyth.*

1816. WM. MAULE, Esq. of Killumney, . . . *Appellant;*  


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MAULE  
v.  
MAULE. The Hon. WILLIAM RAMSAY MAULE, . . . *Respondent.*  
House of Lords, 10th May 1816.

This case, which was remitted by the House of Lords for further consideration, with certain findings, is reported along with the second appeal, in 1819.

1816. Mrs ANN MAJENDIE, formerly ROUTLEDGE,  
and her Husband, . . . . . *Appellants;*  


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MAJENDIE  
v.  
CARRUTHERS,  
&C. WM. THOMAS CARRUTHERS of Dormont,  
and JAS. CARRUTHERS, . . . . . *Respondents.*  
House of Lords 29th June 1816.

This case is reported along with the second appeal, which was taken in 1820.