

No. 277. 1612. *December.* ———— *against CRICHTON.*

A bond was found simply null, not being subscribed by the principal, although subscribed by the cautioner.

\*.\* This case is mentioned by Lord Kames, *Fol. Dic. v. 1. p. 124.* as from Haddington MS. There is a blank in the copy of that MS. belonging to the Faculty of Advocates at the date assigned. See APPENDIX.

No. 278. 1620. *July 12.* GORDON *against* LYLE.

Where a minute is null for want of witnesses, and vitiated and interlined, it is sustained as homologated by the party, in so far as he has received an assignation appointed to be made to him by the other party, and has comprised thereon.

Clerk, *Durie.*

*Nicolson MS. No. 496. p. 338.*

No. 279. 1623. *July 8.* SHERIFF of CAVERS *against* HENDERSON.

An obligation of great importance, null, on account of irregularities in the subscriptions of the notaries and witnesses, may be supplied by the party's oath, if he be in life.

*Durie.*

This case is No. 94. p. 16877.

No. 280. 1624. *January 23.* M'MORAN *against* BLACK.

A tack null, as signed by two notaries upon different days, and not *unico contextu*, was found homologated by the tacksman's entering into possession.

*Durie.*

This case is No. 41. p. 16830.