

1749. *November 15.* LORD PITSLIGO'S CASE.

No. 9.

ALEXANDER LORD FORBES of Pitsligo, found not attainted by the attainder of Alexander Lord Pitsligo, *vide* No. 10 ; but unanimously reversed in Parliament, 1st February 1750-1, *vide* MS. 8vo. (Notes) and the printed Cases. *Vide FALSA DEMONSTRATIO.*

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1749. *November 15.* LORD PITSLIGO'S CASE.

No. 10.

ALEXANDER LORD FORBES of Pitsligo, claimed the estate of Pitsligo, because the attainder was only of Alexander Lord Pitsligo, whereas his title of honour by the patent was Lord Forbes of Pitsligo, and he was so designed in the charters of his lands from the Crown, though in all the rolls of Parliament, and in such acts of Parliament wherein he or his ancestors were mentioned, they were always designed Lord Pitsligo, as in the Cess Acts, &c. ; and in most of his bonds and other private writings he was designed Lord Pitsligo, and always subscribed Pitsligo ; therefore the question was, whether the claimant was attainted ? The case was long and well argued, both from the Bar and on the Bench ; and it carried that he was not attainted, and to sustain the claim, but by the smallest majority the Court being equally divided six to six ; but the President, one of the six against the claim had no vote : But reversed in Parliament 1st February 1750-1. *Vide* M'Donald of Clanronald's Case, *voce FALSA DEMONSTRATIO.*

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1749. *December 1.* DUNCAN M'PHERSON'S CLAIM of CLUNIE.

No. 11.

ON a claim entered of Clunie-M'Pherson's estate, by his son on a disposition by his father, on the ground that the act of attainder attaints Evan M'Pherson of Clunie, whereas the claimant's father was not, at the date of the act, of Clunie, because Lachlan M'Pherson, the claimant's grandfather, was alive, and was then proprietor or laird of Clunie, and therefore Evan the son could at most be only called younger of Clunie, though he was commonly designed simply of Clunie, as appeared by the many claims on his estate ; but the Court found that the father was attainted ; and rejected the claim.