

WILLIAM MORRISON of PRESTON- } *Appellant* ;
 GRANGE, Esq. - - - - - }
 JOHN VISCOUNT ARBUTHNOT, *Respondent*.

1728.

 MORRISON
 v.
 ARBUTHNOT.

27th March, 1728.

MINOR.—PACTUM ILLICITUM.—A discharge by a minor without curators of part of the tocher stipulated in his contract of marriage, being granted privately before solemnization of the marriage, and without the concurrence of the friends who were assisting him in the marriage treaty, reduced at the instance of the granter, on the head of minority and lesion, and as being *contra fidem tabularum nuptialium*.

Judgment affirmed *ex parte*.

Costs—L.80 given to respondent.

[Fol. Dict. II. 22. Rem. Dec. I. No. 1. p. 1. Mor. Dict. p. 9487.]

THE appeal was brought from certain interlocutors of the 13th January, 11th of February, 6th of June, 22d of November, and 19th of December, 1716. No. 2. Entered February 7, 1727.

“ Counsel appeared for the respondent, but no counsel for the appellant; and the respondent’s counsel being heard,” “ It is ordered and adjudged, &c. that the appeal be dismissed, and that the interlocutors therein complained of be affirmed; and it is further ordered, that the appellant do pay to the respondent the sum of L.80 for his costs in respect of the said appeal.” Judgment 27th March, 1728.

For Respondent, *Dun. Forbes* and *C. Talbot*.

The report of this case in the Folio Dictionary, and the title of the other reports, are not correct.