

band, though becoming bankrupt during his marriage, might provide his wife, being till then unprovided, in such a liferent as would have been suitable at the time of his marriage, though in prejudice of prior lawful creditors; however, they afterwards altered their opinion on that general point; but in respect of a great claim the Colonel had at the time of the disposition on the Sword-Blade Company, upon which he afterwards actually recovered L.25,000 sterling, (though no account could be given what became of it;) they found the provision rational, and not reducible on the act 1621.

No. 8.

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1740. *February 22.* Ross of Pitcalny *against* Ross of Ballnagowan.

No. 9.

IN order to reduce a disposition 30 years old granted by a man many years dead, and whereon possession has been had ever since, the matter was not admitted to probation without a special condescence on particular instances of the granter's weakness. The interlocutor was, that the qualifications of fraud and circumvention, and particularly of the facility and weakness of the granter condescended on, are not sufficient for allowing him a proof even before answer of the said qualifications, after so great a distance of time, and after the death of the granter, and of all the other parties concerned in the transactions now quarrelled.

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1740. *December 5.* COUPAR *against* DAVID GRANT.

No. 10.

A MINOR having granted bills to a taverner for tavern accounts contracted in riotous living while his father kept a family in town, and after these bills had been quarrelled by both father and son, the taverner taking a corroboration of them when the granter was just come of age, the Lords reduced the bond of corroboration as fraudulent. (See MINOR.)

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1742. *June 4.* BURDEN *against* WHITEFOORD of Dunduff.

No. 11.

FRAUD of the author found competent against the singular successor in personal rights, or in incomplete real rights of lands, even though that author had an infertment, since that infertment was null as flowing from a person