

PERSONA STANDI.

1740. *January 6.* CASE of SIR ALEXANDER M'DONALD.

THE Lords refused to give judgment on a petition in name of Sir Alexander M'Donald, because the honours were forfeited in the person of Sir Donald his uncle; though for any thing that did or could appear to the Court, Sir Alexander might have right to that title of honour otherwise than through his uncle. Nothing of this stands upon record, because the petition was withdrawn, but I have marked it pretty fully. (See NOTES.)

No. 1.

1749. *December 7.* DUGUID *against* MACOMBIE.

REBEL denounced and registrate on a fugitation in the Justice-Ayr, found not to have *personam standi* to plead defences;—*sed quibusdam prima vice dissent.* But afterwards we adhered *nem. con.* (See DICT. No. 22. p. 10,162.)

No. 2.

See NOTES.

PERSONAL AND REAL.

1738. *January 10.*

CREDITORS of SMITH of Nungate *against* His BROTHERS and SISTERS.

A DISPOSITION to a son bearing, "These presents are granted with the express burden of the payment of 8000 merks, (which my said son by acceptance hereof binds him to pay) to &c. my children, &c." and the

No. 1.