

D E C I S I O N S
OF THE
LORDS OF COUNCIL AND SESSION,
REPORTED BY
WILLIAM FORBES, ADVOCATE.

1705. *June 19.* WILLIAM STIRLING *against* JOHN M'REACH, THOMAS,
and MARY ALEXANDERS.

A gift of the bastardy and *ultimus hæres* of John M'Reach of M'Istoun, having been taken in the name of Mr. William Stirling, for the behoof of Sir Robert Grierson of Lag, to whom he granted backbond declaring the trust; and a declarator being raised against John M'Reach in Glen, and Thomas and Mary Alexanders, on whom M'Istoun had settled his fortune by provision, from which the defenders were assoilyied: Mr. William, who but lent his name to the gift and process, was decerned in L.300 of expenses of plea; reserving relief to him, as accords, against the persons principally concerned.

Page 5.

1705. *June 22.* WILLIAM FEAD *against* JOHN EWART, Merchant in Edinburgh.

WILLIAM FEAD, executor of Robert Fead, merchant in London, having charged John Ewart upon a bond granted by him to Robert Fead: he suspended upon this reason, That the creditor in the bond had, by commission, uplifted from the Lord Glassford at London, the equivalent sum belonging to the suspender, for which he stood liable to hold count to him, conform to a back-bond.