

Simon late Lord Lovat, the forfeiting person ; nor is now against the Crown, as coming in his place. No. 63.

Upon the 22d December, 1758, upon advising a reclaiming petition and answers, the Court again found, That the tack in question was not good against the Crown.

Upon the 3d February, 1759, upon considering a second petition and answers, the petition was found not competent, so far as it reclaimed against two interlocutors in presence, finding the tack not good against the Crown ; but the Court resolved to consider, if the tack may be restricted to a shorter time, and to what time it may be restricted ; and ordered memorials upon that point. And these memorials having been given in :

“ The Lords, in respect of the consent of his Majesty’s Advocate, found, That the tack in question may subsist for nineteen years from and after Whitsunday 1765, and no longer.”

N. B. This judgment was, in March 1762, reversed upon an appeal, and the claim sustained.

Act. Macqueen, King’s Counsel. Alt. Johnstone, J. Dalrymple, Lockhart, and Ferguson.
Fol. Dic. v. 4. p. 321. Fac. Coll. No. 141. p. 256.

1760. June 27. IRVINE and FORSYTH *against* KNOX and ARNOT.

The Lords sustained a tack for 1260 years.

Fol. Dic. v. 4. p. 321. Fac. Coll. Sel. Dec.

* * * This case is No. 33. p. 5276. *voce* HEIR APPARENT.

1673. November 17. WIGHT *against* EARL of HOPETOUN.

A tack granted for two nineteen years, with an obligation on the granter, his heirs and successors, to renew it after that term from nineteen years to nineteen years in all time coming, upon the tenants paying a certain sum as grassum at each renewal, was found binding against a singular successor in the lands, who had accepted of a disposition with an exception of tacks and obligations to grant tacks, in the clause of warrandice.

Fol. Dic. v. 4. p. 321. Fac. Coll.

* * * This case is No. 35. p. 10461. *voce* PERSONAL OBJECTION.