Signet-office had acted according to an uniform practice, from which no prejudice could result. No 63.

Certificates as to the practice were ordered by the Court, from the clerks at the Signet-office.

The defender disputed the authority and application of the certificates, when produced, and proposed that a report should be got from the Society of Writers to the Signet, or Keeper and Commissioners.

THE LORD ORDINARY had repelled the objection.

THE COURT, upon advising a petition, and additional petition, with answers were, in general, clearly of opinion, that the objection was ill founded.

THE LORDS "adhered."

A reclaiming petition was (11th July) refused without answers.

Lord Ordinary, *Methven.* Act. *Lord Advocate Dundas, Solicitor-General Blair, Hope, Boyle.*
Alt. *Fletcher, Cha. Ross.* Clerk, *Menzies.*

D. D. *Fac. Col. No 85. p. 195.*

SECT. II.

What Writs must be produced *ad fundandam litem?*

1610. *January* 23. MELDRUM *against* HOWISON.

No 64.

IN the suspension raised by Meldrum and Howison against Mr James Ord, the LORDS found, That Mr James satisfied the production of the contract, albeit he produced not the horning; and he being willing to dispute upon the execution of the contract, the suspender behoved to answer; and they would not suspend the letters, till they were produced, seeing the contract was produced, and he ready to dispute.

Haddington, MS. No 1751.

1610. *July* 7. A. *against* B.

No 65.

THE assignee to a part of a tack of teind-sheaves, pursuing upon his assignation, will get process, upon production of his assignation, albeit he produce not the tack *initio litis*, but may prove it *cum processu.*

Fol. Dic. v. 2. p. 180. Haddington, MS. No 1946.