

granting this second right ; which mentioning no other cause, and bearing it to be reasonable that Alexander should be secured, can be ascribed to no other thing but to fulfil the prior obligation ; and so is no voluntary deed, but must be drawn back to the date of the first, and supported by it ; even as dispositions on death-bed, or by husbands in favours of their wives, or by bankrupts to their creditors, are not reducible, if there was a previous special obligation for granting them, though the last do not specifically relate thereto ; but the Lords have always allowed them to be supported and adminiculated by their antecedent onerous cause ; 23d November 1664, Haliburton *contra* Porteous, No 348. p. 6136. ; 27th June 1677, Short *contra* Murrays, No 341. p. 6124. THE LORDS repelled the reason of reduction upon the inhibition, and found the second depended on the first, and was in implement thereof, as to the tenement contained in the first, but no further, seeing *quoad excessum*, it was a new voluntary right, without an antecedent cause. As to the second reason, that the first was done in minority, they ordained it to be farther heard, whether a co-creditor can propone upon and claim the benefit of his debtor's minority ; in which case the first disposition being found null, the second had nothing to support it, and so becomes an adjective without a subjunctive. I find the Lords, on the 4th December 1677, in the case of Oliphant and Hamilton of Wishaw, *voce* MINOR, found a co-creditor might found on the debtor's minority to stop the legal of an apprising from running against him.

No 104.

Fol. Dic. v. 1. p. 475. Fountainhall, v. 2. p. 100.

1708. February 14. & 1709. July 1.

STRACHAN *against* TOWN OF ABERDEEN.

No 105.

AN inhibition was found to strike against an heritable bond granted after it, but in corroboration of a personal debt prior to it.

Fol. Dic. v. 1. p. 474. Forbes. Fountainhall.

. This case is No 60. p. 2609. and No 30. p. 2570. *voce* COMPENSATION. The like was decided February 1730, Campbell *against* Drummond. See APPENDIX.

1713. January 16.

JAMES GORDON of Seaton *against* JEAN GORDON Lady Linturk, and Others.

No 106.

IN Alexander Irving's contract of marriage with Jean Gordon, he as principal, and the Lairds of Kincussie and Lairny as cautioners, having obliged themselves conjunctly and severally to infest Jean Gordon in liferent in all and hail the lands of Linturk ; Mr Alexander Irving, who made up a title to these lands

A person having, after he was inhibited, disposed certain lands to others in implement of an