

(Possession of ADJUDGERS may be restricted.)

No 2.

the legal reversion, they can neither remove the debtors from the mansion-house nor parks, but must take what land the debtors have moyen with the Lords to allot them; and then make them accountable.—This was imputed to the Clerk-Register, to be a preparative against Clackmannan his son-in-law's creditors. See Wilson against Murray, (No 1. above.)

Fol. Dic. v. 1. p. 15. Fount. v. 1. p. 268. & 271.

* * * See the act of federunt alluded to; and the case as reported by Sir P. Home, and Prof. Falconer, at p. 79. and 84. v. 1. Quarto Dictionary.

1728. *November*

Lady KIRKHOUSE, *against* her HUSBAND and SON, and their CREDITORS.

No 3.
Possession re-
stricted, to
give room to
a claim of ali-
ment.

CASSIE, elder of Kirkhouse, in the year 1715, was attainted of high treason, and his estate found to belong to his son; upon this *medium*, that, it being a tailzied subject, the father had incurred irritancies, and fallen from his right, before his rebellion.—Lady Kirkhouse, spouse to Kirkhouse elder, in her contract of marriage, was provided to the liferent of 1000 merks, to take place after her husband's decease; but, after the fee was established in her son, having insisted against her husband for a separate aliment, upon the head of mal-treatment, she not only obtained her son to be made liable for a separate aliment, but likewise, upon the act 1661, obtained that the adjudgers upon the estate should be obliged to restrict themselves, to their annualrents during the legal, that there might be room for her to affect the rents of the estate for that aliment. (See TAILZIE—ALIMENT.)

Fol. Dic. v. 1. p. 15.

RANKING of ADJUDGERS and APPRISERS.

No 1.
Adjudications
in security,
come in *pari*
passu with
simple adjudica-
tions, for
liquid sums.

1684. *January 2.*

BRUCE *against* HEPBURN.

* * * For the particulars of the case, as given by Lord Fountainhall, and Prefident Falconer, See p. 57. v. 1. Quarto Dictionary.