

## HERITAGE AND CONQUEST.

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1736. December 16. GREENOCK *against* GREENOCK.

No 1.

ONE getting a precept of *clare* in lands, and the same day purchasing from the superior a right to the teinds, which referred to the precept of *clare*, particularly in the *reddendo*, “ The said Mr John Greenock and his  
“ foresaids, and their tenants and cottars, answering to courts and perform-  
“ ing other services as contained in the precept of *clare* granted by me to  
“ him ;”—the Lords found that the teinds descended to the heir of line who succeeded in the lands, and would have been of the same opinion (without that specialty) wherever one purchases the teinds of his own lands, that it is *eo animo* to let them descend to the same heirs ; but that specialty plainly limited the succession to the heir of the lands, and therefore the general point was not determined. (See DICT. No. 8. p. 5612.)

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1738. Dec. 8, 21. CREDITORS of MENZIES of Lethem.

No. 2.

A BOND of provision to a second son payable after the father's death with annualrent from the term of payment and a clause of infestment, though the son died before the father, and without taking infestment ; the bond was found heritable and conquest. (See DICT. No. 9. p. 5614.)

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1740. January 8. EARL of SELKIRK *against* The DUKE of HAMILTON.

No. 3.

THE Lords found, that not only lands, but heritable bonds or annualrents whereon infestment followed in the defunct's person, go to the heir of conquest.

*2do*, That all dispositions or adjudications of lands provided to heirs