

No 48.

THE LORDS sustained the assignation now last produced, and quarelnrdtoi the other assignation, though another date was insert, than when it was subscribed, for the cause foresaid.

Fol. Dic. v. 1. p. 90. Stair, v. 1. p. 633.

1630. January 16.

BARCLAY of Busbie *against* GEMMEL.

No 49.

A FATHER'S possession upon a reserved liferent, held to support a base right in favour of an infant daughter, in opposition to public rights of posterior date; and this prior to the act 1693, c. 13.

Fol. Dic. v. 1. p. 90.

. See the particulars of this case, taken from the Session Papers in Advocates' Library; *voce* FACULTY.

. By the act of Parliament 1693, chapter 13. it is enacted, ' That all infestments, whether of property of annualrent, or other real rights, whereupon seifins for hereafter shall be taken, shall in all competitions be preferable, and preferred according to the date and priority of the registrations of the seifins, without respect to the distinctions of base and public infestments, or of being cled with possession, or not cled with possession, in all time coming.'

Acts of Parliament, v. 3. p. 390.

☞ There remain four Sections more of the title BASE INFESTMENT. See VOL. IV.