

POINDING OF THE GROUND.

1612. February 14. FORRESTER against —.

IN an action pursued by Ma. Forrester against the Tenants of —, the LORDS fand, that a decret of poinding of the ground, given against the tenants for the time, might be put to execution against the succeeding tenants, by poinding of their goods.

In the same cause it was found, that a decret recovered against the heritor and certain of the tenants, might be put in execution against the goods and gear of the rest of the tenants, who were not summoned to the giving of the sentence.

Kerse, MS. folio 201.

No 1.

1614. June 30. ANDERSON against M'CALL.

IN an action pursued by David Anderson against David M'Call, the LORDS fand a pension out of the coal real; and therefore decerned letters for poinding of the coals.

Kerse, MS. folio 201.

No 2.

1622. June 28. ELIZABETH PATERSON against PATRICK ADAMSON, of that ilk.

THE LORDS fand, that an annualrenter could not poind corns comprised by a third party for debt; and therefore sustained the summons for wrongous intromission, and repelled the exception proponed upon the poinding of the annualrent.

And yet it is affirmed, that the Lords of before fand, that the annualrenter might poind what goods were upon the lands, albeit the same pertained to strangers, and not to the heritors and tenants.

Kerse, MS. folio 201.

No 3.

1622. July 28. A. against B.

THE LORDS found, that an annualrenter could not poind corns comprised by a third party for debt, and therefore sustained the summons for wrongous intromission, and repelled the exception proponed, upon the poinding of the annualrent.

Fol. Dic. v. 2. p. 96. Kerse, MS. fol 202.

No 4.