

him that is interdicted to them, albeit he concur not with them in the pursuit of the reduction.

No 43.

Fol. Dic. v. 1. p. 481. Haddington, MS. No 2064.

1612. February 22. GRAHAM against STUART, &c.

No 44.

IN a reduction of a bond granted by the interdicted person to one of his interdictors, found that he needed not the concurrence of his other interdictors to the reduction.

Fol. Dic. v. 1. p. 481. Haddington, MS.

* * This case is No 2. p. 7126.

1613. November 27.
GEORGE SANDERSON against INTERDICTORS of WILLIAM CRAIG.

No 45.

IN an action of reduction of an interdiction pursued by George Sanderson *contra* the Interdictors of William Craig, the LORDS found, that the interdiction could not be reduced at the instance of the said George Sanderson, who had acquired a right from William Craig himself, who was interdicted; and that because William Craig craved not the interdiction to be loosed, and the said George was in *pessima fide* to contract with him until it had been lawfully loosed by the Judge; and so in respect the LORDS found, that an interdiction could not be *ab initio* rescinded.

Fol. Dic. v. 1. p. 481. Kerse, MS. fol. 62.

1725. December 27. TENANTS against SPREUL.

No 46.

JOHN TENANT having granted a voluntary bond of interdiction to Robert Spreul, his eldest sister's son, who was also writer thereof, and having thereafter made a revocable settlement of his estate, failing heirs of his body, to the said Robert Spreul interdictor; in a reduction of that disposition, at the instance of the interdicted person's younger sisters, after his decease, the LORDS found, that Spreul being the writer of the interdiction, and keeping it in his custody, could not accept of the disposition in question; although it was pleaded that interdiction hinders not a man to do rational deeds; and here the disposition was of a small subject to an eldest sister's son, to prevent its mouldering to pieces among heirs-portioners, which was rational and prudent; in respect, it was *answered*,

No 46.

that interdiction operates in favour of heirs; so that it is sufficient to found upon this head, that the interdicted person himself, or his heir, is leued. See APPENDIX.

Fol. Dic. v. 1. p. 481.

Interdictions must be published and registered like inhibitions. See INHIBITION.

One cannot interdict himself to his wife. See PACTUM ILLICITUM.

Bond granted by one interdicted, if it prove its onerous cause. See PROOF.

See APPENDIX.