

1732. February 18. HUNTER *against* MONTGOMERY.

No 16.

A NULLITY objected to a poiding was repelled, viz. That the bill and protest were registered, when the Bailie principal of the bailiary was dead, and the commission to the bailie depute or substitute had fallen by the death of the bailie principal. See No 7. p. 3097. See APPENDIX.

*Fol. Dic. v. I. p. 210.*

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S E C T. VI.

Order of Redemption.

1638. December 11. FINLAYSON *against* WEMYSS.

No 17.

AN order of redemption used against the father, was found sufficient after his death, as a foundation of a declarator of redemption against the apparent heir, without necessity of a new order.

*Fol. Dic. v. I. p. 210.*

See This case *voce* CHARGE TO ENTER HEIR, No 5. p. 2170.

Apprising and arrestment fall not by the common debtor's death; see ADJUDICATION.—ARRESTMENT.

Confirmation may be after the disponer's death; see CONFIRMATION.

See APPENDIX.