

The Lords adhered, but explained the last point of the interlocutor thus, viz. that Mrs Falconer's adjudication in implement against Sir Robert Sibbald's heirs, and infestment thereon, give her no preference to her husband's other creditors.—27th June 1734.

No. 2. 1735, Feb. 13. AITKEN *against* BALLANTINE.

THE Lords found Ballantine's adjudication void and null *in toto*.
(The Editor has not been able to discover the particular cause of the fate of this adjudication.)

No. 3. 1735, Feb. 21. SUTHERLAND *against* DUFF.

THE Lords refused to add to the adjudication either the L.50 sterling decerned in the suspension and reduction, or the expense of the adjudication.

No. 4. 1735, June 11. MONTEITH *against* HOGG.

AN extracted decret of adjudication, which was L.20 too much in the calculation, having been recorded *privata auctoritate* even after the abbreviate, which was also recorded, the Lords found the adjudication void and null, and would not sustain it as a security for principal and annualrents in competition with the other creditors.

No. 5. 1735, June 26. WATSON *against* MR JAMES BAILLIE.

THE Lords found that the creditor behoved to prove the rental and value, but that he might possess the hail subjects adjudged, and could not be restricted to his annualrents.—N. B. Both parties seemed much to mistake the act 1672; for these special adjudications are just of the nature of a voluntary sale under an equity of redemption for five years, but the creditor has no power of requisition.

No. 6. 1736, Jan. 16. HORSEBURGH, &c. *against* HOPE.

THE Lords seemed to have no difficulty to restrict the creditors to possess for their current annualrents, had there not been so many bygone annualrents, which could not remain as a dead stock, and therefore remitted to the Ordinary to enquire into the matter.

No. 7. 1736, Jan. 28. CREDITORS of FALAHILL, *Competing*.

THE Lords adhered, but added the reason, because the other creditors did not insist to have the adjudication annulled, but only that they should be brought in *pari passu*. Otherwise I and many others thought it would have been very dangerous to make it an arbitrary question, whether adjudgers should be preferred *pari passu* or not? and that if it had not been the creditors' concession, the adjudication must either have been found totally void and null, or otherwise it must have the preference the act of Parliament gave it.

No. 8. 1736, Dec. 7. RAMSAY of Williecleugh *against* BROWNLIE.

THE Lords unanimously found, that the extension of the legal reversion in the act 1661, whether the extension from seven to ten years, or the extension of legals run be-