

## HOMOLOGATION.

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1744. *July 20.* LIDDLE *against* DICK,

HOMOLOGATION of an heritable bond in which one of the witnesses was not designed, and whereon infestment followed, though it will be good to support the bond as a personal debt, yet will not support it as a real right in competition with other creditors. (See DICT. No. 95. p. 5721.)

No. 1.

See Hepburn *against* Hepburn, 1st December 1736, relative to homologation of a submission, *voce* WRIT.

See NOTES.

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## HORNING.

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1735. *February 1.* A. *against* B.

HORNING given *against* a wife for scandal, and not *against* the husband for his interest.—Lord Milton, Reporter. (See DICT. No. 299. p. 6083.)

No. 1.

1742. *December 2.* MURDOCH KING *against* JOHN HUNTER.

HORNING *against* superiors refused on an adjudication *cognitionis causa* by a Sheriff without an abbreviate recorded. *Vide* Guthrie's Children, *voce* ADJUDICATION, No. 29. (See DICT. No. 22. p. 5743.)

No. 2.

1745. *June 5.* MARY HAY *against* STEWART of Kincarachie.

HORNING or arrestment raised in one person's name, cannot be executed in name of another whether executor or assignee, and therefore a posterior arrestment was preferred to a prior used by a relict on a horning raised in her husband's name, and assigned to her and confirmed by her. (*i. e.* the debt was.)

No. 3.