decision seems not very well founded.—*Castlehill's Pratt.* tit. *Infeftment*, No. 72.

<div align="right">*Page* 166, No. 601.</div>

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## 1685.   *March* 18.   Lord Marr *against* Joseph Brody's Son.

In a competition, it being alleged, That a poinding of the ground at Candlemas, upon Brody's infeftment the 21st of December preceding, for the annual-rent fallen due at Candlemas, did not clothe the infeftment with possession; because that made not a complete term's annual-rent. Answered, The ground may be poinded, after the term of payment, for any proportion of annual-rent fallen due before, though but a month or a week's annual-rent; and, consequently, the infeftment is thereby clothed with possession. The Lords sustained the reply for Brody, and preferred him to the other annual-renter, whose right was clothed with possession after that Candlemas.

<div align="right">*Page* 167, No. 602.</div>

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## 1685.   *March* 20.   Dickson of Hartrie *against* Dickson of Whitslead.

A disposition by a father to his son and apparent heir, was reduced upon the Act of Parliament 1621, at the instance of the granter's creditors, though it was made in implement of the son's mother's contract of marriage; because obligements in contracts, by way of destination, cannot be obtruded to creditors.—*20th March* 1685.   This was afterwards stopped.

<div align="right">*Page* 155, No. 558.</div>

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## 1685.   *March and November*.   M'Kie *against* Shaw and Ker.

An arrestment of a parcel of sheep in the debtor's own hand, found not to prescribe in five years, as an arrestment laid on in a third party's hand would do.—*March* 1685.   And, in November 1685, the just contrary was found in this cause.

<div align="right">*Page* 17, No. 87.</div>

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## 1685.   *November*.   Lord Yester *against* Lord Lauderdale.

In the adjudication, at the instance of my Lord Yester against the estate of the Duke of Lauderdale, upon a *cognitionis causa*, and my Lord Lauderdale's renouncing to be heir, compearance was made for Lauderdale, who, as a creditor to the Duke, craved to see the process in common form; for it was the first adjudication. Alleged for the pursuer, That an adjudication can only be re-