

THE LORDS pronounced the following interlocutor; to which they adhered, upon advising a reclaiming petition and answers:

'In respect the decret of adjudication was led for bygone rents, without any previous decret of constitution, and that the whole debts adjudged for are accumulated into one sum, without distinction; find, That the same is to be set aside in totum.'

Lord Ordinary, *Westball.*

For the apparent Heir, *Rolland, D. Williamson.*

Alt. *Hay, Honyman, Mark Pringle.*

Clerk, *Home.*

*Fol. Dic. v. 3. p. 6. Fac. Col. No 141. p. 222.*

*Craigie.*

\* \* This case was appealed. The following was the judgment of the House of Lords:

'ORDERED and ADJUDGED, That the appeal be dismissed; and the interlocutors, complained of, be affirmed.'

4th April,  
1783.

For Sir James Nasmith, appellant, *A. Wight, Wm. Adam.*

For the apparent Heir, respondent, *Ilay Campbell, Ar. M. Donald.*

### *What* SUBJECTS are carried by APPRISING and ADJUDICATION.

1623. *March 1.* HAMILTON against DRUMMOND.

IN an action, pursued by Hamilton, against the Heir of umquhile Sir Alexander Drummond of Meidhope, to make arrested farms pertaining to the Heir forth-coming, the arrestment being executed after Whitfunday, in that year in the which the farms were arrested, and desired to be made furthcoming, and the land being apprised from the Heir after the arrestment, but before the term of Martinmas, that same year; the LORDS found the said arrestment after Whitfunday, affected the half farms of that year only; and that the comprising deduced before Martinmas affected the other half farms, viz. for the Martinmas term subsequent, to the compriser's use. (*See ARRESTMENT.*)

No 1.  
What term's  
rents an ap-  
prising affects.

*A.G. Aton.*

Alt. *Hopet.*

*Gibson, Clerk.*

*Durie, p. 54.*