

## HERITABLE AND MOVEABLE.

1735. *July 25.*

Sir JOHN DALRYMPLE *against* EXECUTORS of DAME JEAN HALKETT.

No. 1.

BANK STOCKS are moveable in all respects. (See No. 1, *voce* BANK, and No. 3, *voce* BONA ET MALA FIDES.)

1735. *July 29.*

DAUGHTER of MONRO of Rogart *against* MONRO of ACHANY.

No. 2.

BOND secluding executors remains still heritable, notwithstanding a process for payment at the creditor's instance, and notwithstanding an assignation in trust under back-bond to hold count for what should be recovered, or retrocess the creditor his heirs and assignees; and cannot be conveyed by testament.

1736. *January 14.* BALFOUR *against* WILKIESON.

No. 3

EXECUTORS paying debts beyond the inventory have relief against the heir, but that right is simply moveable; and a relict so paying before her second marriage, it was found to fall under the *jus mariti* of the second husband, though the debts paid were bonds bearing annualrent. (See DICT. No. 5. p. 5770.)

1736. *January 21.* CREDITORS of CAVE *against* MURRAY.

No. 4.

MOVEABLE BOND not rendered heritable by the debtor's disposing lands to his creditors for payment of his debts, and particularly of that bond, on which disposition and infestment followed, but the debt found to remain still moveable and arrestable.—*N. B.* The creditor had not here acceded to the trust-right. But the Lords were of the same opinion, even though he had acceded. *Vide infra* Creditors of Principal Smith, and Heirs of Rothead, (No. 6. and No. 10.)