

1739. *July 25.* CREDITORS of Mr WILLIAM THOMSON.

No. 22.

THE Lords found, That the creditor having the first effectual adjudication must be repaid the expenses of it, and of the infeftment upon it, with annualrent from the time the money was laid out. (See DICT. No. 46. p. 277.)

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1740. *January 29.*

Sir JOHN HOME *against* CREDITORS of EYEMOUTH.

No. 23.

ADJUDICATION expired,—notwithstanding thereof, and of infeftment upon it in a superiority, yet if the adjudger be not in possession, but the former superior continues in possession, the vassals may lawfully, even after the legal, take their entries from the former superior.

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1740. *February 13.*

DICKSON of KILLBUCHO *against* DOOLY.

No. 24.

ADJUDICATION on a special charge of an heritable bond, found to carry not only the principal sum and annualrents from the date of the adjudication, but even the bygone annualrents from the death of the predecessor. There is no doubt that adjudications on a general charge and decret *cognitionis causa* do so. But some of the Lords doubted much, whether an adjudication on a special charge, which is only come in place of apprising, has the same effect. But the Court found that it had.

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1740. *February 19.* SPREULL *against* SPREULL CRAWFURD.

No. 25.

ADJUDICATION against an apparent heir on a special charge to enter heir, may be redeemed or reduced by such apparent heir himself without being entered in the lands, or by his heirs served to him, was found by the Lords; who at the same time thought, that an adjudication on the heir's renouncing, and a decret *cognitionis causa*, can only be redeemed by the heir served to the person last infeft. See No. 30.