

*BENEFICIUM COMPETENTIAE.*

1734. December 6.      ANDERSON *against* GEDDES.

No. 1.

THAT it is competent to parents against not only their children, but even their onerous assignees to their provisions, seemed to be the opinion of the Court; but because of the novelty, not determined, but remitted to be heard.

1745. February 21.      BONTEIN *against* MILDOVAN.

No. 2.

FOUND competent to parents against their children. *Vide* Harcarse's Decisions, No. 928. (DICT. No. 2, p. 1389.)

1749. July 25, Nov. 30.

JOHN HOGG *against* MRS HOGG and HER CHILDREN.

No. 3.

A GRANDFATHER found to have *beneficium competentiae* against his son's daughters, who were creditors to the son by their mother's contract of marriage, and had thereon adjudged from the son their father's estate; but to whom the grandfather was by law preferable by his liferent infestment; only we had preferred them to him, because of some unfair practices and concealments of the grandfather in his son's marriage settlement; but reserving to him to be heard on his *beneficium competentiae*, which we now sustained. And we sustained it also for an aliment to his blind daughter after his death.—Adhered, so as not to hurt the liferent of the widow, though they thought it would affect the fee of the grandchildrens houses in town.—Reversed in Parliament, March 1, 1750. (See DICT. No. 4. p. 1390.)

See NOTES.