

- No 1. party inhibited ; and the Master must be inhibited *de novo*, *ergo non est satis* to say, that he was *in mala fide*, but also he must be formally inhibited ; what is necessary against the heir, must also be necessary against the contractor. *4to*, The words of the act of registration of inhibition 1581, cap. 119, which ordains the same to be registered in the sheriff's books, where the party inhibited dwells, which infers necessarily, that the party may be inhibited. *5to*, The practique betwixt Syme and the Laird of Coldingknows.

Kerse, MS. fol. 60.

A. against B.

- No 2. INHIBITIONS and interdictions should be registered within forty days after the publication of them, and the leters and executions should be signed with the subscription of the clerk, and delivered to the party, within 24 hours.

Auchinleck, MS. p. 108.

A. against B.

- No 3. A bond being assigned with the whole effects thereof, and all right that the cedent had to the said bond and sum therein contained, the assignation carries the assignee to have right to an inhibition served by the cedent upon the said bond, although the assignation contained no special mention of the said inhibition, yet seeing it was not specially reserved, it is presumed to have been disposed as accessory to the bond.

Auchinleck, MS. p. 108.

. See No 7. p. 6303. *voce* IMPLIED ASSIGNATION.

A. against B.

- No 4.

INHIBITION may be raised and executed against an apparent heir.

Auchinleck, MS. p. 109.

SAMUEL BLACKBURN *against* JAMES LAMB.

- No 5.

IN an action betwixt Samuel Blackburn and James Lamb, the LORDS found, that an infetment holden of the King, free burgage, would not stop the comprising, in respect the lieges were inhibited of before at the instance of the comprising. The like decided betwixt George Gibson and Alexander Them-