

No 77.

for diligence of any kind, when people were not obliged to open their doors; that this haste was catching, which ought not to be encouraged, but the subsequent arrester at least brought in *pari passu*.

THE LORDS, 12th February, preferred Jones. On a reclaiming bill, they refused it, and adhered.

For Jones, *Hay*. For Grant, *Geddes*. Reporter, *Lord Murkle*. Clerk, *Gibson*.  
*D. Falconer, v. 1. p. 85.*

## D I V I S I O N I V.

The execution must specify the Names and Designations of the Parties, Dwelling-houses, &c.

## S E C T. I.

## Designation of the Parties.

No 78.

1628. *March 19.*J. LAMB *against* PAT. BLACKBURN.

Found an inhibition null executed against the party at his dwelling place, and against the lieges at the market-cross of Edinburgh, pier and shore of Leith, 'conform to the letters within written,' and that because the party was not inhibited by name and surname, at his said dwelling house.

*Fol. Dic. v. 1. p. 263. Kerse, MS. fol. 61.*

\*\*\* This case is reported by Durie, No 4. p. 3683.

1680. *November 26.*The LADY KINGLIASSIE *against* ALEXANDER.

No 79.  
Executions of  
a summons  
written on the  
back of the

THE deceased Lord Kinglassie having disposed his estate to Mr James Alexander and Rachel Aiton in their contract of marriage, upon condition that the children of the marriage should be of the name of Aiton, the Lady Kinglassie