OBLIGATION.

1734. *February* 9.
MR FRANCIS SINCLAIR *against* MR ROBERT SINCLAIR.

No. 1.

OBLIGEMENT to dispose even incomplete rights of lands, does not convey these rights or transmit them out of the person of the obligator. Agreeably to Stair, B. 2. T. 7. § 1. and B. 3. T. 2. § 4. (See DICT. No. 28. p. 9444.)

1734. *November* 28. DICKIE *against* ANDERSON'S CREDITORS.

No. 2.

AN inhibition was raised upon a deed containing obligations respecting the future. The Lords found the inhibition ineffectual *quoad futura*, and found the horning upon it also ineffectual, *quoad futura* after the date of the horning, though before the execution.

1736. *February* 20. RICHARDSONS, *&c. against* CRAIGENDS.

No. 3.

SCOT of Blair being cautioner for Sir John Houston in three debts to Forrest, Richardsons, and Chaplain, Merchiston afterwards acceded in a corroboration. By agreement betwixt Blair and Craigends, Blair became bound to purchase the debts and assign them to Craigends, so far as concerned Houston, but noways against himself, and Craigends gave a bond to Blair for about the half of the sums to be paid upon his so assigning. Blair did assign Forest's debt, but having afterwards failed, Richardsons and Chaplain did arrest in Craigends's hands, and to purify the condition, executed assignations to him of the debts so far as concerned Houston, but reserving them against Blair and Merchiston, that they might out of their effects recover what they would come short of their debt. But as Houston was principal debtor, and Blair and Merchiston in effect but cautioners, and had relief against Houston, the Lords found that they must assign, without reservation against Blair and Merchiston.