

HEIR-APPARENT.

LADY RATTAR *against* SINCLAIR of Rattar.

No. 1.

SUMMONS on a charge to enter heir may be raised and executed within the year, but cannot be insisted in within the year: Contrary to act of sederunt, 18th June 1613.

1736. *July 13.* MURRAY of Conheath *against* NIELSON of Chapple.

No. 2.

APPARENT-HEIR purchasing apprisings of his predecessor's estate, whereupon there never was infetment, nor did he expedite any infetment, but disposing the estate in right of these apprisings, the next heir may notwithstanding declare these apprisings satisfied and paid; and the purchases being made by a Popish apparent-heir before the act of Parliament, the Protestant heir was allowed to quarrel them. (See DICT. No. 3. p. 9593.)

1736. *July 27.* DUKE of ARGYLL *against* CAMPBELL.

No. 3.

ANNUS DELIBERANDI not to be discounted even out of short prescriptions. *Vide* PRESCRIPTION.

1737. *February 8.* JOHN HAMILTON *against* JAMES PETRIE.

No. 4.

THE reason I keep these papers is, because of a point of law, Whether a disposition to an apparent-heir be reducible on the act 1721, since it makes a *præceptio* after the granter's death; or if a disposition with the burden of debts be reducible?—The Lords did not determine these points, but they thought Lord Auchintoul had no ground of preference, and therefore repelled Petrie's defence.