

## LETTERS OF OPEN DOORS.

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1630. December 7. DICK *against* LANDS.

No 1.

**A** WARRANT for open doors should not be granted immediately upon sentence, or of course upon registration of a bond in an inferior court, but only a precept of poinding at first; and upon an execution returned that no goods can be found, then letters of open doors may be granted.

*Fol. Dic. v. 1. p. 547. Durie. Auchinleck.*

\*\*\* This case is No 47. p. 6243., *voce* HYPOTHEC.

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1748. June 29. A. *against* B.

No 2.

A doubt was stated by a-writer to the signet to the Ordinary on the bills, on presenting to him a common bill for letters of open doors, on a baron decree, and execution returned that no access could be got for poinding; which the Ordinary having reported, the LORDS "directed the Ordinary to refuse the bill;" for this reason, that they could not interpose where there had been no interposition of the Sheriff's authority to the baron decree.

But the President gave it as his opinion, That the baron himself might execute his own decree, and give the warrant for open doors.

*Fol. Dic. v. 3. p. 385. Kilkerran, (LETTERS OF OPEN DOORS.) No 1. p. 338.*

See POINDING.

See APPENDIX.