

Alienation of both Moveables and heretofore rights is still
 observed tho the prohibition now reacheth only heretage; and
 the ancient Title of Letters of loosing arrestment yet bears Intima-
 tion to be made to the arrester, tho that be not now Required
 therefore as arrestment is Introduced to obviate the Squandring
 of Moveables to the prejudice of Creditors: So Inhibition is Calid
 for securing Creditors against their Debtors Dissipation of
 their Land Rights. Inhibition now takes no effect either against
 Moveables, or bonds, or obligations tho they were a present
 assign if Infeftment hath not followed, Stair ibid. Tho Inhi-
 bition was found not to effect an heretable bond containing
 a Clause to Infeft, where the Infeftment followed 30 Decemb.
 1703 Infeftment contra Doctor Spynie per Jan. Inhibition is
 a just personal debt heretable by a Justice Destinator, or by
 ending Executors, no man could recover such without coming
 into the Records, which is Inconsistent with Commerce and
 In compass dealing about personal Rights and that Prohi-
 bition is Calidated only for securing some rights of land apper-
 taining from the other where by the Judges are Inhibited to Grant
 or accept any right of the Debtors Land & the Warrant
 of the execution in the Letters is to Inhibit the Judges all the
 manner where the Debtor Dues and the Land is
 that where there are no Land there Nulla Sana Inhibition
 there can be no execution Comprovis to the King of the Letters.
 And possibly it may, that because heretable bonds are not
 obtained or affected by Inhibition, they are declared arrester
 act 51 Par. 1 Art. 1 Ch. 2. But Inhibition is in force only
 against Land or heretable Rights by Infeftment, or
 Rights equivalent, as life rents by Courtesy, Force, or Habit
 vation in Infeftments granted to others, and the Casual-
 ties of Superiority Stair ibid. Tho is voluntary deed or right
 of these things granted by the Party Inhibited after Publication
 of the Inhibition at the Market Cross of the Jurisdiction
 where he duels before Registration, are Reducible ex capite
 Inhibition 12 Feb. 1675 Cruikshank contra Per Stewart
 511 & 22. Inhibition is made to take effect from the publica-
 tion and not from the Registration only, because if

Inhibition were effectual only from the Registration, the Design
 thereof might be disappointed by alienations made before the
 Publication and Registration. But seeing men cannot readily know
 of Inhibition but from the Registers; they are not in safety to
 bargain finally to real rights till 40 days expire within
 which time the Inhibition may be Registered. After which time;
 they can bear no uncertainty for so long that all persons of Regis-
 ters must have authentic Minutes before them to be signed
 of all writs presented to them to be Registered, specifying the
 day and hour when presented, and in whom, and must enter
 such writs in their Register, conform to the order of the Minute
 Book act of Decr. 15 July 1672 act of Jus. 4 Par. 11. Inhi-
 bition affects not only such Land as heretofore by the
 to the Inhibited person at the time, but also that so acquired
 by him 15 Decemb. 1652 act 22 Feb. 1667 Jus. contra W. Stewart
 and Keith Stair ibid. 4 Feb. 50 51. Inhibition is a personal pro-
 hibition respecting principal and real rights of land, and
 the Land is Inhibited only so far as the Inhibition is
 locational and full, and the Debtor is only bound to pay
 the Land he has presently, but any Land he acquires after
 the date of the Inhibition till his death he is bound to
 alienation of Acquirenda is for so long as it is not
 not such Alienation can be made, he may be a creditor
 acquired the subject. But arrestment, which is a bond for
 Restricting Commerce, affects only present debt or goods
 or belonging to the Arrested Debtor. Inhibition
 Inhibition if it be recorded in the General Register, or with
 in the Jurisdiction where it is Recorded, if it be entered only in
 a particular Register. For to reach Land happening to be
 acquired else where, the first Inhibition must be Regis-
 tered where the Land after acquired do by 18 July 1662
 Swintown contra Stair ibid. An Act answers to Distel
 Doubts Et. Inhibition by Ed. Arrestment. It extends not
 only to posterior Voluntary Infeftments of these, but even
 to Infeftments upon apprising or adjudication, if the
 debts which are the foundation thereof be posterior to the
 publication of the Inhibition which puts the Lieges in male
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