tenants payment even without his masters knowledge or consent, hesit-
:ceth to Interrupt: so a Civil possession by Decreet or Citation against
them is sufficient. Citation in a summons of Reduction upon the ground
of an Inhibition not Relating to the Inhibition, was found not to hinder
the Inhibition to prescribe; the summons not being filled up within 40
years after Execution of the Inhibition, and after the right Reduc-
:ible thereby: albeit the Inhibition was given out in process with the
Reduction within the Years of prescription; being Nothing was
mentioned of the Inhibition in the Reduction till the 40 Years were
Elapsed 22 June 1681 Kennoway contra Fraser. Because albeit
prescription be excluded by possession or Interruption as to the right
principal or Necessary: Yet it is not so as to Legal acts whereby no
right is acquired but only a Stop to opposite rights viz: Inhibition In-
vestment Reduction or Declarator. nor altho the right of the
Diligence it should possess by his right whereupon such Diligence was
founded, or pursue for payment or satisfaction of what is due to him
that possession or Action upon the ground of the Diligence would
hinder that Diligence to prescribe. And which is not prescribed if
not the Inhibition, and the Reduction thereon and that being omitted
for the Space of 40 Years, no possession or action upon the ground
of the Inhibition can hinder it to prescribe. For if possessing or
pursuing upon the ground of an Inhibition, a right perpetual
the same, no purchaser could be secure by Inspecting the Registers
40 Years back to find out Inhibitions in that time, which is all
that they use to do. A Warning to Remove upon which no thing
followed, was not found a sufficient Interruption of an old lease
Daly Clerk Lib. 2 Fol. 12 & 26. Nor Interruption by Warning
a Citation to Remove at the Instance of one in Requisition by
prescription before his right was Completed, Sustained as effec-
:al against another having a Confirmed possession 13 January
1680 Brown contra Town of Kirkcud bright. Executing a Sum-
:mons fallen or Expired thro' not being called within Year
and day, is not sufficient Interruption of prescription 24 Ja-
:nuary 1712 Stewart contra Hill. Prescription of an Action may
be Interrupted by process of the same kind, containing the same
Conclusion against the defender. Thus when Different Actions
arise from the same fact, as a Spuilzie and Controvention or
Lawborrows, insisting in the Controvention will not hinder
prescription of the Spuilzie. And a Criminal pursuit for the
Violent taking away ones goods, was found not to Interrupt

Interrupt the Civil action of Spuilzie 8 feb. 1676 Master of Rae contra
L. Dunbeath. Because the former tended simply ad poenam, and the last
is for Satisfaction of Damages. A dependent pursuit does not sustain
to Interrupt the Negative prescription, as to other grounds not ver-
bally Libelled in that process 8 feb. 1711 Rose contra Rose and others
so much for Interruption of prescription whereby process proceeds to Exe-
cution by legal Diligence and Horning.

A charge of horning upon a Registrate bond cuts off the negative
prescription three of 21 Jul. 1620 Ker contra Ker. Inhibition
used upon a bond upon which payments were made there 15 Jan. 1713
1714 Edmonston contra Edmonston. 12 Jul. 1676 Scot of
the Church door against the Heritors or Minister for the completion
of prescription of the principal sum and annualrents 16 Dec. Lamb contra
Lamb & Swedes. The Lords have sometimes found a citation
upon a Bill of Suspension to interrupt prescription, but
upon a Bill of Suspension, and found Taken duly upon the Charge
to be Orderly Execute in the Shire, but it was not received
Summons to Hear and See Letters Orderly Executed to Inhibe. Was found
from the 10 years prescription altered by the Act 1617. cap. 12 Par.
20 Jac. VI. to stand against whom 20 Years prescription after the Act
Thus the Kings Real Lands, Reservation of Kings Lands, Act 1661 Reduc-
:tion or Declaration of the Crown and Exchequer &c. were to continue
to Lords was allowed to be relevantly [illegible] the
market Croft of Simonburn and Church Manse Glebe were
and Church above Hexham upon which the Inhibition
the said proclamation was to have effect of a regular Inhibition, and
the Market croft of Edinburgh possessed there upon against such as
out of dealing. Because the Sovereign could not summon particularly
every person whose rights he might Challenge upon the pretended Account
act 12 Par. I. K. I. But such publication or proclamation of the Kings
Letter, without Commencing any Action against or giving Precept or
Citation to any person Interested, was found to Inhibe or Interrupt
29 & 30 March 1630 The King and the E. Montcastle contra
Commuring by Missive Letters was not sustained as Interruption of pre-
scription 4 July 1706 Lord and Lady Kilmodein contra Monro. Nor
doth Registration of a Charter in order to Diligence Interrupt Prescrip-
:tion 12 January 1672 Johnston contra Lord Belhaven because no
person is obliged to know of such a Registration. Nor was it Regarded
to hinder prescription of an Inhibition, that it was Registred within
the 40 Years 19 feb. 1680 Lutefoot contra Prestoun because albeit
Inhibition is null if not Registred, Registration is not Reckoned Inter-
:ruption. The three Years prescription of an Account as to the Manne

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