

Charge against the Superior, it not required for the doing before  
 must. <sup>for</sup> Apparent heir cannot pursue Redution and  
 Action 3 Decem b. 1639 Lord Johnston contra John Cunningham  
 a simple Redution 11 Feb. 1638 Muir contra Muir 12 Decem  
 1635 Hayan contra Hayan Lords of Resolvable Rights granted  
 predecessor without being at least allowed as General heir  
 apparent heirs can, without service or judgment, the  
 capital debt rights where upon judgment path followed  
 Feb. 1676 Apparent heir of Heriot contra his Creditors  
 serve him in special to the Grantor: seeing the Grantor  
 not return Answer to that head of the brief that the year  
 to whom he serves to be served died last year and seized  
 Redution as Capital Debt of a Right led by Judgment, the  
 Complaint also to personal Creditors 25 November 1669  
 one as heir to a person against whom an Apperizing was  
 and Reduc the apperizing and a good title to grant  
 tho it had been effected by a Judgment in favour of  
 hundred Years Possession: being a General service may be  
 all Judgments of appeal service, which cannot  
 hit help be out of the way 26 Feb. 1651 A Brown contra  
 Aitken A personal Creditor having inhibited his Debtor  
 inhibited to Reduc a Real Right purpoted by Inhibition  
 granted by Lord Capite Inhibitionist 14 Feb. 1713  
 of Kilbrinie contra Agnew. A personal bond granted by  
 Apparent heir, was sustained as a good title in a Red  
 = tion and Declarator of Extinction of Debt and de  
 might affect the estate of the Deceased, the pursuer Com  
 plaining his title by adjudication upon a special Charge be  
 fore the Court further Judged 13 March 1707 Robertson contra  
 Rowden & Auld and his Clerk her last bond. That is, process  
 was allowed to be carried on without any new Oblation by  
 the Relation had no force as to other effects except from the  
 of completing the title March 1707 Under Edmonds A bond  
 being granted for the price of land by the purchaser to a third  
 party, payable only after the latest purpote of Inhibition  
 against him before the sale; that third party was found  
 = tilled to pursue Redution and Improbation of Inhibition  
 obstructing his payment 29 January 1712 Ogilvie contra  
 E. Gaven, being other way the bond granted to him had been  
 = E. Gaven and of no effect Redution being Declaratory, pro  
 = ceed against apparent heirs, without a Charge to Enter  
 = heir, Hans. l. 4 p. 20 114.

The pursuer may call for any particular Rights granted by  
 him or his predecessors or Author to whom he succeeds as heir or  
 by singular title 20 January 1683 Little contra Little Dale. So the  
 = Defendor or his predecessors or Author. But cannot call for  
 = selfments granted by his predecessors, unless the produce  
 = Defendor himself ment 24 July 1673 Selous contra Wats Norget  
 can he require production of all Writs granted by him or his pre  
 = decessors therein General 13 January 1637 E. Home contra  
 = Rume and others.

All the Calling of the cause, if there be no Comparance for  
 the Defendor, the pursuer will get for the Asking, the Certification  
 against the Writs Called for, that is, a Decree Rescinding them  
 till they be produced. Produced legitimo modo in a Reduc  
 = tion of the Decree of Certification. But the pursuer will re  
 = ther than take such a Certification, so till the production him  
 = self of means, that he may get a Decree upon the Writs more  
 = Soud; a Decree in absence, being better, than a Certification in ab  
 = sence of both parties Comparance, the pursuer gives that the De  
 = fendore may take a term to produce the Writs and for the  
 = to be levied Defence, that such Writs are in Publica Cust  
 = = today that is in the Register of the Signet 20 March 1633 The  
 = King contra E. Strathorn 20 January 1665 Little contra E.  
 = Little Dale or Chanary and the Defendor descended on the  
 = date of the legitimation. But such a good dependence a bond  
 = writs recorded in Superior Court Writs will not relieve the  
 = Defendor of the necessity of producing the Extracts, it is well  
 = that a good dependence bar Certification against the bond and  
 = Charles the in public Register 20 January 1665 Little  
 = contra E. Little Dale 20 Jan. 1633 The King contra E.  
 = Strathorn or be a good dependence against producing an Inhibition  
 = in public Custody in the special Inhibition  
 = is not kept in the Register which is only for publication  
 = and not for Preservation 11 January 1681 Morris contra Gor  
 = den. Formerly in single Reduction of Right of land the  
 = terms for production were Judged 26 Novem b. 1667  
 = Hay contra Drummond & Herburn. But now there is only one  
 = term allowed for producing; because the Writs Called for  
 = only to be Dictate till they be produced. First and second  
 = Diligence is allowed to the Defendor against the bearer of  
 = the Writs to be produced; and if he Condescend upon particu  
 = lar Writs to prove the bearing of the Writs Called for,  
 = he should also have a Diligence against the party that he is not  
 = tied up to prove the bearing, by the latest call or Court than  
 = which 20 9 813. The pursuer ought to have the same  
 = term for producing the Infringements of his predecessors