

1735. *November 25.*

CREDITORS of MERCHISTON *against* COLONEL CHARTERIS.

No. 5.

AN heritable bond for money when borrowed, granted long before the bankruptcy; yet if infestment is not taken till after, or within 60 days of the bankruptcy, it falls under the act 1696. *Vide* Creditors of Paterson, January 10, 1738, *vocæ* COMPETITION. (See DICT. No. 262. p. 1239.)

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1736. *February 3.*

CREDITORS of MERCHISTON and BLAIR *against* EARL of ABERDEEN.

No. 6.

A DISPOSITION by bankrupts for their creditors' behoof to trustees, with power to assume other creditors within a time limited, and excluding all future diligence; reduced on the act 1696, though this creditor had not quarrelled it for eight years. (See DICT. No. 244. p. 1208.)

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1736. *July 9.*

YOUNG *against* SMITH.

No. 7.

CREDITORS of a bankrupt receiving payment in consequence of a disposition reducible on the act 1696, may be made to repeat. In effect found, though only an act before answer was pronounced.

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1737. *February 1.*

LORD BELHAVEN, *Supplicant.*

No. 8.

ON a complaint of fraudulent bankruptcy, a summary warrant granted to imprison Joseph Cave, January 25, 1737; and the General of the Mint, (Lord Belhaven) having afterwards offered to repledge him to be judged in his Court of Wardenry in the Mint, and offered caution of Culreoch; the Lords refused the petition in respect of the act 1696, for they thought he could not even judge this crime, and far less repledge.