

of stockings, to be applied in payment of a bill due by Gordon to one in London. Morison sold the stockings and discounted the bill, but did not pay Gordon's bill, and broke in March 1744. In April a commission of bankruptcy went out against him, and he obtained the Chancellor's certificate of his having complied with the statute. Gordon took a decret against him in this Court; and Morison having come to Scotland, Gordon took him with caption. Morison presented a bill of suspension and liberation, and quoted the two precedents on the preceding page. The Court was divided in opinion, but upon the question past the bill upon caution *judicio sisti*, when he shall be called for. *Referente* Strichen. See FOREIGN.

No. 22.

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1748. July 19, 23. M·KINNIE and Others *against* FORRESTERS.

WE found the charge of fraudulent bankruptcy against George Forrester, and that Robert his brother was partaker with him in his fraud, and therefore declared them infamous in the words of the act 1621. Ordered them to be pilloried at Glasgow, (where the fraud was committed,) 10th August next, with a paper on their breasts, "Infamous fraudulent bankrupt," and then to be banished to the plantations in America for seven years. See No. 3. *supra*. (See Kilkerran's report of this case, DICT. APPEND. II. *voce* BANKRUPT and *voce* DELINQUENCY.)

No. 23:  
Punishment of  
fraudulent bank-  
ruptcy.

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1749. November 7.

CREDITORS of CASTLE-STEWART, *i. e.* DICKSON *against* MARGARET MITCHELL.

No. 24.

IN a reduction on the act 1696, of a disposition to the superior, whereon there followed resignation *ad remanentiam*, but no sasine, the Lords found that the disposition was to be accounted as of the date of that resignation.

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1750. July 10.

CREDITORS of JOHNSTON, *Competing*, *viz.* EARL HOPETOUN *against* NISBET of Dirleton and INNES.

No. 25.

A MERCHANT incarcerated a few days on a caption and then set at liberty; and granting a bond of corroboration of the debt whereon infestment followed, and continuing many months to keep open shop and to trade as for-