

brought a sale of his estate on the Acts 1681 and 1690, and afterwards petitioned for sequestration. The Earl of Cassils, as an heritable Creditor by heritable bond, infestment, adjudication, and charter and infestment, and in possession of the lands of Bardanock, and a tenement of Ayr, opposed the sequestration *quoad* these subjects. The Lords granted the sequestration, exclusive of these subjects, which they refused to sequesterate.

By the late Bankrupt Statute, it is declared, That although the bankrupt should die after sequestration, that it continues, and that the factor is entitled to recover the debtor's estate in the same way as if he had been alive. The case occurred, *20th June 1775, Creditors of Andrew Hunter, shoemaker in Glasgow, Petitioners.* The Lords proceeded to name a factor in common form; but, with respect to these clauses in the interlocutor, ordaining the bankrupt to denude and grant a disposition, &c., these were left out, in respect of his decease, and a general clause thrown in, granting warrant to, and ordaining the factor to do every thing proper and necessary for discovering and taking possession of the personal estate and effects of the bankrupt for behoof of the Creditors.

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1772. *July 25.*            DAVID LOCH'S Sequestration.

IN the sequestration of David Loch's effects, at the instance of his Creditors, in terms of the late statute, the Petitioner, Robert Ferrier, produced a horning and caption, and bill and protest, whereon they proceeded,—and an oath of verity upon his debt,—together with a certificate from the Clerk of the Abbey of Holyrood-house, certifying that Mr Loch was, upon the           , admitted to the benefit and privilege of the Sanctuary. The Lords granted warrant to cite Mr Loch, and afterwards sequestered in common form.

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1772. *December* .    WOOD *against* The MAGISTRATES OF GLASGOW.

A SEQUESTRATION on the late Act of Parliament, obtained on the application of the debtor himself, is no bar to his obtaining his liberation from prison the Act of Grace.

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1772. *August 4.*            SAMUEL COLE, &c.

IN May 1772, Samuel Cole of Covent-Garden, mercer, sent down to Scotland a parcel of silks, in value about L.3000. Soon after his brother came down, as factor, to sell these goods, which were lodged in a ware-room in Canongate, where he obtained a license to trade. These silks were soon after arrested by certain English creditors of Samuel Cole; whereupon he wrote to