

jurisdiction of the Court in such cases, as much as those against citizens of Edinburgh, &c.; for, if the Court is satisfied, that the Admiral of Leith has a jurisdiction over the inhabitants of Edinburgh, as well as those of Leith, then it must follow, that every sort of action that is cognizable by him against the inhabitants of the one town, is competent against those of the other.

Upon advising this condescendence, with answers thereto, and former papers,

“THE LORDS find possession proved in this case sufficiently to support this diligence, and find the arrestment preferable to the indorsation.”

Reporter, Stonefield. Act. Al. Wight. Alt. B. W. M'Leod. Clerk, Campbell.
Fol. Dic. v. 3. p. 353. Fac. Coll. No. 13. p. 32.

No 238.

1776. June 14. BEUGO & BRYCE against M'LEIRY.

THE LORDS found a Judge Admiral-depute had no jurisdiction in a cause purely mercantile, as an action of damages for non-implemēt of a bargain for the purchase of a cargo of hides. See APPENDIX.

Fol. Dic. v. 3. p. 353.

No 239.

1778. February 11.

GRIZEL BARTHOLOMEW and Others against PETER CHALMERS.

HENRY STEEL, master of a vessel, having died on a voyage to Grenada, Chalmers, the mate, came to have the command, and intromitted with the whole effects of Steel on board the ship. Bartholomew, and other representatives of Steel, pursued Chalmers before the Admiral, to account for his intromissions with these effects.

The Admiral ordained the defender to find caution *judicio sisti et judicatum solvi*.

Chalmers brought this cause into Court by advocacy.

The pursuers insisted, That the cause was strictly maritime, because the *locus quasi contractus* was on shipboard, the intromission being made there.

Answered for the defender, It is established law, that the privative jurisdiction of the Admiral is not founded either on the *locus contractus* or *quasi contractus*, but solely on the cause being of a maritime nature, which this action is not, Campbell against Montgomery, 8th February 1765, No 89. p. 7359.

The Court found “this cause not to be maritime, therefore advocated.”

For Chalmers, Robertson. Alt. Claud Boswell.

Fol. Dic. v. 3. p. 352. Fac. Col. No 12. p. 25.

No 240.