

APPENDIX.

PART I.

BILL OF EXCHANGE.

1769. December 19. GEORGE GRANT against DONALD CRUIKSHANKS.

Low being indebted to Grant, procured the acceptance of Lieutenant Grant, who again was Low's debtor, to a bill for part of the sum he was due to Grant; but instead of signing the bill himself as drawer, and then indorsing it to Grant, Low delivered the document the day after he had procured the acceptance to Grant, who either then, or some time after, adhibited his name as drawer. Cruikshanks, a creditor of Low's, having arrested in the hands of Lieutenant Grant, a multiplepointing was raised, and a competition ensued between Cruikshanks the arresting creditor and Grant the holder of the bill. The Lord Ordinary found, "That as this bill was accepted as payable to Low, the intended drawer, Low's giving that bill to George Grant his brother-in-law, that he might sign as drawer, was not a habile method of transmitting the contents to George, and therefore prefers Donald Cruikshanks on his arrestment." And to this interlocutor, upon advising a petition and answers, the Court adhered.

No. 1.
Inhabile
transmission
of a bill.

Lord Ordinary, *Auchinleck*.
Clerk, *Pringle*.

For Grant, *Wight*.
For Cruikshanks, *Maslaurin*.

R. H.

Fac. Coll. No. 10. p. 25.

1770. March 10.

MESSRS. MANSFIELD, HUNTER, & Co. Merchants in Edinburgh, against
DONALD M'ILMUN, Merchant in Glasgow.

UPON the 15th November 1768, M'ilmun accepted a bill for £788. to Ebenezer Macculloch & Co. payable 14 months after date. This bill was in-

No. 2.
Privilege of
an onerous
indorsee.