

his brother, desiring him to take advice. And the advice given was, to apply to the Court for a sequestration on the late statute. This was opposed as incompetent, the statute applying only to Scotch insolvent debtors, but not to English debtors having occasionally effects in Scotland. The Lords, after advising memorials, granted the sequestration. They thought it was the situation of the effects, not the residence of the debtor, which founded the jurisdiction.

They were of the same opinion in the case of,

1776. *February* . SAMUEL BURN, Merchant in BERWICK-UPON-TWEED ;

and the same in several other instances, particularly of John Reynolds, merchant in London, of whose effects sequestration was awarded by the Ordinary on the Bills, 9th May 1776, and the Court divested the factor in favours of a trustee, 15th November 1776.

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SEQUESTRATION of the EFFECTS of WILLIAM WALKER, Procurator-Fiscal.

A CREDITOR of William Walker, late Procurator-Fiscal of the Sheriff-court of Edinburgh, applied for a sequestration of Walker's effects. The criterion of bankruptcy was, that Walker had suffered a poinding of part of his effects. Walker was truly a person *non compos* ; he was kept in a mad-house at Musselburgh. Of this there was no evidence before the Court ; and, although there had been such evidence, probably it would have had no effect. The Lords sequestrated in common form.

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1776. *February 24.* LAWRIE, Petitioner.

A FACTOR on an estate, sequestrated in terms of the late statute, applied by petition, praying the Lords to authorise him to submit certain claims betwixt the bankrupt and his master, and to pay the hypothec, &c.

The Lords refused the petition, or to give the factor special directions in the matters craved, leaving him to do his duty conform to the statute.

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1777. *February 21.* JAMES M'LUNE, Tenant in Bombay, Petitioner.

WHERE a sequestration on the late statute is applied for, and obtained, all persons who have poinded the bankrupt's effects within the preceding thirty