

BANKRUPT.

1251

' THE LORDS, therefore, repelled the objection.'

No 275.

Reporter, Lord Dreghorn, Probationer,
Clerk, Home.

For Finlay, M' Cormick.

Alt. Tail.

Fac. Col. No 15. p. 27.

Stewart.

1788. December 24.

ROBERT PLAYFAIR and Others, against WILLIAM WALKER, GEORGE MAWER and Others.

THE act 23d Geo. III. c. 18. requires that the money recovered out of the bankrupt estate shall be lodged ' in a bank or banking-house: ' Found that a resolution of the creditors to lodge it, in the hands of individuals who were not bankers, was illegal. See The particulars of this case *voce* FACTOR.

No 276.
23d Geo. III.
c. 18.

Fac. Col. No 52. p. 92.

1790. February 9.

ANDREW SCOTT, against JOHN VEITCH and Others.

AN agent in the Court of Session, but who had engaged in the business of building houses for sale, presented a petition for sequestration, under the authority of the statute of 1783. On the part of some of his creditors, it was

Objected: That the application was not warranted by the statute, the petitioner being by profession a writer, and not, according to its terms, either a merchant, or a manufacturer, artificer, or mechanic.

The Court, however, considered the petitioner, notwithstanding the different nature of his principal profession, as within the description of the statute; and therefore

THE LORDS awarded the sequestration; and upon advising a reclaiming petition, with answers, adhered to that judgment. See SEQUESTRATION.

No 277.
23d Geo. III.
c. 18.—The Court considered a person who had carried on the trade of building houses for sale, although a writer by profession, to be entitled to the benefit of the act. They awarded sequestration.

For Scott, &c. G. Ferguson.

Alt. N. Ferguson.

Clerk, Menzies.

Stewart.

Fac. Col. No 110. p. 206.

1794. January 16.

The INTERIM FACTOR on the Sequestrated Estate of BERTRAM, GARDNER & Co. against DAVID THOMSON.

THE interim factor under 33d Geo. III. c. 74. is entitled to possession of the copies of writs and mandates produced for the creditors at the general meeting at which he is appointed. See The particulars of this case *voce* HYPOTHEC.

No 278.
33d Geo. III.
c. 74.

Fac. Col. No 91. p. 203.