

agreed that Hugh Crawford had no condiction of this note, nor no action against either of the Banks on account thereof; for we thought that it would destroy all banking, if the objection *res furtiva* could affect Bank notes against *bona fide* possessors.

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BANKRUPT.

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No. 1. and 2. 1734, June 18. SNEE, &c. *against* CREDITORS of ANDERSON.

THE Lords found the reasons of reduction relevant—18th June.

THE Lords adhered, and particularly found that no general disposition can hinder creditors from using diligence.—12th July.

No. 3. 1735, Feb. 7. CREDITORS of DUFF *against* SIR JOHN GORDON.

THE Lords found, that the disposition by Patrick (Hay) M'Kay of Scourie to the defender Sir John Gordon of Embo, was a fraudulent contrivance devised and executed in defraud and prejudice of the just and lawful creditors of the said Patrick M'Kay, and that the defender Sir John Gordon was partaker with, and did wilfully assist the said Patrick M'Kay in covering and executing the said fraud, and therefore find the reasons of reduction relevant and proved, and reduce the same accordingly; and having considered the 18th act Parl. 23, James VI., intituled, &c., they in the terms thereof, "Declare the said Sir John Gordon a false, dishonest, and infamous person, incapable of all honours, dignities, benefices, and offices, or to pass upon inquests or assizes, or to bear witness in judgment, or outwith, in any time coming, and decern." 7th February, The Lords adhered simply.—Affirmed in Parliament, 25th March 1742.—(13th December 1734.)

No. 4. 1735, July 22. CREDITORS of CAVE *against* HENDERSON.

THE Lords found no spuilzie, and remitted to the Ordinary to hear parties on the point of right.

No. 5. 1735, Nov. 25. CREDITORS of MERCHISTON *against* CHARTERIS.

THE Lords found the heritable bond fell under the act 1696, and gave their interlocutor in the same words in this case, and in that of Creditors of Mathieson against Adam Smith.

No. 6. 1736, Feb. 3. CREDITORS of MERCHISTON, &c. *against* EARL of ABERDEEN.

THE Lords found the reduction competent and relevant upon the act 1696.