

burgh ; both of them therein to remain till to-morrow at ten o'clock, and then to be brought to the bar of this Court, to hear sentence pronounced against them for the said crimes ; and grant warrant to the Magistrates," &c.

And, on the day following, *viz.* 14th February 1776, the Lords pronounced this interlocutor :—

“ Find sufficient evidence, that the said James Keltie is a fraudulent bankrupt ; and that the said George Keltie has been partaker, art and part, with him, the said James, in the plan of defrauding his creditors : Therefore ordain the said James Keltie, and the said George Keltie, to be carried back to the said tolbooth of Edinburgh, therein to remain till Wednesday the 28th day of February current, at 12 o'clock mid-day ; and then ordain the said George Keltie to be set at liberty ; but ordain the said James Keltie, at the time foresaid, to be carried from the said tolbooth of Edinburgh, to the pillory in Edinburgh, and there to be put up, and stand bareheaded for the space of one hour, from 12 o'clock at noon till one o'clock afternoon, with a paper affixed on his breast, bearing this inscription in large characters, *Fraudulent Bankrupt*, and thereafter ordain him to be set at liberty ; and decern accordingly : And the Lords grant warrant to, and ordain the Magistrates of Edinburgh to see this sentence properly put in execution ; and ordain the same to be recorded in the books of Sederunt, for the terror of others from committing the like crimes in time coming.”

Upon a reclaiming petition the Lords remitted the pillory.

1764. *June 23.* JAMES EWART'S CREDITORS *against* JAMES EWART.

JAMES EWART, accountant to the Royal Bank, having failed in his circumstances, was, on a caption, imprisoned in the tolbooth of Edinburgh. His Creditors, suspecting fraud, petitioned the Court for examination ; and, 15th June 1764, he was examined accordingly. One of the clerks was ordered to search for his books and to bring them to the Court, and afterwards also for his papers : all were brought. They were ordered to remain in the clerk's hands. An interlocutor was wrote accordingly, and a warrant to carry him back to prison, ordering the Magistrates not to liberate him, even though the creditor-incarcerator should consent, without special order of Court. And the Lords recommended to his Majesty's advocate to inquire into the circumstances of the case, and to prosecute him as a fraudulent bankrupt, if he saw cause.

23d June 1764, on a petition of Ewart's Creditors, they allowed their trustee to see his books and papers in the clerk's hands, and to borrow any they should find necessary.

No prosecution was brought.