

the sums libelled; and consequently, as the defender has rendered it impracticable to say, what was the value or extent of the goods themselves, he must be liable in their presumed value of L. 150. The defender cannot be in a better case than Grizel herself, were she insisting in a reduction of that decret; and as by taking the goods out of the arrestee's hands, and disposing of them, it has been rendered impracticable to prove the precise value of them, it would be impossible for her to prevail in such reduction; and therefore the defender, who gave her an opportunity of so doing, must be liable in terms of the decree that stands against her.

'THE LORDS adhered to the Lord Ordinary's interlocutor; but remitted to his Lordship to hear parties procurators upon any objections that might be to the decret against Grizel Grant.'

N. B. The cause having come back to the Lord Ordinary, the above objection was again stated by the defender to the decret against Grizel Grant; to which the pursuer having made answer as above, the LORD ORDINARY, upon the 21st February 1761, 'repelled the objections, and allowed the decret formerly pronounced to be extracted.'—And the LORDS, upon advising a reclaiming petition and answers, upon the 8th July 1762, adhered.

*Act. Macqueen & Lockhart.*

*Act. Da. Grene.*

*Clerk, Kirkpatrick.*

*Fol. Dic. v. 3. p. 44. Fac. Col. No 239. p. 435.*

1779. August 11.

VINCENTSON against WILSONS.

THE LORDS found, That arrestments on blank admiral precepts, might be loofed without caution.

*Fol. Dic. v. 3. p. 45.*

### Ranking of Arrestments.

1583. January.

WALLACE against SCOT.

THERE were certain sums of money that pertained to Mr John Majorbanks advocate, arrested in the hands of one Mungo Tenant, by two sundry creditors. The first quha had made the first arrestment were the bairns of ane Scot, mariner in Leith; the second arrestment was made by the spouse of umquhile John Wallace writer. The first arrefter intented action against the said Mr John; and the second arrefter has obtained decret against the said Mr John, sua the person in whose hand the silver was having complained to the Lords upon double purfuit, configned the silver into the clerk's hands, unto the time it was found be the

No 149.

No 150.

No 151.  
The first arrefter, with the second decree of furthcoming, preferable to the second arrefter with the first decree.