

No 82.

As, however, posterior to the decret in question, an act of indemnity had passed, by which the proceedings of persons acting in offices of public trust, without taking the required oaths had been ratified, it was unnecessary to determine the case on any of the grounds which had been insisted on by the parties.

Alt. *Honyman et alii.*Alt. *Wight et alii.*Clerk, *Robertson.*

C.

*Fol. Dic. v. 3. p. 412. Fac. Col. No 322. p. 495.*1787. *February 20.*WILLIAM CUNNINGHAM *against* Sir WILLIAM MAXWELL, Baronet.

No 83.

Sub-division of the valued rent of a barony, made in opposition to the old valuation-roll of the county, inept.

By the general valuation of the lands in the county of Renfrew, made up in 1654, and transmitted in 1709 to the Court of Exchequer, the lands of Bootston, part of the old estate of Craigends, were separately valued at L. 25 Scots.

In the year 1781, the valuation of a part of this estate, including the lands of Bootston, was sub-divided by the Commissioners of Supply, when, instead of adhering to the value formerly put on this parcel, they rated it at L. 34.

William Cunningham having appealed to this decret of division for ascertaining the valued rent of the lands in virtue of which he claimed to be enrolled as a freeholder, the freeholders refused to admit him.

After advising a petition and complaint for Mr Cunningham, with answers for Sir William Maxwell,

“ THE LORDS dismissed the complaint.”

Act. *Geo. Fergusson et alii.*Alt. *Wight et alii.*Clerk, *Robertson.*

C.

Fol. Dic. v. 3. p. 412. Fac. Col. No 323. p. 497.

S E C T. VI.

Who may act as Commissioners of Supply.—Time of their meeting.—Consequences of their refusing to meet or divide.

1729. *January 1.*SINCLAIR of Freswick *against* DEAN of GUILD of Wick, and BAILIES of Thurso.

No 84.

IN an action against the Dean of Guild of Wick and Bailies of Thurso, as liable to the penalty of L. 20, for having acted as Commissioners of Supply in

the shire of Caithness, without being possessed of the legal qualifications required by the then act of supply, the LORDS assoilzied; for they thought that these qualifications related only to particular persons *nominatim* appointed Commissioners, not to those appointed *virtute officii*.

No 84.

N. B. The persons now entitled to act are such as stand infeft in lands within the county, of L. 100 valued rent in property or superiority, or their eldest sons and heirs apparent; and Provosts, Bailies, Deans of Guild, Treasurers, Masters of Merchant Companies, or Deacon Conveners of the trades, for the time, of any royal burgh, and Bailies of burghs of regality and barony, if mentioned in the act, either by name, or by their office. See APPENDIX.

Fol. Dic. v. 3. p. 410.

1753. February 21.

ABERCROMBY against LESLY.

No 85.

THE supply acts name a day upon which the Commissioners of Supply are to meet, and their after meetings are held by adjournment; and divisions of valuation are reduced, if made at meetings neither held upon that day, nor by adjournment, nor by summons from the convener.

Fol. Dic. v. 3. p. 410.

* * * This case is No 6. p. 2437, *voce* COMMISSIONERS OF SUPPLY.

* * * A similar decision was pronounced, 9th January 1754, Cunningham against Stirling, No 7. p. 2438, also *voce* COMMISSIONERS OF SUPPLY.

1756. December 14.

Sir ROBERT GORDON of Gordonston, Sir ALEXANDER GRANT of Dalvey,
JOHN INNES of Leuchars, and LUDOVICK GRANT of Grangereen,
Petitioners.

No 86.

THESE gentlemen being possessed of land in the county of Murray, which stood in the cess-books valued *in cumulo* with the other lands in the county, applied to a general meeting of the Commissioners of Supply, on the 17th August 1756, for a division of those *cumulo* valuations. The Commissioners proceeded to the division, took a proof of the real rent of the lands, and remitted to an accountant to proportion the valuation according to the real rent.

The convener of Commissioners of Supply is entitled to call an immediate general meeting, notwithstanding of an adjournment made by the Commissioners to a distant day.

At a subsequent meeting on the 1st of October thereafter, the accountant's report not being ready, the Commissioners adjourned the general meeting to the second Tuesday of May.

The petitioners applied to the convener of the Commissioners, requiring him to call a general meeting immediately; for that before the second Tuesday of