drink, whether foreign or domestic, in his house. We appointed a hearing upon Wednesday.

The President seemed, when the cause was formerly in Court, to be the person that had greatest difficulty as to the opinion then given by Arniston, (to which I agreed) that the trades could keep taverns for retailing wine in their own houses; and now after the hearing, he declared he agreed to the opinion given; and therefore we suspended the charge, but agreed that they could not retail wine to be retailed out of their own houses. 26th January.

Upon a reclaiming bill against the interlocutor of 26th January, averring that in Edinburgh the trades cannot retail wines, &c. without entering with the guildry, we allowed a proof before answers; and a proof was brought, that when one in Edinburgh sells wine, they compel him to enter guild-brother, but they allow him to continue the exercise of his craft,—notwithstanding whereof we adhered. *Renit.* President. 24th November.

PRIVILEGED DEBT.

No. 1. 1737, Jan 11. GRAHAM *against* GORDONS OF CRAICHLAW.

THE Lords on a division adhered to the Ordinary's interlocutor, modifying the Lady's mournings to L.45, though many of us were for restricting to L.30, 11th January 1737, —and 1st February the Lords adhered.

PRIZE.

No. 1. 1751, Nov. 27. CAPTAIN CARSWELL *against* MARSHALL.

THE Rebels in 1745 took a horse from Marshall, which was taken from them by the Berwick Militia, and said to be then bought from them by Captain Grozet, and by him made the Company's bat-horse, for which it seems the King allows L.10. The Captain was killed at Callender, and Carswell got his Company, and got the horse for the Company's bat-horse, and if he had not got him, would it seems have been entitled from Grozet's executor's to L.10. Thereafter Marshall challenged the horse at Glasgow, and 5th January 1750, the Lords found that the property was not transferred either by the capture by the Rebels or retaking by the Militia or the army; and a proof was allowed of Marshall's property, and of what price Grozet paid for him, or what he cost Captain Carswell. The property was proved, and no proof what was the price paid by Grozet, only that he bought him, and that Carswell got him in place of L.10 sterling, for the