

money of all years since his admission wherein he had not administered the sacrament, and wherein the Sheriff had ordained the Minister to give a condescence of the years wherein he had administered the same.

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COMMUNITY.

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No. 1. 1736, July 13. ANDERSON *against* CAMPBELL.

THE Lords find the letters orderly proceeded reponing Campbell to his Deaconry, but suspended *simpliciter* as to the fines and damages. They thought the Conveners meeting though not properly a Court having jurisdiction, yet may in the first instance judge of the Deacon's rights *ad effectum* to judge whether he ought to be admitted into the meeting, but subject to the review of the Magistrates, some of whose number are composed of Deacons, and who are the King's Bailies.—31st July The Lords adhered.

No. 2. 1740, June 7, 17. MITCHELSON, &c. *against* M'KENZIE, &c.

I HARDLY thought this case worth marking, however as the case may be general, I now mark it; and the Lords were all of opinion, (except Dun) that a member of a Corporation giving over his employment and not keeping shop does not deprive him of his Corporation-privileges or right of voting at meeting if he resides within the town.—N. B. Here there were properly no Corporation-dues or burdens. 2dly, They thought the offices of M'Kenzie and Lesly, that is Keeper of the Parliament House and Macer of Justiciary not incompatible with their offices as Goldsmiths;—therefore they adhered to their former interlocutor of the 4th instant, but prejudice to the chargers the Goldsmiths to insist upon their by-law for penalties incurred through not attendance, and the whole effects thereof as accords.

No. 3. 1740, July 8. DR GLEN, &c. *against* DEACON CUNNINGHAM.

THE Lords adhered to Drummore's interlocutor, finding that William Mitchell's office as surgeon to the poor falls under the description of the decret-arbitral, and that therefore he could not vote at the election.

No. 4. 1743, June 3. BAXTERS of EDINBURGH *against* SHIELLS.

WE seemed to agree that we were not to meddle with the Incorporations management of their own affairs,—but we all doubted whether the Corporation could bind each individual to employ any other than they please. But the doubt was, whether that could be determined by passing this bill, and whether a suspension of the Corporation-act could pass after it was executed by a contract in terms of it. But it carried to pass in so far as it might affect Mr Shiells or the other persons adhering to him to be named.—*Renit.* —, Dun *et me.*