

pursuers, and in fitting the accounts with Murray, and concluding for repetition of L.500 sterling, paid by the Duke of Athol to Grosset as Bisset's half of that bond; the Lords thought, that the Exchequer alone was the proper Court for such a process, especially so long as any part of the money was due to the Crown, though if it had been fraudulently elicited by a third party not debtor in the bond, such fraud might have been tried in this Court to the effect of giving damages; but as against the granters of the bond, we thought it behoved to produce a collision of jurisdictions, there having already issued extents on that bond, a plea entered of conditions performed and issue joined. Our interlocutor finds, that we have no jurisdiction to proceed, while the suit against Edwards depends in Exchequer. (See DICT. No. 78. p. 7341.)

No. 53.

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1751. June 30.

SIR ROBERT PRINGLE, and OTHER JUSTICES of BERWICKSHIRE, *against*  
The EARL of HOME and OTHERS.

THOUGH Justices of Peace may at their Quarter Sessions adjourn to any other time and place, yet in Scotland they cannot appoint the Quarter Sessions to meet first at any other than their usual place of meeting; and the Justices of Berwickshire, at least a meeting of them, having by an order made such an alteration, the Lords, upon full deliberation, passed a bill of suspension of that order, and at discussing the suspension, they suspended it *simpliciter*. (See DICT. No. 319. p. 7602.)

No. 54.

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1751. July 4.

BELCHIES *against* The GOVERNOR of EDINBURGH CASTLE.

IN a complaint at the instance of Thomas Belchies, clerk-depute of the Sheriff-Court, against the Deputy-Governor and Lieutenant of the Castle of Edinburgh, we found that the Commander of the Castle for the time being, is bound to give access to the officers of the law to execute the King's letters within the Castle of Edinburgh.

No. 55.

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1751. July 25. ALEXANDER GOLDIE *against* ———.

The members of Court still retain their privilege that they cannot be sued in inferior courts, not even for sums below L.12 sterling, notwith-

No. 56.