

1762. *February 26.*

No 37.

EARL of STRATHMORE, &c. *against* The MINISTER and FEUARS of the Parish of Kirriemuir.

By act 26th, Parl. 1696, the schoolmaster in every parish must be appointed by advice of the heritors and minister of the parish. In a question betwixt the Earl of Strathmore, with all the considerable Heritors of the parish on one side, the Minister, with a multitude of small Feuars on the other, concerning the election of a schoolmaster in the parish of Kirriemuir, it was found, that those Feuars only are entitled to vote who pay cess, whether separately, or in a *cumulo* valuation.

Fol. Dic. v. 4. p. 195. Sel. Dec. No 193. p. 257.

No 38.

Notary public allowed to change his surname.

1764. *January 29.*

JOHN MUIR, Supplicant.

JOHN MUIR applied to the Court by petition, setting forth, That his aunt, Mrs Anne Chalmer, had, by a disposition dated the 6th current, conveyed to him certain lands belonging to her, under this express provision, That he should immediately assume and use the surname of Chalmer: That it was thought he could not properly do so without the special authority of the Lords, he being a writer to the signet, an agent, and a notary public. He therefore prayed their Lordships, to authorise him to alter his present surname, and, in place thereof, to assume and use the surname of Chalmer.

"THE LORDS found, that the petitioner may change and alter his surname of Muir to Chalmer; and ordained the petition and deliverance to be inserted in the sederunt-book."

For the Petitioner, *William Wallace.*

J. M.

Fol. Dic. v. 4. p. 196. Fac. Col. No. 130. p. 305.

* * * Lord Kames' report of this case is No 169. p. 7448., *voce* JURISDICTION.

1767. *July 17.*

No 39.

Powers of incorporations in naming their clerks.

JOHN TAYLOR *against* The CONVENERY of the TRADES of Aberdeen.

THE Deacons of the several Trades, the Conveener and Treasurer, with as many more, elected from the several incorporations, as, in all, amount to the number of 33, compose what is called the Convenery Court of Aberdeen, which is entrusted with the sole management of the funds belonging to the trades in