

No 106. as bodies corporate standing on the roll of freeholders of any county, and so made no provision with regard to them. The directions of the statute, therefore, cannot apply to them; the remedy is left to the common law, by which every freeholder has a proper right and interest, to have every voter, not properly qualified, removed from among them. Besides, supposing the statute did apply, there seems to be much the same alteration, when one delegate is chosen from a borough in place of another, as when a predecessor dies, and the heir craves to be inrolled in his place.

“ THE LORDS sustained the objections to the vote of the Town of Paisley, and found, That the delegate of that borough had no right to stand upon the roll of freeholders of the shire of Renfrew, and ordained him to be expunged therefrom.”

Act. *Wa. Stewart, John Craigie, and Lockhart.* Alt. *Miller.* Clerk, *Tait.*

*J. C.* *Fol. Dic. v. 3. p. 422.* *Fac. Col. No 219. p. 399.*

1765. *December.* M'LEOD of Cadbole *against* GORDON of Newhall.

No 107.

WILLIAM GORDON of Newhall, a minor, but within a few months of twenty-one years of age, was enrolled by the freeholders of Cromarty, with a proviso, that he should not be entitled to vote till his majority. Upon a complaint, he was ordered to be expunged, though he had become of age before the complaint was determined.—See APPENDIX.

*Fol. Dic. v. 3. p. 422.*

1768. SKENE of Skene *against* GRAHAME of Flemington.

No 108.

A PROPRIETOR had given in excambion forty acres of land to his neighbouring heritor; but, as he had received another piece of land in exchange, it was held that the transaction made no variation on his valued rent.—See APPENDIX.

*Fol. Dic. v. 3. p. 415.*

1771. *February 14.*

Captain BASIL HERON *against* JOHN SYME of Meikle Culloch.

No 109.

Infestment taken in virtue of a clause of union and dispensation in a Crown charter.—See Skene *against* Ogilvie, and

AT the Michaelmas meeting for the stewartry of Kirkcudbright, in October 1770, Captain Heron claimed to be enrolled a freeholder upon titles, part of which consisted of a special retour, by which the lands of Drumnaught and Glengornane were retoured to a thirty shilling land, and the lands of Torquinoch to a ten shilling land, making together a forty shilling land of old extent.