

1766. February 12. GORDON *against* FORBES.

No 89.

JOHN FORBES of New, factor on the estate of Cromarty, being named among the Commissioners of Supply for the county of Cromarty; the LORDS found that not being possessed of a legal qualification of L. 100 valued rent, he had no title to act.

Fol. Dic. v. 3. p. 410.

* * * This case is No 17. p. 1700, *voce* BONA ET MALA FIDES.

1766. November 15.

EARL of PANMURE, &c. *against* COMMISSIONERS of SUPPLY of Forfarshire.

No 90.

THE Commissioners of Supply of Angus having refused to make a division of the valuation among a number of gentlemen, to whom the Earl of Panmure had granted liferent dispositions, the LORDS, upon a bill of advocacy, refused to advocate; but found that the division must proceed, and ordained the convener of the Commissioners to call a meeting for that purpose, as soon as could conveniently be done. This order not having been complied with, the Court, on a new application, ordained the Commissioners, or any five of them, to meet upon a precise day, and to proceed in the division, by taking proof of the rents, and examining all witnesses offered; reserving every objection till the division should be judged of; which they appointed to be done as soon as the proof should be concluded. THE LORDS farther appointed any adjournment which might be necessary, to be made to the first day upon which any five Commissioners declared themselves willing to attend; discharged them from taking up any other business till the division should be concluded, and ordained the clerk to attend by himself, or his deputy, so long as a *quorum* of five Commissioners should continue together upon the business of the division. See APPENDIX.

Fol. Dic. v. 3. p. 411.

* * * This judgment was affirmed upon appeal, with L. 200 costs.

1767. December 24. PULTENEY, &c. *against* GORDON.

No 91.

WHERE there is no convener, a private Commissioner may call a meeting.

Fol. Dic. v. 3. p. 410.

* * * This case is No 11. p. 2444, *voce* COMMISSIONERS OF SUPPLY.