

No. 3. 1740, Feb. 13. LENNOX *against* NAPIER.

I KEEP the papers, and mark this, only for the sake of an extraordinary step taken by the Court in point of form. The question was about passing or refusing a bill upon juratory caution. They would have passed it, if any evidence had been brought, but no evidence being brought, the Lords remitted the bill and answers to the Ordinary, to whom the bill was presented, and granted diligence for recovery of the vouchers of the petitioner's allegations before the said Ordinary.

No. 4. 1740, June 24. SIR JOHN MAXWELL *against* M'MILLAN.

See Note of No. 5, *voce* SUPERIOR AND VASSAL.

No. 5. 1741, Feb. 24. DANISH ASIATIC COMPANY *against* THE EARL OF MORTON.

The Lords found that decree absolutor cannot be brought under the review of this Court by suspension, and reserved reduction as accords.

No. 6. 1750, Nov. 15. SHOEMAKERS OF CANONGATE, *Supplicants*.

THEY presented a bill of suspension against a great many of their creditors quite unconnected with one another. The Lords found it incompetent, but that the Corporation must restrict it to one of the creditors.

No. 7. 1752, July 4. RUSSELS *against* CLERKS.

THE Clerks having suspended a decret of the Sheriff of Stirling decerning in a small assythment and expenses for a riot committed on the Russels; Minto, Ordinary, thinking the sum too little, turned the decret to a libal, and decerned in a larger sum. The Clerks reclaimed, 1st, in point of form, that our decret in the suspension could not exceed the sum in the decret suspended; 2dly, that the riot was not proven. Our difficulty was on the first point;—but the President was clear;—and we agreed to refuse the bill.

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TACK.

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No. 1. 1734, Jan. 24, CARLYLE *against* LAWSON.

THE Lords advocated and assoilzied, and remitted the consideration of the expenses to the Ordinary. The President thought that a written renunciation is not necessary where the parties agree, 15th January. 24th January Adhered without answers. (See No. 10.)

No. 3. 1737, Feb. 4. SIR JAMES DALRYMPLE *against* HEPBURN.

THE Lords altered the Ordinary's interlocutor, and found the obligation to renew the tack effectual against Sir James, a singular successor, for they considered such an oblige