

ported by Forbes and Fountainhall ; only the one account of it is more special than the other.

KENNET. The curators cannot be excused as to omissions, for they neglected to make up inventories.

PRESIDENT. An express statute was necessary, in order to authorise the father to dispense as to omissions. We cannot extend the statute : if we could, we ought not ; for then every curator would insist to be named without being liable for omissions. If this is the common practice, so much the worse. A judgment of the Court is the more necessary, to correct abuses.

On the 16th July 1773, the Lords found the curators liable for omissions ; adhering to the interlocutor of Lord Auchinleck.

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1773. *July 20.* ROBERT GORDON of Hallhead *against* JAMES BRODIE and OTHERS.

SASINE.

[*Supplement, No. 5,587.*]

MONBODDO. It was not necessary for the notary to be more special than he has been.

COALSTON. It would be much better for notaries to follow the common style. Yet I dare not listen to an objection which might overturn many a real right. At least, I would make a previous inquiry into the practice.

On the 20th July 1773, " the Lords repelled the objection, and ordered Mr Gordon to be enrolled."

*Act.* A. Gordon, Cosmo Gordon. *Alt.* J. Ferguson, &c.

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1773. *July 27.* JOHN HINTON, Bookseller in London, *against* ALEXANDER DONALDSON and OTHERS.

LITERARY PROPERTY.

[*Woodhouselee's Dictionary, III. 388 ; Dictionary, 8307.*]

KENNET. I meddle not with the law of England. I am not acquainted with that law, nor do I think that the question can be determined by that law. The question is as to the law of Scotland. The claim is not founded on the law of nature. That law is not founded on abstract reasoning ; it must be