

No 145. 1787. *February 20.* SCOTT and TOD *against* MILLAR.

MR MILLAR's qualification was the fee of the superiority of Ardgowan, conveyed to him by Sir Michael Stewart, with the exception of a liferent formerly conveyed to another person. The yearly feu-duties amounted only to L. 2 : 14 : 8d. Sterling. THE LORDS sustained the qualification.

Fol. Dic. v. 3. p. 419. Fac. Col.

* * * This case is No 41. p. 8625.

No 146. 1787. *February 20.* JOHN LAMONT and JAMES CAMPBELL, *against* JOHN ALSTON, Jun.

THE feudal titles, in virtue of which Mr Alston, jun. was enrolled among the freeholders of the county of Renfrew, imported only a liferent of the superiority, which, considered merely as a patrimonial right, was equally nominal with any of those which had been rejected by the Court.

But it appeared that the first separation of the property from the superiority, which took place about thirty years before, had not originated from any political motives.

On this ground, after revising a petition and complaint, in the name of John Lamont and James Campbell, with answers for Mr John Alston, jun.

THE LORDS repelled the objection, and dismissed the complaint.

Act. *Dean of Faculty, et alii.* Alt. *Blair, et alii.* Clerk, *Robertson.*
G. *Fol. Dic. v. 3. p. 419. Fac. Col. No 318. p. 492.*

No 147. 1787. *February 20.* JOHN ROEBUCK, Jun. *against* SIR WILLIAM CUNNINGHAM and Others.

MR ROEBUCK claimed to be enrolled as a freeholder in the county of Renfrew, his right being a liferent of superiority, constituted by a recent separation of the property from the superiority, for the obvious purpose of creating a freehold qualification.

But the annual feu-duties exigible by Mr Roebuck were considerable, amounting to L. 71 : 7 : 8d. Scots, and the casualties of superiority were not taxed.

The freeholders having refused to admit Mr Roebuck, the LORDS, after advising a petition and complaint, with answers,