. The like question was stirred (10th February 1744) as we determined 5th February 1736, with respect to the Abbeyhill's being free from local quartering of soldiers; and because of the Calton's contiguity to Canongate and Edinburgh, we unanimously found the Calton not exeemed, and assoilzied from that part of the declarator. 7th June 1745, Adhered.

No. 2. 1741, Nov. 24. INHABITANTS OF ORKNEY *against* SHETLAND.

SOME days ago on a report by the Ordinary on the bills, we found that hornings against inhabitants of Orkney and Shetland could not pass on less than 40 days by act 43d 1685, even on the Stewart of Orkney's decreets, because still the horning was by warrant of this Court;—and this day we found, that notwithstanding the act 1681 anent foreign bills of exchange extended to inland bills by the act 1696, the horning even on inland bills against the inhabitants of that country might not pass on less than 40 days.

No. 3. 1741, Dec. 8. CREDITORS OF THE EARL OF HUME.

IN a maills or duties, or some such process, concerning the Earl of Hume's estate, Drummore reported to us whether the competition may go on betwixt the creditors, notwithstanding privilege of Earl Hume?—and by a great majority it carried that the process must stop during the Earl's privilege, even as to the competition among the creditors. On this occasion the President told us, that by the practice in England, privilege could not be pleaded nor allowed without a writ of privilege under the Great Seal. But Arniston told us he had enquired into that matter; that writs of privilege have been in disuse for a long time, I believe 100 years, but now when privilege was pleaded, it is enough to produce in Court the return, or a certificate from the Crown-office of his being returned; but in the case of a Peer that is not necessary. But as this is the case of a Scots Peer who has no privilege but by being elected, and as the return of that election is made to the Crown-office, as that of the Commons is, it would seem that the same evidence of the election would be necessary here as in the other case.

No. 4. 1741, Dec. 17. REID *against* BALFOUR AND OTHERS.

THE Lords found that the Magistrates could not authorize Scott and Balfour, &c. to erect a stage coach, with exclusive privilege, and therefore suspended their sentence prohibiting Reid.

No. 5. 1743, Nov. 24. GUILDRY OF DUNFERMLINE *against* THE TRADES.

WE, 21st January, seemed all to agree that by law no craftsman can sell or retail any wares, even Scots, in burgh, without being guild-brother. 2dly, That the contract 1618 is effectual in Dunfermline, and they may retail Scots wares, but not foreign wares;—and we seemed to agree that a craftsman could not keep a shop for retailing wine to be drunk out of his house; but Arniston thought he might keep an ordinary, and sell either meat or