

1741. *February 17.* ELECTION of LOCHMABEN.

No. 17.

THE act 7th, Geo. II. found to extend to processes or conclusions of declarator as well as of reduction; *2do*, That raising a summons without executing it against all the necessary parties, is not bringing an action in the meaning of that act.

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1742. *November 30.*

TACKSMEN of EDINBURGH IMPOST *against* GILCHRIST.

No. 18.

WINE, &c. imported into Edinburgh for sale and there sold, is liable to the town's impost, to whomsoever sold, whether private persons in town or out of town, or retailers.

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1743. *November 24.*

ELECTION of FORFAR.—BINNING *against* BINNING.

No. 19.

ELECTION in Burgh being quarrelled, and the process cast on informality, and an appeal being brought, but not discussed for two years, during which both parties elected annually; and the one not in possession giving in a complaint on the act of Parliament; we found it was not within the statute, and therefore not competent.

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1744. *February 29.*

TOWN of BANFF *against* CAMPBELL of Carwhin.

No. 20.

Burgh Royal, or its present Magistrates, are not liable for the malversations or neglects of former Magistrates in their offices.