repelled the objection, and sustained the title. But on a reclaiming bill and answers, the Lords this day, (30th June 1752) found that the pursuers had no legal title to pursue, their constituents being no legal congregation. For the interlocutor were Minto, Drummore, Justice-Clerk, Shewalton, Leven, and President. Against it were Kames, Murkle, Woodhall, and I. 15th November, The Lords adhered, *renitent.* Milton, Kilkerran, Woodhall, *et me;* and 2d January 1753 refused a bill of suspension of the builders against Gibb to deliver up the key.

No. 2. 1752, July 8. POLLOCK, &c. *against* MAXWELL, &c.

POLLOCK, and others, in whose names ground had been purchased for a meeting-house for the congregation, sued for seat rents, and obtained decreet, and a like decision happening among them, as is mentioned *supra*, 30th June, Bryson against Wilson. The decreet was suspended, for that the congregation had changed the managers; which coming before Dun, he found, that after the chargers should be reimbursed of the sums laid out by them, they ought to denude to the congregation. But upon a reclaiming bill and answers, we found the original trustees had the right of administration, and in case of a sale, the price to be divided among the contributors, and that the pretended congregation had no action. But here there was no obligement to denude, as in the former case.

See No. 1, *voce* REDUCTION.

TRUST.

No. 1. 1733, Dec. 12. ANDREW SPREUL *against* HUGH SPREUL CRAWFURD.

THE Lords found no trust, in terms of the act of Parliament, of the disposition;—*sed vide* 15th July 1741, *inter eosdem.*

*** The note relative to this second question between these parties is No. 30, *voce* ADJUDICATION.

No. 2. 1734, Jan. 16. MR CHARTERIS *against* THE CREDITORS OF MERCHIESTON.

FOUND that the expense of diligence and ranking cannot burden the collector. But found that the common expence for behoof of all the creditors must be allowed.