

DIVISION XV.

Conservator of Campvere.

No 378.

1760. June 27.

HOG *against* TENANT.

It was questioned whether the Court of Session had a jurisdiction in the first instance over natives of Scotland, residing at Campvere. *Argued*, That the view of our statutes in establishing the jurisdiction of the Conservator was to prevent parties residing abroad from being put to the charge of pursuing or defending actions in Scotland, which would be defeated, if the jurisdiction of the Court of Session was sustained in the first instance. *Answered*, All natives of Scotland are subject to the *forum originis*. THE LORDS sustained the jurisdiction of the Court of Session in the first instance.

Fol. Dic. v. 3. p. 355. Fac. Col.

* * This case is No 2. p. 4780, *voce* FORUM COMPETENS.

* * Conservator's decrees, whether subject to the review of the Court of Session; see Div. 4. *b. t.*

* * See No 7. p. 4433. and No 5. p. 6824.

DIVISION XVI.

Commissioners of Supply.

1772. December 18.

THE DUKE of GORDON and Others *against* THE COMMISSIONERS of SUPPLY for the Shire of Banff.

No 379.
Interposition
of the Court
upon a com-
plaint against

THE Duke of Gordon and others complained, by a bill of advocation, of the proceedings of the Commissioners of Supply of the shire of Banff, upon an application made to them for a division of a *cumulo* valuation, as dilatory and frustraneous; in so far as that, after a proof led, and when matters were fully prepared, in