

No 245. cess at common law for turning Mr Pulteney off the roll, though more tedious and perhaps more expensive. It is a rule, that equity never interposes where there is a remedy at common law.

Fol. Dic. v. 3. p. 433. Sel. Dec. No 260. p. 333.

1773. June 24.

Colonel CAMPBELL of Barbreck *against* MACNIEL of Kilmory and MACKONOGHIE of Ambriesbeg.

No 246.

COLONEL Campbell of Barbreck duly lodged a claim to be enrolled as a freeholder of the shire of Bute at Michaelmas 1772, when only two freeholders attending, they took no notice of the claim, as no person appeared on the claimant's behalf; and they had made up their minutes, which the preses was signing, when another freeholder appeared, and insisted, that they should take the claim under consideration. This they refused, upon pretence, that their business being over, the meeting was dissolved; but, upon a complaint, the Court ordered the claimant to be enrolled, and found the defenders liable in expenses.

Fol. Dic. v. 3. p. 433. Fac. Col.

* * * This case is No 227. p. 8849.

No 247.

1774. August 9.

STEWARTS *against* CAMPBELL of Shawfield.

CAMPBELL of Shawfield had been enrolled as apparent heir to his grandfather, a freeholder of the county of Lanark; and at the Michaelmas meeting in 1773, he, without lodging a new claim, moved that his title to stand upon the roll should be restricted to certain lands, which, from the proceedings of the Commissioners of Supply, appeared to be sufficient to constitute a freehold qualification. The freeholders having granted his request, a complaint was given in to the Court of Session against their judgment. THE COURT found the complaint incompetent.

Fol. Dic. v. 3. p. 433. Fac. Col.

* * * This case is No 209. p. 8834.