

COMMISSIONERS OF SUPPLY.

1728. July 11.

IRVINE *against* FORBES.

IN a question betwixt Irvine of Bruckley and Forbes of Thornton, which of them was duly elected collector of supply for the shire of Mearns, it was *objected* by Forbes, that Irvine's party had proceeded to name their Præses, or conveyer, before qualifying themselves to the government, which he apprehended to be a plain nullity, no less than acting as Commissioners of Supply, without taking the oaths. This objection was repelled, and Bruckley's election found legal, conform to the directions of act 6th, Parliament 1693. See KING.

No 1.

Fol. Dic. v. 1. p. 153.

1729. January 1.

SINCLAIR of Freswick *against* The DEAN of GUILD of Wick, and BAILLIES of Thurso.

AN action being intented against the Dean of Guild of Wick and Baillies of Thurso, as liable to the penalty of L. 20 Sterling, for having presumed to act as Commissioners of Supply in the shire of Caithness, without being possessed of the qualifications required by the supply act; that is, without being infest in the superiority or property, or possessed, as proprietors or liferenters, of lands, valued in the tax roll of the county, to the extent of L. 100 Scots *per annum*, or to the extent of L. 20 Sterling of real rent; the defenders were found not liable in the penalty of the act of Parliament; for, the LORDS thought that these qualifications related only to the particular persons *nominatim* appointed Commissioners, not to those appointed *virtute officii*. See PUBLIC OFFICER.

No 2.

Fol. Dic. v. 1. p. 153.

1729. January 3.

SINCLAIR *against* SINCLAIR.

IN a competition, which of two persons was duly elected collector of the land-tax for the shire of Caithness, it was found, that after elapsing of the day

No 3.