

No. 10. 1744, Nov. 28. *BROWN against BROWN.*

CAPTAIN BROWN died in Scotland, having amongst other effects some debts due by Scotsmen but contracted in Ireland, and likewise an Irish debenture note. His brother confirmed. But a nephew by another brother sued him before the Commissaries, to have it found that the succession of these debts in Ireland must be regulated by the law of Ireland where there is *jus representationis* even in moveables, and therefore devolved to him. The Commissaries assoilzied, and Strichen reported a bill of advocacy, which we unanimously refused, except Tinwald.

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SUMMARY APPLICATION.

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No. 1. 1752, Nov. 23. *SOME COUNCILLORS OF ABERDEEN against THE MAGISTRATES.*

ON a complaint on the act 16th Geo. II. of an irregular election of Magistrates and Councillors in Aberdeen, the Lords granted warrant to summon the defenders on 30 days notice without distinguishing those within the kingdom from those out of the kingdom, because the act made no distinction.

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SUPERIOR AND VASSAL.

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No. 1. 1735, June 13. *CREDITORS OF DICKSON against BAILIES OF FORFAR.*

THE Lords appointed them to be summoned to answer. The reason was that they are the King's Bailies and should refuse no man. And the President said they must answer summarily.

No. 2. 1736, Nov. 24. *EARL OF DUNDONALD against E. BARR.*

THE Lords found no relief due to the superior in feu lands, unless where there is express provision for it in the feu charter. We had no regard to the specialties alleged in this case but determined the general point.

(This Note will be found likewise *voce* FEU, No. 1, where for "the relief" read "no relief.")

No. 3. 1738, June 27. *CREDITORS OF POLDEAN against SHARP.*

See Note of No. 1, *voce* FEU-DUTIES.