1772. John Baxter, Provost of Cupar, and Other Burgesses, against Monro.

In that case, the Magistrates and Council had, by an act, given £40 to Monro, a vintner in the burgh, upon the narrative of good services to the town. Of this act Provost Baxter and others obtained suspension; and the Lord Kennet, Ordinary, having suspended the letters simpliciter, the Lords, upon bill and answers, wherein the point of the title was fully discussed, adhered. In this instance, it is true, the challenge was brought at the instance of some Magistrates and Councillors of the burgh: but this does not seem to make any difference.

## JAMES WILSON and OTHERS against John Story and Others.

The town of Paisley, a burgh of barony, possessed of the superiority of the lands of Carriagehill, and which entitled to a vote in the county election, disponed it to one of their burgesses in liferent; for which he paid them a valuable price, which, it was alleged, was equal to the purchase. Of this a reduction was brought at the instance of another burgess, who was willing to have given more for it, with concurrence of others of his brethren. His title was disputed. Lord Gardenston, Ordinary, 8th July 1774, repelled the objections to the title, but, in a subsequent interlocutor, he reserved them to the discussing the reasons. The reasons came to be discussed before Lord Justice-Clerk, and, upon his report, "The Lords, February 1775, repelled the reasons of reduction, assoilyied the defender, and found expenses due."

There was no special interlocutor repelling the objections to the title; but they seemed untenable, first, Because Paisley was a burgh of barony, and therefore any provision which law had made to prevent the dilapidation of the common good of royal burghs, did not apply here; and, secondly, The Act challenged was an alienation of an heritable subject, which could be reduced nowhere except in the Court of session.

See Community.

TOWN of Edinburgh,—See Edinburgh.