

APPRENTICE.

1735. *January 15.* *STALKER against CARMICHAEL.*

APPRENTICE'S contract with his master, or with his partner, not to set up in the same town, not against natural equity. See *PACTUM ILLICITUM.*

No. 1.

1738. *January 18.* *SINCLAIR against M'LEOD of Cadboll.*

APPRENTICE bound for L.25 sterling of apprentice-fee, and a guinea to the master's wife, which was all paid, but the guinea omitted to be inserted in the indentures. In a process of reduction of the indentures at the instance of the cautioner, upon the act *8vo. Annæ*, made perpetual by an act *9no Annæ*, for omitting the guinea in the indentures; the Lords found the indentures void and null, but found that the penalties cannot be sued for in this Court, and that they are only the double of the sum omitted in the indentures; and found that there lies no action of repetition of the apprentice-fee.

No. 2.