

*PACTUM ILLICITUM.*

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1734. *January 15.* HAMILTON *against* LE GRAND and PAGETE.

No. 1.

SEIZERS of prohibited goods not bringing them into condemnation in three years in Exchequer, may thereafter be pursued at common law by the owners for their value.

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1734. *December 17.*

WEAVERS of the CALTON, &c. *against* The WEAVERS of GLASGOW.

No. 2

CONTRACT betwixt the Weavers of Glasgow and those of Calton and Blackfaulds, whereby on pretence of the weavers of Glasgow making those in those two adjoining villages a sort of Corporation, with seclusive privileges, with power of electing annually one oversman and assessors, to judge of all questions of the trade, and tax themselves for the use of their poor; there was on the other part a sort of jurisdiction and superiority over them given to the weavers of Glasgow, and to the Magistrates, and an annual taxation to be paid the weavers of Glasgow: This contract was found unlawful, and reduced *in toto*.

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

No. 3.

CONTRACT betwixt two partners, or a master and apprentice, that the one shall not set up in that town, not against natural equity. (See Dict. No. 6. p. 9455.)

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1735. *July 3.* ARCHIBALD GILLON *against* FAIRFOUL.

No. 4.

A DEFENCE on the act *9mo Annæ* against gaming, that a bill was granted for money won at play, was found proveable by the oath of the original creditor in the bill against onerous assignees or indorsees, to whom he had made over all his effects for the use of his creditors; and he having left the country, these trustees were found obliged to produce him to depon; but afterwards stopped, and never decided.