

No. 50. allowed to decline themselves, not even the Justice-Clerk, though an Extraordinary Director of the Bank; but Lord Milton, the Deputy-Governor, was allowed to decline himself.

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1750. *January 5.* COLLECTOR SHAW *against* COLLECTOR GROSSET.

No. 51.

A PROCESS at the instance of Collector Shaw at Perth, against Collector Grosset at Alloa, for the half of the prosecutor's share of some tobacco condemned in Exchequer, said to be due to him as first discoverer by the act Geo. I. cap. 21, § 7, was found not competent in this Court; and therefore the process was dismissed, for we thought it competent only in the Court of Exchequer.

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1750. *July 28.*

JOHN DUNLOP *against* KENNOWAY, Stampmaster in Linlithgow.

No. 52.

NINETY hogsheads of lintseed being seized and condemned by the Justices of Peace of Stirling as insufficient for sowing, and imported contrary to the act 13th Geo. II., a bill of suspension was offered for that, *1st*, The Justices were sole judges only where such lintseed is offered for sale; *2do*, It is only in that event that any penalty or forfeiture is enacted, and though importation be prohibited, yet neither penalty nor forfeiture is annexed; *3tio*, Offered proof that the seed was fit for sowing by making the experiment, though it was discoloured by a tedious voyage from Holland: But we found the bill of suspension not competent, and therefore refused it.

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1751. *January 16.*

The DUKE of ATHOL, BISSET, and EDWARDS, *against* MURRAY.

No. 53.

THE Duke of Athol, Bisset, and Edwards, having pursued reduction of a bail-bond taken by him from Bisset and Edwards for his servant Murray, whom he was to employ under him to collect customs at Alloa, for L.1000 sterling in the King's name, and likewise reduction of accounts stated betwixt Grosset and Murray, making Murray debtor in L.1100 sterling, on the head of fraud and circumvention, both in eliciting these bonds from the