

## VIOLENT PROFITS.

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1530. *March 23.* LORD YESTER *against* MR. GEORGE HAY.

**G**IF ony persoun be convict of ony ejectioun, or spuilzie, he aucht and sould not onlie restoir the saidis gudis and geir, or the avail thairof, bot alswa sould content and pay to the persewar the proffitis quhilk he micht have had, and quhilk he wantis throw the spuilzieing thairof, and that fra the day of the spoliatioun to the day of the raising of the summoundis, and not to the day of the geving of the decrete.

No. 1.

*Balfour, (SPUILZIE) p. 467.*

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1551. *July 23.*

LAIRD of COWDENKNOWS *against* TENANTS of DIDISTON.

Anent the action pursued by the Laird of Cowdenknows, Keeper of the Park of Edinburgh, against the tenants of Didistoun, alleging the said tenants broke down the park dike, and put in the goods, and therefore desired the said tenants to pay to him the profits he might have had for the said park in sowing, and all other profits; it was excepted by the said tenants, That he could not have the profits which he might have had of sowing, because they did no violence, but allenarly put in their goods to pasturage, and stopped him not to till and sow. Notwithstanding it was found by interlocutor, That the said Laird might pursue the hail profits of sowing, and all other profits, and repelled the exception.

No. 2.  
Found, that the highest profits may be libelled as in a spuilzie, although no violence done. Here cattle were put in to graze without liberty.

*Maitland MS. p. 5.*

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1552. *December 13.* LAIRD of RANKELLOR *against* LORD LINDSAY.

Anent the action pursued by the Laird of Rankellor against Lord Lindsay, for sitting in violence after lawful warning and ejection, it was excepted by the said Lord Lindsay, That the said Laird of Rankellor had no interest to pursue for the pro-

No. 3.