

No 23.
tion was re-
fused; but
there being a
dispute about
the quantity,
the Lords
ordained it to
be again mea-
sured.

made to the same minister of before, and possession of the minister conform thereto, in respect whereof his letters could not have execution upon any new designation; and because it was *answered* by the minister, That both the designations were of the self same land, and that the first being over little, was met and marched lawfully and orderly; the LORDS ordained the parties to agree upon a common metster to measure the glebe rightly, that the minister may possess conform thereto. Farther the minister charged Tweedie, to laying feal, feul, and divot, conform to the quantity and proportion of his glebe, to the hail kirk-land. THE LORDS found by interlocutor, that if the feuar of the kirk-land had any common pasturage in any commonty, the minister should have the like privilege for the quantity of his glebe; but should have no pasturage nor other privilege in the feuar's proper kirk-lands.

Fol. Dic. v. 1. p. 352. Haddington, MS. No 772.

1610. March 7. HENDERSON against L. of LEGG.

No 24.

A MINISTER charging upon his designation, to possess him therein, and the feuar suspending that there is kirk-land more ewest; the minister *answering* in fortification of his designation, That his predecessor minister possessed it twenty years before as glebe; the minister will be preferred.

Fol. Dic. v. 1. 352. Haddington, MS. No 1848.

1621. December 14. CLARK against RAMSAY.

No 25.
A manse and
glebe having
been long
possessed by
designation
out of lands
holden of the
King, and
most ewest,
this was found
to prevent all
new designa-
tions.

MR GEORGE CLARK minister at Aberdour charged Elspeth Brown, and Ramsay her son to remove upon his designation. They suspended; *ratio*, because out of their lands holden of the King, there was designed a sufficient manse and glebe before, in David Howison's time, of 4 acres, quilk he bruicked during his service at the kirk, and so has Mr George since his entry. *Alleged*, oppones the designations. *Answered*, eiks in fortification of the reason, That Mr George has bruicked the manse and glebe libelled 24 years, and there is full 4 acres, and the manse and glebe which he possesses is more ewest than the designation. Admit the reason, and reply to probation.

Clerk, *Durie*.

Fol. Dic. v. 1. p. 353. Nicolson, MS. No 63. p. 42.