

paid. The King's Advocate was so displeased with this lenity, that he threatened, though falsehood was growing daily, yet he would never pursue one of them again, but liberate them all, that they might at last cheat the Lords themselves.

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1685. *March 11.* THE DUKE OF QUEENSBERRY *against* THOMAS BORELAND, &c., HERITORS of the KING'S STABLES.

IN a reduction pursued by the Duke of Queensberry, high-treasurer, as constable and captain of the castle of Edinburgh, against Thomas Boreland and the other heritors and possessors of the King's stables, alleging they were annexed property, as part and pertinent of the Castle of Edinburgh;—the Lords, on Castlehill's report, found that the ground being designed the King's Stables in the defender's own infestments, it is a part of the King's annexed property; unless the defenders can instruct that the same was legally dissolved, or document that there were other grounds called the King's Stables belonging to the Castle of Edinburgh, seeing the 176th Act, Parl. 1593, annexes the King's Stables to the Crown; which must be understood of thir, unless other stables be condescended on.

By the 204th Act, Parl. 1594, and Act 11th 1633, it is declared, that dissolutions shall not extend to the King's Castles, which will also include all their pendicles. But the feu of thir stables was long prior to these Acts, *viz.* in King James V.'s time, by virtue of general Acts of dissolution then standing.

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1685. *March 12.* The EARL of SOUTHESK *against* YOUNG of AULDBAR.

See the prior part of the Report of this case, Dictionary, page 7,902.

THE case of the Earl of Southesk against Young of Auldbar, anent the Muir of Montreumont, [*Mons Romanorum,*] mentioned 18th December 1679, was reported by Forret. The Lords find the progress produced by Auldbar sufficiently connected, and prior to Southesk's authors' rights of forestry and keeping in 1582; and therefore decern for his *firth*, and his servitude of pasturage, feal and divot, through the muir, in regard he had proven immemorial possession; though it was ALLEGED that the said muir being a part of the king's property, it was imprescriptible.

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See Stair's report of this case, Dictionary, page 7,899.