

MULTURES, (THIRLAGE.*)

1736. *February 12.*

SIR JOHN ARNOT *against* The TOWN of KIRKALDY.

THE act 12^{mo} Annæ, imposing the malt-tax, provides, that where rent is payable in malt, the tenant shall have an abatement of his rent so much as will answer the malt-duty ; and it being disputed whether this extended to astricted or intown multures paid by the inhabitants of a burgh for malt ; the Lords found, 1^{mo}, That this clause in the act 12^{mo} Annæ was continued in force by the subsequent malt-tax acts ; but found, 2^{do}, That that clause does not extend to multures paid for grinding malt at the mill.

No. 1.

1736. *July 27.* LOCKHART *against* HIS VASSALS.

A CHARTER thirling all corns growing upon the lands which the tenants should happen to grind, found to comprehend not only what the tenants should grind for the use of their families, but what they should happen to grind for whatever use, 10th January, 17th February 1736.

No. 2.

2^{do}, A clause thirling all grindable corns growing upon the lands, or, (as it was expressed in the later charters) *omnia grana mobilia*, was found of the same import as all corns or grindable corns which the tenants should happen to grind, and to comprehend what they should grind for whatever use and no more. And the charters being recent, a proof allowed that the tenants *de facto* paid dry multures for what they sold, 17th January 1736.

3^{tio}, Where a mill having only a gathered dam is insufficient for the sucken, the Lords found, that the vassals, after waiting 48 hours, and the mill not capable to serve them in that time, may carry away as much of their corns to other mills as shall be necessary for the use of their families, 21st January 1736. And upon petitions for the other party, adhered with this variation, that the vassals carrying their corns to the mill after waiting

* The Cases placed by Lord Elchies under the word " Multures," fall according to Lord Kames's arrangement under the Title THIRLAGE.