

## KIRK-SESSION.

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1740. *December 17.*

MAGISTRATES of ELGIN *against* The KIRK SESSION.

No. 1.

THE town of Elgin found to have the right of presenting the Reader or Precentor, having a gift from the Crown of a fund for maintaining a master of a music school, who was to be bound also to officiate as Reader or Precentor and Session-clerk, with long though disputed succession; but notwithstanding thereof the Kirk-Session was found to have the nomination of their own clerk; and the town likewise found to have the nomination of the beadles. (See DICT. No. 9. p. 7916.)

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1752. *November 22.*

HAMILTON of Westburn *against* The MINISTER and KIRK-SESSION of Cambuslang.

No. 2.

IN a process at the instance of Hamilton of Westburn against the Minister and Kirk-Session of Cambuslang, in which all the Session books were at last produced in Court, the pursuer objected to sundry articles of debursments, particularly two guineas in 1742 for the use of a field to preach, the congregation being so numerous that the church-yard could not contain them; *item*, an article to a constable to keep the peace and prevent disturbance; *item*, an article for repairing a park-dike broke down by them. Answered, That the poor, instead of being losers, were great gainers by that expense and by that measure; in so much, that their stock from L.500, which it was before 1742, was now by the offerings at these great numerous meetings increased to L5000. However, the Lords sustained the objection, and disallowed these articles. He objected also to an article for communion-elements. Answered, That the Minister's allowance to furnish communion-elements was only 50 merks, which could not be sufficient where there were such numbers. The Lords repelled the objection. He also objected to an annual article for the Presbytery-clerk and Session-clerk; but the Lords also repelled this objection, because of the

No. 2.

universal custom, though they thought these articles illegal, 25th July 1752. Adhered, 22d November, as to the rent of the field, the gratuity to a constable, and repairing the park-dike; adhered also as to communion-elements, table-cloths and forms; allowed the article for the Presbytery-clerk for bygones, but discharged it in time coming.

See Kirk-Session of Humbie against Heritors, 15th February 1751, *voce* POOR.

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**KIRK-YARD.**

See GLEBE.

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**LAWBURROWS.**

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1734. *November 16.*

*Cock against* HAMILTON, LESLIE, and their MESSENGER.

No. 1.

ONE Hamilton and his agent and messenger fined, imprisoned, and the messenger suspended, for the oppressive using of letters of lawburrows, against different parties, without taking their oaths, and without their knowledge, and at different times.

See NOTES.