

No. 110. 1759. *February 21.* HERITORS of INVERNESS *against* The MAGISTRATES.

It was questioned whether a piece of ground which the Magistrates of Inverness had gained off the sea, by building dikes at a considerable expense, should be subject to pay teind. The Lords found that the piece of ground was not teind-able.

*Fac. Coll.*

\* \* \* This case is No. 76. p. 15685.

No. 111. 1799 *June 26.* MITCHELL *against* WRITERS of AYR.

Fishings are subject only to vicarage teind, not parsonage.

*Fac. Coll.*

\* \* \* This case is No. 92. p. 15708.

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### SECT. III.

#### Vicarage Teind.

No. 112. 1611. *January 19.* BAILIE of Munkland *against* TENANTS.

In vicarage teinds, if a tenant have only four lambs or stirks, the tacksman will get no teind thereof. If he have five or six, he will be debtor for a half lamb or half stirk. If he have seven or above, under ten, the tacksman will get one of teind. Of the profit of wool, he will get of 10 pound of wool one pound. Of the profit of sheep or cow's butter or cheese, the tacksman will get the tenth pound of butter or cheese. For ilk ten cartful of hay, one cartful.

*Fol. Dis. v. 2. p. 439. Haddington MS. No. 2105.*

No. 113. 1665. *February 11.* SCOT of Thirlston *against* SCOT of Braidmeadow.

Vicarage  
teind is *secun-*  
*dum consuetu-*  
*dinem loci,*

Scot of Thirlston having right to the teind of Midshef, and pursues the possessor for 24 years bygone, and in time coming; who alleged, Absolvitor, because these teinds are allocated to the church, conform to a decree of locality produced,