

1693. *January 6.* DAVID WATSON *against* DAVID MILN.

MR. DAVID WATSON, preacher of the gospel, against David Miln in Achinblae. The Lords found it an atrocious injury to slander a minister, by calling him in all companies a thief; and therefore sustained the decreet, both as to the *palinodia* and recantation, and as to the L.100 of fine, unless he prove, that the procurator's compearance for him was officious, and that he was lying sick at the time. But on a bill given in by Miln, the Lords granted warrant for transmitting the probation from the commissary of St. Andrews, in regard sundry nullities were condescended on.

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1693. *January 10.* JOHN MUSHET, Schoolmaster, *against* The KIRK-SESSION.

MR. JOHN MUSHET, schoolmaster, against the kirk-session of The Lords would not turn Mr. John's decreet into a libel; but in fortification thereof, ordained the minister and clerk to produce the session-books, to see if the articles of salary, house-mail, &c. claimed by Mr. John, were in use to be paid by the former treasurers; for Dean, the present kirk-treasurer, could not swear on what was before his time; and the Lords thought there was no need of forty years prescription to establish such dues.

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1693. *January 10.* BARBARA LITTLEJOHN *against* WEIR of Stainbyers.

BARBARA LITTLEJOHN against Weir of Stainbyers. The Lords found her ineftment in the muir *cum communi pastura* gave her no interest to hinder the heritor, or superior of the muir to rive out some parts of it, and turn it to corn; nor could she crave a part of the corns growing thereon; but only that he should be decerned *nomine damni* to pay her the value of the grass and pasturage she wants by his tilling, and of the fuel, divot, and other lesser servitudes included in pasturage.

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1693. *January 10.* WALLACE of Nulstownside *against* The EARL of DUNDONALD and his Feuars.

WALLACE of Nulstownside against the Earl of Dundonald, and his feuars. The Lords sustained the pointing of the ground on the seasine and other documents produced; albeit, the heritable bond of corroboration, which was the immediate warrant of the seasine, was not produced, but only an extract of it out of the register of reversions; which is not a register for execution, but for pre-