1740. *January* 22.

LORD MAXWELL *against* The PORTIONERS OF HOLYWOOD.

No. 4.

THE lands in the Barony of Holywood, which Barony pertained to the Abbacy of Holywood, coming immemorially to the mill of the Barony and paying intown multures; found sufficient evidence of their being astricted to that mill: But they would not find their coming to the mill of a Barony sufficient unless it had been a Church Barony, and many thought, that without that specialty it would not have been sufficient. (See DICT. No. 78. p. 16017.)

1740. *December* 16.

LOW of Brackley *against* BEATSON of Mawhill.

No. 5.

A SUCKENER in constant use of coming to the mill, if he abstracts, and in the issue is found astricted, he is liable for his bygone abstractions, however probable his plea of immunity might have been, and though for that very reason he should not be found liable for expenses; because he should not have inverted the use of going to the mill till he had got his immunity declared. *2dly*, Whether the miller is bound to carry the corns? he is only obliged to send such a number of horses as used to be kept at the mill, with a competent number of servants for leading them, but the suckener must furnish servants to load the horses. (See DICT. No. 77. p. 16017.)

1740. *December* 19. MILLER of Watershaugh.

No. 6.

A SUPERIOR having thirled his vassals' lands to a mill also feued out by him, and the astriction expressly limited to the corns grinded for the sustentation of their families;—notwithstanding of that restriction, the Lords found the farm-meal payable to the feuars by their tenants, thongh the feuar do not now reside within the thirl. (See DICT. No. 80. p. 16019.)

1741. *November* 19.

BRUCE of Blairhall, *against* COLONEL ERSKINE, and Other Feuars of Shirriffsmill.

No. 7.

THE pursuer's infeftment in the mill from the Abbots of Culross gave the multures of a great many lands therein, paying a peck each boll of in-