

1611. January 16. NEILSON against ———.

No. 10.

He who is infest in a miln with the astricted multures of a barony, will have action against any that is thereafter infest in any part of the barony, and will get them decerned to pay such quantities as are paid by the rest of the barony, although they have not had any possession of the multures of his particular lands.

Haddington MS. No. 2090.

1612. January 29. CASKIBEN against CLERK.

No. 11.

In an action of reduction of a decret by one called Clerk against the Laird of Caskiben, the Lords found, that he who was infest *cum molendinis et multuris* in the general clause, could not by any subsequent deed of his superiors be astricted to pay any knaveship to the mill of the lordship, because, being free of the mill, he cannot be subject to knaveship, which is only the fee of a service: He who is infest in his lands for payment of his duty, and such a quantity *pro aridis multuris*, is free to carry and grind his corn where he pleases, paying the dry multures to his over-lord, contained in his infestment. In double feus the first confirmation prevails, albeit both the feus have been granted before the Reformation of religion, and that the confirmations have been granted by the Pope before the Reformation.

Haddington MS. No. 2379.

1617. February 15. DOG against ———.

No. 12.

In an action of thirled multures pursued by James Dog of Dunrobin for the mill of Assantin, the Lords found an exception, that 40 years before they were in use to pay three firlots bear for multure, was relevant for liberation from bringing their bear to the mill in time coming.

The like betwixt Mr. William Maxwell and the tenants of Preston.

Kerse MS. p. 94.

1621. July 11. LORD KEITH against NATHANIEL KEITH.

No. 13.

In an action of multures the Lords found, that the farm should not pay multure unless it be ground, and found that they could not grind it at another mill.

*Item*, They found that *invecta et illata* comes not under thirlage, except also it were grinded with prohibition.

In a thirlage of *invecta et illata*, the grain in-brought ought not to

Kerse MS. p. 94.