
KING.

No. 1. 1753, Nov. 16. JAMES MURRAY *against* CREDITORS of BURNET.

See Note of No. 46. *voce* ADJUDICATION. See also Note relative to this case, *voce* REGALIA.

KING'S ADVOCATE.

No. 1. 1735, July 25. KING'S ADVOCATE, &c. *against* MENZIES.

THE Lords repelled the objection that the Advocate had no special warrant, both because of the words of the judgment of the House of Lords, and also because this was not a reduction of any rights granted by the Crown, but only a molestation for ascertaining the marches of the King's forest with the neighbouring heritors who had no rights from the King to the forest.

KIRK.

No. 1. 1738, Feb. 9. TOWN AND HERITORS OF SELKIRK *against* THE DUKE OF ROXBURGH.

IN respect there was no chancel or quire, the Lords found the Duke liable for the reparations only according to his valuation in the parish.—1st July 1736—9th February 1738 The Lords adhered.

This case concerning the reparation of the Kirk of Selkirk, was not advised till this day, (9th February 1738) when the Lords adhered to their interlocutor 1st July 1736, finding the Duke of Roxburgh though titular of the tithes liable only for his proportion according to his valuation, *me quidem renit.* for I thought there was sufficient evidence what were the terms or purport of the act of Council 1563, viz. that the Parson should repair the quire, or if there be no quire the third part of the Kirk. However it carried by a great majority.

* * * The case under the Title KIRK PATRIMONY is not mentioned in the manuscript Notes.