

* * * Balfour reports the same case :

No 2.

NA man, be the law of this realme, aucht and should pay herezeld, except the time of his deceis he was ane husbandman, and had, at the leist, four oxengang of land, and dwelt and deceist thairupon : And gif he had ony les, his sone, wife, bairnis, nor ony uther persoun, aucht nor sould not pay ony herezeld.

Balfour, (HEREZELD.) No 5. p. 200.

A. against B.

No 3.

A RELICT bruiking land *per tacitam relocationem*, and another husband marrying her after his decease, the master will get ane herezeld, because all labourers (husbands) are obliged therein to their master.

Fol. Dic. v. 1. p. 376. Colvil, p. 21.*

LADY TROCHRIG against BAIRD.

No 4.

Herezeld found due though the lands were let in steelbow.

IN an action pursued by Margaret Chalmers, Lady Trochrig, *contra* Oliver Baird, who was occupier of the lands of Grange, pertaining to the said Lady in liferent, it was found, that the Lady had good right to a herezeld of the defunct, notwithstanding it was opponed, that he was both a farmer and had the room in steelbow.

Fol. Dic. v. 1. p. 376. Kerse, MS. p. 120.

CALLENDER against HIS TENANTS.

No 5.

IN ane matter pursued by Walter Callender *contra* his Tenants, it was found, that an herezeld should be paid, because the defender was under marriage, and a decret of removing was obtained against him.

Kerse, MS. p. 120.

1610. February 24.

A. against B.

No 6.

A TENANT, whether he be mailer or farmer, and whether he have tack or not, deceasing, his master will get an herezeld of the best of his quick goods. A

* Lord Kames supposed the reports, subjoined to MS. copy of those of Colvil, to have been made by the same author, but that is uncertain.