

DECISIONS

OF THE

LORDS OF COUNCIL AND SESSION,

REPORTED BY

SIR ALEXANDER GIBSON, OF DURIE.

1622. *March 9.* The LAIRD of BARNs *against* The FEUARS of CRAILL.

THE Laird of Barns having of old feued certain of his lands for payment yearly of some bolls of victual to be payed with the mett and measure of the common firloft of Craill, and thereupon the feuars being charged to make payment: whereupon controversy being betwixt the parties anent the measure, in respect of the Act of Parliament, discharging all metts except the prick-mett, which the feuars alleged to be more than that mett of Craill, with the which their bolls were of old payed: The Lords found that the mett of Craill mentioned in the feu, should be conferred and broken with the prick-mett; and, according as the same was less or more than the said prick-mett was established by statute, that the bolls should be payed now according to the quantity which the said firloft of Craill held, but with the measure of the prick-firloft now allowed, to the which the same should be proportionate; so that what difference is betwixt the measure appointed in the feu and the firloft established by Parliament, whether it be more or less, it shall be conformed and proportionate to the said prick-mett, without loss to any of the parties; and, therefore, the Lords gave commission to some persons in Craill, to try the difference of the metts foresaid, and to break the measures truly, and thereafter to make report to the Lords.

Act. Nicolson and Ker. *Alt.* Hope. Gibson, *Clerk.*

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