

no provisions of the pursuer's then in his hands, but something that is yet under debate and controversy.

*Advocates' MS. No. 143, folio 91.*

1671. *February 22.* The Earl of ERROLL *against* the Earl of FINLATOR and OTHERS.

THE barony of Arroll being sold in this Earl's minority to my Lord Kinnoule for 589,000 merks; in the contract Kinnoule, and sundry others with him, were obliged with that vast price to satisfy the particular debts given them up which burdened the estate of Erroll, and to report valid discharges thereof. This pursuit is now for seeing if the money was employed for the use to which it was destinate, and for reporting these discharges.

*Advocates' MS. No. 144, folio 91.*

1671. *February 22.* MR. THOMAS RAMSAY Minister at Mordingtoun, *against* the MINISTER and HERITORS of Aytoun Parish.

*In anno 1650*, the lands of Longformacus being dismembered from Mordington kirk, in place thereof the lands of Lamerton were annexed, and so continued till the 1663; at which time Mr. Wm. Home, minister at Aytoun, taking advantage of the time, he obtains a decret of reduction of that decret for non production. Mr. Thomas Ramsay having intented a reduction of this decret reductive, and craving to be reponed against the same, because now he was willing to produce the decret, and for the purging of his contumacy we smoothed it over the best way we could, they did at last repone us; and after much debate, the Lords' Commissioners for plantation of kirks did again annex Lamerton to Mordington, and for the stipend that was due furth of Lamerton they divided it equally betwixt them, and appointed it so to continue in all time coming, and ordained the minister of Mordington to enter to the possession of the half for the last crop, 1670; which interlocutor the heritors of Aytoun having stopped, because in it there was action expressly reserved to the minister of Aytoun for making up his stipend the length of what it was before, and having given in a bill upon the practique of the minister of North Leith and that of Dreme, which was annexed to Athelstanefoord kirk and some other things, upon the matter of which bill having heard us fully debate, they, notwithstanding thereof, adhered to their former interlocutor. See all fully in the informations. It was much talked of, to see a nonconformist minister gain a cause against a conformist in a mixed Court where there were so many churchmen.

*Vide infra, No. 395.* [*Minister of Aytoun against the Parishioners, June 1673.*]

*Advocates' MS. No. 145, folio 91.*