

No. 1.

Decree of suppression and annexation, the heritors of the parish of Kinnaird, against the Presbytery of Brechin, and Ministers of Kinnaird, Brechin, and Farnwell. January 29, and December 9, 1772.

“ The Lords suppress the kirk and parish of Kinnaird, and unite and annex part of it to the parish of Brechin, and part of it to the parish of Farnwell; and decern and ordain the benefice of the said parish of Kinnaird to be divided among the ministers of Brechin and Farnwell, (in manner therein mentioned;) and, particularly, £1. 10s. Sterling, as the interest of the supposed value of the half of the glebe of Kinnaird, to belong to the first minister of Brechin; and the interest of the other half thereof to belong to the minister of Farnwell; or, in place of the said interest, land designed contiguous to his present glebe, equivalent to the half of the said glebe of Kinnaird.”

The annexation was decerned in, although opposed by the procurator for the church, by authority of the General Assembly. But after the Court decerned in the annexation, the procurator for the ministers consented to the division of the benefice of Kinnaird.

Lord Ordinary, *Gardenston.* For Elliot, *Ilay Campbell.*
For Minister and Presbytery, *David Dalrymple.*

W. M. M.

1800. January 14. ALEXANDER LESLIE against The HERITORS of RAYNE.

ALEXANDER LESLIE objected to the locality of Rayne, imposing part of an augmentation on him, *inter alia*, because his property had originally belonged to the Knights Templars; Stair, B. 4. Tit. 24. § 9.; B. 2. Tit. 8. § 7., and had on that account been exempted from payment of stipend by a former locality in 1754, which he contended was now confirmed by prescription.

The heritors

Answered: It is doubtful if the Knights Templars ever enjoyed any exemption in Scotland, or to what extent. In all events, it was personal to themselves, and did not descend to their vassals and singular successors. Spottiswood's Account of Religious Houses, p. 239, &c.; Forbes on Tithes, p. 239, &c. 375. &c.; Mackenzie's Obs. on Act 29th, 11th Parl. Ja. 6.; Ersk B. 2. Tit. 10. § 14.; Minister of Barrie against Gairden, No. 108. p. 15721.

The locality 1754 was fixed without discussion, and is to be considered as *ex parte*.

The Lord Ordinary repelled the objection.

On advising a petition, with answers, the Lords 'adhered.'

Lord Ordinary, *Ankerville.* For Leslie, *J. W. Murray.* Alt. *Ja. Gordon.*

D. D.

Fac. Coll. No. 154. p. 348.

No. 2.
Temple-lands are not exempted from payment of stipend.