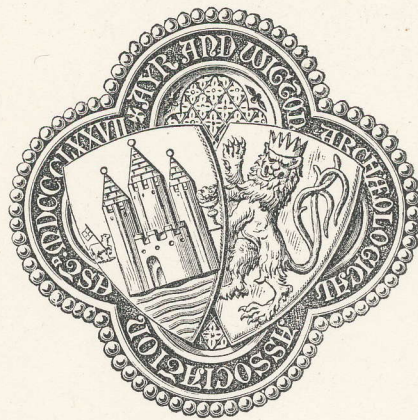


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IX.

CORSHILL BARON - COURT BOOK.

THE Book of the Baron-Court of Corshill was in the possession of the late Mr. John Brown of Stewarton, by whom it was kindly placed at the disposal of the Association, and carefully transcribed by the Rev. Walter MacLeod of Edinburgh. The same volume contained also the records of the Bonnet Weavers of Stewarton.

The Baron-Court Book begins, rather abruptly, with a list of the rent-allers or occupiers of the lands of which the barony was composed. The first minute in the book is that of the court held on 22d October 1666, by Alexander Cuninghame "younger of Corshill," who, on the death of his grandfather Alexander, in 1667, succeeded to the estate, and was created a baronet by Charles II. on 26th February 1672.¹ The Laird of Corshill, in the minutes of the courts held after this date, is styled the "Right Honourable the Lard of Corshill," and in the court held on 3d February 1674 he is designed the "Right Honourable Sir Alexander Cuninghame of Corshill, Knight and Barronet, Barrone of the Barronie thereof." Sir Alexander married Mary, daughter of John Stewart, younger of Blackhall. It does not appear in what year he died, but his son, also Sir Alexander, was retoured heir to his father in 1685. He probably succeeded in 1684; as, on the 14th day of November in that year, a court is held by Sir Alexander and Dame Mary Stewart, Lady Corshill. On 4th June 1686, the court is held by the Right Honourable Dame Mary Stewart, Lady Corshill, and David Stewart of Kirkwood, baillie of the barony, in which the mails and duties are ordered to be paid to Sir Alexander and to Dame Mary, conform to their respective portions.

¹ *Reg. Mag. Sig.* lib. lxij. No. 114.

Sir Alexander married, in 1686, Margaret, daughter of John Boyle of Kelburne.¹ On 16th November 1688 the court is held by Sir Alexander, and he ordains payment of the rents to be made to him and to "Dam Mary Stewart, Lady Corshill, his honour's Lady mother." This style is continued, annually, in the November meetings of the court, up to that held on 14th November 1690. On 6th December following, the Baron-Court is held within the manor-place of Corshill by "Hugh Hamill, merchant at Stewartoun Kirk, baillie to the right honourable David Boyle of Kelburne, now heritable proprietor of the estate of Corshill;" and the tenants are decerned to pay their maills and duties to "David Boyle of Kelburne, as now heritable proprietor of said landis, conforme to his infeftments, and assignatione thereto be Sir Alexander Cuninghame of Corshill to him, daited the 1st day of December 1690." David Boyle of Kelburne, who was brother of Lady Margaret, Sir Alexander's wife, was created Lord Boyle of Kelburne, 31st January 1699;² and Earl of Glasgow, Viscount Kelburne, and Lord Boyle of Stewarton, Cumbræ, Fenwick, Largs, and Dalry, on 12th April 1703.³ The Baron-Courts continue to be held in the name of David Boyle of Kelburne; and the maills and duties are ordered to be paid to him and Dame Mary Stewart, Lady Corshill, elder, conform to their respective rights, till that of November 1700, when they are made payable to David, Lord Boyle, as having undoubted right to the barony, and Dame Mary is no longer mentioned. On 18th May 1706 the maills and duties are ordered to be paid to "David, Earl of Glasgow, or his factores."⁴

Sir Alexander Cuninghame held occasional courts during these years; and in the court held by him on 28th September 1706, he nominates and appoints "James Calderwood and Alexander Nicoll, baillies, and John Deans, John Picken, James Ross, Mathew Jop, Daniel Mores, and Hugh Stewart and Robert Smith, counsellours, whereof three, and one of the baillies, make a corum to act in all affaires within the town and barronie,

¹ Robertson's *Ayrshire Families*, vol. i. p. 132.

² *Reg. Mag. Sig.* lxxv. 82.

³ *Ibid.* lxxix. 111.

⁴ On 1st November 1690, Dame Mary Stewart, Lady Corshill, had sasine of an annual rent of £520 Scots, out of the lands of Little and Meikle Corshill, etc., representing a princi-

pal sum of 13,000 merks Scots, contained in an heritable bond granted to her by Sir Alexander Cuninghame of Corshill, her only son, and redeemable by the said Sir Alexander on payment of the said principal sum. This she conveyed to David Boyle of Kelburne, who had sasine on the same day, under the reservation of Sir Alexander's right of redemption.—*Reg. Sasines.*

as if I myselfe were actually present, and these to continue in the office of baillieship during pleasure." Thereafter, the courts are held by one or other of the baillies "of Stewarton," or of the baillies "constitute," the Baron presiding only at intervals. On 2d October 1707, Sir Alexander reappoints the baillies and councillors, substituting Mathew Jaap for James Calderwood, and appoints, in addition, a fiscal, treasurer, and clerk. In the same court mention is made of a piece of land that the Laird of Corshill had "bestowed upon the town as a common good." But though Sir Alexander is thus in possession, the "haill tennentis" continue, until the court held on 8th December 1713, to be decerned to pay their respective rents to David, Earl of Glasgow. The last court recorded in the book is held by Sir Alexander on 28th September 1719, when there is a new appointment of a baillie, fiscal, treasurer, and officer.

In the typographical reproduction of the Court-Book, the style and peculiarities of the original have been closely followed; but the headings of the various Cases, Decrees, and Acts of Court, as well as other references, which were written on the margin, have been transferred to the body of the page, and are printed in italics: the only other intentional innovation made, has been in supplementing the punctuation, the almost entire want of which in the manuscript in some instances led to a little dubiety as to the precise meaning intended; while in one or two others, the statement of the case by the *Clericus Curiae* remains irremediably obscure. Occasionally, where a word has been omitted, or a wrong one used inadvertently, it has been supplied or corrected within brackets.

In the notes explanatory of the more uncommon words or expressions which occur in the minutes of court, some of them are offered as suggestions, no quite satisfactory definition having been found in any authority consulted, and some names, such as *milntree* and *treall*, have not been found at all.

JOHN SHEDDEN-DOBIE.

MORISHILL, December 1883.

BARON-COURT BOOK.

BLACKLAW.

Williame Fultoune thair	Robert Faullis
Alexander Fultoune	Robert Walker
Alexander Thomsoune	James Faullis
Robert Waker	

HARESCHAW.

Cuthbert Walker	Robert Walker
James Wyllie	Johne Ker
William Wyllie	Patrick Johnston
Johne Stewart	James Bichett

LITLCORSHILL.

Robert Fultone	Thomas Wyllie in Midlshort
Thomas Wyllie, eldest	Patrick Warplay
James Wyllie	Johne Stewart
Johne Wyllie, younger	James Wyllie

MEIKLCORSHILL.

Johne Wilsoune in Mossyde	James Harper
Johne Wyllie in Brahead	David Wilsone
Helen Pudzan in Clerkland	James Buckle
James Dunlop	. . . Wyllie
. . . Harper

HILHOUS.

James Wilsoune	Thomas Smith	Allane Langwill
----------------	--------------	-----------------

ROBERTLAND.

Alexander Dickie	William Gibson	Jonet Cochran
------------------	----------------	---------------

CUTSWRAY.

Alexander Puidzean in Spot	Thomas Puidzean in Kirkford
Andro Puidzan thair	Andrew Puidzan thair
Johne Knox	Matthew Templtoune

Johne Gemmil	Thomas Murchland
Archibald Murchland	Johne Dunlop in Bogsyde
Johne Murchland thair	Alexander Dickie
Hew Harper	Thomas Murchland
Thomas Puidzane elder	William Tod
Robert Alexander in Cutswray	

DRAFFAN.

James Puidzeane	Andro Puidzean
Andrew Puidzane in Kirkford	Johne Pudzan
Archibald Murchland	Andrew Puidzane thair

KIRKTOWNE.

Alexander and Johne Caskies	John Hopkine
William Alasone thair	Margaret Tod
Robert Wyllie
William Glen younger	Johne Deans
Androw Puidzane	Robert Smith
Robert Allason	Barbara Dunlop
Robert Dickie	Arthour Bryce

Jonet Smith

COCKLBEE.

Alexander Dickie	Johne Wyllie
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COURT OF CORSHILL AND COCKLBEE, holdine be . . . [Cunyn]ghame younger, and Archbald Stirlie in Clerk[land his] bailzie, within the place of Corshill, vpon the Twentie two day of October J^m vj^c threescore sex yeers [1666].

Sectis vocatis Curia legitime affirmata cum omnibus membris necessarijs.

Robert Faullis, Dempster.¹

The quhilke day compeired Gilbert Dunlop, milner in Clerklandmilne, and compleaned vpon the persones underwrittine for selling and awayputting frae the milne there cornes grundable, videlicet; one Alexander Dickie in Nether Robertland for the number of twentie bollis of corne the last yeer: As alsoe one Thomas Wyllie in Hareshaw for the number of ane chalder of corne two yeers since or therby: Likewise one Agnes Morreis in Cutiswray for sex bollis astricted and sold frae the milne the last yeer: Likewise one Alexander Puidzean in Draffane sex bollis corne the last yeer: As alsoe one Alexander Harper in Corshill for ane meill of corne sold

¹ The officer of Court who pronounced doom.

frae the said milne. Quhilkis the said Gilbert Dunlop compleaner referred to ther oath of veritie. Compeired the said Alexander Dickie and declaired he wes not clear to give his oath thairanent. And the said Thomas Wyllie being thrice lauchfullie called and not compeirand wes holdine as confest: Likas the said Agnes Morries being personallie present confest shee sold noe cornes frae the milne the last yeer but foure bollis and ane ferlot to the Laird himself, and ane half boll to one Williame Power in Finick: As alsoe compeired the said Alexander Puidzean in Draffane and deponed vpon oath that he sold and away put noe corne frae the said milne but the number of three bollis and ane ferlott: Alsoe the said Alexander Harper being thrice lauchfullie called and not compeirand wes holdin as confest. Upon the quhilkis depositiones being given upon oath, after mature deliberatione the Judge forsaid decerned and ordained ilke ane of the persone abovementionat to make payment to the said compleaner of the multure of the said abstracted victwall ilke ane of them respective forsaid, conforme and as is confest in manner abovementionat, and that within term of law; and if not payment made within the said tyme, ordaines the officer to poynd for the third pennie mor with sex shilling eight pennies frae ilke ane of the respective defenders abovementionat in expensis of pley.

Continued.

Eodem die: The said Gilbert Dunlop, miller, persewed Jonet Harper in Meikle Corshill, for abstracting frae the milne the number of . . . bollis of corne. The said Jonet being called and not compeirand; ordaines to summond her against the nixt court.

Decreit.

The said day, Johne Walker in Hareshaw persewed Alexander Dickie in Nether Robertland, for the sowme of Nyntein pound eight shilling scottes. Compeired the said defender and confest the samine just debt. Therefore the Judge forsaid decerned and ordained the said defender to make payment of the said nyntein pound eight shillings money forsaid to the said persewer, and that within terme of law, with sex shilling eight pennie in expensis of pley.

Decreit.

The said day, James Bichett in Hareschaw persewed Robert Wilsoune at the Kirk of Stewartoun, for the sowme of ffoure ponds scotts, grassmaill. Compeired the said defender and confest debt. The Judge forsaid ordained the said defender to make payment to the said persewer of the said sowme of ffoure pounds scottis, and that within terme of law, with sex shillings 8^d in expensis of pley.

Continued.

Eodem die: Johne Puidzean, in name and behalf of Androw Puidzean in Nether Robertland, compleined on Johne Gemill in Cutiswray, that quhair the said Androw

his father lent to the said Johne Gemill half ane croune about yeers since or thairby quhilk hee will not repaye : Compeired the said defender and denyed the said clame. It was left to the said persewer his probatione against the nixt court.

Eodem die : Johne Hendrie, sklatter, persewed Jonet Speir for the sowme of thirttie-one shilling two pennies scottes, as the pryce of some draff (quhilk Alexander Dickie in Cocklbee receivit in her name), the said defender being barganer for there wholl draff for the space of ane yeer : Compeired the said defender and denyed the clame, and the said Alexander confest the samine bot that thair wes not sae much thair of as wes acclaimed. Therefore the Judge forsaid referred the pairties to compeir before Johne Deans, merchand, at the Kirk, and Robert Allane, notar, and quhat the said two men made the matter, ordained the samine to be payed presentlie efter thair decreit given therupon, and ordained them to mett for that effect within eight dayes ; which wes accordinglie done and payment made, and soe heerby assoilzied.

Instrument.

The quhilk day, Mr. Cuthbert Cunynghame of Cocklbee haveing disponed the lands of Cocklbee and Kirktowne to the said Alexander Cunynghame of Corshill, younger, and there in face of court giveing up to the said Alexander Cunynghame the rentall of the said lands, deponed that Robert Smith at the Kirk payed yeerlie sex pounds scottes with two hens and ane dayes sheiring in harvest : Compeired the said Robert Smith and protested in the contrair, and declaired that [he] payed onlie the said silver duetie and hens without any shearing in harvest, as his Take granted to him in itself at mor lenth beares ; and therupon asked and required instrumentis ane or mae in the hands of me notar publict. This wes done in presence of the court about one in the efternoone, day, yeer, moneth, and place forsaid.

Continued.

Eodem die : Johne Deans, merchand at the Kirk, persewed Jonet Tod thair for the sowme of eight merkes ten shilling scottes, owand be her to him. Called and not compeirand, delayed till the nixt court.

Continued.

Eodem die : The said John Deans persewed Alexander Dickie in Nether Robertland for the sowme of ffoure pondis ten shillings four pennies scottes money. Called and not compeirand, delayed till the nixt court.

Continued.

The quhilk day alsoe, Jonet Harper in Meiklcorshill persewed Margaret Stirling in Chappell in that shee led and away took the number of sevein cartis of peitis belonging to her out of the moss the last yeer, in summer. The said Margarat being called compeired and denyed the clame ; and therfor referred to probatione of the said

compleiner, quhilk the said persewer offered to prove; and soe delayed till the nixt court.

Eodem die: James Walker in Hareschaw, Thomas Wyllie in Meiklecorshill, Thomas Smith in Hilhouse, John Deans at the Kirk of Stewartoun Kirk, Thomas Puidzean in Cutswray, were constitute birlaymen¹ in redding of marches, pryseing of any thing poyndit within the Lairdshipe, and decideing of any thing debatable betwixt nyctbour and nyctbour, and in face of court gave the oath de fideli administratione officij.

Act against Breaking of Yairdis or Trees.

The said day, the Laird and his bailie inacted and statute, with consent of tennentis present, that whoever wer found breaking the yairds or tries and taking away of the fruit, or cutting any broome or other thing quhatsumever in or about the saidis yairds or parking, the tennant or servant sua transgressand to be in the fyne of five pond scotis, toties quoties, and the officer to poynd immediatlie after the said act thairfor, with sex shilling to the officer.

Decreet.

Eodem die: Anent the pursuit formerlie persewed by Johne Dunlop in Clerklandmilne against Agnes Morries in Cutswray for the sowme of seven merkis scotes: Being twice summond of before and called, and now againe called and not comperand. Therefore the Judge forsaid decernit the said defender, being holdine as confest, to pay the forsaid sowme to the said compleiner, and that within terme of law, with 6^s 8^d in expenssis of pley.

Continued.

Eodem die: The said Johne Dunlop persewed Robert Alasone in Corshill for the sowme of eight merkis four shilling foure pennies scotis money, addebtit and awand to him this two three yeers since or thairby. Defender called and not compeirand; decernes and ordaines [him] to be summonit to the nixt court.

Continued.

Eodem die: The said Johne Dunlop persewed Allane Langwill in Hilhouse for 38^s scotis money owand to him. Defender called not compeirand, delayed; and ordaines to be summoned to the nixt court.

Decreet.

Eodem die: Anent the pursuit formerlie pursued be Robert Smith at the Kirk of Stewartoun against Robert Wilsoun in Meikle Corshill for the sowme of eight poundis scotis money in ane fitted accompt betwixt them for merchand waire. Being twyse called of before and now the third tyme called and not compeirand, the Judge forsaid held the said defender as confest, and decernes and ordaines the said defender

¹ Men appointed to assess damages.

to pay the said compleiner the forsaid sowme of eight pounds scotis and that within terme of law, with sex shilling eight pennies in expenssis of pley.

The said day, Johne Thomsone in Cocklbee wes assolzied frae ane clame, persewed be Johne Hendrie in Bridgend anent ane bonnet made be the said Johne Thomsone his vmquhill father in law, ffor . . . hereafter, and the samine never to have faith in judgment.

vj November, 1667.

Archbald Stirling, bailzie.

Continued.

The quhilk day, Williame Walker in Guishillis acclaimed of Allane Langwill in Hilhous twentie four shilling scotis, as the pairte of pryce of some wooll bocht frae him some yeers bygone. Defender called and not compeirand; referred to the defender his oath of veritie against the nixt court.

Continued.

Eodem die: Williame Walker in Guishillis pursued Hew Harper in Meikle Corshill, Alexander Harper thair, Jonet Harper thair, as intromitteris with vmquhill Alexander Harper younger his gear who wes endew him the sowme of sevein merkis scotis before his deceas. The saidis defenderis being called to cleir themselves and none compeirand but Hew Harper quho denyed he ever intrometed with any of the said vmquhill Alexander his gear after his deceas: The Judge delayed the matter till the nixt court, and ordaines the officer to summond all against the nixt court.

Continued.

Eodem die: The said Williame Walker persued Robert Wilsone in . . . for the sowme of five merkis and ane half scotis money. The said Robert Wilsone being called and not compeirand; referred to the persewar his probatione or oath of veritie against the nixt court.

Decreit.

Eodem die: Anent the persuit formerlie intended be Johne Dunlop in Clerkland-milne against Allan Langwill in Hilhous for 38^s scotis for meall bocht frae him: Being called again and not compeirand, the Judge forsaid held him as confest, and therfor decerned the said Allane Langwill to pay the said compleiner the said 38^s within terme of law, with 4^s 8^d in expenssis of pley.

Discharge.

Eodem die: Patrick Jonstoune in Cutswray received compleit of David Wyllie in Hilhouse of the sowme of 40^s for land tileing¹ about three yeers since or thairby: Therfor defender assolzied and discharged thair of for ever.

¹ Land tilling or digging.

COURT OF CORSHILL, holdine within the Castletoure and fortalice thair of be Alexander Cunynghame of Corshill, and Archbald Stirling in Clerkland his bailzie, vpon the twentie first day of November j^m vj^c sextie sevein yeers.

Fier this yeer ten merke scotis.

Gilbert Hunter, Dempster.

Decreit.

The quhilk day, the bailzie decernit all and sundrie the tennentis and subtennentis within the Lairdshipe, who hes not as yet payed ther witsunday and mertimes termes maillis and dewties, in payment of the samine to ther said maister (allowing first just compt and reckoning), and that for the said two termes lastbypast and all preceedings; Quho all being present, or others in ther names, confest the debt: And the said Judge ordaines the samine to be payed within terme of law; And incaise of failzie, the officer to poynd for the 3^d pennie mor.

Eodem die: Johne Dunlop in Bowhouse persued Thomas Puidzean in Cutsway for the sowme of foure pond scotis addebtit to him.

Decreit.

Eodem die: Anent the persuit formerlie intended be Williame Walker in Guishillis against Allane Langwill elder in Hilhouse, for the sowme of two schilling sterling addebtit to him for wooll; Being twice called of before and now the third tyme and non compeirand: Therfor the Judge forsaid held him as confest, and decerned the said Allane Langwill elder in payment of the said 2^s sterling to the said Williame Walker compleiner, and ordaines the samine to be payed within terme of law, with 4^s 8^d in expenssis of pley.

Decreit.

Item: Anent the clame formerlie alsoe intent be the said Williame Walker against Robert Wilsoune in Meiklcorshill, for the sowme of three pond thirtine schilling foure pennies scotes money; Being formerlie called and not compeirand, and now againe lauchfullie summonit and called and not compeirand, the Judge forsaid held the said defender as confest, and therefore decerned the said Robert Wilsoune defender to pay the said 3^{lib} 13^s 4^d to the said Williame Walker, within terme of law, with 6^s 8^d expenssis of pley.

Continued.

The said day, the said Williame Walker in Guishillis compleined one James Howie in Foggihillock, in that he wes addebtet to him the sowme of eighteen shilling scotis: Defender not compeirand, defered to probatione or oath of pairtie against the nixt court day. As alsoe vpon Thomas Wyllie in Litle Cutsway for 8 schilling scotis money for drinke to Marjorie Rassone his wife.

Continued.

Eodem die : Johne Deans, merchand at the Kirk, persued Agnes Wyllie in Meikle Corshill relict to the deceist Johne Harper, for the sowme of thrittie two^{libs} scotis endew be her and her said husband, before his deceas, for merchand commoditie : Defender called and not compeirand left to probatione or oath of pairtie against the nixt court day, and the defender to be summonit for that effect thairto.

Continued.

Eodem die : Johne Castellaw in Templhouse persued Allan Wyllie in Braehead, in that he wes endew him ane merke money scotis for ane dayes harrowing in seed tyme last. Deferred to the nixt court.

Eodem die : Robert Smith merchand at the Kirk persued Thomas Walker in Hareschaw, for the sowme of sevein merkis money, and that as the pryce of ane pond of Intego,¹ togidder with 22^s scotis, and that as ane pairte of the pryce of ane other lib^b receivit be him to Johne Walker his sone : Compeired the said defender and denyed the clame forsaid. The Judge forsaid, findeing the matter dubious, ordaines the said Thomas Walker and his said sone compeir at the Kirk before him and Robert Allane and cleir thair comptis with the said Robert Smith again this tyme twentie dayes, and if they failzied, to be decerned in payment conforme as said is.

The said day, anent the clam formerlie intended be Johne Wilsoune, cowper, against Agnes Craig, in that shee had taken wrongouslie away from him ane cow quhich he had bocht from her at the last faire at the Kirk, the said Agnes promist vpon discharge to satisfie him for any wrong done be her to him vpon his discharge of receipt of payment thairfor ; which wes done, and soe the said Agnes wes assoilzied from the said clame.

Discharge.

Eodem die : Patrick Jonstoune in Cutsway was payed of Johne Wyllie in Hilhouse of the sowme of fourtie shilling scotis money, as the pryce of half ane aiker of land tileing, and therfor dischargit and assoilzied.

Decreit.

The said day, Alexander Dickie in Nether Robertland persued Barbara Fultoun, now spouse to James Walker thair, for sevein peckis of eatten corne² this last summer bypast, prysed be Patrick Jonstoune and Thomas Puidzean, quho being present declaired the same to be of veritie ; And therfor the Judge forsaid decerned the saidis defenderis in payment thairof, conforme to the vswall rate of the countrie, within terme of law, with 4^s 8^d in expensis of pley.

¹ Indigo.

² Oats eaten by domestic animals trespassing.

Act contra stealing of the Quarrie Graith.

Eodem die : The Laird and his bailzie, with consent of the wholl tennentis, inacted and statute that whoever within the Lairdshipe, of his tennentis or subtennentis, did take away any of the yrone graith or worklooms from the quarries of Hilhouse Craig or Chappelcraig, without leave asked and obtained, should be in fyne of thrittie shilling scotes, toties quoties.

Act for vpholding of yaird dyikes.

Eodem die : It is statute be the Laird and his bailzie, with consent as said is, that everie tennent and subtennent within the Lairdshipe sall vphold ther yaird dyckes fensible throw the wholl yeer, and quhoever sall be found failzieing hereintill sall be lyable in fyne of ffour poundis scotis money, toties quoties, [if] they transgress, and the officer presentlie to poynd thairfor.

Officer constitute.

The said day, Allane Langwill, with consent of the tennentis, is constitut officer, and hes given his oath de fideli administratione officij.

Decreit.

Eodem die : Anent the clame formerlie persued be Johne . . . against Robert Wilsoune in Meiklcorshill : Being called againe and not compeirand is decerned in payment of the sowme of twentie sex shilling scotes money which wes endew to the said compleiner, and ordaines the samen to be payed within terme of law, with 3^s 4^d in expenssis of pley.

COURT OF CORSHILL, holdin within the casteltowre and fortalice of the place of Corshill, be Alexander Cunynghame of Corshill, and Archbald Stirling in Clerkland, his bailzie, vpon the seventein day of Februar j^m vj^c sextie eight yeers.

Suitis called. Court fenced with all members neidfull.

Inqueist.

The quhilk day, Johne Pinkertoune, guairdner in Bowhouse of Corshill, as procuratour fischall for and in name of the said Laird of Corshill, persued ane batterie done and comitted be Alexander Dickie in Nether Robertland vpon Johne Gemill in Kirkford in stricking of him over the head with ane rode. Both pairties being called, compeired the said Alexander Dickie and denyed the clame; and the said Johne Gemill, alsoe present, confessed the samine to be of veritie by probatione. And seing the clame could not be bot be ane witnes, the Judge forsaid referred the same to the tryall of ane Inqueist, who being solemnlie sworne, Johne Deans, as chancellor, in name of the said

Inqueist declaired they found them both guiltie and in wronge in committing batterie : And therfor the said Judge, after mature deliberatione, inacted and did put ilke ane of them in fyne of ten pounds scotis money for the said batterie and misdeamanour ; and ordaines the samine presentlie to be payed, or otherwayes the officer to poynd therfore.

The said day, anent the persuit formerlie intended be Johne Wilsoune, couper, against Agnes Craig in Burne, the Judge forsaid, with consent of pairties, referred the samine to John Deans elder, merchand, and Johne M^cCrone at the Kirk, and Johne Hendrie in Bridgend as oversman, and quhat they did thairin betwixt the dait hereof and the end of this moneth the samine should stand in full force in all tyme thairefter.

Eodem die : It is found that Alexander Dickie elder in Nether Robertland hes brocken the act of the court in perseweing of James Hendrie at the Kirk and Margaret Dickie his spouse, tenenntis within the Lairdshipe, before ane other Judge then the Laird and his bailzie, against which thair is actis in contrarie in any small civill bussines : And in regaird the said Alexander had brocken the said act, therfor the Judg forsaid inacted the said Alexander in the fyne statute in the forsaid act, and ordaines the samine to be payed presently, or otherwayes poyndit thairfor.

Eodem die : Thomas Wyllie in Meikle Corshill persewed Hew Harper thair for ane ferlot of eatten corne to him by the said Hew his foullis, the quhilk the said persewer referred to the defender his oath if not of veritie : And the said defender referred back the clame to the said persewer his oath if his owne beastis had not eaten price thairof : Quho not being willing to swear for such ane triviall bussines tooke . . . thair of to himself ; and the said defender was decerned and ordained to pay the said persewer the sowme of . . . for ilke peck of the rest, and ordaines the samine to be payed within terme of law, with 4^s 8^d in expensis of pley.

Eodem die : The bailzie inacted Hew Harper in fyne of fourtie schillings for irreverence in his speeches in face of court, in saying that these quho were present birlaymen, quho prysed the said eatten corne, were not worthie to be taken in the lyke matter ; as alsoe ordaines him to be put in the stockis, and to ly ther dureing the Laird his pleasoure.

May xiiij 1668.

Archbald Stirling, bailzie.

Suitis called.

. . . . Dempster.

Court lauchfully affirmit.

Continued.

The quhilk day, Williame Nicoll in Kirkford persued Thomas Wyllie in Litle Cutsgray for the sowme of 3^{lib}s 18^s 4^d as the pryce of some meall bocht and receivit frae him about two yeers since or thairby : Defender called and not compeirand ; referred to oath of pairtie or probatione against the nixt court day.

Decreit.

Eodem die : Thomas Clerke in Kirkmill persued Archibald Tannahill in that as hee fied his daughter Margaret Tannahill with him for this ensueing terme to mertimes thairefter, and yet hes withholden from the said servant and never advertised him thair of quhill efter terme of entering was past, and in the meantime hyred her with another : Therfor the Judge forsaid after hearing pairties, and mature deliberatione in the said mater, in regaird the said defender had not advertised the said persewer tymouslie as vse is, decerned the said Archibald Tannahill to enter his said daughter to the service, otherwayes to pay to the said compleaner 40^s scotis money, with ane paire of new double soalled shoes with ane new aprone with ane new shirt, which wes the fie aggried vpon betwixt them ; and that within term of law, with 3^s 4^d in expenssis of pley.

Continued.

Eodem die : Johne Dunlop in Clarklandmilne persued Jonet Harper in Meikl-corshill for two pond sex shillings eight pennies endew be her to him as the hyre conditioned be her to him for ane milk cow this summer lastbypast : Defender called and not compeirand ; referred to probatione or oath of pairtie against the nixt court.

Eodem die : Johne Deans, merchand at the Kirk of Stewartoun persued Agnes Craig in Burne, for 13^s 4^d owand be her to him as the pryce of ane fort pairt of long lint seid, bocht be her frae him about foure yeers since or thairby : Defender called and not compeirand ; referred more solito.

Continued.

Eodem die : Williame Glen, younger, at the Kirk of Stewartoun, compleaned one James Walker in Nether Robertland, in that quhairas he had given him ane makeing of sufficient barley to make thair of malt, and for the said sufficient barley hes given vnsufficient malt : Compeired the said James Walker and deponed that he twyse denyed to make the said meall of barley malte to the said compleiner, and that because it was vnsufficient, and when that he was absent the said Williame Glen came and did put the said beir in his steip troch, all which he wold prove : And therfor the Judge forsaid referred the mater to probatione against the nixt court day, if that pairties could not aggrie betwixt and that tyme amongst themselues.

Junij 5th, 1668.

Archibald Stirling, bailzie.

Suitis called. Court lauchfully affirmed in dew tyme of day.

Inqueist.

The quhilk day, Jonet Armor in Taill compleaned vpon Williame Wyllie in Cors-house, for batting and abuseing her with stroakis and bruiseing of her with his knees quhen shooe wes turneing his cattell off her owne grass, quhich shee offered to prove be

Alexander Fultoune in Crofthouse and Geillis Wilsoune and Margaret Bichet thair; And beside the said wronge threatened her that he wold doe more. Compeired the said Williame Wyllie and denyed the said clame. Compeired Williame Fultoune, one of the witnessis for the said persewer, and deponed that he heard not nor yet saw anything done be the said Williame Wyllie to the said Jonet for he wes out almost of cry of them in thair hearing: Likas the said Alexander Fultoune deponed as witness vpon oath that he saw the said Williame Wylie throw the said Jonet to the ground three severall tymes vpon saturday last, and vpon the monday thereafter he heard him say to her that he desyred her to lett allone in her tuilzie, or otherwayes it should be worse with her. The quhilkis haill matter being heard and considdered be the said judge, and finding the same dubious, referres it to ane Inqueist; the quhich Inqueist being solemnly sworne, be deliverance of James Walker in Hareschaw as chancelar, found the said Williame Wyllie in ane wronge to come within her boundis and there stricke, quhich they reallie thocht to be ane batterie; And likewise found the said Jonet in wytt¹ thair of by her provocaciones: Therfore the Judge forsaide, after mature deliberatione in the said matter, inactis the said Williame Wyllie for the said batterie in fyne of Ten pound scotis money; and the said Jonet in fyne of five pound money forsaide. And for present inacted them and ilke ane of them in fyne of twentie^{lib} if they should comitt the like in any tyme hereafter.

Eodem die: Johne Smith younger, at the Kirk of Stewartoune, and Thomas Puidzean in Hilhouse, are found to have brocken actis of court in sitting overnight in drinking, and thereafter in fychting togidder and stricking each other, and therfore inacted each one of them in fyne of five pond scotis money; and ordaines the same to be presentlie payed or otherwayes poyndit be the officer therfor.

Eodem die: Anent the persuit formerly persued be Johne Deans, merchand, against Agnes Craig in Burne, for ane merke scotis endew be her to him for ane fourt pairt of long lint seed: Defender called and not compeirand, therfor the Judge forsaide decerned the said defender in payment of the said sowme, and that within terme of law, with 3^s 4^d expenssis of pley.

Junij 20th, 1668.

Archbald Stirling, bailzie.

Suitis called.

Robert Wilsoune, Dempster.

Curia affirmata.

The quhilk day, Alexander Dickie in Cocklbee, as procuratour fischall for and in name of the Laird his master, persued Williame Walker in Guishillis in comitting ane blood and batterie vpon Johne Dillidaff, tailyor in Milstonflatt, in blooding of him one the face, in Arthor Bryce, smith, his house; and likewise persued the said Johne

¹ Blame or fault, from the Anglo-Saxon *wit*.

Dillidaff for ane batterie comitted be him vpon the said Williame Walker the day thairefter ; Witnessis, Johne Hendrie, sklatte at the Kirk in Bridgend, and Gilbert Hunter at the Kirk. The said Williame Walker being called compeired not ; and the said Johne Dillidaff being present, compeired and denyed his pairte of the said clame. And Arthour Bryce and Allane Langwill, witnessis in the first pairt of the said clame, deponed vpon oath that Williame Walker was in wronge in that first he provoked the said Johne Dillidaff with ill langage and thairefter gripped him be the haire of his head, and one way or other, with his handis or naillis, bloodit the said Johne Dillidaff his face. Compeired also the said Johne Hendrie and Gilbert Hunter as witnessis in that pairte of the clame against the said Johne Dillidaff, and deponed, alsoe vpon oath, that they saw the said Johne stricke the said Williame one the head and shouldres with ane staff two severall tymes. The Judge forsaid findeing the matter dubious referres the same to ane Inqueist, quho, be deliverance of Gilbert Dunlop, miller, declaired that for the blood it was not cleare that Williame Walker was the committer thair of, he onlie pulling the said Johne be the hair. And for the said Johne Dillidaff his comeing the day thairefter, and doeing as said is, wes reallie in wronge and had reallie comitted ane batterie. And soe in interim both were in fault and deserved punishment. And therefore the Judge foresaid, after mature deliberatione had theranent, inacted the said Williame Walker in fyne of Ten^{lib} scotis, and the said Johne Dillidaff in the fyne of other ten pond scotis money for the said batterie : And ordaines the officer to poynd Williame Walker for ane shilling sterling to the clerke and sex pence mor to the officer ; and Johne Dillidaff to pay the like. Item ; It alsoe being delate and found to be of veritie that the said Williame did stricke ane man quho was ane stranger one the highway, and therfor inacted the said Williame in fyne of other ten pondis for the said misdemanour.

October 6th, 1668.

Archbald Stirling, bailzie.

Suitis called.

Court lauchfullie affirmed.

The quhilk day, Robert Smith, merchand at the Kirk, persued Costin Dunlop in Burne, for the sowme of Twentie two shillings sex pennies scotis money, endew to him for merchand commoditie. The said Constantine being present confest he wes endew twentie shilling of the said sowme, and the said persewer adhering thairto : The Judge forsaid decerned the defender to pay the said persewer the said twentie shilling money forsaid, and that within terme of law, with 3^s 4^d in expenssis of pley.

Item ; the said Robert persewed Allane Langwill in Hilhouse for the sowme of 21^s scotis. Defender noe compeirand ; referred to the nixt court.

Eodem die : Anent the persuit formerlie intended be Williame Glen at the Kirk, against James Walker in Litle Robertland, for giveing of vnsufficient malt to him for

sufficient beir hee had given him to make malt to him this last winter seassone, the quhilk the said James offered before to prove the beir was vnsufficient stuff; And now the said James onlie presenting one witness, videlicet, Thomas Puidzean in Cutswhay, quho being present deponed that the said beir was not sufficient stuff: And the Judge forsaid in reguaird the said James had not fullie proved as accords, therefore ordaines the said defender to produce furthir probatione of witnessis before him and Robert Allane the clerke, and that betwixt this and the 15 of this present moneth of October, and after hearing of both pairties decreit to be extendit in communi forma.

Act anent the multouris to the milne, both corne and malt.

The quhilk day, the Laird and his bailzie, with consent of the haill tennentis of Cocklbee and Kirktowne, inacted and statute that the haill graine groundable vpon the saidis landis of Cocklbee and Kirktowne, as vse is, togidder with the haill malt vented and browne¹ in and about the said Kirk and within the Lairdshipe be groundit at the Clerklandmilne in all tyme hereafter, and to pay outhen townes² multure thairfor, And quhoever contraveins this present act in grinding of malt or cornes quhatsumever frae the said mill shall pay to the miller of the said mill ane merke scotis for ilke boll abstracted malt, and ane peck of corne for ilke boll of abstracted cornes thairfrae.

Item; Mary Smith, spouse to Williame Glen at the said Kirk, protested in the contraire, quhairupon shee asked actis of courte.

November 13th 1668.

Archibald Stirling, bailzie.

Feir this year, 1668, is ten merke.

Robert Wilsoun, Dempster.

The quhilk day, Johne Hendrie, sklatter at the Kirk, persued James Hendersone thair, for the sowme of 30^{lib} 8^s scotis money as the pryce of his bedding and buirding the space of 26 weeks. The Judge forsaid desired pairties to submitt thameselves to Johne Deans elder, merchand, and Johne Castellaw in Templehouse, as arbitratouris to determine in that matter and any other thing debatable betwixt them, and they to give furth decreit thairupon betwixt the dait hereof and this day eight dayes. The quhilk both pairties in face of court consented to.

Continued.

Eodem die: Robert Barnes of Kirkhill persued Johne Lauchland in Mossyde for the sowme of 35^s scotis money endew to him. Defender absent; referred to the nixt court.

Eodem die: Johne Dunlop of Overhill persued Johne Hendrie in Bridgend for the sowm of 20^{lib} scotis money endew to him for malt. Defender absent; referred ut supra.

¹ Sold and brewed.

for grinding at a mill by those who are not

² Outten town or outsucken multure, the duty astricted to that mill, but come voluntarily to it.

Decreit.

Eodem die : Thomas Puidzean in Hilhouse persued Hew Harper in Meikle Corshill for the sowm of 3^{lib} 4^s scotis money endew to him. Defender being present at the affirming of court and in reguaird he had wilfullie absented himself since because he knew that the said persuer wold call him for the effect forsaid ; Quhilk thing being notourlie knowne to the Judge, therfor the said defender was decerned in payment of the said sowme to the said persuer within terme of law.

Continued.

Eodem die : Johne Dean elder, merchand at the Kirk of Stewartoun, persued Johne Hendrie in Bridgend, for sevein^{lib} seven shilling scotis money endew to him of merchand accompt. Defender absent ; referred ut supra.

Eodem die : The said Johne Dean persued James Howie, weaver in Litlecorshill, for the sowme of sex^{lib} seven schilling scotis money of merchand accompt this three yeers bygain. Defender absent ; referred ut supra.

Continued.

Eodem die : persued Thomas Wyllie in Litlecutswray, for 3^{lib} as the pryce of some beir bocht fra him at May day last. Defender absent ; referred ut supra.

Eodem die : Robert Muire in Bordlandis persued Allane Langwill in Hilhouse, for the sowme of foure merkes scotis money endew to him as the pryce of some meall bocht frae him about three yeers since or thairby. Defender absent ; referred to probatione or oath of partie against the nixt court day.

Continued.

Eodem die : Robert Barnes persewed William Glen at the Kirk, as executor at the leist vniversall intromettour with the goodis and gear of vmquhill Richard Broune and vmquhill Margaret Glen his spouse thair, for the sowme of five^{libs} scotis money in rest of merchand commoditie endew to him be the said vmquhill Richard : Compeired the said William Glen defender, and denyed he wes any wayes intromettour, and that he knew nothing of that particular if ever the said vmquhill Richard or his said vmquhill spouse wes anything endew to the said Robert persuer. The Judge forsaid eleidit the said objectione, and desired the defender further to advise in that particular with his wife against the nixt court day.

Decreit.

Eodem die : Johne Castellaw persued Alexander Dickie elder, in Nether Robertland, for the sowme of three^{lib} scotis money, specifit in ane decreit obtained be him in this samine jurisdictione and court against the now deceist Patrick Stinsoun in Hareschaw, the quhich wes arreisted in the said Alexander his hand, the quhilk the said Alexander

Dickie brack, and that after the said arreistment onlaying the said Alexander payed the said soume to the said vmquhill Patrick, quhilk breach of arreistment the said persewer wold refer to the said defender his oath of veritie being personallie present: Compeired the said Alexander Dickie and declaired that he wes not cleir to give his oath in that particular. Therfore the Judge forsaid, after mature deliberatione had in the said matter, decerned the said Alexander Dickie in payment of the said sowme of 3^{lib} scotis money to the said persewer, and ordaines the samine to be payed within terme of law, with 3^s 4^d in expenssis of pley.

Continued.

Eodem die: Cuthbert Walker in Hareschaw persued Johne Bichet in Hareschaw for fiftein schilling scotis money, endew to him as the pryce of some timber that he put in the house quhilk the said defender possessis now. Continowed.

Decreit.

Eodem die: Anent the persuit formerlie intended be John Dunlop in Mill against Jonet Harper in Meiklcorshill, for the sowme of two^{lib} sex schilling eight pennies scotis money. The Judge findeing the persewer [*sic*] wes lauchfullie summonit and called, and now againe summonit and (called) three severall tymes called vpon and not compeirand: Therfor decerned and ordained the said defender to pay the said 2^{lib} 6^s 8^d scotis money to the said persewer, and that within terme of law, otherwayes to be poyndit thairfor, with 6^s 8^d in expensis of pley.

Decreit.

Eodem die: John Deans persued James Walker in Nether Robertland for the sowm of twelve pond elevein schilling ten pennies scotis money of ane merchand accompt: Compeired the said defender and confest debt. Therfor the Judge forsaid decerned the said defender in payment thairof to the said persewer, and ordaines the same to be payed within terme of law with 4^s 8^d in expenssis of pley.

Eodem die: John Bichett in Hareschaw persued Cuthbert Walker in Hareschaw for the sowme of two merkis and ane half scotis money as pryce of ane stirkis grass in summer wes ane yeer bypast; the Judge forsaid, with consent of parties, refers matters debait betwixt parties to Johne Castellaw in Templhous and Gilbert Dunlop, miller, and the said matters debaitable to be presentlie awaytaken vnder the inlaw of ten pondis scotis money.

Act anent the new parke dyik.

Eodem die: The Laird and his baillie inacted and statute that quhoever of the tennentis or subtennentis within the lairdshipe were found to goe over the new park dyke¹ situat, or found pyeking out or throwing down the stones thairof, or walking vpon the tope of the samine in any tym hereafter, shall be lyable in fyne of ane inlaw

¹ "The new park dyke wes built in this present yeer 1668."—Marginal reference.

of Ten pondis scotis money, toties quoties, and the persone sua trangressing to ly in the stockis quhill the payment of the said inlaw.

Eodem die : Thomas Smyth in Hilhouse is constitute officer, and hes given faith as vse is.

The said day, Johne Deans, merchand at the Kirk, birlayman, in name of himself, and James Walker in Hareschaw, Thomas Wyllie in Meiklcorshill, alsoe birlaymen, laid down thair said charge, quhairupon he asked Instrumentis and act of court.

December 15, 1668.

Archibald Stirling, baillie.

Robert Wilsoune, Dempster.

Continued.

The quhillk day, anent the persuit formerlie intended be Robert Barnes against Williame Glen at the Kirk, as intromettour with vmquhill Richard Broun at the Kirk his goods and gear. Defender absent ; continowed to the nixt court.

Decreit.

Eodem die: Anent the persuit of Johne Hendrie, sklatter, against James Hendersoune, at the Kirk, the Judge forsaid decerned the said James Hendersone in payment of sex pondis scotis money in compleit payment of all that can be craved, and ordaines the same to be payed within terme of law, with 4^s 8^d in expenssis of pley.

Decreit.

Eodem die : Robert Foullis in Blacklaw wes decerned in the double of three ferlotis of eatten corne to Williame Fultoune and Issobell Walker his spouse, in Corshouse, prysed be Peter Dunlop and ; and ordaines the one half to be payed to the Laird for the transgression, and the other half to the persewer, and that within terme of law, with 4^s 8^d in expenssis of pley.

Decreit.

Eodem die : Anent the persuit formerlie intended be Alexander Harper in Meikle Corshill, against for the sowme of fiftie shilling scotis money : Compeired the said defender and confest debt, and therfor decernit in payment thair of within terme of law.

Decreit.

The said day, Williame Glen at the Kirk, and Marie Smith his spouse, were decernit be the Judge forsaid in two peckes half pecke eaten corne be her beastiall and foullis to Jean Burnsyde ther, and for the said transgression, conforme to the actis of court, the forsaid defenderis are decernit in other two peckes half pecke corne to the Laird his vse at five schilling the pecke, with 4^s 8^d in expenssis of pley. Item ; the baillie defalcatis ane fourt pairt of corne off the forsaid decreit.

Continued.

Eodem die : Robert Hamill, merchand, persued Thomas Wyllie in Litlcorshill, for the sowme of three^{lib} sextein^d as the pryce of ane half boll of meall endew to him. Defender absent; referred to probatione against the nixt court.

Absolvitour.

Eodem die : James Hendersone, at the Kirk of Stewartoun, wes assoilzied be the forsaid Judge from the persuit intended be Allane Glen thair against him, and ordanit the samine never to have faith in judgment or outwith in tyme comeing.

Decreit.

The said day, the Judge forsaid decernit all and sundrie the tennentis and sub-tennentis within the Lairdshipe, quho are endew to ther master thair mertimes lastby-past maillis and dewties, and rest of preceedings in payment of the samine, and that within terme of law (reserveing alwayes compt and reckoning to the saidis tennentis), and failzieing the said tyme ordaines the officer to poynd therfor.

R. ALLANE, curia C^{ls}

COURT OF THE LAIRDSHIP OF CORSHILL, COCKLBEE, and KIRKTOUNE, holden be ane honourabill man Alexander Cunynghame, of Corshill, and Archibald Stirling his bailzie, vpon the fift day of March j^m vj^c sextie nyne yeers.

Sectis vocatis.

. . . . Dempster.

Curia legitime affirmata.

Inquest.

Alexander Dickie in Nether Robertland.

Johne Dunlop in Cutswhay.

Thomas Puidzean in Cutswhay.

Johne Pinkertoune, guairdner.

James Puidzean in Draffane.

Robert Wyllie at the Kirk.

Robert Dickie in Cutswhay.

Gilbert Hunter ther.

Johne M'Crone at the Kirk.

Johne Wyllie in Cocklbee.

James Duncan ther.

George Langwill in Meiklcorshill.

James Hendersone ther.

Johne Wyllie ther.

Hew Hamill at the Kirk.

Decreit.

The quhilk day, Johne Montgomerie in Milstonflett persued Marie Smyth, spouse to Williame Glen, at the Kirk of Stewartoune, in strickeing of his wife with her fist or nive one the head and face : Compeired the said Marie Smith and denyed the clame; the quhilk the said persewer referred to probatione, and offered to prove the samine be Johne Castellaw in Templhouse, Arthour Bryce, smith at the Kirk, quho were present and saw the mater : Compeired the said Johne Castellaw, and being interrogat vpon

oath depone that he heard ane rumbleing and dinn betwixt them, but for stroakes he saw none : Item, compeired the said Arthour Bryce, and being interrogat as said is, declaired that he heard them flyting and scolding, bot for strockes he saw none given be eather pairtie. All which the Judge forsaid takeing to consideratione, in reguaird of ther inchristian cariage in flyting and scolding, banning and swearing, found the pairties both in wronge, and therfore referred the samine to the Inqueist to cognosce therintill, quho all in one voice, be the mouth of chancellor for the Inqueist, decerned the said Marrie to put in ane inlaw, to be made at the Lairdis discretione, etc.

Continued.

The said day, Gilbert Hunter in Kirktoune persued Robert Cranstoune ther, for the soum of fiftein^{lib} scotis money endew to him and his wife for eight weekis buirding. Referred to probatione against the nixt court.

Act against fighting, scolding, and drinkeing, etc.

The said day, the Laird and his bailzie, in reguaird of the shamfull, incivill, and inchristiane cariage, frequentlie falling furth within the Lairdshipe, and speciallie in and about the Kirktoune, in lait drinking, and in flyting, scolding, curseing, swearing, and bateing and strickeing one another, to the great dishonour of God and shame among christianes, statute, decerned, and ordained, for all tyme hereafter, that quhatsumever persone or persones were found laitt drinkeing or flyting, scolding, etc., with one another within the Lairdshipe, eather men or women, after tryell and probatione should be lyable in fyne of fiftein pond scotis money, toties quoties, and efter tryell and cognizance in the mater, ordaines the officer of the ground to poynd therfor within terme of law.

Court holden within the place of Dawray, be Alexander Cunynghame of Corshill, heretour thairof, and David Dickie in, his baillie, vpon the xxix day of Aprill j^m vj^c sextie nyne.

Johne Stewart, dempster.

Suitis called. Court lauchfullie affirmed.

Inqueist.

Androw Adame.	Patrick Miller.	Thomas Patoun.
James Ker.	James Broune.	Johne Garvane.
Hew Adame.	Georg Hogstoun.	Robert Garvane.
Alexander Miller.	Robert Walker.	James Garvane.
Thomas Frow.	Hew Garvane.	Peter Miller.

Decreit.

The quhilk day, the Laird persued Thomas Miller, coallhewer, and Hew Dyat,

smith in Balgray mill, for ane blood comitted betwixt them one others, and speciallie done be the said Hew by the throw of ane stone one the face of the said Thomas Miller : Compeired the said Hew Dyat and confest the blooding of the said Thomas Miller, for the which he was sorrie and wold referr himself in will of the Laird and his baillie. Therefore the Judge forsaid decernit the said Hew Dyet in ane amerciament and blood wytt of Ten pond scotis money; and likewise ordaines him to cure the wound and assyth the pairtie in loss of his labour the tyme of cureing thairof; and in the interim ordaines pairties presently to agree, otherwayes to be laid in the stockes.

Decreit.

Eodem die : The Judge forsaid decernes all and sundrie the tennentis and sub-tennentis in Dawray in payment of thair mertimes rent lastbypast, after compt and reckoning; and quhat restis be thame or any of thame as said is, or of steidings, ordaines the same to be payed within terme of law.

CORSHILL COURT, holden within the place of Corshill be the Laird, and Johne Dean, merchand, his bailzie, vpon the last day of Aprill j^m vj^e sextie nyne yeers.

. . . . dempster.

Sectis vocatis. Curia legitime affirmata.

Inquest.

Allen Wyllie.	Johne Caskie.
James Walker.	John Hendrie, sclatter.
Alexander Harper, elder.	Robert Wyllie.
Alexander Harper, younger.	Johne Pinkertoune.
Robert Wilsoune.	Thomas Wyllie.
Hew Hammill.	Alexander Dickie, elder.
Georg Langwill.	William Glen.

Thomas Wyllie.

Decreit.

The quhilk day, the Laird persued Williame Walker in Guishillis and Johne Hendrie in Bridgend, in transgressing of the act laitly made in fighting and strickeing one of another of them : Compeired the said Williame Walker and denyed the clame : Compeired alsoe the said Johne Hendrie, and being interrogat vpon oath declaired that after the said Williame did ding him over the chimney fyre, thereafter pulled him by the haire of the head and therby held him for ane good considerable tyme vntill that he by force freed his head and haire of him. And in respect the said mater could nether be proven blood or batterie the Judge forsaid referred the mater to ane Inqueist, quho be the mouth of Alexander Dickie, elder, as chancellor to the Inqueist, deponed they cleirly found by cognitione and tryell of the mater that both had brocken the lait act. Therefore the Judge forsaid, in obedience of the said act, and for good behaviour in

tyme comeing, decerned the said Williame Walker to be in the Lairdis will of fiftein ponds scotis money, and the said Johne Hendrie in will of Ten pond money forsaid.

COURT OF CORSHILL, holden within the place therof be Alexander Cunynghame of Corshill, and Johne Dean, merchand, his baillie, vpon the fourt day of Junij ^{j^m} vj^c sextie nyne yeers.

Robert Wilsoune, dempster.

Suitis called. Court lauchfullie affirmed.

Inqueist.

Decreit.

The quhilk day, the Laird and his baillie inacted Jonet Davie, spouse to Robert Smith, merchand at the Kirk, and Arthour Bryce, smith ther, ilke ane of them in fyne of fiftein poundis scotis money for the breach of the act made against flyting and scolding and strecking one another: The quhilk the Judge forsaid ordained presentlie to be payed, otherwayes to be poyndit therfore. The quhilk fyne the said Robert Smith payed in face of court, and therfor assoilzied as to ther pairte. (*Payed be Jonet Davie.*)

Continued.

Eodem die: James Dunlop, at Dunlop Kirk, persued Margaret Langwill, daughter lauchfull to Allen Langwill in Hilhouse, in not entering to him in service at this last Witsounday, conforme to the bargane he made with her at beltaine last, and though shee did reallie hyre with him, set herself with Johne Dunlop in Bowhouse, and will not performe conditione at all to him. Referred to the nixt court.

Eodem die: Anent the actione formerlie intended be Williame Glen . . . Marie Smyth his spouse, against James Walker in Nether Robertland . . . Williame Glen and his said spouse delivered to the said James Walker three bollis and two peckis of sufficient beer this last winter to make malt therof to them for the payment: The said James delivered back againe insufficient malt as wes before approven. Compeired the said James Walker and protested that the beir was not sufficient; and beside, that the malt formerlie produced wes not the malt of that beer; the quhilk beer the persueris offered to prove sufficient be Alexander Puidzean in Cutsgray and Hew Hamill in Kirktowne; quho compeirand, vpon oath deponed that the beir was fresh enough, but cornie and small beir; and as to the malt the perseweris declaired, alsoe vpon oath, that it was that self same malt that they got for the beir that they gave in makeing. The judge forsaid findeing the clame sufficientlie proven, desyred pairties to submitt the mater to honest nychtbouris, and for that effect appoynted Williame Walker in Guishillis and Alexander Harper in Meikle Corshill to cognosce and

determine in the said mater betwixt pairties as they thought fitt, and that betwixt the dait hereof and the faire of Glasgow nixtcome; and quhat they determined therintill ordaines the same to stand in also full force as if the samine had been presentlie determined in judgment: Quhairunto both pairties submitted thamselves.

The said day, Alexander Dickie in Cutswhay persued Johne Castellaw in Templehouse, as cautioner to him for Williame Smyth in Kilmaures, for the sowme of eightein pondis scotis money, as the pryce of ane horse bocht and receivit be the said Williame frae the said persuer about sevein yeers since or therby. Compered the said Johne Castellaw and confest that hee became sovertie to the said Alexander for the said Williame Smith, but could not pay quhill once he were distrest as accordes in law. Therefore the Judge forsaid ordained and decerned the said Johne Castellaw in payment of the said eightein pondis money forsaid to the said persuer, and that within terme of law, with 6^s 8^d in expenssis of play. R. ALLANE, curia clericus.

COURT OF CORSHILL, be the Rycht Worshipful Alexander Cunyngham of Corshill, and Johne Deans, merchand, at the Kirk of Stewartoun, vpon the Twentie nynt day of November j^m vj^c sextie nyne yeers.

Suitis called.

. . . . , dempster.

Court lauchfullie affirmed with all members neidful.

The fier this yeer 1668 is sex pond scotis money, and if not payed betwixt and Candlemass nixtcome to be Ten merkis money.

The quhilk day, the Judge forsaid decernit all and sundrie the Tennentis and subtennentis within the Lairdshipe in payment of ther mertimes lastbypast, its maillis and dewties, and quhat restis of preceidings after just compt and reckoning; and ordaines the samen to be payed be them to ther said master, and that within terme of law, otherwayes to be poyndit be the officer therfor.

The said day, Johne Dunlop in Clerklandmill, and Alexander Dickie younger, in Nether Robertland, inacted themselves to stand at ane abide to the decreit and determinatione of James Walker in Hareschaw and John Castellaw in Templehouse, as Judges Arbitratouris mutuallie chosen betwixt them, agreeing in one voice, and in caice of varriance quhat as oversman, to be chosen be the said arbitratouris, determines for finall sentence anent quhat sowme of money the said Johne Dunlop should pay to the said Alexander Dickie younger, in profite of the horse sold be the said Johne, conforme to the conditione past betwixt them: And the said pairties compromitters obleissis them, ther aires, executouris, and intromitteris with ther goodis or gear quhatsoever, to conveyn the said two men, and quatever they determine betwixt the dait hereof and the twentie two day of December nixtcome to

stand therat, and that vnder the paine and penultie of twentie pondis scotis money, to be payed be the pairtie breaker to the pairtie performer and willing to performe the premissis, and decreit arbitrall to be pronounced be the said arbitratouris. In witnes quhairof both pairties hes subscriuit thir presentis, day, yeer, moneth, and place for-said, before thir witnessis Johne Deans, merchand at Stewartoun Kirk, and Johne Steill in Crivoch.

Ita est Robertus Allan, notarius publicus, in premissis requisitus de mandato dicti Joannis Dunlop et Alexandri Dickie, scribere nescientium ut asseruerunt testante manu mea propria et subscriptione manuali.

John Deans, witnes.

John Steill, witnes.

CORSHILL COURT, holden be the Rycht Worschipfull Alexander Cunynghame of Corshill, and Johne Deans, merchand at Stewartoun Kirk, his baillie, vpon the Twentie sevent day of May j^m vj^c three score and ten yeers.

The quhilk day, Agnes Craig in Burne persued Johne Hendrie at Bridgend for the sowme of three^{lib} scotis, as parte pryce of ane caldroune, sex merkes, bait¹ xvj^d, for buirdis, naillis, and borrowed money endew be him to her. Compeired the said Johne Hendrie and declaired that he had fitted compts with her before Archibald Muirchland in Nether Robertland and Androw Hendrie in Bridgend, and that he wes onlie found to be endew to her three^{lib} scotis. The Judge forsaid ordaines both pairties to come befor him betwixt and Monday next, the 30 of this instant, and bring the proves with them.

The said day, Johne Alasone in Sydhead persued Allane Langwill in Muirhouse for the pryce of two veillis, at 17^s scotis, bocht and received be him frae the complainer about four yeers since or thairby. Compeired the said Allane Langwill and denyed the clame. The Laird in respect the mater debatable wes converted for the house of Corshill its vse, promist to pay the said 17^s to the persewer.

Eodem die: Johne Puydzean in Nether Robertland persued Mr. Robert Stirling in Clerkland, as intromettour with vmquhill Archibald Stirling, his brother german, for the sowme of fiv^{lib} two shilling scotis money, of rent receivit be the said vmquhill Archibald fra the said Johne, his vmquhill father, quhairof he got noe discharge, and soe the Laird, his maister, hes poyndit him thairfor againe. Defender absent; referred to the nixt court day.

Eodem die: Robert Walker in Magbehill persued Allane Wyllie in Braehead for the sowme of 16^s scotis for land tiling, about four yeer since or thairby. Compeired the said defender and denyed the clame, in respect thair wes less land tiled than he

¹ Abated, less, or *minus*.

had alreadie payed, quhich he offered to prove by his sone Johne Wyllie. The persuer accepted of the said probatione, and the said probatione to be betwixt the dait heirop and monday nixt, the 30 of this instant.

Eodem die : William Glen at the Kirk of Stewartoun persewed Robert Alexander portioner of Peacockbank for the hyre of his horse about two yeers since or thairby, quhich wes sex rood of land tileing, with 15 dayes harrowing, at 5^s per diem. Compeired the said Robert Alexander and confest he hyred the horse, but it wes onlie for iij merkis scotis money; and for the harrowing confest that he had the horse 8 dayes space in harrowing, at 4^s per diem; But replied that he made the bargane with Marrie Smyth his spouse, and soe could not well answer the clame without shee were present, and in the interim referred the mater debatable to his oath, quhither yee or not, he promist land tileing: And for the horse harrowing, in respect that he made the bargane thairof with the complainer his wife, the said William Glen deponed vpon oath that he promist sex rood of land tileing for the said horse hyre; and for the harrowing the pryce and dayes were referred to Marrie her oath, quho wes to give her oath after the court, being for present absent.

Act against doges knowne to wirrie sheep.

Eodem die : The Laird and his baillie inacted that quhoever within the lairdshipe were found to have or hold doges that wirried sheep in any tyme hereafter, and after premonitione given to hang the said doges sua approven and suspect, refused to doe the samen, should be in fyne of five pondis scotis money, toties quoties, they refuse: And in the meantyme ordaines Allane Wyllie, in Braehead, to hang his dogg, in respect he is knowne to be ane sheep wirrier, vnder the penultie forsaid.

Eodem die : Robert Laughland in Hareschaw, Alexander Harper, elder, in Meiklcorshill, Alexander Dickie in Cocklbee, Robert Wilsoune in Hilhouse, were chosen birlaymen, and hes given thair oathes de fideli administratione officij.

CORSHILL COURT, holden be Alexander Cunynghame of Corshill, and Johne Deans, merchand at Stewartounkirk, his baillie, within the place of Corshill, vpon the viij day of November j^m vj^c and seaventie yeers.

Suitis called. Court lauchfullie affirmed with all members neidfull.

. . . . dempster.

Continewed.

The quhilk day, Constantine Gilmour in Driffinbeg persued Thomas Wyllie in Litlecorshill, for the sowme of four pond scotis money and that as the niffer of ane horse in tooboot.¹ Compeired the said Thomas Wyllie and declaired that the said

¹ Tooboot,—anything given in excess of an even *niffer*, or exchange.

Constantine promised him Ten shilling sterling in the first niffer; and that, thairefter, he comeing to him and makeing ane other niffer, and at that tyme indeed he promist him, the said Constantine, four^{lib}, and soe desyred compensatioun; the quhilk he offerd to prove. The Judge forsaid assigned the nixt court day for productione of witnessis.

Continued.

Eodem die: Johne Stirling in Monyaikers persued Peter Dunlop in Blacklaw for the sowme of Twentie merkes scotis money in rest parte payment of butter and cheese, bocht and received frae him some yeers bypast, and that in ane fitted compt. Compeired the said Piter Dunlop and denyed debt, in respect that the bargane was thus: That the said Johne Stirling barganed with him that he wold seek noe more than Androw Dick in Maines got for his, which wes five^{lib}, and the said Johne Stirling replied that the said Androw Dick got eight merke scotis money: The quhilk the said Johne Stirling referred to his oath, and that he promist twentie merkis scotis money. Both pairties referred the mater to James Walker in Hareschaw, and Johne Castellaw in Tempthouse, to take the said mater away.

Eodem die: Johne Castellaw persued Agnes Morries in Cutsaway for the sowme of sex pound eightine shilling eight pennies of borrowed money pairtly, and pairtly for drinke, quhair of his wif got half ane boll of corne at Compeired the said Agnes and denyed the clame, the quhilk shee referred to the said Johne Castellaw his oath, or the oath of Katherine Grame his spouse: Compeired the said Katherine Grahame and desyred the nixt court day for advisement. The Judge forsaid assigned the nixt court day.

Eodem die: Alexander Dickie in Litrobertland persued James Wyllie in Meiklcorshill, for the sowme of seven pond one shilling four pennies scotis money, addebtit be him for land tileing and horse in loan to ploughing of land, and ane fitted accompt. Referred to the nixt court day.

Eodem die: Robert Walker in Hareschaw persued James Bichett in Hareschaw, in that quhairas he caused the Lairdis officer arreist in his handis eightin ellis of plyding pertaineing to Thomas Wyllie in Drumbuy, quhich arreistment the said James brocke, and bocht the said plyding frae the said Thomas, and made his owne wse thair of, quhich wes to his great prejudice.

Eodem die: Anent the act formerlie made ffor bringing of the cornes growing in and vpon the landis of Kirktoone and Cocklbee, and malt ventit and broune in and about the Kirk, in that they should bring the samen to the Clerkland milne; The Laird rattifies and approves the samen, with this additioun that quhoever contraveens the said act shall pay for ilke boll of abstracted malt, [and] shall be lyable in fyne of Ten poundis scotis, and the corne, conforme as is specifeit in the principall act. Jean Dunlop, spouse to Johne Hopkine, protested in the contrair of the said act, in reguard they were not lyable be thair chartouris.

Act contra selling of ale and haunting of beggars.

Eodem die: The Laird and his baillie inacted and statute, in respect thair is so great dishonor done to God and abuse of his creatures daylie done by the brewares about the Kirk of Stewartoune by haunting and frequenting of beggares and selling of ale vnto them, That quhoever within the Lairdshipe in tyme hereafter shall be found to contravene this present act in selling of any ale and haunting of the said beggers in tym hereafter, shall be lyable in fyne of Ten pondis scotis money, toties quoties.

Eodem die: Alexander Dickie persued Johne Gemmill, in Cutswhay, for the sowm of three pondis three shilling four pennies scotis money, and that as parte pryce of some corne bocht and receivit frae him about three yeers since or thairby, and tileing of land this present yeer.

Eodem die: Robert Wilsoune in Cocklbee persued Alexander Galt at the Kirk, for the pryce of ane cowes grass at eight merkes scotis money. Defender absent; referred to the nixt court day.

Eodem die: Robert Wilsone persued Johne Wyllie, younger, in Cocklbee, for wilfull awaytaking of two haire tedders frae his horse, with ane sheep sweill¹ and ane horse sweel. Defender absent; referred to the nixt court day.

COURT holden at the place of Corshil, the 22 day of November 1670, be the Laird and his Balizee, with all other members neidful.

Suitis called. Court fensed.

. . . . dempster.

Continewed.

Eodem die: The actione referred be Alexander Dickie aganis James Wylie: The defender present, referrs the debt to the persewaris oath; and assignes the pursuit [persewar?] to depon.

Continewed.

Assignes the nixt court to Alexander Dickie to answer to the complaint givin in be Margrat Dunlope for ane horse tuo dayes, and others conteaned in the cleam.

Continewed.

Eodem die: Robert Cranstoune is to answer to the complaint givin in be Johne Henry, sklater, for ane pair of shoes he promised to mak to him, being payed and more for the samen; and assigned the nixt court for that effect.

Continewed.

Anent the complaint formerlie givin in be Robert Wilsone against Alexander Galt

¹ Swivel for tether rope.

for the pryce of ane cow's grass at eight merkis. The defender present, denyes the alledgence [allegation], and the parties submittes to Thomas Putzane and Allane Wylie the decisione thair of.

Obsolvitor.

The quhilk day, Robert Wilsone failzeing in probatione against Johnne Wylie for tuo tethers, obsolves the defender.

Obsolvitor.

Obsolves William Wylie of the brek of arrestment maid in the handis of James Bichart of certane pladen perteaning to Thomas Wylie at the instance of Rober Walker, becaus the defender hes givin oath that he coft the pladen befor the arrestment making.

Assignes the nixt court to Agnes Mores to compear the nixt court, with certificatione to be decernit at the instance of Johnne Carslaw and his wyfe.

Decreit in favouris of the Lard.

Eodem die: The Lard persewed the Tennents for the males and dewties, and others indebted be thame, and ilk one of thame, from thair several occupationes, for the cropte 1670 and preceeding, at ten merk the boill; with certificatione to be poyndit.

Decreit in favouris of Johnne Wylie.

Eodem die: Johnne Wylie persewed Thomas Wylie for witholdin from him tuo shilling quhair off for ane soues grasse. The defender present confesses the debt; quhair upon the Judge decernit payment to be made within terme of law, with 4^s 8^d of pley.

A. Simsone, clerk curia.

The quhilk day, Janet Hoge, spous to Thomas Ligat at the Kirk of Steuartoune, confest herself to be giltie of seling drink to begers contrar to ane act of court.

Eodem die: Compeared Margrat Sticken, spous to James Donkene at the said Kirk, and confest herself to be giltie in seling drinke to ordinary begers, contrar to ane act of court made theranent.

Eodem die: Compeared Jane Dunlope, spous to John Habkine at the said Kirk of Stewartoune; confesses she was not clear to give her oath presentlie in seling of drinke to ordinarie beggers, and lykwise she lodged in her house two nightis one Margaret Dog, reputte a commone theeffe, and sold her drink.

Eodem die: Compeared Heline Walas, spous to John Lendei [Lindsay] sclater at the said Kirk; hes confest herself to be giltie in seling of drink to ordinari begers, contrar to act of court, and likwayes confest that she had lodged in ther house ane Margrat Dog, commonly reput for ane thief . . .

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COURT holden at the place of Corshil, the nyntenth day of July 1671, be the Rycht
Worshipful the Lard of Corshil, and Mr. Robert Stirling his Worships balzie.

Suits called. Court fensed.

Dempster, Thomas Murchland.

Decreat of Multouris.

The quhilk day, Williame Barrie, myller, persewed the persones following for thair abstracted multouris of broune malt and others, since loukismes¹ last to this present, viz., Thomas Lygalt the abstract multour of eight boillis malt; Johne Henry, sklater, and Helen Wallace his wyfe, eight boillis; James Duncan and his wyfe three boillis malt and ane meal of corne; James Henry the abstract multour of three boillis corne. The defender, Thomas Lygat, comperand, confest one boill malt abstract be himselfe, and for the other 7 boillis alledges he can not say anything thairanent till he be advysed with his wyfe. Continews the samen to the nixt court wnles the persewer and he aggre betuen and the said tyme, and in the meantyme decernes him to satisfie for the boill confest, conforme to the act maid anent abstracted multouris of malt. Helene Wallace called wpon, comperand, refusing to give oath; decernes ut supra, in regard nottheles shee sayes soume abstracted, bot wil not declare particularlie. Anent James Hendersone; comperand, confesses the abstract multour of three boillis corne; thairupon decernes him to pay ane pek eache boill. (*James Hendersone payed.*)

Continewed.

Eodem die: Helen Wallace persewed William Larmont for withholding from hir ffourtie eight schillingis scottis for drink these four yeares bygane; the defender warned, called upon, not comperand, is decernit in ane wnlaw of 22^s for his absence; and assignes the nixt court to the defender to answer, with certificatioune, etc.

Eodem die: William Park in Marnes, persewed Jeales Wilsone in Corshouse, relict of wmqhul Thomas Fultoune thair, and Alexander Fultoune thair sone, for withholding from him the soume of 20^{lib} money scottis borrowed be the deceasit about fourteen yearis agoe or thairby; Comperand, the relict confesses the debt borroued, bot alledges the samen payed, and in the meantyme desyres the sight of ane confirmed Testament; the persewar and Elspeth Peor his wyfe being both present refers to the oath of the said Alexander whither or not he promised to mak payment to thame of the soume of Ten pund yet restand awand of the said soume of twentye poundes money since the deceasit his death. The defender referring bak again to the oath of the said Elspeth Peor whither or not thair is yet resting ten pund of the saidis twentye pund, who being present deponed the samen ten pund to be trewlie resting wnpayed; thairupon decernes payment and ane sufficient discharge to be given.

¹ Lukesmas, Feast of St. Luke, 18th October.

Complanes Johne Murchland wpon Jonet Wylie for certane eatin corne eatin be hir beastis the last summer, being three peckis, prysed be Johne Knok and Thomas Putzane. The defender absent; the Judge assignes the nixt court to answer, with certificatione.

Eodem die: Johne Castellaw persewed William Walker for his misbehaviour towards [him]. The defender absent; assignes the nixt court to answer be the defender.

Robert Putzane—Obsolutor.

Eodem die: Robert Putzane in Mabbihill complaned wpon Hughe Harper, that whair the said Hughe hes arrested his goodis in Johne Thomsones hand to be furthcumand to him for fourtie nyne shilling for Jonet Putzan; The said Hughe alledged he promised payment thair of; the persewer denied, and in end refers to the persewaris oath, who deponed negatiue he made him suche promise; quhairupon he wes obsolued, and the arreastment lousid.

Decreit against Agnes Mores.

Anent the complaint givin in be Johne Castellaw against Agnes Mores, for withholding from him and his wyfe nyntene shilling scots. The said Agnes now comperand confesses; quhairwpon shee is decernit to mak payment thair of, with 4^s 8^d of pley.

Complanes Alexander Thomsone in Blaklaw, wpon James Fauls in Mabihill, for withholding from him the grassing of 22 sheepe, at 4^s the head; Inde [4^{lib} 8^s]. The defender absent; continews.

Continewed.

Eodem die: Marie Smyth persewed Hughe Harper for withholding from hir 20^s scots restand awand of ane gritter soume, refers to Johne Stirling [and] Johne Castellaw, who ordanes him to pay thair of 13^s 4^d.

Continewed.

Eodem die, Robert Wilsone in Mossyd of Corshil, wpon Robert Dickie at Stewartone Kirk, for withholding from him threttene merkis and threttie tuo penys for seed bear coft¹ and receaued be about 7 yearis since. The defender absent, is ordaned to compear the nixt court to answer, with certificatione.

AL. SIMSONE, clericus curiæ.

¹ Bought.

COURT holden at the place of Corshil, the 17 day of November 1671, be the Lard,
and Johne Dean his worships Balizee.

Suits called. Court fensed.

Dempster, Robert Wilson.

Continewed.

Eodem die: Constantin Dunlope persewed Mr. Robert Stirling, as tutour to wmqhul Archibald Stirling his barnes. The defender absent; assignes the nixt court to answer anent 4^{lib} of fey.

Continewed.

Eodem die: Johne Deane, younger, persewed James Lyin for withholding from him and his father nyne pund for wares coft and receaued; the defender absent: assignes the nixt court.

Continewed.

Item, Upon Johne Wylie for withholding from him for merchand wares; the defender present confessed debt, videlicet, 27^{lib} 2^s 4^d. The Judge decernes, and that with 4^s 8^d.

Decreit.

Item, Williame Glen for eatin corne prysed be Hughe Hammel and Johne Smyth, who being present, deponed three pekis. The Judge decernes, and that of 13^s 4^d ilk pek, videlicet 40^s.

Decreit.

Eodem die: Thomas Wylie persewed Johne Wylie in Corshil, for eatin corne, prysed be Alexander Harper and Robert Wilsone, birlaymen, who present, deponed 2 pekis; decernes 2 merk with the duble to the Balizee.

Continewed.

Eodem die: Thomas Johnstone persewed Johne Henrie, for withholding from him for malt and meal three pund fyve shilling; the defender present denyes any meal, and alledges the malt wnsufficient, quhilk he upheld, and hes takin in hand to prove the samen the nixt court.

Continewed.

Eodem die: Williame Glen persewed Williame Glen, for eatin corne, prysed be Alexander Dickie and Johne Deane; refers to Alexander Dickie and Hughe Hammel.

Decret.

Eodem die: Alexander Masson persewed Johne Henry, sklater, for ane bargane of shoe Lasts, whilk he promised to performe; Videlicet, tuentie Lasts for fyve merk,

whairupon he gave him arrals,¹ viz., 6^s. The defender present, denyes bot that it wes in monies admitting to probatione. Compeared Thomas Ligat and Johne Limont, who proved the bargane wes mad betuene them, and the Last to be delyvered at mertimes, and if he falizeid Johne Henry should pay him fyve merk. The Judge finding the bargane proven decernes the defender to pay 5 merks.

Continewed.

Complaned Johne Wylie upon Thomas Wylie for brek of act and eating of corne be his tennents foules. The defender present, denyes, and the tennmentis to be persewed.

Continewed.

Eodem die: Thomas Wylie persewed the said Johne Wylie for withholding from him 3 pund for land tilling: The defender present alledges it payed be ane boy. The parties submittes to Alexander Harper oversman to James Gilkisone, and James Fals, and to wnderly the sentence to be pronounced be thame.

Obsolvitor.

Compleaned Williame Glen upon Alexander Harper for withholding from him eighteen pund of lent money and 40^s to his wyfe. The defender affirmes his wyfe gat ane decreit of 13^s 4^d the last court, and for the eighteen pund that the samen wes taking away, and submittes all.

Decreit.

Complaned Johne Henrie against Thomas Johnestoune for abusing him be word, calling him a rank chiter, a knaue, and worse thane a commoune knaue, referring to witnesses Alexander Dickie and Hughe Harper, who being present called wpon and comperand, deponed that both thame wer injurious to other, being drunk and calling other chiters and knaues; quhairupon the Judge, according to the act for drunkenes and scolding, [decernes] to pay ten pund eache of thame.

Decernes Jonet Wyllie to pay for 3 pek eatin corne, prysed as is in the former court.

The quhilk day, the Tennents being persewed be the Lard for the males, fermes, and dewties indew be the tennentis, conforme to thair several occupationes, decernit to mak payment thair of dew and payable at the mertimes; and the fear of the victual that is not payed and layd in betuein that and candelmes nixt to pay 7^{lib} ilk boill.

A. SIMSONE, clericus curia.

¹ Money paid in confirmation of a bargain.

COURT holden the 24 of November 1671, be the Laird and his balizee, ut supra.

Dempster, William Fultone.

Decreit.

The quhilk day, James Barrie persewed James Duncan for 16 boill of abstracted multouris . . . defender decernit to pay.

Continewed.

Assignes this day eight dayes to Mr. Robert Stirling to aggree with Constantine Dunlope anent 9^{lib} of fey, befor the balze, with certificatione to be decernit.

The quhilk day, anent the brek of the act made anent selleng of drink to sturdie beggers extraordinarlie, night and day, till they be inflamed with drink, and receaving of strangers without testimonials. Decernes Margrat Pudzan in fyve pund; Jeane Dunlope in fyve pund; Thomas Ligat, idem; Williame Allason, idem, for the brek thair of sufficientlie proven.

Act, noe extranean to be ressatt without Testimoniallis.

Eodem die: It is inacted that no persone within the Lardship receive strangers residing the space of tuo nyghtis without testimonials shoven to the Lard or his balizee, wnder the pain of fyve pund, toties quoties.

Continewed.

Eodem die: Robert Barnes persewed Williame Glen for fyve pund, whiche wes indebted be the deceast Richard Broune, with whois goodis he and his wyfe wer intromettour. The defender present, denyes that he knowes nothing of that debt; whilk the persewer referris to the defender's oath and to depon this day eight dayes efter he hes spokein his wyfe, and provyding Robert Barnes produce the pistol he hes pertaining to the defunct, and proving the debt.

Decreit.

Eodem die: James Limont persewed Robert Wilsone in Cokilbie for withholding from him eight merkis money of ane fey to Issobel Lymont, within terme of law; decernit 4^s 8^d of pley.

COURT holden at the place of Corshill, the 26 of Apryl 1672, be the Rycht
Worshipful the Lard of Corshill, and his ordinar Balizee, with all other
members needful.

Suits called. Court fensed.

Dempster, Williame Fultone.

Decreit.

The quhillk day, the fischall persewed the brek of the sabbath be Alexander Fultone in Corshouse and Issobel Waker thair, confest be both of them in flyting and abusing others by word and dead. The Judge decernes the said Williame, for the abuse of the said Issobel wpon the Lordis day and straking of hir with ane batone, in fyftie merkis ; and the woman in 20 pund for the brek of the sabbath in flyting and calumniating the said Alexander, and presentlie to be poyndit thairfor; and for molesting of others in tyme cuming be word or dead, in thair bodies, goodis, or gear, under the pane of fyftie pund.

Continewed.

Eodem die : James Waker persewed Johne Henrie for certane money, videlicet, 30^{lib} and ane mark for malt. The defender absent ; assignes the nixt court to answer, with certificatione.

A. Simsone, clericus curia.

COURT holden at the place of Corshil, the 29 of May j^m vj^c threescore tuelfe years,
be the Rycht Honourabill the Lard of Corshill, and Johne Deane, his balizee,
with all members needful.

Suits called. Court fensed.

Dempster, Williame Fultoun.

Eodem die : Anent the complaint formerlie givin in be Robert Barns against Williame Glen, refers the worth of the pistol to the sight of James Gilcreson for compensatione betuixt the debt and the pistol, and report to be made to the Lard and the balizee.

Decreit.

Ordanes the defender to mak restitutione of the goodis and pryces intromitted with be Margrat, be Inventor or without Inventar, and what shoe can prove givin or payed for to be allowed to hir be sight of tuo honest men.

Continewed.

Eodem die : Daud Fergushill persewed Thomas Wylie in Littil Corshil for the pryce of ane boill bear ; the defender absent ; it is ordaned the nixt court to answer, with certificatione.

Decreit.

Eodem die: Anent the complaint givin in be James Walker against Johne Henry, wright, for 30^{lib} 13^s 4^d, for certane malt indebted be him and his deceast wyfe. The defender present confessed seaven furlots, at 12^{lib} 6^s 8^d, denyes the rest; the persewar refers to the defender's oath, who refused, bot refers to the persewar, who being solemnlie suorne, deponed resting to him of all threttie pund 13^s 4^d; quhair of payment is ordaned to be made within terme of law, with 4^s 8^d under the paine of poynding.

Continewed.

Anent the complaint givin in be the said Johne Henrie against the said James Walker for tuo mort chists, at tuo merk the one, and 20^s the other, whiche the defendar confest: more, for four pund for his sones fey: the defender also affirmes thair restis only of the fey 24 shilling, and for the breking of his horse bak the defender offers to prove that he offered to tak the horse or pay him as he wes quhen he wes hurt.

The Lard ordanes James Gilkisone to remove the dores whair he duelt, which ar convenient to remove, if the present tennent pay him not; quhairupon James asked instrumentis.

Continewed.

Anent the arreastment maid at the instance of Neal Caulderwood in the handis of Johne Putzane in Robertland, of certane goods perteaning to Robert Johnestoune; the parties assignes ffryday nixt, the 31 of this instant, to Robert Johnestoune to prove be the persewar's children how many dayes Neal had his horse.

Continewed.

Assignes the next court to Margrat Pintzan for withholding from him nyne pund 3^s 4^d for malt, as intromettour with hir deceasits mother good.

Decreit.

Complanes Robert Wilsone in Dunlope wpon Johne Hopkin for withholding from him four pund scotis, resting of elevin merk 8^s; the defender confessing; decernes payment, with 4^s 8^d of pley.

Continewed.

Complanes Jonet Walker upon Allane Langwill for eatin corn, prysed be Arthour Bryce and Williame Glen; assignes the nixt court to the prysers to compear.

Blood. Selling of drink to beggers.

The quhilk day, the fiscal persewed ane blood and other wrongs alledged comitted betuixt Johne Henry, sklater, and Robert Wylie, bonnetmaker; the ane for selling of drink to beggers, and the sayd Robert Wylie for the bleeding of a begger: the sayd

Robert Wylie confest the blood,¹ quhairupon decernes him in the wnlaw of fyftie pund ; decernes Johne Henry also in 40 pund for selling of drink contrair the act.

Decreit—Obsolvitor.

Williame Smyth, lauffullie sumond anent probatione of the said blood, and not compearing, for his contumacie decernit in ten pund : Comperand in end, wes obsolued.

Decreat.

Johne Deane persewed Johne Hopkin for 6^{lib} 5^s 6^d for merchand ware ; confest, and thairfor decernes.

Decreit.

Eodem die : James Hui in ffogihillok, is decernit to pay to Johne Deane, younger, nyne pund ten pennys for merchand ware, with 4^s 8^d.

Continewed.

Complaned Williame Walker wpon Jeane Wallace, spouse to Johne Henry in Brigend, for four shilling sterling remaining of certane malt.

Decreit.

Eodem die : Decernes Eduard Smyth in 40 pund, upon his awin confessione, for straking of the Lard's man with al his might with ane staffe upon his head ; and the sayd Alexander Mosman in 20^{lib} for straking of the said Eduard upon the breast.

Decreit.

Eodem die : The Lady persewed Alexander Dickie, elder, for 10 boills of malt at eight merk ten shilling the boill, whilk wes of hir Ladyship's malt made be James Walker and delyvered be him to Allane Langwill, and be Allane sold to the said Alexander Dickie. Compeared the said Alexander Dickie, and affirmed he receaved only four boillis ; in end being referred to the said James Walker his oath, [who] solemnlie suorne, deponed he delyvered to Allane Langwill and Alexander Dickie tuo making at eight boillis the least, quairof payment is decerned to be maid.

Mor, hir Ladyship persewed the sayd Alexander Dickie for six boills tuo pekis, fyve boill at six pund and one boill ten merkis : payment also decernit within terme of law, under the paine of poynding.

¹ The shedding of blood—by ancient law subject to a special fine, called bloodwit.

COURT holden at the place of Corshil, be the Rycht Honourabill Sir Alexander Cunynghame, heretable proprietar of the Landis and Baronie thair of, the 22 day of October 1672, and Johne Deans his honouris balizee, with all other members needful.

Suitis called. Court fensed.

Continewed.

Assignes the nixt court to Robert Wylie, bonnetmaker, Adame Colquhoun, and James Bichart in Hairshaw, to answer anent thair byrune abstracted multouris, to depon wpon oath what they have abstracted; with certificatione, etc.

Continewed.

Complaines Johne Harper wpon James Hui in Fogihillok, for withholding from him certane cleus of yarne whilk wes delyvered be his sister to the said James Hui: The defendar comperand averred that he took the yarne to work fra Thomas Dunlope, who being present took in hand to prove the yarne his. Assignes the nixt court to that effect be tuo witnesses by the weaver. The weaver averred it wes Thomas Dunlopes seruand that brought it; quhairwpon instruments wes takin.

COURT holden within the hall of Corshil, be the Rycht Honourabill Sir Alexander Cunynghame, heretable proprietar thair of, Johne Deane his balizee, with all other members needful, the Threttene day of November 1672.

Suitis called. Court fensed.

Dempster

The fears of the victual decernit as follous, Ten merkis, proviso it be payed betuixt and the secund day of February, and failze

Eodem die: Thomas Johnnestoune persewed Johne Pintzan for withholding from him the soume of fyftie shilling scots and eyght penneys for the niffer¹ of ane horse, which he promised to pay tuo year since; The defender present, confest 24^s, quhairwpon the Judge decernes payment.

Johne Putzane.

Eodem die: The said Johne Putzane persewed Patrick Johnnestoune as heir, at the least intronettour with the goods and gear, of wmquhile . . . Johnnestoune his father, for withholding from him the soume of 43^s.

¹ Swop, or exchange.

Thomas Wylie.

Eodem die : Thomas Wylie in . . . persewed Thomas Wylie in Corshill, that whair he took out his horse out of the stall and promised that none should ryd upon him bot the midwyfe, yet trew it is that the horse efter the home cuming holie died at the twelfe houres in the day, it being in the night tyme befoir, and that the horse wes in health befoir he went out of the stable, pryce of the horse tuentie pund or thairby : The Judge efter dew tryal, decernes the defender to pay ten pundis scotts in satisfioun of the sayd horse, within 15 dayes, under the paine of poynding, with 4^s 8^d of pley.

John Rankin.

Eodem die : Johne Rankin persewed Johne Rose, taliyour, for withholding from him ane leged dolour at 5^s, anent the niffer of ane horse : The defender confest the promise of the leged dolour,¹ and that he held him hail and seur, and yit wes crooked with the spevene, quhilk he took in hand [to prove] be Robert Barnes and Robert Dickie, who being present . . .

Thomas Wylie.

Eodem die : Thomas Wylie in Mekil Corshill persewed Johne Wylie and Hughe Harper for certane eatin corne and bear in summer last, prysed be Robert Wilsone and Alexander Harper. Compeared the prysers and deponed as follows, viz., [the said Johne] 2 peckis bear, a pek of corne, the sayd Hughe three pekis of corne, at 5^s the pek of corne, 4^s 8^d the pek of bear ; quhairof payment is ordaned to be maid within terme of law, under poynding.

Patrik Johnestoune against Johne Knox.

Eodem die : Patrik Johnestoune persewed Johne Knox for intrometting with of certane goods, 2 dorres 3 posts 5 cabouris² and tuo randdit trees,³ refers to the Lard.

Eodem die : Johne Hui in Fulshaw persewed Alexander Fultoune in Corshouse, for withholding frome [him of] fyve pund 3^s 4^d for certane sheepe whiche he promised to pay to me for Williame Gilmour in Draffenbeg : decernes payment of fyve pund, with 4^s 8^d.

Eodem die : Williame Glen persewed Adame Colquhoune, taliyour, that whair he restis to me 6^{lib} for ane house and yard, whiche he refuses to pay. The defender called upon and not compeirand ; assignes the nixt court to answer, with certificatione.

Eodem die : Mathow Muntgomry and Robert Dunlope persewed James Walker in

¹ The Leg dollar, a coin of the United Provinces, so called from its having the "impression of a man in arnes with one leg, and a shield containing a coat of armes covering the other leg, upon the one syd, which does usually pass

at the rate of fiftie-eight shillings Scots money."—*Coinage of Scotland*, by R. W. Cochran-Patrick, vol. ii. p. 158, No. xlv.

² Rafters.

³ A beam in the chimney for suspending pots.

Robertland, Alexander Dickie, Thomas Murchland, Patrik Johnstone, Johne Knok, Robert Fals, Peter Dunlope, Johne Dunlope in Denhouse, for carying of the bagage the tyme of the bringing home of the mylstone. The Judges ordanes payment to be maid be the persones above complaned wpon, and who is lyable of the dew proportione of the said bagage, the persewers having tuo horse for carrying of the bagage.

Eodem die: Anent the complaint givin in be Johne Harper against Thomas Dunlope, the witnesses James Hui and Johne Fultoune, who being present deponed they could not positive say that the yarne wes the Dunlopes, bot that thay saw the yarne in Thomas Dunlopis house, and that Thomas Dunlop feyed the working thair of with James Hui; quhairupon the Judge ordanes the yarne to belong to Johne Harper.

Eodem die: Johne Montgomery at the Kirk, is admitted officer during the Lardis pleasour, who being present give oath de fideli administratione in officio.

COURT holden the 17 day of December 1672, be the Rycht honourabill the Lard of Corsil, with all members neidful.

Suitis called. Court fensed.

Assignes the nixt court to Robert Wylie to depone wpon oath anent the complaint givin in be Jonet Andersone, relict of wmquhil Robert Muir, for . . . meal coft fra hir said deceast husband.

Anent the complaint givin in be hir against Johne Wylie for ane half boill meal coft and receaued ut supra. Confest 8^{lib} resting, and no more; assignes the nixt court for the other halfe boill.

Anent the complaint givin in be hir against Alexander Dickie in . . . for . . . coft ut supra; assignes the nixt court to depone.

COURT holden within the hall of Corshil, the threttene day of January 1673, be the Rycht honourabill Sir Alexander Cunynghame of Corshil, and Hughe Niven of Kirkwood, his honouris balizee, with all other members needful.

Suitis called. Court fensed.

. . . . Dempster.

The quhilk day, the Tennents are decernit to mak payment to the Lard or his factouris of the males, fermes, and dewtyes restand awand be thame, and ilk one of thame, conforme to thair several occupationes, for the croptes 1672, and preceedings, wnder the paine of poynding for the thrid pennie more, within fyftene dayes.

Decreit.

This court assigned to Robert Wylie, for not comperance is decernit to pay to Jonet Andersone, relict of wmqihil Robert Muir, of the soume of for the pryce of boillis meal.

Decreit.

Eodem die : Johne Wylie, in wes decernit to mak payment to hir of the soume of for the pryce of tuo boillis six peckis meal, receaued be his wyfe Jonet Wylie.

Decreit.

Eodem die : Adame Colwhen, decernit to pay 3^{lib} to Williame Glen for ane halfe year's rent ; being referred to his oath that

Decreit.

Eodem die : Johne Castellaw persewed Johne Hopbkin for ane night being in his corne with his horse ; the defender comperand is decernit to pay four peks corne to the persewar, and also muche to the Judge being proven.

Continewed.

Anent the complaint givin in be Adame Colwhone against Williame Glen, for wnsufficiencie of his house. The persewar takis in hand to prove the house wnsufficient the nixt court.

Continewed.

Assignes the nixt court to Alexander Fultone and Thomas Johnestoune, ather of thame, to prove the lybell the nixt court.

Continewed.

Eodem die : Johne Hopbkin persewed Johne Castellaw for fourteen shilling for beafe ; assignes the nixt court to the defender to prove the debt payed.

Decreit.

Williame Allason, decernit to pay of abstract multour of 30 boill malt fra Lambes¹ '71 to Lambes '72, and sensen² to this day, videlicet, ane pek eache boill.

Decreit.

Eodem die : James Bichart, decernit upon oath for abstracted multour of corne, six furlats.

¹ Lammas-day.

² Since then.

COURT holden within the Lardshipe of Corshil, the Seavinth of Marche 1673, be the Rycht Honourabill Sir Alexander Cunynghame, heretable proprietor of the landis and baronie of Corshil, Hwghe Niven his honouris balizee, with all members needful.

Suitis called. Court fensed.

. . . . Dempster.

The quhilk day, Johne Paslay decernit in ane wnlaw of 50^{lib} for ane wnlaw of ane blood committed be

THE BARONIE COURT OF THE BARONIE OF CORSHILL, holden at the manner place thereof, be Johne Deanes at Stewartoun Kirk, Baillie nominat be Sir Alexander Cuninghame of Corshill, who accepted the said office and made faith de fidelj administratione.

The said day, Robert Fergushill, notar publict, elected clerk to the said Court, also made faith ut supra : John Montgomerie at the Stewartoune Kirk, elected officer.

Curia legitime affirmata.

Decreet.

Sutes called, and the absents, conforme to ane roll, fyned in tuentie tuo shilling scots money, ordayned to be poyned for the same, within tearme of law.

Buchanan contra Wylie.

Andrew Buchanan in Robertland pursues Thomas Wylie in Meekle Corshill for cureing of ane horse crooked ;¹ both parties being present, the same being referred to the Laird and his Baillie, they decernet the said Thomas Wylie either to deliver to the said Andrew ane sufficient blue bonnet wpon demand

Decreet absolitor Wylie.

Eodem die: Jonet Murchland pursues the said Thomas Wylie for fourtie nyne shilling scots as the remayneder of four pound ten shilling promited be the said Thomas to be payed to the said Jonet, in name of Elspeth Howie her daughter, for hirling of his Kyne in hirling tyme, 1672. The said Thomas Wylie denyed ten shilling of the soume acclaimed, and craved to deduce thirte nyne shilling, and to have compensation thereof in the first, and of ffyve merk which the said Thomas Wylie is cautioner for the said Jonet and hir husband; the Ballie abselves the said Thomas Wylie pro tanto.

¹ Lamed.

Bill taken up.

Eodem die: There being ane complaint exhibited be Thomas Dunlop in ffoulshankie against John Harper in Meekle Corshill, it was entred that the said Thomas might find caution to answer in this court what the said John Harper had to lay to his charge. Robert Wylie in Kirktoone of Stewartoune became cautioner for that effect.

Decreet Abselvitor—Harper contra Dunlop.

Eodem die: The Baillie abselves John Harper from the haill articles conteaned in the complant produced, in respect there was a title produced for instructing his right to the saids goods.

Act—Wylie contra Walker.

Eodem die: Hendrie Wylie, smith in Stewartoune, pursues William Walker in Gooshills for the particulars conteaned in the annexed bill. The said defender being present denyes the haill particulars aclamed, exceptand one shilling sterline and ane half croune, which he alleadges wes ane half croune. Both parties refers the probation to the nixt court day and to prove pro ut de jure.

Continued—Walker contra Wylie.

Eodem die: The said William Walker pursues the said Hendrie Wylie for the particulars conteaned in the annexed bill, and the Baillie assigns the nixt court to prove hinc inde.

Decreet conditional—Smith contra Smith.

Eodem die: Robert Smith, at Stewartoune Kirk, pursues William Smith in Cocklebie, for six pound scots, for marchant goods bought and received from him about tuo yearis or thairby; assigns the nixt court day, with certification.

Decreet conditionall—Smith contra Smith [Walker].

Eodem die: The said Robert Smith pursues James Walker in Harshaw for ten pound eight shilling scots for indigoe bought and receaved from the pursuer about tuo years or thairby; assigns the next court day, with certification.

Submission—Montgomery and Barr.

William Barrie, milner at Corshillmilne, pursues John Montgomerie at the Kirktoone of Stewartoune, for thirtie bolls of abstracted malt from the said milne, the multure abstracted being a peck of ilk boll, and ten pound to the Laird since May 1672; both parties being present nominats the persons following Judges arbitratouris, vizt., James Walker in Robertland, for the said William Barr, and Alexander Galt, at the Kirk, who accepted thereof; and James Walker in Harshaw, oversman.

Decreet—Smith contra Langwill.

Eodem die: James Smith in Kirktoone pursues Allan Langwill in Murehouse for eaten corne be the said Allane his horse; Arthure Bryce, one of the compriseris¹ thereof, being personallie present, declares the said skaith to his judgement wes three peckes, at seaven shilling four penies the peck, inde tuentie tuo shilling. The Baillie decernes for the said soume, with four shilling of expenses of plea, and ordaynes to poynd for the same, within terme of law.

Ro. FERGUSHILL, Cls.

Eodem die: The said James Walker and Alexander Galt, both in one voyce, but varrance,² found the said John had abstracted certane bolls of malt from the Laird's milne: And therefore they decerned the said John Montgomerie to pay to the said William one furlet malt in satisfaction of all bygons, and decernes all malt to be abstracted be the said John and the haill brewaris about the Kirktoone of Stewartoune in tyme comeing to be confiscat to the Lard's use, and he to pay the multour of the same; whereunto the Laird and his Ballie have interponed their authoritie, and ordanes the same to be a standing law in all tyme comeing.

THE BARRONE COURT OF THE BARRONIE OF CORSHILL, holden at the manner place thereof, the thirtie day of June 1673, be John Deanes, marchant at the Kirktoone of Stewartoune, Baillie of Sir Alexander Cuninghame of Corshill, Barrone of the barronie thereof.

Court lawfullie fenced.

Anent the clame given in be Adam Colhoune, tailzeour in Stewartoune, against William Stevenson, sonne lawfull to umquhile Patrick Stevensone in Harshaw, and Patrick Stevensone, his cautioner; decernes and ordaynes them, conjunctlie and severallie, to pay ten pound, with fortie shilling of expenses.

Anent the action pursued be William Glen, in Kirktoone, against Robert Findlay thair, the Baillie decernes

BARRONE COURT OF THE BARRONIE OF CORSHILL, holden within the manner place thereof, the ffyft day of November 1673, be Hugh Neven of Kirkwood, Baillie.

Court lawfullie fenced.

William Glen compleines wpon William Allasone for braking of arreistment laid

¹ A man who attaches the estate of another for debt.—Jamieson's *Dict.* Here, it appears to be used in a different sense, viz. as a valuator or appraiser.

² Without variance.

on vpon certane goods belonging to Marjorie Harvie in Kirktoune. The Baillie fynes the said William Allasone in four pounds scots, and ordaynes the officer to poynd for the same; and referrs the value of the goods against the tenth instant, and continues the same untill the said day.

Compleines Alexander Dickie wpon John Gemmill in Cutsray, for three pound for land teilling; continewis, to prove be witnesses against the tent instant.

William Allasone [and] Jennet Burnside at the Kirktoune pursues Thomas Wylie in Litle Corshill for tuelf shilling scots . . . ; continued till 17th instant.

The Baillie decernes William Smith in Cocklebie to content and pay Robert Smith in Kirktoune, six pounds fyve shilling 4^d . . .

Compleines Alexander Dickie in Robertland, in name of James Findlay in Shaw, for ane boll malt delivered to grind to William Barrie, miler, in Corshill. Continues this untill the seaventene instant, and the pursuer to prove as accords.

Compleines Jonet Wylie in Cutsray upon Alexander Dickie in Neather Robertland, for the particulars contained in the bill; and decernes for the same.

The said Alexander compleines upon the said Janet Dunlope for the pryce of ane bull, which he alleadges was killed be the said John Dunlope, at ten merkes scots; and for eaten corne, ordaynes the said Alexander to produce the apprisers of the said corne alledgit eaten be the slouth¹ of the said John, against the nixt court day, and to prove be witnesses.

H. NEVIN.

THE BARRONE COURT OF CORSHILL, holden within the manner place thereof, be
Hugh Nevene of Kirkwood, Baillie, wpon the . . . day of November
1673.

Court lawfullie fenced.

Decreit.

Anent the action pursued be Alexander Dickie against John Gemmill in Cutsray, for three pound for teilling of certane land. The said Alexander haveing led, the said Baillie decernes the said William Gemmill to content and pay to the said Alexander Dickie three pound, with ten shilling of expenses.

Decreet.

Anent the action pursued be William Allasone and Jennit Burnsyde his spouse, against Thomas Wylie in Litle Corshill for 12^s for liting of playding;² the pursuer

¹ Sloth, or neglect.

² Dyeing of plaiding, or coarse woollen cloth.

haveing refered the clame to the defender's oath, he deferred the same to the pursuer, who refused to give oath ; the Baillie absolved the defender.

Anent the action pursued be James Findlay in Shaw against William Barrie, miller in Corshill milne, for ane boll of malt delivered to the said milne to be grund, and not redelivered. The said pursuer and defender being both present, the pursuer passes from the defender but prejudice to him to insist against John Montgomerie in Kirktoune ; and therefore the said Baillie absolves.

Decreit—Dickie contra Dunlop. Action—Pudzein contra Dunlop.

Anent the action pursued be Alexander Dickie in Robertland against Janet Dunlope, anent certane eaten corne, eaten be the sloueth of John Dunlope her sone and herd to the said Alexander. The said Jenet allegit that the said Alexander forgave the haill skaith, and led William and Alexander Dickie, sonnes to the said Alexander, and John Pudzein thair, who being solemnlie suorne, the said William deponis that he heard his father say to the said John, haveing left his service, that at his returne he bad him sit doune and be ane good servant in tyme comeing, and that there should be no more of it. The said John, of the adge of twentie two years or thairby, married, depons that he did not heare the said Alexander forgive the eating of the corne lybeled, but onlie that he bad him be ane good servant in tyme comeing. Alexander Dickie, of the adge of . . . or thairby, married, depons conforme to the two preceeding witnesses. The Baillie finds the alleadgeance¹ not proven, and admits the said eaten corne to the said Alexander his probation ; who have adduced James Walker in Robertland, and John Hendrie in Bridgend, and being solemnlie suorne, depons that the foresaid eaten corne was one furlet ; the said John Hendrie depons conforme to the other. Compeared lykewayes John Pudzein and clamed from the said Jonet Dunlope the half of three rudis of land. The Baillie decernes for the furlet, and to pay tuentie shilling scots for the same, with foure shilling of expenses ; and continues that part of the clame anent the said John Pudzein untill the nixt court day, and to prove as accords.

Absolvitor—Dunlop contra Dickie.

Absolves for the ten merk for the bull.

Decreit—Alexander contra Pudzein.

Anent the complaint given be Robert Alexander in Peacockbank against John Pudzein at Kirktoune, as cautioner to umquhill James Duncan, wpon his promise of payment of ten pound fourtie pennes resting due be the said umquhill James to the said Robert for certane malt bought and received be him from the said Robert. The said Robert Alexander deponed upon oath that there wes justlie resting due to him be the said umquhill James Duncan, the soume of nyne pound ten shilling, with ten shilling of expenses of plea. The baillie decernes for the said soume.

¹ Allegation.

Decreit—Dillidaff contra Paslay.

Anent the complaint given be John Dilliedaff at Kirktoone against John Paslay, elder in Hilhouse, for the ane pairre of harden¹ sheets promised with William Paslay his sone, prentise to the said John, about three years sine or thairby. The pursuer haveing referred the clame to the defender his oath, confeses the same. The baillie decernes fourtie shilling, with four shilling of expenses.

Anent the action for arreistment laid on be the said John Dilliedaff upon certane goods perteaneing to William Paslay younger, in the hands of Alexander Dickie in Cockleby, fied servant to the said John Dillidaff. The baillie absolves and louses the arreistment.

James Walker in Hairshaw became cautioner for John Howie in Mirriehill, that he should ansuer within the barrone Court of Corshill at the instance of Alexander Dikie when called.

Com. and Decreit—Howie contra Dickie.

Anent the complaint given in be the said John Howie against the said Alexander Dickie ffor four pound for grassing of certane beasts, and eight merk for ane half boll of meill, the half boll of meill being receivit be Robert Dunlop his spouse. The Baillie gives commission to John Deane to take her oath and to report against the tuentie instant; and ordaynes the decreit to be extracted conforme.

The said John Howie referred the foure pound for the said grass to the said Alexander his oath; he deponed negative; the Baillie absolves.

Anent the complaint given in be William Barrie, miller, against Arthure Bryce and John Montgomerie in Kirktoone, anent abstracted malt and corne. The said William pursues the said Arthure for thirtie bolls malt and one peck for the boll. The said Arthure confeses one boll, and hath made faith, and is to depone before John Deane one tomorrow. John Montgomerie confeses tuo bolls and a half of corne, but denyes the rest; which being referred to his oath he made faith, and is to depone before the said John Deane.

Decreit—Fiscall contra Andrew Neilson, Ryot.

Anent the ryot committed betwixt Constantin Gilmure in Hasletounehead and Andrew Neilson in Foulshaw, at the Kirktoone of Stewartoune, upon the 7 of November instant. The same being referred to the said Costian, he denyed he gave any occasion to the said Andrew, but that the said Andrew did beat and stryk him. The Baillie finds the said Andrew guiltie, and fynes in the soume of fiftie pound, and absolves the said Costian Gilmure.

Decreit—Fiscall contra Harper and Bichet.

Anent the ryot committed betwixt John Harper in Litle Corshill, and John Bichet

¹ Coarse linen.

in Hairshaw, upon the said seavent of November. The lybell being found relevant and admited to John Smith, fiscall, his probation, he led John Walker in Hairshaw witnesses; who being solemnlie suorne, deponed that he saw the said John Harper, after evill words given, to stryk the said John Bichet, but wes holden from others; John Dunlope in Maynes, also suorne, depons that the said John Harper after many evill words and provocations given unto him be the said John Harper, the said John did stryke with ane staff at the said John, but wes holden. The Baillie decernes the said John Harper to pay four pound scots for strykeing, and the said John Bichet fourtie shilling for provocking; to be deteand while payment.

Decreet—Gilmure contra Wylie.

Anent the compleant given in be the said Constantin Gilmure against Thomas Wylie in Litle Corshill for four pound scots of the bute of ane other horse, the said Thomas Wylie confest the same. The Baillie decernes for the same. Alexander Dickie in Robertland became cautioner to present the said Costian to this court to ansuere the said Thomas when called.

Decreet—Corshill contra Deficientes.

The Baillie decernes the haill tennents in Corshill and Cocklebie to content and pay the haill rests, as weill of this martimes 1673 as of all yeares and tearmes preceeding, and ordaynes the fieris of this yeare to be ten merkes scots to all who payes their rests within fourteene dayes after the date hereof, and elleven merkes thairafter.

The said Thomas Wylie pursued lykewayes the said Constantin, being suorne, for six pound scots; and haveing led James Wylie witnes, the said James being suorne he deponed negative.

Anent the complaint given in be James Findlay in Shaw against John Montgomerie anent the boll of malt, he is to prove be witnesses against the nixt court day.

THE BARRONES COURT OF THE BARRONIE OF CORSHILL, holden within the manner place of Corshill, be Hugh Nevein of Kirkwood, Baillie to Sir Alexander Cunninghame of Corshill, Knight and Barronet, Barrone of the Barronie thereof, upon the third day of Februare 1674.

Court lawfullie fenced, and the Roll called.

Decreet—Fultoune contra Faulls.

Compleanes William Fultoune in Corshouse upon Robert Faules in Blacklaw, for half ane aiker of eaten corne, which is apprised be Robert Lachland and James Fals.

The defender present, denies the same: Compeared Robert Lachland, and declared he comprised the corne. The Baillie decernes for the half boll corne and ane half boll to the baillie, and modifies the pryce of the boll to four pound Scots.

Decreet—Hendrie contra Langwill.

Compleines Johne Hendrie, sklaiter, upon Alexander Langwill in Hilhouse, for tuentie four shilling for draff and small drink, received be the said Alexander from Helen Wallace his spouse, at severall tymes. The partie called and absent; the Baillie decernes for 13^s 4^d principall, and four shilling of expenses.

Decreet—Harper contra Walker.

Compleanes David Harper in Hairshaw wpon James Walker in Robertland, for ten merkes wanting him, whereunto he is assigned be John Walker in Hairshaw, and resting due be the said James for ane harvest fie wrought for be the said John this last harvest, 1673. The defender absent; compeared Robert Barnes in , and allegit the same belonged to him as haveing arreisted for soumes of money due to him be the said John Walker: It was replied be Harper that he aught to be preferred because his assignation wes not onlie prior, but also the said James wes become debtor be promise. The Baillie preferis Harper; and decernes, and modifies 12^s of expenses.

Decreet—Hamill contra Harper.

Compleines Hugh Hamill in Kirktoune wpon Hugh Harper in Meekle Corshill, ffor 1^{lib} 13^s of ane old accompt, one merk restand of ane boll meill, and 28^s for aill, restand due to Issobell Huntar his spouse. The defender called, compeared personallie, denyes the clame; which being referred the defender deferris the same to the pursuer's oath, who being personallie present made faith that the first articles wes resting, and that there wes resting 20^s of the first. The Baillie decernes, and modifies . . .^s of expenses.

Decreet absolvitor—Montgomerie contra Fals, payed.

Compleanes James Fauls wpon Mathew Montgomery in Clarkland, for ellevin pund scots, resting yet due of ane fitted accompt betuixt the pursuer and defender. The pursuer referred the haill accompt to the defender's oath, who being personallie present and solemnlie suorne, depones that he is not owing the soumes conteaned in the testament; the Baillie absolves.

Decreet absolvitor—Glen contra Barnes, payed.

The said day, anent the action pursued be Robert Barnes against William Glen in Kirktoune before the said barrone court upon the 24 of November 1671, which wes

referred to his oath; who being present deponed negative. The baillie absolves, and Robert Barnes redelivered the pistoll in presence of the baillie.

The said day, the said William Glen pursued the said Robert for the said pistoll for what the same wes pignorat,¹ and allegeit it wes not the same pistoll. In name of Robert Broune, sonne to the said umquhill Richard, and as his tutor

The said day, Robert Barnes enacted himself to ansuere in this barrone court, at the instance of Robert Broune, sone to umquhill Ritchard Broune, and William Glen at the Kirktoune, for what they have to lay to his charge under the paine of ten . . . of penaltie.

THE BARRONE COURT OF THE BARRONIE OF CORSHILL, holden within the manner place thereof, upon the elleventh day of March 1674, be Hugh Nevein of Kirkwood, Baillie to Sir Alexander Cuninghame of Corshill, Knight and Barronet, baron of the barronie thereof.

Court lawfullie ffenced.

Decreet—Auld contra Murchland.

Anent the clame given in be Alexander Auld in Grasmilsyde, in Kilmares, against Thomas Murchland, ffor ffyve merkes for ane half boll of Beir bought and received be the defender from the said Thomas, who being personallie present confest the same, but denyes the pryce lybelled, and alleadges the same wes bought for ten merkes the boll: The pursuer referris the pryce to the defender's oath; the defender thereafter confest. The Baillie decernes and modifies 13^s 4^d of expenses.

Anent the lybell or clame pursued be Sir Alexander Cuninghame of Corshill, against Peter Dunlope, in Blaklaw, for breaking open of his Letters committed to his trust. The said Petter being present, denyes the same, but onlie confeses the receipt of ane letter which wes closed, but denyes that there wes any letter inclosed therein-till. The Baillie, in respect of the parties confession unlawes him in the soume of ane hundreth pund, to be to the Lard for cost, skaith, and damadge, and for his fyne thirtie three pund six shilling eight pennies, and to find caution for payment thereof, or to enter his person for payment of the same, and to ly in the stocks in the publict market place upon Thursday nixt, being the 12 instant, dureing the Laird's pleasure.

It is enacted be the Laird of Corshill and his Baillie that whatsoever person or persons shall be employed hereafter to carrie Letters to the Laird to Edinburgh, or to any other part or place, and shall either breake open the same or fail in deliverie thereof, without ane relevant and lawfull excuse, shall pay fyftie pund, by and attoure the cost, skaith, and damadge.

¹ Taken in pawn.—Cole's *Dict.*, London, 1696. Valued?

It is the said day inacted that non within the Barronie, by Sir Alexander Cunynghame of Corshill and his Ballie, goe by the court befor any other Judge upon any account whatsoever, under the penaltie of ffive pund scots, instantly to be poynded by the officer, and this in fortification and renewing of an old former act in the year an thousand five hundred and nyntie years.

COURT OF THE BARRONIE OF CORSHILL, holden be the Rycht Worshipfull Sir Alexander Cunynghame of Corshill, Knycht and Barronet, and Johne Deans, merchand at Stewartoun Kirk, his Baillie, within the manner place of Corshill, vpon the tent day of Junij j^m vj^c seaventie four yeers.

Suites called.

. . . . Dempster.

Court lawfullie affirmed with all members neidful.

Decreit—Andrew Neilson contra James Craig.

The quhilk day, Andrew Neilson in Fulschaw persued James Craig in Foggiehillock for the sowme of thritie sex shilling eight pennies scots money, in rest of payment of land tileing. Defender called, compeired and denyed debt in respect the land wes not meassured againe. The Judge after matured deliberatione ordaines both parties to cause the birlaymen to meassour the land, and whatever the samen extendis to, decernes the said defender in payment thairof to the complainer, and ordaines the same to be payed within terme of law, with 6^s 8^d in expenssis of plea.

Continued.

Eodem die: Sir Alexander Cunynghame of Corshill, knycht, persued Johne Lachlane in Mossyde for deforceing of his officer quhen sent to warne him to worke ane parte of his service conforme to his Take. The Judge forsaid ordaines him presentlie to be put in the stockes, and to ly thair dureing the Laird his pleasour, and for his fyne continues the same to the nixt court day.

Continued.

Eodem die: Alexander Fultoune in Corshouse persued Johne Adame in Tail of Glenowder, and Jonet Armor his spouse, for violent oppressing and daylie eating four grassome of grass these seaven yeers bygaine, at xlvj^s viij^d the sowme yeerlie; Inde xvj^{lib} vj^s viij^d scots money: Continues to the nixt court day, and ordaines to prove be witnessis the clame abovewrittine.

Item, Johne Stewart, servitor to the Rycht Worshipfull Sir Alexander Cunynghame of Corshill, as procuratour fischall, persues the said Alexander Fultoune and Johne Adame [and] his said spouse, for ane batterie done and committed be them vpon the

sext day of Junij instant ; fact confest be parties present, and comes in the Laird and the Judge's will : Quhairupon the Judge absolves both parties, and ordaines them to live peacably in tyme comeing, as nyctbour and other, etc.

Decreit—Thomas Davortie contra Arthour Bryce.

Eodem die: Thomas Davortie in Dawray persued Arthour Bryce in Stewartoun Kirk, for the sowme of nyntein schilling sterling, and sexpence sterling of borrowed money, these many yeers bygaine. Defender called, compeired, and declaired that he had payed ane parte thairof, and there wes onlie restand fiftin shilling and sexpence sterling. The persuer replied that there wes restand as yet sextine schilling and sexpence sterling. The Judge forsaid, findeing the same to be of veritie, decernes the said Arthour Bryce to pay the said Thomas Davortie persuer the forsaid sowme, and ordaines the same to be payed within terme of law, with 6^s 8^d in expenssis of plea.

Decreit absolviter—Harper contra Harper.

Eodem die: Jonet Harper, daughter to vmquhill James Harper in Meiklesorhill, persued Hew Harper thair for arreisteing of seaven pond of fieall endew to her be Williame Waker in Gooshillis, quhairas there is nothing endew be her to him. Defender called, compeired, and declaired that vmquhill Jonet Puidzean, her mother, before her death wes endew to him fourtie nyne schilling scotis of house maill. Persuer replied that shee never intrometted with any thing of her mothers goods. The Judge findeing the mater dubious, and findeing the persuer in present strait, ordaines the said arreistment to be lowsed, with libertie always to the defender if he could prove the said Jonet intromissatrix betwixt and the next court day to have actione against the said persuer.

Continued.

Eodem die: Johnne Stewart, procurator fischall forsaid, persued Johnne Dunlop at the Kirk, and Robert Broune there, for ane batterie comitted be them in April last: both parties called,—absent; referred to the nixt court day.

Continued.

Eodem die: Johnne Castellaw in Templehouse persued Jonet Armor, spouse to Johnne Adame in Taill of Glenowder, for the sowme of 14^s scots money; defender absent; referred to the nixt court day.

Eodem die: Arthour Bryce decerned in payment of sextein shilling sterling and sexpence, addebtit be him to Thomas Davortie in Dawray, after present compt; and ordaines the same to be payed within terme of law, with 6^s 8^d of expenssis of plea.

BARONE COURT OF CORSHILL, holden within the manner place thereof, wpon the Tuentie eight day of October 1674, be Hugh Nevein of Kirkwood, Baillie to Sir Alexander Cuningham of Corshill, Knight and Barronet, Barron of the Barronie thereof.

Action—Neilson and Walker contra Buchanan, continued.

Anent the action of makeing arreisted goods forthcummand, pursued be Robert Neilsone in Robertland, and James Walker in Nether Robertland, against John Fultoune in Hairshaw, annent ane web of harden of tuentie one elne, perteaning to Andrew Buchanan, smith in Robertland, and craved to be made forthcummand : the Baillie, in respect the debt acclaimed from the said Andrew is not constitute be decreet, continues till the nixt [court day].

Neilsone contra Dunlope, continued.

Anent the clame pursued be the said Robert Neilsone against Constantine Dunlope for 12^s scots ; continues.

Neilson contra Wylie, continued.

Anent the action pursued be the said Robert [Neilsone] against Thomas Wylie in Little Corshill, for 13^s 4^d scots ; continues.

Anent the action pursued be Robert Smith, marchant, against John Wylie in Meekle Corshill, for nyne pound scots ; continues.

Decreet—Peebles contra Burne, extracted.

Anent the action pursued be Robert Peebles against James Burne at Stewartoune Kirk, for eight merks, as the pryce of ane boll of malt bought and received in June or Julie 1673 : the said James, personallie present, confeses the receipt of the said boll of malt but denyes the sufficiencie thereof, and alleadges that the said Robert desired him to make use thereof, and that he should onlie pay conforme to the worth thereof. The said Robert Peebles, personallie present, denyes the condition. The said James referres the condition to his oath. The said Robert being solemnlie suorne, depons he never made any such condition. The Baillie decernes for the said 8 merkes, and 13^s 4^d of expenses.

Dickie contra Bichet.

Anent the action pursued be Robert Dickie at Kirkoune against John Bichet in Hairshaw, for goeing away at his weding contrare to acts of court : pursuer present : defender absent : continues.

The Baillie unlawes John Lachlane in Mossyde in tuentie pounds scots, for de-forceing of John Montgomerie, officer, in the executione of his office.

The Baillie unlayes Alexander Fultoune in Taill, and Jonet Armor his spouse, in the soume of 50^{lib} scots, and ordaynes the said Jonet Armor in 20^{lib}.

Action—fiscall contra Burnsyd.

Anent the action of breackeing of arreistment pursued be John Stewart, fiscall, against Jeane Burnsyde at the Kirk of Stewartoun, laid on be Sir Alexander Cuninghame. The defender present, denyes: ordaynes John Montgomerie to prove the arreistment against the nixt court day.

Decreet—Pudzean contra Dickie.

Anent the action pursued be John Pudzein, assigney be Agnes Pudzean to ane bond granted be Alexander Dickie in Litle Robertland upon the soume of 50 merkes principall, 10^{lib} of expenses, and bygone annualrents: the Baillie decernes, conforme to the bond.

BARONE COURT OF THE BARRONIE OF CORSHILL, holden within the manner place thereof, upon the thirteene day of November 1674, be Hugh Neveine of Kirkwood, Baillie to Sir Alexander Cuninghame of Corshill, Knight and Barronet.

Court lafullie fenced.

The Baillie decernes Costine Dunlop to pay to Robert Neilsone 12^s scots, with vj^s of expenses.

The Baillie decernes Thomas Wylie to pay to the said Robert Neilsone 13^s 4^d, with four shillings of expenses, etc.

Continues the action of makeing arreisted goods furtheumand, pursued be Neilsone and Waker against Fultoune; and in the meanetyme ordeaynes the parties to compt and reckon.

The Baillie ordaynes Dick to prove that Bichet spouse was 40 dayes within Corshills ground before the marriadge.

Continues the action of breackeing arreistment pursued be the fiscall against Jane Burnsyd, and unlayes Hendrie Wylie in 13^s 4^d.

Alexander Langmure in Lickridge [Lochridge?] pursues Edward Smith, couper at Kirktoune of Stewartoune, for eight pound scots, conforme to ane fitted accompt, with ten merk for the pryce of ane fouling peece. Defender present, denyes; continues.

Anent the clame pursued be William Glen in Kirktoone against John Orr in Auchinheane, for himself and as assigney be Robert Smith, for eightene pound eight shilling; the defender present, confeses the 14^s mentioned in the assignation; continues as to the six pound, and John Orr to find caution to produce his discharge against the nixt court day; confeses he imployed Marie Smith to weave the 18 els of cloth mentioned in the accompt, but alleidges payment; denyes the aill and brandie; confeses the rug; confeses the liting of the rug; denyes the lint. John Hopkine became cautioner to produce John Orr against the nixt court day, under the payne of 20^{lib}.

Anent the action pursued be James Bichet against John Wilson in Mosyde for ane chist left to him be the deceast Robert Wilson; the defender absent; denyes the legacie and produced the discharge. The baillie absolves in respect of the said discharge.

Anent the action pursued be William Stevenstoune in Whytlies upon Patrik Johnstoune, for the pryce of ane cow fodered be the said Patrik and drowned. The Baillie ordaynes John Castlelaw and Arthure Bryce to be sumond to the nixt court to prove a submission made to them be the pursuer and defender.

Anent the action pursued be Cuthbert Walker against John Caskie, for 5^{lib} scots of borrowed money. The defender absent, the pursuer referris to oath; continues.

Anent the action pursued be the said Cuthbert Walker against Alexander Caskie, for ane harvest fie this last harvest, who being fied refused to enter. The defender present, confest he was fied, but alleadges sicknes, and funder, that the said pursuer past from him, which the pursuer denyes. The baillie decernes Alexander Caskie to pay seaven pound and ane peck of meill, or 13^s 4^d for the pryce.

Anent the action pursued be Johne Castlelaw against Alen Langwill, for ane decreet obtaned be him against Agnes Morreis for 19^s scots; defender present, confesses; decernes to content and pay, under the penaltie of 13^s.

Anent the action pursued be Robert Wylie against Arthure Bryce, for eaten corne prysed be the birlaymen to ane furlet; defender absent; continues.

Anent the action pursued be William Steinson in Whytly against William Steinsone. James Buckle, in whose hands there is ane indentouris betuixt the said William and Adam Colhoune, tailzeour, The baillie decernes the indentouris to be exhibite.

Anent the action pursued be John Paslay against Robert Wilsone in Burnfoot, and John Hopkine, for 7 merkes of ane fie about three years since. The defender present, denyes the service; the pursuer referris to oath; the defender confesses three dayes; decernes for three dayes. The baillie decernes Hopkine, in whose hands arreistment was made, to make furthcumand the said tuelf shilling, with four shilling of expenses of plea.

James Walker in Hairshaw pursues John Adam in Taill for eight pound, for the pryce of ane stirk which he had in keeping, which by his cairlesnes wes drouned. The defender absent; continues, and in the meantyme unlaues the defender in 40^s scots for cautionarie.

Robert Wilsone pursues Alen Langwill for seaven dayes work of ane pleugh and pleugh graith; the pursuer [defender] present confeses he had the pleugh, but alleadges and offers to prove that he wes to pay nothing for it; continues.

The Baillie unlaues John Fulton in Hairshaw in 40^s for absence.

Anent the action of makeing arreisted goods forthcumand pursued be Robert Wilsone and James Walker against John Fultoune. The Baillie decernes James to have the web arreisted, and to pay to Robert Wilsone 30^s for his part.

Anent the clame pursued be John Stewart, fiscall, against Edward Smith, couper, against James and David Buchanan, for allegit beating and blooding him upon the sixt instant; the defenders present, denyes; the pursuer offeris to prove be Mathew Smeallie and John Guffard in Kirkwood; continues.

Robert Smith pursues Alexander Galt for eaten corne and grass, and takeing of ane fur of tuo rig; the defender present, confesses the reding [eating] of corne, but denyes the grass. The birlaymen found the said Robert his skaith to be tuo pecks of corne; decernes.

Gilbert Dunlop pursues John Lachland for fourtie pound eighteene shilling and eight pennes which was due him be umquhill John Lachland, and which the said John undertooke to pay with the rest of the debts that wes resting be his father. The defender present, denyes the promise allegit made to the pursuer, but declares if he will prove the same to be owing that he shall pay; continues, and the pursuer to prove against the nixt court.

John Bichet, James Walker, John Dunlop, and Robert Wylie elected birlaymen, who being suorne made faith de fidelj administratione.

The Baillie decernes the haille tennentis deficient in their bygone rent to pay the same within eight dayes; and ordaynes the fiers of the yeare to be elleven pound scots.

John Huie in Burnie pursues Robert Allasone in Meekle Corshill for tuo merks for Lint seede, being hand receved from the pursuer about seaven years since. The defender called; absent. The Baillie decernes, and for 13^s 4^d for contumacie.

COURT OF THE BARRONIE OF CORSHILL, holden within the manner place thereof, vpon the Seaventine day of November j^m vj^c seaventie four yeers, be the Rycht Worshipfull Sir Alexander Cunynghame of Corshill, Knycht and Barronet, and Hugh Nevine of Kirkwood, his baillie.

Sectis vocatis.

Curia legitime affirmata.

. . . . Dempster.

The quhilk day, anent the pursuit formerlie intended be Cuthbert Walker contra Johne Caskie, discharges the persewar frae farder proces, without new summoning and proces, because both parties being summonit to this effect and hes nocht compeired.

Eodem die: Anent the actione intended be Johne Castellaw against Allane Langwill, discharges the persewar frae farder proces, without new summoning and new process, because both parties being summonit and called to that effect, and compeired not.

Eodem die: Ordaines Allan Langwill to extract the decreet that is pursued be Johne Castellaw, as allegit given to him, and that upon the said Allan his owne charges, etc.

Eodem die: Arthour Bryce, decernit in payment of 40^s, as the pryce of ane firloft of eaten corne prysed be the birlaymen, with ane other firloft to the baillie, conforme to actis of court.

Item; The actione pursued be Williame Stivensone continued to the nixt court.

Eodem die: Anent the actione pursued be Robert Wilsone contra Allane Langwill, both the parties referred the same to Alexander Dickie, elder, in Nether Robertland, and Alexander Galt at the Kirk, to discern thairintill.

Eodem die: Anent the actione pursued be Gilbert Dunlop in Hilhouse against Johne Lachlane in Mossyde, the Judge forsaid in respect for good caussis the witnessis could not be present, ordaines both parties to be at the Kirk one . . . day come eight dayes, and to have the witnessis summonit to that day and place, to effect decisione may be made in the said mater.

Item; Ordaines Edward Smyth to have his witnessis present thair, the said day, to the effect forsaid, etc.

COURT OF THE BARRONIE OF CORSHILL, holden within the manner place thereof, be
Sir Alexander Cunynghame of Corshill, etc., and Hugh Nivein of Kirkwood,
his baillie, vpon the fourtine day of May j^m vj^c seaventie five yeers.

Suitis called.

Court lauffullie affirmed with all members neidfull.

The quhilk day, James Boyll, miller in Clerklandmilne, pursued Robert Dickie at the Kirk of Stewartoune, for abstracting frae the milne Ten boills of malt, quhich wes referred to his oath: Item acclaimed of James Broune there, other Ten bollis, the multour thair of: Item of William Dickie there, fiftine bollis: Item of Helen Wallace, the multouris of Ten bollis malt: Item of Williame Alasone, the multour of other ten bollis malt: Item frae Williame Glen thair, idem: Item acclaimed of him the multouris of sex bollis corne. Defender present, confest three bollis and ane half of corne; decernit in payment thair of: Item of Robert Wyllie at the Kirk, the multour of sex bollis of corne: Item frae James Hendersone thair, the multour of Ten bollis malt: All defenderis present, and not being clear to depone thairwith, the Judge ordaines all of them to meit in ane court to be holden at the Kirk, vpon the twentie day of this instant.

Eodem die: Andrew Neilsone in Fulshaw pursued James Craig in Fogihillock for 36^s viij^d in rest of payment of land tileing to him. Defender compeired, and denyed debt vntill the land were meassured again, for he could nocht remember quhat wes tiled; the Judge ordaines the land to be meassured again, and what it meassures ordaines the defender to pay the same to the persuer, conforme, and that within terme of law, with 6^s viij^d in expenssis of plea.

Eodem die: The procuratour fischall persued Johne Lachlane in Mosyde, for deforceing of the officer of the baronie quhen poynding for none performance of his service contained in his take dewtie. The Judge ordaines to put him in the stockes and to ly thair dureing the Lairdis pleasour.

Eodem die: Alexander Fultoune in Corshouse complained vpon Johne Adame in Taill and Jonet Armor his spous, for violent away takeing frae him four grassum these seaven yeers bygane, at xlvj^s viij^d per partem, quhich he offered to prove against the nixt court day.

ROUGHSYDE, Aprill 16, 1675.

Hew Nevine of Kirkwood, baillie.

The said day, Johne Stewart, procuratour fischall, persued James Bichet in Harshaw, for sklandering of Robert Waker there and his wife [as] theives. Compeired the defender and confest that the said Robert had of James Foullis in Blacklaw his gold,

and failling in probatione thair of, the Judge forsaide inacted him in payment of fiftie pond scotis money of fyne; and findeing the persuer Robert Waker to have provoked the defender, inlawes him in Ten pond; for quhich ilke partie gave present bond, and therfor assoilzied.

The said day, Johne Bichet in Harschaw, and Patrick Stivenstoune thair, inacted themselves cautioneris for the said James Bichet, that the said Robert Waker, and his wife bairnes familie goodis and gear, should be skaithless of the said James Bichet, his wife, etc., and that vnder the penultie of ane hundreth ponds scotis money, toties quoties, any break should be attour the reparatione of the damage; and the said James obleist him, his aires, executouris, etc., to releave his saidis cautioneris of all skaith they should sustaine therethrow.

R. ALLANE, notarius.

October 7, 1675.

The quhilk day, Williame Alasone at the Kirk of Stewartoun, Jean Burnsyde his spouse, Johne Habkine thair, Robert Dickie thair, found convict in takeing away firmes out of the Kirk. The Judge inlawes ilke ane of them in fyne of 20^{lib} scots money, and ordaines them to restore the firmes to the church.

Item; Inlawes Arthour Bryce in fyne of Ten pond for away takeing ane litle bitt of a firme.

Item, findes thair is some firmes belonging to the said kirk in James Dunlops house thair; Ordaines the same to be restored againe to the kirk.

COURT OF THE BARRONIE OF CORSHILL, holden within the manner place thereof, upon the tuelft day of November 1675, be John Deane in Stewartoune, Baillie to Sir Alexander Cuninghame of Corshill, Knight and Barronet.

Court lawfullie fenced.

Anent the action pursued be Alexander Galt in Kirktoune contra James Broune there, for eightene pound of bygone mailis preceeding martimes nixt: The Baillie decernes in respect of the defender's absence, [after] being personallie warned, with sextene shilling of expenses.

Anent the action pursued be Robert Neilsoun in Bradieland contra William Walker in Goosles; the defender present, confeses the aclamed debt of three pound eight pennies: the Baillie decernes; 6^s 8^d of expenses.

Anent the action pursued be the said Robert contra Arthure Bryce, for ten pound half a merke. Defender present confeses Nyn pound, denies the rest upon oath; absolves as to the tuo merkes.

Anent the action pursued be the said Robert contra Robert Dickie in Kirktowne for foure merke nyne shilling; defender present, confeses thirtie six shilling, but denyes the rest; the baillie decernes.

Anent the action pursued be James Galt in Bregtounne contra James Henderson in Kirktowne of Stewartounne for ten pound ffyfteene shilling: Defender absent; the Baillie decernes.

Decreet—Smellie contra Pinkertoun.

Anent the action pursued be Mathew Smellie in Kirktowne contra John Pinkertoun, gardner, for ffyve merkes. Defender thrise publiclie called; absent; the Baillie decernes.

Anent the action pursued be John Craige in Litle Corshill contra Hugh Hammill in Kirktowne for 26 merkes, as the agreed pryce of tuo bolls of corne bought be the said Hugh from the said James: both parties present. The defender confeses the bargane, but alleadges the corne to be changed. Witnesses, Mathew Montgomerie in Clarkland, and Robert Dunlope there; [the said Mathew] solemnlie suorne, depons he heard the bargane but saw no sample, but heard the said Hugh refuse to take of the shaken corne, whereupon the pursuer promised the defender [the corn] in his barne which he belleved wes as good as any in the paroch: Robert Dunlope depons conforme to Mathew; the baillie decernes the best.

Anent the action pursued be Alexander Galt contra William Walker in Goosles, for fiftie nyne shilling; defender present, confeses the debt; the baillie decernes.

Anent the action pursued be William Walker in Litle Finnick contra John Currie in Meekle Corshill for ffyve merk and a half for fyve peckes of meill bought be him from the compleaner. Pursuer present; defender called, absent; the baillie decernes.

Anent the action pursued be John Castlclaw in Tempelhouse contra William Walker in Goosles for tuentie three shilling; both parties present; the defender denyes, but refuses to sueare; the baillie decernes.

Anent the action pursued be James Walker in Neather Robertland contra the said William, upon the 22 day of October last. The said William haveing failed to prove the insufficiencie of the malt, the baillie decernes, with 13^s 4^d of expenses.

Anent the action pursued be James Fals in Blacklaw contra Alexander Dickie in Cocklebie, for four pound scots for butter and cheese; both parties present; defender confeses, but payed 32 shilling. The baillie decernes for 48 shilling, with 6^s 8^d of expenses.

John Deane, younger, pursues James Bruce at the Kirk, for 4^{lib} 18^s resting to him for Iron received from the pursuer about three yeares since. The Baillie, in respect of contumacie, decernes, with 10^s of expenses.

Upon ane complaint made be Mr. John Duncansone, skoolemaster, contra the tennents of the Barronie, the Baillie decernes the hail tennents of the barronie of Corshill to pay to the said John tuentie tuo shilling scots out ilk 100^{lib} of valued stent yearlie, dureing his keeping of the skoole; and the officer to poynd upon fyfteen dayes charge, and for his own expenses.

John Boill, miler in Clarklandmilne, pursues James Pudzean in Draffan, for the abstracted multuris of six bolls corne. The said James present, confeses six furlets: aggreed.

John Gemmill in Cutsraw, for eight bolls of corne; personallie present, confeses fyve bolls and a half, but alleadges he offered to grind, but the milne wanted water; the Baillie decernes to pay the multure.

Hugh Harper in Kirkfoord, present, confeses tuo bolls and tuo pecks of shilling; decernes him to pay the multure.

James Broune at the Kirk, for ten bolls of meill grund by the milne; absent, called; the Baillie decernes to pay three peckes of multure.

John Ross for abstracting of ffour bolls of corne; present, confeses tuo bolls and one furlet. The Baillie decernes to pay the miler the multure.

November 18, 1675.

HEW NEVIN, baillie.

BARRONE COURT OF CORSHILL, holden at the place therof, be the Rycht Worshipfull Sir Alexander Cunynghame of Corshill, Knycht and Barronet, and Hugh Nevine his baillie, vpon the twentie tuo day of October j^m vj^c seaventie five yeers.

Suitis called.

Court lafullie affirmed with all members neidfull.

The quhilk day, Matthew Stirling, younger of Grang, persued Johne Habkine at Stewartounkirk for the sowme of ffourtie eight shilling scotis money, as the pryce of ane pett sheep. Compeired the defender and objected that the persuer promised to vphold him for profit of the said sheep, quhich the persuer referred to his oath, quho referred back againe to the persuer his oath, quho being solemnly sworne, deponed that he did nowayes promise to vphold him. Therefore the Judge forsaid decernit the defender in payment of the said sowme aboveacclamed, and ordained the same to be payed within terme of law, with 6^s of expensis of plea. Payed in face of court.

Eodem die: Johne Wyllie in Meikle Corshill, decernit in payment of Ten^{lib} scotis money, as the pryce of meall to James Galt in Bostounhead, because present and con-

fessing debt. Item, decernes Agnes Wyllie thair, in payment of three pond ten shilling resting of meallis pryce to the said James Galt, with 12^s of expenssis of plea against the said Johne Wyllie. Ordaines Agnes Wyllie a second hearing before extract.

Decreet—Heighat contra Currie.

Eodem die: Gilbert Heighat in Gyuishill persued Johne Currie at Meiklecorshill for the sowme of Twelve pond scotis money, as the pryce of ane boll of meall receivit from the persuer about ane yeer since. Defender found summondit and absenting himself; decernit in payment thair of to the persuer within terme of law, with 20^s of expenssis of plea.

Decreit—Alexander contra Henderson.

Eodem die: James Hendersone at Stewartounkirk, present and confessing debt, decernit in payment of Twentie two pond eight shilling scotis money, as the pryce of malt receivit be him frae Robert Alexander, heretour of Over Peacockbank, and ordaines the same to be payed within terme of law, with vj^s of expenssis of plea.

Decreit—Waker contra Hendersone.

Eodem die: The said James Hendersone present and confessing debt, wes decernit to make payment to James Waker in Nether Robertland of the sowme of Twentie three merkes scotis money, for malt receivit be him, with eightin shilling in expenssis of plea, reserveing alwayes libertie to the defender to persue anent the measuring thair of.

Decreit—Wacker contra Wacker.

Eodem die: The said James Waker persued William Waker in Guishillis for the sowm of xvj^{lib} as the pryce of ane boll of malt receivit be him. Item, four merkis money forsaid in rest of payment of malt receivit be vmquhill Marjorie Rasone, the said Williame his first spouse. Compeired the defender and objected the said boll of malt insufficient: as to the four merke could say nothing to the contraire, and for the said insufficiencie offered to prove the same against the next court day. The Judge forsaid decernit the defender in payment of the said four merkes to the persuer, with 4^s of expenssis of plea.

Eodem die: Hugh Hamill at the Kirk persued William Dickie thair for the eating of three peckes of corne with his horse, prysed be the birlaymen. The Judge finding the matter ane truth, decernit the defender in payment of the said three peckes of corne at 4^{lib} per bolam to the persuer, with other three peckes pryce, conforme to old actis of court, with 4^s 8^d in expenssis of plea.

The said day, John Currie in Meikle Corshill, decernit (being present and confessing debt) to make payment to James Fultoune in Magbehill the sowme of five

merke and fourtie penyes scotis money, as the pryce of butter receivit be him about Yuill last or thairby, with 4^s of expenssis of plea.

The said day, the Laird and his baillie, in respect of saveing of oathes in court vpon everie triviall matter, inactis and statutis that noe persone or persones shall be obleidged to give ane oath vntill the partie, craver thair of, first consigne twentie two shilling; and ordaines the same to stand in all time comeing.

BARRONE COURT OF CORSHILL, holden within the manner place thair of, be Sir Alexander Cunynghame of Corshill, Knycht and Barronet, and Hugh Nevine of Kirkwood his baillie, vpon the nyntein day of April j^m vj^c seaventie sex years.

Suitis called.

Court affirmed with all members neidfull.

Decreet—Nicoll contra Montgomrie.

The quhilk day, Williame Nicoll in Nether Peacockbank persued Matthew Montgomrie in Clerkland for three paire of new shoes, three new aprones, three elnes of liline, and two new shirtis, as the bontethes,¹ and fiftine shilling of fieallis,² resting be him to Margaret Nicoll his brother daughter, for severall termes service performed be her to him. Compeired the said Matthew and denyed the haill clame, except ane paire of the shoes, and referred the rest to the persuer's oath; quho being solely sworne, deponed, both of them, that nether they, nor noe other in thair name, to thair knowledge, receivit any payment of what is acclamed. Therefore the Judge forsaid decernit ilke pair of shoes in xx^s, and the three aprones in xx^s, the liline in xxvij^s, the shirtis at xxv^s, being five shilling per elne; Inde, in haill, sex pond twelve shilling: And ordaines the said Matthew to pay the same to the persuer within terme of law, otherwayes to be poyndit thairfor, with vxj^s expenssis of plea.

Decreet—Helen Ross contra Robert Wyllie.

Eodem die: Helen Ross, widow in Kilmarnock, persued Robert Wyllie at the Kirk of Stewartoune for the sowme of four shilling sterling english and two pence scotis moneyes, and that as the pryce of ane cloak bought and receivit be him frae her about four yeers since or thairby, togidder with ane sword bought and receivit be him frae her the said tyme. Defender present, confest debt; and therefore the Judge forsaid decernit him in payment of the samen to the persuer within terme of law, otherwayes to be poyndit therefor, as vse is, with 8^s of expenssis of plea.

¹ Bountith, an addition to wages for good conduct.

² Fee, wages, or emolument, as the case may be.

Decreet—Smyth contra Dunlop.

The said day, Hew Dunlop in Kirkford, decernit to make payment to Robert Smyth, merchant, at the said Kirk, the sowme of five merkes scotis money of ane merchant accompt, within terme of law, otherwayes poyndit thairfor, with xij^s of expenssis of plea.

Decreet—Smyth contra Puidzean.

Eodem die: James Puidzean in Draffane, decernit in payment of four pond sex shilling eight pennyes scotis money of merchant accompt, endew be him to the said Robert Smyth, merchand, being present and confessing debt; with 13^s 4^d in expenssis of plea.

Continued.

Eodem die: The said Robert Smyth persued Johne Puidzean in Robertland for the sowme of three^{lib} vj^s viij^d of merchand accompt. Defender absent; continues.

Decreet—Neilsone contra Dickie, younger.

Eodem die: Robert Neilsone in Braidiland persued Alexander Dickie, younger, in Nether Robertland, for xxx^s scotis money, as the pryce of half ane peck of long lint seed bought and receivit be him in anno 1675. Compeired the defender and alledgit insufficiencie of the lint seed, yet proven in face of court be others quho receivit of the same. The Judge decernes the defender in payment of the said sowme to the persewer, within terme of law, with certificatione as effeires, with vj^s viij^d in expenssis of plea.

Decreet—Neilsone contra Wyllie.

Eodem die: The said Robert Neilsone in Braidiland persued Robert Wyllie in Meiklorshill for the sowme of ij^j^{lib} vj^s viij^d, as the pryce of an firloft of meall, at xvj^s viij^d per peck, bought and receivit be the defender frae the persuer ane yeer since or thairby. Decernit in payment thairfor, with x^s of expenssis of plea.

Decreet—Dickie contra Montgomrie.

Eodem die: Matthew Montgomrie in Clerkland, being present and confessing debt, wes decernit in payment of four pond scotis money, as the pryce of xx load of coallis, endew be him to David Dickie in Armsheugh, and ordaines the same to be payed, within terme of law, with certificatione, etc., with vj^s viij^d of expenssis of plea.

Decreet—Castellaw contra Bichet.

Eodem die: James Bichet, younger, in Harschaw, decernit in payment of xj^s viij^d, as the pryce of five pyntis of ale, receivit be him from Johne Castellaw in Templhouse, about sex quarters of yeer since or thairby, and ordaines the same to be payed, within terme of law, with iiij^s of expenssis of plea.

Decreet—Waker contra Dickie.

Eodem die : James Waker in Nether Robertland persued Alexander Dickie, elder, thair, for exhibitione of ane bond bearing the principall sowme of xl merkes scotis, quhich is payed. Defender present, confest the bond ; therefore, the Judge ordaines the defender to exhibit and produce the said bond to the persuer, within terme of law, vnder the paine and penultie of Ten pond in case of faillie, attour the said exhibitione, with certificatione, etc., with 6^s 8^d in expenssis of plea.

Decreet—Faullis contra Dunlop.

Eodem die : James Faullis in Blacklaw persued Piter Dunlop thair for the sowme of three pond scotis money, as the equall half pryce of two yockings of land tileing to him in anno 1675. Defender not compeirand, being lauffullie warned to the effect forsaid, and in respect removeing out of the Barronie at this present terme, and findeing for that effect absenting himself : Therefore the Judge forsaid decernit the defender in payment of the said sowme acclamed to the persuer, and that within terme of law, otherwayes to be poyndit thairfor, with viij^s of expenssis of plea.

BARRONE COURT OF CORSHILL, holden within the fortalice place thairof, be Hew Nevine of Kirkwood, baillie, etc., vpon the seventine day of May j^m vj^e seaventie sex yeers.

Sectis vocatis.

Curia legitime affirmata.

Lowseing of arreistment.

The quhilke day, David Bichet in Benthuse inacted James Bichet, elder, in Harschaw, and Johne Wyllie thair, as cautioneris for him in lowseing of ane arreistment laid one in the handis of Johne Caskie, wakmiller, at the instance of Gabriell Porterfield of Halpland, that the same should be forthcumand as accords in law. Item, the said David Bichet obleist him, his aires, executouris, etc., to releave his saidis cautioneris of all skaith, they or eather of them should sustaine herethrow, and that in this present barone court.

R. ALLANE, notarius.

Continued.

Eodem die : Hew Hamill at Stewartoun Kirk persued Johne Puidzean in Nether Robertland for thirtie two shilling scotis money, as his wedges for land harrowing to him in anno 1674. Defender absent ; referres to probatione against the nixt court day.

Decreet—Castellaw contra Pinkertoune.

Eodem die : Johne Castellaw persued ane arreistment laid one be him vpon Johne Pinkertoune in Guishillis, in what wes endew be him to Williame Waker, laitly thair, ffor the sowme of xxij^s of principall and iiij^s viij^d of expenssis, contained in ane

decreet obtained be him against the said Williame Waker in this barone court. Compeired the said Johne Pinkertoune, and confest that he wes endew more to the said Williame Waker, the tyme of the said arreistment onlaying, nor the mater charged for. Therefore the Judge forsaid decernit the said Johne Pinkertoune in payment of the said xxij^s and expenssis forsaid to the persewer, within terme of law, with certificatione, etc.

Decreet—Thomas Wyllie contra James Harper.

Eodem die: Thomas Wyllie in Litle Corshill persued James Harper in Meikl-corshill for the sowme of four pond scotis money of fieall, and vj^s viij^d, as the pryce of ane drogat¹ aprone, endew be him to Agnes Wyllie his daughter, for half ane yeer's service performed be her to him preceeding May 1675. The Judge forsaid findeing the mater resonabill, decernes the said James Harper in payment of the said fieall and bonteth to the said Thomas Wyllie, and ordaines the same to be payed within terme of law, with certificatione, etc., with ten shilling of expenssis of plea.

Act mutwall Tennentis of Hareshaw for biging ane kilne.

Eodem die: The Judge forsaid, with consent of the haill tennentis within the towne of Hareschaw, inactis statutis and ordaines the saidis haill Tennentis within the said towne, ilke ane of them conforme to there respectiue portiounes, to build and repaire the commone kilne of the said towne; And whoever failzies thairin, as said is, to be in fyne of iij^{li}^b scotis money, by and attour thair respective parte of reparatione thairof, as said is, in case of failzie. And, in the interim, ordaines the said kilne to be repaired betwixt the dait hereof and the first day of August nixtocome, in this present instant yeer 1676, and appoyntis them to give to the clerke of court 6^s for formeing this present act made thairanent.

Decreet—Laird contra Tennentis.

Eodem die: The Judge forsaid decernes all and sundrie the Tennentis and subtennentis within the barronie in payment of this witsondayes termes dewtie, lastbypast, 1676 instant, with what restis of preceedings, after just compt and reckoning, to thair master, and that within terme of law, otherwayes to be poyndit be the officer thairfor for the 3^d more.

Absolvitor pro Dunlopes.

Eodem die: Johne Muire, servitor to the Laird of Corshill, persued Jean Dunlop, spouse to Alexander Dickie in Cocklbee, for slandering and away takeing of his good name, in saying to Agnes Dunlop in Fauldhead, her sister, that he wes seen be her thiftously stealing away corne, vnder cloud of nycht, forth of the Cocklbee barne. Compeired the said Jean, and denyed the clame, and referred the same to the persuer his probatione simpliciter. And he not findeing the same approven, the Judge assoilzies the defenders frae the said persuit forever, in all tyme comeing.

¹ Coarse woollen cloth.

Arreistment.

July 16, 1676 : Johne Montgomrie, officer, laid one ane arreistment vpon shoes and ane long pocke pertaineing to Johne Boyd, cordoner, in Langdyek, lying in the house, custodie, and portioun of Margaret Tod, widow, at Stewartoun Kirk, to remaine vnder arreistment at the instance of Hew Harper in Meiklecorshill, ay and quhill cawtion were found acted in the said barrone court books, that the samen should be made forthcoming, as accords in law. Witnessis thairto, Johne Caskies, elder and younger, in Wakmilne, and Alexander Harper, younger, in Meiklecorshill.

BARRONE COURT OF CORSHILL, holden within the fortalice and manner place thair of, be the Right Worshipfull Sir Alexander Cunynghame of Corshill, Knycht and Barronet, and Hew Nevine of Kirkwood, his baillie, vpon the nynt day of February 1676 yeers.

Suitis called.

Court lauffullie affirmed.

The quhillk day, the Judge forsaid sittand in judgment anent the deforcement done be Johne Lachlane in Mosyde against Johne Montgomrie, officer of the ground, decernit the said Johne Lachlane for the said wrong in the inlaw and fyne of Ten ponds scotis money, and ordaines the same to be payed, within terme of law, with certificatione, etc.

Decreet—Langwill for Viccarage teyndis contra Tennentis of Corshill.

Eodem die : Allane Langwill in Muirhouse, in name of the said Sir Alexander Cunynghame, persued the haill Tennentis and possessouris of land within the barronie, lyable in payment of viccarag teynd, conforme to old vse and wont, and thair present respectiue Takes; and that for there respectiue proportionall partes of there saidis viccarage teyndis for the cropt and yeer 1675, and quhat restis of preceedings after compt and reckoning. The Judge forsaid, findeing the samen reasonabill (and the haill tennentis within the Lairdshipe being present, and haveing nothing to object in the contrarie), decerned all and sundrie the saidis Tennentis in payment of thair saidis respectiue proportionall partes of the saidis viccarage teyndis, conforme to ald vse and wont, and that for the said cropt 1675, and quhat restis of preceedings; and ordaines them to pay the samen to the said Allane Langwill, in name forsaid, and that within terme of law, with certificatione, etc., to be poyndit for the 3^d penny more.

Continued.

Eodem die : James Broune, weaver in Kilmawres, compleaned vpon Robert Waker

in Harschaw, in selling to him ane yeer in place of ane tyddie cow,¹ and thair of desyred reparatione as vse is. Compeired the said defender and declared that the said mater wes referred and submitted be them both to the determinacione of Johne Deans, merchand at Stewartounkirk, and Andrew Neilsone in Fulshaw, quhich he offered to prove. The Judge ordaines both parties to stand to the saidis arbitratouris decreet arbitrall thairintill to be pronounced, and noe more to be heard here.

Decreet—Andrew Neilson contra Harper and Wyllie.

Eodem die: Andrew Neilsone in Fulshaw persued James Harper in Meikle Corshill for the sowme of Sevin^{lib} scotis money, for land tileing in anno 1675. Item, vpon James Wyllie in Litle Corshill, the sowme of five merkes and 40^d for land tileing the said yeer. Defenderis being lafullie summonit to this effect and not compeirand, being lafullie called and tyme of day abidden, the Judge forsaid decernes ilke ane of them in payment of thair sowmes acclamed in manner forsaid; and ordaines the same to be payed, within terme of law, with 18^s of expenssis of plea against the said James Harper, and xij^s of expenssis of plea against the said James Wyllie.

Continued.

Eodem die: Robert Fergushill in . . . persued Andrew Puidzean in Cuts-wray for the sowme of lij^s as the pryce of meall bought frae him at mertimass last. Item, vpon Agnes Morries thair, xij^s for meall the said tyme. Defenderis absent; continues to the next court day.

BARRONE COURT OF CORSHILL, holden within the place thair of, vpon the 24 day of Junij j^m vj^c seaventie sex yeers, be Hugh Nevine of Kirkwood, baillie to the Rycht Worshipfull Sir Alexander Cunynghame of Corshill, Knycht and Barronet.

Suitis called.

Court lafullie affirmed.

William Dickie, Dempster.

Decreet—Schoolmaster contra Tennentis.

The quhilke day, Maister Johne Duncansone, Schoolmaster at the Kirk of Stewartown, inacted, bound, and obleist him, that he, nor noe other in his name, in any tyme hereafter, should, directly or indirectly, trouble or molest Williame Alasone at the said Kirk, or James Alasone, his brother german, in thair persones, goodis, or geir, other-ways than be ordour of law, and that vnder the paine and penultie of ffive hundreth merkes scotis money by and attour the performance of the premissis in case of failzie.

J. DUNCANSON.

¹ A yearling, or, more probably, a *yell* cow, *i.e.* not in calf or milk, instead of one in calf and in milk.

Eodem die : Williame Allasone at Stewartounkirk inacted, bound, and obleist him, that he, nor noe other in his name, in any tyme hereafter, should, directly or indirectly, trouble or molest Maister Johne Duncansone, schoolmaster thair, in his persone, goodis, or gear, otherwayes than be ordour of law, and that under the paine and penultie of ffive hundreth merkes money, by and attour the performance of the premissis in case of failzie.

WILLIAM ALASON.

Eodem die : The Judge forsaidis decernes and ordaines Maister Johne Duncansone above designed, in assythment to the said James Alasone of all loss, coast, skaith, damage and expenss, by hurting and wounding of him with ane knife to the effusione of his blood ; and ordaines him to pay the chyrurgiane for cureing thairrof, of quhat expenssis shall be wared thairupon, after just compt and reckoning.

BARRONE COURT OF CORSHILL, holden within the manner place thairof, vpon the xxviiij day of July j^m vj^e seventie sex yeers, holden be the Right Worshipfull Sir Alexander Cunyngham of Corshill, Knycht, etc., and Hew Nevine of Kirkwood, his baillie.

Suitis called.

Court lauffullie affirmed.

Eodem die : Alexander Galt at Stewartounkirk persued Alexander Dickie, younger in Nether Robertland, for restitutione of ane tree¹ borrowed be him frae him, as also two dayes worke, at 26^s: alledoe² to the defender 6^s for ane horse loane, and as to the tree, Alexander Dickie, elder, his father, personallie present, offered to the persuer satisfactione thairfor, betwixt and the fiftine day hereafter, vnder the paine of ane shilling stirling ; and for the ten shilling decernit.

Eodem die : James Buchanan in Kirkwood persued Johne Langwill, sone lauchfull to Allane Langwill in Ravenscraig, for nyne quarters of blacke wollen cloath, at xxix^s the elne ; Inde, iij^{li} v^s, quhairof receaved in earnest vj^s. Decerned because the debt notourly knowne, and being summond and not compeirand.

Eodem die : Williame Alasone at the Kirk of Stewartoun, assoilzied vpon oath frae the aspersione of that he wes allegit to be the author of takeing ane blood comitted be Maister Johne Duncansone, schoolmaster, vpon James Alasone thair, to the court of Irvine, quhich wes formerly decernit in this barrone court.

Eodem die : Hew Harper at Meikle Corshill persued Margaret Tod at the Kirk, for makeing forthcumand three paire of new shoes for men and women, and double solled, arreisted in her handis as pertaineing to Johne Boyd in Longdyck of Finnick,

¹ Probably, part of the packsaddle or the plough then in use.

² Allowed ?

with ane cordoner pock, in parte of payment of seaven merkes scotis money, or thairby, addebtit be the said Johne Boyd to him in rest of payment of meall corne sex yeers since or thairby receivit. Ordaines the said Margaret Tod to deliver the said shoes and pock to the officer, and he to intimat the same to the said Johne Boyd that if he doe not releive the same within terme of law by payment of the said debt acclaimed, Sell will be made of the samen and delivered to the persuer.

Decreit—William Wyllie contra John Adame.

Eodem die: William Wyllie in Lynbrae persued Johne Adame in Taill for the soun of iiij^{lib} vj^s viij^d of feall addebtit be him to Johne Wyllie, his brother and cedent, and assigned be the said Johne Wyllie to him, conforme to ane assignatione granted to him thairof, daited the fift day of November 1675 yeers. Defender not present, being lafullie summonit, and lafull tyme of day abidden, thairfor decernit, with 16^s of expensis of plea.

BARRONE COURT OF CORSHILL, holden be the Right Worshipfull Sir Alexander Cunynghame of Corshill, etc., Hew Nevine of Kirkwood, his honouris baillie, vpon the eight day of November 1676.

The quhilke day, Johne Cassie in Kirkmill persued Johne Gemill in Meikle Cutiswray for the sowme of ffourtie shilling scotis money and two loads of coallis home-leading.

Eodem die: William Smyth in Tree of Pokellie persued Johne Adame in Taill for twelve pond nyntein shilling scotis money, as ane feall promitted be him to the persuer for service done this last yeer and ane remander of other former service. Defender present, debt confest; therefore decernit within terme of law, with 13^s 4^d in expensis of pley.

Eodem die: James Bichet in Hareshaw inacted himself, his aires, executouris, etc., as cautioner for William Smyth in Cree, in that he shall answer to Johne Adame in Taill, in quhat he cane acclame of him as accordes in law, and William Smyth obleist him, his aires, executouris, to releave his said cautioner of all skaith he can sustaine herethrow in becomeing cawtione for him.

R. ALLANE, notarius.

Continued.

Eodem die: Johne Adame in Taill persued William Smyth aforesaid for reparatione of loss of his service three yeers since, notwithstanding he entered to his service and abod ten dayes thairwith, and promised Twelve pond of feall. Continues the actione to the nixt court day.

Eodem die: Johne Tod in Thorne persued Johne Puidzean at the Kirk for the sowme of Twentie four pondis as the pryce of sex firlois of beir bocht be him frae the persuer at mertimass last. Defender present, denyed, in respect he wold not

Act of cautionrie—Puidzane for Tod to Johne Puidzane.

Thomas Puidzane in Cutswhay inacted himself cautioner for Johne Tod in Thorne, in that he should answer to Johne Puidzean at the Kirk, in what he hes to lay to his charge in this Barrone court, etc.

Decreet for breach of arreistment contra Johne Gemill.

Eodem die: Johne Stewart, procuratour fischall, persued Johne Gemill in Cutswhay, for breach of arreistment laid one be the officer at the instance of John Knox, for quhat wes endew be him to Patrick Jonstoune thair. Defender compeired and confest the same; therefore the Judge decernit him in four pound scotis money, to be payed within terme of law. Item, ordaines Johne Gemill and his wife to be before the baillie at 12 houris at the Kirk.

Eodem die: The said fischall persued Alexander Dickie in Cutswhay, for breach of arreistment in carrieing away of Jonet Wyllie's goodis thair off the ground. Compeired the defender and denyed the clame as to himself, and thairupon offered his oath; and for his wife offered to produce her before the baillie against twelve houris tomorrow. Deponed vpon oath that nether he nor his wife, both deponeing, lent worke of thair horse in awaytakeing of the goods and gear of the said Jonet Wyllie. Item, ordaines William Gibsone to be before the baillie and depone, as said is. Compeired the said William, and confest he got ane threive¹ of strae frae Jonet Wyllie, quich shee laid in his yaird, quich he receivit, and knew of the arreistment onlaying befor.

Eodem die: Jean Dunlop, spouse to Johne Habkine, at the Kirk, and Helen Wallace, widow, thair, being convicted of breach of act of court in flyting. . . .

Eodem die: Johne Gemill aforsaid persued for awaytakeing of the said Jonet Wyllie's gear off the ground. Compeired the said Johne, and deponed that he never knew of the awaytakeing of her goodis nor of the threshing thair of in ane old steddin of his, quhill he saw Johne Montgomrie, officer, turssing² away of the strae. Helen Orr

Eodem die: Andrew Neilsone persued Gilbert Dunlop in Hilhouse for half ane boll of multour meall, endew be the deceist Thomas Dunlop in Fulshaw milne, and that for his cornes grindable vpon the milne landis thair, cropt 1673. Defender present, confest he intrometted with vmquhill Thomas Dunlopes cornes and moveables.

¹ Twenty-four sheaves.

² Trussing and carrying off.

CORSHILL COURT, holden vpon the fiftine day of November j^m vj^c seaventie sevin yeers, be the Right Worshipfull Sir Alexander Cunynghame of Corshill, Knycht and Barronet, and Hew Nevine of Kirkwood, his bailzie.

Sectis vocatis.

Curia legitime affirmata.

Continued.

The quhilke day, Alexander Puidzean, sone lauchfull of the deceist Andrew Puidzean in Draffane, persued James Puidzean in Meikle Cutswhay, his brother, for the sowme of Thirtie pondis scotis his deceist father did put in his hand to be given to him for his vse. Compeired the said James and denyed, [and referred] persuer to his oath, quho took advisment against the nixt court day.

Decreit.

Eodem die : Anent the actione formerlie persued be Johne Adam in Taill against William Smyth, for reparatione of his service in away goeing from his service and receiveing of his wonted silver : Compeired the defender, referres the haille mater to the persuer his oath of veritie, quho deponed he gave noe offence. Ordaines defender in payment of five pond nyntein shilling to the persuer, within terme of law.

Absolvitor.

Eodem die : Anent the actione formerlie intended be John Tod in Thorne against Johne Puidzean in Kirktowne, the Judge forsaide, findeing thair wes trysting betwixt parties to referr to parties, and if they could not setle them the persuer wes to persue him as he thocht fitt before any Judge he thocht fitting, and after mature deliberatione ; assoilzies the said Johne Puidzean frae the said clame.

Decreit.

Eodem die : Robert Dickie in Kirktowne persued Robert Wyllie in Meikle Corshill for the sowme of sex pond scotis, as the pryce of ane coffine, endew be him for one Johne Maxwell, ane yeer since or thairby. Defender often called and lafullie summonit, and not compeirand ; the Judge decernit the defender in payment, within terme of law, with sextine shilling scotis in expenssis of plea.

Decreit.

Eodem die : William Wyllie, sone lafull of vmquhill Thomas Wyllie in Drumby, persued James Bichet and Patrick Stivenson in Hareschaw for nyne shilling in rest of his hirdis fie. Defenderis present ; decernit.

Decreit.

Eodem die : Patrick Stivenson in Hareschaw persued Elizabeth Wilsone, relict of vmquhill James Waker in Hareschaw, as cautioner for David Harper in Clunsh, for the sowme of sex pond scotis money for outriveing of bent land¹ quhairof David Harper got the profit, with four merke and ane half money forsaid in rest of rent, and two shilling of borrowed money, with four shilling of hirdis fie, with five merkes money forsaid, for reparatione of houssis. Defender present, and it being seen be the Judge that the said vmquhill James wes cautioner, and the partie principall alsoe present, and could not object against the clame, the Judge forsaid decernit the said Elizabeth Wilsone in payment of the said sowmes to the persuer, within terme of law, with sextine shilling money forsaid in expenssis of plea. Notwithstanding of the premissis the principall is elevin merke and eight pennies.

Continued.

Eodem die : Jean Stewart in Templehouse, in name of Grissal Stewart her sister, persued Johnne Pinkertoun in Gushillis for repayment of ane good dollor for ane ill one he changed with her and will not pay her. Defender absent; continues to the nixt court day.

Decreit.

Eodem die : Andrew Neilsone in Fulschaw persued Thomas Wyllie in Little Corshill for the sowme of four pond sex shilling eight pennies. Defender present, confest debt; therefore decernit in payment, with ten shilling in expenssis of plea.

Decreit.

Eodem die : The haill tennentis within the Lairdship decernit in 22^s vpon ilke hundreth^{lib} of valuatione of schooll dewtie to Maister Johnne Duncansone, his last yeers service, and ordained to be payed within terme of law.

Decreit.

Eodem die : Robert Waker in Blacklaw persued Johnne Caskie in Walkmill, for deteaning of fiftine Bonnetis, and quhen sent for them keeped two of them for alledgit debt owand be Johnne Waker in Blacklaw; as alsoe for the reparatione and loss betwixt ane tyddie cow and ane farrow cow,² sold and vpholden be the said Johnne Caskie to him this last yeer. Defender called and not compeirand, the Judge referred the differance of the cow to the birlaymen, quho made the value to fourtie shilling. Therefore the Judge forsaid finding the defender contumacius in the first parte of the clame, and the other parte of the clame verified, decerned the said defender in payment of the said fourtie shilling, and to restore the said bonnetis to the persuer.

¹ Clearing of land covered with bent grass.

² A cow in milk but not in calf.

COURT OF THE BARRONIE OF CORSHILL, holden within the manner place thair of, be the Rycht Worshipfull Sir Alexander Cunynghame of Corshill, Knycht and Barronet, and Johne Deans, merchand, at the Kirk, vpon the fift day of February j^m vj^c seventie seven yeers.

Suitis called.

Court lauchfullie affirmed, with all members neidfull.

Continued.

The quhilk day, Alexander Dickie in Nether Robertland persued Johne Puidzean thair, for ffourtie shilling scotis of hirdis fie, payed forth for him at his directione vpon promise of repayment: Item 13^s 4^d as the pryce resting of four cartis of peitis in summer last: Item, ane firloft of eaten corne in anno 1675, with a peck and three fourt partes of eaten cornes in summer last, at ane merke the peck. Defender absent; continues to the nixt court day.

Continued.

Eodem die: The said Alexander Dickie, elder, persued Williame Smyth at the Kirk, for the sowme of seven merkis and fourtie pennies scotis money, for land tiling to him about three yeers since or thairby. Item, persued Jonet Wyllie in Cocklebee, for the sowme of three pond sex shilling, for land tiled be him to her about three yeers since. Defenderis both absent; continues to the nixt dyet.

James Bichett amerciat.

Eodem die: Johne Stewart, procuratour fischall, persued James Bichett in Hareschaw, for breach of arreistment. Defender present confest; the Judge forsaide inlawed and amerciat him in fyne of Ten pond scotis, and ordaines the same presentlie to be payed, otherwayes to be poyndit be the officer thairfor.

Officer constitut.

Eodem die: Allan Langwill in Muirhouse constitut officer, quho being present gave his oath de fidei administratione officij.

BARRON COURT OF CORSHILL, holden within the manner place thair of, be the Rycht Worshipfull Sir Alexander Cunyngham of Corshill, Knycht and Barronet, and Matthew Stewart of Newtoun, his baillie, vpon the sext day of Junij j^m vj^c seventie seven yeers.

Suitis called.

Continued.

The quhilk day, Mary Smyth at the Kirk compleaned vpon Hendry Wyllie, smyth

thair, in withholding frae her five pond and ane vnce of old peuther platt, that he should have bartred to her for fourtine pennies scotis money, betuixt old and new peuther, each lib. of the said peuther valued to sextin shilling per lib: Inde, four pond one shilling ten pennyes scotis money. Compeired the said Hendrie and confest the receipt of the said peuther, but replied that he desired restitutione of her of the receipt of seven merke of ane forecott¹ house maill in anno 1665, with five hundreth of plantis sett in the yaird, quhich shee made vse of, and wold not let him enter the said house in respect vmquhile Bessie Andrew, his mother, died before the tyme of the entrie. Persuers husband absent; referred to the nixt court day.

Decreit.

Eodem die: James Harper in Calsaysyd persued Johnet Fultoune in Gooshillis for awaytakeing of ane foredoor frae the house in Roughsyde at beltane last. Compeired the said Jonet Fultoune, and declaired the door her owne, for Johnie Wyllie, now in Kintyre, gifted the door to her before he went away. The Judge forsaid findeing the door to be the Laird of Robertlandis, decernes the said defender to restore the said door presentlie, and that in the same conditione shee away took the samen, with 3^s 4^d in expenssis of plea.

Continued.

Eodem die: The said James Harper persued Jonet Currie, daughter to the said Jonet Fultoune, for three shilling sterling. Defender out of the ground; desires the persuer to arreist quhat gear is within the baronie belonging to the defender, and thairefter to call and persue as accordis.

Continued.

Eodem die: Jonet Armour, spouse to Johnie Adame in Taill, persued, in her husbandis name, Elysabeth Wilsone, widow in Harshaw, for five pond 12^s 6^d scotis money: referred to the nixt court day.

Eodem die: James Boyll, miller, persued William Glen at the Kirk and Marrie Smyth his spouse, for abstracting frae the milne sex bollis of malt, and fiftine shilling scotis money, endew be thame to him in ane other accompt: Compeired the said Mary Smyth and confest the said fiftine shilling, and two bollis malt, quhairof one wes awaytaken be James Waker in Nether Robertland, maltman, and promised to releave her at the miller's hand thairfor. Item, vpon Johnie Ross thair, for ane shilling sterling of ane agreed compt, and three bollis corne abstracted frae the milne: Compeired the said Johnie Ross and confest the shilling sterling, and for the corne, he sold it to Hew Hamill at the said Kirk, and gave the multour thair with defender: Videlicet, Hew Hamill absent; continowes quhill Hew be present. Item, John Montgomrie eight bollis malt abstracted: Defender refuseing to depon, the Judge ordaines him to

¹ *Forecott house maill* probably means the rent of a fore or front cottar's house; see also page 176.

agree with the miller, otherwayes to pay the haill. Item, William Dickie thair, eight bollis malt abstracted: defender comes in the persueris will. Item, Robert Dickie thair, ten bollis malt abstracted; confest three bollis abstracted, for which he came in the miller's will. Item, Robert Wyllie thair, eight bollis abstracted corne; defender present; twentie three partes of shilling¹ abstracted.

Decreit—Johne Wilsone in Mossyd, in ane fyne.

Eodem die: Johne Stewart, procuratour fischall of the barronie, persued Johne Wilsone in Mossyde for wronging of his nychtbour John Lachlan, by intruding in his portioune of the moss and casting of peitis, and in breakeing and away casting of his peitis in the holl, quhich wes proven be Alexander Harper in Meikle Corshill and Johne Dunlop in Bowhouse; therefore the Judge forsaid inlawed and amerciat the said Johne Wilsone in fyn of Ten pond for the transgression, and ordaines the same to be presently payed; and ordaines the defender to satisfie the persuer for the saidis peitis cutting and spoyling, conforme to the sight of the birlaymen.

Decreit.

Eodem die: Johne Currie in Foggihillock, decernit in payment of three pounds nyntein shilling of ane fitted accompt, and fourtie-eight shilling for ane pond of Indigo, and ordaines the same to be payed within terme of law, with 6^s 8^d in expenssis of plea. Item, Agnes Wyllie in Meikle Corshill, decernit in twentie shilling scotis money for merchandwair, decernit ut supra.

Decreit—Contra tennentis in favouris of the schoolmaister.

Eodem die: the Judge forsaid decernit all and sundrie the tennentis within the barronie in payment of thair respectiue proportionall partes of the schoolmaisteris fieall for this last year, 1676, conforme to 22^s vpon each 100^{lib} of valuatione; and ordaines the same to be payed to Maister Andrew Hutcheson, younger, for his fieall the said year.

Decreit—Castellaw contra Wyllie.

Eodem die: Jonet Wyllie, widow, in Hareschaw, decernit to give Johne Castellaw three sufficient load of peitis, and he is to bring the same himself.

Decreit—Laird contra tennentis.

Eodem die: The Judge forsaid decernit all and sundrie the tennentis and sub-tennentis within the barronie in payment of this present witsondayes termes maillis and dewtie, 1677; and ordaines the same to be payed, with all the rest of preceidings, after just compt and reckoning; and that within terme of law, vnder the paine of poynding for the 3^d penny more.

¹ Grain that has been freed from the husk.

BARRONE COURT OF CORSHILL, holden be the Right Worshipfull Sir Alexander Cuninghame of Corshill, etc., and Matthew Stewart of Newtoun, his Worship's baillie, within the manner place of Corshill, vpon the nynt day of November 1677.

Decreit—Gilkrison contra Wyllie.

The quhilke day, the Judge forsaid sittand in judgment decernit Thomas Wyllie in Meikle Corshill in payment of three pond nyne shilling sex penyes scotis money, for yrone worke, because the defender present could object nothing in the contraire, with 6^s 8^d in expenssis of plea.

Continued.

The quhilke day, anent the mater debaitable betwixt James Harper in Calsayhead and Jonet Currie in Auchintiber for 36^s, is referred to Johne Castellaw and Johne Wyllie, in Litle Corshill, and as they decree, decreit to be extendit as accords.

Continued.

Eodem die: Elizabeth Wilsone persued Johne Adame in Taill, for the loss of ane otterline¹ cow to vmquhill James Waker her husband, by breaking the leg of her, quhairby shee lay in the moore vntill shee became vsless. This wes done about three yeer since. Defender absent; continues to the nixt court day.

Eodem die: Anent the actione persued be Marie Smith contra Hendry Wyllie thair. Defender present; the persueris husband absent; continues to the nixt court day, and ordaines the persueris husband.

BARRON COURT OF CORSHILL, holden be the Right Honourabill Sir Alexander Cuninghame of Corshill, Knycht and Barronet, and Matthew Stewart, baillie, within the manner place of Corshill, vpon the sextine day of November j^m vj^c seventie seven yeers.

Suitis called.

Court lauffullie affirmed.

Decreit.

The quhilke day, Johne Habkine at the Kirk, decernit in twentie two shilling scotis money, and Alexander Puidzean in Spot, decernit in payment of fourtie one shilling four pennies scotis money, to be payed to James Calderwood in Nether Peacockbank, the first in rest of ane compt and the other for land tileing in anno 1674;

¹ Etterlin—a young cow in calf in her second year.

and ordaines the same to be payed within terme of law, with 4^s vpon each one in expenssis of plea.

Eodem die : Anent the actione intended be Marie Smith, spouse to William Glen at the Kirk, and Hendrie Wyllie thair, the baillie, with consent of the parteis present, referred all maters debatable betwixt thame to James Waker in Nether Robertland, and Hew Hamill at the Kirk of Stewartoun, and ordaines thame to give forth thair decreit betwixt and the twentie two day of this instant, and to give in thair report quhat they doe.

Eodem die : Anent the persuit formerlie intended be Johne Adame in Taill contra Elizabeth Wilsone, and quhat shee hes to object against him by the baill and parties consentis : referred to Johne Bichet and Johne Wyllie in Harschaw, as arbitratouris, and they no aggreeing Alexander Harper, elder, in Meikle Corshill, to be oversman, and they to decerne betwixt and the 22 of this instant, and to report thair diligence to the Laird betwixt and the said day. The Judges arbitratouris forsaide ordained the said Johne Adame to pay to the said Elizabeth.

Decreit—Dickie contra Puidzan.

Eodem die : Alexander Dickie, elder, in Nether Robertland, persued Johne Puidzen thair for fourtie one shilling four pennyes scotis of hirdis fie, payed be him for the said Johne for hirdis fieall, and one shilling sterling for peitis, and ane firloft of eaten corne at ane merke scotis money per peck : Defender present, confest the first two articles, and for the last alledges his horse did not eat all. The Judge forsaide decernes the first two articles and three pecks of the said eaten corne at thirtine shilling four pennyes the peck, and ordaines the same to be payed within terme of law. Item, the persuer confest he wes endew thirtie shilling scotis to the defender ; the Judge ordaines compensatione off the first end of the said decreit abovewritten, with 4^s 8^d in expenssis.

Fier 1676.

Eodem die : The fier of the ferme meall not inlaid for the cropt j^m vj^c seventie sex yeers is decernit and ordained to be Ten merke scotis money ilke boll thair of, and ordaines the same to be payed within terme of law, vnder the paine of poynding thairfor.

Eodem die : Jonet Wyllie in Cocklebee, decernit to pay to Alexander Dickie, elder, in Robertland, three pond four shilling scotis money for land tileing in anno 1674, and ordaines the same to be payed within terme of law, with four shilling 6 pennies of expenssis of plea.

Eodem die : Allan Langwill, officer, as procuratour fischall, persued Johne Harper in Meikle Corshill, for blooding of Johne Wyllie in Brae, yesternight, in the house of Johne Pinkertoun in Guishillis. Defender present, confest the said blood, and after tryell of the witnessis, videlicet, Andrew and James Wyllies in Meikle Corshill, the

Judge forsaid findis the said Johne Harper in the bloodwytt alswell as the blood, and thairfor decernit the said Johne Harper in the amerciament of fiftie pound scotis money for the said blood, and fourtie pond for the said bloodwytt,¹ and ordaines him presentlie to give Bond, or otherwayes cawtione, for the saidis sowmes. Compeired James Harper in Calsayhead, and inacted, bound, and obleist him, his aires, executouris and intromettouris with his goodis and gear quhatsomever, as cautioner and sovertie for the said Johne Harper anent the payment and satisfactioun of the saidis blood and bloodwytt, and that betwixt the dait hereof and witsonday nixtocome, 1678. And the said Johne Harper bound and obleist him, his aires, executouris and successouris, to releave his said cautioner and his forsaidis anent the payment of the saidis sowmes, which are appoynted to be payed to the Laird thair maister, and to releave him of all skaith, cost, and expenssis that he shall incurr herethrow in becomeing cawtione for him in the premissis, in any sorte. In witnes quhairof, both pairties hes subscriuit thir presentis, day, place, yeer of God forsaidis, before thir witnessis, Williame Smith, merchand burges of Glasgow, and James Waker in Nether Robertland.

William Smith, witnes.

R. ALLANE, notarius.

James Walker, witnes.

Eodem die : Williame Fultoune in Corshouse persued Alexander Fultoune thair, his brother german, for his bairnes parte of gear, and ane cow left be his said vmquhill father to him. Both parties present, referred the mater to the determinatione of Robert and James Faulses in Blacklaw, quho decernit the said Alexander Fultoune to pay to the persuer the sowme of Twentie four pond scotis money, at the termes following, To wit, eight lib. thair of at witsonday nixt, and eight pond at mertimass nixt thairefter, 1678 yeer, and other eight pond at witsonday nixt thairefter, 1679, in compleit payment of the said bairnes parte of gear, and cow abovewrittine. Item, the saidis Judges arbitratouris, notwithstanding of the premissis, ordaines the said sowme to be payed at witsonday and mertimass nixtocome, but any farder delay, in regard the sowne is litle and canot be longer fristed.²

Absolvitor—Johne Wilson and his mother contra Johne Lachlane.

Eodem die : Johne Lachlane in Mossyde of Corshill persued Margaret Waker thair, and Johne Wilsone her eldest sone lafull, in wronging of him in his portioune, in withholding frae him the profit of two aikers of mosland or thairby, quhairby he lost the peitis and grass thair of these xxxj yeers bygane, estimat to four darke³ of peitis yeerlie, beside the grass. Item, the vse of two houses that is vpon his ground these twelve yeers bygane, beside the tradeing of his ground about the saidis houses, quhich he referres to the determinatione of the Judge and birlaymen of the barronie

¹ Fine for effusion of blood.

² Frist—to trust for a time.—Cole's *Dict.*

³ Darg or darke—a day's work ; or, in this case, of its equivalent in peats.

to cognosce thairupon. And therefore the Judge forsaid, takeing the saidis maters debatable to his mature deliberatione, and haveing seen both parties clames, findis the defenderis noewayes lyable in any payment, and therefore assoilzies and be thir presentis assoilzies the saidis defenderis frae the saidis haill clame, and ordaines the same to have noe faith in judgement or outwith the samen in all tyme comeing.

M. STEWART.

BARRONE COURT OF THE BARRONIE OF CORSHILL, holden within the manner place thairrof, be the Right honorabill Sir Alexander Cuninghame of Corshill, Knycht, etc., and Matthew Stewart of Newtoun, his baillie, vpon the Twentie secound day of May j^m vj^c seventie eight yeers.

Suitis called.

Court lauffullie affirmed with all members neidfull.

Absolvitor—Issobell Hunter for herself and her husband contra Mr. Johne Duncansone.

The quhilke day, Issobell Hunter spouse to Hew Hamill at the Kirk, for herself and in name of her said husband, persued Maister Johne Duncansone thair, for slandering and awaytakeing of thair good name in saying that they had bought chease that wes plundered be the highlandmen and that they sold it forth in ponds againe, and beside said they had bought the Laird of Langschawes bonds plundered be the highlandmen, quhich she offered to prove be Alexander Dickie in Nether Robertland, Robert Dickie at the Kirk, and Thomas Murchland in Litle Cutswhay. Compeired the saidis witnessis and being solemnly sworne, deponed as followes, videlicet; the said Robert Dickie deponed that they bought chease and did sell it out in pondis, but for the other parte of the clame denyed the defender spoke the same. Item, Thomas Murchlane deponed ut supra, and beside, said that Hew Hamill wes ane knave, and wold prove him soe. Compeired the said Maister Johne and denyed the clame, but wold prove him, the said Hew, to be ane knave. The Judge forsaid, after consideratione of the said mater and [finding] the said Hew to be ane honest man, inlawes the said Maister Johne in ane fyne of Twentie pondis scotis money, and ordaines the same presentlie to be payed.

Decreit—Laird contra Tennentis.

Eodem die: The Judge forsaid decernit all and sundrie the tennentis and subtennentis within the barronie in payment of thair maillis and dewties addebtit and owand this present terme of witsonday lastbypast, and what rests of preceedings after just compt and reckoning and ordaines the same to be payed within terme of law, otherwayes to be poyndit thairfor.

Decreit—Puidzan contra Lachlane.

Eodem die: Johne Lachlane in Mossyde, decernit to pay 24^s of fie, and shirt, double soled shoon, and hose of bonteth, owand to Robert Puidzean in Meikle Corshill, for ane hirdis fieall and bonteth, and that be ane boy of his, this last yeer 1677, with three shilling four pennies in expensis of plea.

BARROUNE COURT OF CORSHILL, holden be the Right Worshipfull Sir Alexander Cuninghame of Corshill, Knycht and Barronet, and Matthew Stewart his bailzie, within the manner place of Corshill, vpon the thirtine day of November j^m vj^c seaventie eight yeers.

Suitis called.

. . . . Dempster.

Court lauffullie affirmed.

Continued.

The quhilke day, Thomas Fultoune in Fogihillock persued Robert Fultoune thair, for the sowme of Ten merke scotis money, and ane other half merke of ane fitted compt, and the Ten merke left to him be vmquhill Jonet Barnes, his mother, vpon deathbed. Defender present, denyed the clame, quhilke the persuer referred to the defenderis oath of veritie, and the defender referred the same back to the persuers oath: referred the determinatione thairof to James Waker in Nether Robertland, and Robert Alexander in Over Peacockbank.

Eodem die: Jonet Currie in Fogihillock persued Allan Langwill, officer, for ane paire of blanquetis and ane spanill¹ of liline washen yarne, and three heir² of hardine yarne knitt about it. Allan Langwill, defender, present, confest he got the blanquetis and yarne in Johne Currie her brothers house, and vptoke the same in parte of payment of his debt to the Laird of Corshill.

Continued.

Eodem die: Anent the debait formerlie intended be Jonet Armor against Elizabeth Wilsone in Hareschaw, for three ellis and ane halfe of gray cloath, at 25^s per elne; referres the debait to Johne Wyllie in Harschaw, and James Bichet in Yet, as mutuall arbitratouris, and they not aggreeing, Alexander Harper elder, to be ovirisman, and they to report thair diligence to the Laird betwixt and this day eight dayes.

Decreit—Wyllie contra Thomsone.

Eodem die: John Wyllie in Galloberrie persued Johne Thomsone in Meikle Corshill, for the withholding of ane horse with him in this last labouring tyme the

¹ Spindle,—four hanks.

² Small portions.

space of seven dayes of the worke, and three rood bait nyn fall of land tileing, beside quhat wes endew of the hyre. Referred to James Waker in Nether Robertland and Robert Alexander in Over Peacockbank, quho decernit Johne Thomson to make payment of five merkes scotis to the persewer, and to be payed betwixt and Christmass nixt.

Decreit—Johne Puidzean contra Alexander Dickie, elder.

The quhilke day, Johne Puidzan in Nether Robertland persued Alexander Dickie, elder thair, for the sowme of fourtie schilling scotis, as two yeers rent of ane peice of land possest be defender of the persuer thir two yeers bygaine. Defender present, decernit in payment thair of within terme of law, with 3^s 4^d in expenssis of plea. Item, ordaines Johne Puidzean to give his oath vpon the veritie of the premissis before the Laird, vpon Thursday come 8 dayes.

Decreit—Pinkertoun contra Marion Bichet.

Eodem die : Johne Pinkertoune in Goshillis persued Marione Bichet in Meikle Corshill, for seven shilling sterling bait two pence in ane fitted accompt. Defender absent, yet diverse tymes called, decernit in payment within terme of law, otherwayes to be poyndit thairfor, with 6^s 8^d in expenssis of plea.

Decreit—Johne Paislay, schooll feall.

Eodem die : The haill tennentis within the Lairdshipe in payment of ten shilling vpon each hundreth pond of valuatione to Johne Paislay, for his last yeer's service in parte of his feall forth of the paroch for keeping the schooll.

Act anent planting of young trees.

Eodem die : The Laird and his baillie, with consent of the tennentis of the haill Lairdshipe, findeing the great loss by the decaying of the yaird dyckes and the great cause thair of is throw the sloath of negligence of not planting of trees about the yaird dyckes, inactis and statuts that each merkeland within the Lairdshipe shall yeerlie in all tyme comeing sett and plant sex young trees yeerly, and vphold thair owne respective dyckes sufficiently; and the saidis dyck and planting to be sighted be the birlaymen yeerlie, and quhoever sall be found contraveening the premissis to be lyable in fyne of fourtie shilling scotis, toties quoties.

Decreit—Laird contra the Tennentis.

Eodem die : The Judge forsaide decernit all and sundrie the tennentis and sub-tennentis within the Lairdshipe in payment of this present terme of mertimass maillis and dewties, and quhat restis of preceedings after just compt and reckoning, and ordaines the same to be payed within terme of law, othirwayes to be poyndit thairfor.

Decreit of the Fier.

The quhilke day, the Laird and his baillie ordaines the fier of the last yeer victuall, within the barownie, ten merke scotis money.

January 27, 1679.

Decreit.

The quhilke day, Robert Dickie at Stewartoun Kirk inacted himself his aires executoris as cautioners and souertie for David Campbell in Clonherb, in that the said David Campbell sall anser to the barrone court of the barronie of Corshill quhenver warned thairto, and ther underly the baillies sentance and decreit anent quhat Alexander Harper, elder, in Meikl Corshill, hes to crave of the said David ; and Elyzabeth Power, spouse to the said David, obleist her (in respect of her present sickness), her aires, executoris, etc., to releif the said Robert Dickie and his forsaidis of all skaith and damage he should sustaine herethrow in becomeing cawtione for her said husband in the premissis in any sorte.

Robert Dickie.

R. ALLANE, notarius.

BARRONE COURT OF CORSHILL, holden within the manner place thairto, vpon the xvi day of November 1679. Be the Ryght worshipfull Sir Alexander Cunningham of Corshill, knight barronet, and Matthew Stewart of Newtoun, his worship's baillie.

Suitis called.

Court affirmed with all members neidfull.

Decreit—Jean Currie contra Johne Wyllie.

The quhilke day, the Judge forsaid decernit Johne Wyllie in Meikle Corshill to make payment to Jean Currie, servitrix to the Laird of Corshill, of the sowme of four pond and half ane merke scotis money of feall, and ane aprone at 6^s 8^d, and ane paire of new double solled shoes at thirtie shilling, and five shilling for halfe ane elne of liline, of feall and bonteith for half a yeer's service performed be her to him in anno 1675. Because the said defender being personallie summondit and not comperand, decernit manner forsaid, and ordained the same to be payed, within terme of law, with 6^s 8^d in expenses of plea.

Decreit—Bichet contra Wyllie and others.

Eodem die: Johne Wyllie in Hareschaw, and James Wyllie his sone, Adame Dunlope, tailyor at the Kirk, and William Stivensone, tailyor there, decernit to pay ane full dollor to Johne Bichet in Hareschaw, quhich he lost and they found, and

devidit the same amongst them; and ordaines the same to be payed within term of law, with certificacione of poynding thairfor, with 4^s 8^d of expensis of plea.

Decreit—Graham contra Stewart.

Eodem die: Katherin Grahame, widow, in Guishillis, persued Johne Stewart in Templhouse, for seven score sextine coups of fuilzie,¹ quhair of four score fiftine prysed be the birlaymen at ten pennyes per coupe, with four door lockes and ane spenss door, with croke and bondis.² The mater referred to James Waker in Nether Robertland, and Robert Wyllie, and quhat they decerne to report to the baillie before this present court ryse. Item, they decernit four pond scotis for the said fuilzie, which wes payed to her in face of court, and shee is ordained to remove any plenishing and lockes frae the said house of Templhouse, and that betwixt and the seventine day of this instant.

Continued.

Eodem die: James Waker in Nether Robertland persued Barbara Broune spouse to Johne Pinkertoune in Guishillis, for seven merke scotis money as the pryce of ane boll malt, with halfe ane merke money forsaid in rest of ane pairte pryce of ane other boll. Compeired the said Johne Pinkertoune and denyed the clame: The pursuer referred the mater to ther oath of veritie, quhich the defender repelled back to the persuer his oath of veritie. Item, the persuer acclames of the said Johne Pinkertoune four pond sextine shilling scotis money, which the defender confest. Both pairties declaired they wold aggrie betwixt themselves.

Decreit contra.

Eodem die: The Judge forsaid decernit all and sundrie the tennentis and sub-tennentis and cottares within the Lairdshipe in payment of there maillis and dewties for this present terme of mertimass last bypast, and quhat restis of preceidings after just compt and reckoning, and ordaines the same to be payed within terme of law, with certificacione, if they faillie, to be poyndit be the officer for the 3^d penny more.

Decreit of the Fier.

Item, decernes the fier meall lyable in payment for this last terme indew to be ten merke ilke boll thair of, and to be payed in betwixt and Candlemass nixt, and quho faillies in thankfull payment after the said tyme, ilke boll to be lyable in payment of eight pond money forsaid.

¹ Small heaps of manure set down in cart or horse loads.

² Crooks and bands—hooks and staples, used for hinges.

BARRONE COURT OF CORSHILL, holden within the manner place of Corshill, be the
Right Honorable Sir Alexander Cunninghame of Corshill, Knight and
Barronet, and Johne Dean his baillie, upon the

Suitis called.

Court lawfullie affirmed.

Decreit—Walker contra Graham.

The quhilke day, Katherine Grahame at the Kirk, decernit in payment of seven
merkes scotis money, as the pryce of ane boll of malt endew be her to James Waker
in Nether Robertland. Because the defender present confest debt, therfore decernit in
manner forsaid, and ordained to be payed within terme of law, with 6^s 8^d in expensiss
of plea.

Tullidaff fyned.

Eodem die: The Judge forsaid findeing Johne Tullidaff to have abstracted his
wholl malt frae the milne of the Suckine, inacted the defender in fyne, conforme to
act of Court made theranent, and to be poyndit therfor.

Decreit—Stewart contra Graham.

Eodem die: Johne Stewart in Templhouse persued Katherin Grahame to remove
ane Langsetle¹ out of his house, conforme to the ballie's directione before. The Judge
forsaid decernit the said Katherin Grahame to remove the said Almie² betwixt and
the nixt Sabboth, and if shee break the house wall to get the same out to build up
the same againe upon her owne charges and expensiss.

BARRONET COURT OF CORSHILL, holden be the Right Worshipfull Sir Alexander
Cunninghame of Corshill, Knight and Barronet, and David Stewart of Kirk-
wood, his baillie, upon the nynt day of November j^m vj^c and eightie yeers.

Suitis called.

Court lawfullie affirmed.

Continued.

The quhilke day, James Buckle in Nether Robertland persued Johne Puidzane
ther, for the sowme of three pond eight shilling sex pennyes scotis money, pairtlie of
borrowed money and pairtlie for worke wrought to him. Defender present, denyed the

¹ Langsettle, a long wooden seat, set at the fireside, formerly part of the furniture of a farmhouse.

² A press, or cupboard.

clame. Persuer referred to the defenderis oath: Defender referred to the persueris oath. Both parties referres the said matter, being found to be 2^{lib} 18^s 6^d to James Walker and Johne Pinkertoune, and they to report the nixt court day.

BARRONET COURT OF CORSHILL, holden be the Right Honourable Sir Alexander Cunninghame of Corshill, Knight and Barronet, and David Stewart of Kirkwood, his baillie, upon the seventine day of November j^m vj^c and eightie yeers.

Suitis called.

Court lawfullie affirmed.

Decreit—Patrick Johnstoun, etc., contra Thomas Murchland.

The quhilke day, Patricke Johnstoune, somtyme in Litl Cutswray, now in Bredmoss, persued Thomas Murchland in the said Cutswray for the sowme of twelve pond five shilling scotis money, as the pryce of the foilzie of the said towne left be him, and prysed be the birlaymen, and receaved be the said Thomas, quhilke the defender confest; and therefore the said defender was decernit in payment of the same to the persuer within terme of law, with sex shilling eight pennyes money forsaid, in expenssis of plea.

Decreit—Puidzan contra Harper.

Eodem die: Johne Harper in Meikle Corshill, decernit in payment of eight shilling scotis money in rest payment of ane hirdis fieall, with sex shilling eight pennyes money forsaid, as the pryce of ane elne of plyding to be hose of bonteith, endew be him to persuer these seaven yeirs bypast, viz., to Robert Puidzane in Meiklcorshill.

Continued.

Eodem die: Alexander Harper in Meiklcorshill persued Robert Fultoune in Foggihilock for the sowme of fourtie shilling scotis money, with three peckis of corne as the hyre of ane horse three dayes in harrowing this last laboring tym. Referres to the determinatione of Matthew Montgomrie in Clerkland, and James Bichet in Hareschaw, and report ther decision.

Decreit—Murthlan contra Dunlop.

Eodem die: Thomas Murthland in Litl Cutswray persued Johne Dunlop ther, for twentie-seven shilling 6^d scotis money, as the pryce of quhat foilzie he receaved more quhen Patrick Jonstoune left the towne nor he receaved off the said Johne Dunlop quhen he left the said towne. Both parties referres the said mater to the decision of James Waker in Nether Robertland, and Robert Wyllie at the Kirk, and the said two men to

report their diligence. Quho [having] reported ther[on]; decernit the defender in ten shilling to the persuer, and to pay within terme of law.

Decreit—Robieson contra Langwill, officer.

Eodem die: The Judge forsaid decernit Allan Langwill, officer (personallie present, and confessing debt), to pay to James Robiesone in Kirkwood, four merke scotis money, as his horse hyre in helping to draw the milnstone to the Clerkland milne, and ordaines the same to pay within terme of law.

Continued.

Eodem die: William and Alexander Fultounes in Corsehouse persued Johne Adame in Taill, for oppressione of four swimes grass, at fourtie shilling the swyme, this twelve yeers bygane. Defender absent; ordaines both pairties to come before the baillie tomorrow come eight dayes, anent the decisione of the said mater.

Decreit—Laird contra the Tennentis.

Eodem die: The Judge forsaid decernes all and sundrie the tennentis and sub-tennentis within the barronie in payment of their haill maillis and dewties addebtit be them, and ilke ane of them, this last terme of martimass 1680 instant, with what restis of proceedings after just compt and reckoning, and ordaines the same to be payed within terme of law, under the paine of poynding for the 3^d penny more.

Item, ordaines this last yeers fier to be ten merke scotis money per boll, and ordaines the same to be payed as said is.

Decreit—Officer of the ground contra the 8 merke land one the other syd of Annock Water.

Eodem die: Allan Langwill, officer, persued the 8 merke land on the other syde of Annock water pertaineing to his worship for eight pond scotis money, for want of three horse in drawing of the last milnstone. The Judge forsaid decernit the tennentis in payment thereof, and ordaines them to have ease of the nixt milstone drawing, in reguaird they drew one before the said last stone homebringing; and ordaines to poynd for in caise of failzie.

Act anent the Park Dyckes.

Eodem die: The Judge forsaid, with consent of the tennentis, ratified and approved the former Act made anent the wrong in goeing over the park dyckes and breaking doune the same: In that quhoever hereafter shall be found and convict in goeing over the said park dyckes shall be lyable in fyne of four pondis scotes money, toties quoties, and ordaines the persone convict to be poyndit therefor.

¹ Soum, or sowme of grass,—the relative places ten. A soum of grass, as much as will proportion of cattle or sheep to pasture, or *vice* pasture one cow, or five sheep.—Jamieson. See *versa*. A soum of sheep, five sheep; in some also *Scotch Legal Antiq.*, by C. Innes, p. 268.

BARRONET COURT OF CORSHILL, holden within the manner place thair of, be the Right Honourable Sir Alexander Cunninghame of Corshill, Knight Barronet, and James Wacker in Nether Robertland, his Honour's baillie, upon the twentie fift day of May j^m vj^c eightie one yeers.

The quhilke day, Alexander Thomsone in Blacklaw persued Johne Puidzan in Nether Robertland for the sowme of fourtie sex shilling eight pennyes scotis money, and the keeping of two sheep of his this yeer bygane. Both parties referred the bussiness to the determinatione of Johne Stewart in Templhouse and Cudbert Waker in Hareshaw, and quhat they did in the said mater to report to the baillie before the courtis ryseing.

Decreit—Wacker contra Dunlop.

Eodem die: Robert Waker in Hareshaw persued James Dunlop in Meikl Corshill for three shilling Sterling, English money, for sheeps grassing in anno j^m vj^c eightie one. Defender absent, yet found personallie summonit to this effect. The Judge decernit in payment to the persuer, and to be payed within terme of law, with 3^s 4^d in expensis of plea.

Continued.

Eodem die: John Wyllie in Hareschaw persued Alexander Dickie in Cocklbee for the sowme of nyne pond scotis money, as the pryce of two dozan of bonnetis. Compeired the said Alexander Dickie and confest he, as servitor for Gabriell Porterfeild of Halpland, receaved the bonnetis, and that he allowed the said sowme to the persueris sone in his name for quhat the said John Wyllie wes endew to him.

Eodem die: Robert Puidzan in Meikle Corshill persued Alexander Dickie, elder, in Nether Robertland, for the sowme of xx shilling scotis money, and that as the halfe fieall for ane hirdis service, with five shilling scotis money as ane halfe shirtis pryce, and that for ane bonteth promitted to his sone, with 4^s for halfe hose bonteith. Defender present; decernit.

Eodem die: Johne Puidzane in Nether Robertland persued Alexander Dickie, elder, thair. Compeired the said Alexander Dickie and declyned the said actione quhairunto he wes assigned be Johne Thomsone, and declaired he should noe farder persue the said Johne Puidzane therefor.

Decreit—Stewart contra Wyllie.

Eodem die: Johne Stewart in Templhouse persued Robert Wyllie in Meikle Corshill for ane bargane of sex best sheep out of nyne, being five ewes and four wedders, that he had bought frae him at mertimass last at twentie nyne shilling sex penyes the peice, quhair of he gave ane earnest penny, and yet, notwithstanding, wold

not give the bargane but sold the same and gave them away to ane other merchand, quhich wes to my loss the soume of fourtie shilling scotis. Defender absent. The Judge foresaid after mature deliberatione had be him in the said mater, and findeing the defender twyse personallie summonit to this actione, and not compeirand, decernit the defender in payment of twentie four shilling scotis money of loss for the said bargane, and ordaines the same to be payed to the persuer within terme of law, with 3^s 4^d in expenssis of plea.

Decreit—Contra the Tennentis.

Eodem die : The Judge forsaid decernit all and sundrie the tennentis within the barronie in payment of their maillis and dewties awand be them and ilke ane of them for this present terme of witsonday last past, and quhat restis of preceedingis after just compt and reckoneing, and ordain the same to be payed to the master within terme of law, under the paine of poynding for the 3^d penny more.

BARRON COURT OF THE BARRONIE OF CORSHILL, holden be the Right Honourable Sir Alexander Cunninghame of Corshill, Knicht Barronet, and David Stewart of Kirkwood, his Honour's baillie, upon the sextine day of November j^m vj^c eightie one yeers.

The quhilke day, Mary Smith persued Williame Alasone, both [*sic.*]

Eodem die : William Alasone persued Mary Smith for thirtie pond scotis money for eaten grass that lay wast in his hand in anno 1680. Item, 4^s for a gill of brandie and a gill of seck, with sex shilling for a leg of mutton.

Eodem die : Robert Wacker in Blacklaw persued James Wyllie in Litle Corshill for three firlois of beir, at elevin merke the boll, quhairof I onlie goten twentie shilling scotis, and he will not pay the rest. Compeired the said James and confest debt ; Therfor decernit.

Eodem die : Johne Pinkertoune in Gooshillis persued Arthur Bryce, smith at the Kirk, for the sowme of ten merkes scotis money, in rest of ane fitted account. Compeired the said Arthur and confest onlie five merkes money. Both parties continues this actione to this day eight dayes.

Eodem die : James Buchanan, smith in Kirkwood, persued Robert Wilsone in Wardhead for seventin pond ten unce of wrought yron, with two bondis and naillis to the Walkmilne at four merke five shilling four pennyes scotis money. Compeired the said Robert and confest the said worke wes in the milne ; and there[fore] decernit.

Eodem die: The actione betwixt the tennentis and Johne Adam, debatable, referred to this day eight dayes; and ordaines both parties to be present at the Kirk that day.

Eodem die: Johne Habkine persued William Alasone at the Kirk for three peckes eaten corne be his bestiall in anno 1679, prysed be Robert Wyllie and Arthur Bryce, birlay[men]. Compeired the said William and alledges that eaten corne should be called in barron courtis within yeer and day, and in the interim denyes the clame. Continues to this day 8 dayes, and that day both to be present.

Eodem die: Alexander Dickie in Cocklbee persued Johne Pinkertoune in Goshillis for ten peckis and a half of eaten corne be his bestiall this two yeers bygain, prysed be Robert Wyllie and Arthur Bryce, birlaymen. Compeired the said Johne and confest he being nixt in his lissure¹ to the said corne could not cleng² himself. Therfor decernit, with 13^s 4^d in expensis, at 6^s 2^d per peck.

Eodem die: Johne Pinkertoune acclaimed releif of the said eaten corne of William Stivensone at the Kirk. William Stivensone compeired and denyed any eaten be his bestiall in anno 1680; as for this yeer, 1681, quhat wes eaten be him, as said is; continues to this day eight dayes.

Eodem die: James Wyllie in Litle Corshill persued Alexander Dickie, younger, in Nether Robertland, for a firlof of eaten corne be his bestiall to him in anno 1680, prysed be Robert Wyllie and James Wacker in Nether Robertland. Compeired the said Alexander Dickie and denyed the clame. Persuer offered to prove the clame be Johne Stewart in Templhouse, and Johne Pinkertoune. The Judge decernes the said Alexander in three peckes therof, at 18^s 6^d, in la inde, ordained to be payed within terme of law, with 3^s of expensis of plea.

Eodem die: Robert Neilsone in Brediland persued Mary Smith, spouse to William Glen at the Kirk, for twentie two merkes scotis money, for two bollis of malt, and two new seckes at 4^{lib}. Compeired the said Mary and denyed the clame, quhair of she produced ane absolvitor therof under the Commissar and his clerk his hand.

Eodem die: Compeired Daniel Broune, schoolmaster at the Kirk, and persued the haill tennentis within the Lairdshipe for the proportionall pairte of his school feall payable forth of the said estat for his two yeer's service bygane. The Judge forsaid decernit all and sundrie the saidis tennentis in payment to the persuer of their respective and proportionall pairtes therof, and ordaines the same to be payed within terme of law.

Decreit—Contra Tennentis.

Eodem die: The Judge forsaid decernit all and sundrie the tennentis and sub-tennentis within the Lairdshipe in payment of this last terme of mertimass last

¹ Lesuris,—pastures.

² Clenge —cleanse or exculpate.—Cole's *Dict*.

by past, and what restis of preceeding after just compt and reckoning ; and ordaines the same to be payed within terme of law, under the paine of poynding for the 3^d penny more.

Fier.

Item, ordaines the fier of this last yeer to be eight pond scotis money, for ilke boll of the ferme meall unlaid in in dew tyme, as use is.

Eodem die : Anent the clame persued be Robert Smith at the Kirk against Robert Dickie, for wronging of him in passing throw his yaird with his bestiall and wronging his young hedg by onlaying of wett seckes and cloathes : The Judge forsaid statut and ordained the said Robert Dickie and the said Robert Smith to make up the meandyik betwixt them, betwixt and the twentie fift day of December nixt to come, under the amerciament of fourtie shilling scotis money to be payed be the pairtie faillier to the Laird his Honour, and baillie, and if not readie payment made, to be poyndit thairfor be the officer.

Eodem die : Anent the persuet of Johne Habkine against William Alasone at the said Kirk, for three peckes of eaten corne three yeers since or thairby, prysed be the birlaymen : Persuer not findeing himself clear of the eating thairof, quich being referred be the defender to the persueris oath, the persuer refused ; therfore the said Judge assoilzied the defender fra the said persuit.

Eodem die : Johne Adame [*sic.*]

Eodem die : William Alasone wes persuit for five peckes of eaten corne be his bestiall this two yeers bygane, prysed be the birlaymen, with two shilling sterling awand be umquhile Marjorie Harrow to them, viz., William Glen, and Mary Smith his spouse. Defender absent.

Eodem die : William Alasone persued William Stivensone at the Kirk, Johne Habkin ther, Robert Dickie ther, William Glen ther, for wronging of him in eating of his grass with his bestiall in summer 1680. Johne Ross ther, being before persued, the Judge forsaid referred the mater debatable to Robert Smith and Johne Deans elder, merchandis ther, to cognosce and decerne thairintil betwixt and Christmass nixt. The grass clamed is thirtie poundis scotis money.

The said day, William Dickie at Stewartoun Kirk persued Patricke Stivensone in Hareschaw, for breach of bargane of four sheep bought frae him, and had now sold them to another persone. Compeired the said Patrick, but came not conforme to his day, and receaved the said sheep be severall dayes after the day appoynted ; and quhen he came to the said William and desyred him to come and receive them and pay him than therfor, conforme to his promise, quich payment the said William denyed, but wold nor could not win to get the sheep, and seing that he wold not pay him, as said is, therfor the said Patricke gave ane bawbee peice of earnest he got frae him bak

again, and declared he wold keep the sheep noe longer, but sell them quhere he could best. The Judge forsaid findeing the mater to be of veritie, that the persuer had no wayes kept conditione, assoilzies the defender fra the said bargane and persuit, in all tyme comeing.

Eodem die: The Judge forsaid decernit Johne Adame in Taill in payment of ane hundreth and four pound scotis money, addebtit and awand be him to the tennentis and tackesmen in the towne of Harschaw, viz., Johne Wyllie, etc., and that personallie, for the grassing of two swimes of bestiall for the space of elevin yeers bygane, at four merkes scotis money, at fiftie-eight pond thirtine shilling four pennyes: Item, in rest of his yeerlie rent the said space, fourtine pond thirtine shilling four pennyes: Item, for ane hirdis cosnant¹ fieall this last summer, fourtine pond thirtine shilling four pennyes: Item, owand of his rent this last year, 1681, sextin pond money forsaid; and ordained the same to be payed to the persewers within terme of law, under the paine of poynding thairfor, with 13^s 4^d in expenssis of plea.

Court holden at Kirktown, the fourteenth day of April 1682, be the Right Honourable Sir Alexander Cunninghame of Corshil, and David Stewart of Kirkwood, his bailie.

Court lawfullie fenssed.

The quhilke day, the said Bailie sitting in judgement anent the plea betwixt John Pikin, merchand at the said Kirk, and Margaret Tod his wife, and having heard their own confessione, and having examined William Glen, induellar at the said Kirk, and John Habkin ther, in the said matter, and finding that by ane Act of Court maide against scolding and flyting, they were guiltie of the breach of the said act, therefor decernes and ordaines ilke one of the said personis to be amerciatted and fyned in the sowme of fyftein lib. scotis money, as the fyne contained in the said act, and to pay the said sowme of thirty pound within terme of law, uthirwayes the officer is to poynd thairfor.

DAVID STEWART.

Att CORSHILL place, the sevent day of June j^m vj^c eightie and two yeers, Sir Alexander Cunninghame of Corshill, Knight and Barronet, and David Stewart of Kirkwood, his honour's baillie, held ane meiting of his honour's tennentis.

The quhilke day, Hugh King, millar in Clerkland milne, persued Robert Dickie at the Kirk, for abstracting of twentie four bollis malt fra the milne since mertimass last bypast. Item, James Millar, for ten bollis, quhairof two confest abstracted. Item,

¹ Cossnent,—wages without victuals.—Jamieson.

John Tullidaff, twelve bollis abstracted. Item, John Hopkine eight bollis, quhair of two bollis confest, and millar therewith content. Item, Gilbert Hunter sex bollis malt abstracted. Item, William Alason there, twelve bollis corne abstracted. The Judge forsaide ordaines the persones non confessing to compeir before him at the said Kirk to marrow, in John Montgomries chamber, and depone quhat truly each of them hes abstracted. And who faillies, and in what found faultie, to be in fyne of ten lib. for ilke boll abstracted, and ane peck of malt to the millar for each boll abstracted, as said is.

Eodem die : Alexander Dickie, elder, in Nether Robertland, persued John Puidzane there, for ten merkes scotis money, owand be him to John Thomsone his good brother, and assigned be him to him the said Alexander, and quhairto he hes right be assignatione. Compeired the said John and confest he wes willing to pay him, haveing compensatioun of quhat the said Alexander is endew him, bot for that ten merke acclaimed he denyed the same. The Judge ordaines both pairties to compt their comptis betwixt them, and to let it be seen quhat is betwixt them to him to marrow in the place forsaide, quhich both pairties granted to doe, with certificatione as effeires.

Eodem die : Alexander Dickie, elder, in Robertland, persued Johne Gibsone in Cutstray for twentie shilling scotis money, in rest of four pond scotis money of ane chestis pryce : Compeired the said John and confest onlie twelve shilling, and therein decernit to make payment. Item, the said Judge decernit the said John Gibsone in fyne of twentie shilling for his irreverence and misbehavior of court, in saying, notwithstanding of confessione, that he should not pay him, the persuer, this seven year to come, because that he persued him in this present court. Ordaines the same to be payed within terme of law, or otherwayes to be poyndit thairfor, with 4 shilling money forsaide of expensis of plea.

Eodem die : The Judge forsaide decernit all and sundrie the tennentis and subtennentis within the barronie in payment of this witsondayes termes dewtie 1682, last by past, and quhat restis after preceedings (after just compt and payment), and ordaines the same to be payed within terme of law, otherwayes to be poyndit for the 3^d penny more.

DAVID STEWART.

COURT holden att the place of Corshil, be the Right Honourable Sir Alexander Cunninghame of Corshil, Knight Barronett, and David Stewart of Kirkwood, his Bailly, upon the seventeenth day of November j^m vj^c and eightie two years.

Court lawfully fenced.

The quhilke day, the said Bailly sitting in judgement anent the claime given in be

Andro Wilson in Fulshaw against Marione Bichett in Meikle Corshill, lybelling against her the sowme of ten pound for land tilling. And the said Marione being absent by reason of sickness, the Baily delayes the said proces till this day eight dayes.

Eodem die: Anent the claime given in be Hendry Wylie, smyth at the Kirk, against James Wylie in Meikle Corshil for half of boll of corne bought and received by the said James, extending to the sowme of foure pound; and the said Baily having considered the claime, decerned the said James to pay him within 15 dayes, with 6^s 8^d of expensis of plea.

Eodem die: Anent the claime given in be Janet Cochran, relict of umquhile James Walker in Nether Robertland, for malt bought by the persons after mentioned from her deceased husband. The said Baily having considered the said claime and found it reasonable examined them upon oath: To witt, John Montgomery at the Kirk, did depone that he was indew nathing, and so he and John Tulidaph and James Miller were absolved from the persuite. Andrew Fauld compeiring, and not being clear to depone, was appointed to give his oath against this day eight dayes, othirwayes to be decerned for what was lybelled by her. John Pinkerton compearing, he with his wife were decernit to depone this day eight dayes. John Stewart compearing, was absolved from the persuite.

Eodem die: Anent the claime given in be James Wylie in Meikle Corshil against Hendrie Wylie, smyth att the Kirk of Stewartown, for selling ane horse to him which he obleist himself to uphold the horse sold to the said James to be safe and sound. The said Baily decerned them to referr the matter in debate betwixt them to two honest men, mutually to be chosen by them for that effect.

Eodem die: Anent the claime given in be James Armor in Boostownhead against John Pickin in Nether Robertland, for the said John's detaining from him the sowme of 15 lib. for land tilling; and the said Baily having considered the claime, and the said John Pickin confessing the debt but said that the said James Armor did not tymously till the same, decerned everie one of them to choose two honest men to decyde the samen against this day eight dayes, to witt, Cuthbert Walker in Braidland for James Armor, and John Calderwood in Caldhome for John Pickin; and the said pairties, submitters, in presence of the haill court obleist themselves to stand to the determinatione of the said arbitratoris.

Eodem die: Anent the claime given in be Andro Faulds against Robert Dickie att the Kirk. The said Robert not compearing, was ordered against that day eight dayes to compear and give satisfacione.

Eodem die: Anent the claime given in be John Pinkerton in Gooshillis against John Learmont for two peckis of fruite received by William Learmont his father and

Agnes Learmont daughter to the said John, which the said John promised to pay; and therefor the said Bailie decerned the said John to pay the said two peckis of fruite, the pryce therof extending to fourty shiling, with two shiling of expenssis of plea, within terme of law.

Eodem die: James Wylie in Hershaw claimed against Alexander Dickie in Cocilbee, the sowme of nyne pound for two dozens of Bonnetis received by him from John Wylie, his deceased father; the said Bailie delays the samen till he speak to Hapland.

Eodem die: Anent the claime given in be Mr. Andro Hutcheson, minister of Stewarton, against the persons after specifeit: To witt, Robert Barr and Neil Montgomery in Clerkland, Robert Corshil in Meikle Corshil, John Harper there, James Harper ther, John Wylie in Braeheid, William and Alexander Fulton in Corshouse, John Dunlop in Townheid of Cutstraw, for not paying their yearly viccaradge: Therefor the said Bailie decerned ilk one of them to pay, within terme of law, all their viccaradge owand and indew be them preceeding the date hereof.

Eodem die: Anent the claime given in be William Stevenston, tailzeor at the Kirk, against Alexander Dickie in Cocilbee, for the sowme of twenty eight shiling indew to him as a pairt of the pryce of ane cow. The Bailie having considered the claime, decerned the said Alexander Dickie to pay the said sowme of twenty eight shiling within 15 dayes, or else the officer is hereby ordained to poynd therfor.

Eodem die: Anent the claime given in be Hugh King against the persons after mentioned: To witt, Robert Dickie att the Kirk, for his grinding by the mylne of Clerkland 24 bollis, James Johnston 2 bollis, Gilbert Hunter 4 bollis, John Pinkerton foure bollis. The Bailie having considered the claime, decerns Robert Dickie this dayes eight dayes to compear and give his oath, and absolves James Johnston from the persuite; Gilbert Hunter is likewise absolved; John Pinkerton this day eight dayes to compear and depone, otherwayes decreit to be given.

Eodem die: Daniell Brown, schoolemaster, gave in ane claime for his schoole dewtie for the year of God j^m vj^c and eightie two years, and what restis of preceedings. The said Bailie decerns the tennentis of the barronie of Corshill to pay their schoole dewtie, being 22 shilling out of each 100^{lib} of valued rent, within terme of law, otherwayes the officer is ordained to poynd therfor.

Eodem die: Anent the claime given in be John Pickin, Nether Robertland, against Alexander Dickie, younger, of Nether Robertland, for detaining from him the sowmes of money after specifeit: To witt, fourty shiling for half ane aiker of grass, and twenty shiling for meind¹ grass, with ten shiling for ane boyn, which the said Alexander con-

¹ Mein or mene,—common or intermediate, has changed colour.—Jamieson. Here it prob-
see page 166. Meinged,—said of corn when it ably means straw, see next page.

fest, and the Baily decerned Allan Lingwil and Robert Wylie in Strand to decyde in this matter against this day eight dayes, and they obleist themselves to stand to their determinatione. And the said Alexander Dickie upon his oath declared that he never promised him twelve shiling for his going to Glasgow, nor never received any straw from him save ane bottle which he brought into him; and therfor assoilized him therfrae.

Eodem die: Alexander Dickie gave in ane claime against the said John Pickin, for detaining from him three dayes harrowing, the pryce of each day being 13 shiling 4^d, extending to 2^{lib}: Item, fyve shiling and two penies of ane fitted compt: Item, 12 shiling for threshing of his bear in the said Alexanderis his barn: Item, for steiring¹ of half ane aiker of beir land: Item, two pound of butter; and assoilzies him for the beir land, and decernes the said Alexander Dickie and John Pickin to stand to the determinatione of John Stewart in Templehouse, and John Pinkerton in Gooshillis; and they obleist themselves to stand thertoo.

Eodem die: Anent the claime given in be John Stewart in Templehouse against John Thompson in Walk Mylne, for the sowme of three pound thritein shiling foure penies indew be the said John Thompson to John Stewart; and he being lawfully sumonded and not compearing, the Baily decerned him to pay the said John Stewart of the said sowme of 3^{lib} 13^s 4^d within terme of law, otherwayes the officer is ordained to poynd thairfor.

Eodem die: The said Baily decerns John Harper, John Wylie in Cutstraw, Janet Smyth, and Arthur Byrce, to be amerciatted, each of them, in the sowme of twenty two shiling scotis, to be payed within terme of law.

DAVID STEWART.

COURT holden at the Kirktoune, be the Richt Honourable Sir Alexander Cuningham of Corshill, Knight and Barronett, and David Stewart of Kirkwood, his Baily, upon the second day of December j^m vj^c and eightie two yearis.

Court lawfully fensed.

The said Baily sitting in judgement anent the claime given in be James Smyth in Bloomerig against John Pickin in Nether Robertland, for detaining and wrongously withholding from Adam Smyth, brother to the said James, the sowme of three pound fyftein shiling foure penies as the remainder of the pryce of nyntein merkis for two bollis of meal bought by the said John above four yearis since, for which the said James Smyth became cautionare. And the said John Pickin being lawfullie warned and not compeirand, and the said Baily finding the claime to be relevant, decerned and ordained the said John Picken of Nether Robertland, to make thankful payment

¹ To steer,—to give land a slight ploughing or digging.

of the forsaid sowme of three pound fyftein shiling foure penies, with foure shiling of expenssis of plea, to the said Adam Smyth and James Smyth his brother, and that within terme of law, otherwayes the officer is ordained to poynd thairfor.

Eodem die: Anent the claime given be Hugh King against Robert Dickie, wright at Stewartoun Kirk, for withholding and abstracting from the mylne of Clerkland the number of 24 bollis. And the said Robert compearing and by his oath deponing that only he abstracted from the said mylne the number of 8th bollis at most; therefor the said baily decerned the said Robert Dickie to pay the abstracted multar of the said 8th bollis within terme of law, otherwayes the officer is ordained to poynd thairfor.

Eodem die: Anent the claime given in be Alexander Dickie, elder, against Alexander Dickie, younger, his eldest son, both indwellaris in Nether Robertland. And the said Alexander Dickie, younger, not compeiring, the said Alexander Dickie, younger, was ordained to be warned against this day 8th dayes, otherwayes to be decerned for what his father claimed against him.

Eodem die: Anent the claime given in be Andrew Fauldis against Robert Dickie, wright at Stewartoun Kirk, for detaining and withholding from him the sowme of thirty shiling as the pryce of ane tree bought by him from the said Andrew. And the said Robert compearing and confessing the debt, the said Baily decerned and ordained the said Robert Dickie to pay the said sowme of thirty shiling scotis, as the pryce of the said tree to the said Andrew Fauldis, and that within terme of law, otherwayes the officer is ordained to poynd thairfor.

DAVID STEWART.

BARRONE COURT OF CORSHILL, holden within the manner place therof, upon the nynt day of November 1683, be the Ryght Honourable Sir Alexander Cuninghame of Corshill, Knyght and Barronet, and David Stewart of Kirkwood, his baillie.

Suitis called. Court lawfullie affirmed with all members neidfull.

. . . . Dempster.

The quhilke day, James Wacker, servitor to Jonet Cochrane widow in Nether Robertland, persued John Habkine at Stewartoun Kirk, for the sowme of three pond three shilling scotis, in rest of the pryce of three sheep bocht and receaved be him from him about a yeer since. Defender called and not compeirand, being lawfullie summondit to this defect, the Judge decernes the defender in payment to the persewer within terme of law, reserving alwayes to the defender any defence he hes to object against the nixt court day; Otherwayes faillieing, ordaines precept of poynding hereupon, with 6^s 8^d in expenssis of plea.

Eodem die : Thomas Puidzane in Meikle Cutswhay persued the said John Habkine for five merkes scotis, in rest of payment of twentie two sheep bocht and receaved be him fra the persuer about two yeers since. Defender absent ; decernit ut supra, with 8^s of expenssis of plea.

DAVID STEWART.

Eodem die : Anent the mater of debait betwixt John Puidzane in Nether Robertland, and Alexander Dickie, elder, there. Compeired John Calderwood in South Robertland, as witness in that affair, and being solemnly sworne, deponed that he heard umquhile James Wacker in Nether Robertland, say that he, the said Alexander Dickie, elder, promised to him (as once sitting baillie in this barron court) he should never trouble the said John Puidzane in that affaire quhair of now he hes gotten decreit in the baillie court of Irvine. Item, the Judg forsaid ordaines Alexander Dickie to be citted to this next ensueing court, and in the meantyme inactis the said Alexander Dickie in fyne of twentie pond scotis for contraveining the actis of court in goeing to another court with his nyghbor without leave asked and given. Cudbert Waker in Braidiland, as witnes in forsaid mater, deponed as John Calderwood, ut supra.

DAVID STEWART.

BARRONET COURT OF CORSHILL, holden at the manner place of Corshill, be the Ryght Worshipfull Sir Alexander Cuninghame of Corshill, Knight Barronet, and David Stewart of Kirkwood, his baillie, upon the sextene day of November j^m vj^c eightie three yeers.

Suitis called.

Court affirmed.

. . . . Dempster.

Decreit—Hutcheson contra Tennentis for Viccar.

The quhilke day, William Hutcheson, executor confirmed to the deceast Mr. Andrew Hutchesone minister of Stewartoun Kirk, persued William Stivensone, tailzeor at the Kirk, for the soume of seven pound thirtine shilling four pennyes scotis money, as the pairte resting of ane horse bocht and receaved from him, about three moneth since or thairby. Defender lawfullie summondit personallie, and now called, and not compeirand, the Judge decernit the defender to pay the said persuer the said soume within terme of law, under the paine of poynding, with 20^s of expenssis of plea.

Decreit—Gilkerson contra Dickie.

Eodem die : James Gilkerson, smith in Roughsyde, persued Alexander Dickie, younger, in Nether Robertland, for thirtie sex shilling scotis, for feeding ane meir¹ to

¹ A mare.

him betwixt mertimass and ploughtyme, about three yeers since or thereby, quhich he wold prove be Johne and Thomas Wyllies in Litle Corshill. Compeired the said defender, and haveing nothing in law to object in the contraire ; therfore decernit in payment to the persuer within terme of law, with 3^s 4^d in expenssis of plea.

Decreit—Greer contra Dickie.

Eodem die : Allan Greer, skinner in Kilmarnock, persued Alexander Dickie in Cocklbee for seventine pond scotis money. Item, James Harper in Meikle Corshill, for fiftine pond scotis, and that for wooll goten be them fra him the said Alexander Dickie ten quarters of year since, and the other about four yeers since. Alexander Dickie compeired and confest debt, and James called, absent. Decernit both in payment, with 6^s 8^d against Alexander Dickie, and 4^s for James Harper, etc. . . .

Absolvitor—Puidzane contra Dickie.

Eodem die : The Judge forsaid sittand in judgment anent the mater debaitable betwixt Johne Puidzane in Nether Robertland, and Alexander Dickie, elder, there. And in respect it is proven that Alexander Dickie aforsaid promised never to trouble the said John Puidzane in that affaire, therefore the Judge forsaid assoilizeies the said John Puidzane to be free in that mater of decreit obtained against him be the said Alexander in the bailzie court of Irvine, and decernes and ordains the said Alexander Dickie to proceed no farder thairintill.

Decreit—Smith contra Dickie.

Eodem die : The Judge foresaid decernit Robert Dickie at the Kirk for soume of seventine shilling 6^d, for three pekes of eaten corne be his foulles in harvest last, to Robert Smith there. Item, John Habkine decernit in thirtine shilling two pennyes scotis, as the pryce of nyne fortpairtes of eaten corne be his horse, to Robert Barnes, for quhich Robert Barnes caused the persuer pay him. Item, ane merke scotis money, in rest¹ of grass pryce, to the said Robert Smith ; and ordaines payment within terme of law, with 2^s in expenssis for Robert Dickie, and 4^s of expenssis against John Habkine.

Eodem die : The Judg allowes access of relief to the said Robert Dickie of the said eaten corne, and ass

Decreit—Contra Tennentis.

Eodem die : The Judge forsaid decernit all and sundrie, the tennentis and subtennentis within the barronie, in payment of their haill maillis and dewties addebtit and owand be them, and ilke ane of them, to the said Sir Alexander Cuninghame their master, for this last terme of martimass last past, and quhat restis of preceeding after

¹ Resting-owing.

just compt and reckoning, in payment thereof to their said master, within terme of law, under the payne of poynding for the thrid penny more. Item ; decernes the feir of ilke boll of ferm meall not inlaid in dew tyme to be eight pond scotis money.

Officer.

Eodem die : John Pinkertoune in Guishillis, with consent of the Laird and tennentis of the ground, is constitut officer, and hes given his oath de fideli administratione officii.

Act contra Foullis holding in forbidden tyme.

Eodem die : The Laird and his baillie, with consent of the tennentis, inacted and statut that the haill indwelleris at the Kirk of Stewartoune, and others within the barronie, keep noe hens in tyme of seed tyme and harvest, under the paine of the inlaw contained in former actis made thereanent. And sicklyke, that none indwelling about the said Kirk wrong their nyghboris, by themselves or childerin or servantis, by passing throw their nyghboris yairdis, or breaking their dyckes and wronging any thing growing within their nyghboris yairdis, or suffering their horse or kyne to goe in others yairdis save their owne to hurt their nyghboris any manner of way ; Or yet stopp or hinder the sinkes and gooters passing throw their yairdis from their ordinare course and channell in their down fall with the descent of the ground, under the paine and penaltie of four poundis scotis money, to be uplifted fra the contraveners of the premissis and being soe convicted, toties quoties.

BARRONE COURT OF CORSHILL, holden within the manner place thereof, be the Right Worshipful Sir Alexander Cunninghame of Corshill, and William Gray in Clerkland, upon the twentie first day of May j^m vj^e eightie four years.

Continued.

The quhilke day, Heugh King, millar in Clerkland milne, persued Jonet Cochran, widow, in Nether Robertland, for the multor of ten bollis of corne, abstracted from the milne this last yeers compt. Defender absent ; the Judge appoyntis her to appear before the barrone bailzie betwixt and this day eight dayes, and give in her defenssis thereanent, and failzieing to be decernit accordingly.

Continued.

Eodem die : William Stivenson, tailyor at Stewartoun Kirk, persued Agnes Lachlane relict of umquhile Johnne Wyllie in Hareschaw, and James Wyllie her sone, for the soume of fyve pound scotis money, as the pryce of the half of the cloathes abuilzie-mentis destinat for him, quhilkes pertained to umquhile Patrick Stivensone his father,

and endew near this xx years bygane. Defenderis present, confest the recept of the cloathes, and sayes they payed the same to umquhile Walter Dickie the persueris uncle. Both parties referred the mater debatable to Andrew Neilsone in Fulshaw, and Cudbert Wacker in Hareschaw, and if they canot aggree to take ane oversman, and quhatever they (to) decern therintil to stand in full force, and this to be done before the court arise. Decernit the defender in fiftie shilling scotis, and ordaines the same to be payed to the persuer within terme of law.

Continued.

Eodem die: Andrew Foulles, shoemaker at the Kirk, persued William Dickie there for ane yron harrow he barrowed from him before beltane last, quhich he will not returne or give againe. Compeired the said William, and said he brought the harrow againe and sett it to his door, and stood there for five dayes thereafter: Both parties referres the matter debatable to the determinatione of Cudbert Waker in Hareshaw and Hew Hammill at the Kirk, and what they determine therein ilke partie to stand thereto without appellatione.¹ The said arbitratoris decernit the defender in payment to the persuer of two merke and ane halfe scotis money, to which the Judge forsaid interponed his authoritie, with 3^s 4^d in expenssis of plea.

Decreit—Bichet contra Dickie.

Eodem die: James Bichet in Hareshaw persued Williame Dickie at the Kirk for the soume of four pound scotis money, in rest of sheeps pryce bought and receaved be him this last winter. Compeired the defender and confest the debt: The Judge therefor decernit, with 6^s of expenssis of plea.

Continued.

Eodem die: David Langwill in Hilhouse persued Allan Langwill in Muirhouse for 24^{lib}, for sex yeers fieall for hirling, with sex^{lib} of harvest fie. Defender present, gave in severall comptis against the same. The Judge ordaines to marrow xx dayes, both parties to have their comptis clear against that day, and to bring the same before the bailzie to be seen.

Continued.

Eodem die: James Bichet in Hareshaw, Patrick Stivenson there, Johne Wyllie there, persued Cudbert Wacker there, Agnes Lachlane, widow there, Johne Stewart there, William Wyllie there, in that, with both their consentis, their wes ane peice of mean grass betwixt them, dealt² and evened, and dealt the same betwixt them, and quhen the saidis persueris took their choice, quhich the had at their arbitrament, and yet quhen they took their choice will not let them enjoy their said pairte assined:

¹ Challenge or appeal.

² Divided.

And sicklyke compleans that they, contraire to the use of the toun, holdis loose mares and horse (which should be teddered) amongst the milke kyn, sheep, and calves, quhairby they are wronged and hurt.

WILLIAM GRAY.

BARONE COURT OF CORSHILL holden at the place of Corshill, by the Right Worshipfull Sir Alexander Cuninghame of Corshill, and Dam Mary Stewart, Lady Corshill, and David Stewart of Kirkwood, their bailzie, upon the fourtine day of November j^m vj^c eightie four years.

Birlaymen.

The quhilke day, The Laird and his baillie, with consent of the ground, inacted and statut Hew Hamill at Stewartoun Kirk, Robert Walker in Blacklaw, Robert Barr in Clerkland, and Thomas Puidzane in Cutswhray, Birlaymen for this nixt ensueing year, and dureing the masters pleassure, who hes given their faith de fideli administratione officii.

Decreit—Contra Tennentis.

Eodem die: The Judge forsaid decernit all and sundrie the tennentis and subtennentis within the barronie in payment of their mertimass maillis dewties last bypast, 1684, instant, and what restis of preceedings after just compt and reckoneing, under the paine of poynding for the 3^d penny more. The fier this year is statut to be eight pond scotis money per boll.

DAVID STEWART.

BARRONIE COURT OF CORSHILL, holden within the place of Corshill, by the Right Worshipful Sir Alexander Cuninghame of Corshill, etc., and William Gray in Clerkland, his baillie, upon the 21 of November 1684.

Decreit—Dickie contra King.

The quhilke day, The Judge forsaid decernit Hew King, millar, in name of the suckine of the Lairdshipe, to make payment to Robert Dickie at the Kirk, and Jonet Johnstoune his spouse, of the soume of sex pond scotis money borowed be him from them, pay for the help of the milnston home drawing, with ane daile¹ at ten shilling money therfor (the defender being present confest debt); and ordaines the same to be payed within terme of law, with 6^s in expenssis of plea, and that under the paine of poynding therfor.

Continued.

Eodem die: Robert Fultoune in Foggihillock, Thomas and John Wyllies there,

¹ A ewe fattened for the butcher.—Jamieson.

persued Johne Gemill in Cutswray for the soume of twelve pond sex shilling eight pennyes, as the wedges of ane hyred horse, the space of the want of his labor being seventine dayes at a merke per diem, with 20^s for a rood of land tileing, above the hyre, in the yeer 1683 and 1684. Defender absent; ordaines the defender to appear before the bailzie one Thursday come a fortnight, the ii of December nixt.

Continued.

Eodem die: All maters debatable betwixt Alexander Dickies, elder and younger, with both parties consent, referred to the said William Gray baillie and Cudbert Waker in Hareshaw, to decerne therintill betwixt and this day twentie dayes, and quhat they decern thairintill both parties to stand thereto, but revocatione, etc.

Decreit—Dickie contra Stivenson.

Eodem die: Alexander Dickie, younger, persued Patrick Stivensone in Hareshaw, for ane Theiptree¹, at 13^s 4^d, quich he gave to the defender to carie quhen they were hombring ane milnetree² to their master, quich he lost. Ordaines and decernes the defender in payment to the persuer of 6^s 8^d therfor, or otherwayes to produce the said theiptree.

Decreit.

Eodem die: The Judge forsaid decernit Johne Harper in Meikle Corshill in payment of twentie two pond scotis money, endew be him to Robert Dickie at the Kirk of Stewartoune. The defender being personallie summondit, and called and not compeirand; decernit in manner forsaid, and ordaines the same to be payed within terme of law, under the paine of poynding therfor, with 6^s 8^d in expenssis of plea.

Continued.

Eodem die: Thomas Smith persued these within the Lairdshipe who hes broken his ground in the quarrie by wining stones and leading over his grass. The Judge ordaines the birlaymen, with the halp of Robert Wilson in Hilhouse and the officer, to sight the quarrie and ground, and to cast one³ the skaith proportionallie, conforme to clame, and that betwixt and Thursday come eight dayes, being the 4 of December nixt.

Act anent yaird dycks, and sinkes throw yairdis, etc., ratified.

The quhilk day; Anent the former actis made against the not upholding of yaird dyckes be the tennentis and subtennentis within the barronie and estat of Corshill and against breaking and passing over and breaking doune of the saidis yairdis. The Laird, with consent of the haill tennentis present, and in speciall these tennentis about the Kirk of Stewartoun, ratifies and approves the saidis former actis, and in

¹ Threepree,—the beam of a plough.—Jamieson.

² Probably a spar for a shaft, or axle, used in the mill. ³ To lay on, or assess, the damage.

special ordaines these quhat are dwelling about the said Kirk to bigg their respective yaird dyckes conform to their respective portiounes, and to make sinkes and passages for the watter that fallis or occurses thereintill, and to suffer the same to pass in the ordinaire tract and fall thereof. And these things to be done and accomplished betwixt and the first day of March 1685, and thereafter to be upholden under the penaltie of four pondis scotis money, toties quoties, sua convict, and twentie shilling money forsaid by and attour the said amerciament, to be exacted off the transgressor and given to the informer : And in caise of not payment to be poyndit therefor.

BARRONE COURT OF CORSHILL, holden within the manner place of Corshill, by David Stewart of Kirkwood, baillie of the said barronie, upon the first day of May j^m vj^c eightie five.

The quhilke day, John Puidzane, merchand at the Kirk, persued Jonet Smith, at the Kirk, for the soume of eight pond nyne shilling scotis money, except on dollor thereof gotten. Defender absent. Assigns to the defender Thursday nixt to give in her defenssis.

Eodem die : The said John Puidzane persued Jean Dunlop, spouse to Johne Habkine at the Kirk, for teddering ane horse in her yaird with a long tedder, quhair-by he came within her [his] yaird and trode doune the ground of three fortpairtes of long lintseed sowne, and abused the same alutterly,¹ and quhen the said horse was taken off the ground be him she came and abused him by calling him a thief, and gave other base language in bidding him kiss her arse tymes out of number, and bidding him hang himself. Compeired the said Jean and denyed the clame.

Eodem die : The said Jean Dunlop craved of the said Johne Puidzane sextie bottellis of lintseed.

Eodem die : Johne Wilsone in Mossyde persued Johne Lachlane there, for delving doune ane old dyck and incroaching upon his marches. The Judge forsaid ordaines two of the birlaymen to sight the said marches and to report to him accordingly betwixt and the nixt court day.

Eodem die : Andro Puidzane, Procurator fischall, persued the haill tennentis of the Lairdship beneath the Black Law, or ane or aither of them, for cutting of young root-grown trees within the parkes of Corshill within this half year or thereby, which he referred to their oathes of veritie. And the saidis tennentis and subtennentis

¹ Entirely.

BARRONE COURT OF CORSHILL, holden within the manner place thereof, upon the
 twentie eight day of October j^m vj^e eightie five years, by the Right Honour-
 able Sir Alexander Cuninghame of Corshill, knight and barronet, and
 David Stewart of Kirkwood, his baillie.

Suitis called.

. . . . Dempster.

Court lawfullie affirmed.

The quhilke day, David Wilsone in Meikle Corshill persued Johne Harper there, for the bargane of ane cow quhich he bought from him within these few dayes, and thereupon gave him ane earnest penny, and should have payed the pryce of her against Alhallow day nixt, which cow the said John hes now sold to another. Compeired the said John, and declaired he sold ane horse with the said cow to him, and now he could not give a pairte of the bargane without the haille, and payment as said is. The Judge forsaid, haveing heard both parties, decernes the said David Wilsone to make payment of the said horse and cow against Alhallow day nixt, being thirtine merke the peice, and at the time to receave the said bargane, and failleing thereof, the defender thereafter to be free.

Eodem die : Andrew Puidzane persued Alexander Dickie in Meikle Cutsway for the shearing and away takeing of the corne of ane peice of ane headrig of land, pertaineing to Matthew Templtoun his cottar, this last harvest tyme, which he had in peceable possessione these nyne years bygane. The defender denyed the clame. The Judge forsaid ordaines two of the birlaymen to veiwe the said land and to even and daill the same, and to report who is in the wrong and accordingly to decernit, and this to be done against the next court day : The birlaymen to be Robert Barr in Clerkland, and Hew Hamill at the Kirk.

Eodem die : Johne Wilsoune in Mossyde persued Robert Wyllie in Meikle Corshill for five pond three shilling scotis, of ane fitted compt before witnessis. Defender called and not compeirand, being lawfullie suit, the Judge forsaid decernes the defender in payment of the said soume to the persuer betwixt and the nixt court day.

I, William Gray in Clerkland, bindis and obleiss me, my aires, executoris, and intromittoris with my goods and gear, as cautioner and souertie for James Muire, taylor at Stewartoun Kirk, that Johne Huntar, lawful sone to Gilbert Huntar at the said Kirk, shall be keeped harmless and skaithless of the said James Muire in wronging of him the said John Huntar in his bodie or goodis in all tyme coming, and that under the paine and penaltie of twentie pond scots money, to be payed be me, as cautioner forsaid, to the Right Worshipful Sir Alexander Cuninghame of Corshill, knight and

barronet, or his honours baillie in his name, their aires, executoris, or assignayis, by and attour the performance of the premiss in caise of failzie. And I, the said James Muire, principall, obleiss me, my aires, executoris, and intromittoris with my goods and gear quhatsoever, to releave my saidis cautioner and his forsaidis and of all coast, skaith, and damage he or his forsaidis shall happen to incurr herethrow in becomeing cautione for me in the premiss in any sort. In witness quhairof, wee have subscribed thir presentis at Corshill place, the sextine day of Aprill j^m vj^c eightie sex years, before thir witnessis, Arthur Bryce at the Kirk, and Robert Allane there, wrytter hereof.

R. Allane, witness.

WILLIAM GRAY, cationer.

A. Bryce, witnes.

Eodem die : Gilbert Hunter at the Kirk bound and obleist him as cautioner, souertie, and law burrowes, for Johne Hunter his sone, that James Muire there should be free in his bodie and goodis by his said sone his prejudging of the said James in all tyme comeing, under the penaltie of twentie pondis scotes money attour the performance of the premiss in caise of failzie : And the said John obleiss him to keep his said father skaithless of the premiss. In witness quhairof, wee have subscribed thir presentis day and place forsaid, before the forsaidis witnessis.

R. Allane, witness.

GILBERT HUNTER.

A. Bryce, witnes.

JOHN HUNTER.

BARRONE COURT OF CORSHILL, holden within the manner place of Corshill, upon the fourt day of Junij j^m vj^c eightie sex years, be the Right Honourable Dam Mary Stewart, Lady Corshill, and David Stewart of Kirkwood, baillie of the said barronie.

Suitis called.

. . . . Dempster.

Court lauffullie affirmed.

The quhilke day, the Judge forsaid decerned all and sundrie the tennentis and subtennentis within the Barronie in payment of their maillis and dewties addebtit be them, and ilke ane of them, conforme to their respective portionnes, to the Right Honourable Sir Alexander Cuninghame of Corshill, knight, and the said Dam Mary Stewart, conforme to their respective portionnes addebtit, as said is, and that for the terme of whitsunday last past, and quhat rests of preceeding after just compt and reckoning ; and ordaines the same to be payed within terme of law, under the paine of poynding for the thrid penny more.

Eodem die : Hugh Hamill, merchand at the Kirk of Stewartoun, persued Andrew

Puidzane there, for the sowme of three pond scotis money borrowed from him about Candlemass bypast a year. Defender absent; being lawfullie summondit and not compearand, the Judge forsaid decernes the defender in payment thairof to the persuer; reserveing alwayes libertie to the defender if he hes any thing to doe in the contraire, or object to the contraire, to doe the same betwixt and Thursday nixt, otherwayes this decretit to stand firme.

BARRONE COURT OF CORSHILL, holden be the Right Honourable Sir Alexander Cuninghame of Corshill, etc., and David Stewart of Kirkwood, his baillie, within the manner place thereof, upon the 19 day of November 1686.

Suitis called.

. . . . Dempster.

Court lawfully affirmed.

The quhilke day, Robert Cochrane, schoolmaster, persued all and sundrie the tennentis and subtennentis within the barronie, lyable in payment of school fie, for two years school fieall come candlemass nixt. The Judge forsaid findeing the clame ressonable, and therefore decernit all and sundrie the saidis tennentis and subtennentis, lyable in payment as said is, to make readie payment of their respective proportionnes, conforme to their respective portionnes usit and wont, to the said Robert Cochrane, for the saidis two years, and that within terme of law, under the paine of poynding thairfor.

Eodem die: Thomas Wilsone in Magbehill persued Johne Harper in Meikle Corshill, for two merkes scotis money, as the rest of ane plough fie, for goeing at his plough in laboring tyme wes a year. Defender absent, and being lawfullie summondit and once present, and yet absenting, the Judge forsaid decernit.

Eodem die: James Bichet in Hareshaw persued Robert Lachlane and Johne Wyllie there, for the 2 pairte pryce of ane seek, worth 24^s scotis, lost by them in takeing localitie¹ to sojouris with corne.

Eodem die: Johne Huntar at the Kirk persued Johne Pinkertoune, for the soum of fourtie five shilling scotis money endew be him to Barbara Caldwell his mother, and quhairto now he hes rycht. Compeared the said defender [who averred] that the said Barbara wes endew him and after comptis cleared betwixt them he should pay quhat is endew. Ordaines pairties to clear accountis betwixt and Thursday nixt, and to ansser to that dyet.

Eodem die: William Wyllie in Hareshaw persued Robert Walker there, and

¹ Localitie would appear here to mean the levy on the barony for support of soldiers.

James Wyllie there, for ane paire of double solled bonteith shoes of ane hirds bonteith. Compeired the said Robert Walker and confest the debt, and therefore the said baillie decernit the defenderis in payment xx^s, as the pryce of the said shoes to the persuer, within terme of law, with 3^s 4^d in expenssis of plea.

Eodem die : Robert Walker in Hareshaw persued Patrick Stivensone there, Robert Lachlane there, James Bichet there, John Wyllie there, John Stewart there, Cudbert Walker there, [for] releif of the forsaid xx^s of pryce of the saidis hirdis shoes.

Birlaymen.

Eodem die : Robert Dickie at Stewartoun Kirk, Thomas Smith in Hilhouse, John Pinkertoune in Gooshillis, Thomas Murchlan in Cutswhay, Robert Foullis in Black Law, ordained birlaymen, who hes given their oathis de fideli administratione officii.

Eodem die : The Judge forsaid decernit all and sundrie the tennentis and subtennentis within the barronie in payment of their respective maillis and dewties addebtit be them to there master, and that for this last cropt separat from the ground, and terme of mertimass last, 1686, and quhat restis of preceeding after just compt and reckoneing ; and ordaines the same to be payed within terme of law, under the paine of poynding be the officer for the 3^d penny more.

The Judge decernes the ferm meall not inlaid this present yeer, and the last past not inlaid, to be seven pond ilke boll.

Eodem die : James Harper persued for nyne shilling scotis endew be him to James Garven, coallier in Dawray. Defender absent, being lawfullie summonit ; decernit in payment to the said James Garven persuer.

April 14, 1687.

The quhilke day, Robert Dickie at Stewartoun Kirk inacted himself, his aires, executoris, and intromittoris with his goods and gear quhatsoever, as cautioner and soueritie for William Gibsone at the bridg of Kilbirnie, that he shall make forthcumand payment to Johne Ker, lawfull sone to Johne Ker wright of Brackenhillis, and James Barclay, prentise and servant to the said John Ker elder, of all sowmes of money arreist be them or eather of them be the said William Gibsone, and arrested by them in the handis of Robert Neilson at the said Kirk, as to what wes owand be the said Robert to the said William Gibsone for worke to him, and that as accordis of the law. And I, the said William Gibsone, obleiss me, my aires, executoris, and intromittoris with his goodis and gear quhatsoever, of all coast and skaith he shall happen to sustaine herethrow, in becomeing cautione for him herethrow in any sorte. In witnes quhairof, wee have subscribed thir presentis, day and place forsaid.

W. G.

ROBERT DICKIE.

BARRONE COURT OF CORSHILL, holden within the manner place thereof, and at the Kirk of Stewartoun, the sext day of Agust j^m vj^c eightie seaven years, by Sir Alexander Cuninghame of Corshill, knyght and barronet, and David Stewart of Kirkwood, his baillie. . . . Dempster.

Suitis called.

Court lawfullie affirmed, with all members neidfull.

The quhilke day, compeared personallie Matthew Wilsone in Meikle Corshill, and Andrew Wyllie, lawfull sone to the deceast Johne Wyllie in Coclbee, and being convict of their rashnes and inhumane dealing in their drunkennes in spoyling and away takeing from Donald Fergusson, servitor to Mr. Alexander Lyndsay minister of Dunlop, of seaven fourtine shilling peices and some od turnouris,¹ which, within a short space wes retired againe to the said owner. And being judicialle convict of the said fact and sorrie therefore, Wee, after mature deliberatione had be us in the said mather, and they haveing given us full satisfaction for the said cryme, and found sufficient cautione, acted hereintill, never to comitt the like againe, have assoilized and be thir presentis assoilizies the said Matthew Wilsone and the said Andrew Wyllie from the said cryme in all tyme coming.

Eodem die: Johne Wyllie, in Cocklbee inacted himself as cautioner for Andro Wyllie, his brother-german, that he should live peacably and christianly as becomes, without troubling or wronging of any persone quhatsomever in their bodie or goodis, and that under the penaltie of scotis money, by and attour the performance of the premiss and reparatione of any damage sustained. And I, the said Andrew Wyllie, principall, obliiss me, my aires, executoris, and intromittoris with my goodis and gear quhatsomever, to releave said cautioner, and of all skaith and damage that he shall happen to sustaine herethrow in any case. JOHN WYLLIE.

BARRON COURT OF CORSHILL, holden within the manner place thereof, be the Right Worshipful Sir Alexander Cuninghame of Corshill, knyght barronet, and David Stewart of Kirkwood, his baillie, upon the fourtine day of November j^m vj^c eightie seven years.

Suitis called.

. . . . Dempster.

Court lawfullie affirmed, etc.

Act anent yaird dyckes.

The quhilke day Johne Montgomerie, procurator Fiscall, persued all and sundrie

¹ Copper coin, value two pennies Scots.—Jamieson. See also *Coinage of Scot.*, vol. ii. p. 66.

the tennentis and subtennentis about the Kirk, for breach of the actis of court anent on sufficient dycks. The Judge foresaid ordained the birlaymen and officer to sight the yairdis, and who are found insufficient, ordaines the persones soe convict to be poyndit, conforme to the saidis actis of court: And ordaines all dyckes, aforsaidis, to be sighted and repaired within eight or ten dayes after the dait hereof; and quhatsoever horse or kyne are found within the saidis yairdis, the persone in whose skaith the said beast is found hes hereby libertie to pin the same, quhill the skaith be made up and repaired to the pairtie damnified. And quhoever biges not their pairt of the mean dyck

Continued.

Eodem die: Robert Walker in Blacklaw persued the haill tennentis in Hareshaw for his proportionall pairte of a pair of hirdis shoes at 24^s scotis pryce.

Decreit—Robert Wilsone contra Alexander Dickie.

Eodem die: Robert Wilsone, weaver in Kilmarnock, persued Alexander Dickie in Nether Robertland for sex pond scotis of harvest fie this last harvest tyme. Compeared the said Alexander Dickie and said he wanted two dayes threshing. The Judge forsaid decernit the defender in payment of the said soume to the persuer within term of law, with 6^s of expenssis of plea, and failing therof, to be poyndit thairfor, and ordaines the persuer to give . . dayes threshing to the defender, with 20^s expenssis of plea.

Decreit—Neil Alexander contra William Dickie.

Eodem die: Neil Alexander in Peacockbank persued William Dickie at Stewartoun Kirk for the sowme of eightine pond sextine shilling scotis money. Compeared the said defender and confest eight pond money therof: As alsoe other eight merkes confest in respect nothing given doune, which the persuer will depon on oath; and in pairte of the forsaid sowme clamed, there wes three fullis¹ of malt and five peckes of meall, [of] which the defender sayes there wes two fullis of the malt insufficient, and the meall wes payed: Quhairupon the persuer wes readie to give his oath quhat is justly endew in haill. The persuer depones he never gave four merke of the eight doune, and the five peckes of meall at 7^s 6^d per peck is justly endew, and the three fullis of malt wes at eight merke per boll, bot gives doune half a merke thairfor: Soe restis of the saidis three fullis malt thirtie eight shilling 8^d money; inde, seventin pond two shilling ten penny scotis money. Decernit the defender in payment of the said sowme within terme of law, with 20^s of expenssis of plea.

¹ A firloot or bushel.

Decreit—Laird of Corshill contra Tennentis, etc.

Eodem die : The Judge forsaid decernit all and sundrie the tennentis and sub-tennentis within the barrony, in payment of their haill maillis and dewties addebtit and owand be them and ilke ane of them to their said master for this last term of mertimass last by past, and quhat restis of preceidings, and ordaines the same to be payed within term of law, under the paine of poynding. Item ; the fier this present cropt is eight pond ilke boll ferm meall.

Decreit—John Wilsone contra William Smith.

Eodem die : Johne Wilson in Mossyde persued William Smith at the Kirk for the sowme of sextin merkes scotis money, for the pryce of meall and wool endew these 16 yeers bygain or thereby. Defender being personallie summonit to this effect, and not compearand ; decernit in payment within terme of law, with 6^s 8^d in expenssis of plea, with this proviso if the defender compear

Continued.

Eodem die : Alexander Dickie in Cocklbee persued Adame Dunlop at the Kirk for sex peckes of eaten corn be his cow this last summer. Defender absent ; continues to the next court day.

Continues this court to the 22 day of this instant.

BARRON COURT OF CORSHILL, holden be the Right Honourable Sir Alexander Cuninghame of Corshill, knyght barronet, and Robert Barnes of Kirkhill, his baillie, upon the twentie two day of November 1687.

The quhilke day, Robert Jonstoune in Litlcutswray persued Johne Adame ther for the sowme of sextine pond sex shilling eight pennyes scotis money, for ane cott maill endew be him for this last cropt separat from the ground. Compeared Katherin Reid, spouse to the said Johne Adam and in his name, who confest the debt ; Bot they should have had ane sufficient houss and yet [it is] not water fast. The Judge forsaid after mature deliberatione had in the said matter, ordaines twentie shilling money forsaid of reductione of the said clame for the skaith the persuer hes alreadie sustained, and the house to be made watter fast within fiftine dayes. And in the meantyme decernes the said Johne Adam, defender, to make payment to the said persuer of the sowme of fiftine pond sex shilling eight pennyes money forsaid as the said supperplus rent, and in case of failzie to be poyndit thairfor within terme of law, with 6^s 8^d expenssis of plea.

RO^T. BARNES.

BARRON COURT OF CORSHILL, holden at Stewartoun Kirk within the dwelling house of Andrew Faullis, shoemaker ther, by the Right Honourable Sir Alexander Cunninghame of Corshill, etc., and Johne Ker of Braikenhillis, his baillie, upon the 25 day of June 1688 years.

Suitis called.

Court lawfullie affirmed.

The quhilke day, in presence of me nottar publict and witnessis under subscribeand, compeired personallie Margaret Tod, lawfull spouse to Johne Puidzane merchant ther, and ther (outwith her said husband his presence) and with her said husband his consent, being in the personall presence of the said baillie, upon her solemn oath judicallie deponed that shee had renuned, and be thir presentis renunes and simpliciter overgives her liferent right of all and haill that house and yaird quhich pertained to the deceast John Buckle, her lawfull sone procreat betwixt umquhill James Buckle her first husband and her, boundit betwixt Johne Habkine his house and yaird on the east, and the house and yaird pertaineing to umquhill George M'Cron on the west, lyand within the Kirktown of Stewartoun, bailiarie of Cuninghame, and shereffdom of Ayre, and that to and in speciall favouris of David Tod in Milnstonflet, her brother, his aires, successoris, and assignayis quhatsomevir; and declaired that shee wes noewayes coacted or compelled therto, bot that the samen is done of her owne free motive will, her and her saidis husbandis good foreseen and considdered: Quhairupon the said David Tod asked and required actis and instrumentis, ane or mae, of me nottar publict undersubscreavand, and witnesses also undersubscreavand. Thir things were done betwixt elevein and twelve houris, in presence of John Thom massone in Swynrigmoore, James Wyllie in Meikle Corshill, and Johne Kerr sone lawful to the said baillie, witnessis speciallie called and required to the premissis.

Ita est Robertus Allan notarius publicus in premissa requisitus de mandato dictæ Margretæ Tod scribere nescientis et omnia premissa suprascripta attestor esse vera testantibus manu mea propria et subscriptione manuali.

JOHN KER, baillie.

Johne Thome, wittnes.

James Wyllie, wittnes.

The quhilke day, Michael Tod in Magbehill being persueit be the Procurator Fischall to compeir before the Barrone Bailzie here to this dyet to ansser for some opprobrious language alledgeit spoken be him against the right honourable Sir Alexander Cuningham of Corshill, obleidged himself to compeir before his Honour and baillie upon the twentie sevent day of this instant, in a court to be holden within the Casteltoun of Corshill, ther to underly the law, under the paine of a hundreth pondis scotis money of penultie, attour the performance of the premissis, in case of failzie.

In witnes quhairof, subscribed day and place forsaid, before thir witnessis, Andrew Faullis there, and David Tod in Milnstonflett, and Robert Allane, writter hereof.

Andrew Fouelles, witenes.

MICHAELL TODD.

BARRONE COURT OF CORSHILL, holden within the manner place thairof, be the Right Honourable Sir Alexander Cuninghame of Corshill, and David Stewart of Kirkwood, his baillie, upon the 27 day of June 1688.

Suitis called.

. . . . Dempster.

Court lawfullie affirmed.

The quhilke day, Anent the forsaid persuit persued be Hendrie Wyllie, smith at Stewartoun Kirk, against Michael Tod. Both pairties being obleidged, and for that effect lawfullie summonit to this day, and the said persuer being thrice lawfullie called, compeired not; and the said Michael being called, compeired and denyes alutterly the said clame, and truely declared he wes free of all alledgeit against him. Quhairupon the Judge assoilizes the said Michael of all alledgeit be Hendrie Wyllie against him, and thairupon and his said compeirance the said Michael asked actis and instrumentis. And in respect the said Hendrie had declyned compeirance and makeing out quhat wes lybellit be him, for his contumacie and wrongous lybellling against the defender, inlawes him in ane amerciament of four pondis scotis money and to be payed upon demand, otherwayes to be poyndit thairfor.

BARRON COURT OF CORSHILL, holden within the manner place thairof, by the Right Honourable Sir Alexander Cuninghame of Corshill, etc., and David Stewart of Kirkwood, upon the 16 of November j^m vj^c eightie eight years.

Decreit—Neil Alexander contra Hunter and Wilsone.

The quhilke day, Neil Alexander in Over Peacockbank persued Johne Hunter, at the Kirk, for the sowme of four merkes scotis money, as the remainder of ane boll of malt bought and receaved be him from the persuer about half a year since bygane. Item, Johne Wilsone in Meikle Corshill, sex shilling eight penyes money forsaid, as the pryce of a peck of meall gotten about a yeers since bygane. Defenderis absent, notwithstanding personallie summonit to this dyet. The Judge decerns each on of them in payment to the persuer of the saidis respective sowmes within terme of law, reserving alwayes to the defenderis license to compeir before the baillie betwixt and and Thursday nixt, the 22 instant, to give in their legall defences, and failling, ordaines ane extract to be given forth, with 4^s of expenssis of plea.

Decreit—Johne Deans contra Auld and Nicoll, etc.

Eodem die : Johne Deans, merchand at the Kirk, persued ane arreistment onlaid in the handis of Alexander Nicoll, tailyor at the Kirk, for four pond seventin shilling eight pennyes scotis money for merchand wair bought and receaved be Allan Auld in Lochmilne, now fugitive. Compeired the said Alexander Nicoll and confest a new gray coat. The Judge forsaid decernes the said gray coat to be given to the persewer within terme of law, with four shilling of expenssis of plea : Otherwayes to be poyndit thairfor.

Continued.

Eodem die : James Ross, merchand at the Kirk, persued Johne Puidzane, bonnet-maker at the Kirk, for three pond fiftine shilling scotis money, endew be him for merchand warr bocht and receaved about a yeers since bygaine ; Quhair of only a litle black bonnet receaved. Defender absent ; continues to the nixt court day.

Decreit—Hamill contra Pinkerton, and Ker for his interest.

Eodem die : Hugh Hamill, merchant at the Kirk, persued Jean Pinkertonne, spous to Thomas Ker in Gooshillis, and him for his interest, for the sowme of three lib. ten shilling sex pennyes as the remainder of a merchand compt endew for merchand waire receaved be her from him before her mariag. Defender present, referres the clame to the persueris oath quhether or not he took the defenderis father and John Pinkertonne paymaster for quhat goodis shee receaved. Persuer upon oath declaires shee only became paymaster herself. Therefor the Judge decernes the defender to pay to the persuer conforme to quhat is acclamed, within term of law, with 3^s 4^d in expenssis of plea.

Decreit—Hamill contra Muire, etc.

Eodem die : James Muire, tailyor at the Kirk, decernit in payment of twentie shiling to the said Hugh Hamill as his pairte of a chamber maill endew ; with certificatioun if not thankfull payment within a fortnyght, in payment of 40^s. Item, decernes Robert Duncane in payment of 12^s scotis to the said persuer.

Continued.

Eodem die : Robert Dickie at the Kirk persued Alexander and John Caskies in Bridgend, for 5 peckes of eaten corne. Item, Adam Dunlop, seven fort pairte of eaten corne in summer last ; continues.

Continued, partly decerned.

Eodem die : Patrick Stivensone in Hareshaw, as assigney be Helen Stivensone, persued James and William Wyllies in Hareshaw for the soume of fourtie four shilling eight pennyes scotis money, as the pryce of a pair of shoes, ane apron, and

two elnes of linline of bonteith for service, and [per]formed be her to them these severall years bygaine. Defenderis present, confest all bot the shoes, and referres that part to his oath. Decernes the linline and apron, and continues the shoes to further probatione, with 4^s 8^d of expenssis of plea.

Decreit—Laird contra Tennentis.

Eodem die : The Judge forsaid decernit all and sundrie the tennentis and sub-tennentis within the Lairdshipe lyable in payment of rent to the Right Honourable Sir Alexander Cuninghame of Corshill, or Dam Mary Stewart, Lady Corshill, his honour's Lady mother, in payment of this presente term of mertimass j^m vj^e eightie eight instant, and quhat restis of preceeding after just compt and reckoneing, and ordaines the same to be payed within term of law, otherwayes to be poyndit thairfor. Item, decernies the boll ferm meall to be inlaid as use is, otherwayes to pay eight pond scotis money for ilke boll thairfor.

DAVID STEWART.

BARRON COURT OF CORSHILL, holden within the place of Corshill be the Right Honourable Sir Alexander Cuninghame of Corshill, knyght barronet, and John Deans, his baillie, upon the fiftine day of November j^m vj^e eightie nyn years.

Suitis called.

. . . . Dempster.

Court lawfullie affirmed.

Continued.

The quhilke day, William Wyllie in Hareshaw persued William Gibsone in Nether Robertland for fourtie three shilling 4^d of grasmaill these three years bygaine. Compeared the said William and dnyed the clame, in regaird quhen he entered the sheep he gave the wonting silver, and after the loss of fyve of them, delivered not the rest untill he accidentallie found them in winter thereafter. Ordaines to the nixt court day.

Decreit—Johne Dickie contra William Gibsone.

Eodem die : Johne Dickie in Meikle Corshill persued the said William Gibsone, above named, in regaird he sold him ane cow at Alhallowday 1688, and upheld her ane tyddie cow and yet fell out yell. Compeared the said William and confest the clame. Item ; alsoe ane pond of whyt wooll worth ten shilling scotis money, and sex shilling in rest of his fie for goeing at his plough. Defender denyes the last pairte of the said clame wholly. The first pairt, referred to James Dunlop in Clerkland, Thomas Puidzan elder in Cutswray, and Hew Hamill at the Kirk, and they to decern, and after decernitor to report their diligence. Whoe decernes William Gibson in payment of elevin pondis scotis money in compleat of all craved.

Eodem die : Alexander Dunlop in Mirrihill persued Robert Wyllie at the Kirk, and Alexander Dickie ther, for sex pondis scotis money owand be them to him for land tileing. Compeired Alexander Dickie and confest fiftie shilling thairof as his pairte, bot craved he might find cautione acted in thir court bookes (he being extranean¹) that the persuer should ansser them here in quhat they had to lay to his charge. Continues to the nixt court day.

(Decreit—Contra Wyllie and Dickie.

20 day of November : Defenderis present, confest debt ; therefore decernit in payment in term of law.)

Act of Caution.

Eodem die : Andrew Puidzane at the Kirk inacted himself as cautioner for Thomas Deans in Merstonflat, that he should make eight pondis scotis money less or more of his, arreisted in William Alasone's handis at the Kirk, forthcumand to Robert Montgomerie in Hilhead of Langshaw, as accordis in law ; and Thomas Deans obleiss him to releas his said cautioner of all skaith he can sustaine herethrow in any sort.

ANDREW PICKEN.

THOMAS DEANE.

Continues this court to the 20 day instant.

Decreit—Caskie contra Caskie and Craig, his spouse.

Eodem die : Alexander Caskie and Margaret Craig, his spouse, for three ston of sufficient butter, at 52^s the stone. Compeared the defender and denyes the clame. It being approuen that his wife usuallie sold her butter in former tymes, the Judge forsaid decerned the defender in payment to the said persuer within term of law, with 4^s in expenssis of plea.

Decreit—Laird contra the tennentis.

Eodem die : The Judge forsaid decernit all and sundrie the tennentis and sub-tennentis within the Barrony of Corshill in payment [of] their maillis and dueties addebtit and owand be them and ilke ane of them to the Right Honourable Sir Alexander Cuninghame, and Dam Mary Stewart, Lady Corshill, his Honour's mother, conform to their respective rightis, and that for this last term of mertimass last by-past, and quhat restis of preceideing after just compt and reckoneing ; and ordaines these of the tennentis lyable in payment of ferm meall to make the same sufficient and inlay the same betwixt Yuill and Candlemass nixto cum, as use is. And who failzies in soe doing to [be] lyable to the feir thairof, which is to be seaven pond the boll at Candlemass nixt, and if farder endew to be lyable in payment of eight pondis

¹ Coming from a distance, or living beyond the bounds of the barony.

the boll, within terme of law, under the paine of poynding be the officer thairfor. Ordaines this court to the 20 day instant.

November 20, 1689. . . . David Stewart, baillie.

Continued.

The quhilke day, Alexander Nicoll at the Kirk persued William Alasone there, makeing arreisted goodis, viz., eight lib. scotis money, less or more, in his handis endew to Thomas Deans in Milnstonflet, forthcumand for payment to him of 3 lib. 12^s endew be the said Thomas to the persuer. In respect of Robert Deans non presence continues to the nixt court, and the arreistment to lie on still.

Eodem die : Robert Dickie at the Kirk, in answer to Johne Cassies clame of four bollis (abstracted malt from the milne), declaires that he took the heap meassure for strait meassur, quhich he would prove. Persuer present confest heap meassur, and as for the clame, declaires he only abstracted three bollis and four fullis, off quhich he craves compensatione conform to his recept of meassur.

BARRON COURT OF CORSHILL, holden within the mannor place thairfor, be the Right Honourable Sir Alexander Cuninghame of Corshill, knyght barronet, and David Stewart of Kirkwood, his baillie, upon the 14 day of November j^m vj^c and nyntie.

The quhilke day, The Judge forsaid decernit William Gibson in Nether Robertland to make payment of fiftie sex shilling scotis money of grasmaill endew to him these three yearis bygaine, because being personallie sueit and not compeirand ; and ordained [him] to pay within term of law, with 3^s 4^d in expenssis of plea.

Eodem die : David Power in Powkellie persued Johne Deans, merchant at Stewartoun, for sex shilling sterling, in rest of ane webes pryce. Defender present, denyes the clame. Continues to Thursday nixt.

Eodem die : Matthew Templtoun in Kilbryd persued William Gibson in Nether Robertland for four lib. scotis money, in pairte resting of a webes pryce weaving, about five yearis since. Defender present, denyes the clame. Both pairties referres the mater debaitable to Johne Deans, merchant, and James Wyllie in Meikle Corshill, and quhat they decerne therein both pairties obleiss them, hinc inde, to abide thereto without revocatione.

WILLIAM GIBSON.

R. ALLANE, notarius.

Eodem die : The Judge forsaid decerned all and sundrie the tennentis and subtennentis within the barrony in payment of their maillis and dewties addebtit and

owand be them, and ilke ane of them, to the Right Honourable Sir Alexander Cuninghame of Corshill, etc., and Dame Marij Stewart, Lady Corshill, his Honours mother, conforme to their respective interestis, and that for the terme of mertimass last by-past, and what restis of preceidings after just compt and reckoning, and ordaines the same to be payed within terme of law, under the paine of poynding. Item; statutis the feir this last year to be nyn pond ten shilling per boll quhoever layes not in their ferm meall betwixt and Candlessmass nixt, and failling that tyme, to be ten pond per boll.

Eodem die: the Laird and his baillie ordaines Andrew Puidzan, elder, in Kirkford, and Robert Dickie at the Kirk, to go betwixt and the nixt court day and view the land marches betwixt Andrew Puidzane, younger, in Kirkford, and William Gibsone in Nether Robertland, and to report their diligence the nixt court day.

Eodem die: James Wyllie in Meikle Corshill compeired to give his oath judicallie that umquhile William Gray, portioner of Blacklaw, wes endew to him 4 lib. bait 40^d money; but with the deductione of two sheepes grass, makes the soum now endew resting, three lib. ten shilling. The Baillie, knowing the honestie and ingenuitie of the man, declaired to Jonet Thomson relict of the said umquhile William Gray, that if the friends of her bairnes quarreled her paying of that debt he should cause him depone, etc.

DAVID STEWART.

BARRON COURT OF CORSHILL, holden within the mannor place thereof, be Hugh Hamill, merchant at Stewartoun Kirk, baillie to the Right Honourable David Boyle of Kelburne, now heritable proprietor of the estate of Corshill, upon the sixt day of December j^m vj^c and nyntie yearis.

Suitis called.

John Ker, dempster.

Court lawfullie affirmed.

The quhilke day, The judge forsaid decernit all and sundrie the tennentis and sub-tennentis within the said Lairdshipe in payment of their maillis and dewties addebtit be them, and ilke ane of them, conforme to there respective possessiones, to David Boyle of Kelburne, as now heritable proprietor of the saidis landis, conforme to his infeftmentis, and assignatione thereto be Sir Alexander Cuninghame of Corshill to him, daited the first day of December 1690 yeers, and that for the term of mertimass last, and quhat restis of preceidings after just compt and reckoning; and ordaines the same to be payed within terme of law, under the paine of poynding be the officer thairfor.

The quich assignatione, of the dait forsaid, wes intimate to all and sundrie, the

tennentis aforsaid, be John Jack in Corshill, as attorney lawfullie constitut befor and in name of the said Laird of Kelburne, and thairupon asked actis and instrumentis in presence of the Court.

HEW HAMILL.

COURT of the LANDIS of the KIRKTOUN of STEWARTON, holden within the chamber possest be John Montgomerie there, by the Right Honourable David Boyle of Kelburne, and Thomas Craufurd, his Honours baillie, upon the fourt day of May j^m vj^c nyntie one yearis.

Suitis called.

. . . . Dempster.

Court lawfullie affirmed.

The quhilke day, the Judge forsaid decernit all and sundrie the tennentis and sub-tennentis within the Barrony and estat of Corshill in payment of their respective maillis and dewties addebtit, restand, and owand be them, and ilke ane of them, conforme to their respective possessiones, and that for the term of mertimass last bypast, and year j^m vj^c and nyntie yearis and quhat wes resting of preceeding yearis after just compt and reckoneing, and now pertaineing to the said David Boyle as haveing undoubted right thairto; and ordaines them and ilke ane of them, conforme to their owne pairtes, to make payment to the said David Boyle, under the paine of poynding be the officer thairfore; and thairupon gave doom.

BARRON COURT OF CORSHILL, holden within the manner place thereof, by the Right Honourable David Boyle of Kelburne, and Johne Gemill in Hartshaw, his Honours baillie, upon the twentie sevent day of July j^m vj^c nyntie one yearis.

Suitis called.

. . . . Dempster.

Court lawfullie affirmed.

The quhilke day, the said Laird of Kelburne shewed and produced in presence of the wholl tennentis ane decreit, obtained before the Lordis of Counsell and Sessione at his instance, against all and sundrie the tennentis of the said barrony for their by-gaine maillis and dewties, and yearly and termely in tyme comeing, daited the 14 day of Febrij 1691, and signed the 25 March and year foresaid, and caused read the same word be word, quhairby he made intimatione thairto to them to the effect they nor none of them might pretend ignorance in tyme comeing; and thairupon asked actis and instrumentis in presence of the said court.

JOHN GEMILL.

BARRON COURT OF CORSHILL, holden within the mannor place thair of, by the Right Honourable David Boyle of Kelburne, and Johnne Gemill in Hartshaw hill, his Honour's baillie, upon the fiftine day of December j^m vj^c nyntie one yearis.

Suites called.

. . . . Dempster.

Court lawfullie affirmed.

Decreit—Calderwood contra Gibsone.

The quhilke day, James Calderwood in Nether Robertland, for himself and in name of Jonet Cochrane his goodmother, upon William Gibsone for ane firlof of eaten corne by his bestiall in anno 1690, and half ane boll of eaten corne this last summer 1691, all prysed be the birlaymen. Compeired the said William and declared as to the last yearis clame, if he, the persuer, could cleir himself free thair of he wold satisfie thairfor. The said birlaymen prysers declared that the persuer by his bestiall on his lissur¹ syd had destroyed five peckes corne to the defender this last year. The judge foresaid decernes the persuer for his ill nyghbourhead in sixpence of fyn to be given in to the poores box, and the defender in payment of twelve shilling money forsaide for the like transgression, and ordaines poynding to follow therupon in case of failzie. Item, the Laird and his baillie inactis and statutis that the saidis James Calderwood and William Gibsone to keep good nyghbourhead each to other in tyme comeing under the paine and penaltie of five pond scotis money, toties quoties, convicted, and appoyntis the officer to poynd therfore, besydis the repairing of the damnag susteined.

Eodem die : Margaret Buckle and William Thomsone her son, decernit in payment of sixtine shilling of hearth money, to be payed to John Wilsone in Mossyde, who debursed the hearth money to the collector, and ordaines the sam to be payed within terme of law.

Eodem die : Hendrie Wyllie at Stewartoun Kirk, against Robert Dickie there and Adam Dunlop there, fore the loss of destroying of his boll and reid kaill,² to the value of ten merkes scotis money, by insufficient yaird dyckes, contraire actis of Court. Compeired the saidis defenderis and denyes the clame bot that there dyckes are also sufficient as his. Ordaines the birlaymen to sight the saidis yaird dyckes and others their nyghbouris, and to report their diligence betwixt and Fryday nixt the 18 instant.

Eodem die : Patrick Stivensone in Hareshaw persued Robert Wacker of Corshouse

¹ Pasture or meadow.

² Two kinds of cabbage.

and Cuthbert Wacker in Hareshaw for the grassine of seven swimes and ane half of sheep more then he held in their common pasturage, conforme to his possessione. Compeired the defenderis and denyes the clame. The Judge findeing the said comon moore not swimed, and therefore the saidis pairties ordaines John Brown in Blacklaw and Robert Faullis there, to goe and try quhat swimes the said moore can hold, and quhat pairtie is most greived, and to report their diligence against Fryday nixt.

Eodem die : Johne Thomsone called ane arreistment upon to Patrick Wowplayes goodis for ten merk endew be the defunct to him except, 3^s sterling receaved. Continues ; the arreistment to ly on, etc.

The quhilke day the Judge forsaide

At the KIRK OF STEWARTOUN the sevintine day of October j^m vj^c nyntie three yearis.

The quhilke day, Johne Boyd, younger, at Rowallan Milne, and George Boyd, younger, in Borland of Kilmarnocke, as two of the curatoris and administratoris in law to Marion and Jean Todis lawfull daughters to the deceast Johne Tod in Carnelwood, haveing awaytaken ane iron chimney,¹ and iron pott of the meassur of six or seven pyntis, ane armed chair turned, ane churne belonging to their saidis minoris which wes in the custodie and keeping of Alexander Dickie, bonnetmaker at the said Kirk (now for present in Ireland), inacted, and bound and obleist them, their aires, executoris, and successouris, conjunctlie and severallie, in name of their saidis minoris, that quhat debtis, sounes of money, and others quhat somevir, alledged endew be the saidis minoris to the said Alexander Dickie, shall be made furthcumand to him, and all others haveing interest, as accordis in law, and to be lyable to the Barron Court of Corshill quhen required for that effect, and that under the penaltie of sex pondis scotis money, attour performance of the premissis. And we, the fornamed curatoris, obleist us to releave others of the premissis, pro rato, etc. In witnes quhairof, wee have subscribed thir presentis, day and place forsaide.

JOHN BOYD.

GEORGE BOYD.

BARRON COURT OF CORSHILL, holden within the mannor place of Corshill, by Johne Puidzane, as bailie to the Right Honourable David Boyle of Kelburne, upon the tent day of November 1693.

Suitis called.

. . . . Dempster.

Court lawfullie affirmed.

The quhilke day, William Templtoun in Bostoune persued James Bichet in

¹ Grate.

Wackmilne for twentie four shilling scotis, endue (to) for meall bought and receaved be him from the persuer. Defender absent; continues to the nixt court day.

Eodem die : The Judge forsaid decerned all and sundrie the tennentis within the Lairdshipe in payment of the Viccarag teynd endue for the croptis j^m vj^c nyntie two and nyntie three, to be payed to the minister and others haveing right, within term of law.

JOHN PIKEN.

Eodem die : The Judge forsaid decerned all and sundrie the tennentis and sub-tennentis within the Lairdshipe in payment of their respective maillis and dewties addebtet and owand be them to the Right Honourable David Boyle of Kelburne, and Dam Mary Stewart, Lady Corshill, elder, conform to their respective rightis and interestis, and that for this present term of mertimass j^m vj^c nyntie three instant, and what restis of preceeding after just compt and reckoneing, and ordaines the same to be payed presently, conforme to law, under the paine of poynding be the officer therfore.

JOHN PICKEN.

BARRON COURT OF CORSHILL, holden within the mannor place thair of, be the Right Honourable David Boyle of Kelburne, and Hugh Hamill at the Kirk, his baillie, upon the penult day of October j^m vj^c nyntie four yearis.

Settis vocatis.

. . . . Dempster.

Curia legitime affirmata.

Decreit contra tennentis.

The quhilke day, The Judge forsaid sittand in judgment decerned all and sundrie the tennentis and subtennentis within the said Barrony to make payment of their respective maillis and dewties, gaines and caswalities addebtit and owand be them and ilke ane of them conform to their respective possessiones, to the said David Boyle and Dam Mary Stewart, Lady Corshill, conform to their respective interesteis, and that for this present year 1694, payable at mertimass nixt, and what restis of preceedings efter just compt and reckoneing, and ordaines the same preceisly to be payed at mertimass nixt, with certificatione if faillie to be poyndit be the officer thairfore.

Decreit—Dickie contra Calder.

Eodem die : William Dickie at the Kirk persued William Calder there, and Annabell Hogsyaird his spouse, for ten peckes of borrowed malt, about a year since, at four pond scotis money. Defenderis summondit and not compeirand, and the persuer referring the clame to the defenderis oath; decernes the defenderis to pay the said clame to the persuer within term of law : Reserveing alwayes libertie to the defenderis,

if they please, to depon before the said bailzie before extract hereof, with 6^s of expenssis of plea.

Calderwood and Gibson fyned.

Eodem die : The Judge forsaid decerned James Calderwood in Nether Robertland, and William Gibson there, each one of them, in fyn of five pondis scotis money, being proven convicted of dayly flyting and scolding on with another, and the officer ordained to poynd thairfor.

Decreit—Calderwood contra Gibson.

Eodem die : The said William Gibson, decernit in half a boll eaten corne by his bestiall in anno 1692, and three firlois in anno 1694, to James Calderwood, his nyghbour, at six pond per boll : Ordaines payment within terme of law, with certificatione as effeires, with fourtine shilling of expenssis of plea.

Court ut supra. November 27, 1694. . . . Johne Ross, baillie.

Eodem die : Andrew Puidzane at the Kirk, decerned to mak payment of fourtie eight shilling scotis money as the pryce of some grass taken be him fra William Gray in name of Dam Mary Stewart, Lady Corshill, to the said Lady within term of law, resserveing to the said Andrew releif off the said umquhile William Gray, his relict, and his aires, for the payment of ten shilling sterling, with thirtie shilling money forsaid for ane horse to the said William his . . .

Eodem die : Archibald Dean, servitor to Dam Mary Stewart, Lady Corshill, as procurator for and in name of Jonet Dysert, relict to umquhile James Millar colliar in Pottertoune, persued Johne Lermont at Stewartoun Kirk for the sowm of fourtie six shilling scotis money resting of ane dozane of coallis, and leading thairfor to the said John Lermont.

BARRON COURT OF CORSHILL, holden within the mannor place thairfor, be the Right Honourable David Boyle of Kelburne, and Hugh Hamill at Stewartoun Kirk, his Honour's baillie, upon the twentie third day of November j^m vj^c nyntie five yearis.

Suitis called.

. . . . Dempster.

Court lawfullie affirmed.

The quhilke day, Johne Harper in Meikle Corshill persued Thomas Wyllie in Little Corshill, for seventine merkes scotis money, as two harvest fies endue be him to umquhile Jonet Harper, his sister, quhairto now he hes right, and hes only receaved

sevine merkes money forsaid in pairte payment thairof. Defender present, alledged six pond gotten thairof, quhich the persuer upon oath deponed that he receaved noe money at all from umquhile Robert Wilson his goodfather, and that he receaved noe more bot the forsaid seven merke from Alexander Harper and umquhile Allan Wyllie younger ; and therfore the defender [is] decerned in payment of sex pond scotis money of full satisfacione of quhat is acclaimed ; and ordaines payment to the persuer within term of law, with ten shilling money forsaid of expenssis of plea.

Eodem die : The said Johne Harper persued Johne Wyllie in Fauldhead, and Johne Wyllie in Litle Corshill, the soume of two merkes scotes money for five dayes horse labor of his horse in this last plough tyme. Defenderis present and could ansser nothing to the poynt, and therefore decerned ut supra, with 4^s 8^d of expenssis of plea.

Decreit—Ker contra Dickie.

Eodem die : Thomas Ker in Guishillis persued Robert Dickie at Stewartoun Kirk for thirtie pondis scotis money as the pryce of his bear bought and receaved be him, quhairof receaved three pond money forsaid of airles. Defender present, confest debt ; and therefore decerned payment within terme of law.

Eodem die : Robert Dickie, decerned in payment of thirtie shilling as the pryce of five stone of aller¹ barkes owand be him to John Hart ; and ordaines payment to the said Johne Hart, persuer, within term of law.

Eodem die : The said Robert Dickie and Jonet Jonston, his spouse, acclaimed five merkes scotis of fitted accompt for meat and drinke, quhairof receaved a seven pence. Defender present, denyes the clame, except eightine shilling scotis money. The Judge forsaid, after mature deliberatione had in both the forsaid matters, ordaines both pairties to discharge each other simpliciter, and soe be thir presentis absolves each pairte hinc inde.

Decreit—Johne Wyllie contra Johne Harper.

Eodem die : Johne Wyllie in Litle Corshill persued Johne Harper in Meikl Corshill for three peckes and ane half of eaten corne be his bestiall this last cropt, and for eaten grass. The Judge forsaid, after consultatione, ordaines the said defender in payment of two merke half merke scotis money in full for the said eaten corn and grass, and ordaines payment thairof to the persuer within terme of law, with certificatione.

Eodem die : Johne Dean persued Sir Alexander Cuninghame of Corshill, barronet, to make forthcumand and payment to him of twelve pondis scotis money, less or more, endue be his Honour to Thomas and William Jonstounes in Lochsyd of Lochrig. Defender present, confest he wes endue some litle money to the saidis Thomas and

¹ Alder bark, for tanning.

William Jonstounes, but could not tell if quhat is acclamed. The Judge decerned the arrested goods to be forthcuming, provideing John Dean did instruct his debt befor extract hereof.

Decreit—Johne Dean contra Hugh King and James Dunlop.

Eodem die : Johne Deans persued Hugh King, millar in Clerkeland, to make forthcumand to him quhat goodis and gear is in his handis and custodie belonging to James Dunlop his son, for payment of five pond and five shilling addebtit be the said James Dunlop for merchand goodis bought and receaved be him from the persuer about four yearis since. Decernes the arreisted goodis to be made forthcomeing as accordes in law.

Decreit—Jop contra Huntar.

Eodem die, Matthew Jop persued Johne Huntar at the Kirk of Stewartoun Kirk, for the soume of five merkes scotis money for necessaris to his father's burial, and two merkes and ane halfe endue for other merchand accompt receaved be the said persuer and confest. The Judge forsaid decerned the said defender in payment of the haill acclamed to the persuer, within term of law, resserveing to the defender releif for the saidis funerall charges as accordes. Decernes Martha Hunter his sister, to repay the said five merke or else returne the goodis away taken be her, with six shilling 8^d of expenssis of plea.

Eodem die : William Alexander in Over Peacockbank persued John Picken, merchand at Stewartoun Kirk, for two dolloris full endue to him, quhairof one goten of airleis of ane horse, etc., and the other for foddering of the said horse quhen restored back, conforme to conditione betwixt. Defender present, declared quhen both of them wes in Irvine they agreed that these two doloris wes includit in the bargain betwixt them, quhich the persuer referred to the defenderis oath simpliciter ; quho being solemnly sworn upon his great oath, deponed the said two doloris wes includit ut supra, and thairupon John Puidzane wes absolved simpliciter.

Eodem die : The Judge forsaid decerned all and sundrie the tennentis and subtennentis within the Barrony of Corshill, to make payment, each one of them conform to their respective possessiounes addebtit be them, to David Boyle of Kelburn, and Dam Mary Stewart, Lady Corshill, dowager, conforme to their respective rightis and interest, and that for the cropt last separat from and term of mertimass last, and quhat restis of preceeding after just compt and reckoneing, and ordaines present payment, with certificatione of poynding thairfore.

Eodem die : William Gibsone in Nether Robertland, decerned to make payment to James Calderwood there, nyn pond scotis money, in compleit payment of six firlois three peckes of eaten corn be his bestiall in annis 1690-92 and nyntie four

yearis, and ordaines present payment under the pain of poynding, with fourtine shilling of expenssis of plea.

Eodem die: Jean Barr, widow in Clerkland, persued Jean Hunter, servitrix to Thomas Ker in Guishillis, for fiftine shilling scotis money, as the pryce of nyn pond a quarter pond of chease, receaved be her fra the persuer about . . . yearis since, or thairby. Defender personallie summonit and not compeirand, holden as confest; and therfore decerned in communi forma.

HEW HAMILL.

At STEWARTOUN KIRK the twentie first day of March j^m vj^c and nyntie six years.

The quhilke day, Johne Glen, ferrier at Erskine boat, within the parochine thair of, came and challenged in the handis of Alexander Nicoll, merchand at this Kirk, ane black cutt tailed horse, somquhat wyd lugged and almost smooth, and a litle brounish about the nostrillis, alledged stolen or otherwayes come away from Ardencaple, pertaineing to Mr. Hew Gordon last preacher at the Kirk of Row, and for that end inacted himself to prove the said horse to pertaine to the said gentilman, and to produce his prove for that effect before the Right Honourable Sir Alexander Cuninghame of Corshill, barronet, and that betwixt the dait hereof and the secound day of Aprill nixt come j^m vj^c nyntie six years instant. Lykeas the said Alexander Nicoll obleist him to keep the said horse untill the said tyme and nowayes to sell and away put the said horse; with this provisioun, that if the said Johne Glen come not the said day and proved the said horse as said is, the said Alexander Nicoll shall hereby have libertie to dispose of the said horse as he shall think fitt. In witness quhair of, both pairties hes subscribed thir presentis, day, year, moneth, and place forsaid, before thir witnessis, William Gemill of Wattersyd of Aiket, and Andrew Puidzane at the said Kirk.

A. NICOLL.

Ita est Robertus Allane, notarius publicus in premissis requisitus de mandato dicti Joannis Glen scribere nescientis, ut asseruit, testantibus manu mea propria et subscriptione manuali.

Willem Gemmell, witnes.

Andrew Picken, wittness.

STEWARTOUNKIRK, July nynt, j^m vj^c nyntie and six years.

The quhilke day, Robert Dickie at Stewartounkirk, as cautioner for Thomas Murchland in Litle Cutsgray, in lowsening the arreistment laid on be James Calderwood in Nether Robertland in the handis of Robert Wyllie in Litle Cutsgray, for the sowme of three pondis scotis money owing be him for land tileing by the said Thomas Murchland, that the same shall be made forthcoming to the persuer as accordes in law

And the said Thomas Murchland obleissis him, his aires, executoris, etc., to releave the said Robert, cautioner for him, his airess, executoris, thereanent. In witness quhair of both principall and cautioner subscribes thir presentis, day, year, and place forsaid.

ROBERT DICKIE.

THOMAS MURCHLAND.

BARRON COURT OF CORSHILL, holden within the mannor place thair of, be the Right Honourable David Boyle of Kelburne, etc., and Johne Dean, merchand at Stewartounkirk, his baillie, upon the second day of December j^m vj^c nyntie six yearis.

Suitis called.

. . . . Dempster.

Court lawfullie affirmed.

The quhilke day, Johne Muire in Irvin Hill persued William Dickie at Stewartounkirk for thirtine merkes scotis money, in rest of a bargan of sheep bought and receaved be the said William from him about ten years since or thairby. Defender present, confest eight merke. After consideratione had be the Judge forsaid, decernes the said William Dickie to make payment to John Bichet in name of the persuer, to the behove of William and Bessie Smithes bairnes to umquhile Thomas Smith in Milnstonflat, of ten merkes in full of the said clame, betwixt and March nixt; with certificatione, etc., for fift pairte more of expenssis of plea.

Eodem die: William Stivenson assoilized of all debts endue be him to William Alexander in Over Peacockbank, for 10^s 10^d for meall, and therfor assoilized.

Eodem die: Agnes Lermont at the Kirk persued Adam Dunlop at the Kirk, for fourtie shilling scotis money gotten be him about six yearis since. Defender summondit and not compeirand; decerned in communi forma.

Eodem die: Helen Puidzan in Meikl Corshill persued Robert Wyllie in Meikl Corshill. Defender present, decerned in payment to the persuer of thirtie shilling, satisfactione of the haill of six peckes of bear, with a 5 pairt in case of faillie, after term of law.

Eodem die: Johne Thomson persued John Puidzan, merchand at the Kirk, for a linin web weaving and other debtis conform to clame. Defender present; the Judge decernes both their accomptis to be adjusted, and the defender to pay the persuer overplus.

Eodem die: Alexander Nicoll persued Jean Pinkertoun, spouse to Thomas Ker in Guishillis, for three pond 1^s 4^d merchand accompt. Defender present denyes the

clame, viz., fourtie shilling thairof. Persuer haveing the clame referred to him, deponed the said clame justly endew. Defender decerned, within term of law.

Eodem die: The said Alexander Nicoll persued Elizabeth Millar, spouse to William Paislay at the Kirk, and her husband for his interest, as cautioner for David Miller her brother, for the soume of thirtine pond 8^s, as the pryce of bonnetis bought and receaved from him about Monday last.

Eodem die: Jonet Thomson in Blacklaw persued John Harper in Meikl Corshill, for sixtine shilling of grass maill this two year endue to her. Defender absent, notwithstanding of being summonit.

Eodem die: Issobell Tillidaff, in name of Margaret Tillidaff, persued John Hunter and Agnes Muir, his spouse, for twentie two shilling of borrowed money. Defender present, confessed debt; therefore decerned in communi forma, resserveing alwayes action to the defender for quhat he hes to aclame.

Eodem die: James Calderwood in Litle Robertland persued John Ross and Elizabeth Galt, spouses, at the Kirk, for six pond in rest of a boll maltis pryce: Item, other six pond ten shilling for half a boll of malt, endue be Margaret Ross, their daughter, to him. Defender present. Elizabeth Galt present, and denyes the first pairt of the clame because unsufficient malt, and last pairte of the clame confest. The Judge decernes the haille to the persuer, with twelve shilling of expenssis of plea.

Decreit—Hugh Bichet contra Robert Wyllie.

Eodem die: Hugh Bichet persued Robert Wyllie in Litle Cutsgray, for six pond scotis money borrowed be him from Mary Wyllie, his spouse, and eight merkes as half a yearis fie, endue be him to Martha Wyllie quhich shee hes dispoind to him. Defender present, confessed the haill clame; therefore decerned in payment to the persuer within terme of law, with thirtie shilling of expenssis of plea.

Eodem die: James Calderwood, decerned to pay William Gibson four pond, for half a boll of eaten corne by his bestiall this last half year, with twentie shilling to Thomas Murchlan, and twentie shilling to Robert Dickie, the two birlay; and ordaines the said William Gibson to give each of the said birlaymen twelve shilling for a firlof eaten be his bestiall to the said James Calderwood, with six shilling 8^d expenssis of plea.

Eodem die: Andrew Puidzan at the Kirk, for five pond ten shilling scotis money, Margaret Wyllie ther, eightine shilling money forsaid, Jonet Langwill, twelve shilling, Jean Dunlop ther, ten shilling, John Dickie in Meikl Corshill, two merkes money forsaid; all decerned, pro suis partibus, to pay the same to William Gibson in Nether Robertland, within term of law, resserveing compensatioun of quhat gotten without

claggis;¹ with 6^s 8^d against the said Andrew Puidzan, and 3^s 4^d of expenssis of plea against each one of the rest of the saidis defenderis.

Eodem die: John Dean at the Kirk persued John Puidzan ther, for three peckes of eaten corne this last season by his bestiall. Defender present . . . at John Montgomrie ther, for a peck and a half of eaten corn. Decerned payment at fiftine shilling per peck within terme of law. Ordaines John Wyllie ther, to releave John Picken of a peck.

Eodem die: The Judge forsaid decerned all and sundrie the tennentis and subtennentis within the Barrony in payment of their respective maillis and dewties addebit and owand be them, conform to their respective possessiones, and addebit be them to the Right Honourable David Boyle of Kelburn, and Dam Mary Stewart, Lady Corshill, lifrentar, conforme to ther respective rightis and interest, and that for the term of mertimass last j^m vj^c nyntie six instant, and what restis of preceeding after just compt and reckoneing; and ordaines payment within term of law, as use is.

The fier this year is twelve pond.

Eodem die: It is inacted that non of the inhabitantis within the Kirkton hold either horse or kyn without they have grass and land taken for holding of ther bestiall, under the penaltie of ten merkes scotis money, toties quoties, so convict.

Item; inacted noe hens or foullis be holden therabout, from the first of Aprill to the first of October, under the penultie of fourtin shilling scotis for each foull, besidis the loss of the foullis.

J. DEAN.

Eodem die: Decernes James Calderwood in Nether Robertland to pay to William Gibson ther, five merkes scotis money for the mending of his horse leg, and ordaines William Gibson to deliver the said horse to James, betwixt and Fryday morneing nixt, the fourt day instant; and decern James Calderwood to pay to the said William, for the same, thirtie pond scotis, as the full pryce thairof, besyd the forsaid mending of his leg: And if the said horse be not delivered as said is, ordaines James Calderwood to pay fiftine pondis to the said William besidis the forsaid damnag, and that within term of law.

BOYLE OF KELBURN.

Eodem die: The Judge forsaid sitting in judgment decerned John Wyllie, bonnet-maker at Stewartounkirk, and Andrew Foulis, shoemaker ther, to make forthcuming payment to Thomas Ker in Gooshillis, the soume of twentie eight pound ten shilling scotis money in their handis belonging to Robert Johnstoun, merchand in Irvine, and addebit be the said Robert Johnstoun to the said persuer, in rest of the pryce of ane liline web of threescore elnes, at ten shilling six pennyes per elne. Because the saidis John Wyllie confessed the arreistment onlaid, and that ther wes as much in their handis endue as quhat is acclaimed and charged for, therefore the Judge forsaid

¹ Clags,—encumbrances, charges, faults, or imputations.—Jamieson.

decerned the said John Wyllie to make payment and forthcuming of quhat is in his handis to the said persuer, the soume of sixtin pound money forsaid, and the said Andrew Foulis to make payment to the said persuer of the soume of twelve pond ten shilling money forsaid, and that within term of law, with fiftie shilling be the said John Wyllie of expenssis of plea, and thirtie shilling of expenssis of plea be the said Andrew Foulis, and ordaines precept of poynding to follow herupon.

S. ALEX. C. OF CORSHILL.

BARRON COURT OF CORSHILL, holden within the mannor place of Corshill, be David Stewart of Kirkwood, bailzie to the Right Honourable David Boyle of Kelburne, upon the fourtine day of November j^m vj^c nyntie eight years.

Suitis called.

. . . . Dempster.

Court lawfullie affirmed.

The quhilke day, The Judge forsaid decerned all and sundrie the fewaris, tennentis, and subtennentis within the Barrony and estat of Corshill in payment of their respective maillis and dewties, addebtit and owing be them and ilke ane of them to the Right Honourable the said David Boyle, and Dam Mary Stewart, Lady Corshill, dowager, conform to their respective interestis, and that for the croptis and yearis of God j^m vj^c nyntie seven and nyntie eight yearis, and what restis of preceeding after just compt and reckoneing.

Eodem die: Johne Dean persued Johne Barr, and Isobell Robertson, relict of James Dunlop in Clerkland, in makeing arreisted goodis forthcomeing be them to Matthew Templtoun in Kilbryd, and the said Matthew for his interest for the sowme of five pond seventin shilling scotis of ane fitted accompt, and fourtie six shilling for lintseed receaved be him and his wife, bocht and receaved be them in anno 1692 or 93 at furdest, with eightine pound for 36 ellis of liline cloath at 10^s per eln; in hail twentie six pound three shilling scotis money forsaid. Compeired the said persones abovenamed and confest they were endue eight pond half ane merke scotis; And the said Matthew compeired for his interest. The Judge forsaid decerned in payment to the persuer.

Eodem die: Johne Lermont, decernit in payment of thirtie tuo shilling scotis money to the said Johne Dean. Defender absent, holden confest, and decerned in communi forma.

Eodem die: Johne Hart, decerned to make payment to Eupham Wacker, relict of Hendrie Wyllie, three pond one shilling ten pennyes scotis money; and ten shilling, referred to Andrew Foulis, smith, to adjudge therin quhat the mending is worth, and to be decerned against Thursday nixt.

Eodem die : Johne Hart persued Eupham Wacker, relict of Hendrie Wyllie, and David Wyllie ther sone, for ten shilling sterling as the pryce of ane old meer bought and receaved be them from him quhairof hee got 40^d of arles. Compeired the saidis defenderis, and the matter being referred to the said David his oath quhat the pryce wes, quho being sworne, deponed that hee offered three merke scotis, and therupon gave the forsaid airles (bot hee wold have four merke), and upon the said offer receaved the airles. Decernes the fourtie shilling to be payed to the persuer, and arles to be allowed thair of, within term of law, with 3^s of expenssis of plea.

Eodem die : Archibald Dean in Cankertounholl persued James Thomson for deliverie of fiftin fullis of corn, bought fra him at mertimass 1697, at elevin pound and ane merke scotis money, quhairupon he receaved airles. Compeired the defender and denyed the clame.

Eodem die : James Calderwood in Nether Robertland, persued David Blackwood in Foggihillock for four pond 2^s scotis money resting of four fullis of beir bought and receaved be the said David fra him, receavit at May day 1696. Compeired the defender, and confest the 4 fullis of bier, bot bought at 11 lib. per boll, quhairof three payed him four pound. Both pairties referres all matters debatable to John Calderwood in Hilhouse and James Barr in Fushaw Miln, as mutuall arbitratoris, and quhat they decern they to stand therto.

Eodem die : Andrew Foulis in Blacklaw persued Alexander Barrie in Hardshaw [? Hareshaw] for three shilling sterling, endue be him for meall receaved be him in summer last. Defender absent; and therefore assignes to him Thursday next to give in his defenssis, and if not compeiring, decernes, etc.

BARRON COURT OF THE BARRONY OF CORSHILL, holden within the mannor place therof, be Ninian Bannatyn, baillie to ane noble Lord, David, Lord Boyle, as haveing undoubted right to the said barrony, and to the maillis and dueties payable forth therof, upon the penult day of November ane thousand seven hundreth years.

Settis vocatis.

Curia legitime affirmata, etc.

The quhilke day, the Judge forsaid sitting in judgment decerned all and sundrie the fewars, fermers, tennentis, and subtennentis and others, the possessoris within the Barrony, in payment of ther respective maillis, dueties, and other casualities, conform to their respective possessiones, and addebtit be them to the said noble lord for this last cropt and term of mertimass last j^m vij^c years instant, and what restis of pre-

ceiding years (after just compt and reckoning) ; Because all present had nothing to object to the contraire, and therefore decerned in manner forsaid, and ordaines the same to be payd to his Lordship and factoris in his Lordship's name, within term of law ; with certification, if they failzie, to be poyndit be the officer therfore.

Eodem die : James Wacker in Hareshaw, and William Gibson ther, for his interest, decernit to make payment to William Stivensone ther, four pondis scotis money arreisted in handis, and that for and in name of the said William Gibson, and ordaines the same to be payed within term of law.

Eodem die : Archibald Murchlan, lawfull son to Thomas Murchland in Cutswray, persued Robert Fulton in Blacklaw, and Alexander Gray for his interest, for ane ewe, put to him to grass in sumer last and lost be him and his said hird, at three pond scotis money. Defender present, confessed the receipt of the ew, bot wes stollen. Decerned in payment to the persuer four shilling sterling money within term of law, with 6^s 8^d of expenssis of plea.

Eodem die : Andrew Puidzan at Stewartoun Kirk wes decerned to make payment to David Harper in Bredmoss four pond scotis money, as the pryce of two aikers of grass sett to him in anno 1699, and ordaines payment therof within term of law ; resserveing alwayes to the defender any defence he hes to object to the contraire betwixt and Thursday nixt, with certificatione as effeires, with 10^s of expenssis of plea.

Eodem die : The said Andrew Puidzan wes decerned to make payment to Jonet Thomson in Blacklaw eightein shilling scotis, as the pryce of ane treall and two seek full of hay receaved at Beltan last. Because personallie summonit and not compeirand, holden as confessed. Item, Robert Wyllie in Meikl Corshill decerned to make payment to the said Jonet Thomson sextin shilling money forsaid for shepes grass about 8 or 9 yeers since, with 3^s 4^d, upon each person, of expenssis of plea ut supra.

NINIAN BANNATYNE.

Eodem die : Jonet Thomson in Blacklaw persued Robert Fultoun ther, for twentie-three shilling four pennyes for stirring ane rood of beirland this last laboring tym, with ten shilling for fogl [?fuilzie] leading the said tym, and eight shilling for harrowing the said land. Continues to Thursday nixt. Item, alsoe clames thirtie shilling of hirdis fieall.

Eodem die : Robert Barnes, elder of Kirkhill, persued Robert Dickie at Stewartounkirk, in that hee delivered to him six score ten bollis sufficient beir to make malt thereof, and gave only back thereof four score eightin bollis of malt, about eight or nyn years since, at six lib. 6^s 8^d per boll beir, which the persuer referres to the defenderis oath. Item, alsoe for three rowkes of hay taken out of his yeard to the said Robert Dickie his house, quhich can be proven be the persuer. Continues the action to the Laird his tryell of the said Robert Dickie, in respect of his sickness.

Eodem die : Hew Stewart, merchand at Stewartounkirk, persued Johne Wyllie in Clerkland, for four lib. eight shilling of merchand accompt receaved be him about 4 or 5 years since : Item, Christian Wyllie, relict to James Wylson, ther, for six lib. 12^s of borrowed money : Item, Agnes Wyllie, relict of umquhile Robert Baillie in Meikle [Corshill], thirtie shilling for plyding, about three yearis since : Item, Jonet Georg, widow, at the Kirk, nyntin shilling for liline cloth about 2 years since : Item, Thomas Wyllie (alias) Cut the thorne, thirtie seven shiling 2^d for merchand wair. Decernes the defenderis in payment to the persueris ut supra, with certificatione as effeires ; with 4^s 6^d against the said John Wyllie, with 6^s 6^d against the said Curstin Wyllie, with 1^s against the said Jonet Georg, 18^d against the said Agnes Wyllie, of sentance money, and 10^s of . . .

NINIAN BANNATYNE.

December 14, 1700.

The said day, Robert Fultoun in Townhead of Blacklaw being summonit to this present day and place to ansser, at instance of the procuratour fischall of this Barronie, for breach of the actis of court in persueing Jonet Thomson ther, being one of the tennentis in his barronie, to ane extranean Court; being thrice called, compeired not, wes holden as confessed. Therefore was decerned in fyn of twentie pondis scotis, for breach of the said act, and ordaines the officer to poynd therfore.

Eodem die : The said Robert Fultoun forsaid, and Agnes King, his spouse, wes decerned to make payment of . . . scotis money in rest of his rent this last cropt and term of mertimass last past, endue be them to Jonet Thomsone aforsaid, conform to his tacke ; and ordaines the same to be payed to the said Jonet Thomson within term of law, with certificatione to be poyndit be the officer therfore, with 24^s of expenssis of plea. Item, decernes the said Robert Fultoun and his said spouse to pay to the said Jonet Thomsone thirtie shilling money forsaid, for furnishing one herd to him this last sumer, with certification ut supra.

S. A. C. of Corshill.

BARRON COURT OF CORSHILL, holden within the dwelling house of Robert Hemp-hill be Ninian Bannatyn, baillie to ane noble Lord, David, Lord Boyle, upon the nyntien day of December one thousand and seven hundreth years.

Suitis called.

Court lawfullie affirmed.

The quhilke day, the Judge foresaid, sitting in judgment, decerned all and sundrie the tennentis and subtennentis and cottares within the said barrony for brech of the

penall statutis, viz., the steeping of lint in running watters, killing of reid fish, cuting of green wood, shooting of hares and wyld foull, burneing of moss ground in forbiddin tym, and generallie, etc., all other the penall statutis. Because all being summonit to this dyet compeired not, were holden as confessed (except James Stewart, Johne Crawford fear of Dalegles, and James Stivenson in Dawra), and therefore decernes them and ilke ane of them in fyn, conforme to actis of Parliament; and ordaines the same to be paid within term, with certificatione if they failzie, to be poyndit therfore.

NINIAN BANNATYNE.

December 26, 1700.

The quhilke day, David Currie in Crofthead of Gree inacted himself as cautioner for William Currie in Pokellitoun to make the goodis arreisted be Jonet Gilmor in Blacklaw, in the handis of George Harvie in Hareshaw, forthcomeing to her, and to ansswer to this Barron court therfore, as accordes in law. And the said William, as principall, obleissis him to receave his caution as accordis. Subscribed be both pairties day and year forsaid.

DAVID CORI.

BARRON COURT OF CORSHILL, Court holden within the dwelling house of Thomas Ker, upon June 11, 1702, be John Horne, bailzie.

The whilk day, in the actione of furthcomeing pursewed be Androw Picken at Stewartoun Kirk against James Hamiltone of Lethem, for makeing furthcomeing the soume of six dolleris quhich wes dew be the defender to Mathew Wallace horse-couper: The said Bailzie referred to the said Andrew Picken his oath, whither or not the said Matthew Wallace wes reallie owing to him the said six dollars, and whither or not he had just ground to pursew the said James Hamilton therfor. Compeared the said Andrew Picken, and deponed positively that the money is reallie indew and that the said James Hamiltone wes at last compting and knows it to be true, and that he had just ground to pursew therfor. Compeared also the said James Hamiltone, being interrogat by the said Judge whether or not he wes owing to the said Mathew Wallace the said six dollars, deponed negative, that he wes owing to him nothing.

J. HORNE.

Andrew Picken. Ja. Hamilton.

BARRON COURT OF CORSHILL, holden upon the eleventh day of June j^m vij^c and tuo yeares, be Cornute John Norie, baillie to David Lord Boyle.

The whilke day, the said Judge, sitting in judgment, decerned all and sundrie the tennentis, possessors, and cottares of the said Barrony, for transgressing of the penall

statutes, viz., cutting of green wood, killing of rid fish, murefull, and pertridges, hares, watering of green lint in runing waters, and burning of muires and moss ground in forbidden tyme, and generallie all other the penall statutes, conform to the multis and fynes made theranent. Because the saidis haill tennentis and other forsaidis being personallie summoned to this dyet, and now called, compeired not, and so holden as confessed, and therefore decerned in manner forsaid; and ordaines the fynes respective forsaid to be payed within term of law, with certificatione to be poynded therefor.

J. HORNE.

BARRON COURT OF CORSHILL, holden by the Right Honourable Sir Alexander Cunninghame of Corshill, knight barronet, within the duelling house of Robert Hemphill, upon the twentie fourth day of March one thousand seven hundreth and tuo yeares.

The whilk day, the wholl merchands, brewares, and others within the wholl barrony of Corshill, concerned in weight and measures, they, called, compeared some of them. Quhairfor not finding ther weights and measures conform to the true standart of Scotland, amerciates and fynes each persone so found guilty: And all others, the tennentis not concerned in weights and measures, for shooting, and others of the penall statutes, in the soume of twelve pounds scottis, preceeding the day and date hearof. And therfor decerns, and appointis the whole merchands, brewars, and others concerned in weight and measures, to come in to such a person as shall have the true standart for that effect, betwixt and the first of May nixt, or any tyme betwixt and then, being warned be the officer of court, and then to have all ther weights and measures conform to the standart forsaid, and that under the paine and penaltie of ten poundes scottis, toties quoties, they being warned by the officer.

J. NORRIE.

BARRON COURT OF CORSHILL, holden within the maner place therof, upon the seventh day of November j^m vij^c and tuo yeares, by Cornute John Norie, baillie to David Lord Boyle.

The quhilk day, the said Judge decerns each absent in the soume of 40^s, because lawfullie warned, and contumacy.

The whilk day, the Judge forsaid, sitting in judgment, decerned all and sundrie the tennentis, subtennentis, and cottares within the said Barrony, for breach of the penall statutes, viz., steeping of lint in running waters, killing of red fish, cutting of green wood, shooting of hares and muirfoullis, burning of mos ground in forbidden tyme, and generallie, etc., all other the penall statutes. Because all being summoned to

this dyet compeared not were holden as confest, and therefor decerns them and ilk ane of them in fyne, conform to the actis of Parliament made theranent; and ordaines the same to be payed within term of law, with certificatione if they failzie to be poynded therfor.

The whilk day, the said Judge sitting in judgment, compeared Andrew Faullis in Blacklaw and Robert Walker in Corshouse and confessed that they were guilty of transgressing the penall statutes, therfor decerned ut supra.

The whilk day, the said Judge sitting in judgment decerned the haille tennentis, occupiers, and possessores, within the lands and Barrony of Corshill to make payment of the respective maillis, rentis, dutys, proffits and casualitis, conform to ther possessiones, and that for the cropt and year of God j^m vij^c and one years, and all preceedings, and that peremptorely, against the twelfth day of this instant moneth of November, with certificatione if they pay not the same against and the said day they will gett no allowance of cess for the said year and preceedings; and also ordaines them to be poynded therfor, with ane fyft penny more for ther deficiency, conforme to law, quhairto the Barrony officer is impowered by this decret.

The whilk day, the said Judge sitting in judgment decerned the haille tennentis, cottares, occupiers and possessors of the lands and barrony of Corshill, to make payment of ther rents, proffites, males and dutys and casualitis, ilk ane of them respective, conform to ther tacks and possessiones, and that for the cropt and year of God j^m vij^c and tuo yeares, the termes of payment of the samen being first come and bygone, together with all preceedings; and ordains executione by the barrony officer to pass hearupon, within terme of law.

The whilk day, the said Judge sitting in judgment anent the persuit pursewed be Alexander Picken in Kirkford against John Currie ther. Decerns the said Alexander Picken, conform to ane former decret dated the eight of July last, to make payment of the soume of twentie eight shilling scottis money, because he did not work the fourteen dayes therein mentioned, with fourtie shilling scottis of penaltie conform therto; and ordains executione to pass hearupon within terme of law.

The same day, John Currie absolved, because Alexander Picken did not obtemper the will of the forsaid decret.

Eodem die: The said Judge decerned William Walker in Robertland to make payment to Alexander Castrie in Bridgend of the soume of four poundis and one shilling scottis money, because he compeared and confessed the debt; and ordains executione to pass hearupon, within term of law, etc., and to pay the expenssis of this decret.

Eodem die: The said Judge decerned James Thomsone in Little Corshill to make payment to Thomas Wyllie, servitor to John Wyllie in Cutstrae, of the soume of

twentie shilling scottis money of fiall for herding in sumer wes ane year ; and ordains executione to pass hearupon within term of law, because the defender compeared and confessed the debt, and also to pay the expenssis of the decreit.

Eodem die : The said Judge decerned William Walker in Robertland to make payment to Thomas Wyllie, servitor to John Wyllie in Cutstrae, of the soume of ane fourteen shilling scottis money of fiall, with the half of his bountess, viz., of ane pair of hose, shoes, and sark.

The whilk day, The said William Walker absolved from payment of the fie only, because he payed the same in Court after decreit pronounced. J. NORRIE.

COURT, holden within the duelling house of Robert Neilson in Stewartoune upon the thretty day of November j^m vij^e and four [three¹] yeares, be Sir Alexander Cuningham of Corshill, Commissioner after specified.

The quhilk day, In presence of Sir Alexander Cuninghame of Corshill, sitting in judgment in ane lawfullie fenced court, be vertue of and in obedience to ane act of Commissione direct to him be Master John Cockburn, sheriff deput of Air, of the date at Air the twentie eight day of november j^m vij^e and four yeares, for takeing and receaving the oaths and depositiones of John Picken in Kirkford, Andrew Picken, alias Laird Andrew, bonnetmaker ther, Archbald Murchland in Litle Corshill, Alexander Harper, smith at Stewartoune, Robert Reid in Walkmiln of Langshaw, John Bichet in Litle Corshill, Thomas Wyllie ther, James Wyllie in Kilbryd, James Harper in Burn, John Harper, Meikle Corshill, Andrew Wyllie ther, anent the arrestment layed on in their hands on the tuentie second day of november instant, summons and actione raised and pursewed before the said Mr. John Cockburn att the instance of John M^cFadzean, baillie of Mayboyll, against them, and James Smith, glover in Air, principall partie, for his interest, upon the haill poyntis therin mentioned, and utheris under written, viz., anent quhat they were owing to the said James Smith the tyme of the forsaid arreistment, with power to the said Sir Alexander Cuninghame to choyse his own clerk, as the said act and Commissione forsaid of the date above specified bears : In obedience of quhilk act and commissione the said Sir Alexander Cuninghame, Commissioner above named, did upon this thretty day of November instant, choyse Charles Barclay of Busbie, clerk, and holding conveyaned before him the haill forenamed persones did take and receive their haill oathes and depositiones upon the haill poyntis therin mentioned and underwritten, viz., anent quhat they were owing to the said James Smith the tyme of the forsaid arreastment. Compeared John Picken in Kirkford, who being solemnly suorn, examined, and interrogat upon the poyntis above written, deponed that he wes owing to the said James Smith, the tyme quhen the forsaid arreastment was layd on, seven pound thretteen shilling four pennys. The said Andrew Picken, alias Laird Andrew, depones he wes owing, the tyme forsaid, one

¹ Evidently a mistake of the Clerk of Court—*vide* the Courts preceding and succeeding.

pound on shilling six pennys. James Harper in Burn depones he wes owing to the said James Smith, the tyme forsaid, four pounds scottis money for half a pound of black wool, and tuo poundes scotis money for half a stone of blanket wool. The saids Archbald Murchland, Alexander Harper, Robert Reid, John Bichet, Thomas Wyllie, James Wyllie, John Harper, Andrew Wyllie, all of them, and each on of them after uthers, being solemnly sworn, examined, and interrogat ut supra, depones negative in omnibus that they were owing nothing to the said James Smith the tyme forsaid of the said arreastment on any acc. quhatsomever, and this is the truth as they shall ansswer to God. In testimony quhairof, written be the said Charles Barclay, the deponentis and the said Sir Alexander Cuninghame and his clerk hes subscribed thir presentis, place, day, moneth, and year of God abovewritten.

ANDREW WYLLIE.

ALEXANDER HARPER.

JOHN BICHET.

JOHN PICKEN.

A. M.

ROBERT REID.

AL: CORSHILL.

Et ego vero Carolus Barclay notarius publicus in premissis requisitus de mandatis predictorum Jacobi Wyllie, Johannis Harper, Thomae Wyllie, Andree Picken, Jacobi Harper, scribere nescientium mihi asserentium, et predicti Archibaldi Murchland subscribantis per initiales literas, A. M.; omnes calamum tangentes, quod signo et subscriptione notarilibus attestor.

C. BARCLEY.

Eodem die : Upon a missive from Hendry M^cJerrow, merchand in Air, dated 2d November 1704, direct to Sir Alexander Cuninghame of Corshill, James Ross, merchand in Stewartoune, Alexander and John Caskies, in Brigend ther, also gave their oathes and deponed negative, and subscribed the same with the Judge and clerk on the back of the said missive.

COURT OF THE BARRONY OF CORSHILL, holden within the duelling house of Robert Hemphill in Stewartoune, upon the thretty day of May j^m vij^e and four yeares, be Niniane Bannatyne, Chamberland to David, Earle of Glasgow.

The whilk day, the said Judge decerned the hail fewars that are absent to make payment of the soume of four poundis scottis money for ther contumacy each one of them. And also decerned each one of the tennentis that are absent in the soume of tuo poundes scottis money of contumacy, because they were lawfullie warned to this day by the barrony officer, and notwithstanding therof absent, and that within fifteen dayes nixt after they be warned therto be the said officer, and if they failzie, to poynd them therfor, and doe all executione neidfull hearupon, in form as effears.

Eodem die : The said Judge decerned and ordained the hail fewars, heretors, tennentis, and possessores of the Barrony of Corshill, to make payment of ther respective few dewtys, rentis, maillis, and casualtys dew by them, and each one of

them, conform to ther respective rights, tackes, and possessione, for the half of the cropt and year of God j^m vij^c and four, quhich was dew by them, and each on of them, att Whitsunday last, together with all few dewtys, maillis, rentis, and casualtyis dew by them, and each on of them, preceeding the said cropt and year of God, and that within term of law, and ordains executione to pass hearupon, in forme as effearis.

Eodem die: The said Judge decerned Andrew Wyllie in Robertland to make payment to Alexander Nicoll, merchand in Stewartoun, of nyn shilling scottis money for cheese receaved be him, because the defender compearing acknoledged the samen.

NINIAN BANNATYNE.

COURT OF THE BARRONY OF CORSHILL, holden within the duelling house of Robert Hemphill in Stewartoun, upon the fourteen day of December j^m vij^c and four yeares, be John Norie in Robertland, Baillie constitute.

The whilk day, in the actione pursewed be Niniane Bannatyne, Chamberland to the Earle of Glasgow, against Thomas Ker in Stewartone, for his refusing to deliver up to the said pursewer ane obligatione famouslie dated twentie fourth of June j^m vj^c and nyntie nyne yeares: Because the said Thomas Ker, by Bond of the same date, stands obleidged to doe soe to the pursewer, in caise that Master Alexander Cochrane of Bolingshaw, by receaptis and oath tuke the samen away and prove the samen payed, which actione was formerly intended be the pursewer against the defender, on the twentie fourth day of June j^m vij^c and thrie year. In quhich actione the said pursewer produced ane decreit at his instance before the shirreffs of Edinburgh, dated the nynteen day of February j^m vij^c years, quherby by the said productione it was made appear that the said Bolinshaw by receapts instructed that the forsaid soume wais payed, and therfor the said Bond ought to be declared null. The said actione being again called, and the said Thomas Ker's obligatione again produced, and the said Thomas Ker compearing and refusing to doe the samen, thairfor the said Judge decerns the said Thomas Ker to delyver up to the said Niniane Bannatyne the said Obligatione, and that the said obligatione in tyme comeing may be null and of none effect, because formerly payed by Bolinshaw, as his tuo receapts produced at Edinburgh instruct, and the said produced decreit; and ordains executione to pass hearupon in forme as effearis, and for ten poundis of expenssis of plea.

Eodem die: The said Judge decerned Georg Harbiesone in Hairshaw to make payment to Robert Walker in Corshouse of the soume of twentie four poundes scottis money of a fitted accompt, and of the soume of four poundes scottis money as the hyre of a kows milk for tuo yeares. Because the pursewer gave his oath upon the verity of the debt, and therfor decerned ut supra, and ordained executione to pass hearupon within term of law, in forme as effearis, and for the soume of tuo poundes scottis money of expenssis of plea.

J. NORRIE.

COURT OF THE LANDS OF CORSHILL, holden within the duelling house of Robert Hemphill in Stewartoune, upon the tuentie first day of December j^m vij^c and four yeares, be John Norie in Robertland, baillie constitut.

The whilk day, in the actione pursewed be William Allasone, flesher in Stewartoune, against John Alexander in Cold Home, principall partie, and James Thomsone, younger, cowane¹ in Stewartoune, as the party in whose hands the arreastment is layed on, to make payment of the soume of fyve poundes fourteen for flesh receaved about tuo yeares agoe. Continues to the nixt Court day.

Eodem die : In the actione be Andrew Wyllie in Robertland against Alexander Nicoll, merchand in Stewartoune, for the soume of one pound ten shilling scottis money, alleadged payed to him in his absence be James Wyllie in Miklie Hill, the defender referred the lybell to the pursewers oaths peremptorie, who refused to depone upon the verity therof. Therfor the said Judge absolved and hearby absolves the said Alexander Nicoll from the said proces, and from all future expenssis and truble of law for the samen.

J. NORRIE.

Att STEWARTOUNE, the first day of February j^m vij^c and fyve yeares.

Submissione betwixt Robert Walker and George Harbiesone in Houplaw.

The submissione and decreit arbitrall on the back therof following, is registrat in the Barrony Court Books of Corshill, quhairof the tenore is as follows:—[*Blank.*]

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COURT OF THE BARRONY OF CORSHILL, holden within the duelling house of Robert Hemphill in Stewartoune, upon the third day of May j^m vij^c and fyve yeares, be Cornute John Norie, baillie constitute.

The quhilk day, the said Judge decerned Thomas Johnstoune in Stewartoune to make payment to Janet Johnstoune in Stewartoune, of the soume of four poundes scottis money, as the rent of ane house and yeard from the first day of May j^m vij^c and four yeares to the first day of May j^m vij^c and fyve yeares, and to find cautione for the subsequent yeares rent, and that within term of law, and ordains executione to pass hearupon, in forme as effears.

J. NORRIE.

¹ Cowan or cwaner, one who builds dry stone walls or dykes.

COURT OF THE BARRONY OF CORSHILL, holden within the duelling house of Robert Hemphill in Stewartoune, upon the tenth day of May j^m vij^c and fyve yeares, be Cornut John Norie, baillie constitute.

Sutes called.

Court fenced.

Robert Hemphill, officer.

The whilk day, the said Judge sitting in judgment in ane lawfullie fenced court, anent the lybell given in be David Gemill in Stewartoune, Procurator Fiscall of Court, against the haill fewares, vassalis, tennentis, subtennentis, cottars, and possessores of the barrony of Corshill, lying within the parochines of Killwinning, for transgressing the penall statutes. The haill fewares, vassalis, tennentis, subtennentis, cottares, and possessores of the said barrony of Corshill, compearing severalls of them, confessed guilty of transgressing the haill penall statutes, and particularlie anent peck and boll, or buying and selling of victuall by eick and additione, and the actis made anent bwyng, selling, makeing, and weaving of lining and woollen yarn and cloath, and steeping of green lint in running waters, and the uther penall statutes. The said Judge haveing considered the lybell founded upon the haill penall statutes, confessiones, and acknowledgmentis of pairtys hear present, doe hearby americiat and fyne them, and ilke ane of them, conform to their saidis acknowledgments, and conforme to the laws and actis of Parliament made theranent; and ordaines extractis to be given furth accordingly, and poinding therupon, as accords, to the doing quhairof this shall be the officer's warrand.

Eodem die: The said Judge held the absentis as guilty, or confessing, if they compear not against and the 16 of this instant, and purge themselves by their oath.

Eodem die: The said Judge sitting in judgment decerns the haill fewares, tennents, subtennents, cottars, and possessores of the barrony of Corshill, to make payment to David, Earle of Glasgow, [or] factors in his name, his aires, executors, or assigneyes, of their respective fermes, rentis, maleis, dutys, and casualitis, conforme to their possessiones and rentall, dew and payable be them for the cropt and year of God j^m vij^c and four yearis, and at whitsunday nixt for the half of this instant year j^m vij^c and fyve year, the term of payment of the samen being first come and bygone, with all preceedings, and that within term of law; and ordains executione to pass hearupon in forme as effeares, and hearto the officer of court is warranded.

Eodem die: The said Judge decerned Robert Walker of Corshouse to pay to David Boyle, Earle of Glasgow, his aires or assigney, or factores in his name, all bygane rentis dew be James Faulles in Blacklaw, for cropt j^m vij^c and four, and preceeding, conform to his bond dated the third day of January last j^m vij^c and fyve yeares, and that within terme of law; and ordaines executione to pass hearupon in forme as effeares.

Eodem die: The said Judge absolved John Murthland in Cutstrae from the penalties contained in the actis of Parliament for transgressing the penall statutis, because being particularly interrogat, declared immunity, and therfor absolved ut supra.

J. NORRIE.

COURT OF THE BARRONY OF CORSHILL, holden in the duelling house of Robert Hemphill, officer, in Stewartoune upon the fyft day of July j^m vij^c and fyve yeares, be Cornute John Norie, baillie constitut.

The whilk day, the said Judge decerned Janet Jamesone, relict of Arthour Bryce, officer in Stewartoune, to make payment to James Bar, milner in Fulshaw miln, and John Caskie, in Bridgend of Stewartoune, the soume of ten merkeis scottis money, because in her very great straitis att her desyre they payed the like soume to Robert Walker in Corshouse about 4 year agoe; and ordains executione to pass hearupon within term of law, and to poynd her hail goodeis, except ane chist in the house of David Paisly, and so much of some uther effectis as will pay the soume of ten poundeis scottis money of excyse, from March j^m vij^c and four, to March j^m vij^c and fyve years.

Eodem die: The said Judge decerned James Bar, milner in Fulshaw miln, and John Caskie in Bridgend of Stewartoune, to make payment to Robert Walker, portioner of Corsehous, of the soume of ten merkeis scottis money, because they compearing confessed the debt; and ordains executione to pass hearupon within term of law, in forme as effears.

J. NORRIE.

David, Earle of Glasgow, and Sir Alexander Cuninghame of Corshill, to our officers in that part, executors hearof, conjunctlie and severallie, speciallie constitute, greeting: Forsuameickle as Euphame Catherwood, lawful daughter to James Catherwood in Peacock Bank, procreat betwixt him and the deceased Mary Walker, his first spouse, is now past twelve yeareis of age, and the said James Catherwood, her father, being now maryed to ane second spouse, and granted new provisioneis to his children of the second mariadge, who by freindly settlement at sycht of freindis became debtor to the said Euphame Catherwood in the principall soume of four hundreth and threttie seven merkeis scottis money as hir proportionie and portione naturall be and throw the deceass of the said Mary Walker hir mother. Off the quhilk soume, after stateing therof as said is, the said James Catherwood has payed to Janet Cochrane in Nather Robertland, hir grandmother, on hir accompt, severall yeares annual rent in name of aliment, which annual rent the said James Catherwood not only refussis to pay for alimenting the minor as said is, bot also to grant sufficient security for the said principall soume, by reasone quhairof the said Euphame Catherwood, minor, craves and desyreis Curatores ad hunc effectum: And finding the desyre most reasonable, hearfor it is that this our precept is directed for sumonding of the nearest of kin on both syds in maner underwritten.

Our will is heirfor, and wee charge you straitly, and command that this our precept seen, ye lawfullie summond, warn, and charge the said James Catherwood, the minores father, and the freindis nearest of kin on both sydes in speciall, and all uthers persones concerned or pretending to have interest in generall, be open proclamatiōne att the mercat Croce of Irvine, head Brough of the Bailliarie of Cuninghame, and att the most patent dore of entrie to the paroch Church of Stewartoune upon ane Sabbath day befor noon, immediately after proclamatiōne of the blessing of the forenoon sermone and skailling of the people from the said Kirk, to compear befor us or our Deputs Bailyes of the Barrony of Corshill, at the Maner place therof, upon the thretty day of August instant j^m vij^c and fyve year, and to hear and sie the said Euphame Catherwood nominat, elect, and choyse hir oun curatores, conforme to the act of Parliament, for the reasones and caussis abovewritten : According to justice, and this on noewayes ye leave undone : The quhilk to doe this shall be your warrand. Thir presentis, written be Charles Barcley of Busbie, our clerk of Court, are subscribed be us at Stewartoune the eleventh day of August j^m vij^c and fyve yeareis.

S. AL. C. of Corshill.

COURT OF THE BARRONY OF CORSHILL, holden within the duelling house of Robert Hemphill in Stewartoune, upon the thretty day of August j^m vij^c and fyve yeareis, be Cornute John Norie, baillie constitute.

Court fenced.

Suteis called.

The whilk day, the said Judge, in ane lawfullie fenced Court, anent the edict and claim of Curatory att the instance of Euphame Catherwood, lawfull doughter to James Catherwood in Peacock Bank, procreat betwixt him and the deceast Marie Walker, his first spouse, being past twelve yeareis of age, and the said James Catherwood, hir father, being now married to ane second spouse, and granted new provisiones to his children of the second mariadge, who by freindly settlement at sycht of freindis became debitore to the said Euphame Catherwood in the principall soume of four hundreth and threty seven merkeis scottis money as her proportiōne or portioone naturall be and throw the deceass of Mary Walker, hir mother : Off the quhilk soume, after stating therof as said is, the said James Catherwood has payed to Janet Cochrane in Robertland, hir grandmother, on the said minor's accompt, severall yeareis annual rent in name of aliment, which annual rent the said James Catherwood not only refuissis to pay for alimenting the said minor as said is, bot also to grant sufficient security for the said principall soume, as the said Edict of Curatory and executiones therof att the parioch Church dore of Stewartoune upon the tuelth day of August, and att the mercat croce of Irvine upon the fourteen day of the said moneth of August, dated at

Stewartoune upon the eleventh day of August last, in themselves att more lenth bears. Compearing the said Euphame Catherwood and craved that, conforme to the said Edict of Curatorie and act of Parliament, for the caussis therin specified, she may allowed to elect and choyse hir own curatores. The said Judge haveing considered her Edict of Curatorie and executiones therof, fand and does find the desyre most reasonable: Compearing the said Euphame Catherwood, and did nominat, elect, and choyse Sir Alexander Cuninghame of Corshill, Andrew Picken in Nather Robertland, Alexander Nicoll, merchand in Stewartoune, and Janet Cochrane in Nather Robertland, hir grandmother, any tuo of the saidis curatores to be ane quorum, and the said Janet Cochrane during her lifetyme to be alwayes sine quo non, to be curatores for manadging hir affairs, and by whose consent she is to act and doe: And particularly with power to them to crave security anent the money dew to hir be James Catherwood hir father, be and throw the deceass of hir said mother: And craved the said Judge may interpone his authority therto: Compearing the saidis Sir Alexander Cuninghame, Andrew Picken, and Alexander Nicoll, and Janet Cochrane, curatores above named, and accepted and acceptis to be curatores to the said minor, and gave ther oath de fideli, conform to the said Edict of Curatorie and acts of Parliament in the lyke caces. Wherupon, and upon all and sundrie the premissis, the said Judge did interpone his authority, and the said minor and her curatorie craved act of court theranent, and all partys subscribed the same.

J. NORRIE.

S. Al. C. of Corshill, acceptis.

Alexander Nicol, accepts.

I, Charles Barclay, nottar publict, subscribe for the above designed Euphame Catherwood, in token of hir frie and voluntarie electione, and Andrew Picken and Janet Cochrane, curatores above named, in token of ther acceptance, who, because they could not wryte, tucthed the pen in face of Court, and desyred me to subscribe for them, and this by my signall and subscriptione nottariall is testified.

C. BARCLEY.

COURT OF THE BARRONY OF CORSHILL, holden within the duelling house of Robert Hemphill in Stewartoune, upon the eleventh day of October j^m vij^e and fyve yeareis, be Cornute John Norie in Robertland, baillie constitute.

Court fenced.

Sutes called.

The whilk day, the said Judge sitting in judgment decerned Thomas Ker in Stewartoune to make payment to Sir William Cunninghame of Cunninghame Head, off the soume of eight poundes scottis money as the pryce of ane boll off meall receaved be him upon on or other of the dayes of May j^m vij^e and four. Because the

said Thomas Ker compeared and confessed, therfor the said Judge decerned him to make payment therof to the said purs sewer within fyfteen dayes nixt after he beis warned therto be the Barrony officer, wherein if he failzie, to poynd and use all uther maner of executione in forme as effeares, and for sixteen shilling money forsaid of expenssis of plea.

J. NORRIE.

Eodem die : The said Judge decerned William Peacock, indueller in Stewartoune, to delyver to James Rayburn, Bonnetmaker, all the slaughter sheepskins that he hes taken of or shall take of from Beltane to Hallowday nixt, the purs sewer paying to the defender fyve shilling scottis money for ilk skin, on receipt conforme to the number.

J. NORRIE.

COURT OF THE LANDES AND BARRONY OF CORSHILL AND DOURAY, holden within the duelling house of Robert Hemphill in Stewartoune, upon the twentie fourth day of January j^m vij^c and six year, be Niniane Bannatyne, Baillie constitute.

Court fenced.

Sutes called.

The whilk day, the said Judge decerned Hugh Adam in Whinnie Brae to make payment to John Millar in Ladesyd of the equall half of the cess, these four yeares bygone, because John Millar his tennent had it in his bargane to have allowance therof; and ordains to compt and reckone. And if the said Hugh Adam refuse, decerns the said Hugh Adam to make payment of the soume of one poundis twelve shilling money forsaid, justo calculo, the same being compted for the forsaid 4 yeares, and for four shilling of expenssis of plea.

Eodem die : in the actione purs ewed be John Biggart in Douray against David Dickie in Douray and his family, for alleadging ther takeing away of some corne arreasted in the said David Dickie's barne be Niniane Bannatyne chamberland to the Earle of Glasgow, ay and whyll the said John Biggart pay his rent, which corn the said John Biggart alleadges is wronged, and some therof privatly taken away. Compearing, the said David Dickie denyed the lybell, and declared that the barn was brocken and corn taken away by theives under cloud of nyghte without his knoledge. And the said David Dickie, Margaret Cuningham, David and John Dickies, heis sones compearing offered to suffer for it if the purs sewer could prove that they took the samen away, and if neid beis to purg themselves upon oath. The purs sewer alleadges that albeit the said David and his family purg themselves upon oath, yet they ought to make restitutione of the said corn, because the same was under ther custody and keeping. The Judge, after hearing of both partys, absolved and assoylzied the said David Dickie, Margaret Cuninghame, David and John Dickies, from the said proces

against them, for takeing away the said corn, because the lybell being referred to ther oath they all deponed negative; and therupon the said David Dickie took instruments, and because the purs sewer could not prove the lybell.

Eodem die: The said Judge decerned John Biggart in Douray, to make payment to David, Earle of Glasgow, and his factores, the soume of ten poundes scottis money of rent for the cropt and year of God j^m vij^c and fyve yeares, with a fyft penny more of expenssis of plea, and that within term of law; and ordains executione to pass hearupon in forme, as effears.

Eodem die: The said Judge decerned Agnes Garvene in Stewarttoun to make payment to Helen Galt in Auchinharvie the soume of thretten poundes scottis money, because the defender acknoledged the same upon oath, and that within term of law; and ordains executione by payment or others to pass hearupon in forme, as effears, and for twelve shilling scottis money of expenssis of plea.

Eodem die: The said Judge decerned Thomas Clerk in Stewartoun to make payment to David, Earle of Glasgow, of the soume of seven poundes ten shillings scottis money, on the accompt of Andrew Faulles in Stewartoun, for his rent, cropt and year of God j^m vij^c and fyve yeares: Being arreasted in his hands att the Earle's instance, therefor decerned to make payment and furth comen of the samen, within term of law; and ordaines executione to pass hearupon in forme, as effears.

NINIAN BANNATYNE.

Eodem die: Decerned Robert Walker of Corshouse to pay three punds scottis for grassing of his sheep upon the Hersha grasse. The payment of the three lib. is to Patrick Steivenson in name of the rest. In regard both parties referred the same to the herd's oath, and he deponed that ther was 3 soums grassed to the defender, cropt 1703, in Glenowder, and therfor decernes in maner forsaid, and to pay within term of law; and ordaines executione to passe hereupon, and for six shilling scottis of expenssis of plea.

Eodem die: In the action pursewed be Robert Walker against Patrick Steivenson and the tenentis in Hersha, anent the beatis grassing upon the purs sewer's grasse, cropt 1705, and they being present denyed the lybell; and the purs sewer having referred the same to the defenderis oaths, they deponed negative to ye lybell, and therfor the Judge assoilzied from ye lyble.

NINIAN BANNATYNE.

COURT OF THE LANDES AND BARRONY OF CORSHILL, DOURAY, etc., holden within the duelling house of Robert Hempill in Stewarttoun, upon the seventh day of February j^m vij^c and six year, be Niniane Bannatyne, Baillie constitute.

Court fenced.

Suteis called.

The whilk day, the said Judge, sitting in judgment in ane lawfullie fenced court, decerned the haill vassalis, tennentis, and possessores within the barrony of Corshill and Douray, for transgressing the penall statutes, viz., for shooting of hares, doves, partridges, and moorfull, steeping of green lint in running waters, killing of red fish or salmond smoults in forbidden seasones, burning of mure and moss ground in forbidden tymes, cutting of green wood policy and planting, and the statutes made anent peck and boll, and anent lining and woollen yarn and cloath, and all uther the penall statutes, conform to the multis and fynes specifeid and contained in the respective actis of Parliament. The tennentis compearing refused to purg themselves upon oath, and the tennentis that were absent were holden as confest. Therfor the said Judge amerciat and fyned them and ilk ane of them in the respective penalties contained in the saids statutes and actis of Parliament, or in the soume of fyftie pounds scottis money, ilk ane of them ; The saids tennentis that were present because they refused to depone, and such of them as were absent because they were summoned to this day and dyet and not compearing ; and ordaines executione to pass hearupon within terme of law, in forme as effeares. And this on no wayes yew Robert Tannahill, officer of Court, ye leave undone, and this shall be your warrand. NINIAN BANNATYNE.

COURT holden within the Fulshaw, upon the sixteen day of March j^m vij^c and six year, be Sir Alexander Cuninghame of Corshill, Commissioner, after specifeid.

The whilk day, in presence of the said Sir Alexander Cuninghame of Corshill, sitting in judgment in ane lawfullie fenced court by vertue of and in obedience to ane act and commissione direct to him be John Brysson, Commisser Deput at Glasgow, of the date the second day of March j^m vij^c and six year, for takeing and receaving the oath and depositione of Issobell Howie, relict of the deceast Andrew Neilson in Fulshaw, anent the article of the lybell pursewed att the instance of William Boyd merchand in Glasgow against hir, as relict and executorix confirmed, or at least universall intronissatrix with the goodes and gear of the said umquhile Andrew Neilson, craving the defender to be decerned, sub titulis quibus supra, to make payment to him, as assigney after specifeit, of the soume of fourtie eight shilling scottis money, quhich was dew to John Gilchristson, smith in Killmarnock, be the said deceast

Andrew Neillsone about twelve yeares since, by the remainder of the pryce of ane gun, and to quhich the pursewer hes ryght by assignatione from the said John, dated the seventh day of January j^m vij^c and six years, as the said article of the said lybell bears. In obedience of quhilk act and Commissione the said Sir Alexander Cuninghame, Commissione above named, did upon this sixteen day of March j^m vij^c instant, choyse Charles Barclay of Busbie his clerk; and haveing the said Issobell Howie before him, did take and receave hir oath upon the said article, conform to the above written Commissione and interrogator therin particularlie instruct, viz., whether or not it consisted with her knowledge that the foresaid debt was owing, or that she promised payment to the said pursewer or his cedent: Who being solemnly sworn, examined, and interrogat upon the said article, conform to the interrogatorie and Commissione above written, depones negative, that she know nothing of the forsaid debt, and that she never promised payment to the pursewer or his cedent; and this is the truth as she shall ansswer to God. In testimony quherof, written be the said Charles Barclay, the deponent, the said Sir Alexander Cuninghame, and his Clerk, hes subscriyved thir presentis, place, day, moneth, and year of God above written. S. AL. C., of Corshill.

Ego vero Carolus Barclay, nottarius publicus in premissis requisitus de mandato praedictae Issobellae Howie scribere nescientis mihi asserentis calamum tangentis, quod signo et subscriptione nottariallibus attestor. C. BARCLEY.

COURT OF THE BARRONY OF CORSHILL, holden within the duelling house of Robert Hemphill in Stewartoune, upon the tuentie fyft day of Apryll j^m vij^c and six year, be Cornut John Norie, Baillie constitute.

Court fenced.

Sutes called.

In the proces att the instance of Hugh Bichet in Hairshaw, pairtie lybellit, David Bichet in Spitell, pairty in former, and David Gemill in Stewartoune, Procurator Fischall of court, against Georg Harbiesone in Hairshaw; continues to the second day of May nixt, and allows the defender to sie and ansswer, and the pursewer to adduce further probatione, conform to the lybell, witnessis, depositiones, and defenssis apairt, and all partys summoned apud [acta] against and the said day. J. NORRIE.

2 May 1706.

The said Judge assignes the nynth day of May instant to the defender to ansswer the lybell and give in his defences, and ordained Robert Hemphill, officer, to summond and cite all partys that were present at the said congress betwixt Hugh Bichet and

Georg Harbiesone, that he may come to the knoledge of the party offender, ground of the offence, and mater off fact, causa scientie.

J. NORRIE.

Eodem die : In the actione pursewed be Mathew Dickie, merchand in Stewartoune, against Janet Gilmour, spouse to the deceast William Dickie, his father, for delyvering to him ane Mask Fatt.¹ Compearing, the said defender alleadged the same was hir own, and therupon the said Mathew Dickie referred the same to the defender's oath, who referred the same to the pursewers who refused to depone. Therfor the said Judge absolved and assoyled the said defender from the said proces, because the pursewer refused to depone on the verity of the lybell and succumbed in the probatione, and for that effect ordains executione to pass hearupon in forme as effears.

J. NORRIE.

COURT OF THE BARRONY OF CORSHILL AND DOURAY, holden within the duelling house of Robert Hemphill in Stewartoune, upon the eighteenth day of May j^m vij^c and six year, be Niniane Bannatyne, Baillie constitute.

Court fenced.

Sutes called.

The whilk day, the said Judge decerned the hail fewares, tennentis, possessores, and occupyers of the lands of the Barrony of Corshill and Douray, to make payment to David, Earle of Glasgow, or his factores and chamberlands, in the name of ther respective few dewtys, rentis, males, dutys, casualitys, and services dew and payable be them, and ilke ane of them, conform to ther possessiones att whitsunday last, being the equall half of this instant cropt and year of God j^m vij^c and six year, and that within term of law ; and ordaines executione to pass hearupon in forme as effeares, and for that effect ordains extracts hearof to be given furth by our Clerk of Court.

Eodem die : the said Judge decerned the hail fewares, tennentis, possessores, and occupyers of the lands of the Barrony of Corshill and Douray, for transgressing the penall statutes, viz., for transgressing the actis made anent selling of victuall by eick and additione, or boll and peck, and the actis made anent lining and woollen yarn and cloath, steeping of green lint in running waters or burns, killing of salmond smouts or red fish in prohibit season, burning of mure and moss ground in forbidden tymes, shooting of hares, doves, and murefull, and all uthir the penall statutes. Because the verity of the lybell being referred to the defenders oath, non of them that were present could purg themselves upon oath, and those that were absent because they were summoned to this day and not compearing ; therfor they were all holden as confest, and ilke ane of them americiat and fyned in the soume of fyftie pounds scottis money,

¹ Mash-tub for brewing.

and decerned to make payment therof to David Gemill, Procurator Fiscall of court, and that within term of law; and ordains executione to pass hearupon by poynding, etc., and extracts heirop to be given furth by our Clerk of Court for that effect.

NINIAN BANNATYNE.

COURT OF THE LANDS AND BARRONY OF CORSHILL, holden within the duelling house of Robert Hemphill, upon the eight day of August j^m vij^e and six year, be James Boyll of Montgomeriestoune, younger, Bailie constitute.

Court fenced.

Sutes called.

The whilk day, the said Judge, sitting in ane lawfullie fenced court, decerned the haill persones, defenders under written, ilk ane of them respective for ther oun pairtes, to make payment of the soumes of money after specifeit to John Wyllie of Newmiln of Dunlop, his aires or assigneys, etc., viz.; John Harper in Meickle Corshill, the soume of tuo pound eighteen shilling six pennys scottis money, resting for meall receaved from the pursewer about tuo yeares agoe; James Harper in Burn, the soume of on pound threteen shilling resting of meall receaved about tuo yeares agoe; John Harper, his son, one poundes fyfteen shilling for meall about tuo yeares agoe. Because they were all summoned personallie to compear this day, and being called and not compear- ing as said is, they and ilk ane of them were holden as confest, and therfor decerned to make payment therof within fyfteen dayes nixt after they be warned therto by the Barrony officer: Quhairintill if they failzie, to arreist and poynd in communi forma. And also decerns and ordains the said John Harper to make payment to the said pursewer of the soume of ten shilling scottis money of expenssis of plea, James Harper forsaid of six shilling money forsaid, John Harper, his son, six shilling money forsaid of expenssis of plea, attour ther respective soumes above written, and for that effect extracts hearof to be given furth by the Clerk of Court.

J. BOYLE.

COURT holden by Sir Alexander Cuninghame of Corshill, and James Calderwood his Honour's Baillie, at Stewartown, the twentie eight of September seventeen hundred and six years.

Court fenced.

Suits called.

The quhilk day, ye Judge forsaid decerned and unlaed ye whole brewers within the Barrony of Corshill and town of Stewartoun, in ye termes of ye act of Parliament,

for retailing and selling of Ale above twentie pennies the pint, the malt being under ten merks per boll. The whole brewers called, compeired and submitted themselves to the Judge's discretion and will in the premisses. Wherefor absolves preceeding the daite; and statutes and ordains that the Ale in time coming be twentie pennies the pint. As also amerciati and fines the whole tenants, fewars, possessors, and others within the said Barronie, in the whole penal laws, in the termes of the act of Parliament, respective for each fault.

JAMES CALDERWOOD.

The said day, Sir Alexander Cuninghame of Corshill nominat and appointed James Calderwood and Alexander Nicoll, Baillies, and John Deans, John Picken, James Ross, Mathew Jop, Daniel Mores, and Hugh Stewart and Robert Smith, Counsellours, whereof three and one of the Baillies make a corum to act in all affaires within the town and Barronie as if I myselfe were actually present. And these to continue in the office of Bailship during pleasure.

S. AL. C. of Corshill.

COURT OF THE LANDS AND BARONY OF CORSHILL, holden within the duelling house of Robert Hemphill in Stewarttoun, upon the tuentie eight day of October j^m vij^c and six year, be Niniane Bannatyne, Baillie constitute, and Alexander Nicoll, present Baillie of Stewartoun.

Court fenced.

Sutes called.

The whilk day, the said Judge decerned ilk fewar instantly to pay twelve penny scottis, and ilke tennent 8^d scotts money of compareance money, or els to be poynded in 40^s scottis, ilk ane as absents, because of their contumacy. NINIAN BANNATYNE.

Eodem die: Alexander Nicoll, Town Baillie of Stewartoun, decerned Edward Smith to make payment to Gabriell Highet in Gamshill of Dunlop, of the soume of twelve poundis scott money, and thretteen shilling four penny money forsaid, as the pryce of tuo pecks of meall, and als to make payment to the complainer of ten poundis sixteen shilling money forsaid as the pryce of eighteen fowl¹ of corn bought and receaved from the complainer be the defender. And because the defender con The Baillie, after hearing of both partys, assignes the nixt court day to prove, hinc inde, peremptorie. The pursuer clams of the above soume only eight poundis four shilling, scottis money, as resting of the samen.

Eodem die: Anent the actione pursewed be Robert Bar, milner in Clerkland Milne, against James Thomsone in Litle Corshill, for the moulters of fyftie bollis of abstracted corn. Because the defender compearing refused to depone anent the treuth of the

¹ Full,—a firloft or bushel of grain.

lybell, therfor holden as confessed and decerned to make payment of the used and wont moulter therof, within terme of law: Superceeding alwayes executione hearupon till the nyynth day of November nixt, if partys can agrie betwixt and then, with certificatione if they agrie not betwixt and then, that execution pass hearupon for the samen att the said party's instance against the defender, in forme as effears.

A. NICOL.

COURT OF THE LANDIS AND BARRONY OF CORSHILL, holden within the duelling house of Robert Hemphill in Stewarttoun, upon the second day of December j^m vij^e and six year, be James Calderwood, one of the present Baillies in Stewarttoun, Baille constitute.

Court fenced.

Sutes called.

The whilk day, compeared Patrick Steavinsone in Hairshaw, and earnestly craved Lawbourrous, and Bond and cautione of Georg Harbersone in Hairshaw, that he, his family, goodes and gear, may be frie, safe, and sure from future personall and uthir hurtis and skaith threatned and minaced be the said Georg Harbiesone and his family in tyme comeing, and be reason of hurt, skaith, and molestatione already susteaned. The said Judge, finding the desyre most reasonable, craved the said Patrick Stevinsone his oath of calumney, and whither or not he dreaded him bodyly harme and skaith to his family and bestiall. Compearing the said Patrick Steavinsone, who being solemnly sworn and interrogat by the said Judge whither or not he ever heard tell that the said Georg Harbiesone and his family threatned and minaced to doe him and his family skaith, and whither or not he truly dreaded him bodyly harm or uthir skaith in his persone, or to his family and bestiall; who being of the age of sixtie yeares or therabout, purged of partiall councill, deponed he heard it severall tymes that Georg Harbisone threatned and minaced to do skaith and harm to himself or his family, and that he truly dreaded him for bodyly harm or uthir skaith to himself, or to his family in his absence, quhairthrow he cannot safely or freely repare to kirk or mercat, or peaceable goe about his affairs att home without dayly terror and fear, except the said Georg Harbisone be bound up to the peace by Lauborrous, and Bond and cautione for his security, as is usuall in the lyk caces: And this is the truth, as I shall ansser to God.

I, Charles Barclay, Nottar publict, Clerk of Court, for the deponent because he could not wryt.

C. BARCLEY.

JAMES CALDERWOOD.

The whilk day, the said Judg decerns and ordaines the said Georg Harbertsone

instantly to find sufficient Bond and cautione acted in our Court Bookes to keep the said Patrick Steavinsone, his family, wyfe, bairns, bestiall, goodes and gear, frie of bodyly harm, hurt, or skaith, that may be susteained be the said Georg Harbiesone, his spouse, family, and all uthirs his assistants, in tyme comeing, after the day and date of thir presentis ; And in the meantyme to secure and apprehend the persone of the said Georg Harbiesone, and sequestrat his wholl moveableis, goods, and gear whatsoever, ay and whyll the same be done : And if the same be not done, decerns the said Georg Harbiesone instantly to pay the soume of ane hundreth poundis scottis money, and ordains all maner of executione, both personall and reall, may pass hearupon in forme as effeirs, and hearto the barony officer is warranted.

JAMES CALDERWOOD.

I, Robert Walker in Corshouse, haveing renunced the lands of Hairshaw possest be me and Georg Harbertsone my subtennent, to Sir Alexander Cuninghame of Corshill, my master, and therein obleidged me and myne to make voyd and red the arable lands of the samen att Martimass last, and the houssis, grass, and pertinentis att Beltane, or the first day of May nixt to come j^m vij^c and seven year, subscriyved be me upon the fourteen day of March j^m vij^c and six year as the said overgiveing, with the Nottar's instrument on the back thereof bears ; And in regaard the said Georg Harbeson, my tennent, hes, without my knoledge, brocken and plewed some of the saidis lands since martimass last, quherupon the said Sir Alexander Cuninghame hath, upon the day and date of thir presentis, protested and taken instrumentis against me, in the handis of Charles Barclay of Busbie, for ane ryot, and for coast skaith and damnadge, attour to make voyd and redd the saids lands and houssis, I doe declair that the saidis landis were brocken without my knoledge and against my will : Therfor, to prevent future truble and expenssis, I faithfully bind and obleidge me, my aires and successores, conforme to my overgiveing, to make the said maillen land and houssis, etc., voyd and red, conforme to the terms of my overgiveing, under the penaltie of four score of poundes scottis money, attour the yeares rent and violent proffites. In witnes quherof, written be Charles Barclay of Busbie, I have subscriyved thir presentis with hand att Stewartoune the fyft day of December j^m vij^c and six year.

Ego vero Carolus Barclay, nottarius publicus in premissis, requisitus de mandato predicti Roberti Walker scribere nescientis mihi asserentis calamum tangentis quod testor.

C. BARCLEY.

Att STEWARTOUNE, the fyft day of December j^m vij^c and six year.

The whilk day, James Calderwood, Baillie of Stewartoune, decerned the said Robert Walker to fulfill the premissis to Sir Alexander Cuninghame of Corshill, and ordains executione within terme of law, in [form] as effeirs. JAMES CALDERWOOD.

COURT OF THE LANDS AND BARONY OF CORSHILL, holden within the dwelling house of Robert Hemphill in the town of Stewartoun, upon the nyntein day of December j^m vij^c six years, be James Calderwood, on of the present Baillies in Stewartoun, Baillie constitute.

Court fenced.

Sutes lawfully called.

Eodem die : Ane action persued by Robert Smith, merchant in Stewartoun, against John Pickand, merchant ther, for payment of the soume of forty merks as the price of ane horse sold by the said Robert Smith to John Pickand upon Saturday last the fourteent instant, and receved ane half penny of earnest, and in regard he was personally cited to this diet, and not compeiring, therfor decerns that he is holden as confest : And the said compleaner persues for six penies each night for keeping the horse since saturday last, at quhich time he should have been received, and in time coming while he is in the persuer's company : And decerns therfor, and for expences of plea, conforme to law.

JAMES CALDERWOOD.

COURT OF THE LANDS AND BARRONY OF CORSHILL, holden within the duelling house of Robert Hemphill in Stewartoun, upon the tuentie sixt day of December j^m vij^c and six year, be James Calderwood, on of the present Baillies in Stewartoun.

Court fenced.

Sutes called.

The whilk day, the said Judge decerned Peter Cunninghame, coallhuer in Patertoun, to make payment to John Hutchesone in Patertoun, of the soume of twentie tuo poundes four shilling scottis money of bygone rent, land tealling, borrowed money, and seik and seek, and ordaines executione to pass hearupon within term of law, by arreastment, poinding, etc., in communi forma ; because the defender being lawfullie warned to this day, and being called and not compeiring, was holden as confest, and therfor decerned ut supra, and to pay one poundes nyne shilling of expenssis of plea ; And that extracts for that effect if neid beis be given furth by our Clerk of Court.

JAMES CALDERWOOD.

COURT OF THE LANDS AND BARRONY OF STEWARTOUNE, holden within the duelling house of Robert Hemphill in Stewartoun, upon the nyynth day of January j^m vij^e and seven year, be James Calderwood, on of the Baillies of Stewartoun.

Court fenced.

Sutes called.

The quhilk day, the said Judge decerned William Gray in Blacklaw to make payment to James Wyllie, bonnetmaker in Haireshaw, of the soume of fyve merkes scottis money of fiall, six shilling eight pennys money forsaid, as the pryce of a pair of hose, one poundis thrie shilling money forsaid as the pryce of ane pair of shews, twelve shilling six penys as the pryce of serk, dew be the defender to the pursewer on the accompt of William Wyllie his son, as his fie and bountess for herding the defenderis beastiall in summer last: And also to make payment to the pursewer of the soume of twelve shilling scottis money for leading of peats, and that within term of law; because the defender being lawfullie warned to this day and not compearing, therfor holden as confest, and decerned ut supra, and ordains executione, by poynding or uthirways, to pass hearupon in communi forma, and for eighteen shilling money forsaid of expenssis of plea.

JAMES CALDERWOOD.

COURT OF THE LANDS AND BARRONY OF STEWARTOUNE, holden within the duelling house of Robert Hemphill in Stewartoun, upon the tuentie third day of January j^m vij^e and seven year be James Calderwood, on of the present bailies of Stewartoun.

Court fenced.

Sutes called.

The whilk day, the said Judge decerned of new again William Gray in Blacklaw, to make payment to James Wyllie, bonnetmaker in Hairshaw, of the soume of five merkes scottis money of fiall, six shilling eight pennys money forsaid as the pryce of ane pair of hose, one pound thrie shilling money forsaid as the pryce of ane pair of shewis, twelve shilling six pennys as the pryce of ane serk, dew be the defender to the pursewer on the accompt of William Wyllie his son, as his fie and bountess for herding the defenderis beastiall in Summer last: As also to make payment to the said pursewer of the soume of twelve shilling scottis money for leading of peats, conform to ane former decreit in absence, dated the nyynth day of January j^m vij^e and seven

years; because the defender craved to be reponed and gave in ane lybell of compensation. The Judge haveing assigned this day for probatione, the said defender referred the wholl matter to the pursewer, the said hird his son, and his wyfes oaths of verity; Who haveing takeing the oaths of the said pursewer and his son, heirin deponed affirmative conforme to ther lybell, and negative as to William Grays lybell: Therfor the said Judge of new again decerned ut supra, and absolved and assoylzied the said defender from any future process, and for eighteen shilling money forsaied of expenssis, and ordains executione to pass hearupon within term of law, as also because the defender confessed the pursewer's lybell in omnibus.

Eodem die: The said Baillie decerned Alexander Picken in Cutstrae, as he in whose handis arreastment was made, and Barbara Montgomerie in High Peacockbank, as principall party, to make furthcomeing payment and delyverance in feall,¹ in Peacockbank mill, of ane old chist in his hands that pertained to the said Barbara Montgomerie, in part payment to the said pursewer of fyfteen pecks of corn of moulter abstracted from the said pursewer, milner of the said miln, conforme to ane Decreet obtained be the pursewer against hir for the samen before the Laird of Langshaws Bailzie Court, as ane sygnd missive under John Calderwood in Peacockbanks hands, dated 22 January 1707, bears, and therfor ordains executione to pass hearupon within term of law; superceeding extract of this decreit till the pursewer produce the said decreit extracted out of Langshaw Court book be the Clerk of Court, and for twelve shilling scotis money of expenssis of plea.

Eodem die: The Judge in the actione of furthcomeing pursewed be Andrew Calder in Robertland, against James Calderwood in Hillhouse, as the persone in whose hand the samen was arreasted, and Robert Calderwood his servant, principall party, for payment and makeing furthcomeing and delyverance of the soume of thrie poundis scottis money dew be the said Robert Calderwood, and arreasted in the hands of the said James Calderwood. Compeared the said Robert Calderwood and denyed the lybell; quhich being refered to his oath, deponed, directly or indirectly, by pactione, word or promise, he was not debtor to the said pursewer in the soume lybelled: Therfor the said Judge absolved and assoyled the saidis defenders therfrom, and from all processis theranent in all tyme comeing.

Eodem die: The said Judge decerned Daniell Moreis, merchand in Stewartoune, to make payment to William Cuthbertsone in Burnfoot of Poekellie, of the soume of ten merkis scottis money, as cautioner for Andrew Arnot in Lochsyd of Lochrig, for the boot of ane horse dew be him to the said pursewer, and arreasted in William Mitchell in Gooshill handis, and for quhich the defender became cautioner to anser as law will; superceeding extract till the thretty day of this instant moneth of January, that upon

¹ Faithfully.

payment of six shilling eight pennys of sentence money, the defender may be reponed if Allexander Arnot, principall partie, desyre ane hearing theranent.

JAMES CALDERWOOD.

COURT OF THE LANDS AND BARRONIE OF STEWARTOUNE, holden within the duelling house of Robert Hemphill in Stewarttoun, upon the sixt day of February j^m vij^c and seven yeares be James Calderwood, on of the present Baillies of Stewarttoun.

Court fenced.

Sutes called.

In the action be John Dean, merchand in Stewartoun, against Agnes Girven relict of the deceast Andrew Foulis in Stewartoun, and Andrew Foulis his son, for payment of tuentie four poundis scottis money, restand to the pursewer be the said deceast Andrew Foullis, and as intrometter with his goodes and gear. Compeared the defender and proponed ane absolviter from the said proces befor the Commissar of Glasgow, and craved ane day to produce the absolviter, and hir oun and Andrew Foullis hir sone ther oaths, extracted furth of ther books.

The Judge, hearing both parties, assigned the thretten day of this instant moneth to the saidis defenderis to produce ane extract of ther oaths and absolviter furth of the Commissar of Glasgow Court Bookes, causa scientie.

JAMES CALDERWOOD.

COURT OF THE LANDS AND BARRONIE OF CORSHILL AND STEWARTOUNE, holden within the duelling house of Robert Hemphill in Stewarttoun, upon the tuentie day of February j^m vij^c and seven yeares, be James Calderwood, on of the present Baillies of Stewartoun.

Court fenced.

Robert Neilsone, Procurator Fiscall.

Sutes called.

In the actione pursewed be William Calder in Stewartoun against Chrystiane Ker in Stewartoun, for calling his wife ane theiff: Compeared the defender and denyed the lybell, and further alleadged that Anable Hodge, the pursewer's spouse, called her both ane whore and ane theif. The Judge hearing both partys, ordained them peremptorie, hinc inde, against utheris, to prove ther lybellis against and the tuentie seventh day of this instant moneth of February.

JAMES CALDERWOOD.

COURT OF THE LANDS AND BARRONIE OF CORSHILL AND STEWARTTOUNE, holden within the duelling house of Robert Hemphill in Stewarttoun, upon the thretteen day of March j^m vij^c and seven year, be James Calderwood, Baillie constitute.

Court fenced.

Sutes called.

In the proces intended be Hugh Bicket in Hairshaw against Georg Harbiesone ther, anent his breacking of his leg ; compeared Georg Harbiesone, and opponed the former procedure, depositions, and sentances in the said mater.

The said Judge assigned the twelve day of this instant to both partys to prove further, hinc inde, and to produce the former proces ; and all partys are peremptorie summoned to that day apud acta.

Eodem die : Anent the actione pursewed be William Gardiner in Stewarttoun, and Robert Wilsone [Neilsone] Procurator Fiscall of Court, against Martha Hunter spouse to John Parker couper ther, alleadging his calumniating and reproching Janet Bryce, the pursewer's spouse, and alleadging she called the pursewer's wyfe ane whore : Witnesses adduced being examined upon oath, deponed negative ; Therfor the said Judg assoylied and absolved the said defender from the said process, and decerned the said pursewer to pay in to the said Robert Neilsone, Procurator Fiscall of Court, the soume of tuo pounds scottis money, for leading ane process against his neighbour quhich he could not prove ; and ordains executione to pass hearupon in form, as effears.

Eodem die : The said Judge decerned and ordained William Gardner, merchand in Stewarttoun, Janet Bryce his spouse, John Parker, couper ther, and Martha Hunter, his spouse, in tyme comeing to live peaceablie together, under a penaltie of fyve poundes scotts, to be payed be the first offender, the same being legallie proven as accords of law.

JAMES CALDERWOOD.

COURT OF THE LANDIS AND BARRONIE OF STEWARTTOUNE, holden within the duelling house of Robert Hemphill, upon the tuentie day of March j^m vij^c and seven years, be James Calderwood, Baillie constitute.

Court fenced.

Sutes called.

The quhilk day, the said Judge decerned Georg Harbiesone in Hairshaw to make payment to Robert Walker in Corshouse, of the soume of ane hundreth poundis scottis money of bygone rentis for the cropt and year of God j^m vij^c and six year,

and preceedings, because the defender compeared and acknowledged the same; and ordains executione to pass hearupon in forme, as effears. JAMES CALDERWOOD.

Eodem die: The said Judge decerned John Wyllie in Braehead to make payment to Alexander Nicoll, merchand in Stewartoune, the soume of four pound ten shilling, by accompt fitted betwixt them upon the eleventh day of December j^m vij^c and four year, because the defender compearing confessed the lybell; and ordains executione to pass hearupon within term of law, in forme as effears, and for six shilling eight pennys of expenssis of plea. JAMES CADDERWOOD.

COURT OF THE LANDS AND BARRONIE OF CORSHILL AND STEWARTOUNE, upon the tuentie seventh day of March j^m vij^c and seven yearis, be James Calderwood, merchand in Stewarttoun, Baillie constitute.

Court fenced.

Sutes called.

The whilk day, the said Judge decerned and ordained Andrew Faullis in Blacklaw to make payment to Sir Alexander Cunninghame of Corshill, or his factors, or to David, Earle of Glasgow, or his Chamberland, the soume of thrie hundreth poundis scottis money for thrie years possessione of the landis of Blacklaw, viz., j^m vij^c and fyve, j^m vij^c and six, j^m vij^c and seven years, being ane hundreth poundis of yearly rent, and to pay the same in tyme comeing during his possessione: And als to make payment of ane hundreth poundis scottis money yearly of violant profitis, in caice he sitt against the master's will, and ordains executione to pass hearupon within term of law, in form as effears; because the said Andrew Faullis was lawfullie summoned to this day, and not compearing, was holden as confest, and therfor decerned ut supra.

JAMES CALDERWOOD.

Eodem die: Anent the judement given in be Robert Watsone in Stewarttoun, Procurator Fiscall of Court, against John Caskie, lawful son to Alexander Caskie bonnetmaker in Brigend, and John Harper, son to James Harper in Burn, and James Harper, servitor to Andrew Picken in Robertland, for ther falling on upon others. Compeared John Caskie, denyed that he bled and battered the said John Harper: Compeared the said John Harper, confessed he strack the said John Caskie, bot knew not quhither or not he bled him, and confessed that John Caskie bled him, and for instructione therof produced ane bloody napkine, who referred the bleeding of him to the said John Caskies oath, who deferred the same to the said John Harpers oath, who deponed positively that yesterday John Caskie bled him, and with it that napkine produced was bled. Compeared James Harper, and confessed that John Caskie struck him: The said John Caskie denyed; which being referred to his oath, refused

to depone, and defered the same to the said James Harperis oun oath, who deponed that the said John Caskie yesternyght strack him severall tymes, and that he did not stryk at him.

The whilk day, the said Judge, haveing seriously considered the wholl mater, amerciat and fyned the said John Caskie in the soume of fyftie pounds scottis money, for blooding and battering of the said John Harper, and also amerciat and fyned the said John Caskie in the soume of fyve poundis scottis money, for stryking and battering of the said James Harper. And farther, the said Judge amerciat and fyned the said John Harper for blooding and battering of the said John Caskie, because parties, hinc inde, confessed the same, and the same was sufficiently proven be oath of partie; and decernes the said fynes to be paid to the said Robert Neilsone, within term of law: And absolved and assoylied the said James Harper from the said proces, because it was proven he gave no offence to the said John Caskie, and from all future process theranent.

Eodem die: The said Judge amerciat and fyned Hugh Bichet in Hairshaw, in the soume of ten poundis scottis for agressing and falling upon Georg Harbiesone upon; and ordains the same to be payed to Robert Neillsone, Procurator Fiscall of Court, within term of law.

Eodem die: The said Judge amerciat and fyned Georg Harbiesone in the soume of fyftie poundis scottis money, for agressing and falling upon Hugh Bichet in Hairshaw, and for blood and battery and breaking of his leg upon the tuentie third day of Apryll j^m vij^c and seven year, and decerned and ordained the same to be payed in maner following; Fourtie fyve poundis money forsaid therof to the said Hugh Bichet for the cureing of his leg, and fyve pound money foresaid therof to the Procurator Fiscall of Court; and that within term of law, and executione to pass hearupon.

JAMES CALDERWOOD.

COURT OF THE LANDS AND BARRONIE OF CORSHILL, holden within the duelling house of Robert Hemphill, upon the seventein day of Apryll j^m vij^c and seven yeares be James Calderwood, merchand in Stewarttoun, Baillie constitute.

Court fenced.

Suteis called.

The whilk day, the said Judge decerned John Picken, merchand at Stewarttoun Kirk, to make payment to William Peock, flesher in Stewarttoun, the soume of seven poundis nyne shilling eight pennys, of fitted accompt severall days and dyetis produced

at the said Court in presence of the said defender. Because the verity of the lybell hes several tymes been referred to the defenders oath, and peremptorly summoned and warned be the officer to this dyet, therfor holden as confest, and decerned ut supra within term of law; and ordains all maner of executione to pass hearupon, in forme as effears, and for thretteen shilling four pennys of expenssis of plea.

JAMES CALDERWOOD.

COURT OF THE LANDS AND BARRONIE OF CORSHILL, holden within the duelling house of Robert Hemphill in Stewartoune, upon the first day of May j^m vij^c and seven yeares, be James Calderwood in Stewartoune, Baillie constitute.

Sutes called.

Court fenced.

The whilk day, the said Judge anent the claim given in be Sir Allexander Cunningham of Corshill against Robert Walker of Corshouse, William Gray, and Janet Thomsone in Blacklaw, John Broun ther, Andrew Faullis ther, for ther most wrongous eating and destroying the wast grassis of the maillen of Blacklaw, last possest be the saidis defenders, and ther continuing to doe the samen, contrair to the laws and actis of Parliament: Therfor decerned and decerns the haill persones above written, defenders, not to eat the said wast grass with ther bestiall, goodes, and gear, att any tyme after this day during this instant year of God j^m vij^c and seven year, and that under the penaltys contained in the said act of Parliament, with certificatione ther bestiall, goodes, and gear shall be poyndit for the samen if found theron; And if they can be proven to be found theron they shall pay the penaltie contained in the said act of Parliament. Attour, decerns the saidis defenders to find cautione and Labourrouis for the samen, and ordains all maner of executione to pass hearupon, by arreasting of the said grass, poynding any beatis found theron, and other neidful, in forme as effears. Because the forsaidis defenders weis lawfullie warned and cited to this day, and not compearing, therefor decerned ut supra.

JAMES CALDERWOOD.

COURT OF THE BARRONIE OF CORSHILL, holden att Stewartoune, upon the eight day of May j^m vij^c and seven yeares, be James Calderwood, Baillie constitute.

Sutes called.

Court fenced.

The whilk day the said Judge decerned John Picken, merchand at Stewartoune, to

make payment to William Peock, flesher at Stewartoune, of the soume of six poundis seven shilling tuo pennys dew be accompt. Because the verity of the lybell was confessed and acknowledged be the defender, therfor decerned ut supra, and for ten shilling of expenssis of plea; and ordains executione to pass hearupon, in forme as effears.

Eodem die: The said Judge decerned William Peock, flesher at Stewartoune, to make payment to John Picken, merchand at Stewartoune, of the soume of four poundis thrie shilling scottis money, by accompt; because the verity of the lybell being referred to the defenders oath, who deferred the same to the pursewers, [and he] deponed affirmative: Therfor decerned ut supra, and for ten shilling scottis money of expenssis of plea, and ordains executione to pass hearupon, in forme as effears.

JAMES CALDERWOOD.

COURT OF THE BARRONIE OF CORSHILL, holden at Stewartoun, within the duelling house of Robert Hemphill, upon ye twentie ninth day of May j^m vij^c seven year, be James Calderwood, Baillie constitute.

Sutes called.

Court fenced.

The whilk day, Robert Walker in Corshouse haveing formerly pursued Patrick Stivenson in Harshaw for part of ane hard's fee, and being than appointed to appear this day, the persuer referred the verity of the lybell to the defenders oath. The defender deferred it to the pursuers, who deponed affirmative; therefore the judge for-said decerned the said Patrick, defender, in payment of the said hard's fee, being four lib. sixteen shilling eight penies of principall, and nyne shilling scots of expenssis of plea, and ordaines execution to pass hereupon, in forme as effiers.

JAMES CALDERWOOD.

Eodem die: James Millar was summoned to make reisted goods forthcuming in favours of Matthew Dickie. The said James confessed and acknowledged the verity of the lybell; therefore the Judge for-said decerned the said Jamas Miller in payment of three pund eighteen shilling four pennies scots, as the just soume owand by him, and in ten shilling scots of expenssis of plea, and ordaines ut supra.

JAMES CALDERWOOD.

COURT OF THE BARRONY OF CORSHILL, holden att Stewartoune, upon the tenth day of June j^m vij^c and seven yeares, be James Calderwood, Baillie.

Sutes called.

Court fenced.

The whilk day, the said Judge decerned the hail vassalls, tennentis, possessoris and occupyers of the Lands and Barrony of Corshill and Dowray, to make payment to David, Earle of Glasgow, and his factores, of ther respective few dewtys, rentis, maleis, ferme dutys and casualtyis, dew and payable be them, and ilke ane of them, conforme to ther respective ryghtis, tacks, rentallis, and possessiones, for the cropt and year of God j^m vij^c and six year and half of the year j^m vij^c and seven yeares, quhich should have been payed att whitsunday last, the termes of payment of the samen being for that come and bygone, and that within terme of law, and ordains executione to pass hearupon, in forme as effeares: And if neid beis extracts hearof be given furth by our Clerk of Court bearing our precept for that effect.

JAMES CALDERWOOD.

BARON COURT OF CORSHILL, holden at Stewartown, within the dwelling house of Robert Hemphill, upon the twelfth of June j^m vij^c and seven years, be James Calderwood, Baillie constitute.

Suites called.

Court fenced.

Eodem die: Andrew Foulis in Blacklaw haveing persued James Willie in Hareshaw his son, William Willie; The said William haveing attended severall Court dayes, and the said Andrew haveing still from on day to another delayed the process, this day the said James Willie and his son William compleaned of oppression, and asked justice of the Judge by absolving or allowing him expences, bat, etc. . . .

BARON COURT OF CORSHILL, holden at Stewartown, within the dwelling house of Robert Hemphill, upon the twentieth day of June j^m vij^c and seven years, be James Calderwood, Baillie constitute.

Suites called.

Court fenced.

Eodem die: James Wilson in Auchingown having formerly persued William

Peacock in Stewartown for the sum of four pound threeteen shilling four penies scots, as part of the price of a gun sold by the said James Wilson to William Peacock, the defendant refused to depone negative: Therefore the Judge forsaid sitting in judgement, decerned the said William Peacock in payment of the said summ of four pound threeteen shilling four pennies with shilling scots of expenss of plea, and ordaines ut supra.

JAMES CALDERWOOD.

COURT OF THE BARRONIE OF CORSHILL, holden att Stewartoune, upon the tuentie sixt day of June j^m vij^c and seven yeares, be James Calderwood, Bailzie.

Court fenced.

Sutes called.

The whilk day the said Judge decerned John Thomsone, weaver in Stewartoune, to make payment to Mr. John Picken, schoollmaster att Stewartoune, of the soume of tuo poundis scottis money of schooll fie for teaching his son, because the defender compeared and confessed the debt; and ordaines executione to pass hearupon, within term of law, and for eight shilling scottis money of expenssis of plea.

JAMES CALDERWOOD.

BARON COURT OF CORSHILL, holden att Stewartown, upon the third of July j^m vij^c and seven years, be James Calderwood, Baillie.

Court fenced.

Suites called.

Eodem die, etc.: John Picken was persued by John Thomson, etc. Deferred till this day eight dayes.

BARON COURT OF CORSHILL, holden at Stewartown, the tenth day of July j^m vij^c and seven years, be James Calderwood, Baillie constitute.

Court fenced.

Suites called.

Eodem die: John Foulis in, in ye parish of Eastwood, persued Robert Russell in Pilmor, in the parish of Mearnes, for calumniating of the said John Foulis for taking, as the said Russell alledged, half a ducaton¹ that accidentally fell out of his

¹ Ducatoon, a silver coin of Italy, worth about 4s. 8d. sterling.—*Imp. Dict.*

pocket. The said Robert Russell referring it to ye said Foulis his oath, whither the half ducaton was his or not, he deferring it to the said Russell his oath, being fully content; the said Robert Russell offerred either to probation or his oath, quhich the Judge forsaide accepted of, and the said Robert Russell deponed affirmative that the mony was his and subscribed the samine, and therupon was absolved.

Ro^T. RUSSELL.

JAMES CALDERWOOD.

Eodem die: John Thomson, weaver in Stewartown, persued John Pickand, merchand ther, for four lib. scots for weaving of cloath, and tuo pounds scots and ane ell of linnen for nursing. The four pounds was referred to John Thomson his oath, which the said John deponed in the negative the first part of the lybell for the four lib. scots, that he was not endue that years rent, being freed by the Lady Corshill and the said John Pickand; and therefor ordains payment therof, conforme to law, and threeteen shilling of expenss of plea, and ordaines poynding for all.

JAMES CALDERWOOD.

The second part of the lybell was referred to John Pickand his oath, who deponed negative, viz., that he was not endue Thomson that fortie shilling scots and the ell of linnen, and subscribed his oath.

JOHN PICKEN.

JAMES CALDERWOOD.

Eodem die: Robert Neilson persued John Pickand, merchand in Stewartown, for calumniating of him and his wife, and gave in ye lybell. Deferred till the next day.

Eodem die: Fyned the said John Pickand, merchand, in the sume of five lib. scots for molestation of the Court and stopping the clerk in reading of Fiscalls lybell.

JAMES CALDERWOOD.

BARON COURT OF CORSHILL, holden at Stewartown, within the dwelling house of Robert Hemphill, upon ye fourteenth day of July j^m vij^c and seven years, be James Calderwood, Baillie constitute.

Suites called.

Court fenced.

Eodem die: The Procurator Fiscall compleaned of John Pickand and James Ryburn, and their fighting, cutting others feathers, and beating and blooding one another. Both being summoned, called, compeired not, therefore held guilty of all laid to ther charge; upon all quhich, ye said Judge forsaide, they not being present, fyned them, imprimis, in ten pounds scots for contumacy, and ordains poynding therfore, within terme of law, and appoints them to be summoned de novo.

Eodem die : The parties John Picken and James Ryburn afterwards appearing, the Judge found that James Ryburn had beaten John Picken for cutting his feather, for quhich the said James Rayburne was fyned five pounds scots ; and ordaines poynding therfor, within terme of law ut supra.

JAMES CALDERWOOD.

COURT OF THE BARRONY OF CORSHILL, holden upon the twenty fourth day of July j^m vij^c and seven yearis, be James Calderwood, Baillie constitute as above.

In the action persewed be James Hilhouse in Hersha against William Alexander in Clerkland, for not payment making to him of the soume of tuo lib one shilling 6d. scottis, as in a particular accompt produced. The defender present acknowledges the haille articles of the accompt, except the article for fayll, quhich he referres to the determinatione of Sir Alexander Cuningham of Corshill : And he, present, determinis ye said article of fayll¹ to be one pound scottis. Therfore the Judge decerns the said William Alexander to pay to the puresewer James Hilhouse thirty four shilling six penies scottis, within term of law ; and ordains executione to passe hearupon, and for six shilling of expenses of plea.

JAMES CALDERWOOD.

COURT OF THE BARRONY OF CORSHILL, holden upon the seventh day August j^m vij^c and seven years, be James Calderwood, Bailly constitute as above.

Eodem die : In the action persued by the Procurator Fiscall against John Alason, merchand in Stewartoun, for going by the Court, so contraveening the statutes of the court ; the forsaid Judge sitting in judgement decerned the said John Alason in payment of five pound scots, according to the acts of the court ; and ordains execution hereupon, within terme of law.

JAMES CALDERWOOD.

BARON COURT OF CORSHILL, holden within ye dwelling house of Robert Hemphill, in Stewartown, upon ye ninth day of July j^m vij^c and seven years, by Baillie Calderwood, Baillie constitute.

Suits called.

Court fenced.

Eodem die : William Smith compeired and judicially confessed that he had used weights since the standard was brought from Lanrigg :² Therfore the Judge forsaid

¹ Fail,—turf, or sods, for building a fail dyke or sod wall.

² Lanark.

decerns the said William in payment of four shillings sterling, and, in case of refusal, in eight shillings sterling ; and ordains executione ut supra. JAMES CALDERWOOD.

Eodem die : John Pickand being summoned compeired not : Therefore the Judge forsaid decerns the said Pickand in five lib. scots for contumacy, and to pay four shillings sterling upon moonday morning, if not, in eight shilling sterling; and ordaines execution to pass hereupon within term of law ut supra. JAMES CALDERWOOD.

Eodem die : Compeired William Alason, confessed he weighed since the standard was got : Therefore the Judge forsaid decerns the said William in payment of four shillings sterling to pay the weights, and that against moonday morning next, and, in case of failzie, in eight s. ; and ordaines execution ut supra. JAMES CALDERWOOD.

BARON COURT OF CORSHILL, holden within ye dwelling house of Robert Hemphill in Stewartown, upon the twentieth second day of Agust j^m vij^c and seven years, by Baillie Calderwood, Baillie constitute.

Suits called.

Court fenced.

Eodem die : In the action persued by Robert Neilson, Procurator Fiscall, against John Pickand, merchand in Stewartown ; the said John Pickand compeired, and the Procurator Fiscall referred to John Pickens oath. The said John Picken offered his oath in the said action with respect to the first part of the lybell ; and in the whole, as far as law would reach him, to give his oath. The said Robert Neilson would not take his oath (taking down his hand again) with respect to one part if not in the whole. The said Judge findeing ye latter part only clashes, and belonging rather to the Church judicatories ; therefore the Judge forsaid absolves the said John Picken from the whole lybell brought in by the said Procurator Fiscall against John Picken.

JAMES CALDERWOOD.

Eodem die : In the action persued by Thomas Ker against Andrew Foulis, shoemaker in Stewartown, agreed, both being present. And as to the action persued by Agnes Garvan against Thomas Ker, the said Agnes referred it to his oath ; the said Thomas deferred it to her oath, quhich she would not give for all the summ : Therefore the Judge forsaid absolves the said Thomas Ker of all the summ, save sixteen pennies for ale, and four pence two pennies scots, resting of a fall of Colewort.

Eodem die : In the action persued by Thomas Ker and his wife against Andrew

Foulis, shoemaker, the said Agnes Wilson, Thomass wife, referred that summ, viz. nynteen shilling and two pennies scots, quhich he deferred to her oath, quhich she was incapable to give, but gave her honest word therfore. Therefore the Judge forsaid decernes the said Andrew Foulis in payment of the forsaid summ, save the sixteen pennies for ale, and the fourpence two pennies scots, quhich, taken from the forsaid nynteen shillings 2 pennies scots, ther remains that Andrew pay to the said Thomas, himselfe or wife, the sum of threeteen shilling and eight pennies; and ordaines execution hereupon conform to law, ut supra, together also with half a mark of expense, and ordaines poynding therfore ut supra.

JAMES CALDERWOOD.

BARRON COURT OF CORSHILL, holden within ye dwelling house of Robert Hemphill, upon the second day of October seventein hundred and seven yearis, by Alexander Nicoll, Bailie constitut.

Sutes called.

The quhilk day, Sir Alexander Cuninghame of Corshill continowed the said Alexander Nicoll to be one of the Baillies of Stewartoun; and nominat Mathew Jaap, merchant ther, to be in place and room of James Calderwood present Baillie; and the saidis Alexander Nicoll and Mathew Jaap to officiat as his tuo baillies during pleasure. And he nominats the said James Calderwood to be one of the Counsellours, and continowes the former counsellors to officiat also during pleasure; and continows Robert Neilson, Procurator Fiscall of Court, and Robert Smith Theasaurer, and Ninian Bannatyne Clerk to the said Court.

S. AL. C. of Corshill.

Eodem die: Sitting in judgment the said Sir Alexander and both the saidis Baillies and the haill counselloris. It is enacted that as to the peice of land that Corshill hes bestowed upon the toun as a common good, the same shall be kepted intire yeerly, notwithstanding of any expenses that the Baillies may be put to, and that ay and quhill the counselloris get the turn of the Baillieship. But in case ther be any thing extraordinar to be expendit, then he Sir Alexander, and the Baillies for the tyme and the counsellors, are to give advjce anent the same. And Robert Smith, present Theasaurer, is to call in for the rentis of the said peice of land with all speed, and have his accomptis ready whenever called.

S. ALEX. C. of Corshill.

STEWARTOUN, ye 10 November 1707.

Court fenced.

Sutes called.

Alexander Nicoll, Baillie.

Eodem die: The said Judge decerned the haill tennentis within the Barrony of

Corshill and Dowray to pay ther rent for cropt seven hundred and seven yearis and preceedingis, the term of payment of the samen being first come and bygane, being mertimass nixt, to witt the elevin instant; and ordains them to be poyndit, etc., within term of law, with a 5^d pairt more of expenses, the same to be payed to the Earle of Glasgow and his factor.

Eodem die: Decerned James Foullis, shoemaker in Stewartoun, to pay the Earle Glasgow forsaid, the soume of eighty nyne pund half a merk scotts penaltie contined in his Band, together with ye annual rentis of the same since whitsunday seventein hundred and one yearis, together also with three lib. yeirly of few duty, since the yeir seven hundred and one, to mertimas seven hundred and seven inclusive, being seven yeiris: Together also with twenty lib. of penaltie, contined also in the said Bond; and ordains all executione to pass hereupon.

Eodem die: Decerned John Dean, merchant in Stewartoun, to make sixty pundis scotts furthcoming to the Earle of Glasgow, quhich he findis resting to widow Longwill, the same being arreisted in his hand: And the said widow Longwill standis debtor for the said sixty pundis scottis for rent of Murehouse, quhich she possessed. And ordains John Dean to pay within term of law, otherways diligence to be done against him in communi forma.

Eodem die: Decerned the haill tennentis to pay ther viccarage fie seven hundred and seven yearis, and preceedingis, within terme of law; otherways poynding, etc., to follow hereupon.

A. NICOL.

STEWARTOUN, the 20 November 707.

Court fenced.

Suites called.

Mathew Jaap, Baillie.

The whilk day, Anent the inditement pursewed be Robert Neilstoun, Procurator Fiscall, against John Russell, mealman, narrating that where upon the sixth day of November instant, the said John Russell in a most unchristian maner did, to ye hearing of many people, expresse many opprobrious expressions, and did curse, swear, and was drunk, and therefor, conform to the laws of the Kingdom, he should not only be fyned in a pecuniall fyne and mulct, but also, to the terror of others to commit the lyke in tyme comeing, be punnished in his person. The defender present, denyed the lybell, therfore witnesses who heard him expresse as above, present, made faith to depone as follows, but thereafter the defender confessed his folly, and come in the Judge will.

The Judge forsaid having taken to consideratione the forsaid lybell and inditement, and having heard him expresse what is contined in the lybell and his own confession, decerned and ordained the defender John Russell to pay the soume of fyfty

punds scottis instantly, and ordains all executione by arreistment and otherways to passe hereupon.

MATHEW JAAP.

STEWARTOUN, 4 December 707.

Court fenced. Sutes called.

Alexander Nicoll, Baillie.

The whilk day, In ye action pursewed be John Thomson, smith in Kilmors, against James Thomson, younger, in Litle Corshill, for payment of three fourtein shilling peices, resting be the defender to him, viz., one fourtein that the compleaner gave him of the arles of a gun, quhich gun the defender had noe right to, and for quhich that was a plea befor the Baillies of Kilmors, and the compleaner was at great truble and expenses, beside the want of his arles: The defender present, confessed the three fourteins, but said that he payed it. The Baillie ordains the defender to prove against the nixt Court day that he payed John Thomson.

Eodem die: In the furthcoming pursewed be the Procurator Fiscall against Adam Dunlop and James Raeburn, younger, to make arreisted goodis furthcoming that they owe to John Russell, meallman: And they being summoned to this day and not compearand, the Judge decerned Adam Dunlop six punds scottis, resting be him to the said John Russell, and that within term of law; and decerned James Raeburn to pay twelve pund, also resting be him, to the said Russell, and that within term of law; and ordains executione to passe hereupon, in forme as effeirs.

Eodem die: In the inditement given in be the Fiscall against Margaret Bryson in Beith, for stealling a bonnet from James Wyllie, quhich she acknowledged judicially befor Alexander Nicoll, Baillie, upon the 24 November last, for quhich she was fyned in fifty penies scottis: And Mary Dickie, spouse to Robert Smith, merchant, became cautioner to present the said Margaret Bryson at Stewartoun the third of December instant, which she having failed to doe, the said Mary was warned to compear this day to accomplish her oblidge in relation to the said fyfty pund. And being called severall tymes for that effect and not compeirand, the said Baillie decerned the said Mary Dickie to pay the forsaid fyfty lib. for quhich she became cautioner imediately, or goe to prison; and thereafter she compeired and craved this day eight days to pay or present the theiff, quhich desyre the Judge granted.

A. NICOLL.

COURT OF THE BARRONY OF CORSHILL, holden in the house of Robert Hemphill, officer, by Alexander Nicoll, Baillie, upon ye 26 May 1708.

Court fenced.

Sutes called.

The whilk day, the said Judge decerned the hail tennentis of the Barrony of

Corshill to make payment of ther rent for cropt seven hundred and seven, preceedingis, and the equal half of ther rent cropt seventein hundred and eight yeiris; and ordains poynding and all other executione neidfull, within term of law, to passe hereupon.

The absentis are also fyned as follows, viz.; The tennentis in twenty shilling the peice, and ilk fewar in 40^s: And ordains the officer to poynd ilk person, and bring in ther fynes against Thursday come 8 dayes, upon his perill. A. NICOLL.

COURT OF YE BARONY OF CORSHILL, holden in ye house of Robert Hemphill be Sir Alexander Cuningham of Corshill, and Alexander Nicoll and Matthew Jop, his Baillies, upon the ninth day of October j^m vij^c and eight years.

Suites called.

Court lawfullie affirmed.

The which day, the said Sir Alexander did nominate and appoint Matthew Jop and James Ross Baillies; and nominates and appoints also for counsellers, Alexander Nicoll, James Calder, and John Ross, merchant, John Ross, taylour, William Smith, merchant in Glasgow, William Smith, cowper, Robert Reid, John Willie, William Gardiner, Robert Smith, Fiscall, for Theasaurer William Gardener; all to continue and officiat during pleasure, three of the Counsell and any one of the Baillies being a Coram. And if the Counsell be called and not attending, the Baillies proceed to decision of any matter.

Eodem die: Continues the former act as to that peice of land bestowed by Corshill on the Town, as common goods, and as to the expences ordinary and extraordinary, the act being of the date October second seventeen hundered and seven years. S. AL. C. of Corshill.

COURT OF THE BARRONY OF CORSHILL, holden in the house of Robert Hemphill, by Mathew Jaap, Baillie, upon the 13 day of November 1708.

Court fenced.

Sutes called.

The quhilk day, the Judge decerned and ordained the haill tennentis of Corshill and Douray, to make payment of rent cropt seventein hundred and eight yearis, and preceedings. And decerned Andrew Fauldis, shoemaker in Stewartoun, and Agnes Garven his mother, to pay the soume of ane hundred thirtty lib. and a merk scottis for rent, and for cropt seventein hundred and eight yearis and preceedings; and ordains all executione, by poynding and otherways, to passe hereupon, within term of law.

MATHEW JOP.

COURT OF THE BARONY OF CORSHILL, holden within the house of Robert Hemphill in Stewartown Town, by Matthew Jop, present Baillie, upon the fifteenth day of January seventeen hundered and nyne years.

Suits called.

Court lawfullie affirmed.

The whilk day, the Judge forsaid presently sitting in judgement in the action persued by John Deans, merchant in Stewart, against the defunct James Foules, shoemaker ther, viz., the said Deans produced ane account of six pound scots, subscribed [by] ye said defunct James Foulis, quhich the Baillie finding it to hold good, and said John Deans findeing effects belonging to the defunct in the hands of Alexander Nicoll, late Baillie in Stewartown, did arreast the said effects by ane order from Baillie Ross: The Baillie therefore decerns the said Baillie Nicoll in payment of the said account, quhich amounts to six pounds scots, and ordains all execution, by poynding and others needfull, to pass hereupon within term of law. MATHEW JOP.

COURT OF THE BARRONY OF CORSHILL, holden within the house of Robert Hemphill in Stewartoun, by Mathew Jaap, one of the present Baillies of Stewartoun, upon the twenty seventh day of January 709 yeiris.

Sutes called.

Court lawfullie fenced.

The whilk day, the Judge forsaid decerned and ordained John Nicoll in Hilhouse to make payment to John Dean, merchant in Stewartoun, of the soume nyntie seven pund twelve shilling scottis for goods furnished by the persuer to the said John Nicoll, conform to a particular accompt produced: And ilk article of the said accompt was acknowledged by the defender; and therfor the said Judge decerned ut supra, and ordains arrestment and poynding to follow hereupon, with term of law, for the forsaid soume, with ten pounds of expenssis of plea. MATHEW JOP.

COURT holden by Sir Alexander Cuningham of Corshill, upon the fifth day of February sevinteen hundered and nine years, at Stewartown, Commissioner after specifeit.

Court fenced.

Suites called.

The quhilk day, in presence of the said Sir Alexander Cuningham, sitting in

judgement in ane lawful fenced Court, by vertue of and in obedience to ane act and Commission directed to the said Sir Alexander and Coronett John Norrie, Chamberlain to the estate of Robertland, conjunctlie and severallie, by William Somervell of Kennoch, deput to Sir Archibald Flemming of Ferme, Commissar of Glasgow, of the dait at Glasgow the first of February seventeen hundereth and nyne years, for takeing the oath and deposition of Christian Ker in Stewartown, anent that article of the lybell persued at the instance of James Stewart, writer in Edinburgh, and the said Christian Ker, his constitute, against John M'Chaisley late Baillie at Kilmarnock, as the Commission of the dait forsaide more fully bears ; and in obedience of quhilk act and commission the said Sir Alexander Cuningham, Commissioner above named, did, upon the fifth day of February instant, choise Mr. John Deans, son to John Deans, merchant in Stewartown, his clerk, and having the said Christian Ker before him, did take and receive her oath upon the article, conforme to the above written commission and interrogator therein particularly insert, viz. ; Whither or no she hath just cause to persue the action abovementioned against the said John M'Chaisley ; who being solemnly sworne, and examined and interrogate upon the said article, conform to the interrogator and commission abovementioned, depons that she hath just cause to persue the action abovementioned against the said John M'Chaisley ; and that is the truth, as she shall answer to God. In testimony thereof written by the said John Deans, the deponent, the said Sir Alexander Cuningham, and his Clerk have subscribed thir presents about three of the Clock in the afternoon, place, day, and year of God abovementioned.

CHRISTIN KERR.

JOHN DEANS, Cl. : Curiae.

S. AL. C. of Corshill.

BARONY COURT OF CORSHILL, holden within the dwelling house of Robert Hemphill, in Stewartown, by Matthew Jop and James Ross, Baillies to ye Laird of Corshill, upon the first day of Aprill seventeen hundered and nyne years.

Suites called.

Court lawfullie affirmed.

The quhich day, in the action persued by Margaret Crawford, spouse to William Peacock, and he for his interest, against James Mallar, shoemaker in Stewartown, who, upon the last of March 1700 and nyne, went in to the dwelling house of the said Peacock, and swore and beat the said Crawford with a strangers shoe, to the effusion of blood, made good by the deposition of two witnesses, viz., John Clerk in Brodstone in Beith, aged twentie or more, and Andrew Crawford in Fullwoodhead in Beith, aged eighteen or more, purged of malice and partiall dealing. The said Millar likewise pronounced severall horrid oaths, as by God, and the like, as the forsaide witnesses also testified, as by ther manual subscription appears.

JOHN CLARK.

ANDREW CREFORD.

Whereupon ye Judges forsaide sitting in judgment decerned the said James Millar in fyne of fiftie pound scots, and ordains payment thereof within terme of law, and poynding therefore, according therto and quhat may ensue therupon, and all execution therupon quhatsoever.

MATHEW JOP.

JAMES ROSS.

BARRON COURT OF CORSHILL, holden within the house of Robert Hemphill, upon the seventh day of Aprill 1709, by Mathew Jaap and James Rosse, Baillies.

Court fenced.

. . . . Dempster.

Sutes called.

The whilk day, compeared John Miller in Stewartoun of Dowray, Andrew Picken, bonnetmaker in Meikle Corshill, and David Bichet ther, and Jonet Wyllie ther, and renunced and overgave ther respective maillings for the cropt and year seventein hundred and ten yearis: And this form of overgiving being made and appointed by the Earle of Glasgow for all his Courtis, they and ilk ane of them follow that method conform to his Lordship's appointment. Wherupon they and ilk ane of them asked and took instruments in the hands of me, notar publict undersubscribeing, Clerk of his Lordships Court, at Stewartoun, day and date forsaide.

MATHEW JOP.

Eodem die: Sir Alexander Cuninghame protested that ilke ane of the abovementioned overgivers make punctuall payment of ther rentis for seven hundred and eight, and preceedingis, against whitsunday nixt to come, otherways ther protestationes to be null, or else poynding, with all rigor, to be gone about against them.

NINIAN BANNATYNE, clerk.

Eodem die: It is enacted that nae person within the toun of Stewartoun keep any poultry from the 1st of March to the first of October, or the 14 day thereof at fardest, under the pain of four lib. scotis the peice, and liberty to any person who gets them in that skaith ether to shoot them or to kill them; and ordains the officer to goe through the toun with the drum and certifie the inhabitantis hereof.

JAMES ROSS.

BARRON COURT OF CORSHILL, holden within the house of Robert Hemphill, upon the twelfth day of May 1709, by Mathew Jaap, Baillie.

Court fenced.

Sutes called.

The whilk day, In ane action of ryot pursueid be Robert Smith, servitor to

William Mitchell in Goosehillis, and the Procurator Fiscall of Court for his interest, against Robert Russell, customer of the meall mercat of Stewart, for beating the forsaid Robert Smith over the head. Compeared the said Robert Russell and acknowledged the lybell, wherupon the Judge amerciat and fyned him in twenty pundis scottis, because the same was done in a publict place upon the mercat day, and ordains him to pay the said fyne immediately, or give satisfaction therfor, or else to be secured till he doe the same.

S. AL. C. of Corshill.

BARRON COURT OF CORSHILL, holden within the house of Robert Hemphill, upon the sixtein day of June 709, by baillie.

Court fenced.

. Dempster.

Sutes called.

The whilk day, the said Judge decerned the hailt tenmentis of Corshill and Douray to make payment of ther maillis and duties for the equall half of ther rentis for cropt and year of God j^m vij^c and nyne years, and ordains dilligence to be done against them, in case of not payment, by poynding and otherwayes, within term of law.

Eodem die: Decerned the absentis as follows, viz.; Ilk fewar in 2 lib. scotts, and ilk tennant in 1 lib., because personally warned; and ordains poynding, etc., to follow hereupon.

Eodem die: In ane action persewed be Patrick Steivenson in Hersha against Alexander Fullar, continew till nixt Thursday, and ordains the defender to be present, otherways the decreet to goe against him for 8 lib. for tuo yearis rent of a house; and to uphold a house, quhich is to be determined by the Birleymen's declaratione. The Birleymen declared that one lib. 4^s is too little for making up the house lybellit.

MATHEW JOP.

Eodem die: In the action persewed be Robert Edmund against Jenat Wyllie in Meikle Corshill for two lib. resting of land tilling. She present, alleadges she payed him conform to the rate of the country. The nixt Thursday the persewer to prove that ilk yokeing of land gave 7 merk, cropt 708, quheras she payed him only at 4 lib.

Eodem die: In the action persewed be the said Robert Edmund against Robert Alexander in Foggiehillock for half a croun for cureing¹ a mare with the persewer stoned horse. The Judge decerned the defender to pay half pryce because the defender was oblidded to goe to another horse, quhich was proved at the bar.

Eodem die: In ane action of exhibitione persewed be Mary Paton, relict of John

¹ Covering, or serving.

Dunlop of Boigsyde, against Alexander Nicoll, merchant in Stewartoun, for delyvering up of a Bond pertaining to her deceast husband resting be the deceast James Faulds, shoemaker in Stewartoun: The sum in the said Bond is twenty merks. The Judge decerned the defender to exhibit the Bond, because personally warned and not compearand, held him as confest.

Eodem die: In ane action of ryet at ye Fiscalls instance against James Wyllie in Hersha, and David Bichet in Meikle Corshill, for beating one another this same day eight days. The defenders both present; confessed they struggled, and strake little or none. The Judge decerned them and ilk ane of them to pay fyve lib. each, and ordains them to goe to prison till they pay it, or find caution for that effect.

MATHEW JOP.

BARRON COURT OF CORSHILL, holden in Robert Hemphills house in Stewartoun, upon the fourth day of August 709, by James Ross, present Baillie ther.

The which day, In the action persewed be John Nicoll in Hilhouse against John Dean, merchant in Stewartoun, for payment of the soume of twelve pundis scottis, alleadged resting by the defender to the deceist Mareon Wilson his spouse. The defender present, denied the lybell, and admitted the same to probation. And the persewer, instead of all further probation, offered to prove the same by witnesses, and the witnesses present refused to depon. Therfor ye defender protested for ane absolviter, and the Judge accordingly admitted the samen, and ordaines the samen to be extracted.

JAMES ROSS.

BARON COURT OF CORSHILL, holden in Robert Hemphills house in Stewartoun, upon the first day of September 709, by Matthew Jop, his present Baillie ther.

Suits called.

Court lawfullie affirmed.

The quhilk day, the Procurator Fiscall of Court persued all and sundrie the tenants of the Baronie of Corshill for breach of the penall statutes, watering of lint, killing of red fish smolts and others, shooting, etc.; some compeared, confest they were guilty of watering of lint; others absented, held confest: Therfor amerciats and fynds one and all of them in payment of the penalties imposed by act of Parliament for each transgression, and that within term of law.

MATHEW JOP.

In persuance of the processe intended by William Currie in Rowalland against Andrew Pickand, to make rested goods forthcoming; the said William Currie finding

goods belonging to James Barr in Horsemooore, which was endue him be the said Barr. The Judge forsaide finding the debt just, and the goods being actually in hand of Andrew Pickand in Stewartown quhen arrested, decernes the forsaide Andrew Pickand in payment of four merks scots to the forsaide William Currie, and that within terme of law, under pain of poynding.

MATHEW JOP.

BARON COURT OF CORSHILL, holden in the house of Baillie Ross, by Sir Alexander Cuninghame of Corshill, and Mathew Jop and James Ross, his Baillies, upon the first day of October seven hundereth and nyne yearis.

Court affirmed.

Suites called.

The quhilk day, the said Sir Alexander Cuninghame did nominate and appoynt James Ross, baillie, in place of Mathew Jop, and elected John Dean, both to be baillies during pleasure; and continews the Counsell named the last year, with the Phiscall and Thesourer; with power to the Baillies to actt if the counsell do not attend when called, and add Mathew Jop to be a counsellor.

S. AL. C. of Corshill.

COURT OF THE LANDIS AND BARRONIE OF CORSHILL, DOWRAY, holden within the duelling house of Robert Hemphill at Stewartoune, upon the eight day of December j^m vij^c and nyne yeares, be James Ross, Baillie constitut.

Court fenced.

Suites called.

The whilk day, In the actione persewed be Niniane Bannatyne, Chamberland to the Earle of Glasgow, and in his Lordship name, against the persones afternamed, ilk ane of them for ther oun parts, in maner underwritten, viz.; against William Alexander in Clerkland, for not payment makeing to the said David, Earle of Glasgow, or his Chamberlands in his name, of the soume of seven hundrth and eightie fyve poundis scottis of bygone rentis for the cropts and years of God j^m vij^c and nyne, preceedings: Item, Archibald Murthland in Little Cutstray, of the soume of tuo hundreth and sixtie seven pounds 12^s money forsaide, of bygone restis and rent for cropt j^m vij^c and nyne, preceedings: Item, Robert Wyllie in Litle Cutstray, of the soume of sixtie fyve pounds thretteen shilling four pennys for cropt and year of God j^m vij^c and nyne, and preceedings: Item, John Murthland in Meickle Cutstray, of the soume of ane hundreth and fourtie six pounds money forsaide of bygone rests and rent for

cropt j^m vij^c and nyne, and preceedings: Item, John Stewart in Templehouse, the soume of ane hundreth thretty and thrie pounds money forsaid of bygone restis and rentis for cropt and year of God j^m vij^c and seven, and preceedings: Item, James Fultoune in Meickle Corshill, the soume of four hundreth and seventie nyne pounds fyfteen shilling tuo pennys of bygone restis and rents for cropt and year of God j^m vij^c and seven, and preceeding: Item, Hugh Adam in Whinnebrae in Douray, the soume of ane hundreth and tuentie eight poundis of bygone restis and rents for cropt and year of God j^m vij^c and nyne year, and preceedings: Item, John Hutchesone in Patertoune of Douray, the soume of ane hundreth and tuentie one pounds ten shilling money forsaid of bygone restis and rents for cropt and year of God j^m vij^c and nyne, and preceedings: Item, Andrew Faullis, shoemaker in Stewartoune, of the soume of ane hundreth pounds scotts money for cropt and year of God j^m vij^c and nyne, and preceedings: Item, Andrew Picken att the Kirkstyle of Stewartoune, of the soume of fyftie seven pounds eighteen shilling scottis money of bygone restis and rents cropt and year of God j^m vij^c and nyne, and preceedings. Compeared the said Niniane Bannatyne as Acturney for the said David, Earle of Glasgow, and gave in the lybell abovewritten against the tennents abovenamed, tutching ther not paying of ther respective articles above exprest, ilk ane of them for ther oun parts as is above sett down: And for probatione of his lybell referred the verity therof to the defenderis oaths of verity; who being all lawfullie warned to this dyet by the Barronie officer, who in face of Court declared they were all lawfullie cited and warned be him to this dyet, who did not compear of designe to elude the said process. Therfor the said baillie, in communi forma, caused call the haill defenders thrie times, and non compearing held them as confest; and therfor decerned and decernis ilk ane of them in payment of ther respective articles above lybelled to the said David, Earle of Glasgow, or his Chamberlands in his name, and to make payment of the samen within fyfteen days nixt after they be charged thereto, under the pain of poynding; wherintill if they failzie, to arreist and poynd, in communi forma, and all maner of executione to procead hearupon, and for a fyft part more proportionallie of expenssis of plea, as accords of law. JAMES ROSS.

In the actione pursewed be Patrick Steavinsone in Hairshaw against Alexander Fultone ther, for not paying to him of the soume of six pounds twelve shilling scottis money of rent for cropt j^m vij^c and seven and j^m vij^c and eight year: Compeared the defender and confessed the said debt; therfor the said Judge decerned and decerns the said defender to make payment to the said pursewer of the forsaid soume of six pounds twelve shilling, ut libellatus, and that within term of law; and ordains executione by poynding, etc., with eight shilling of expenssis of plea.

Eodem die: In the actione of arreastment for eaten corn, layd on att the instance of Hugh Bichat in Hairshaw, in the hands of James Walker in Harshaw, arreasting ane fie dew be the said James Walker to Hugh Faullis his heard: Compeared the said Hugh Fallis and denied the lybell. The said pursewer could not prove the same;

and the said Judge refers the verity of the said lybell to the pursewers oath, whither or not it be consisten with his knowledge that the said James Walkers kyne did eat the corn above lybelled, who alleadged the same, bot declared he saw it not done and refused to depon. Therfor the said Judge absolved the said Hugh Faullis therfrom and loused the said arreastment.

JAMES ROSS, B.

COURT OF THE LANDIS AND BARRONIE OF CORSHILL AND DOURAY, holden att Stewartoune, within the duelling house of Robert Hemphill ther, upon the fyfteen day of June j^m vij^c and ten years, be Niniane Bannatyne, Barron Baillie.

Court fenced.

Sutes called.

The whilk day, the said Baillie decerned and decerns the hail tennentis, possessores, and occupyers of the lands and Barronie of Corshill and Douray, to make payment to David, Earle of Glasgow, and his Chamberlands, of ther respective rentis, maleis, ferms, kains, customes, and casuallitys, ilk ane of them for ther oun pairtis, conform to ther respective tacks, rentallis and possessiones, payable att whitsunday last, the terms of payment of the samen being first come and bygone, together with ther hail bygones; and ordains all maner of executione to pass hearupon, within term of law, and to arreast and poynd, in communi forma, and for a fyft penny more of expenssis of plea, as accordis of law.

Eodem die: The said Judge decerned the hail tennentis, possessoreis, and occupyers of the Barronie of Corshill and Douray, for transgressing the penall laws and shooting of hares doves partridges and murefull, raising of mureburn, killing of salmond rid fish and smoats in forbidden seasones, cutting of green wood and planting, steeping of green lint in runing waters and burns, selling of victuall by addittione, and transgressing the actis made anent lining and woollen yearn and cloath, and all other the penall statutes: And amerciates, unlaws, and fynes them in the penalties contained in the respective actis of Parliament, because being lawfullie summoned and not compearing at this dyet, they were holden as confest. And particularlie decerns ilk ane of them in the soume of twelve shilling scottis money of contumacy, attour the saidis penalties; and ordains all maner of executione to pass hearupon, within term of law, and to poynd and arreast in communi forma.

JAMES ROSS.

TOUNE COURT OF STEWARTOUNE, holden upon the third day of August j^m vij^c and ten year, within the duelling house of James Ross, present Baillie ther, and be him.

Court fenced.

Sutes called.

In the actione pursewed be John Sloss, merchant in Kilmarnock, against James Rayburn, younger, bonnetmaker in Stewartoune, for payment to him of six pound eleven shilling four pennys for indigo, furnished be the said pursewer to the defender in the year j^m vij^c and eight year : The said defender being called and not compearing was holden as confest. Thairfor the said Judge decerned the said defender to make payment of the samen to the said pursewer, within the space of fyfteen dayes nixt after he is charged therto; quhairintill if he failzie, to poynd and arreist, in communi forma, and ordains all maner of executione to proceed therupon, and for fourteen shilling money forsaid of expenssis of plea.

Eodem die: In the action pursewed be the above designed John Sloss against William Mitchell, walker in Gooshills, for four pounds scotts money, as cautioner for John Wyllie, bonnetmaker, Braehead : The defender being called and not compearing was holden as confest; therfor decerned to make payment of the samen within fyfteen dayes nixt after charged for that effect. Quhairintill if he failzie, to poynd, arreast, and use all maner of executione, and for tuelve shilling of expenssis of plea.

Eodem die: In the actione pursewed be Robert Russell, customer in the meall mercat of Stewartoune, against James Rayburn, younger, bonnetmaker in Stewartoune, for payment makeing to him of nyne poundis scottis money as the pryce of ane boll of meall, furnished be the compleaner to the defender in December j^m vij^c and nyne or therabout. The said actione being called, and the defender not compearing was holden as confest, and therfor decerned to make payment of the samen, within term of law, and executione pass hearupon, in communi forma, and for fourteen shilling money forsaid of expenssis of plea.

JAMES ROSS.

STEWARTOUN, the second day of October on thousand seven hundreth and ten yearis.

The quhilke day, Sir Alexander Cuninghame nomenated and appoynted John Dean, baillie, in place of James Ross, and Robert Ridd, to be baillies during pleasure; and appoyntis for counselors, baillie Ross, baillie Calderwood, baillie Joop, David Tood, merchant, Adam Dunlop, taylore, William Giffen, merchant, William Paslay,

taylore, William Hall, wright, John Ross, merchant, and Andrew Dean, maltman, Thesawrer, and John Allasone, merchant, Physcall, with power to actt conform to the former acttis; and appoynts John Ross, taylor, to be Decon of the treadis during pleasur.

S. AL. C. of Corshill.

BARRON COURT OF CORSHILL, holden upon ye 7th day of December 710 years, by John Dean, merchant in Stewart, Baillie constitut, in John Alasons house at Stewartoun.

Court fenced.

Sutes called.

The whilk day, ye said Judge decerned and ordained ye haill tennents and fewars within ye Barrony of Corshill and Douray, to make payment to David, Earle of Glasgow, and his factors, of ther respective rentis for cropt seventein hundred and ten yearis, within term of law; and ordains all executione to pass thereupon, in form as effeirs.

Eodem die: Decerned the forsaidis tennentis for breach of the haill penal lawes conform to the severall acts of Parliament: Because all personallie warned and refused to purge themselves, therfor they are holden as confest; and ordains all executione to pass hearupon, in form as effeirs.

Eodem die: Decerned the absentis as follows, viz.; The fewars in four lib., and the tennents in 40^s, and the cottars in twenty shilling scots; and ordains thame to be poynded particularly for the same.

J. DEAN.

STEWARTOUN, the last day of January seventein hundreth and eleven yearis.

The quhilk day, Sir Alexander Cuninghame of Corshill, John Deans, Baillie, and other counsellors convened, they heirby appoynt, and by thir presentts appoyntis the drum to goe every morning att five acloack; and heirby ordains each fewer and inhabitant within the toun of Stewartoun to pay yeirly, conform to ane list given in by the present baillies for each man to pay; and ordeans poynding to pass herron by the officer, as accords in law.

J. DEAN.

STEWARTON, the 29 of May i70ii yearis.

The quhilk day, decerns and ordains the hole tennants and fewers within the Barronie of Corshill, to make payment of ther Quhitsondays rents, 70ii years and al precidings; and ordains executions to pas heareupon, within term of law.

J. DEAN.

STEWARTOUN, 29th May 1711.

John Dean, baillie.

The said day, anent the lybell and complent persued at the instance of John Alason, Procurator Fiscall of Court, against John Caskie younger, bonnetmaker in Bridgend of Corshill, did, upon the day and dait hereof, fall upon John Gilmour, servant to Alexander Dunlop in Darclerroch¹ in the parochin of Finvick, and did beat and abuse the said John Gilmour to the great effusion of his blood. And the said John Caskie compearing, the persuer declared he referred the verity of the lybell to the defender's oath of verity simpliciter; and he compearing, judicially acknowledged the verity of the lybell.

JOHN I. C. CASKIE
his two letters.

The Judge therefor decerns the said John Caskie to pay to the said John Alison, Procurator Fiscall, the soun of fifty pound scots, and ordains all execution needfull to pass hereupon.

J. DEAN.

STEWARTOUN, the sixth day of October j^m vij^e and eliven years.

The whilk day, Sir Alexander Cunninghame of Corshill, nominat and appoynted Robert Reed baillie in place of baillie Dean, as also nominats and apoynts John Dean baillie, to be baillies during pleasure, and contineis the wholl others, Councillours, Theasurer, and Fiscall, and Deacon, with full power to them to act conforme to the former acts.

of Corshill.

STEWARTOUN, 31 December 711.

BARRON COURT OF CORSHILL, holden in David Breydon house at Stewartoun, the said day, by John Dean, Baillie.

Court fenced.

Sutes called.

The whilk day the said Judge decerns and ordains the haill tennentis of Corshill and Douray to pay ther respective maillis and duties to David, Earle of Glasgow, and his factor, within 48 hours, for seven hundred and eleven yeirs, and preceedings, under the pain of poynding, ut communiter, and for a 5th part more in case dilligence be used.

J. DEAN.

¹ *Darclavoch*, in the barony of Polkellie.

STEWARTOUN, 9 October 712, in Robert Hemphills house.

The whilk day, Sir Alexander Cuninghame of Corshill nominat and appointed John Dean to be baillie, in place of baillie Reid, as also nominats and appoints John Picken, merchant in Stewartoun, to be baillie during pleasure; and continows Andrew Dean Treasurer, and nominats and appoints William Giffen to be Fiscall. And as for Counsellours, nominats and appoints baillie Reid, baillie Calderwood, baillie Jaap, baillie Rosse, John Rosse, merchant, David Tod, merchant, Adam Dunlop, Jone Pasley, Jone Hall, Andrew Craufurd. And in testimony hereof, I do sign thir presents, day and date forsaid.

S. AL. C. of Corshill.

BARRON COURT OF CORSHILL, holden at Stewartoun, 8th December seven hundred and thirtein years, in Robert Hemphills house, by baillie Dean.

Court fenced.

Sutes called.

The whilk day the said Baillie decernes and ordains the hail tennentis of Corshill and Douray to make payment to David, Earle of Glasgow and his factors, for rent seven hundred and thirtein years, and preceedings, within term of law; and ordains all executione to passe hereupon by poynding and otherways, with a fyfth part more of expenses.

J. DEAN.

BARRONIE COURT OF CORSHILL, holden in the house of Robert Hemphill, upon the first day of January vij and fortein years, be John Dean, Baillie.

The quhilk day, Procurator Fiscall persued Andrew Foulles, shoemaker in Stewarton, for abuseing Sir David Cunengham junior of Corshill at ane very heigh rate, for laying of hands upon him and in calling him ane bitch, with many grievous oathes and sicklike. The said Andrew compeired and confessed the samen; therfor the Judge discerns him in tuentie pondis of fyne, and ordains all execution to pass heirupon.

ANDREW FOULIS.

STEWARTOUN, the twintie nynth day of September seventeen hundreth and sixteen years.

The said day, Sir Alexander Cuninghame of Corshill nominated and appoynted

baillie Calderwood to be baillie during pleasure, in room of baillie Dean and baillie Picken ; and continoues Alexander Dean, Thesaurer, and William Giffen, Phiscall.

S. AL. C. of Corshill.

STEWARTOUN, the twintie eighth day of September seventeen hundred and nynteen years.

The said day, Sir Alexander Cuninghame of Corshill nominated and appoynted Hewgh Stewart, merchant, to be baillie during pleasure, in room of baillie Calderwood ; and appoyntes Hewgh Scott, Physcall, and Robert Smith, Theasurer, and David Cuninghame, officer.

S. AL. C. of Corshill.