

Parishioners of Curry 2 Feb. 1672 Capt Guthrie contra L. McKeeston  
 23 June 1675 Hamilton of Munkland contra Maxwell observed by Dirleton  
 6 July 1676 Blair of Kerslaws contra Fowler observed also by Dirleton.

## Sect. 2. of Glebes.

A Minister's Glebe should consist of 4 Acres of arable Land or 16  
 Soms Grass, where there is no arable, but pasture ground, to be designed  
 in the first Place, out of the nearest Lands belonging to Parsons, Vicars,  
 Abbots or Priors, and if there be none such out of any other Church  
 Lands within the Parish Act 161. Par. 13. J. 6. junct. Act. 7. Par. 10. J.  
 As Chaplainries and Oratories. Which Order should be exactly ob-  
 served 13 July 1636 Halyburton contra Paterson. Glebes must be de-  
 signed out of Parsons Lands before Bishops Lands, tho they were seized  
 before the Act of Parliament concerning Manse and Glebes, and built  
 with Houses, so that the Feuar must purchase as much ore other Church  
 Lands be affected 25 January 1665 Parson of Dysart contra Watson. Bishops  
 Lands were designed before Abbots Lands, in Regard that Bishops had more  
 Interest in the Cure McKenzie observ. on Act 40. Par. 3. J. 6. The Designing  
 of Church Lands nearest to the Manse for a Glebe, is partly in Favour of the  
 Minister for his Ease and Convenience partly to obviate Partiality in pit-  
 -ching upon any Heritor's Lands out of Prejudice. The Designation of a  
 Glebe out of Abbots Lands was reduced, because there were Parsons Lands  
 in the Parish, tho seized and Houses built thereon, from which the Feuars  
 were obliged either to remove, or furnish another Glebe to the Minister  
 23 July 1629 Nairn contra Bozwal. Another Designation was reso-  
 -ved, for that it was of temporal Lands and passed by Church Lands: al-  
 -beit the Minister, as decennial & triennial possessor, had a presumptive  
 Title, in Respect the Designation his true Title was produced 6 Feb. 1670  
 L. Forret contra Mathers. A Designation was found null at the Instan-  
 -ce of an Heritor, whose Lands designed were remoter than others from  
 the Manse McKenzie Ibid. But a Designation was sustained, tho there was  
 Sufficiency of Church Lands nearer to the Manse, seeing that was included  
 as a part of the Kings Park 13 Feb. 1629 Lady Dumfermling contra Mc-  
 -Gill.

No incorporate Acres, where the Heritor hath Houses and Gardens, are to  
 be designed for Glebe, if he give other Land nearest to the Church Act 21. Par.  
 1. Sect. 3. Ch. 2. The Presbtery may design a Glebe to a Minister who  
 has none or make up the legal Quantity of 4 Acres to one whose Glebe is

is left: but they are not impowered to change and alter Glebes, or to de-  
 -sign a new Glebe to a Minister already possessed of a competent Glebe, al-  
 -beit it be at some Distance from the Church 29 December 1709 Linnings  
 -contra Bailie of Walsstoun. A Designation of a Glebe was sustained, albeit  
 4 Acres, precisely were not measured and marked out, but quest'd its in-  
 -Regard the same did import, that the Possessors Servants hindered to measure  
 in the Terms of Law, without Necessity upon the Minister, to prove his  
 Impediment otherwise than by the Designation it self. Nor was Improbation  
 thereof admitted by Way of Exception: seeing that would lay a Preparative  
 of pernicious Consequence to Ministers 5 July 1626 L. Kerse contra Reid.  
 A Minister to whose Church another is annexed, hath Right to both the  
 Glebes designed before the Union 22 January 1631 Rough contra Ker-  
 -as well as to both Stipends formerly paid to the Ministers of these parishes  
 seeing the Church cannot suffer Prejudice by the Union: But a Minister  
 of two united Churches, whereof one hath a legal Glebe of one already designed,  
 and the other hath no Glebe or one that is not sufficient, hath no Title to re-  
 -quire another Glebe to be designed for him; or to seek an additional Designa-  
 -tion to make up the deficient Glebe, that he may have a competent Glebe for  
 every Church: no more than he would be allowed an Augmentation of Sti-  
 -pend, when the united Stipends or any one of them, do make up the legal  
 Quantity. A Glebe was found to carry Right to a Proportion of common  
 Pasturage due to the Church Land out of which it was designed 2 Feb.  
 1630 Hamilton contra Tweedie.

Beside which Glebe, the Minister should have a Horse and Cows Grass  
 -designed, as the Glebe, out of Church Land, with Relief to the Party dis-  
 -tressed Act 21 Par. 1. Sect. 3. Ch. 2. He is allowed a Horse Grass for his  
 -travelling to Presbyteries, Synods and Assemblies, and his other lawful Af-  
 -fairs, and two Cows Grass for the Use of his House and Family. A Minister  
 gets so much Grass, even tho the Glebe suffice for Grass to a Horse and two  
 Cows beside the 4 Acres, if left Lee for that Purpose 16 Feb. 1675 Minis-  
 -ter of Banckrie contra his Parishioners observed by Dirleton. McKenzie  
 observ. on Act 7. Par. 18. J. 6. If there be no Church Land, or only arable  
 Church Land near the Manse, the Heritors of adjacent Land are to pay  
 the Minister 20 Pound yearly for his Grass and to be relieved in Man-  
 -ner aforesaid d. Act 21. ~~Par. 1. Sect. 3. Ch. 2.~~  
 Ministers in royal Burghs have no Right to Glebes Ibid. Fair ~~Act~~  
 Feb. 2. Tit. 2. J. 40. or Grass, unless their Parishes be partly in the  
 Country partly in the Towns