

ters of horning, poynding, and others thereupon; upon a simple charge of ten days or otherwayes as shall be found necessarie. Attornies for clearing of all doubts and difficulties, which may arise anent the rectifying of valuations or other particular heads following: his Majestie and Estates have declared and declare, that where valuations are lawfully led against all parties having interest; and allowed by the former Commissioners according to the order observed by them, that the same shall not be drawne in question nor rectified upon pretence of enorm lesion, at the instance of the Minister not being titular, or at the instance of his Majestie's advocate, for and in respect of his Majestie's annuities except it be proved that collusion was used betwixt the titular and heritor, or betwixt the procurator fiscal and the titulars and heritors, which collusion is declared to be where the valuation is led, with diminution of the third of the just rent presently payed; and which diminution shall be proved by the parties oaths. And sick-like it is declared that the provisions contained in the foresaid submission made by the Bishops whereof mention is made in the foresaid Act of Teinds, and which is repeated in this Commission, shall be restricted to that whereof Archbishops, Bishops, Parsons, Vicars, or other beneficed persons being Ministers, Colledges, Hospitals and other dotations to piousness were in actual and real possession, the time of the said submission, which shall remaine with them in quantity and quality, according to the tenor of saids provision: And if any question shall arise betwixt the said Archbishops, Bishops, Parsons, Vicars, and other beneficed persons foresaid, anent the leading of teinds, that the same shall be referred to his sacred Majestie, and to his royal pleasure, to be signified thereanent. And also anent laick patronages pertaining to any of his Majestys subjects before the year of our Lord 1561 years; his Majesty and Estates declare that the same falls within the Compasse of the general submission made to his Majestie; And his Majesties determination given thereupon, and that alenarly in so far as concern a competent maintenance, to be locally paid forth of each Church, to the Minister and his Successors; and anent the Teinds of other mens lands; And anent the annuities to be paid to his Majesty forth of (out of) teinds of the said Kirk: and as to the remenant Teinds the same to be their to laick patrons in price or rate thereof in all cases, where the said laick patrons were in possession of the Teinds thereof, by the space of seven years within the fifteen years immediately preceeding the date of the said general submission. With this declaration, that where the titulars or the ministers provided to the said laick patronages and Kirks thereof, were in possession of the benefices foresaid, and frutes and rents thereof, either by leading of the teinds, or by up-lifting and intrometting with the whole rents thereof, by the space of seven yeares of the fiftene yeares immediately preceeding the said submission; in these cases, the difference between the said laick patrons and the titulars and Ministers, shall be referred to his Sacred Majestie, and to his Royal declaration to be giving thereanent; and ordaines all former commissions anent the premisses to cease in time coming, and this only to stand in force in time to come.