

MS 1110

Answer
to Robert
Thorniman

Answers for Robert Thorniman of Hawton To the Petition
: and Complaint given in ag^t him to the Sheriff of Orkney
by Joshua Johnston writer in Stromness Tutor nominate
to William Halero of Coubister

the
Commonly
of Howson
separately
distinct
from the rest
of the
Commonly
of Orkney
As Peterston
a Ringed
Quoy -
Have you any
other land
lying near
that land
which was
in the story
of Gramsay
What was
about this
Paper so
you know
that there
is such a
Paper

The Respondent con:
tends that the present William Halero of Coubister has no
right whatever to the ground Inclosed by the Respondent The Park
is upon his own property & Commonly of Hawton possess by him
for a number of years uninterrupted - The lands called Peter-
town belonging to the Present William Halero which Mr
Johnston seems chiefly to complain is hurt by the present In-
closure As and has been called in Orkney a Ringed Quoy
The Proprietor whereof has no right without his Dykes & to
Evidence this It can be proved that the present William Halero's
Great Grandfather attempted to enlarge his Quoy of Peterston
to the hill by a Dyke which Dyke was pulled down by order of Mr
Robert Thorniman of Gramsay the Vestige of which Dyke Re:
mains to this day and the same William Halero of Coubister
finding he had no right without the Dykes of the said Quoy of
Peterston thereafter applied to the Respondent's father and obtained
from him a Disposition Contract or other write granting the said Will:
Halero a right and Liberty to stitt out the Dyke of Peterston upon
the hill bank or Commonly of Hawton & to take in some ground & to
improve and Inclose parks &c on the said Commonly with the pro:
: vision that the Respondent's father or his heirs should bear
Liberty to Inclose and Improve upon any part of the Commonly
belonging to him or to the said William Halero as much ground
as should be Equivalent to the ground so given to the said Will:
Halero and improve by him and accordingly in virtue of said write
The said William Halero did stitt out the Dyke of Peterston from
the sea to the hill and did also take in and Inclose other ground
and

and improve it. Tho' the respondents father all this time made no such
Improvement untill of late years & now that the respondent is only
taking the Equivalent conform to said writ and which writ the Res:
pondent saw with the present William Halero's grandfather who read
it to him and never in his time Quarrelled the Inclosure made by the Re:
spondent, so that supposing the Park already Inclosed some years
ago by the Respondent & now to be enlarged by him was upon the
petitioners property or Commonly he is Debarred from Quarrelling
it in respect of the above mentioned writ made betwixt the pre:
sent William Halero's great grandfather and the respondents father
and which writ the Respondent craves Mr. Johnson the petitioner
maybe ordained to produce to the Sheriff before further proce:
dure in the matter. — The Sheriff has been pleased to pro:
nounce an Interdict in favours of the petitioner Prohibiting
& Discharging the Respondent from building any more of the Dykes
Complained for Inclosing any part of the contraverted ground till the
the verity of the Complaint is known and very justly. But on
the other hand the Law also secures the Defender from being
molested or hurt in the possession of his Inclosed ground untill
also the Complaint is known. Notwithstanding whereof upon
the third of June curr. after the Defender had been secured
with a Copie of Mr. Johnsons Petition and the Sheriffs Interdict
Margaret Halero Spouse to the said petitioner & Jean Halero
her Sister, Spouse to Rich^d Omand of Quina came & pulled down
& destroyed a considerable part of the Defenders park which
had been built long prior to the Complaint which we hope
the Sheriff will take under his Consideration and give such
redress to the respondent as such lawless & unwarrantable
procedure merits

What was
in this
Story