

REGISTRATION.

13557

prior clause, excepting sasine, and the clauses therein did except sasines and reversions, whether in or without sasines, being of tenements within burghs-royal; but they appointed a warrant to be sent to the Convention of Burghs, ordering them "to take caution of their clerks to insert all sasines within burgh in the town's-books, under the hazard of deprivation, and being liable to the hazard of parties by the latencies of sasines;" and recommended to them also by their own acts of burgh, under severe penalties, to ordain "reversions and assignments thereto, and renunciations and discharges thereof to be registered in the town's-books;" certifying, that if this were neglected, that the Lords would consider such rights as latent and fraudulent to deceive purchasers, unless they were some way publicly made known.

No 36.

Stair, v. 2. p. 835.

1684. *March.* Lord MARR and CARDROSS *against* Lady KINGARDIN.

No 37.

A SASINE given in to the register by the Earl of Marr, and marked *debito tempore* in the minute-book, being taken up before it was inserted in the register, to pursue thereon for mails and duties, and being neglected to be given back till the register was filled up, so that there was no room to register it within sixty days of the date thereof, the Lord Marr applied to the Lords, that they would ordain his sasine to be registered according to the date in the minute-book; but the LORDS found they could not do it.

Harcarse, (REGISTRATION.) No 832. p. 239.

1684. *March.*

PATRICK SYME *against* The Lord TORPHICHEN, CHARLES OLIPHANT and Others.

No 38.

FOUND that a discharge of the reversion of a wadset, and of the legal of an apprising, though not registered within sixty days, could not be quarrelled by posterior singular successors without onerous causes, seeing the discharge containing an obligation of warrandice, would reduce the said voluntary rights upon the act of Parliament 1621. And it may be *contended*, That legal real diligences by apprising, &c. following upon posterior gratuitous bonds, might quarrel the want of registration, unless there had been inhibition raised upon the warrandice before granting of the said bonds.

Harcarse, (REGISTRATION.) No 833. p. 239.