

REGISTRATION.

13575

Director and his officers to give the petitioner an authentic extract thereof, with the present deliverance, for doing whereof that should be their warrant.

No 56.

*Pet. Ch. Campbell.*

Clerk, *Forbes.*

*D. Falconer, v. I. p. 81.*

1749. ———.

EARL of GLENCAIRN, Petitioner.

No 57.

WHERE a discharge and renunciation had been omitted to be registered in the register of sasines within the time limited by act of Parliament, the LORDS granted warrant to the keepers of the general register of sasines, to receive and record the same; after a report from the clerk, to whom it was remitted to look for precedents, that the like had been done in a former case.

*Fol. Dic. v. 4. p. 221. Kilkerran, (REGISTRATION.) No. 1. p. 478.*

1749. December 20.

YOUNG, Petitioner.

No 58.

WHERE a sasine taken on the 9th of July 1734, had been presented to the deceased John Neilson of Chapel, keeper of the Register of Sasines for the Shire of Dumfries, and by him registered in the 330th leaf of the 11th book of the particular register of sasines kept for the said shire, upon the 30th July 1734, but that he had omitted to sign the certificate of the registration on the back of the sasine, William Young the party interested, applied to the Lords for a warrant to the keeper of the register to sign the attestation.

The remedy where the keeper of the Register of Sasines has omitted to sign the certificate of registration on the back of the sasine.

THE LORDS remitted to one of their clerks to look into a former case of the like kind, and to report the state of it; and upon his report, that such warrant had in that case been granted, the like was also in this case given.

The like warrant was given February 16. 1750, with respect to another sasine in that same register, Herries Petitioners.

*Fol. Dic. v. 4. p. 222. Kilkerran, (REGISTRATION.) No. 2. p. 478.*

1750. November 15.

BALLANTYNE and others, Petitioners.

No 59.

The petitioners having been lately infest by the Bailies of the burgh of Larnark in certain tenements, holding burgage of the said burgh, to which infestments the now deceased Richard Dick, the town-clerk, was notary, represented that though there were several sasines, extended and signed, and inserted in the Register of Sasines, yet, by the death of the said Richard Dick, keeper of the register, in July last, the attestations on the back of the sasines, certifying the registration and leaves of the register in which they are inserted,

The same subject.

No 59.

were either not wrote out, or not signed by him, craving that the Lords might authorise Mr William Kirkpatrick, one of their own clerks, who had collated the sasines with the record, to certify the registration on the back of the sasines.

The proper prayer had been to authorise the clerk of the burgh; and accordingly the LORDS 'authorised the new clerk of the burgh to inspect, compare, and certify the registration on the back of the sasines.'

*Fol. Dic. v. 4. p. 222. Kilkerran, (REGISTRATION.) No 3. p. 479.*

\* \* D. Falconer reports this case :

November 16.—CHRISTOPHER BALLANTYNE and several others gave in a petition, shewing that they were duly seized in their several tenements in the town of Lanark, and their sasines registered; but that the principal sasines were not marked on the back as registered, with reference to the leaves of the register where they were inserted; and that Richard Dick town-clerk, who had been notary to the said sasines, and as keeper of the said register, ought to have marked them accordingly, was dead; and praying the Lords would authorise one of their clerks, on comparing them with the register, to mark them, citing a practick to this purpose, but which was of a sasine on a land estate.

THE LORDS granted warrant to the town-clerk of Lanark, to compare the sasines with the register, and on finding them duly registered, to mark them accordingly.

*Pet. Dick.*

*D. Falconer, v. 2. No 163. p. 186.*

1752. June 23.

LUNDIN, Petitioner.

No 60.

A warrant granted to take a writ out of the register.

ANDREW LUNDIN of Straithairly, having occasion to sue David Bruce, in England, upon two bonds granted by Bruce to him, and which he had put into the register in Gibson and Pringle's office, in order to do diligence thereon, applied to the Lords for a warrant to their clerks, Gibson and Pringle, to deliver to the petitioner the said two principal bonds, upon his granting receipt for the same, and re-delivering to them the two extracts.

THE LORDS granted the desire of the petition; but, besides the receipt to be lodged in the register, appointed a memorandum to be put upon the margin of the record, that of such a date the bonds were delivered up for the purpose of suing thereon in England by warrant of the Lords. And it was thought there was no occasion to re-deliver the extracts, as still the bonds were registered bonds.

*Fol. Dic. v. 4. p. 222. Kilkerran, (REGISTRATION.) No 4. p. 479.*