

They did the same also as to a sasine expedé *anno* 1708, in the competition between Miss Hamilton and Hamilton of Dalziel, concerning the estate of Rosehall. In the case of Rosehall it was also objected that the notary's docquet did not express the number of pages of which the sasine consisted. The Lords repelled both this and the other objections.

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The DUKE of HAMILTON *against* His FEUARS.

It was objected to a sasine, that the pages were not marked with the figures 1, 2, 3, &c. in terms of the Act 1686 and Act of Sederunt 1756. The party produced a new sasine with the defect supplied. So the point was not decided.

The same objection was made to a sasine, in so far as the first page was not marked, though the two after pages were. The Lords repelled the objection, *Copland of Colliston against Busbie, February 1771.*

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1774. July 7.

SKELLY *against* DUFF.

By the decision, 9th February 1768, in the case of the Cromarty elections, the Lords had established that the entry of a sasine, in the minute-book, subscribed by the presenter and keeper, and lodging the sasine in the register office, was equivalent to actual recording; which last, on account of a multitude of sasines given in, and the length of them, was often impracticable. And it was observed that, although formerly sasines were very short, in later times, particularly since the act 1685 concerning tailies, they are become very long. But this day, 17th June 1774, in a question of enrolment, Lieutenant Francis Skelly against Mr Arthur Duff, another point occurred, *viz.* :—That a sasine being presented at the Register-office, an entry was made in the minute book and the sasine lodged in the office, but the entry was not signed of that date, either by presenter or keeper. The reason of which was, that the keeper was from home; and, without his subscription, the signing of the presenter was of no avail, and did not fulfil the directions of the Act.

The Lords ordered an inquiry into the practice; and from that inquiry so much irregularity appeared in the way and manner of keeping the registers of sasines, in many shires in Scotland,—betwixt ten and fifteen were condescended on,—that the Lords were moved by the dread of consequences, and repelled the objection, holding the sasine to be registered of the date of the entry in the minute-book. But they resolved to make an Act of Sederunt regulating *in futurum* this, as well as other errors concerning this matter.