

No. 7. 1752, Feb. 17. CREDITORS OF YOUNG OF SOMMERHOUSE, *Competing.*

LORD WOODHALL reported to us the like objection to Waddel's sasine on a charter of adjudication which made it the first effectual, as was in June 1741 made by the Teuars of Kelso to a sasine of the Duke of Roxburgh, and had before in 1730 been made, in a question betwixt Lady Sinclair and Sir James Stewart, and repelled in both cases, viz. that the notary had not in the doquet recited the number of leaves in the sasine in terms of the act 1686. But as in 1741 upon examination of the keeper of the records and writers to the signet, it appeared to have been in a general non-observance, the Lords though they thought it a nullity by the statute, yet because of the great mischief it might occasion on sustaining the objection, they then repelled it, but agreed to make an act of sederunt to render the lieges inexcusable. So in this case, in respect no act of sederunt had been made and that the keepers of the general register of sasines here do not receive sasines where that is neglected, yet because that is not observed in the remote counties, they therefore repelled it now also; but named a Committee for preparing the act of sederunt.

No. 8. 1753, July 27. URQUHART of Meldrum *against* OFFICERS OF STATE.

See Note of No. 7, *voce* PATRONAGE.

No. 9. 1753, Aug. 8. CAMPBELL AND OTHERS, *Supplicants.*

ON the death of the keeper of the register of sasines at Dunbarton some sasines were found in the office that had been duly recorded but not marked on the back, and two not at all recorded. The owners petitioned this Court to appoint the Sheriff-Clerk to mark the first, and to record the last; and we appointed the clerks to be interim keepers of the record, and to collate the sasines, and then to certify on the back as we did 11th January 1750 and 17th November 1750, (*supra.*) But it being suggested that it might be a dispute, whether sasines not recorded within the 60 days would be good against singular successors, and therefore proposed to reserve to third parties interested all objections, the petitioners withdrew that part of the petition.

 SEQUESTRATION.

No. 1. 1745, June 14. CREDITORS OF YORK-BUILDINGS COMPANY *against*
THE ANNUITANTS.

THE question was, Whether to sequester the York-Buildings Company estates? The report from the Ordinary was not full enough to give judgment as to the sequestration; but it being represented that the Company were in use of setting tacks thereon even before the former tacks are near expired, and that to the prejudice of their lawful creditors, the Lords discharged the Company to set any tacks, *renit. inter alios* Tinwald *et me*, being unprecedented.