

No. 2. 1740, Nov. 7. MR ROBERT BLACKWOOD *against* THE REPRESENTATIVES OF RUSSELL AND COLVILL.

A PRECEPT of sasine in favour of certain creditors, and among the rest to the representatives of Andrew Russell and Robert Colvill without naming these representatives,—the Lords found the infestment *quoad* them void, but found that the right accresced to the other creditors to the extent of their debts.

No. 3. 1742, June 28. COLONEL DALRYMPLE *against* WALLACE.

THE Lords sustained the objection against Colonel Dalrymple's sasine as to all lands not specially named in the precept of sasine, and sustained the objection to Mr Wallace's adjudication to restrict to a security, for what shall be found truly due, and found that Mr Wallace was entitled upon that obligation only to so much South Sea stock as by the subsequent acts of Parliament corresponded to L.300. 3d. subscription, Colonel Dalrymple proving that at the time of the contract or within six days Mr Dalrymple was entitled to L.300. 3d. subscription.

No. 4. 1743, July 5. SIR JAMES CAMPBELL *against* LORD ERSKINE.

EARL OF MARCH having given a charter of the lands of Gargunock and of an annual-rent out of Alloa, to answer the ward duties due to the Crown or other casualties while they should fall due, and given dispensation for taking infestment on the lands of Gargunock for the whole, and in the precept direction being given for giving infestment *per terræ et lapidis traditionem* upon the ground of the lands of Gargunock;—this dispensation was void, and therefore they took a new infestment upon the several lands. And the question was, Whether they could do so notwithstanding the restriction in the precept? And it carried that they could, *renit.* President.

No. 5. 1750, Jan. 11. WILLIAM YOUNG, *Supplicant.*

A SASINE being registrate, but the clerk neglecting to sign his certificate on the sasine, and being now dead; therefore the party applied to us to order our clerk to collate the sasine with the register and then to sign the certificate. We ordered precedents to be enquired into; and the clerk reported to us one on 23d February 1745; and in terms thereof we ordered the clerk to collate and by our order to certify the fact on the sasine and sign such certificate.

No. 6. 1750, Nov. 17. BALLANTINE, &c. IN LANARK, *Supplicants.*

THEIR sasines in burgage lands had been duly recorded by the town-clerk, but not marked on the sasine, and therefore they prayed warrant to our clerks to collate them and mark them as in W. Kirkpatrick's case and others; but we thought our clerks were not clerks of that register, and therefore remitted to the town-clerk to collate and mark the sasines.