

1773. July 20. GORDON of TECHMURIE *against* BRODIE, &c.

MR Gordon of Techmurie was infest in the Mill of Longhill. His sasine bore that infestment was given him upon the said 30th of September 1771, but no such date was mentioned in the beginning of the sasine. On the contrary, it bore that the whole was done upon the 1st of October 1771. The Lords at first sustained the objection, but, upon advising a reclaiming petition, setting forth the danger of voiding a sasine upon objections so critical, they altered, and repelled the objection.

---

GORDON of HALLHEAD *against* BRODIE, &c.

IN a dispute betwixt Gordon of Hallhead against Brodie and Others, it was said that no proper sasine was produced for Mr Gordon; *primo*, Because, though the lands, in which sasine was given, were discontiguous, yet the instrument did not bear that sasine was given upon each of them, *respective* and *successive* after each other; and *secundo*, The sasine did not bear that earth and stone was given of the lands, but for them. The Lords repelled both objections.

---

1762. March 3. LIVINGSTON *against* LORD NAPIER.

IN a sasine, produced in the case of Captain Livingston against Lord Napier, Alexander Livingston appeared as bailie, and John Bryce as procurator for James Livingstone. But, in the clause of delivery, infestment was given, *not* to John Bryce, but to John Burn. ANSWERED,—That this was a mere mistake in transcribing the name of the attorney, and was corrected and brought to a certainty in other parts of the sasine. Accordingly, the Lords sustained the sasine, and, on an appeal, the decree was affirmed.

---

DOUGLAS of DOUGLAS *against* CHALMERS of LARBERT.

IN the case of Douglas of Douglas and Robert Chalmers of Larbert, the instrument of sasine set forth John Wilson's appearing as attorney for Robert Chalmers and John Crawford the liferenter and fiar, having in his hands the charter in favours of Mr Chalmers in liferent, and John Crawford in fee. These writings being delivered to the bailie, the instrument bore that he gave sasine to Mr Crawford, forgetting to mention Mr Chalmers; whereupon Wilson, as procurator for Mr Chalmers and Mr Crawford, for their respective rights of fee and liferent, took instruments. The objection was, that no sasine had been given to Mr Chalmers. And, at first, the Lords sustained the objec-