

## TRANSMPT.

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1595. July 17.

HART *against* GUTHRIE.

No. 1.

MR. William Hart, advocate, having taken sasine, of old, of a waste tenement in this town, to the which umquhile Alexander Guthrie was notary, he summoned Mr. Alexander Guthrie to produce his father's protocal, wherein the sasine was inserted at length, subscribed by the said Alexander, as all the rest of the instruments of the book were; and Mr. William's sasine was altogether perfect, except the names of the witnesses were omitted, whose names he expressed in his summons, and therefore desired the Lords to call the said witnesses, and take their declaration, that they were present and required witnesses; and that being verified, that the Lords would ordain the said sasine to be transumed and extracted, and the said witnesses' names inserted therein by the Lords' authority: Which desire the Lords found reasonable, and decerned in manner foresaid.

*Haddington, v. 1. No. 580.*

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1609. December 7. MASTER of ELPHINSTON *against* IRVING.

No. 2.

The Master of Elphinston having comprised certain lands from John Irving of Kimruk, he pursued him for delivery of the evidents of the said lands, and, for his not compearance, obtained decree; and thereupon charging him for delivery of the evidents, Irving suspended, alleging, That thirty-seven years after, the comprising, not being expired, he had place to redeem his lands, and so had right to his evidents; but offered to the pursuer the authentic transumpt thereof under the Clerk of Register's hand. Notwithstanding whereof, the Lords found the letters orderly proceeded for the principal evidents, in respect of the decree standing.

*Haddington, v. 2. No. 1681.*