

No 54.

in all the register-books, &c. Upon this act the Lord-register obtained a warrant from the Lords of Session against the Directors and Clerks of Chancery, of which they afterwards obtained suspension, it not being made out that the records of chancery were in use to be delivered in to the general register. See REGISTER. *Fol. Dic. v. 2. p. 333.*

No 55.

1738. November 20. EARL of SELKIRK *against* Mr GEORGE BUCHAN.

A complaint, upon act 33d Parliament 1685, being given in by the Clerk-Register against Mr Buchan, clerk to the commission of teinds, for neglecting to give in his records; the LORDS found Mr Buchan intitled to keep his records, in virtue of an express clause contained in his commission, but prejudice to the Clerk-Register to order him to preserve them in proper places of safety, as he should see cause. Two things appeared plain, *first*, That the case did not fall under the statute, in respect the records of the commission had never been in use to be delivered to the Clerk-register; *2do*, That supposing the Clerk-register had right to call in these records, it was in his power to grant commissions during life, such as Mr Buchan's is, though to the prejudice of his successors in office. See APPENDIX. See REGISTER.

Fol. Dic. v. 2. p. 333.

1745. February 21. The EARL of BREADALBANE Supplicant.

No 56.
A defect in
the record of
the Great
Seal supplied.

THE Earl of Breadalbane gave in a petition, shewing, That King Charles II. had granted to his father a patent of the honours of Earl of Breadalbane, &c. which patent bore on the back, to have been written to the Great Seal, and registered 18th August 1681, and sealed the last day of August that year; that the petitioner, wanting to take an extract of his patent, applied to the Officers of Chancery, who informed him, that it was not filled up in the register, but a blank left therefor: And upon this he applied to the Lords of Session for a warrant to the director of the Chancery, and his Deputies, to grant him an extract, and offered to furnish them with the principal patent to enable them to do it.

THE LORDS having considered the petition, with the patent produced, attested by the proper officers to have been written to the Great Seal, and registered the 18th day of August 1681 years, and sealed at Edinburgh the last day of August of the said year, granted warrant to, and ordained the Director of Chancery, and his Deputies, to register the said patent, of the date of the attestation of the former officers, and that in the blank left in the books of Chancery of that date, where the said patent might be recorded; and ordained the said