

# **SASINE GUIDANCE**

## **What is a sasine and what information does it contain?**

An instrument of sasine (pronounced 'say-zin') is a legal document that records the transfer of ownership (usually a sale or an inheritance) of a piece of land or of a building. It will normally detail the names of the new and previous owners and will give a basic description of the property transferred. There will usually be an indication of the price paid for the property. Sasines can also give you information about family history, particularly where an individual is passing land to another family member, or where the family designation is revealed (e.g. 'John Campbell of X'). Sometimes information given in one sasine will give you clues as to earlier titles in the chain and so lead you back to the earlier history of the ownership of a building or piece of land.

## **How many people had sasines?**

Very few. This record is essentially about the 'haves' of Scottish society rather than the 'have nots'. Until the 20th century, when owner-occupation became more common, only a tiny proportion of Scots owned the house they lived in or the land that they farmed. Most rented their property and will not appear in registers of sasines.

## **Dates covered by the sasine register**

There were several attempts to start a national register of sasines in Scotland. One early attempt, The Secretary's Register, started in 1599 and ended in 1609. It is very incomplete. The full register really begins from 1617 and it runs until the present day. Since 6 April 1981 it is being gradually replaced, county by county, by the system of Registration of Title (ROT) but the sasine register still remains one of the oldest continuing records of land transactions in Europe.

The new ROT system is managed by The Registers of Scotland, Erskine House, 68 Queen Street, Edinburgh, EH2 4NF. The NAS does not hold any of the landholding records that ROT is generating.

## Organisation of the register

Despite speaking of a 'register' there are in fact several different series of registers.

- 1599 - 1609: the incomplete Secretary's Register, divided into counties.
- From 1617: a particular register of sasines for individual counties and a general register of sasines which covered all of Scotland, except the three Lothian counties. The general register was also used to record details of properties that were spread over more than one county.
- 1869 onwards: The system was restructured in 1869, to establish one general register arranged in county divisions.

All these registers are in the NAS under the catalogue reference RS.

**The 66 royal burghs maintained their own burgh registers of sasines. With the exception of the Glasgow burgh register, and the Aberdeen and Dundee pre-1809 registers, these records are held in the National Archives of Scotland (NAS).**

## The completeness of the register

The register was intended from the outset to cover all land transactions in Scotland. It was (and still is) a legal requirement to record a sasine or an equivalent title deed within a few days of its being made up. In practice, the registers are fairly complete from 1617 and are generally regarded as fully comprehensive from about 1660 onwards. There is only one significant qualification to this. Once made out, a sasine had to be recorded. It might happen, however, that an individual inherited a property where he was already resident. Most commonly this would happen where an eldest son inherited property on his father's decease. If his possession was undisputed, he might not go to the expense of having a sasine executed for some considerable time. Only later would he do this, if his possession was disputed, or if he had to produce a full set of titles before he could sell the property to a third party.

## **Documents other than sasines in the register**

One of the ideas behind establishing the register was to prevent the repeated use of a piece of property as fraudulent collateral for securing loans. Consequently all deeds that secured debts on land (e.g. mortgages) had to be recorded. This means that you can sometimes learn a lot about the financial dealings of merchants, businessmen and land owners. Such investigations require time and patience, however.

## **Public access to the register**

The register has always been a public record, open to inspection by anyone. This was again an aspect of its function of stopping fraud. The NAS does not charge fees if you are looking at the register for family history or other historical purposes. If your interest centres on a legal matter (e.g. you are in dispute with a neighbour about the line of a boundary wall or the division of costs for a common repair) then you will have to pay [legal search fees](#) to examine the record.

## **Understanding a sasine**

The basic structure of a sasine is straightforward. It will begin with the date, and thereafter sets out the principal parties (usually with the grantee/buyer named first), the type of transaction, including the land involved, the precise time that it took place, and the names of the witnesses. Sasines before the early 20th century are normally handwritten, however. While Victorian copperplate handwriting is simple to read, the handwriting of the 17th and early 18th centuries can be much more difficult. Practice, as always, makes it easier. Nor does it help that for many years the clerks paid for the blank sasine volumes out of their wages and so had a vested interest in cramming as much handwriting onto each page as possible. A more serious obstacle is that many sasines, even down to the late 18th century, are in Latin. Again these follow a standard form. A Latin dictionary together with the styles and translations of sasines given in Peter Gouldesborough, 'A Formulary of Old Scots Legal Documents' (Stair Society, Edinburgh, 1985) pp. 108-111, will allow most readers to understand what is going on.

## **Sasines for urban property**

The 66 royal burghs generally kept their own individual registers of sasines. These are all now in the NAS, under the catalogue reference B. The only exceptions are the Glasgow registers and the Aberdeen and Dundee pre-1809 registers. These three groups are now kept in the city archives of Glasgow, Aberdeen and Dundee, respectively.

Burgh registers begin at different times, starting from the early 17th century. They were all gradually closed down at different times in the 20th century, and their business merged into the main series of registers held in the NAS under the catalogue reference RS. Sasines recording property transfers in the other, lesser burghs were generally recorded in the particular register of sasines for the surrounding county. It is important to remember that the sasine registers for the royal burghs cover only the small area of the original core medieval burgh, sometimes known as 'the royalty'. For instance, properties on Princes Street, although now Edinburgh's main thoroughfare, will not be found in the burgh register of sasines; they were recorded with other Midlothian sasines.

## **Searching the sasines: an introduction**

The register of sasines is comprehensive and consequently it is theoretically possible to trace the progression of ownership of every property in Scotland from 1617 to the present day. This is a fairly mechanical process but it is not always quick. There are a variety (and sometimes a lack) of indexes and you should be prepared to invest time and patience in any search.

Before plunging into the various catalogues and indexes described here, it is worth considering spending some money on a short cut. Since 1876 the government has maintained a series of search sheets for property in Scotland. These identify the volume and page numbers of all the sasines and deeds for a given building or piece of land and can be used as a starting point for searching back in time. Copies of the search sheets for particular properties can be purchased from: Registers of Scotland, Erskine House, 68 Queen Street, Edinburgh, EH2 4NF.

## **Searching the general and particular registers before 1781**

Before 1781, the indexes to the sasines are incomplete. The General Register of Sasines is indexed from 1617 to 1735. The following is a guide to indexes to the particular registers of sasines. er the catalogue reference B.