

Convention of Royal & Parliamentary Burghs.

21 Castle Street,

Edinburgh 12th November, 1890.

My dear Sir,

I regret missing you last night, I have read the Copy of M^r. MacKay's letter to you. I understand that he has Copies of the Charters and the whole proceedings of the Grand Decerniture. If this be so I would like very much that you would procure them from him. I have no doubt that they can be seen, and in the Register office, but that would be an expensive and troublesome proceeding, and I would also require to get Copies of the Deeds made before M^r. Scott, and the other members of the Committee could satisfactorily form an opinion upon the subject. Besides there is no use of incurring this trouble if M^r. Mackay has as you state copies of the documents.

M^r. Mackay is the Custodier of the Burgh Register of Dornoch. The Dispositions and formerly the Sasines or Infeftments of every burgage subject situated in Dornoch falls to be recorded by him in the Burgh Register, unless Dornoch be an exception to the general rule. He states that this Register was discontinued in 1810. It could only be so discontinued by an Act of Parliament, and I cannot find any Statute on the Subject.

What does M^r. Mackay mean by saying that "there are fully a dozen" of old town properties yet?

As regards Balloan although the proprietor has not a bounding Charter, if the subjects which the Burgh claims were possessed under a separate ^{title} prior to 1847 I don't see how they could ever form a "pertinent" to the estate

of Balloan. Enquiry should be made into this matter, and if you could get me the names of the proprietors of Balloan, and the probable dates on which the various proprietors succeeded on the death of their ancestors to the estates. I would get a search made in the general Register House for their infeftments and see how the matter stands.

Is there no record on the Sale of the property now claimed by Balloan? The Treasurer's Books might show receipts of the money. I would like you to get a description of the property which it is said the proprietors of Balloan has taken possession of.

I think this matter, if it is to be gone about at all, should be gone about with some degree of energy. A considerable time has elapsed since our recent

meeting, and the details of the matter has faded in my memory as I have no doubt they have done in the minds of the other members of the Committee. There is nothing to prevent M^r. MacKay examining the Burgh Register of Sasines, and extracting therefrom all entries therein having reference to the disputed subjects.

Properties within Burghs must be recorded in the Burgh Register of Sasines; and if the Duke of Sutherland holds Burgage Property which is not recorded in that Register, he is not infest in such subjects, and prescription has not therefore run on his title to the same, unless indeed as I have already stated the Burgh Register of Dornoch has been abolished by Act of Parliament, of which Act I can find no trace.

I think you should impress

Mr. MacKay with the absolute
necessity of going heartily into
this subject, and very fully.

Unless he does so we are power-
less to help the Burgh. No man
can help another who will not
help himself!

Yours Sincerely
(signed) William Officer
D. W. Hemp Esq.
Ivy Cottage
Trinity.