

Grantor of an Improper Real Sell or Infeoffment of Annual rent
obliges himself that there shall be no Redemption till an addition-
nal Sum be paid & It is a Matter of Indifferency to the Debtor
in such a Case, whether he Redeem or still be Subject to the back
lack duties.

By the civil law Reversions are not Strict Juris, but extend
to heirs the not Express'd. l. 2. c. De fact. Jul. Empl. 68 vend.
But in Scotland Reversions being against the Nature of property,
and depending al together upon paction, are Strictissime Juris
most Strictly Interpret'd in the precise terms thereof, Craij
Jure lib. 1. tit. 9 § 17 lib. 2. tit. 6 § 1. For if they are not Extent
to heirs or Voluntary assignees, unless soe cived expressly in their
favour. For ever a Reversion obliging the Buyer to Redispone
to the Seller, was Extented to his heirs, the not Express'd being
the ordinary Clause, allowing the Disposer in his own times
or any time during his life, to Redeem, was not adjected; Upon
which Account, it was reckoned an omission without amplex
sign, that his heirs were not Mention'd 9 January 1662 &
Murray contra L. Grant. a Son being Infeft by his father
in a Reversion, when the father should Redeem from the son,
without mentioning the son's heir; the father was Injunct
to Redeem from the heirs of the son 6 Feb. 1630 Muir contra
again, personal Reversions Excluding heirs and assignees may
for Commerce sake, be apprise or adjudg'd, tho' an Appri-
zer or adjudger be a Judicial assignee. For there is no rea-
son that a Debtor having right to Reversion, should decline
to use it in Defraud of his Creditors Stuart Answer to
Dart's Doubts Jul. Reversion personally. Interest Reipr
ibid; ut quis re sua bene Utatur. Nay in the Opinion of
Sir James Stewart, a personal Reversion will fall under
forefeiture, ibid. which reacheth what ever belongs or is
Competent to the traitor. But Sir John M'Neil (ibid)
Supposes, that a personal Reversion doth not Come under
forefeiture for this reason, that nothing forefets which is
not Possible or transmissible ad heredes. which doth not
hold true in law. After an order of Redemption Ut'd by
Reverfer, he may assign the Reversion 3 March 1630 Muir
contra Myles 29 July 1623 & Marshal contra Keithy

because it is the order that Constitutes the Redemption, and the
sentences thereon find only that the order was duly Ut'd,
which here fore may be obtained by heirs or assignees, as if one
ditions of Reversion cannot be fulfilled in Equipollent terms.
Thus an Annual rent being made Redeemable Upon payment
of the principal sum 8 Days after the term of what Sunday
or Martin mass upon forty days from anction, an order for
Redemption at the term was not Sustained: Seeing the Reverfer
was not Warned to Come and Receive his Money on the 8
day after the term, the these Subsequent Days were adject'd
in favour of the Reverfer himself, 2 July 1639 Lord Bal-
merino contra Lord Tedburgh. Yet promotion to one personally
was Sustained in lieu of premonition appointed to be Made at
the parish Church 11 Decemb. 1638 Finlayson contra Waynes
as being a less sure for tioration. So here adjectio ad her-
edem signation to be Made at the Creditors house at London, for sig-
nation was Sustained at his successors house in Edinburgh; the
Reverfer making us what should be Manifest by the Lord for
the prejudice by not getting payment at London 1 Feb. 1667
Creditors of Murray contra Murray.

Reversions of land rights, as well as of Moveables, are by
the nature of the right only personal obligations. But in the
Year 1469 Reversions of lands, then but a new Intervention,
were made effectual against singular successors, and allow-
ed, the not Required, to be Registered Act 9. 8. Par. 3. J. 3. In
the Year 1617 All Reversions of Country land Rights not
Incorporated or Contained in the body of the Act, liborari-
ed under Reversion, Assignations and Discharges thereof,
were ordained to be Registered as Seifins within 60 Days
of the date Act 16. Par. 22. J. 6. And by Custom Eik's the
Reversion, the not Expressly Mentioned in the Statute, are
also so Recorded. Because these seem to be Included Under
Discharges of Reversions therein Express'd: Seeing Eik's
to Reversions are Upon the Matter Discharges thereof pro-
tanto, in so far as the Reverfer Cannot Redeem the
sums