



Diligence Act 1621

1621 CHAPTER 6

S

Act

anent

Comprysingis

Modifications etc. (not altering text)

- C1 Short title given by [Statute Law Revision \(Scotland\) Act 1964 \(c. 80\)](#), [Sch. 2](#)
- C2 This Act is listed in 12mo edition as [1621 c. 6](#)

Oure Souerane Lord and Estaittis of Parliament Considerding That his maiesties Liegis ar gryitlie damnified and preiudgit be the abvse and evill custome which heirtofore has bene obserued in Comprysingis Whereby lordschipes baronies and vther gryit portiounes of Landis ar Comprysit for small soumes of moneye And thairby the Compryser hes right to the mailles dewties and proffittes of the Landis Nochtwithstanding that they far exceed the proffite of that soume of money for the whiche The saidis Landis ar comprysed FOR REMEID quhairof . . . ^{F1} giff that the persoun aganes quhome comprysing is Led be minor and of Lesser aige IT is statute and ordanit That it salbe lauchfull to him at ony tyme within his perfyit aige of of [^{F2}eighteen] yeiris Compleit to redeme the saidis Comprysit Landis by payment of the soumes for the whiche the said Comprysing was led and of the lauchfull annuelrentis thairoff according to ten for ilk hunderethe Togidder with the expenses bestowed in passing and obteneing of the infetment frome the superiour and ordinarie annuelrent of the same Togidder also with the necessarie expenses bestowed in leiding and deduceing Off the said Comprysing as is abone writtin And that notwithstanding of the preceeding Lawes and practike of this Kingdome by the whiche the Legall reversioun of Comprysit landis expyrit within sevin yeiris efter the Leiding of the Comprysing frome the whiche His Maiestie and Estaittis hes by this present act and statute excepted Minoures in all tymes Cuming Declairing the same nawayes to rune aganes thame . . . ^{F1} And gif it salhappin a minor haveing right to redeme Comprysit Landis as said is To deceis before he be of perfyit age off [^{F2}eighteen] yeiris and that a vther minor be heire or succede unto him in his right of reuersioun and tytill Competent to him for redemptioun of the saidis Comprysit Landis That minour so succeeding in the rightis salhave the same Libertie and priuledge abonewrittin for redemptioun of the saidis Landis siclyke and in the same

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maner as gif they had bene Comprysit frome him selff quhairin he sall nawayes Be preiudgit by the yeiris whiche ran efter the Comprysing in the Lyiftyme of that persoun minour in quhois right he succedit bot that he may siclyik lauchfullie redeme the same at anye tyme before his Maioritie as said is AND IT IS DECLAIRED That incace anye minour haveing the right of the said reuersioun Competent vnto him salhappin to deceas efter the expyreing Off sevin yeiris outrune efter the said Comprysing And that a persoun of perfyte yeiris succeide to the said minour In the right of his reuersioun aforesaid In that cace the said persoun maior so succeiding salbe halden and astricted to redeme the saidis Comprysed Landis within the space of yeir and day efter the deceis of the said minor in quhois right he succedit vtherwayis The said redemptioun not being vseit by him within that space he salbe perpetuallie secludit frome all benefite quhilk he may Clame by the reuersioun and successioun thairto foirsaid and all power of redemptioun of the saidis Landis by vertew thairoff Bot gif at the tyme Off the minoures deceis all the saidis sevin yeiris wer nocht expyred It salbe lauchfull for his said successoure (being maior) to redeme within the space of so manye of the saidis sevin yeiris as wer not outrune the tyme of the minoris deceis siclyik as gif the saidis Landis had bene Comprysit frome the said minour him selff whiche tyme being expyrit and he doing no diligens he salbe excludit frome the benefite of his reuersioun And it is speciallie prowdydit that in all the abonewrittin Caces gif the Comprysed Landis be not worthe such yeirlie quantitie of maill and dewtie as will proportionallie effeir to the annuelrent of the said money at ten for euerie hunderethe for the whiche Comprysing is Led or being worthe that the same is exhaustit by vther Lauchfull deidis whiche may render the same vnproffitable to the Compryser and vnansurable to the annuelrent of the soumes for whiche he hath Comprysed ather in haill or in pairt Then and in that Cace The redemer Quhidder he be maior or minor salbe haldin before he can redeme or outquyte the saidis Landis frome the Compryser to refund and pay to him The full annuelrent and proffite Off the soumes for the whiche the Landis wer Comprysed so far as he wanteth and inlaiketh by the benefite of his said Comprysing And gif the rent of the Land so comprysed Consist in victuell The estimatioun and Consideratioune thairoff salbe had according to the Commoun pryces of victuell in those schyres Quhair the Comprysed Landis ly according as the same geveth betuix yule and candlemes . . . ^{F1}

Textual Amendments

- F1** Words repealed by [Statute Law Revision \(Scotland\) Act 1906 \(c. 38\)](#)
- F2** Word substituted by [Age of Majority \(Scotland\) Act 1969 \(c. 39\)](#), s. 1(3), [Sch. 1 Pt. I](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act repealed by [2007 asp 3 Sch. 6 Pt. 1](#)