



Conveyancing (Scotland) Act 1874

1874 CHAPTER 94

15 Redemption of casualties

The casualties incident to any feu created prior to the commencement of this Act shall be redeemable on such terms as may be agreed on between the superior and the proprietor of the feu in respect of which they are payable: And, failing agreement, all such casualties, except those which consist of a fixed amount stipulated and agreed to be paid in money or in fungibles at fixed periods or intervals, may be redeemed by the proprietor of the feu in respect of which the same are payable, on the following terms, viz, in cases where casualties are exigible only on the death of the vassal such casualties may be redeemed on payment to the superior of the amount of the highest casualty, estimated as at the date of redemption, with an addition of fifty per cent.; and in cases where casualties are exigible on occasion of each sale or transfer of the property, as well as on the death of the vassal, such casualties may be redeemed on payment of two and a half times the amount of the casualty estimated as aforesaid payable on such occasions: Provided always, that where the casualty consists of a sum calculated on the footing of an annual sum being paid for each year from the date of the last entry, such casualty may be redeemed upon payment of eighteen times the amount of such annual sum: And provided always, that before any such redemption, otherwise than by agreement, shall be allowed, any casualty which has become due shall be paid, and in the case of such annual sums the amount of such sums since the last payment thereof, and that the redemption shall apply only to future and prospective casualties.