



Adjudication Act 1621

1621 CHAPTER 7

ANENT

adiudicatiounes

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. 7](#)

Oure Souerane Lord and Estaittis off Parliament Considering the greit preiudice sustenit be dyuerse and sindrie Creditoures by deceas of thair debtoures who being prevenit by the diligens of thair concreditoures by obtening of Sentences of adiudicatioun of thair defunct debtoures Landis and Estate Inrespect of the refusall of the nerrest of kin to enter aires to thame ar secludit frome participatioun of anye pairt Off the Landis and guidis pertening to thair saidis defunct debtoures they being commoun dettoures to the saidis haill creditoures Contrarie to all equitie and ressoun FOR REMEID quhairoff It is statute and ordanit That all adiudicatiounes To be obtenit by anye persoun at anye tyme heirefter Off anye of thair defunct dettouris Landis and estate quhatsoeur with all rightis and Infestmentis following thairupoun salbe redimable frome the partie obtenar of the saidis sentences of adiudicatioun thair aires and assigneyis at ony tyme efter the pronouncing of the same AT the instance of anye concreditoure of the said defunct dettour or of anye Creditour of the said persoun quha renunceth to be heire to his predicessoures quho sall happin thairefter to obtene decreit of adiudicatioun aganis the appering air of the defunct dettour and that within the space of sevin yeiris nixt and Immediatlie following the obtening of the saidis sentences off adiudicatione by payment of the soumes of money specifeit in the saidis sentences Togidder with the annuelrent of the same soumes According to ten for ilk hundereth thairoff during the tyme of the not redemptioun Off the same And Off the expenses sustenit by thame in obtening of the saidis sentences to be taxed and modifiet by the Lordis of Counsell and sessioun by payment of the whiche soumes The said concreditoure sall cum in the place and right of the partie frome quhome he redemeth And sall bruke the same by vertew thairoff perpetuallie thairefter except it salhappin ane vther concreditour quha sall obtene the Lyik sentence of adiudicatione to redeme the same frome him within the space abonewrittin In the whiche Cace It is declarit That the partie redemer in the second third or fourt rounge and so furthe so long as

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thair ar onie Concreditoures salbe obleisit not onlie to pay the soumes Conteanit in the adiudicatiounes obtenit at the instance Off the pairtie frome whome he redemethe bot also the haill soumes whiche wer payit by him vnto the former concreditoures for redemptioun of thair adiudicatiounes with the anuelrent and expenses in maner abonespecifeit IT IS alwayes declared That gif the pairtie frome whome the saidis adiudicatiounes salbe redemit did vplift the fermes and dewties of the Landis and vtheris Contenit in the adiudicationes That then and in that Cace the pairtie redemer sall not be holdin to pay anye annuelrentis or expenses bot in sa far as the same annuelrentis and expenses excede and ar mair then the maillis fermis and dewties intronettitwith by the pairtie frome quhome the same is redemit And giff the saidis maillis fermes and dewties excede bothe the annuelrent and expenses IT IS declairit that the superplus salbe allowed in the principall soume by the sicht of the Lordis of Counsell Consideratioun being hade of the pryces of the fermes and victuell as the same wer commonlie sauld betuix yuill and candlemes In the schirefdome quhair the landis ly . . . ^{F1} AND SICLYIK It is declared That incace anye minor quha hes renuncit in his Minoritie be reponit (in Integrum) aganis the same renunciatioun That then and in that cace He sall have place to redeme frome the haill creditoures by payment Off the saidis haill soumes auchtand vnto thame and quhairvpoun they obtenit adiudicatioun in maner and with the prouisiounes abonespecifeit and all the rest of the priuiledgis grantit to minouris in Comprysingis to be Lyikwayes grantit in adiudicationes quhilkis ar heir haldin as repeittit

Textual Amendments

F1 Words repealed by [Statute Law Revision \(Scotland\) Act 1906 \(c. 38\)](#)

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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](#)