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truded upon him ; and there is no reason why a superior should not be equally a favourite of the law.

Answered for Lauchlan Grant ; To the *first* objection, that a title cannot be nominal or fictitious, where the claimant is truly possessed of the whole right that is set forth in the writings produced. Here the complainer possesses the lands with the burden of Mr Crawford's feu-right ; he uplifts the feu-duties, he is entitled to uplift the casualties when they fall, and he is under no obligation to account for the same to any person. The whole right, such as it appears from his titles, is fully and truly in him, for his own behoof, without any promise or obligation to the contrary, and consequently it is a true and real estate in him, for his own use and benefit, and for the use of no other person whatsoever, in terms of the statute referred to in the objection.

Answered to the *second* objection, It does not alter the nature of an improper wadset, that the rent is certain and well paid, which may happen in lands possessed by good tenants, as well as when they are held of the wadsetter in feu. It is still a proper sale during the not redemption. If any alteration happen in the interest of money, it affects the reverser, who has the price in his hands. And, *e contra*, whatever alteration happens as to the lands, by the falling of casualties, or superveniency of burdens, these affect the wadsetter, who is purchaser, as long as the right is not redeemed. Wadsets of superiority have always been sustained as good titles for a qualification, when the lands amount to the extent or valuation required by law.

In answer to the *third* objection, Sir James had it in his power to take infestment, either in the one way or the other, as the feudal right was still in Lord Cathcart.

And, in answer to the *fourth* objection, When the Crown or any other superior, grants a charter to a vassal, and his heirs or assignees, of the lands A, B, and C ; as the vassal may take infestment of the lands of A only, so, if he thinks fit, he may dispoise these lands to a purchaser, or a creditor may adjudge them from him, without acquiring right to the other lands ; and he may afterwards sell the rest of the lands to another purchaser ; nor can the superior refuse to receive these purchasers or adjudgers.

' THE LORDS found, That the complainer had a good title, and appointed him to be enrolled.'

For the Complainer, *Ferguson.* Alt. *Hay Campbell.* Clerk, *Kirkpatrick.*
P. M. *Fol. Dic. v. 3. p. 416.* *Fac. Col. No 215. p. 390.*

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SIR GEORGE LOCKHART.

WHETHER a simple renunciation by the wadsetter is sufficient to reinstate the reverser in the right of claiming to be enrolled ; or if a resignation, with a new charter and infestment be necessary ; debated, but not determined.—

See APPENDIX.

Fol. Dic. v. 3. p. 416.