

No 23. first reversion, and the present titular of the land, and no more persons, although the land, after the first wadsetting, had past *per multas manus*.

Auchinleck, MS. p. 181.

* * Durie's report of this case is No 54. p. 2204. *voce CITATION.*

1628. March 20.

L.A. LAURISTON *against* The LADY CRAIGMIS, Relict of the Laird of Merchiston.

No 24.

FOUND that a reversion, comprised by the L. Merchiston to himself and his heirs, pertains to his eldest son, notwithstanding he comprised the reversion of a wadset of the lands of the Seames made to him and his Lady in liferent, and to John Napier, their son, in fee, by Henry Kincaid, and that it was *objected*, that the comprising of the reversion in the person of him that was wadsetter, extinguished the reversion in his own person, and so extinguished it also in the person of his Lady, and John Napier her son.

Kerse, MS. p. 84.

1628. June 26. L. NEWARK *against* His SON.

No 25.
Premonition
and consig-
nation made
on a Sunday,
sustained.

IN a redemption L. Newark against his son, the LORDS sustained the order of redemption, albeit it was quarrelled by the defender, as not orderly deduced, seeing he alleged, that the time of premonition, the reversion was not shown, nor read to the party premonished, which was repelled, and found not necessary, especially in this case, where the charter given to the defender's brother, of the lands desired to be redeemed from this defender, as apparent heir to him, was given under reversion, and so the reversion was *in corpore juris rei*, and needed not be shown and read to him; and also the order was sustained, albeit it was alleged, that the same being done upon a Sunday, upon which it was not lawful to execute any such civil acts, it ought therefore to be found null; which allegiance was repelled also, for they would not find the order null therefor, especially where the sum of the reversion was only a rose-noble, and so needed not to distract the parties over long a space in the numeration, and nevertheless thought it expedient, that such acts should not be done on Sunday again; likeas the consignation was made on Sunday, because the premonition was made to that day, the reversion providing that redemption might be made at any