

I R R I T A N C Y.

SECT. I.

*Legal Irritancy ob non solutum canonem.*1517. *September 5.*The KING and his COMPTROLLER *against* L. TULLIBARDEN.

LANDIS pertaining to the King, as a part of the patrimonie of his Crown, beand set in feu-ferme to ony of his liegis, gif the fewar thairof, his airis or successouris, mak not payment of his few-maill to his Hienes, or his Comptrollar; he, his air or successour, quhidder he be major or minor, may be callit at his Hienes instance, and his Comptrollaris, and decernit to have tint and foirfaltit his few-ferme: And the samin landis returnis to our Soverane Lord, to be disponit be him in time cuming, as he sall think expedient for utilitie and proffeit.

Fol. Dic. v. 1. p. 483. Balfour, (FEU.) No 5. p. 171.

No 1.
Feus of the Crown may be reduced, for non-payment of the feu-duty.

1525. *March 8.* ABBOT of CAMBUSKENNETH *against* DAVID RAMSAY.

KIRK landis set in few be ony Abbot, or uther ecclesiasticall person, may be reducit, and the settar thairof, or his successouris, aucht and sould be restorit *in integrum*, aganis the alienatioun and setting thairof, gif the samin be set with hospitalitie to the settar, and his successouris and servandis, and the fewaris, being requirit thairto, refusis to give the said hospitalitie. *Item*, Gif the fewaris, or ony of thair airis or successouris, ceissis, be the space of twa zeiris, to mak payment of the few-maill, or ony part thairof, contenit in thair few chartour and infestment, albeit na sic special provisioun be maid thairanent in the chartour or infestment.

Fol. Dic. v. 1. p. 483. Balfour, (FEU.) No 4. p. 171.

No 2.
A feu was reduced for non-payment of the feu-duty, altho' no such provision was made in the charter.