



Diligence Act 1661

1661 CHAPTER 344

Act for ordering the payment of Debts betuixt Creditor and Debitor

Annotations:

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 un 12mo edition as [1661 c. 62](#)

Our Sovereane Lord Considering how necessarie and essentiall it is to the verie being and flourishing of Kingdomes and Nations That ther should be a nationall confidence among the people themselfs and with those of other Nations with whom they have correspondence and traffique abroad And that the most effectuall and proper way to beget cement and mantaine the same is That promises pactions obleidgements and debts be faithfullie performed and satisfied without which ther can be no trust and consequentlie no societie intercourse and commerce at home and all trade and traffique with other Nations will certanlie decay and cease to the irreparable losse rwine and discredite of the Nation . . . ^{F1} Thairfor his Maiestie with advice and consent of the Estates of Parliament . . . ^{F2} wheras the legall reversion of compriseings wes formerlie limited for seven yeers . . . is graciouslie pleased to extend the same to ten yeers in all tyme comeing . . . And incaice the lands and others comprised exceed in yeerly rent and value the annuellrent of the sums contained in the saids compriseings and of the expence disbursed in obtaining infetments thervpon and the debtor shall desire the Creditor to possesse the lands and others comprised It shall be lawfull to the Lords of Session Lykas the saids Lords are heirby impowered and authorized vpon a supplication to be made to them by the debtor and citation of the comprisers To appoint the apprisers to possesse such of the saids lands and others dureing the legall reversion as the saids Lords of Session shall think iust and reasonable The saids debtors alwayes giving possession to those who have right to the saids compriseings and ratifieing their possession already apprehended by them (if any such possession they have) of such of the lands and others as the saids Lords of the Session shall appoint not being beneath in yeerly rent and value of the annuellrents abovementioned Or otherwayes giving to the Creditors (whither they have possession or not) sufficient security at the sight of the saids Lords for payment of the saids annuellrents dureing the tyme forsaid The saids Lords of the Session haveing alwayes power to determine whither in the caces forsaid the debtor