

Registers of the privy and great seals; or that he had Craved to
 Expede his Charter as soon as the other and had taken Instrument
 upon the Refusal and Collusion of the Keeper of the Registers and Seal
 26 Feb. 1680 L. Blackmannan contra E. Wigtown 6 Decemb. 1678
 Miln contra L. Bonfouls. For it is the Seal that is in place of the
 Sovereign Subscription and Perfects the Confirmation: And the Charter
 bears still the date of the Signature. The Granting of Double Confir-
 mations in Exchequer or passing them through the Seals is Discharge
 Act 66 Par. 5 P. 6. But de Præci, this is frequently done Periculo
 Petentis: the Exchequer not being proper Judges in a Competition
 of Double Rights: It is said of some upon d. Act 66. However when
 the first right is clearly and Justly Exclude the second, there is
 no Reason for Passing the second to be the foundation of preemption;
 or to put the obtainer of the first right under a Capacity of raising a
 Reddition of the second: being no right once passed under the great Seal,
 be Annulled by way of Exception, et sic. A Confirmation is
 made the Infestment Confirmed Effectual Retros from the Date
 of the Infestment with as to his Vassal and Superior; Thus some
 Judgment Intervene that hinders the right to take effect by Confirmation
 as a Disposition with Infestment upon Resignation in favour of another
 or an usurping with Infestment thereof belated the right Confirm-
 and the Confirmation, Stair lib. 2 Tit. 3 P. 25. One served with an
 neral to the Receiver of a Disposition, who died Infest a me without
 the Superiors Confirmation, having Renounced the Disposition; the
 whole right in the person of the Deceased was found conveyed by the
 General Service to the heir; and the heirs discharge and Cheman-
 ation found an effectual Impediment and stop to any subsequent
 Confirmation of the Infestment comes to hinder it to operate Retros to
 make good another Infestment upon a special Service as heir to the
 obtainer of the Disposition 10 July 1713 Donaglas of Histle side
 contra Comervil of Kennocke. An Infestment to be held of the
 Superior may be confirmed after the Death of the person Infest Stair
 answers to Doret Doubt Tit. Confirmation. For the objection of
 Craig (Ferd lib. 2 Tit. 4 P. 8) that the Superior and Vassal should
 both Consent to the Deed, and their Consents cannot be joyned
 where the Death of either previously happens is of no Moment
 Because such a Concurrence of Consents is only necessary ad In-
 teyrandam personam, as to Authorise the deeds of Minors; and not
 ad Inteyrandam et Constitucendum Jus, which is perfected per
 Gradus

Gradus et partes: now the Confirmation being Calculated only
 to Complete the Right; the Same may be Subposed at anytime while
 there is no Mide Impediment. When Lands were disposed Under
 Reversion to one who Disposed them simply without Mention of
 any Reversion in favour of another, to be held of the Bishop and the
 Monks as Superior; who granted a Charter of Confirmation without
 any Reversion to the last Disposer, and some time hereafter as-
 signed the reversion to a third person: the Reversion was found to
 be Intire and effectual Retros from the Confirmation, and
 the Right Confirmor was found to be affected with the reversion,
 as his right was also granted the Heir Confirmor, and could give
 no better title to another than to himself. For so the Deeds
 were taken away by the Invered Deed of Confirmation which
 which was void; but only by some Direct and Express
 Deed the title of which the parties. But it was pleaded
 & Contradict that the Reversion was Extinct before by the Superiors
 Confirmation long before he assigned the Reversion: Because
 the the Grantor of the Right Confirmor could make it no better
 than his own word: yet he was the Superior together could, and
 have done it: for that Confirmation Jus que erat potest, est
 novatione. This is the same thing, as if the Disposer, upon resign-
 ation of the lands, had disposed the same without Mention
 of any Reversion to be holden of himself, which would have the
 same force as an original grant by him: For it is not like a
 Superior Confirming an Irrevocable right granted by the Vassal
 to be holden of the vassal, which would hurt the Superior
 20 March 1635 Bishop of Glasgow contra Newell.

A Superior who is a subject, is not obliged Ex cepto pleat
 to accept of Resignation in favour, or grant Confirmation
 to a singular Superior upon a voluntary Disposition made by
 his Vassal Infest upon a Charter granted to him his heirs
 and assignes 8 Feb. 1663 Lady Carnegie contra Lord Cran-
 urn Craig Fend. lib. 2 Tit. 4 P. 8. For there
 Superiors Disposing to the Vassal and his assignes Imports
 only a power to the vassal to assign the Charter before he
 Infest himself. In which the Superior is obliged to Receive
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