



CHAPTER 89.

An Act to make provision with regard to wills deposited under section twenty-one of the Regimental Debts Act, 1893, with the Commissary Clerk of the County of Edinburgh, and required for the purpose of confirmation as executor or of completing a title to heritable estate in Scotland. A.D. 1919.
[23rd December 1919.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1.—(1) Where the will of any person has been or shall hereafter be deposited, under section twenty-one of the Regimental Debts Act, 1893, in the office of the Commissary Clerk of the Commissary Court of the county of Edinburgh, and an application for delivery of such will is presented to the Commissary Clerk either by a sheriff clerk stating that the same is required for the purpose of the confirmation of an executor of such person, or by a law-agent (within the meaning of the Law Agents (Scotland) Act, 1873), who shall send with his application a declaration signed by himself that the will is required on behalf of a client therein named, and designed for the purpose of completing a title to heritable estate in Scotland, the Commissary Clerk shall, notwithstanding anything contained in the said section, deliver the said will to such sheriff clerk or to such law-agent, as the case may be, on receiving a receipt therefor from such sheriff clerk or law-agent, which receipt shall be preserved and dealt with by the Commissary Clerk in like manner as a will deposited in pursuance of the said section. 56 & 57 Vict.
c. 5.

36 & 37 Vict.
c. 63.

(2) The power of the Court of Session under subsection (4) of the said section to make rules or orders and to fix fees, shall include power to make rules or orders and to fix fees with regard to the delivery of wills by the Commissary Clerk and

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A.D. 1919. to the receipts granted therefor in pursuance of the foregoing subsection.

2. This Act may be cited as the Regimental Debts (Deposit of Wills) (Scotland) Act, 1919.

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FOR

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