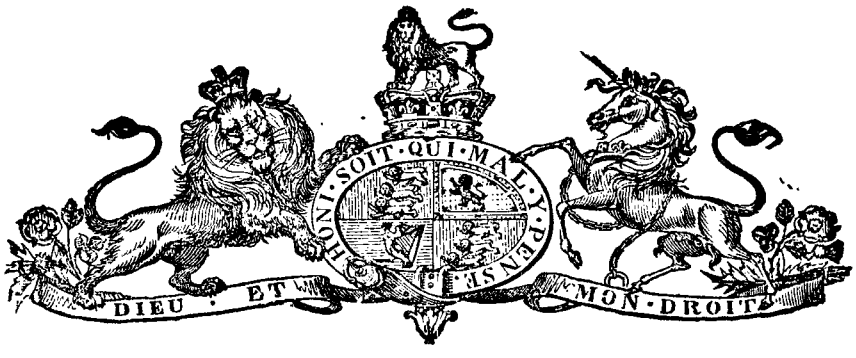


ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

****

CAP. LXXXV.

An Act to facilitate the Transmission of Moveable Property in *Scotland*. [7th *August* 1862.]

WHEREAS it is expedient to facilitate the Transmission of Moveable Estate in *Scotland*: Be it enacted by the Queen'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:

Personal Bond or Conveyance of Moveable Estate may be assigned in the Form set forth in Schedule A.

1. From and after the passing of this Act, it shall be competent to any Party, in right of a Personal Bond or of a Conveyance of Moveable Estate, to assign such Bond or Conveyance by Assignation in or as nearly as may be in the Form set forth in Schedule A. hereto annexed; and it shall be competent to write the Assignation or Assignations on the Bond or Conveyance itself in or as nearly as may be in the Form set forth in Schedule B. hereto annexed; which Assignation shall be registrable in the Books of any Court, in Terms of any Clause of Registration contained in the Bond or Conveyance so assigned; and such Assignation, upon being duly stamped and duly intimated, shall have the same Force and Effect as a duly stamped and duly intimated Assignation according to the Forms at present in use.

2. An

Certified Copy to be delivered to Person or Persons to whom Intimation may in any Case be requisite.

2. An Assignation shall be validly intimated (1) by a Notary Public delivering a Copy thereof, certified as correct, to the Person or Persons to whom Intimation may in any Case be requisite, or (2) by the Holder of such Assignation, or any Person authorized by him, transmitting a Copy thereof certified as correct by Post to such Person; and (in the First Case) a Certificate by such Notary Public in or as nearly as may be in the Form set forth in Schedule C. hereto annexed, and (in the Second Case) a written Acknowledgment by the Person to whom such Copy may have been transmitted by Post as aforesaid of the Receipt of the Copy, shall be sufficient Evidence of such Intimation having been duly made: Provided always, that if the Deed or Instrument containing such Assignation shall likewise contain other Conveyances or Declarations of Trust Purposes, it shall not be necessary to deliver or transmit a full Copy thereof, but only a Copy of such Part thereof as respects the Subject Matter of such Assignation.

As to Transmission of Personal Bond, &c. according to present Forms.

3. Nothing in this Act contained shall prevent the Transmission of any Personal Bond or Conveyance of Moveable Estate, or the Intimation of any Assignation according to the Forms at present in use.

Interpretation of Terms.

4. The following Words in this Act, and in the Schedules annexed to this Act, shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say, the Word "Bond" and the Word "Conveyance" shall extend to and include Personal Bonds for Payment or Performance, Bonds of Caution, Bonds of Guarantee, Bonds of Relief, Bonds and Assignations in Security of every Kind, Decreets of any Court, Policies of Assurance of any Assurance Company or Association in *Scotland*, whether held by Parties resident in *Scotland* or elsewhere, Protests of Bills or of Promissory Notes, Dispositions, Assignations, or other Conveyances of Moveable or Personal Property or Effects, Assignations, Translations, and Retrocessions, and also Probative Extracts of all such Deeds from the Books of any competent Court; the Word "Assignation" shall also include Translations and Retrocessions, and Probative Extracts thereof; the Words "Moveable Estate" shall extend to and include all Personal Debts and Obligations, and Moveable or Personal Property or Effects of every Kind.

Short Title.

5. This Act may be cited for all Purposes as the "Transmission of Moveable Property (*Scotland*) Act, 1862."

SCHE-

SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

I *A.B.*, in consideration of, *&c.* [*or otherwise, as the Case may be*], do hereby assign to *C.D.* and his Heirs or Assignees [*or otherwise, as the Case may be,*] the Bond [*or other Deed, describing it,*] granted by *E.F.*, dated, *&c.*, by which [*here specify the Nature of the Deed, and specify also any connecting Title, and any Circumstances requiring to be stated in regard to the Nature and Extent of the Right required*]. In witness whereof, *&c.*

[*Insert Testing Clause in usual Form.*]

SCHEDULE B.

I *A.B.*, in consideration of, *&c.* [*or otherwise, as the Case may be,*] do hereby assign to *C.D.* and his Heirs or Assignees [*or otherwise, as the Case may be,*] the foregoing [*or within-written*] Bond [*or other Writ or Deed, describing it,*] granted in my Favour [*or otherwise, as the Case may be, specifying any connecting Title, and any Circumstances requiring to be stated in regard to the Nature and Extent of the Right assigned*]. In witness whereof, *&c.*

[*Insert Testing Clause in usual Form.*]

SCHEDULE C.

I (*A*) of the City of Notary Public, do hereby attest and declare, That upon the Day of and between the Hours of and I duly intimated to *B.* [*here describe the Party*] the within written Assignation [*or otherwise as the Case may be*], *or* an Assignation granted by [*here describe it*], and that by delivering to the said *A.* personally [*or otherwise*] by leaving for the said *A.* within his Dwelling House at *E.*, in the Hands of [*here describe the Party*], a full Copy thereof, [*or if a partial Copy here quote the Portion of the Deed which has been delivered,*] to be given

given to him; all of which was done in presence of *C.* and *D.* [*here name and describe the Two Witnesses*], who subscribe this Attestation along with me. In witness whereof.

[*Insert Testing Clause in usual Form, to be subscribed by the Party and the Two Witnesses.*]

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