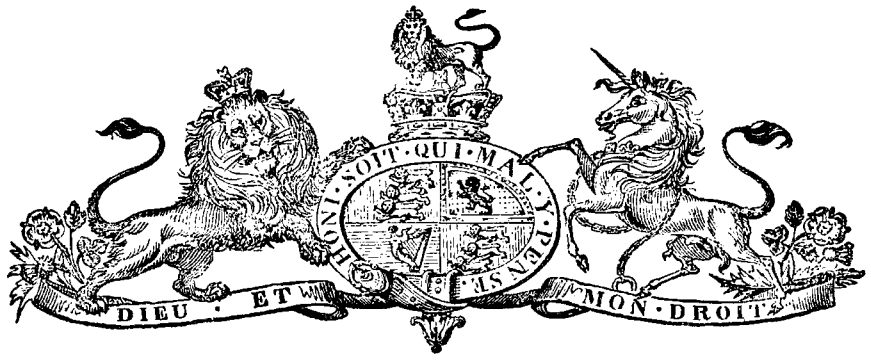


ANNO VICESIMO QUARTO & VICESIMO QUINTO

VICTORIÆ REGINÆ.

****

CAP. LXXXIV.

An Act to amend the Law in *Scotland* relative to the Resignation, Powers, and Liabilities of gratuitous Trustees. [6th *August* 1861.]

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:

What Trusts hereafter constituted shall be held to include.

1. All Trusts constituted by virtue of any Deed or Local Act of Parliament under which gratuitous Trustees are nominated shall be held to include the following Provisions, unless the contrary be expressed; that is to say, Power to any Trustee so nominated to resign the Office of Trustee; Power to such Trustee, if there be only One, or to the Trustees so nominated, or a Quorum of them, to assume new Trustees; a Provision that the Majority of the Trustees accepting and surviving shall be a Quorum; and a Provision that each such Trustee shall only be liable for his own Acts and Intromissions, and shall not be liable for the Acts and Intromissions of Co-Trustees, and shall not be liable for Omissions.

Not to affect Liabilities incurred by

2. Nothing contained in this Act shall affect any Liability incurred by any gratuitous Trustee prior to the Date of any Resignation or Assumption

Trustees prior to Resignation, &c.

Assumption under the Provisions of this Act, nor any Action at Law commenced before the passing of this Act.

Construction of the Term "Gratuitous Trustee."

3. A gratuitous Trustee shall, for the Purposes of this Act, be held to be any Trustee who receives no pecuniary or valuable Consideration for performing the Duties of a Trustee, and is under no Obligation, without special Acceptance of such Office, to discharge the Duties of Trustee: Provided always, that nothing in this Act shall extend to any Trustee appointed under the Contract of any Trading Company.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1861.