



ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

C A P. 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:

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 Assignment 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 Assignment 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 Assignment 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 Assignment, upon being duly stamped and duly intimated, shall have the same Force and Effect as a duly stamped and duly intimated Assignment according to the Forms at present in use.

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

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

2. An Assignment 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 Assignment, 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 Assignment 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 Assignment,

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 Assignment 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, Decrees 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 "Assignment" 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."

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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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