



Entail (Scotland) Act 1914

1914 CHAPTER 43

2 Entail Act, 1685, not to apply to future deeds

The Entail Act, 1685, shall not apply to any deed relating to land in Scotland dated after the passing of this Act, the effect of which would be to entail such land, and no such deed shall be recorded in the register of entails ; and any prohibition of alienation, contracting debt, or altering the order of succession, and any clause of consent to registration in the register of entails in any such deed shall be null and void :

Provided that—

- (a) where at the passing of this Act any Act of Parliament, deed, or writing is in operation whereby any money or other property, heritable or moveable, is held or invested for the purpose of purchasing land to be entailed, or whereby any land is directed to be entailed, but the direction has not been carried into effect, the date at which such Act of Parliament, deed, or writing first came into operation shall, for the purposes of this section, be held to be the date of any entail to be made in execution of the trust or direction whatever be the actual date of such entail; and
- (b) for the purposes of this section any testamentary or mortis causa deed or writing made and executed before the passing of this Act by a person alive at the passing of this Act, shall be deemed to be dated after the passing of this Act, except in the case where such person dies within twelve months after such passing, or in the case where such person ceases or has ceased to be of sound disposing mind before the expiry of the said twelve months.