



Debtors (Scotland) Act 1838

1838 CHAPTER 114

XXVI Sale to be advertised and Notice to the Debtor.

And be it enacted, That on the Execution being reported the Sheriff shall, if necessary, give Orders for the Security of the Moveables, and if they be of a perishable Nature for the immediate Disposal thereof, under such Precautions as to him shall seem fit ; and if not so disposed of, and if no lawful Cause be shown to the contrary, he shall, if required, grant Warrant to sell them by public Roup, at such Time and at such Place, with such public Notice of the Sale, as may appear to the Sheriff most expedient for all concerned, and at the Sight of a Judge of the Roup to be named by the Sheriff; provided that the Sale shall not take place sooner than Eight Days nor at a longer Period than Twenty Days after the Date of the Publication of the said Notice of Sale; and the Sheriff shall order a Copy of the Warrant of Sale to be served on the Debtor, and on the Possessor of the pointed Effects, if he be a different Person from the Debtor, at least Six Days before the Date of the Sale, excepting in the Case of perishable Effects.