



Entail Amendment (Scotland) Act 1868

1868 CHAPTER 84 31 and 32 Vict

11 Entailer's debts, &c. may be charged on entailed estate by bond and disposition in security.

In all cases where there are or shall be entailer's or other debts or sums of money which might lawfully be made chargeable, by adjudication or otherwise, upon the fee of an entailed estate, the heir of entail in possession of such estate for the time being shall have all the like powers of charging the fee and rents of such estate, or any portion thereof, other than the mansion house, offices, and policies thereof, with the full amount of such debts or sums of money, and of granting, with the authority of the Court of Session, bonds and dispositions in security for the full amount of such debts and sums of money, as by the ^{M1}Entail Amendment Act, 1848, and the ^{M2}Entail Amendment Act, 1853, are conferred with reference to provisions to younger children; and such bonds and dispositions in security may be granted in favour of any parties in the right of such debts or sums of money at the date when such bonds and dispositions in security are executed.

Marginal Citations

M1 1848 c. 36.

M2 1853 c. 94.

Changes to legislation:

Entail Amendment (Scotland) Act 1868, Section 11 is up to date with all changes known to be in force on or before 08 January 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Commencement Orders yet to be applied to the Entail Amendment (Scotland) Act 1868

Commencement Orders bringing legislation that affects this Act into force:

- [S.S.I. 2003/456 art. 2](#) commences (2000 asp 5)