



Titles to Land Consolidation (Scotland) Amendment Act 1869

1869 CHAPTER 116 32 and 33 Vict

3 Sect. 24. of recited Act repealed. Mode of completing title by a judicial factor on a trust estate, &c.

Section twenty-four of the recited Act is hereby repealed, and in place thereof it is enacted that the following words shall be deemed and be taken to be twenty-fourth section of the recited Act, and the recited Act shall be read and construed as if the twenty-fourth section thereof had been originally expressed in the following words; viz:— Where in a petition to the Court of Session for the appointment of a judicial factor authority has been or shall be asked for the completion of a title by such factor to any lands forming the whole or part of the estate to be managed by such judicial factor, or where a judicial factor has applied or shall apply, by petition or note to the said Court, for authority to complete a title to such lands, either in his own person as judicial factor, or in the person of any pupil, minor, or lunatic to whom he may have been appointed judicial factor, and where any petition or note has specified and described or shall specify and describe the lands to which such title is to be completed, or has referred or shall refer to the description of the same, in the form, or as nearly as may be in the form, of Schedule (E.) hereto annexed, or of Schedule (G.) hereto annexed, as the case may be, the warrant granted for completing such title shall also so specify and describe the lands to which such title is to be completed, or shall so refer to the description thereof; and such warrant shall be held to be a conveyance in due and common form of the lands therein specified in favour of such judicial factor granted by the person, whether in life or deceased, whose estate is under judicial management, or where the estate is that of a pupil, minor, or lunatic, in whose person a title has not been made up, such warrant shall be held to be such a conveyance in favour of the pupil, minor, or lunatic, or of the judicial factor appointed to such pupil, minor, or lunatic, as the case may be, granted by a predecessor, or author having such title, or where such judicial factor has been or shall be appointed on an estate which shall have been vested in a trustee or former judicial factor, such warrant shall be held to be such a conveyance granted by such trustee or former factor, whether in life or deceased, for the purposes of such estate or trust, or factory to be holden in the case of lands not held by burgage tenure in the manner and to the effect and subject to the provisions enacted and provided in the sixth section of this Act in the case of conveyances in which no

Changes to legislation: Titles to Land Consolidation (Scotland) Amendment Act 1869, Section 3 is up to date with all changes known to be in force on or before 06 October 2022. 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. (See end of Document for details) [View outstanding changes](#)

manner of holding is expressed, and in the case of lands held by burgage tenure to be holden of Her Majesty in free burgage; and such warrant may, with warrant of registration thereon, be recorded in the appropriate register of sasines as a conveyance in favour of such judicial factor, or pupil, minor, or lunatic, or of the factor on his estate, and being so recorded shall have the same force and effect as if the date of such recording such conveyance had been granted to the judicial factor, or pupil, minor, or lunatic, or the judicial factor appointed to such pupil, minor or lunatic, as the case may be, and recorded in the appropriate register of sasines: Provided always, that for enabling the person in whom such lands were last vested, or his representatives, or other parties interested, to bring forward competent objections against such warrant being granted, or claims upon the estate, the court shall order such intimation and service of the petition or note as to them shall seem proper: Declaring always, that the whole enactments and provisions herein contained shall extend and apply to all petitions to and warrants by the Court of Session under The Trusts (Scotland) Act, 1867, unless in so far as such provisions and enactments may be inapplicable to the form or objects of such petitions or warrants.

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Modifications etc. (not altering text)

- C1** The text of ss. 2, 3, 6–9 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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Commencement Orders yet to be applied to the Titles to Land Consolidation (Scotland) Amendment Act 1869

Commencement Orders bringing legislation that affects this Act into force:

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