



Sheriff Courts (Scotland) Act 1876

1876 CHAPTER 70 39 and 40 Vict

VIII. Amendment of Law as to Confirmation of Executors

- 41 Note in confirmation by sheriff clerk or commissary clerk that deceased died domiciled in Scotland substituted for certified copy interlocutor by the sheriff commissary and to have like effect.**

Where, under the provisions of the ninth and subsequent sections of the ^{M1}Confirmation of Executors (Scotland) Act 1858, it shall be desired to include in the inventory of the personal estate of any person dying domiciled in Scotland personal estate situated in England or Ireland, it shall not be necessary to have a special proceeding before the sheriff with the view to his pronouncing therein an interlocutor finding that the deceased died domiciled in Scotland. That fact shall be set forth in the affidavit to the inventory, and it being so set forth therein shall be sufficient warrant for the sheriff clerk to insert in the confirmation or to note thereon and sign a statement that the deceased died domiciled in Scotland; and such statement shall have the same effect as a certified copy interlocutor finding that the deceased person died domiciled in Scotland . . . ^{F1}

Textual Amendments

F1 Words repealed by [Statute Law Revision Act 1894 \(c. 56\)](#)

Modifications etc. (not altering text)

C1 References to Ireland to be construed as exclusive of Republic of Ireland: S.R. & O. 1923/405 (Rev. X, p. 298: 1923, p. 400), art. 2

Marginal Citations

M1 [1858 c. 56.](#)

Changes to legislation:

There are currently no known outstanding effects for the Sheriff Courts (Scotland) Act 1876, Section 41.