



Debtors (Scotland) Act 1838

CHAPTER 114

DEBTORS (SCOTLAND) ACT 1838

- Extracts of Court of Session, Teind Court, and Court of Justiciary
Decrees to contain Warrant to arrest, charge, and poind.
- II Competent to arrest.
 - III Competent to charge. Officer's Execution.
 - IV Competent to poind.
 - V Execution to be registered ; and to have the Effect of Denunciation, and to accumulate Interest.
 - VI Extract and Execution with Certificate of Registration to be presented in the Bill Chamber for Warrant to imprison.
 - VII Execution at the Instance of a Person acquiring Right to extract.
 - VIII Letters of Horning may be issued as formerly, but no Expences exigible. Extracts in Terms of this Act may be obtained where Extracts issued prior to its Commencement.
 - IX Extracts of Sheriffs Decrees, &c to contain Warrant to arrest, charge, poind, and open shut and lockfast Places.
 - X Execution to be registered, and to accumulate Interest.
 - XI Extract and Execution with Certificate of Registration to be presented in Sheriff Court for Warrant to imprison.
 - XII Execution at the Instance of a Person acquiring Right to the Extract.
 - XIII Warrant of Concurrence to charge, arrest, and poind.
 - XIV Warrant by concurring Sheriff Clerk to imprison.
 - XV Concurrence to Warrant of Imprisonment granted in another Sheriff Court.
 - XVI Warrant to arrest may be introduced into Summonses before the Court of Session.
 - XVII Arrestment may be executed before executing the Summons, but the Summons must be executed and called within a limited Period.

- XVIII Arrestments against Persons furth of the Kingdom to be executed at the Record Office.
- XIX Sheriffs Precepts of Arrestment may be executed within Jurisdiction of another Sheriffs.
- XX Lord Ordinary in the Outer House may recall or restrict Arrestments, subject to Review.
- XXI Sheriff may recall or restrict Arrestments, subject to Review.
- XXII Arrestments to prescribe in Three Years.
- XXIII Compearing Creditors to be conjoined, and pointed Effects to be valued.
- XXIV Effects to be left with and Schedule given to the Possessor.
- XXV Officer to report Poining within Eight Days.
- XXVI Sale to be advertised and Notice to the Debtor.
- XXVII Effects to be sold, or delivered to poining Creditors.
- XXVIII Report and Price to be lodged.
- XXIX Creditors entitled to purchase.
- XXX Unlawful Intromitter liable to Imprisonment or double the appraised Value.
- XXXI Act not to affect Landlord's Hypothec.
- XXXII Citations, &c. One Witness.
- XXXIII Compensation.
- XXXIV Compensation how to be paid.
- XXXV Diligence under this Act.
- XXXVI Act may be repealed, &c.

Schedule referred to in —
the foregoing Act.