



# Entail Amendment Act 1848

1848 CHAPTER 36 11 and 12 Vict

## 48 or by life-rents.

[<sup>F1</sup>Where any land] in Scotland shall, by virtue of any deed <sup>F2</sup>..., be held in liferent by a party of full age born after the date of such deed, such party shall not be in any way affected by any prohibitions, conditions, restrictions, or limitations which may be contained in such deed, or by which the same or the interest of such party therein may bear to be qualified, and such party shall be deemed and taken to be the <sup>F2</sup>... proprietor of [<sup>F3</sup>such land] , and it shall be lawful to such party to obtain and record an act and decree of the Court of Session in the like form and manner and in the like terms and with the like operation and effect as is herein-before provided with reference to an act and decree of the said court in the case of deeds of trust: Provided always, that the rights of <sup>F2</sup>... all parties holding securities [<sup>F4</sup>over such land] , and all rights which shall be held independently of the deed by which such liferent is constituted, shall be as they are hereby reserved entire.

### Textual Amendments

- F1** Words in s. 48 substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 5\(6\)\(a\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F2** Words in s. 48 repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 5\(6\)\(b\)](#), [sch. 13 Pt. 1](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F3** Words in s. 48 substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 5\(6\)\(c\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F4** Words in s. 48 substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 5\(6\)\(d\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

### Modifications etc. (not altering text)

- C1** S. 48 applied by [Entail \(Scotland\) Act 1914 \(c. 43\)](#), s. 8; excluded by [Law Reform \(Miscellaneous Provisions\) \(Scotland\) Act 1968 \(c. 70\)](#), s. 18(4)

**Changes to legislation:**

There are currently no known outstanding effects for the Entail Amendment Act 1848, Section 48.