



Erasures in Deeds (Scotland) Act 1836

1836 CHAPTER 33 6 and 7 Will 4

U.K.

An Act to amend and regulate the law of Scotland as to erasures in instruments of sasine and of resignation ad remanentiam. [14th July 1836]

Textual Amendments

F1 Act: repealed (*prosp.*) by [2000 asp 5, ss. 76\(2\), 77\(2\)](#), [Sch. 13 Pt. 1](#) (with [ss. 58, 62, 75](#))

Modifications etc. (not altering text)

- C1 Short title “The Erasures in Deeds (Scotland) Act 1836” given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Act extended by Titles to [Land Consolidation \(Scotland\) Act 1868 \(c. 101\)](#), [s. 144](#)
- C3 Preamble omitted under authority of [Statute Law Revision \(No. 2\) Act 1890 \(c. 51\)](#)
- C4 Words of enactment repealed by [Statute Law Revision \(No. 2\) Act 1890 \(c. 51\)](#)

1 No challenge of instruments of sasine or resignation ad remanentiam on account of erasures. Certain judgments and titles not to be affected. **U.K.**

No challenge of any instrument of sasine or resignation ad remanentiam shall hereafter receive effect, either by reduction or exception, on the ground that any part of the said instrument is written on an erasure, unless it shall be averred and proved that such erasure had been made for the purpose of fraud, or the record thereof is not conformable to the instrument as presented for registration: . . . ^{F2} Provided also, that nothing herein contained shall extend or be construed to extend to instruments of sasine or resignation and sasine propriis manibus; provided also, that where any feudal title of property or title in security has been completed in order to remedy or supply defects arising from erasures in instruments of sasine, the validity of the said titles shall not be affected by any thing herein contained.

Textual Amendments

F2 Proviso repealed by [Statute Law Revision Act 1874 \(c. 35\)](#)

Changes to legislation: *Erasures in Deeds (Scotland) Act 1836* is up to date with all changes known to be in force on or before 05 July 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. (See end of Document for details) [View outstanding changes](#)

Modifications etc. (not altering text)

C5 Unreliable marginal note.

2^{F3} **U.K.**

Textual Amendments

F3 S. 2 repealed by [Statute Law Revision Act 1874](#) (c. 35)

Changes to legislation:

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Commencement Orders yet to be applied to the Erasures in Deeds (Scotland) Act 1836

Commencement Orders bringing legislation that affects this Act into force:

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