

SCHEDULES.

SCHEDULE A

FORM No. 1. CLAUSE OF DEDUCTION OF TITLE IN A DISPOSITION OF LAND WHERE THE GRANTEE IS NOT INFECT.

Section 3.

[To be inserted immediately after the clause specifying the date or term of entry or after the dispositive clause where no date or term of entry is specified.]

Which lands and others (*or subjects*) were last vested [*or are part of the lands and others (or subjects) last vested*] in *A.B.*, (*designation of person last infected*), whose title thereto is recorded in (*specify Register of Sasines and date of recording, or if the last infection has already been mentioned say in the said A.B. as aforesaid*), and from whom I acquired right by (*here specify shortly the writ or series of writs by which right was so acquired*).

NOTE TO FORM NO. 1 OF SCHEDULE A.

If any conditions, reservations, provisions, obligations, servitudes or other burdens which affect the land or any part thereof or qualify the grantee's right thereto be contained in or imposed by the writ or any of the writs by which the grantee acquired right and are proper to be inserted, insert the same at length in the dispositive clause, and if they affect only part of the land specify the part or parts of the land affected thereby, and in case of money burdens specify the amounts thereof and the name and designation or designative description of the creditor therein, all as in the writ containing or imposing such money burdens, and in all cases specify the writ or writs containing or imposing such conditions and others.

FORM No. 2. CLAUSE TRANSMITTING PERSONAL OBLIGATION IN A HERITABLE SECURITY IN A DISPOSITION OF LAND.

Section 15.

I, *A.B. (designation)*, in consideration of (*specify any part of price paid in money*) and in consideration also of *C.D. (designation)* undertaking as by his signature hereto he undertakes the personal obligation contained in a bond and disposition in security for the sum of (*insert amount*) granted by me [*or by E.F. (original debtor)*] in favour of *G.H. (original creditor)*, dated (*insert date*), and recorded in (*specify Register of Sasines and date of recording*) do hereby dispond, &c.

Status: This is the original version (as it was originally enacted).

SCHEDULE B

FORM No. 1. ON BEHALF OF A PERSON WHO HAS RIGHT TO LAND BY A TITLE WHICH HAS NOT BEEN RECORDED IN THE APPROPRIATE REGISTER OF SASINES AND WHICH IS NOT TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Section 4 (1).

Be it known that *A.B. (designation)* has right as proprietor (or life-renter or proprietor in trust or otherwise, as the case may be) to all and whole [here describe the land or refer to description thereof as in Schedule D. to this Act or as in Schedule G. to the Titles to Land Consolidation (Scotland) Act, 1868; and if there are any conditions, reservations, provisions, obligations, servitudes, or other burdens which affect the land or any part thereof and have entered the record and are proper to be inserted or referred to, here insert the same at length or refer thereto as in Schedule H. to the Conveyancing (Scotland) Act, 1874, and if any such conditions and others which affect the land or any part thereof or qualify *A.B.*'s right thereto be contained in or imposed by the writ or any of the writs by which *A.B.* acquired right and are proper to be inserted, here insert the same at length, and if they affect only part of the land specify the part or parts of the land affected thereby, and in case of money burdens specify the amount thereof and the name and designation or designative description of the creditor therein all as in the writ containing or imposing such money burdens, and in all cases specify the writ or writs containing or imposing such conditions and others]; Which lands and others (or subjects) were last vested [or are part of the lands and others (or subjects) last vested] in *C.D. (design person last infeft)*, whose title thereto was recorded in (specify Register of Sasines and date of recording, or if the last infeftment has already been mentioned say in the said *C.D.* as aforesaid), and from whom the said *A.B.* acquired right by (here specify shortly the writ or series of writs by which he acquired right); Which last recorded title and subsequent writ (or writs) have been presented to me, *Y.Z. (designation)*, Notary Public, (or Law Agent).

[To be attested.]

Y.Z.

FORM No. 2. ON BEHALF OF A PERSON WHO HAS RIGHT TO LAND CONVEYED BY AN UNRECORDED SPECIAL CONVEYANCE WHICH IS TO BE RECORDED ALONG "WITH THE NOTICE OF TITLE.

Section 4 (2).

Be it known that *A.B. (designation)* has right as proprietor (or life-renter or proprietor in trust or otherwise, as the case may be) to all and whole the lands and others (or subjects) disposed by (or

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contained in) the disposition (or feu charter or other special conveyance) granted by *C.D.* (designation) in favour of *E.F.* (designation) dated (insert date), and recorded in (specify Register of Sasines) of even date herewith [if any conditions, reservations, provisions, obligations, servitudes or other burdens affecting the land or any part thereof or qualifying *A.B.*'s right thereto be contained in or imposed by the writ or any of the writs by which *A.B.* acquired right other than such special conveyance and are proper to be inserted, here insert the same at length, and if they affect only part of the land specify the part or parts of the land affected thereby, and in case of money burdens specify the amount thereof and the name and designation or designative description of the creditor therein, all as in the writ containing or imposing such money burdens, and in all cases specify the writ or writs containing or imposing such conditions and others]; To which lands and others (or subjects) the said *A.B.* acquired right by the foresaid disposition (or as the case may be) and by (here specify shortly the subsequent writ or series of writs by which he acquired right); Which disposition and subsequent writ (or writs) have been presented to me (as in Form No. 1 of this Schedule).

[To be attested.]

FORM No. 3. ON BEHALF OF A PERSON WHO HAS RIGHT TO A RECORDED HERITABLE SECURITY BY A TITLE WHICH HAS NOT BEEN RECORDED IN THE APPROPRIATE REGISTER OF SASINES AND WHICH IS NOT TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Section 4 (3).

Be it known that *A.B.* (designation) has right (adding if such be the case to the extent aftermentioned) to a bond and disposition in security (or as the case may be) for the sum of (insert amount) granted by *C.D.* (design original debtor) in favour of *E.F.* (design original creditor), dated (insert date) and recorded in [specify Register of Sasines and date of recording : adding, if necessary, but only to the extent of (insert sum) of principal]; Which bond and disposition in security was last vested in the said *E.F.* as aforesaid [or if *E.F.* is not the person last infeft therein, or holding the last recorded title thereto, say Which bond and disposition in security (adding, if necessary, to the extent foresaid or as the case may be) was last vested in *G.H.* (design person holding the last recorded title thereto), whose title thereto was recorded in said Register of Sasines (or as the case may be, and give date of recording)], and from whom the said *A.B.* acquired right (adding, if necessary, to the extent foresaid, or as the case may be), by (here specify shortly the writ or series of writs by which he acquired right); Which last recorded title and subsequent writ (or writs) have been presented to me (as in Form No. 1 of this Schedule).

[To be attested.]

FORM No. 4. ON BEHALF OF A PERSON WHO HAS RIGHT TO A GROUND ANNUAL WHICH HAS APPEARED IN THE APPROPRIATE REGISTER OF SASINES BY A TITLE WHICH HAS NOT BEEN RECORDED THEREIN, AND WHICH IS NOT TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

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Section 4 (3).

Be it known that *A.B. (designation)* has right (*adding if such be the case to the extent aftermentioned*) to the ground annual of (*insert amount*) exigible yearly at (*state term or date of payment*) in each year [*or in equal portions half-yearly at (state terms or dates of payment) in each year or otherwise as the case may be ; and if there be any duplications or other casual payments add, with duplication every nineteenth year, or otherwise as the case may be, from and after (state the term or date from which the current duplication or other casual payment is running)*] constituted by a contract of ground annual (*or other deed by which the ground annual was constituted, giving the names and designations of the parties thereto or of the grantor and grantee*) recorded in [*specify Register of Sasines and date of recording ; and if any duplications or other casual payments have been redeemed and commuted into an additional annual payment say* and also to the additional ground annual of (*insert sum*) exigible at the same term (*or date*) in each year (*or as the case may be*) in lieu and commutation of casual payments; *adding if necessary but only to the extent of (insert sum or respective sums)*] payable out of All and Whole (*here describe the land or refer to description thereof as in Schedule D to this Act or as in Schedule G to the Titles to Land Consolidation (Scotland) Act, 1868*); Which ground annual was (*or which ground annual and others were*) last vested (*adding if necessary to the extent foresaid or as the case may be*) in *C.D. (design person having the only or last recorded title)*, whose title thereto was recorded in (*specify Register of Sasines and date of recording ; or if the only or last recorded title has already been mentioned say in the said C.D. as aforesaid*), and from whom the said *A.B.* acquired right (*adding if necessary to the extent foresaid or as the case may be*) by (*here specify shortly the writ or series of writs by which he acquired right*); Which last recorded title and subsequent writ (*or writs*) have been presented to me (*as in Form No. 1 of this Schedule*).

[To be attested.]

FORM No. 5. ON BEHALF OF A PERSON WHO HAS RIGHT TO AN UNRECORDED HERITABLE SECURITY WHICH IS TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Section 4 (4).

Be it known that *A.B. (designation)* has right (*adding if such be the case to the extent aftermentioned*) to a bond and disposition in security (*or as the case may be*) for the sum of (*insert amount*)

granted by *C.D. (designation)* in favour of *E.F. (designation)* dated (*insert date*), and recorded in (*specify Register of Sasines*) of even date herewith [*adding if necessary but only to the extent of (insert sum) of principal*]; To which bond and disposition in security (*adding if necessary to the extent foresaid or as the case may be*) the said *A.B.* acquired right by (*here specify shortly the writ or series of writs by which he acquired right*); Which bond and disposition in Security (*or as the case may be*) and subsequent writ (*or writs*) have been presented to me (*as in Form No. 1 of this Schedule*).

[To be attested.]

FORM No. 6. ON BEHALF OF A PERSON WHO HAS RIGHT TO A GROUND ANNUAL CONSTITUTED BY A DEED THE RECORDING OF WHICH IN THE APPROPRIATE REGISTER OF SASINES ON BEHALF OF THE ORIGINAL CREDITOR WOULD HAVE INFECT HIM THEREIN AND IN THE LANDS OUT OF WHICH IT IS PAYABLE, OR EITHER, BUT WHICH HAS NOT BEEN SO RECORDED, AND WHICH IS TO BE RECORDED ALONG WITH THE NOTICE OF TITLE.

Section 4 (4),

Be it known that *A.B. (designation)* has right (*adding if such be the case to the extent aftermentioned*) to a ground annual of (*insert amount, and if there be any duplications or other casual payments add with duplication every nineteenth year, or as the case may be*) payable under a contract of ground annual (*or other deed by which the ground annual was constituted, giving the names and designations of the parties thereto or of the grantor and grantee*) dated (*insert date*), and recorded in (*specify Register of Sasines*) of even date herewith, [*adding, if necessary, but only to the extent of (insert sum or respective sums)*]; To which ground annual (*adding, if necessary, to the extent foresaid or as the case may be*) the said *A.B.* acquired right by the foresaid contract of ground annual (*or as the case may be*) and by (*here specify shortly the writ or series of writs by which he acquired right*); Which contract of ground annual (*or as the case may be*) and subsequent writ (*or writs*) have been presented to me (*as in Form No. 1 of this Schedule*).

[To be attested.]

NOTES TO SCHEDULE B.

NOTE 1.—Where the description in the last infektment is a particular description, the description in Form No. 1 of this Schedule should be by reference thereto, unless there is reason to the contrary. Sections 4(2) (4), 24 (3).

NOTE 2.—In adapting Form No. 2 of this Schedule to the case of a person who has right to only a part of the land contained in an unrecorded conveyance, deed, or decree there shall be inserted immediately before the words “all and whole” a

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description of such part of the land, and the form may then proceed *which lands and others (or subjects) are part of.*

NOTE 3.—If the original infektment upon a bond and disposition in security or other heritable security including a ground annual has been taken otherwise than by recording the same in the appropriate Register of Sasines add immediately after the mention of the date thereof *and instrument of sasine (or notarial instrument, or if such be the case and along with notice of title) thereon* (adding if such instrument or notice is not in favour of the original creditor the name and designation of the person in whose favour it is conceived) *recorded in* (specify Register of Sasines and date of recording).

NOTE 4.—In adapting Forms Nos. 3 and 5 of this Schedule to real burdens for capital sums, there shall be substituted for the specification of the bond and disposition in security the following : *A real burden for the sum of (insert amount) payable to E.F. (designation) in terms of (specify the disposition or other deed under which the real burden was reserved or constituted, giving the names and designations of the granter and grantee, or of the parties thereto), dated (insert date) and recorded in (specify Register of Sasines and date of recording); and in specifying the writs by which A.B. acquired right to such real burden there shall in Form No. 5 be mentioned as the first of such writs the said disposition (or other deed as above), and the same shall along with the other writ or writs be presented to the Agent expediting the notice of title.*

NOTE 5.—In adapting Forms 2 and 5 of this Schedule to the case where the notice of title proceeds upon an unrecorded disposition, or an unrecorded bond and disposition in security, with an assignation or a series of assignations endorsed thereon in terms of section 7 of this Act, the same may be referred to in such notice of title as follows :—*a disposition [or a bond and disposition in security for the sum of (insert amount)] granted by C.D. (designation) in favour of E.F. (designation) dated (insert date) and along with an assignation endorsed thereon (or a series of assignations endorsed thereon the last of which is) in favour of G.H. (designation) recorded in (specify Register of Sasines) of even date herewith. In the clause specifying the writ or writs by which right was acquired by the person on whose behalf the notice of title is expedite, the endorsed assignation or assignations need not be detailed, but may be referred to as the said assignation (or assignations) endorsed thereon.*

NOTE 6.—Where in place of the principal titles or writs on which any notice of title bears to proceed there are presented to the agent expediting such notice extracts or office copies thereof, the statement in the notice as to the presentation of such titles or writs may be varied accordingly ; but it shall be no objection to any notice of title that it states that the principal titles or

writs were so presented although there were presented only extracts or office copies of such titles or writs.

NOTE 7.—Where a deed, decree or heritable security is to be recorded along with a notice of title it should be docqueted as follows:—*Docqueted with reference to notice of title in favour of A.B. recorded of even date herewith.*

*Y.Z. (designation),
Agent.*

SCHEDULE C

FORM No. 1. ASSIGNATION OF AN UNRECORDED DISPOSITION.

Sections 7, 24.

I, *A.B., (designation)* in consideration of the sum of *(insert sum)* paid to me by *C.D. (designation)* assign to the said *C.D.* the foregoing Disposition; With entry at *(specify term or date of entry)*; And I grant warrandice.

[To be attested.]

FORM No. 2. ASSIGNATION OF AN UNRECORDED BOND AND DISPOSITION IN SECURITY.

Section 7.

I, *A.B., (designation)* in consideration of the sum of *(insert sum)* paid to me by *C.D. (designation)* assign to the said *C.D.* the foregoing Bond and Disposition in Security; With interest from *(specify date)*.

[To be attested.]

NOTES TO SCHEDULE C.

NOTE 1.—If an assignation in terms of Forms Nos. 1 or 2 of this Schedule is not granted by the grantee of the deed thereby assigned, or by the grantee of the immediately preceding assignation endorsed thereon, add *To which disposition (or bond and disposition in security) I acquired right by* (here specify the writ or series of writs by which the granter acquired right from such grantee).

NOTE 2.—In adapting the above Forms to the case where an assignation is not endorsed on the deed assigned, substitute for the words *the foregoing disposition (or the foregoing bond and disposition in security)* the words *a disposition [or a bond and disposition in security for the sum of (insert amount)] granted by E.F. (designation) in my favour dated (insert date) [or in favour of*

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G.H. (designation) dated (insert date) along with assignation endorsed thereon (or a series of assignations endorsed thereon the last of which is) in my favour; or along with assignation endorsed thereon (or a series of assignations endorsed thereon the last of which is) in favour of J.K. (designation) from whom I acquired right by (here specify the writ or series of writs by which the right was acquired)]. If recorded along with such separate assignation such disposition (or bond and disposition in security) and any separate assignation or assignations thereof other than the assignation last in date shall be docquetted as follows :

Docquetted with reference to Assignation in favour of C.D. recorded of even date herewith.

*Y.Z. (designation),
Agent.*

SCHEDULE D

CLAUSE OF REFERENCE TO A DESCRIPTION OF LAND CONTAINED IN A PRIOR CONVEYANCE, DEED, OR INSTRUMENT.

Section 8.

All and whole the lands and others (or subjects) in the county of _____ (or in the burgh of _____ and county of _____ as the case may be) described in (refer to the conveyance, deed, or instrument in such terms as shall be sufficient to identify it, and specify the Register of Sasines in which it is recorded and date of recording, or where the conveyance, deed, or instrument referred to is recorded on the same date as the conveyance, deed, or instrument containing the reference substitute for the date of recording the words of even date with the recording of these presents) :—

NOTES TO SCHEDULE D.

NOTE 1.—In referring to a Deed containing a particular description it shall be sufficient to give the names of the grantor and grantee or of the parties thereto without adding their designations, and when there are several granters or grantees or several parties acting in the same category it shall be sufficient to give the name of the first mentioned person only with the addition of the words *and others*; and where the grantor or granters or grantee or grantees, or the parties or one of the parties thereto acts or act in a fiduciary capacity it shall be sufficient to state such capacity without giving their individual name or names, *e.g.* :

(a) *Feu Charter granted by A.B. in favour of C.D., dated (insert date) and recorded in (specify Register of Sasines and give date of recording).*

- (b) *Disposition granted by C.D. and others in favour of E.F. and others, dated, &c. (as above).*
- (c) *Notarial Instrument (or Notice of title) in favour of the Trustee (or Trustees) of G.H. (or the Judicial Factor of J.K. or the Trustee on the Sequestrated Estates of L.M. or the Liquidator of the N.O. Company, Limited, or as the case may be) recorded in (specify Register of Sasines and date of recording).*

NOTE 2.—Where it is desired to insert a short description of the land or subjects, this may be done as follows :—*All and whole that dwelling-house, number ten, Rosebery Crescent, Edinburgh, (or the eastmost half-flat on the second storey of the tenement entering from number fifteen, Lothian Street, Edinburgh, or otherwise, as the case may be) in the county of Edinburgh, described in, &c. (as above).*

NOTE 3.—If part only of the land or subjects described in a former recorded conveyance, deed, instrument, or notice of title is being conveyed or otherwise dealt with for the first time as a separate subject, such part should be described at length, adding *being part of the lands and others (or subjects) in the county of* or *in the burgh of* and *county of* described in, &c. (as above); or thus : *All and Whole the lands and others (or subjects) in the county of* or *in the burgh of* and *county of* described in, &c. (as above), *with the exception of* (describe the part excepted).

NOTE 4.—If several lands or subjects are described in the conveyance, deed, or instrument referred to, and it is intended to specify one or more of them, these may be distinguished from the others thus : *All and Whole the lands and others (or subjects) first (or second and third) described in, &c. (as above, or otherwise, as the case may be).*

SCHEDULE E

DEED OF ACKNOWLEDGMENT OF OMITTED CONDITIONS.

Section 9.

I, *A.B. (designation)*, hereby acknowledge that in my title to the lands after referred to, namely (*specify it*), there was an omission or failure to repeat or refer to the following conditions (*or clauses; repeat or refer to them*), and which conditions (*or clauses*) affect the lands in the county of (*or in the burgh of* and *county of*), described at length (*or by reference*) in the said (*specify the title or writing*); And the said conditions (*or clauses*) are accordingly now referred to in terms of the Conveyancing (Scotland) Act, 1924.

[To be attested.]

SCHEDULE F

WARRANTS OF REGISTRATION.

Section 10.

Register on behalf of the within named A.B. [or on behalf of A.B. (*designation*)] in the Register of the County of G. [(or in the Registers of the Counties of G.H. and J); or in the Register of the Burgh of K.; or in the Registers of the Burghs of K.L. and M.; or in the Registers of the County of G. (or the Counties of G.H. and J.) and the Burgh of K. (or the Burghs of K.L. and M.)].

A.B.

or C.D., W.S. Edinburgh, agent.
or E. & F., W.S. Edinburgh, agents.
(or as the case may be).

NOTES TO SCHEDULE F.

NOTE 1.—In the case of a Warrant of Registration written on a deed which is to be recorded in the Register of Sasines in terms of a clause of direction, add after the first word "Register" the words *in terms of the clause of direction herein contained*.

NOTE 2.—In the case of a Warrant of Registration written on a deed which is to be recorded in the General Register of Sasines for preservation (or for preservation and execution) insert the words *for preservation* (or *for preservation and execution*) as well as *for publication*.

NOTE 3.—When the right of the person or persons on whose behalf a deed is to be recorded is a fiduciary one the name or names of the Trustee or other person or persons acting in a fiduciary capacity shall be inserted in the Warrant of Registration written on such deed, and may be followed by a short reference to the capacity in which he or they act, *e.g., as Trustee* (or *Trustees* or as the case may be) *within mentioned*, or, if desired, a fuller reference to such capacity may be given.

NOTE 4.—When a disposition or bond and disposition in security or other deed, decree or heritable security is to be recorded along with an assignation (or assignations) endorsed thereon, add at the end of the Warrant of Registration the words *along with the assignation* (or *assignations*) *endorsed hereon*.

NOTE 5.—When a disposition or bond and disposition in security or other deed, decree or heritable security (with the assignation or assignations, if any, endorsed thereon) is to be recorded along with a separate assignation or separate assignations, or along with a notice of title, add at the end of the

Warrant of Registration on such separate assignation or on the last in date of such separate assignations or on such notice of title, the words *along with the disposition* [or *bond and disposition in security*, or as the case may be; adding, if required, *and assignation* (or *assignations*)] *docquetted with reference hereto*.

SCHEDULE G

MINUTE OF CONSOLIDATION.

Section 11.

I, *A.B.*, designed in the foregoing disposition, proprietor both of the superiority and of the property (or of the mid-superiority) of the lands described in the foregoing disposition, hereby consolidate the property of the said lands (or the mid-superiority of the said lands) with the superiority thereof.

[To be attested.]

SCHEDULE H

MEMORANDUM OF ALLOCATION OF FEU DUTY NOT ENDORSED ON A DEED.

Sections 13, 25.

I, *A.B. (designation)*, immediate lawful superior of the lands and others (or subjects) after-mentioned [with consent of *C.D. (designation)*, heritable creditor under a bond and disposition in security, granted by me in his favour (or as the case may be) for the sum of (*insert amount*), dated (*insert date*) and recorded in (*specify Register of Sasines and date of recording*)] hereby allocate the original feu-duty of (*specify amount*) and duplicand thereof [or additional feu-duty of (*specify amount*)] payable under the feu charter granted by me (or as the case may be) in favour of *E.F. (designation)*, dated (*insert date*), and recorded in (*specify Register of Sasines and date of recording*) upon the following portions of the lands and others (or subjects) thereby disposed, namely (first) a feu-duty of £ with £ of augmentation, making a total of £ and duplicand thereof (or as the case may be) on all and whole (*describe or refer to a particular description*) and (second) a feu-duty of (*as above*) on all and whole (*describe or refer to a particular description*).

[To be attested.]

SCHEDULE I

DOCQUET WHERE GRANTEE OF DEED IS BLIND OR CANNOT WRITE.

Status: This is the original version (as it was originally enacted).

Section 18.

Read over to, and signed by me for, and by authority of the above-named *A.B.* (*without designation*) who declares that he is blind (*or is unable to write*), all in his presence, and in presence of the witnesses hereto subscribing

C.D., law agent (*or notary public*) Edinburgh (*or as the case may be*)

or E.F., justice of the peace for the county of

or G.H., minister (*or assistant and successor to the minister*) of the parish of

M.N., witness.

P.Q., witness.

NOTE.—The above docquet shall be written on the last page of the deed, instrument or writing, and signed by the law agent or notary public or other person authorised to sign the same in the manner indicated in the form, and such law agent or notary public or other person shall not require also to sign above the docquet at the end of such deed, instrument or writing, and the prior pages thereof (if any) shall be authenticated in the usual manner by such law agent or notary public or other person adhibiting his own signature thereto. The witnesses to the signatures of such law agent or notary public or other person shall subscribe as indicated in the form, and may be designed in the testing clause of such deed, instrument or writing; but if there be no testing clause thereto, the designations of the witnesses may be added after their respective signatures, and if desired a specification of the place and date of signing may be added to the docquet.

SCHEDULE J

REGISTRABLE LEASES.

Section 24.

A lease (*or tack*) granted by *E.F.* (*designation*) in my favour [*or in favour of G.H.* (*designation*) *or as the case may be*] of the subjects therein described lying in the county of (*or burgh of*) and county of (*or burgh of*) dated (*insert date*) and recorded in (*specify Register of Sasines and date of recording*).

NOTES TO SCHEDULE J.

NOTE 1.—If the recording of a lease in the appropriate Register of Sasines has been effected by a successor of the original lessee, add immediately after the mention of the date thereof *and along with notarial instrument (or notice of title) thereon in favour of* (giving the name and designation of the person in whose favour it is conceived) *recorded in* (specify Register of Sasines and date of recording).

NOTE 2.—Where any deed authorised by this Act relates to part only of the subjects contained in a lease add *but in so far only as regards the following portion of the subjects leased, viz.* (here describe the portion or refer to description thereof as in Schedule D. hereto).

NOTE 3.—Where the granter of an assignation of a recorded lease or of a bond and assignation in security of a recorded lease is not the original lessee but has a recorded title insert *which lease* (adding if necessary *to the extent foresaid* or as the case may be) *is now vested in me, my title thereto being recorded in the said Register of Sasines* (or as the case may be, and give date of recording).

NOTE 4.—In an assignation or renunciation of a recorded lease the title of the granter of which assignation or renunciation is not recorded, and in a notice of title to a recorded lease, insert *which lease* (adding if necessary *to the extent foresaid* or as the case may be) *was last vested in the said G.H. as aforesaid* [or if *G.H.* is not the person having such title say *in J.K.* (design person having such title) *whose title thereto is recorded in said Register of Sasines* (or as the case may be, and give date of recording)], *and from whom I* (in the case of an assignation or renunciation) *or the said A.B.* (in the case of a notice of title) *acquired right by* (here specify shortly the writ or series of writs by which right was so acquired by the person granting the assignation or renunciation, or expeding the notice of title.)

NOTE 5.—Where a title to an unrecorded lease is being completed by notice of title under this Act the lease shall be referred to in manner above prescribed except that the Register of Sasines shall be specified, and for the date of recording of the lease there shall be substituted the words *of even date herewith.*

SCHEDULE K

FORM NO. 1. ASSIGNATION OF A BOND AND DISPOSITION IN SECURITY.

Sections 3, 28, 31.

I, *A.B. (design creditor)*, in consideration of the sum of *(insert sum)*, paid to me by *C.D. (designation)*, hereby assign to the said *C.D.* a bond and disposition in security for the sum of *(insert sum)* granted by *E.F. (design original debtor)* in my favour [or in favour of *G.H. (design original creditor)*], dated *(insert date)*, and recorded in [*specify Register of Sasines and date of recording ; adding if necessary but only to the extent of (insert sum) of principal*]; With interest from *(insert date)*.

[To be attested.]

FORM No. 2.ASSIGNATION OF A GROUND ANNUAL.

Section 23.

I, *A.B. (design creditor)*, in consideration of the sum of *(insert sum)* paid to me by *C.D. (designation)* hereby assign to the said *C.D.* a ground annual of *(insert amount)* exigible yearly at *(state term or date of payment)* in each year [or in equal portions half-yearly at *(state terms or dates of payment)* in each year, or otherwise, as the case may be ; and if there be any duplications or other casual payments add with duplication every nineteenth year (or otherwise as the case may be) from and after *(state the term or date from which the current duplication or other casual payment is running)*] constituted by a contract of ground annual (or other deed by which the ground annual was constituted, giving the names and designations of the parties thereto, or of the grantor and grantee) recorded in [*specify Register of Sasines and date of recording ; and if any duplications or other casual payments have been redeemed and commuted into an additional annual payment say, and also the additional ground annual of (insert sum) exigible at the same term (or date) in each year (or as the case may be) in lieu and commutation of casual payments ; adding, if necessary, but only to the extent of (insert sum or respective sums)*] payable out of all and whole (*here describe the land or refer to description thereof as in Schedule D to this Act or as in Schedule G to the Titles to Land Consolidation (Scotland) Act, 1868*); With right to the said ground annual (or ground annual and others) from and after *(insert date)*.

[To be attested.]

FORM No. 3.DISCHARGE OF A BOND AND DISPOSITION IN SECURITY.

Sections 3, 29.

I, *A.B. (design creditor)*, in consideration of the sum of *(insert sum)* paid to me by *C.D. (designation)*, hereby discharge a bond and disposition in security for the sum of *(insert sum)* granted by the said *C.D.* [or by *E.F. (design original debtor)*] in my favour [or in favour of *G.H. (design original creditor)*] dated *(insert date)* and recorded in [*specify Register of Sasines and date of recording ; adding, if necessary, but only to the extent of (insert sum) of principal*].

[To be attested.]

FORM No. 4.DISCHARGE OF A GROUND ANNUAL.

Section 23

I, *A.B. (design creditor)*, in consideration of the sum of (*insert sum*) paid to me by *C.D. (designation)*, hereby discharge the ground annual of (*insert amount, and if there be any duplications or other casual payments add with duplications every nineteenth year or otherwise, as the case may be*), constituted by a contract of ground annual (*or other deed by which the ground annual was constituted, giving the names and designations of the parties thereto, or of the granter and grantee*) recorded in [*specify Register of Sasines and date of recording; and if any duplications or other casual payments have been redeemed and commuted into an additional annual payment say*] and also the additional ground annual of (*insert sum*) constituted in lieu and commutation of casual payments; *adding, if necessary, but only to the extent of (insert sum or respective sums)*] payable out of all and whole (*here describe the land or refer to description thereof as in Schedule D to this Act, or as in Schedule G to the Titles to Land Consolidation (Scotland) Act, 1868*).

[To be attested.]

FORM No. 5. DEED OF RESTRICTION OF A BOND AND DISPOSITION IN SECURITY.

Section 30.

I, *A.B. (design creditor)*, in consideration of (*specify consideration, if any*), hereby disburden of a bond and disposition in security for the sum of (*insert sum*) granted by *C.D. (design original debtor)* in my favour [*or in favour of G.H. (design original creditor)*], dated (*insert date*) and recorded in [*specify Register of Sasines and date of recording, adding, if necessary, but only to the extent of (insert sum) of principal*], all and whole (*describe the land disburdened, or refer to description thereof as in Schedule D to this Act or as in Schedule G to the Titles to Land Consolidation (Scotland) Act, 1868*).

[To be attested.]

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FORM No. 6. COMBINED PARTIAL DISCHARGE AND DEED OF RESTRICTION OF A BOND AND DISPOSITION IN SECURITY.

Section 30.

I, *A.B. (design creditor)*, in consideration of the sum of (*insert sum*) paid to me by *C.D. (designation)*, discharge a bond and disposition in security for the sum of (*insert sum*) granted by the said *C.D.* [*or by E.F. (design original debtor)*] in my favour [*or in favour of G.H. (design original creditor)*] dated (*insert date*) and recorded in (*specify Register of Sasines and date of recording*) but only to the extent of (*insert sum*) of principal; And I disburden of the said bond and disposition in security [*adding if necessary but only to the extent of (insert sum) of principal*] ALL and WHOLE (*describe the land disburdened, or refer to description thereof as in Schedule D to this Act or as in Schedule G to the Titles to Land Consolidation (Scotland) Act, 1868*).

[To be attested.]

FORM No. 7. DEED OF RESTRICTION OF A GROUND ANNUAL.

Status: This is the original version (as it was originally enacted).

Section 23.

I, *A.B. (design creditor)*, in consideration of (*specify consideration, if any*), hereby disburden of the ground annual of (*insert amount, and if there be any duplications or other casual payments add with duplications every nineteenth year or otherwise as the case may be*) constituted by a contract of ground annual (or other deed by which the ground annual was constituted, giving the names and designations of the parties thereto, or of the grantor and grantee) recorded in [*specify Register of Sasines and date of recording; and if any duplications or other casual payments have been redeemed or commuted into an additional payment say and also*] of the additional ground annual of (*insert sum*) constituted in lieu and commutation of casual payments, *adding, if necessary*, but only to the extent of (*insert sum or respective sums*) all and whole (*here describe the land disburdened or refer to description thereof as in Schedule D to this Act, or as in Schedule G to the Titles to Land Consolidation (Scotland) Act, 1868*); which lands are part of all and whole (*describe the lands out of which the ground annual is payable or refer to description thereof as above*) being the lands and others (or subjects) out of which the said ground annual is (or the said ground annual and others are) payable.

[To be attested.]

FORM No. 8. DECREE OF ADJUDICATION FOR A GROUND ANNUAL.

Section 23.

Having resumed consideration of the said petition (or action) finds and declares that the ground annual of (*insert amount*) payable from the lands and others (or subjects) hereinafter

described has fallen two years into arrear, and that the defender *C.D.* by his failure to pay said arrears has forfeited his right in and to the said lands and others (*or subjects*), and adjudges and declares that the said lands and others (*or subjects*), that is to say, all and whole (*here describe the land or refer to description thereof as in Schedule D to this Act, or as in Schedule G to the Titles to Land Consolidation (Scotland) Act, 1868*), now belong to the Pursuer *A.B.*, from and after the (*insert date of raising of the action or other date fixed by the Court*), together with the rents, maills, and duties of the said lands and others (*or subjects*) current and unpaid at that date, (*and if there are any conditions, reservations, provisions, obligations, servitudes, or other burdens which affect the land or any part thereof and have entered the Register of Sasines prior to the constitution of the ground annual, and which are proper to be inserted or referred to, here insert the same at length or refer thereto as in Schedule H. annexed to the Conveyancing (Scotland) Act, 1874*); and grants warrant to record an extract of this decree in the Register of Sasines.

NOTES TO SCHEDULE K.

NOTE 1.—If the original infertment upon a bond and disposition in security or other heritable security has been taken otherwise than by recording the same in the appropriate Register of Sasines, add immediately after the mention of the date of such bond and disposition in security or other deed *and instrument of sasine* (*or notarial instrument, or if such be the case and along with notice of title*) *thereon* (adding if such instrument or notice is not in favour of the original creditor the name and designation of the person in whose favour it is conceived) *recorded in* (specify Register of Sasines and date of recording).

NOTE 2.—Where the granter of an assignation, discharge or deed of restriction of a bond and disposition in security is not the original creditor, but has a recorded title, insert at the end of the deed *Which bond and disposition in security* (adding, if necessary, *to the extent aforesaid* or as the case may be) *is now vested in me, my title thereto being recorded in the said Register of Sasines* (or as the case may be, and give date of recording); or if such granter has not a recorded title say *was last vested in the said* (give name of original creditor) *as aforesaid* [or if he was not the person having the last recorded title, say *was last vested* (adding, if necessary, *to the extent aforesaid*, or as the case may be) *in J.K.* (design person having last recorded title) *whose title thereto was recorded in said Register of Sasines* (or as the case may be, and give date of recording)], *and from whom I acquired right* (adding, if necessary, *to the extent aforesaid* or as the case may be) *by* (here specify the writ or series of writs by which right was so acquired). In the case of an assignation, discharge or deed of restriction of a ground annual or other real burden the same course will be

Sections 3,
28, 29, 30, 31.

Status: This is the original version (as it was originally enacted).

Section 32.

I, *A.B. (designation)*, notary public (or law agent), hereby certify that *C.D. (designation)*, proprietor (or as the case may be), of the lands and others (or subjects) contained in the bond and disposition in security (or other heritable security) aftermentioned [or that *X.Y. (designation)*, the debtor in the bond and disposition in security (or other heritable security) aftermentioned] represented to me that on the (*insert date*) he caused to be consigned in the (*specify bank or branch of bank in which the money was consigned*) the sum of (*insert amount consigned*) being the cumulo amount (or the balance) of the principal sum, interest and expenses (or as the case may be) due (or remaining due) under the said bond and disposition in security (or other heritable security) conform to deposit receipt dated (*insert date*) by the said bank for said amount in the name of *E.F. (designation)*, the creditor in (or now in right of) the said bond and disposition in security (or other heritable security) [if he is only a partial creditor say to the extent of (*insert amount*)], which consignation was made in virtue of the power of redemption reserved in the bond and disposition in security for the sum of (*insert amount*) granted by the said *C.D.* [or by *G.H. (design original debtor)*] in favour of the said *E.F.* [or in favour of *J.K. (design original creditor)*] dated (*insert date*) and [adding if such be the case instrument of sasine or notarial instrument (or along with notice of title) thereon and if such instrument or notice is not in favour of the original creditor specifying the name and designation of the person in whose favour it is conceived] recorded in (*specify Register of Sasines and date of recording*); [If *E.F.* is not the original creditor but has a recorded title insert Which bond and disposition in security (adding if necessary to the extent aforesaid or as the case may be) is now vested in the said *E.F.* (or other person holding the last recorded title giving his name and designation) whose title thereto is recorded in the said Register of Sasines (or as the case may be, and give date of recording), and if *E.F.* is the successor of the person having such last recorded title specify *E.F.*'s right as successor to him]; And I further certify that such consignation was rendered necessary by the refusal of the said *E.F.* to receive the sum so consigned [or by the refusal (or incapacity) of the said *E.F.* to grant a valid discharge of the said bond and disposition in security (or other heritable security) or by the absence (or death) of the said *E.F.* or as the case may be, stating the reason why a valid discharge could not be obtained] notwithstanding that the requisite premonition was duly given, and that the said deposit receipt for the sum so consigned was presented to me.

A.B.

[To be attested.]

SCHEDULE M

NOTICE CALLING UP BOND

FORM No. 1.

Status: This is the original version (as it was originally enacted).

Section 33.

To *A.B.* (*insert name and last known address of person to whom notice is given*).

Take notice that *C.D.* (*name creditor*) requires payment of the principal sum of (*insert sum*) with interest thereon at the rate of per centum per annum from the day of due under a Bond and Disposition in Security by you [*or by E.F. (original debtor)*] in favour of the said *C.D.* [*or of G.H. (original creditor)*] of which the said *C.D.* is now in right], dated (*insert date*) and recorded in (*specify Register of Sasines, and date of recording*): And that failing full payment of the said principal sum, interest and expenses within three months after this demand the lands and others (*or subjects*) held in security may be sold.

Dated this day of (*date of giving notice personally or of posting same*).

(*To be signed by the creditor, or by his Agent, who will add his designation and the words Agent of the said C.D.*)

FORM No. 2.

Sections 34, 35.

I, *A.B.* above named, hereby acknowledge receipt of the foregoing notice (*or of the notice of which the foregoing is a copy*), and I agree to the period of notice being dispensed with (*or shortened to*). Dated this day of .

FORM No. 3.

Section 34.

Notice of which the foregoing is a copy was posted (*or otherwise, as the case may be*) to *A.B.* above named on the day of .

(*To be signed by the creditor, or by his Agent, who will add his designation and the words agent of the said C.D., and if posted the postal receipt to be attached.*)

SCHEDULE N

CERTIFICATE AS TO SURPLUS (IF ANY), OR NO SURPLUS, WHERE LAND IS SOLD UNDER A HERITABLE SECURITY.

Section 42.

I, *A.B. (insert designation)*, notary public (or law agent) with reference to the sale of the lands and others (or subjects) contained in the bond and disposition in security (or other heritable security) aftermentioned, which sale took place at (*insert place*) upon the (*insert date*) at the instance of *C.D. (insert designation)* in virtue of the power of sale contained in a bond and disposition in security (or other heritable security) for the sum of (*insert amount*) granted by *E.F. (design original debtor)* in favour of the said *C.D.* [or in favour of *G.H. (design original creditor)*] dated (*insert date*) and [adding if such be the case instrument of sasine or notarial instrument (or along with notice of title) thereon, and if such instrument or notice is not in favour of the original creditor, specify the name and designation of the person in whose favour it is conceived] recorded in [specify Register of Sasines, and date of recording; adding if such be the case To which bond and disposition in security (or other heritable security), adding if necessary to the extent of (*insert amount*), the said *C.D.* acquired right by succession (or transmission or as the case may be)], Do hereby certify that there has been submitted to me a statement of the intromissions of the said *C.D.*, with the price of said land subscribed by the said *C.D.* [or by *J.K. (insert designation)* agent of the said *C.D.* on his behalf] from which it appears that no surplus remains for consignation in terms of section 122 of the Titles to Land Consolidation (Scotland) Act, 1868 [or where such surplus remains say from which it appears that a surplus of (*insert amount*) remains for consignation in terms of section 122 of the Titles to Land Consolidation (Scotland) Act, 1868, and I further certify that such surplus has been so consigned in (*specify bank or branch of bank in which the money was consigned*) conform to deposit receipt dated (*insert date*) by said bank for said amount in the joint names of the said *C.D.* and of *L.M. (insert designation of the purchaser of said land)*, which deposit receipt has been presented to me].

A.B.

[To be attested.]