



Entail (Scotland) Act 1882

1882 CHAPTER 53

15 Consent of heir who has disappeared

In any application to the Court under the Entail Acts to which the consent of an heir is required, and the applicant shall make affidavit that such consent cannot be obtained in consequence of the absence from Scotland or disappearance of such heir, and that such heir is absent from Scotland, or has disappeared and cannot be found, the Court after such inquiry as it may think fit, shall, if satisfied that the statements contained in the affidavit are true, ascertain the value in money of the expectancy or interest of such heir in the estate, and shall direct the sum so ascertained to be paid into bank in name or for behoof of such heir, or invested in such security and in such way as the Court may direct, and thereupon the Court shall dispense with such consent, and shall proceed as if such consent had been obtained.