



# Entail (Scotland) Act 1882

1882 CHAPTER 53 45 and 46 Vict

## 22 Court may prescribe manner of sale.

The Court shall fix the time and place and manner of sale, and may authorise the sale of the estate, or such part of it, in whole or in lots, and either by public auction at such upset price or by private bargain at such price as the Court may direct, or partly by public auction and partly by private bargain, and if more advantageous to the parties, may direct the sale to be for feuduty instead of a price to be immediately paid, or partly for a feuduty and partly for a price.

Provided that the sale shall not be by private bargain if either the applicant or the next heir shall intimate within one month after the order for sale that he desires the sale to be by public auction.

When the estate is sold by public auction any creditor or person interested other than the applicant, may be the purchaser.

**Changes to legislation:**

Entail (Scotland) Act 1882, Section 22 is up to date with all changes known to be in force on or before 02 August 2024. 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.

[View outstanding changes](#)

**Commencement Orders yet to be applied to the Entail (Scotland) Act 1882**

Commencement Orders bringing legislation that affects this Act into force:

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