



# Entail (Scotland) Act 1882

1882 CHAPTER 53 45 and 46 Vict

## 25 Disposition to be granted at sight of Court.

Upon payment of the price in money or stock as above provided (or without payment, where the sale is for a feuduty), the applicant, or his tutors, curators, or administrators, or his heirs, shall grant a disposition at the sight of the Court containing all clauses usual and necessary for the purposes of the conveyance (according to the nature of the transaction), and in particular a clause providing that the purchaser shall have warrandice against the price, so long as the same shall remain extant, deposited or invested as aforesaid, and binding the applicant and his heirs of provision in warrandice to the extent of the shares of the price received by them respectively, in the event of the price being disentailed and divided among the applicant and his heirs of provision according to their respective interests therein. Where a portion of the price is to be secured on the estate, a bond and disposition in security containing all usual clauses shall be granted, or if the court shall declare that any sum of money shall be a real burden on the estate, such decree on being recorded in the appropriate register of sasines shall have the same force and effect as a bond and disposition in security duly recorded in such register.

### Modifications etc. (not altering text)

C1 Ss. 24, 25 amended by [Land Registration \(Scotland\) Act 1979 \(c. 33, SIF 31:3\)](#), s. 29(2)(3)

**Changes to legislation:**

Entail (Scotland) Act 1882, Section 25 is up to date with all changes known to be in force on or before 24 May 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 \(2000 asp 5\)](#)