



Regimental Debts Act 1893

1893 CHAPTER 5

Disposal of Surplus and Residue

9 Disposal by Secretary of State of residue where residue does not exceed one hundred pounds, and no representation

Where the residue does not exceed one hundred pounds, the Secretary of State may, if he thinks fit, require representation to be taken out; but if he does not, and has no notice of a representative of the deceased, then, after the expiration of the prescribed time and the publication of the prescribed notice (if any), the residue shall be disposed of as follows :

- (1) The Secretary of State may, if he thinks fit, pay or apply the residue or any part thereof, in accordance with the prescribed regulations to or for the benefit of any of the persons appearing to be beneficially entitled to the personal estate of the deceased, or any of them, and may for that purpose invest the same by deposit in a military or other savings bank or otherwise, and, if necessary, in the name or names of a trustee or trustees for any such person.
- (2) Any part thereof remaining in the hands of the Secretary of State, and not irrevocably appropriated, shall be applied in paying any debt of the deceased which—
 - (a) accrued due within three years before the death; and
 - (b) is claimed from the Secretary of State within two years after the death; and
 - (c) is proved by the claimant to the satisfaction of the Secretary of State.
- (3) Except as above in this section provided, a person shall not be entitled to obtain payment out of any residue in the hands of the Secretary of State of any sum due from the deceased.