



# Small Testate Estates (Scotland) 1876

1876 CHAPTER 24 39 and 40 Vict

**5 Commissary clerk must be satisfied that whole estate is under 150/.**

If the commissary clerk of the county has reason to believe that [<sup>F1</sup>the estate and effects of which the testate died possessed exceed [<sup>F2</sup>the value] specified in section three of this Act] , he shall refuse to proceed with the application until he is satisfied as to the true value thereof.

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**Textual Amendments**

**F1** Words substituted by [Small Estates \(Representation\) Act 1961 \(c. 37\), s. 1\(1\), Sch. 1 para. 2\(2\)](#)

**F2** Words substituted by Confirmation to [Small Estates \(Scotland\) Act 1979 \(c. 22, SIF 116:2\), s. 1\(2\)\(b\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Small Testate Estates (Scotland) 1876, Section 5.