

**POPULAR LAW SERIES, NO. 3. WILLS AND  
SUCCESSION: INCLUDING WILLS, AND HOW  
TO MAKE THEM: SUCCESSION TO THE  
PROPERTY OF DECEASED PERSON: DUTIES,  
POWERS AND RESPONSIBILITIES OF TRUSTEES  
AND EXECUTORS: GOVERNMENT DUTIES**

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Succession to the Property of Deceased Person: Duties, Powers and Responsibilities of Trustees  
and Executors: Government Duties by Allan M'Neil

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**ALLAN M'NEIL**

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POPULAR LAW SERIES, No. 3.

# WILLS AND SUCCESSION

INCLUDING

WILLS, AND HOW TO MAKE THEM;  
SUCCESSION TO THE PROPERTY OF DECEASED  
PERSONS; DUTIES, POWERS AND RESPONSIBILITIES  
OF TRUSTEES AND EXECUTORS;  
GOVERNMENT DUTIES

WITH

A TABLE SHOWING THE DISTRIBUTION OF  
THE MOVEABLE ESTATE OF PERSONS  
DYING WITHOUT A WILL

BY

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SOLICITOR AND NOTARY PUBLIC, EDINBURGH; JOINT AUTHOR OF  
'BANKING LAW'; AUTHOR OF 'POPULAR LAW SERIES,' NOS. 1 AND 2

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## INTRODUCTORY NOTE TO SERIES.

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Two of the unavoidable evils against which man has to struggle in his pilgrimage through this world are his Doctor and his Lawyer. The impregnability of the former's position is based on the mystery which has always surrounded his art. Those wonderful Latin symbols have always proved a terror to the uninitiated. Every attempt to expound in simple language the secrets of Medical Science has ended in increased work for the doctor and a bigger bill to pay. In matters legal, a somewhat similar state of things exists. No layman ever thinks of attempting to decipher those weird-looking documents called "Titles." Such mysteries require an expert, and it will be found in most cases less expensive in the long run, when legal difficulties arise, to at once consult a Solicitor. But there are many of the simpler parts of legal procedure which can perfectly well be put before the attention of the layman. Many of these concern matters of every-day life; and it is the intention of the Publisher in this series of handbooks to place before his readers in the simplest language a summary of the laws relating to such subjects as "Husband and Wife"—"Landlord and

Tenant"—"Master and Servant," &c. Every technical expression will be avoided, or else explained; and, as careful attention will be devoted to stating what is the latest deliverance on any point, the reader will thus be rendered capable of forming a fairly accurate idea of what, in certain circumstances, his course of action should be as long as he thinks fit to conform to the laws of his country.

A. M'N.

EDINBURGH, 15th March 1895.



### NOTE TO NUMBER III.

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IN the first number of the present Series the main features of the law relating to Husband and Wife were dealt with. In the second number the law relating to Landlord and Tenant, in so far as bearing upon leases of Urban tenements, was considered. We now proceed to a consideration of the law relating to Wills and Succession.

We are daily and continually being reminded of the certainty of death as well as of the uncertainty of the time thereof, and the consequent duty of everyone to leave his worldly matters so regulated that when he is called upon to answer "adsum" to the universal roll-call, these matters will be settled as if he had been in life and present at the distribution. It can be no comfort to a man when he is racked with the pains or harassed with the anxious forebodings of a death-bed—when the dreams of worldly ambitions are all dissipated—when before him lies the unknown, the unexplored, and the unseen world—to know that he leaves his worldly affairs in confusion or to the disposal of the law, and that his means may pass into hands for which they were never destined, or be employed for purposes he never intended, and all of which might have been

prevented if he had left in the proper form, the written manifestations of his Will. It is the intention of the author in the present Number to deal with the leading features of the law with regard to (1) the requisites of a valid Will and who may make one, (2) the extent to which a person can regulate the succession to his or her property by Will, (3) how the law disposes of the property of a deceased person in the event of no valid Will having been left, (4) donations made by persons during their lifetime, (5) the duties, powers, and responsibilities of trustees and executors, (6) the special provisions enacted as to the disposal of money lodged in Savings Banks, and (7) the Government Duties payable in respect of the value of estates left by deceased persons. In the Appendix there will be found a table showing the persons among whom the moveable property of a person dying without a Will is divisible.

Considering the importance and magnitude of the law relating to Wills and Succession, it is impossible within the limits of this work to do more than deal generally with the subject; but it is hoped that the volume will at least prove of some assistance in enabling readers to form a correct idea as to the present state of the law with regard to the disposal and management of estates left by deceased persons.

A. M'N.

EDINBURGH, *September 1896.*

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