



Thirlage Act 1799

1799 CHAPTER 55 39 Geo 3

3 Sheriff, &c. not to declare land thirled if the proprietor deny it, unless the other party produce proof of the right.

Provided always, that it shall not be lawful to the said sheriff or steward depute or substitute to pronounce any judgement or decree finding or declaring lands to be thirled or astricted to a mill, where the proprietor of the lands denies the existence of any such right of thirlage, unless the other party produce an extract of a decree of declarator pronounced by the Court of Session, or sufficient evidence thereof in proof of his right, and that the said sheriff or steward depute or substitute shall (such production not being made) dismiss the petition in so far as regards the lands which are denied to be thirled, and proceed only to the valuation of the thirlage of those lands which are confessed to be thirled, as in manner is before directed.

Changes to legislation:

Thirlage Act 1799, Section 3 is up to date with all changes known to be in force on or before 29 August 2022. 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 Thirlage Act 1799

Commencement Orders bringing legislation that affects this Act into force:

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