



# Thirlage Act 1799

## CHAPTER 55

### THIRLAGE ACT 1799

- [1.] Proprietors of lands thirled, or of mills to which lands are thirled, may apply to have the thirlage commuted, to the sheriff or steward depute, or substitute, who shall proceed as herein directed. Act not to infringe the right of taking materials for supporting mill dams, &c.
- 2 Sheriff, &c. may determine all questions in law contained in petitions and answers.
- 3 Sheriff, &c. not to declare land thirled if the proprietor deny it, unless the other party produce proof of the right.
- 4 After three years registration of the verdict, it shall not be altered, &c.
- 5 After verdict all restrictions to cease, and the proprietor of the mill shall be bound to receive the compensation in corn, or its value in money, at the option of the payer.
- 6 Verdict not to be delayed by absence of any persons interested, but the day for taking it may be adjourned, on sufficient reason being shown.
- 7 Annual payment in lieu of thirlage to be made at Candlemas.
- 8 The commutation for thirlage to mills let on lease shall be full compensation to the lessees of the mills; and where paid by proprietors of lands thirled and let on lease, the lessee of the lands shall repay the proprietor.
- 9 On objection of tenants paying one fourth of the rent of lands thirled, a jury shall proportion the commutation.
- 10 Commutation shall not give claim to the mill proprietor to relief from the land tax, nor affect right of freehold.
- 11 Thirlage of the invecta et illata may be purchased.
- 12 Such thirlage may be purchased notwithstanding the mill be held under a deed of entail on certain conditions.
- 13 If mill and lands be within different counties, application to be made to the sheriff where the mill is situate.

**Changes to legislation:** Thirlage Act 1799 is up to date with all changes known to be in force on or before 23 January 2023. 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. (See end of Document for details) [View outstanding changes](#)

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- 14 Act not to extend where an annual payment under the name of dry multure is fixed.

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**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)