



# Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

## *Application of compensation*

**76 Upon deposit being made, a receipt to be given, and the lands to vest upon a notarial instrument being executed.**

Upon any such deposit of money as last aforesaid being made the cashier or other proper officer of such Bank shall give to the promoters of the undertaking, or to the party paying in such money by their direction, a receipt for such money, specifying therein for what and for whose use (described as aforesaid) the same shall have been received, and in respect of what purchase the same shall have been paid in; and it shall be lawful for the promoters of the undertaking, if they think fit, to expedite an instrument under the hands of a notary public, containing a description of the lands in respect whereof such deposit shall have been made, and declaring the circumstances under which and the names of the parties to whose credit such deposit shall have been made, and such instrument shall be stamped with the stamp duty which would have been payable upon a conveyance to the promoters of the undertaking of the lands described therein; and thereupon all the [F1right] and interest in such lands of the parties for whose use and in respect whereof such purchase money or compensation shall have been deposited shall vest absolutely in the promoters of the undertaking, and as against such parties they shall be entitled to immediate possession of such lands; and such instrument, being registered in the register of sasines in manner herein-after directed in regard to conveyances of land, shall have the same effect as a conveyance so registered.

### **Textual Amendments**

**F1** Word in s. 76 substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 4\(9\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

### **Modifications etc. (not altering text)**

**C1** S. 76 modified by [Agriculture \(Miscellaneous Provisions\) Act 1968 \(c. 34\)](#), s. 14(3), [Sch. 4](#), paras. 4, 5

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**Changes to legislation:** There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 76. (See end of Document for details)

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- C2** S. 76 modified by Gas Act 1972 (c. 60), s. 6(5), **Sch. 2 para. 27** and by Land Compensation (Scotland) Act 1973 (c.56, SIF 28:2), **s. 48(9)(a)**
- C3** S. 76 extended by Land Compensation (Scotland) Act 1973 (c. 56, SIF 28:2), **s. 10(2)**
- C4** S. 76 applied with modifications by Land Compensation (Scotland) Act 1973 (c. 56, SIF 28:2), **s. 50(7)**  
S. 76 applied (with modifications) (27.5.1997) by 1997 c. 8, **ss. 97(10)**, 278(2)
- C5** S. 76 modified by Gas Act 1986 (c. 44, SIF 44:2), s. 9(3), **Sch. 3 Pt. III para. 25**
- C6** S. 76 modified (25.9.1991) by Agricultural Holdings (Scotland) Act 1991 (c. 55, SIF 2:3), ss. 57(4), 89(2), **Sch. 8 para. 6(a)**(with s. 45(3), Sch. 12 para. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 76.