



Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

Purchase of lands by agreement

9 Amount of compensation, in case of parties under disability, to be ascertained by valuation, and paid into the Bank.

The purchase money or compensation to be paid for any lands, or any rights or interest therein, to be purchased or taken from any party under any disability or incapacity, and not having power to sell or convey such lands, or rights or interests therein, except under the provisions of this or the special Act, and the compensation to be paid for any permanent damage or injury to any such lands, shall not, except where the same shall have been determined by the sheriff, or by the verdict of a jury, or by arbitration, or by the valuation of a valuator appointed by the sheriff under the provision herein-after contained, be less than shall be determined by the valuation of two able practical valutors, one of whom shall be nominated by the promoters of the undertaking, and the other by the other party, and if such two valutors cannot agree in the valuation, then by such third valuator as the sheriff shall, upon application of either party, after notice to the other party, for that purpose nominate; and each of such two valutors, if they agree, or if not, then the valuator nominated by the said sheriff, shall annex to the valuation a declaration in writing, subscribed by them or him, of the correctness thereof; and all such purchase money or compensation shall be deposited in the Bank, for the benefit of the parties interested, in manner herein-after mentioned.

Modifications etc. (not altering text)

C1 S. 9 applied with modifications by [Lands Clauses Consolidation Acts Amendment Act 1860 \(c. 106\)](#), s. 4

Changes to legislation:

There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 9.