



Land Clauses Consolidation Act 1845

1845 CHAPTER 18 8 and 9 Vict

Application of compensation

73 All sums payable under contract with persons not absolutely entitled, to be paid into Bank.

All sums of money exceeding twenty pounds which may be payable by the promoters of the undertaking in respect of the taking, using, or interfering with any lands under a contract or agreement with any person who shall not be entitled to dispose of such lands, or of the interest therein contracted to be sold by him, absolutely for his own benefit, shall [^{F1}be paid into the [^{F2}Senior Courts]] or to trustees in manner aforesaid; and it shall not be lawful for any contracting party not entitled as aforesaid to retain to his own use any portion of the sums so agreed or contracted to be paid for or in respect of the taking, using, or interfering with any such lands, or in lieu of bridges, tunnels or other accommodation works, or for assenting to or not opposing the passing of the bill authorizing the taking of such lands, but all such monies shall be deemed to have been contracted to be paid for and on account of the several parties interested in such lands, as well in possession as in remainder, reversion, or expectancy: Provided always, that it shall be in the discretion of the Court of Chancery, . . . ^{F3} or the said trustees, as the case may be, to allot to any tenant for life, or for any other partial or qualified estate, for his own use, a portion of the sum [^{F1}paid into the [^{F2}Senior Courts]] or to such trustees as aforesaid, as compensation for any injury, inconvenience, or annoyance which he may be considered to sustain, independently of the actual value of the lands to be taken, and of the damage occasioned to the lands held therewith, by reason of the taking of such lands and the making of the works.

Textual Amendments

- F1** Words substituted by [Administration of Justice Act 1965 \(c. 2\), S. 17, Sch. 1](#)
- F2** Words in Act (except s. 3) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), s. 148\(1\), Sch. 11 para. 9\(2\)](#); [S.I. 2009/1604, art. 2\(d\)](#)
- F3** Words repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

Changes to legislation: There are currently no known outstanding effects for the Land Clauses Consolidation Act 1845, Section 73. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 73 excluded by Pipe-lines Act 1962 (c. 58), s. 51(4)
- C2** S. 73 modified by [Judicature \(Northern Ireland\) Act 1978 \(c. 23, SIF 38\)](#), **Sch. 5 Pt. II** (as amended (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), Sch. 11 para. 6; S.I. 2009/1604, art. 2(d))

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