



Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

Conveyances

And with respect to the conveyances of lands, be it enacted as follows:

80 Form of conveyances.

^{F1}... conveyances of lands so to be purchased as aforesaid may be according to the form of [^{F2}Schedule (A.)] to this Act annexed, or as near thereto as the circumstances of the case will admit; which ^{F1}... conveyances, being duly executed, and being registered in ^{F1}... the general register of sasines ^{F1}... shall give and constitute a good and undoubted right and complete and valid ^{F1}... title in all time coming to the promoters of the undertaking, and their successors and assigns, to the premises therein described, any law or custom to the contrary notwithstanding^{F1}....

Textual Amendments

- F1** Words in s. 80 repealed (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 4\(12\)\(a\)\(c\)](#), [sch. 13 Pt. 1](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F2** Words in s. 80 substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 4\(12\)\(b\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

Modifications etc. (not altering text)

- C1** S. 80 extended by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52, SIF 123:2\)](#), s. 278, [Sch. 24 para. 37](#)

81 Expences of conveyances.

The expences of all conveyances of lands shall be borne by the promoters of the undertaking; and such expences shall include all charges and expences, incurred on the part as well of the seller as of the purchaser, of all conveyances of any such lands,

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

and of any interest therein, and of establishing the title to such lands, and all other reasonable expences incident to the investigation of such title.

Modifications etc. (not altering text)

C2 S. 81 amended by [Town and Country Planning \(Scotland\) Act 1959 \(c. 70\)](#), s. 48

82 Taxation of expences of conveyances

If the promoters of the undertaking and the party entitled to any such expences shall not agree as to the amount thereof, such amount shall be ascertained and decerned for by the lord ordinary, on a summary petition presented to him by the party entitled to recover the same; and the promoters of the undertaking shall pay to the party entitled thereto what the said lord ordinary shall decree for or in respect of such expences, or in default thereof the same may be recovered in the same way as any other expences payable under an order or decree of the court, or the same may be recovered by poinding and sale in the manner herein-before provided in other cases of expences; and the expence of taxing such expences shall be borne by the promoters of the undertaking, unless upon such taxation one sixth part of the amount of such expences shall be disallowed, in which case the expences of such taxation, and of or incident to the application to the lord ordinary, shall be borne by the party whose expences to the lord ordinary, shall be borne by the party whose expences shall be so taxed, and the amount thereof shall be ascertained by the said lord ordinary, and deducted by him accordingly in his judgment or decerniture.

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