



Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

Interpretations in this Act

And with respect to the construction of this Act, and other Acts to be incorporated therewith, be it enacted as follows:

2 “special Act:” “prescribed:” “the works:” “promoters of the undertaking.”

The expression “the special Act” used in this Act shall be construed to mean any Act which shall be hereafter passed, and which shall authorize the taking of lands for the undertaking to which the same relates, and with which this Act shall be so incorporated as aforesaid; and the word “prescribed” used in this Act, in reference to any matter herein stated, shall be construed to refer to such matter as the same shall be prescribed or provided for in the special Act, and the sentence in which such word shall occur shall be construed as if instead of the word “prescribed” the expression “prescribed for that purpose in the special Act” had been used; and the expression “the works,” or “the undertaking” shall mean the works or undertaking, of whatever nature, which shall by the special Act be authorized to be executed; and the expression “the promoters of the undertaking” shall mean the parties, whether company, undertakers, commissioners, trustees, corporations, or private persons by the special Act empowered to execute such works or undertaking.

3 Interpretations in this and the special Act. number: gender: “lands:” “lease:” “month:” “lord ordinary:” “sheriff:” “justices:” “owner:” “the Bank.”

The following words and expressions both in this and the special Act shall have the several meanings hereby assigned to them, unless there be something either in the subject or context repugnant to such construction; (that is to say,)

Words importing the singular number only shall include the plural number; and words importing the plural number only shall include the singular number:

Words importing the masculine gender only shall include females:

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

The word “lands” shall extend to houses, lands, tenements, and heritages, of any description or tenure:

The word “lease” shall include a missive of lease:

The word “month” shall mean calendar month:

The “lord ordinary” shall mean the lord ordinary of the Court of Session in Scotland officiating on the bills in time of vacation, or the junior lord ordinary, if in time of session, as the case may be:

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The word “county” shall include any ward or other like division of a county:

The word “sheriff” shall include the sheriff substitute:

The word “justices” shall mean justices of the peace acting for the county, city, liberty, or place where the matter requiring the cognizance of any such justice shall arise, and who shall not be interested in the matter; and where such matter shall arise in respect of lands, being the property of one and the same party, situate not wholly in any one county, city, liberty, or place, the same shall mean a justice acting for the county, city, liberty, or place where any part of such lands shall be situate, and who shall not be interested in such matter; and where any matter shall be authorized or required to be done by two justices the expression “two justices” shall be understood to mean two or more justices assembled and acting together.

Where under the provisions of this or the special Act, or any Act incorporated therewith, any notice shall be required to be given to the owner of any lands, or where any Act shall be authorized or required to be done with the consent of any such owner, the word “owner” shall be understood to mean any person or corporation, or trustees or others, who, under the provisions of this or the special Act, would be enabled to sell and convey lands to the promoters of the undertaking:

The expression “the Bank” shall mean any one of the incorporated or chartered banks in Scotland.

Textual Amendments

F1 Definition of “oath” repealed by [Statute Law \(Repeals\) Act 1981 \(c. 19\)](#), [Sch. 1 Pt. VIII](#)

4 Short title of the Act.

In citing this Act in other Acts of Parliament and in legal instruments it shall be sufficient to use the expression “The Lands Clauses Consolidation (Scotland) Act, 1845.”

5 Form in which portions of this Act may be incorporated with other Acts.

And whereas it may be convenient in some cases to incorporate with Acts of Parliament hereafter to be passed some portion only of the provisions of this Act: Be it therefore enacted, that for the purpose of making any such incorporation it shall be sufficient in any such Act to enact that the clauses of this Act with respect to the matter so proposed to be incorporated (describing such matter as it is described in this Act in the words introductory to the enactment with respect to such matter,) shall be incorporated with such Act; and thereupon all the clauses and provisions of this Act with respect to the matter so incorporated shall, save so far as they shall be expressly varied or excepted by such Act, form part of such Act, and such Act shall be construed

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as if the substance of such clauses and provisions were set forth therein with reference to the matter to which such Act shall relate.

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