



# Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

*Interests omitted to be purchased*

**119 Promoters of the undertaking to pay the expences of litigation as to such lands.**

**S**

In addition to the said purchase money, compensation, or satisfaction, and before the promoters of the undertaking shall become absolutely entitled to any such [<sup>F1</sup>right] , interest, or charge, or to have the same merged or extinguished for their benefit, they shall, when the right to any such [<sup>F1</sup>right] , interest, or charge shall have been disputed by the company, and determined in favour of the party claiming the same, pay the full expences of any proceedings at law or in equity for the determination or recovery of the same to the parties with whom any such litigation in respect thereof shall have taken place; and such expences shall, in case the same shall be disputed, be settled by the proper officer of the court in which such litigation took place.

#### Textual Amendments

**F1** Words in s. 119 substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000 \(asp 5\)](#), ss. 71, 77(2), [sch. 12 para. 4\(20\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

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

**C1** S. 119 applied with modifications by [Gas Act 1972 \(c. 60, SIF 44:2\)](#), [s. 6\(5\) Sch. 2 para. 29](#)

**C2** S. 119 excluded by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52, SIF 123:2\)](#), s. 278, [Sch. 24 para. 31](#)

S. 119 excluded (27.5.1997) by [1997 c. 8, ss. 195, 278\(2\)](#), [Sch. 15 Pt. II para. 31](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 119.