



Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

Purchase of lands by agreement

7 Parties under disability enabled to sell and convey.

It shall be lawful for all parties, being possessed of any lands, or any such right or interest therein, to contract for, sell, convey, and dispose of such lands, or of such right therein, to the promoters of the undertaking, and to enter into all necessary agreements for these purposes; and particularly it shall be lawful for the parties following so to do; (that is to say,) all corporations, heirs of entail, life-renters, or persons holding any other partial or qualified estate or interest, married women seised in their own right or entitled to terce or dower, or any other right or interest husbands, tutors, curators, and other guardians for [^{F1}persons under legal disability by reason of nonage][^{F2}persons suffering from mental disorder within the meaning of the ^{M1}Mental Health (Scotland) Act 1960], or for persons under any other disability or incapacity, judicial factors, trustees or feoffees in trust for charitable or other purposes, executors, and administrators; and the power so to contract for, sell, convey, and dispose of as aforesaid may lawfully be exercised by all such parties, not only on behalf of themselves and their respective heirs, executors, administrators, and successors, but also for and on behalf of every person entitled in reversion or expectancy after them, and as to such married women as if they were sole, and as to such tutors, curators, guardians, judicial factors, and trustees, on behalf of those for whom they respectively act, whether [^{F1}persons under legal disability by reason of nonage] issue unborn, bankrupts, [^{F2}persons suffering from mental disorder within the meaning of the ^{M2}Mental Health (Scotland) Act 1960], married women, or other incapacitated persons, and that to the same extent as such [^{F1}persons under legal disability by reason of nonage] bankrupts, [^{F2}persons suffering from mental disorder within the meaning of the Mental Health (Scotland) Act 1960], married women, and other incapacitated persons respectively could have exercised the same power under the authority of this and the special Act if they had respectively been under no disability.

Status: Point in time view as at 25/09/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 7. (See end of Document for details)

Textual Amendments

- F1** Words in s. 7 substituted (25.9.1991) by Age of Legal Capacity (Scotland) Act 1991 (c. 50, SIF 49:8), ss. 10(1), 11(2), **Sch. 1 para. 3** (with s. 1(3))
- F2** Words substituted by Mental Health (Scotland) Act 1960 (c. 61), **Sch. 4**

Modifications etc. (not altering text)

- C1** S. 7 excluded by Crofting Reform (Scotland) Act 1976 (c. 21, SIF 2:4), **s. 5(1)**
- C2** S. 7 excluded (5.1.1994) by 1993 c. 44, **s. 16(1)**, 64(2)

Marginal Citations

- M1** 1960 c. 61
- M2** 1960 c. 61

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