



Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

Application of compensation

75 Where parties refuse to convey, or do not show title, or cannot be found, the purchase money to be deposited.

If the owner of any such lands purchased or taken by the promoters of the undertaking, or of any interest therein, on tender of the purchase-money or compensation either agreed or awarded to be paid in respect thereof refuse to accept the same, or neglect or fail to make out a title to such lands, or to the interest therein claimed by him, to the satisfaction of the promoters of the undertaking, or if he refuse or is unable validly to convey such lands as directed by the promoters of the undertaking, or to discharge or obtain a discharge of any burden or incumbrance thereon which was not specially excepted from discharge, or if any such owner be absent from the kingdom, or cannot after diligent inquiry be found, or fail to appear on the inquiry before a jury, as herein provided for, it shall be lawful for the promoters of the undertaking to deposit the purchase money or compensation payable in respect of such lands, or any interest therein, in the Bank, to be placed, except in the cases herein otherwise provided for, to an account to be opened in the name of the parties interested in such lands, (describing them, so far as the promoters of the undertaking can do,) subject to the control and disposition of the Court of Session.

Modifications etc. (not altering text)

- C1** S. 75 modified by Agriculture (Miscellaneous Provisions) Act 1968 (c. 34), s. 14(3), Sch. 4 paras. 4, 5
- C2** S. 75 extended by Land Compensation (Scotland) Act 1973 (c. 56, SIF 28:2), s. 10(2)
- C3** S. 75 modified by Land Compensation (Scotland) Act 1973 (c. 56, SIF 28:2), s. 48(9)(a)
- C4** S. 75 applied with modifications by Land Compensation (Scotland) Act 1973 (c. 56, SIF 28:2), s. 50(7)
- S. 75 applied (with modifications) (27.5.1997) by 1997 c. 8, ss. 97(10), 278(2)

Status: Point in time view as at 25/09/1991.

Changes to legislation: There are currently no known outstanding effects for the *Lands Clauses Consolidation (Scotland) Act 1845, Section 75*. (See end of Document for details)

C5 S. 75 modified (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 57(4), 89(2), **Sch. 8 para. 6** (a)(with s. 45(3), Sch. 12 para. 3)

Status:

Point in time view as at 25/09/1991.

Changes to legislation:

There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 75.