Division of Commonties Act 1695

1695 CHAPTER 69

Act concerning the Dividing of Commonties

Modifications etc. (not altering text)

C1 Short title "The Division of Commonties Act 1695" given by Statute Law Revision (Scotland) Act 1964 (c. 80), **Sch. 2**

C2 Act extended by Sheriff Courts (Scotland) Act 1907 (c. 51), **s. 5(3)**

C3 Word omitted under authority of Statute Law Revision Act 1948 (c. 62), **s. 3(1)(d)**

C4 This act is listed in 12mo edition as 1695 c. 38

Our Soveraign Lord with Advice and Consent of the Estates of Parliament for preventing the disscords that arise about Commonties and for the more easie and expedit deciding thereof in time coming Statutes and Ordains that all Commonties excepting the Commonties belonging to the King and Royal Burrowes that is all that belong to his Majesty in property or Royal Burrowes in Burgage may be divided at the instance of any having interest by Summonds raised against all persons concerned before the Lords of Session who are hereby Impowered to disscuss the Relevancy and to determine upon the rights and interests of all parties concerned and to value and divide the same according to the value of the rights and interests of the several parties concerned and to grant Commissions to Shirriffs Baillies of Regality and their Deputs Justices of Peace or others for perambulating and taking all other necessary probation Which Commissions shall be reported to the saids Lords and the saids processes ultimatly determined by them And where mosses shall happen to be in the saids Commonties with power to the saids Lords to divide the saids mosses amongst the several parties having interest therein in manner forsaid or in case it be Instructed to the saids Lords that the saids mosses can not be conveniently divided His Majesty with consent forsaid Statutes and Declares the said mosses shall remain common with free ish and entrie thereto whither divided or not Declaring also that the interest of the Heretors having right in the said Commonties shall be estimat according to the Valuation of their respective Lands or properties And which Divisions are appoynted to be made of that part of the Commonty that is next adjacent to each heretors property

Status:
Point in time view as at 01/02/1991.

Changes to legislation:
There are currently no known outstanding effects for the Division of Commonties Act 1695.