



Crofters Holdings (Scotland) Act 1887

1887 CHAPTER 24 50 and 51 Vict

2 Stay of proceedings for sale of crofter's effects.

Any crofter who has made or shall make an application to the Crofters Commission to fix a fair rent for his holding, and against whom legal proceedings have been taken for payment of rent, may apply, under the same or any subsequent application, to the Crofters Commission for an order prohibiting the sale of the landholder's effects upon the said holding by virtue of any decree for payment of such rent; and the Crofters Commission, if satisfied that such sale would have the effect of defeating in the case of such landholder the intention of the principal Act, may, upon such terms as to payment of rent or otherwise as they shall think fit, grant an order prohibiting such sale till the application to fix a fair rent has been finally determined.

Any application under this section shall be made . . . ^{F1} at any time before the expiration of the *induciae* in the action.

The Crofters Commission shall consider and determine applications under this section summarily . . . ^{F2} The powers conferred by this Act are in addition to those contained in subsection four of section six of the principal Act, and where any landholder has, subsequent to the Crofters Holdings (Scotland) Act, 1886, coming into operation, granted a bill or promissory note at the request of his landlord for arrears of rent, the Crofters Commission shall not be precluded from dealing with such arrears under the said Act; and where any landholders shall have been called on to pay, and shall have paid, to the holder of such bill or note any larger sum than the Crofters Commission shall hold ought to be paid of such arrears, they may give relief by ordering repayment of such excess by the landlord, or authorise the deduction thereof from future rents in such instalments as they may fix.

Textual Amendments

F1 Words repealed by [Statute Law Revision Act 1908 \(c. 49\)](#) and [Small Landholders \(Scotland\) Act 1911 \(c. 49\)](#), [Sch. 2](#)

F2 Words repealed by [Small Landholders \(Scotland\) Act 1911 \(c. 49\)](#), [Sch. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Crofters Holdings (Scotland) Act 1887, Section 2.