



# Lands Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 19 8 and 9 Vict

*Interests omitted to be purchased*

## 118 How value of such lands to be estimated.

In estimating the compensation to be given for any such last-mentioned lands, or any [<sup>F1</sup>right or interest] in the same, or for any profits thereof, the jury, or arbiters, or sheriff, as the case may be, shall assess the same according to what they shall find to have been the value of such lands, [<sup>F2</sup>right, or interest] , and profits, at the time such lands were entered upon by the promoters of the undertaking, and without regard to any improvements or works made in the said lands by the promoters of the undertaking, and as though the works had not been constructed.

### Textual Amendments

- F1** Words in s. 118 substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000](#) (asp 5), ss. 71, 77(2), [sch. 12 para. 4\(19\)\(a\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2
- F2** Words in s. 118 substituted (28.11.2004) by [Abolition of Feudal Tenure etc. \(Scotland\) Act 2000](#) (asp 5), ss. 71, 77(2), [sch. 12 para. 4\(19\)\(b\)](#) (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

### Modifications etc. (not altering text)

- C1** S. 118 applied with modifications by [Gas Act 1972](#) (c. 60, SIF 44:2), s. 6(5), [Sch. 2 para. 29](#)
- C2** S. 118 excluded by [Town and Country Planning \(Scotland\) Act 1972](#) (c. 52, SIF 123:2), s. 278, [Sch. 24 para. 31](#)  
S. 118 excluded (27.5.1997) by [1997 c. 8](#), ss. 195, 278(2), [Sch. 15 Pt. II para. 31](#)
- C3** S. 118 modified by [Gas Act 1986](#) (c. 44, SIF 44:2), s. 9(3), [Sch. 3 Pt. III](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Lands Clauses Consolidation (Scotland) Act 1845, Section 118.