



Improvement of Land Act 1864

1864 CHAPTER 114

Upholding Improvements

73 Power to enter on neighbouring Lands for Repair of Works, making Compensation.

Every Person for the Time being bound to make the periodical Payments of any Charge may from Time to Time, by himself, his Engineers, Surveyors, Agents, Servants, and Workmen, enter upon any Lands in, through, or upon which any of the Works have been executed, to ascertain the Condition of the Works, and to maintain and repair the same, nevertheless paying to the Person for the Time being enabled by this Act to sell or grant any Easement in such Lands, in case the Parties differ about the same, such Compensation as shall be determined by Two Justices or the Sheriff, as provided by the "Lands Clauses Consolidation Act, 1845," or the "Lands Clauses Consolidation (*Scotland*) Act, 1845," for Settlement by Justices and Sheriffs respectively of Questions of disputed Compensation : Provided that as to any Lands adjoining or near the Land improved, to which the Provisions of the Acts of the Tenth and Eleventh Years of the Reign of Her present Majesty, Chapters Thirty-eight and One hundred and thirteen, and those of the Third Part of The Land Drainage Act, 1861, are herein-before respectively made applicable, the Powers of Entry upon such Lands for any of the Purposes aforesaid shall be subject to and be regulated by the Provisions of those Acts respectively.