



# Duchy of Lancaster Act 1808

## 1808 CHAPTER 73

### **XXVIII The Duchy or Surveyor General empowered by Authority of Treasury, to exchange Lands of the Crown for Lands of Individuals, under certain Regulations.**

And be it further enacted, That whenever it shall appear to the said Chancellor and Council of the said Duchy, or to the said Surveyor General, that it would be for the Advantage of the Land Revenue of the Crown to exchange any Parcel or Parcels of Land belonging to His Majesty, His Heirs and Successors, for any other Parcel or Parcels of Land of equal or nearly equal Value, belonging to any other Person or Persons, Bodies Politic or Corporate, and such other Person or Persons or Bodies shall consent to such Exchange, it shall be lawful for the Surveyor General of the said Duchy and the said Surveyor General to cause the Value as well of the said Parcel or Parcels of Land belonging to His Majesty, His Heirs or Successors, as of the said Parcel or Parcels of Land proposed to be exchanged for such Land of His Majesty, to be ascertained by some able and practical Surveyor of Land, who shall annex to his Survey, Estimate, or Valuation thereof, when completed, an Oath (or being of the People called *Quakers*, an Affirmation) taken and subscribed by him before any Justice of the Peace or Magistrate of the United Kingdom, who is respectively hereby authorized to administer an Oath or Affirmation in that Behalf, the Tenor whereof shall be as follows ; that is to say,

“I *A. B.* do swear [*or*, being a Quaker, do solemnly affirm] That the Survey or Account hereto annexed, was faithfully and impartially made by me; that the Value of the Property of the Crown, and of *C. D.* therein contained, is justly estimated therein, according to the best of my Skill and Judgement ; and that all the Particulars seated in the said Survey or Account are true to the best of my Knowledge and Belief.”

Which Oath and Affirmation so taken and subscribed, shall be filed with the Survey and Estimate in the Office of the said Surveyor General, or of the Clerk of the Council of the said Duchy, and the said Surveyor General shall report to the Lord High Treasurer or the Commissioners of the Treasury, or the said Surveyor General of the said Duchy shall report to the Chancellor and Council of the said Duchy the Grounds of his Recommendation of the proposed Exchange, together with the said Valuation of the respective Parcels of Land ; and if the Lord High Treasurer or the Commissioners of the Treasury, or the Chancellor and Council of the said Duchy, shall, upon due Consideration had, approve of such Exchange taking place, they shall authorize the

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*Status: This is the original version (as it was originally enacted).*

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said Surveyor General, or the proper Officers of the said Duchy, to carry the same into effect, upon such Terms and Conditions as they shall think fit, provided the same shall be assented to by the Person or Persons, or Body with whom such Exchange is proposed to be made; and the said Chancellor and Council, and the said Surveyor General shall thereupon cause the said Parcel or Parcels of Land belonging to His Majesty, to be conveyed to the said Person or Persons, or Bodies reflectively with whom the said Exchange is proposed to be made, and such Person or Persons, or Body, shall at the same time convey to the said Chancellor or Council, or to the said Surveyor General, in Trust for and on the Behalf of His said Majesty, His Heirs and Successors, in Right of His Crown, or in Right of His Duchy, the said Parcel or Parcels of Land so agreed to be given in Exchange for such Parcel or Parcels of Crown Land as aforesaid; and from and immediately after the Completion of such Exchange, the said Parcels of Land so belonging to His Majesty, and given in Exchange as aforesaid, shall vest in the Person or Persons, or Body, to whom the same is conveyed, for the same Estate or Interest, and as fully and effectually as the said Parcels of Land so given in Exchange did before such Exchange; and the said Parcels of Land so conveyed in Exchange to His Majesty, shall vest in His Majesty, His Heirs and Successors, in Right of His Crown, or in Right of His Duchy, as fully and effectually, and be subject to the same Application as the said Parcels of Land so conveyed in Exchange to such Person or Persons, or Body, was veiled in him before such Exchange.