



Duchy of Lancaster Act 1812

1812 CHAPTER 161

II For removing Doubts in the Form of Conveyances, in Cases of Exchanges of Land within the ordering and Survey thereof.

And whereas by the said recited Act of the Forty-eighth Year of His present Majesty, it was enacted, That whenever it should appear to the said Chancellor and Council of the said Duchy, that it would be to the Advantage of the Land Revenue of the Crown, to exchange any Parcel or Parcels of Land belonging to His Majesty, His Heirs or Successors, for 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, should content, to such Exchange, it should be lawful for the Surveyor General of the said Duchy 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 should 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 thereby authorized to administer an Oath or Affirmation in that Behalf, according to the Tenor and Effect therein mentioned, which Oath and Affirmation so taken and subscribed, should be filed with the Survey and Estimate in the Office of the Clerk of the Council of the said Duchy ; and the said Surveyor General of the said Duchy should 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 Chancellor and Council of the said Duchy should, upon due Confederation had, approve of such Exchange taking place, they should authorize the proper Officers of the said Duchy to carry the same into Effect, upon such Terms and Conditions as they should think fit, provided the same should be assented to by the Person or Persons, or Body, with whom such Exchange is proposed to be made, and the laid Chancellor should thereupon cause the said Parcel of Land belonging to His Majesty to be conveyed to the said Person or Persons or Bodies respectively, with whom the said Exchange was proposed to be made; and such Person or Persons or Body should at the same Time convey to the said Chancellor and Council, in Trust for and on the Behalf of His said Majesty, His Heirs and Successors, in right of His said Duchy, the said Parcel or Parcels of Land so agreed to be given in Exchange for such Parcel or Parcels of Land as aforesaid;

Status: This is the original version (as it was originally enacted).

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, should veil in tire Person or Persons, or Body, to whom the same was 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, should vest in His Majesty, His Heirs and Successors, 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 vetted in him before such Exchange: And whereas Doubts have arisen with respect to the Form of the Conveyance in Cases of Exchange, empowered by the said recited Act of the Forty-eighth Year of the Reign of His present Majesty ; be it enacted, That whenever it shall appear to the Chancellor and Council of the said Duchy, that such Exchange can be carried into Effect with Advantage to His Majesty, His Heirs and Successors, according to the Regulations directed by the said Act, it shall be lawful for the said Chancellor and Council, and they are hereby empowered to grant and convey to the said Person or Persons or Bodies respectively, with whom the said Exchange, is proposed to be made, any Lands, Tenements, or Hereditaments, Parcel of the said Duchy or County Palatine, in the Name of His Majesty, His Heirs and Successors, under the Seal or Seals of the said Duchy or County Palatine ; and such Person or Persons, Body or Bodies, shall at the same Time convey to the said Chancellor and Council, in Trust for and on the Behalf of His Majesty, His Heirs and Successors, in Right of His said Duchy or County Palatine, the said Parcel or Parcels of Land so agreed to be given in Exchange 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 Parcel 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 said Duchy and County Palatine, 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, pr Body, was veiled in him before such Exchange ; any Thin' in the laid Act or any other Act or Acts contained to the contrary notwithstanding.