



Duchy Of Lancaster Lands Act 1855

1855 CHAPTER 58 18 and 19 Vict

An Act to better enable the Chancellor and Council of the Duchy of *Lancaster* to sell and purchase Land on behalf of Her Majesty, Her Heirs and Successors, in right of the said Duchy of *Lancaster*. [16th July 1855]

Whereas it is expedient that the Chancellor and Council of the Duchy of *Lancaster* should be better enabled to sell Land belonging to the said Duchy which in the Judgment of the said Chancellor and Council shall be deemed not convenient to be held with other Possessions of the said Duchy, and to purchase Land which in the like Judgment shall be deemed convenient to be held with other Possessions of the said Duchy:

Modifications etc. (not altering text)

- C1 Act excluded by [Duchy of Lancaster Act 1920 \(c. 51\), s. 1](#)
- C2 Act applied (E.W.) by [Land Drainage Act 1991 \(c. 59, SIF 73:1\), ss. 62\(6\)\(b\), 76\(2\)](#) (with [ss. 67\(3\)\(5\) \(8\), 72\(6\), 74\(3\)\(4\)](#))

Commencement Information

- II Act wholly in force at Royal Assent

I Chancellor and Council of Duchy of Lancaster enabled to sell and convey Land.

The Chancellor and Council of the Duchy of *Lancaster* for the Time being may from Time to Time contract and agree with any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, for the Sale of and may absolutely make Sale and dispose of, for such Sum or Sums of Money as to the said Chancellor and Council shall appear a sufficient Consideration for the same, any Land belonging to Her said Majesty, Her Heirs or Successors, in right of the said Duchy, which in the Judgment of the said Chancellor and Council shall not be deemed convenient to be held with other Possessions of the said Duchy; and upon Payment of the Purchase Monies as hereinafter provided the said Chancellor and Council may grant and assure to the Purchaser or Purchasers, under the Seal of the said Duchy, in the Name of Her Majesty, Her Heirs or Successors, the Land agreed to be sold; and every such Grant or Assurance may be according to the Form marked X. set forth in the Schedule to

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this Act annexed, or in any other Form which may be deemed more convenient; and every such Grant or Assurance, being enrolled in the Court of the Duchy Chamber of *Lancaster* within Six Calendar Months from the Date thereof, shall be valid and sufficient to pass all the Right and Interest of Her said Majesty, Her Heirs or Successors, in and to the Land to which such Grant or Assurance shall relate, anything contained in the ^{M1}Crown Lands Act 1702, or in any other Act, to the contrary in anywise notwithstanding.

Marginal Citations

M1 1702 c. 1.

II Purchase Monies for Land sold to be paid to Receiver General of Duchy, and invested or applied as herein mentioned.

The Purchase Monies for Land sold by the said Chancellor and Council, under the Authority of this Act, shall be paid into the Hands of the Receiver General of the Revenues of the said Duchy, or of his sufficient Deputy or Deputies, and Receipts shall be given by him or them for the same, and the same either shall and may be invested in the Purchase of Bank Annuities, according to the Powers and Provisoos contained or referred to in the ^{M2}Duchy of Lancaster Act 1808, with respect to the Purchase Money to be paid for Property belonging to the Crown within the Survey and Receipt of the said Duchy, under the thereinrecited Acts, or the same or any Part thereof may, either without any previous Investment or after such, and either alone or together with any other Monies or Funds for the Time being belonging to the said Duchy of *Lancaster*, be laid out, according to the Provisions of the ^{M3}Duchy of Lancaster Act 1817, or in the Purchase of Land under the Authority of this Act, as hereinafter provided; and the said Chancellor and Council shall for the Purposes of this Act have and be entitled to all such Powers and Provisions in reference to the Monies invested in Bank Annuities under this Act as under or by virtue of the ^{M4}said Duchy of Lancaster Act 1817 they are entitled to concerning any Sums or Funds of or belonging to the said Duchy of *Lancaster* in the same Act particularly mentioned or referred to.

Marginal Citations

M2 1808 c. 73.

M3 1817 c. 97.

M4 1817 c. 97.

III Power to Chancellor to contract and agree for Purchase of Land, and convey the same to the Use of Her Majesty.

The said Chancellor and Council may from Time to Time contract and agree with any Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, for the Purchase of and may purchase any Land which in the Judgment of the said Chancellor and Council shall be deemed convenient to be held with any Possession of the said Duchy, and the Land so agreed to be purchased shall be conveyed and assured to the Use of Her Majesty, Her Heirs or Successors, in right of the said Duchy of *Lancaster*, and shall vest in Her said Majesty, Her Heirs and Successors, in the same Right, and as fully and effectually, and be held with the like Incidents, as other Land belonging

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to the said Duchy; and every such Conveyance may be in the Form marked Y. in the said Schedule, or in any other Form which may be deemed more convenient.

IV 8 & 9 Vict. c. 18. incorporated.

The Lands Clauses Consolidation Act 1845 shall be incorporated with this Act; but the said Chancellor and Council shall not purchase any Land otherwise than by Agreement.

Modifications etc. (not altering text)

- C3** Reference to [Lands Clauses Consolidation Act 1845 \(c. 18\)](#) to be construed as reference to corresponding provisions in [Compulsory Purchase Act 1965 \(c. 56\)](#): *ibid.* s. 39(2)

V Short Title.

In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression “The Duchy of *Lancaster* Lands Act 1855.”

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SCHEDULE TO WHICH
THIS ACT REFERS.

X.

These Presents witness, That in consideration of the Sum of paid to *A.B.* the Receiver General of the Revenues of the Duchy of Lancaster, or his sufficient Deputy or Deputies, on behalf of Her Majesty, by *C.D.* as appears by the Receipt of the said Receiver General or his sufficient Deputy or Deputies, endorsed on these Presents, Her said Majesty, by and with the Advice and Consent of Her Chancellor and Council of Her said Duchy, doth by these presents grant and convey unto the said *C.D.* and his Heirs all [*describing Premises*], to have and to hold the same unto the said *C.D.* his Heirs and Assigns for ever.

In witness

Y.

These Presents witness, That in consideration of the Sum of Pounds paid to *A.B.* of by *C.D.* the Receiver General of the Revenues of the Duchy of Lancaster, or his sufficient Deputy or Deputies, on behalf of Her Majesty, he the said *A.B.* doth by these Presents convey and assure unto the said *C.D.* his Heirs and Assigns, all [*describing Premises*], to have and to hold the same unto the said *C.D.* his Heirs and Assigns, to the Use of Her said Majesty, Her Heirs and Successors, in right of Her said Duchy.

In witness

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