



Inclosure Act 1845

1845 CHAPTER 118 8 and 9 Vict

134 Power to sell parts of allotments.

It shall be lawful for the commissioners, on application made to them in writing by any of the proprietors of allotments to be made by virtue of this Act, or by any of the husbands, guardians, trustees, committees, or attornies of or for any of such proprietors, being under coverture, infants, [^{F1}persons of unsound mind], idiots, or under any other disability or incapacity, or beyond the seas, or by the persons acting as such guardians, trustees, committees, or attornies respectively, or by any of the said proprietors, being tenants in tail or for life, or by any trustees or feoffees for charitable, parochial, or other uses, or by the majority in number of them, or by any incumbent of an ecclesiastical benefice in right of which an allotment may have been made, and the bishop of the diocese and the patron of such benefice, to direct a sale of any part of such allotment, for raising a sum of money sufficient to defray the proportionable part of the expences which shall in such rates be charged upon such parties, and of the expences of making and completing such sale: Provided always, that in all cases in which the monies so raised by any such sale shall not be equal to the money which might be borrowed or charged on such allotment as aforesaid, it shall be lawful for the proprietor, or the person herein-before authorized to direct a sale on behalf of the proprietor, part of whose allotment shall be sold as aforesaid, to charge his allotment with any sum not exceeding the difference.

Textual Amendments

F1 Words substituted by virtue of [Mental Treatment Act 1930 \(c. 23\), s. 20\(5\)](#)

Modifications etc. (not altering text)

C1 [S. 134](#) excluded by [Mental Health Act 1983 \(c. 20, SIF 85\), s. 113, Sch. 3](#)

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Inclosure Act 1845, Section 134.