



# Fines and Recoveries Act 1833

1833 CHAPTER 74 3 and 4 Will 4

## 49 Order of the Lord Chancellor, &c. to be evidence of consent.

Provided always, that in every case in which the Lord High Chancellor, Lord Keeper or Lords Commissioners for the custody of the Great Seal, or other the person or persons intrusted with the care and commitment of the custody of the persons and estates of persons found lunatic, idiot, and of unsound mind, or his Majesty's High Court of Chancery, shall be the protector of a settlement, no document or instrument, as evidence of the consent of such protector to the disposition of a tenant in tail under such settlement, shall be requisite beyond the order in obedience to which the disposition shall have been made.

### Modifications etc. (not altering text)

- C1 Ss. 48, 49 amended by [Mental Health Act 1983 \(c. 20, SIF 85\)](#), s. 148, [Sch. 4 para. 1\(b\)](#)
- C2 S. 49 amended by [Mental Health Act 1959 \(c. 72\)](#), [Sch. 7 Pt. I](#) with the substitution for references to the Lord High Chancellor, Lord Keeper or Lords Commissioners for the custody of the Great Seal or other persons intrusted of references to the judge having jurisdiction under [Mental Health Act 1959 \(c. 72\)](#), [Pt. VIII](#)
- C3 Jurisdiction of High Court of Chancery now exercisable by High Court of Justice (E.W.): [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\)](#), s. 18
- C4 S. 49 amended (1.10.2007) by [Mental Capacity Act 2005 \(c. 9\)](#), s. 68(1), [Sch. 6 para. 1\(3\)](#) (with ss. 27-29, 62)

**Changes to legislation:**

There are currently no known outstanding effects for the Fines and Recoveries Act 1833, Section 49.