



# Fines and Recoveries Act 1833

1833 CHAPTER 74 3 and 4 Will 4

## 58 As to the consent of the protector in case of bankruptcy.

The Commissioner acting in the execution of any such fiat as aforesaid under which a person being, or before obtaining his certificate becoming an actual tenant in tail of lands of any tenure, or a tenant in tail entitled to a base fee in lands of any tenure, shall be adjudged a bankrupt, shall, if there shall be a protector of the settlement by which the estate tail of such actual tenant in tail, or the estate tail converted into a base fee (as the case may be), was created, stand in the place of such actual tenant in tail, or tenant in tail so entitled as aforesaid, as far as regards the consent of such protector; and the disposition of such lands, or any of them, by such Commissioner as aforesaid, if made with the consent of such protector, shall, whether such Commissioner may have made under this Act a prior disposition of the same lands without the consent of such protector or not, or whether a prior sale or conveyance of the same lands shall have been made or not, under the said Acts of the sixth year of King George the Fourth and the first and second years of King William the Fourth, or either of them, or any Acts hereafter to be passed concerning bankrupts, have the same effect as such disposition would have had if such actual tenant in tail, or tenant in tail so entitled as aforesaid, had not become bankrupt, and such disposition had been made by him under this Act, with the consent of such protector; and all the previous clauses in this Act, in regard to the consent of the protector to the disposition of a tenant in tail of lands not held by copy of court roll, and in regard to the time and manner of giving such consent, . . .<sup>F1</sup> apply to every consent that may be given by virtue of this present clause.

### Textual Amendments

**F1** Words repealed by [Law of Property \(Amendment\) Act 1924 \(15 & 16 Geo. 5 c. 5\)](#), [Sch. 10](#) and [Statute Law \(Repeals\) Act 1969 \(c. 52\)](#), [Sch. Pt. III](#)

### Modifications etc. (not altering text)

**C1** [Ss. 57, 58, 60–65, 67, 69, 71](#) applied by [Bankruptcy Act 1914 \(c. 59\)](#), [s. 55\(5\)](#) which is repealed (E.W.) by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), [s. 235\(3\)](#), [Sch. 10 Pt. III](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Fines and Recoveries Act 1833, Section 58.