

ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

CAP. LXXX.

An Act concerning Common Recoveries to be suffered by Attorney in Courts of Antient Demesne; and to explain an Act of His present Majesty, relative to the Sale or Mortgaging of Estates of Lunatics. [6th *July* 1819.]

WHEREAS it is expedient that Persons who can now suffer in Person, and not by Attorney, Common Recoveries of such of the Lands, Tenements, and Hereditaments, held in Antient Demesne, as are not held by Copy of Court Roll, should be enabled to suffer the same by Attorney as well as in Person: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for all and every Persons and Person, not being under the Disability of Coverture, and for all and every Femes Covert and Feme Covert (every such Feme Covert being solely and secretly examined by the Lord or Lords, Lady or Ladies of the Manor or Manors whereof the Lands, Tenements, and Hereditaments held in Antient Demesne, but not by Copy of Court Roll, of which a Common Recovery or Common Recoveries is or are proposed to be suffered, shall be holden, or by his, her, or their Steward or Stewards, or

Possessors of Lands, &c. may appoint their Steward or Attorney to accept Common Recovery of Estates held by Antient Demesne.

or by the Deputy or Deputies of such Steward or Stewards) to appoint any Person or Persons to be their, his, or her Attorney or Attornies, to appear for the Persons or Person so appointing either as Tenants or Tenant to the Plaint or Writ, or as Vouchees or Vouchee, and, as the Case may require, either to vouch over to Warranty, or to enter into the usual Warranty, and also vouch over to Warranty, and likewise to do all other lawful and necessary Acts for the suffering and perfecting of such Common Recovery or Common Recoveries respectively; and that the Common Recovery and Common Recoveries which shall be had and suffered as aforesaid shall have the like effect, but no other, as such Common Recovery or Common Recoveries would have had, if the Persons or Person who shall so by Attorney suffer or join in suffering such Common Recovery or Common Recoveries had appeared in Court in Person, and suffered or joined in suffering such Common Recovery or Common Recoveries.

Provision in 43 G. 3. c. 75. authorizing Sale of Lunatics Estates, extended to Estates held in Antient Demesne.

II. And whereas an Act was passed in the Forty-third Year of the Reign of His present Majesty, intituled *An Act to authorize the Sale or Mortgage of the Estates of Persons found Lunatic by Inquisition, in* England *or* Ireland *respectively, and the granting Leases of the same;* and Doubts have arisen, whether the Provisions of the said Act extend to the Case of Lands held in Antient Demesne or by Copy of Court Roll; and it is expedient that such Doubts should be removed; be it therefore declared and enacted, That such of the Powers and Provisions of the said recited Act as authorize the Sale or Mortgage of Estates belonging to Lunatics, shall be deemed and taken to extend to such Estates as are held by Antient Demesne or by Copy of Court Roll.

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