



Duchy of Cornwall Management Act 1863

1863 CHAPTER 49 26 and 27 Vict

3 Power of Sale and Enfranchisement.

It shall be lawful for the Duke of *Cornwall*, and he is hereby authorized and empowered, at any Time or Times hereafter, . . . ^{F1}, to dispose of, either by way of absolute Sale, or for a limited Period, or by way of Enfranchisement of any Copyhold or Customary Tenements, to any Person any Part of the Possessions of the Duchy of *Cornwall*, and any Sale, Disposal, or Enfranchisement may be made subject to any Reservations, Exceptions, and Restrictions, and in consideration of either a gross Sum of Money or an annual Sum, or partly of a gross Sum of Money and partly of an annual Sum, and where such Consideration shall consist either wholly or in part of an annual Sum of Money the same shall, in the Case of an absolute Alienation in Fee, be perpetual, and in case of an Alienation for a limited Period only, be payable during the Continuance of the Estate or Interest to be parted with, such annual Sum to be issuing and payable out of and charged and chargeable upon the Possessions which shall be the Subject of such Sale, Disposal, or Enfranchisement; and in determining the Amount of such Consideration the Circumstances attending any disputed Right or Claim, and the Outlay (if any) which may have been previously made in reclaiming, building upon, inclosing, or otherwise improving the Premises intended to be sold, disposed of, or enfranchised, may be taken into account, and an Abatement or Allowance made in respect thereof, as to the Duke of *Cornwall* shall seem fair and reasonable; and the aforesaid Power of Enfranchisement shall include the Enfranchisement of Copyhold Tenements held for a Life or Lives, and authorize the Conveyance of the Fee Simple of the Freehold thereof.

Textual Amendments

F1 Words repealed by [Duchy of Cornwall Management Act 1893 \(c. 20\), s. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the Duchy of Cornwall Management Act 1863, Section 3.