



Inclosure Act 1845

1845 CHAPTER 118 8 and 9 Vict

93 Wills and settlements not to be affected. E+W

Nothing in this Act contained shall extend to revoke, make void, or alter any will, settlement, uses, or trusts, or to prejudice any person having any right or claim of dower, jointure, annuity, portion, debt, charge, rent, or incumbrance upon or affecting any of the land to be inclosed, or which shall be exchanged or given in partition, in pursuance of this Act, but the land allotted, and the land given in exchange or partition, shall immediately after such allotment, exchange, or partition be and enure, and the several persons to whom the same shall be allotted or given in exchange or partition as aforesaid shall thenceforth stand and be seised and possessed thereof respectively, to and for such and the same estates, uses, trusts, intents, and purposes, and subject to the same conditions, charges and incumbrances, as the several lands, rights, or undivided shares thereof, in respect whereof such allotments, exchanges, and partitions shall have been made would have stood limited to and for or been subject to in case the same had not been allotted, exchanged, or given in partition as aforesaid, and as if this Act had not been made, save and except such leases and tenancies at rack rents as shall become void by virtue of this Act, and any joint tenancy which may have been severed by partition as aforesaid, and such rights of common and other rights as are intended to be extinguished by the inclosure, and subject nevertheless to all such mortgages and sales as shall be made by authority of this Act.

Modifications etc. (not altering text)

- C1** S. 93 so far as it requires land to be conveyed to uses now takes effect as a direction that the land shall be conveyed to a person of full age upon the requisite trusts: [Law of Property Act 1925 \(c. 20\), s. 1\(9\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Inclosure Act 1845, Section 93.