

4 Geo. II., c.  
28.

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AN ACT for the more effectual preventing Frauds committed by Tenants, and for the more easy Recovery of Rents, and Renewal of Leases.

Persons hold-  
ing over lands,  
&c., after  
expiration of

FOR securing to lessors and landowners their just rights, and to prevent frauds frequently committed by tenants : . . . .  
In case any tenant or tenants for any term of life, lives, or years,

or other person or persons, who are or shall come into possession of any lands, tenements, or hereditaments, by, from, or under, or by collusion with such tenant or tenants, shall wilfully hold over any lands, tenements, or hereditaments, after the determination of such term or terms, and after demand made and notice in writing given for delivering the possession thereof, by his or their landlords or lessors, or the person or persons to whom the remainder or reversion of such lands, tenements, or hereditaments shall belong, his or their agent or agents thereunto lawfully authorized;

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 leases, to pay double the yearly value.

Then and in such case such person or persons so holding over shall, for and during the time he, she, and they shall so hold over, or keep the person or persons entitled out of possession of the said lands, tenements, and hereditaments, as aforesaid, pay to the person or persons so kept out of possession, their executors, administrators, or assigns, at the rate of double the yearly value of the lands, tenements, and hereditaments so detained, for so long time as the same are detained, to be recovered in any of His Majesty's Courts of Record by action of debt, whereunto the defendant or defendants shall be obliged to give special bail, against the recovering of which said penalty there shall be no relief in equity.

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5. . . . All and every person or persons, bodies politic and corporate, shall and may have the like remedy by distress, and by impounding and selling the same, in cases of rents seck, rents of assize, and chief rents, which have been duly answered or paid for the space of three years, within the space of twenty years before the first day of this present session of Parliament, or shall be hereafter created, as in case of rent reserved upon lease, any law or usage to the contrary notwithstanding.

Method of recovering seck rents, &c.

6. And whereas many persons hold considerable estates by leases for lives or years, and lease out the same in parcels to several under tenants: And whereas many of those leases cannot by law be renewed without a surrender of all the under leases derived out of the same, so that it is in the power of any such under tenants to prevent or delay the renewing of the principal lease, by refusing to surrender their under leases, notwithstanding they have covenanted so to do, to the great prejudice of their immediate landlords the first lessees: For preventing such inconveniences, and for making the renewal of leases more easy for the future, . . . .

Chief leases may be renewed without surrendering all the under leases.

In case any lease shall be duly surrendered in order to be renewed, and a new lease made and executed by the chief landlord or landlords, the same new lease shall, without a surrender

of all or any the under leases, be as good and valid to all intents and purposes as if all the under leases derived thereout had been likewise surrendered at or before the taking of such new lease ;

And all and every person and persons in whom any estate for life or lives, or for years, shall from time to time be vested by virtue of such new lease, and his, her, and their executors and administrators, shall be entitled to the rents, covenants, and duties, and have like remedy for recovery thereof, and the under lessees shall hold and enjoy the messuages, lands, and tenements in the respective under leases comprised, as if the original leases, out of which the respective under leases are derived, had been still kept on foot and continued ;

And the chief landlord and landlords shall have and be entitled to such and the same remedy, by distress or entry in and upon the messuages, lands, tenements, and hereditaments comprised in any such under lease, for the rents and duties reserved by such new lease, so far as the same exceed not the rents and duties reserved in the lease out of which such under lease was derived, as they would have had in case such former lease had been still continued, or as they would have had in case the respective under leases had been renewed under such new principal lease, any law, custom, or usage to the contrary hereof notwithstanding.

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