



# Metropolitan Police Courts Act 1840

## 1840 CHAPTER 84 3 and 4 Vict

### 13 Giving possession of deserted premises.

None of the [<sup>F1</sup>District Judges (Magistrates' Courts)] within the metropolitan police district shall be required to go upon any deserted lands, tenements, or hereditaments, for the purpose of viewing the same or affixing any notices thereon, or of putting the landlord or landlords, lessor or lessors into the possession thereof, under the provisions of the <sup>M1</sup>Distress for Rent Act 1737, or of the <sup>M2</sup>Deserted Tenements Act 1817; but in every case within the metropolitan police district, in which by the said Acts or either of them two justices are authorized to put the landlord or lessor into the possession of such deserted premises, it shall be lawful for one of the [<sup>F1</sup>District Judges (Magistrates Courts)], upon the request of the lessor or landlord, or his or her bailiff or receiver, made in open court, and upon proof given to the satisfaction of such magistrate of the arrear of rent and desertion of the premises by the tenant as aforesaid, to issue his warrant, directed to one of the constables of the metropolitan police force, requiring him to go upon and view the premises, and to affix thereon the like notices as under the said Acts or either of them are required to be affixed by two justices of the peace; and upon the return of the warrant, and upon proof being given to the satisfaction of the magistrate before whom the warrant shall be returned that it has been duly executed, and that neither the tenant nor any person on his or her behalf has appeared and paid the rent in arrear, and that there is not sufficient distress upon the premises, it shall be lawful for such magistrate to issue his warrant to a constable of the metropolitan police force, requiring him to put the landlord or lessor into the possession of the premises; and every constable to whom any such warrant shall be directed shall duly execute and return the same, subject to the provisions contained in the <sup>M3</sup>Metropolitan Police Act 1839, as to the execution of warrants directed to constables of the metropolitan police force; and upon the execution of such second warrant the lease of the premises to such tenant, as to any demise therein contained only, shall thenceforth be void.

#### Textual Amendments

**F1** Words in s. 13 substituted (31.8.2000) by 1999 c. 22, s. 78, **Sch. 11 para. 5** (with Sch. 14 paras. 7(2)); S.I. 2000/1920, art. 3(a)

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**Changes to legislation:** There are currently no known outstanding effects for the Metropolitan Police Courts Act 1840, Section 13. (See end of Document for details)

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**Marginal Citations****M1** 1737 c. 19.**M2** 1817 c. 52.**M3** 1839 c. 47.

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