Anno vicesimo nono

Georgii II. Regis.

An Act to enable Infants, Lunaticks, and Femes Covert, to surrender Leases in order to renew the same.



WHEREAS divers Lands, Tenements, and Hereditaments, have been, and may be, granted by Lease for the Life of One or more Person or Persons, or for Terms of Years absolute, or determinable upon the Death of One or more Person or Persons, or otherwise: And whereas, in order to obtain a Renewal of such Leases, it is in many Cases necessary to surrender up the Estates thereby granted; which Surrenders cannot be effectually made Preamble.

by Persons under the Age of Twenty one Years, nor Lunaticks, nor by Femes Covert, without levying a Fine, to the manifest Detriment of them, and their Families; be it therefore 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 in all Cases where any Person under the Age of Twenty one Years, or any Lunatick, or Feme Covert, is or shall become interested in, or intitled to, any Lease or Leases made or granted, or to be made or granted, by any Person or Persons, Bodies Politick, Corporate, or Collegiate, Aggregate or Sole, for the Life or Lives of One or more Person or Persons, or for any Term of Years, either absolute, or determinable upon the Death of One or more Person or Persons, or otherwise, it shall and may be lawful for such Person under the Age of Twenty one Years, or for his or her Guardian or Guardians, or other Person or Persons, on his or her Behalf, and for such Lunatick, or his or her Guardian or Guardians, Committee or Committees of the Estate, or other Person or Persons on his or her Behalf, and for such Feme Covert, or any other Person or Persons on her Behalf, to apply to the High Court of Chancery of Great Britain, the Court of Exchequer, the Courts of Equity of the Counties Palatine of Chester, Lancaster, and Durham, or the Courts of Great Sessions of the Principality of Wales, respectively, by Petition or Motion, in a summary Way, and by the Order and Direction of the said Courts respectively made, upon hearing all Parties concerned, such Person under the Age of Twenty one Years, and such Lunatick, or Person or Persons appointed by the said Courts respectively, and also such Feme Covert, by Deed or Deeds only, without levying any Fine, shall and may be enabled, from time to time, to surrender such Lease or Leases, and accept and take, in the Name, and for the Benefit, of such Person under the Age of Twenty one Years, or Lunatick, or Feme Covert,

Guardians, &c. of Minors, Lunaticks, and Femes Covert, in order to the Surrender and Renewal of Leases,

may apply to the Court of *Chancery*, &c. in a summary Way;

and, by Order of Court,

may surrender by Deed such Leases, and renew the same, as the Court shall direct.

Covert, One or more new Lease or Leases of the Premisses, comprized in such Lease or Leases surrendered by virtue of this Act, for and during such Number of Lives, or for such Term or Terms of Years, determinable upon such Number of Lives, or for such Term or Terms of Years absolute, as was or were mentioned or contained in such Lease or Leases so surrendered, at the making thereof respectively, or otherwise, as the said Courts shall respectively direct.

Fine, and Charges attending the Renewal, to be charged on the Estate, or the Leasehold Premisses, as the Court shall direct.

And be it further enacted by the Authority aforesaid, That all and every Sum and Sums of Money, and other Consideration, paid or advanced by any such Guardian, Trustee, Committee, or other Person, as and for a Fine or Income, or in the Nature of a Fine or Income, for or on account of the Renewal of any such Lease or Leases, and all reasonable Charges incident thereto, shall be paid out of the Estate or Effects of the Infant or Lunatick for whose Benefit the said Lease or Leases shall be renewed, or shall be a Charge and Incumbrance upon the Leasehold Premisses, together with Interest for the same, as the said Courts respectively shall direct and determine; and as for and concerning Leases to be made upon Surrenders by Femes Covert, unless the Fine or Consideration of such Lease, and the reasonable Charges, shall be otherwise paid or secured, the same, together with Interest, shall be a Charge or Incumbrance upon such Leasehold Premisses, for the Use and Benefit of such Person or Persons who shall advance the same.

Fine for Femes Covert to be charged on the Leasehold Premisses.

New Leases to operate, and be to the same Uses, as the former ones.

And be it further enacted by the Authority aforesaid, That the respective Leases to be so renewed shall operate, and be to the same Uses, and be liable to the same Trusts, Charges, Incumbrances, Dispositions, Devises, and Conditions, as the Leases to be, from time to time, surrendered as aforesaid, were or would have been subject to, in case such Surrender had not been made; any thing in this or any former Law to the contrary notwithstanding.

Surrender and Renewal of such Leases deemed valid.

And be it further enacted and declared, That every such Surrender, and such Lease or Leases granted thereupon,

thereupon, ſhall be, and be deemed as valid and legal, to all Intents and Purpoſes, as if ſuch Surrender had been made by and on the Behalf of a Perſon of full Age, ſane Mind, or not married; any thing in this or any former Law to the contrary notwithſtanding. 2

FINIS.