Anno ſecundo

Georgii III. Regis.

CAP. XXVI.

An Act for allowing further Time for Inrollments of Deeds and Wills made by Papiſts; and for Relief of Proteſtant Purchaſers.



WHEREAS by a Clauſe in an Act of Parliament paſſed in the Third Year of the Reign of His late Majeſty King George the Firſt, intituled, An Act for explaining an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act to oblige Papiſts to regiſter their Names and Real Eſtates, and for enlarging the Time for ſuch Regiſtering; and for ſecuring Purchaſes made by Proteſtants*; it was enacted, That from and after the Twenty ninth Day of September, in the Year of our Lord One thouſand ſeven hundred and ſeventeen, no Manors, Lands, Tenements, Hereditaments, or any Intereſt therein, or Rent or Profit thereout, ſhould paſs, alter, or change, from any Papiſt, or Perſon profeſſing the Popiſh Religion, by any Deed or Will, except ſuch Deed, within Six Months after the Date, and ſuch Will, within Six Months after the Death of the Teſtator, ſhould be inrolled in One of the King's Courts of Record at Weſtminſter,

Preamble, reciting the Acts 3 *Geo.* I.

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minster, or else within the same County or Counties wherein the Manors, Lands, and Tenements, lie, in such Manner as therein for that Purpose is particularly directed: And whereas by several Acts of Parliament made in the Tenth Year of his said late Majesty's Reign, and in the Third, Sixth, Ninth, Eleventh, Twelfth, Sixteenth, and Nineteenth Years of the Reign of his late Majesty King George the Second, it was enacted, That every Deed and Will which had been then made since the Twenty ninth Day of September, One thousand seven hundred and seventeen, in order to pass, alter, or change, any Manors, Lands, Tenements, or Hereditaments, or any Interest therein, or Rent or Profit thereout, from any Papist or Person professing the Popish Religion, though not then inrolled, should be as good and effectual in the Law, as the same would have been in case the said Deeds and Wills had been inrolled within the Time limited, by the said Clause in the said first-mentioned Act, for Inrollment thereof, provided the said Deeds and Wills should be inrolled on or before the respective Times in the said several Acts respectively mentioned, in such Manner as by the said first-mentioned Act was directed: And whereas by another Act made in the Twenty sixth Year of the Reign of his late Majesty King George the Second, it was enacted, That every Deed and Will made since the First Day of December, One thousand seven hundred and forty six, in order to pass, alter, or change, any Manors, Lands, Tenements, or Hereditaments, or any Interest therein, or any Rent or Profit thereout, from any Papist or Person professing the Popish Religion, to any Protestant or Protestants, or by or by reason of which Deed or Will any Protestant or Protestants may claim or derive any legal, equitable, or other Interest whatsoever, to his, her, or their Use, for his, her, or their Benefit, or to the Use or Benefit of any other Protestant or Protestants, though not inrolled, or not inrolled in due Time, should be as good and effectual in the Law, as the same would have been in case the said Deeds and Wills had been inrolled within the Times limited by the said Clauses in the said Acts for the Inrollment thereof, provided the same Deeds and Wills should be inrolled on or before the First Day of January, One thousand seven hundred and fifty four, in such Manner as by the said Clause in the said first-mentioned Act is directed: And whereas by an Act made in the Twenty eighth Year of the Reign of his late Majesty King George the Second, it was enacted, That every Deed and Will made since the Twenty ninth Day of September, One thousand se-

10 *Geo.* I. & & 3, 6, 9, 11, 12, 16, & 19 *Geo.* II.

26 *Geo.* II.

28 *Geo.* II.

ven hundred and ſeventeen, in order to paſs, alter, or change, any Manors, Lands, Tenements, or Hereditaments, or any Intereſt therein, or any Rent or Profit thereout, from any Papiſt or Perſon profeſſing the Popiſh Religion, to any Proteſtant or Proteſtants, or by or by reaſon of which Deed or Will, any Proteſtant or Proteſtants may claim or derive any legal, equitable, or other Intereſt whatſoever, to his, her, or their Uſe, for his, her, or their Benefit, or to the Uſe or Benefit of any other Proteſtant or Proteſtants, though not inrolled in due Time, ſhould be as good and effectual in the Law, as the ſame would have been in caſe the ſaid Deeds and Wills had been inrolled within the Times limited by the ſaid Clauſes in the ſaid Acts for the Inrollment thereof, provided the ſame Deeds and Wills ſhould be inrolled on or before the Firſt Day of January, One thouſand ſeven hundred and fifty ſix, in ſuch Manner as by the ſaid Clauſe in the ſaid firſt-mentioned Act is directed: And whereas by an Act made in the Thirty firſt Year of the Reign of his late Majeſty King George the Second, it was enacted, That every Deed and Will made ſince the Twenty ninth Day of September, One thouſand ſeven hundred and ſeventeen, in order to paſs, alter, or change, any Manors, Lands, Tenements, or Hereditaments, or any Intereſt therein, or any Rent or Profits thereout, from any Papiſt or Perſon profeſſing the Popiſh Religion, to any Proteſtant or Proteſtants, or by or by reaſon of which Deed or Will any Proteſtant or Proteſtants may claim or derive any legal, equitable, or other Intereſt whatſoever, to his, her, or their Uſe, for his, her, or their Benefit, or to the Uſe or Benefit of any other Proteſtant or Proteſtants, though not inrolled, or not inrolled in due Time, ſhould be as good and effectual in the Law, as the ſame would have been in caſe the ſaid Deeds and Wills had been inrolled within the Times limited by the ſaid Clauſes in the ſaid Acts for the Inrollment thereof, provided the ſame Deeds and Wills ſhould be inrolled on or before the Firſt Day of January, One thouſand ſeven hundred and fifty nine, in ſuch Manner as by the ſaid Clauſe in the ſaid firſt-mentioned Act is directed: And whereas by an Act paſſed in the Thirty third Year of his ſaid late Majeſty's Reign, it was enacted, That every Deed and Will made ſince the Twenty ninth Day of September, One thouſand ſeven hundred and ſeventeen, in order to paſs, alter, or change, any Manors, Lands, Tenements, or Hereditaments, or any Intereſt therein, or any Rent or Profit thereout, from any Papiſt or Perſon profeſſing the Popiſh Religion, to any

31 Geo. II

& 33 Geo. II.

Proteſtant or Proteſtants, or by or by reaſon of which Deed or Will any Proteſtant or Proteſtants may claim or derive any legal, equitable, or other Intereſt whatſoever, to his, her, or their Uſe, for his, her, or their Benefit, or to the Uſe or Benefit of any other Proteſtant or Proteſtants, though not inrolled, or not inrolled in due Time, ſhall be as good and effectual in the Law, as the ſame would have been in caſe the ſaid Deeds and Wills had been inrolled within the Times limited by the ſaid Clauſes in the ſaid Acts for the Inrollment thereof, provided the ſame Deeds and Wills ſhould be inrolled on or before the Twenty fifth Day of December, One thouſand ſeven hundred and ſixty, in ſuch Manner as by the ſaid Clauſe in the ſaid firſt-mentioned Act is directed; be it 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 every Deed and Will made ſince the Twenty ninth Day of September, One thouſand ſeven hundred and ſeventeen, in order to paſs, alter, or change, any Manors, Lands, Tenements, or Hereditaments, or any Intereſt therein, or any Rent or Profit thereout, from any Papiſt or Perſon profeſſing the Popiſh Religion, to any Proteſtant or Proteſtants, or by reaſon of which Deed or Will, any Proteſtant or Proteſtants may claim or derive any legal, equitable, or other Intereſt whatſoever, to his, her, or their Uſe, for his, her, or their Benefit, or to the Uſe or Benefit of any other Proteſtant or Proteſtants, though not inrolled, or not inrolled in due Time, ſhall be as good and effectual in the Law, as the ſame would have been in caſe the ſaid Deeds and Wills had been inrolled within the Times limited by the ſaid Clauſes in the ſaid Acts for the Inrollment thereof, provided the ſame Deeds and Wills ſhall be inrolled on or before the Twenty fifth Day of December, One thouſand ſeven hundred and ſixty two, in ſuch Manner as by the ſaid Clauſe in the ſaid firſt-mentioned Act is directed.

Further Time given for inrolling Deeds and Wills of Papiſts, till 25 *Dec.* 1762.

Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to make good any ſuch Deed, Will, or Leaſe, already made and not inrolled, of the want of Inrollment whereof Advantage ſhall have been taken on or before the Twenty fifth Day of December, One thouſand ſeven hundred and ſixty one, but every ſuch Deed, Will, or Leaſe, ſhall remain of ſuch Force and Effect only, as the ſame would have had if this Act had never been made, and of none other Force and Effect.

No Deed, Will, or Leaſe, made good hereby, whereof Advantage has been taken of the Non-inrollment thereof, before 25 *Dec.* 1761.

And whereas many Purchases made by Protestants, may be in Danger of being impeached or called in Question, in regard that some Deeds or Wills, through which the Title thereto is derived, ought to have been inrolled according to the said Acts, but have not been so inrolled; be it therefore further enacted by the Authority aforesaid, That no Purchase made for full and valuable Consideration of any Manors, Messuages, Lands, Tenements, or Hereditaments, or of any Interest therein, by any Protestant or Protestants, and meerly and only for the Benefit of the Protestants, shall be impeached or avoided, for or by reason that any Deed or Will through which the Title thereto is derived, hath not been inrolled as required by the said Acts, so as no Advantage was taken of Inrollment thereof, before such Purchase was made, and so as no Decree or Judgement have been obtained for want of the Inrollment of such Deeds or Wills.

Purchases made by Protestants shall stand good, if no Advantage has been taken for Non-inrollment.

Provided also, That nothing herein contained, shall extend, or be construed to extend, to make good any Grant, Lease, or Mortgage, of the Advowson, or Right of Presentation, Collation, Nomination, or Donation, of and to any Benefice, Prebend, or Ecclesiastical Living, School, Hospital, or Donative, by any Avoidance thereof, made by any Papist or Person professing the Popish Religion, in Trust, directly or indirectly, mediately or immediately, by or for any such Papist or Person professing the Popish Religion, whether such Trust hath been declared by Writing or not.

No Grant, Lease, or Mortgage, of the Advowson, or Right of Presentation to a Living, &c. made by any Papist in Trust, &c. to be hereby deemed good.

FINIS.