ANNO TRICESIMO QUINTO

# Georgii III. Regis.

## CAP. XCIX.

### An Act for allowing further Time for Inrollment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers. [22d *June* 1795.]

Preamble.

HEREAS 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 Eſ- 'tates;' 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 any 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*, 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, Nineteenth, Twenty-firſt, Twenty-eighth, Thirty-firſt, and Thirty-third of His late Majeſty King *George* the Second; and the Second, Fourth, Seventh, Twelfth, Fourteenth, Seventeenth, Eighteenth, Twenty-Second, Twenty-third, Twenty-fourth, Twenty-eighth, and Twenty-ninth Years of His preſent 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 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 ſaid Deeds and Wills ſhould be inrolled on or before the reſpective Times in the ſaid ſeveral Acts for that Purpoſe mentioned, in ſuch Manner as by the ſaid Clauſe in the firſt mentioned Act is directed:

Act 3 *Geo.* I. Cap. 18, recited.

And whereas ſeveral Perſons having or claiming, or being entitled to Eſtates or Intereſts in Manors, Lands, and Hereditaments, under Deeds and Wills made by Papiſts, or Perſons profeſſing the Popiſh Religion, may be in Danger of being defeated or impeached in his, her, or their Claim or Claims, Title or Titles, to ſuch Manors, Lands, and Hereditaments, by reaſon that ſome Deeds or Wills neceſſary to make out the Title have not been duly inrolled, according to the Directions of the ſaid Act: 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 Perſon or Perſons whomſoever, 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 Firſt Day of *September* One thouſand ſeven hundred and ninety-five, in ſuch Manner as by the ſaid Clauſe in the ſaid firſt-mentioned Act is directed.

Deeds and Wills of Papiſts, &c. made ſince *Sept.* 29, 1717, to be good in Law, if inrolled before *Sept.* 29, 1795.

II. 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 Firſt Day of *January* One thouſand ſeven hundred and ninety-five, 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.

This Act not to extend to Deeds, &c. the Validity whereof has been brought in Queſtion before *Jan.* 1, 1795.

III. 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 merely 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 no Advantage was taken of Inrollment thereof before ſuch Purchaſe was made, and ſo as no Decree or Judgement hath been obtained for Want of the Inrollment of ſuch Deeds or Wills.

Purchaſes made not to be avoided, on account of the Title-deeds not having been inrolled, &c.

IV. 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, or 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.

This Act not to make good any Grant of the Right of Preſentation to any Benefice, &c. in Truſt for any Papiſt.

5 FINIS.