ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

****

C A P. CXIV.

An Act for the Conveyance, Surrender, and Assignment of Estates in Fee, for Lives, or Terms of Years, which shall be vested in Trust, or by way of Mortgage, in Idiots and Lunatics, not having been found such by Inquisition.

[10th *July* 1821.]

WHEREAS by an Act of Parliament made in the Fourth Year of the Reign of King *George* the Second, intituled *An Act to enable Idiots and Lunatics, who are seised or* 4 G. 2. c. 10. *possessed of Estates in Fee, or for Lives, or Terms of Years, in Trust, or by way of Mortgage, to make Conveyances, Surrenders, or Assignments of such Estates,* it is enacted, that it shall and may be lawful to and for any Person or Persons, being Idiot, Lunatic, or *Non compos mentis,* and having Estates in Lands, Tenements, or Hereditaments in Trust only for others, or by way of Mortgage, or for the Committee or Committees of such Person or Persons, in his, her, or their Name or Names, by the Direction of the Lord Chancellor of *Great Britain,* or the Lord Keeper or Commissioners of the Great Seal of *Great Britain* for the Time being, signified by an Order to be made as in the said Act is directed, to convey and assure such Lands, Tenements, or Hereditaments in manner and to the Person or Persons in the said Act mentioned: And whereas many Inconveniences do and may arise by reason that the Provisions of the said Act do only apply in Cases in which Commissions of Lunacy have been taken out;

out; and it is expedient to extend such Provisions to other Cases: 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 from and after the passing of this Act it shall and may be lawful to and for the Lord Chancellor of *Great Britain*, or the Lord Keeper or Commissioners of the Great Seal of *Great Britain* for the Time being, by an Order made on the Petition of the Person or Persons for whom such Person or Persons being Idiot, Lunatic, or *Non compos mentis* (but not having been found such by Inquisition), shall be seised or possessed in Trust, or of the Mortgager or Mortgagers, or of the Person or Persons entitled to the Monies secured by or upon any Lands, Tenements, or Hereditaments, whereof any such Person or Persons, being Idiot, Lunatic, or *Non compos mentis* (but not having been found such by Inquisition), is or are or shall be seised or possessed by way of Mortgage, or of the Person or Persons entitled to the Equity of Redemption thereof, to appoint such Person or Persons as to the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal of *Great Britain* respectively, shall seem meet, on behalf of such Person or Persons being so Idiot, Lunatic, or *Non compos mentis* as aforesaid, to convey and assure any such Lands, Tenements, or Hereditaments, in such Manner as the Lord Chancellor of *Great Britain*, or Lord Keeper, or Lords Commissioners of the Great Seal of *Great Britain*, shall by such Order so to be obtained direct, to any other Person or Persons; and such Conveyance and Assurance so to be had and made as aforesaid, shall be as good and effectual in Law, to all Intents and Purposes whatsoever, as if the said Person or Persons, being Idiot, Lunatic, or *Non compos mentis*, was or were, at the Time of making such Conveyance or Assurance, of sane Mind, Memory, and Understanding, and not Idiot, Lunatic, or *Non compos mentis*, and had by him, her, or themselves so conveyed and assured such Lands, Tenements, and Hereditaments; any Law, Custom, or Usage to the contrary in anywise notwithstanding.

Lord Chancellor, &c. to appoint Persons to convey and assure Lands of Lunatics and Idiots.

II. And be it further enacted, That all and every such Person and Persons, being to be appointed by virtue of this Act, shall and may be empowered and compelled by such Order so as aforesaid to be obtained, to make such Conveyance and Conveyances, Assurance or Assurances as aforesaid, in like Manner as Trustees or Mortgagees of sane Memory are compellable to convey, surrender, or assign their Trust Estates or Mortgages.

Persons so appointed compelled to convey.

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