670



Α

BILL

Concerning the Disposition of certain Real and Personal Property of His Majesty, His Heirs and Successors; and also of the Real and Personal Property of Her Majesty, and of the Queen Consort for the Time being.

Note.—The Figures in the Margin denote the Number of the Folios in the written Copy.

Year of the Reign of her late Majesty Queen Anne, intituled, "An Act for the better Support of her Maintituled, "An Act for the better Support of her Maintituled, "An Act for the better Support of her Maintituled, "It was (amongst other Things) Enacted, That all and every Grant, Lease, or other Assurance, which from and after the Twenty-sisth Day of March One thousand Seven hundred and Two, should be made or granted by her said Majesty, her Heirs or Successors, Kings or Queens of this Realm, under the Great Seal of England, Exchequer Seal, Seals of the Duchy and County Palatine of Lancaster, or any of them, or by Copy of Court Roll, or otherwise howsoever, of any Manors, Messuges, Lands, Tenements, Rents, Tythes, Woods, or other Hereditaments (Advowsons of Churches and Vicarages only excepted) within the Kingdom

2

dom of England, Dominion of Wales, or Town of Berwick-upon-Tweed, or any of them, or any Part thereof, then belonging or thereafter to belong to her Majesty, her Heirs or Successors, or to any other Person or Persons in Trutt for her Majesty, her Heirs and Succesfors, in Possession, Remainder, Use, or Expectancy, whether the same were or should be in Right of the Crown of England, or as Part of the Principality of Wales, or of the Duchy or County Palatine of Lancaster, or otherwise howsoever, to any Person or Persons, Bodies Politic or Corporate whatsoever, whereby any Estate or Interest whatsoever in Law or Equity should or might pass from her Majesty, her Heirs or Successors, should be utterly void and of none Effect, unless such Grant, Leafe, or other Assurance should be made for some Term or Estate not exceeding Thirty-one Years or Three Lives, or for some Term of Years determinable on One, Two, or Three Lives, and unless such Grant, Lease, or Assurance respectively, should be made to commence from the Date or making thereof; and if fuch Grant, Lease, or Assurance should be made to take Effect in Reversion or Expectancy, that then the same, together with the Estate or Estates in Possession of and in the Premises therein contained, should not exceed Three Lives, or the Term of Thirty-one Years in the Whole; and also subject to various other Provisions and Restrictions; but in the said Act there is a Provisio, that the faid Act should not extend to disable her Majesty, her Heirs or Successors, to make certain Leases, Copies, or Grants of Offices, Lands, or Hereditaments, Parcel of the Duchy of Cornwall, offices, Lands, or Dereditaments, raiset of the Duchy of Comwan, as therein mentioned, or to disable her Majesty, her Heirs or Succeffors, to make any Grant or Restitution of any Estate or Estates thereafter to be forfeited for any Treason or Felony whatsoever, or to disable her Majesty, her Heirs or Successors, to grant, demise, or affign any Lands, Tenements, or Hereditaments which should be seized or taken into her or their Hands upon any Outlawry at the Suit of her or their Subjects, as had been usual, or any Estate whatfoever which was or should be seized, extended, or taken in Execution for any Debt owing or to be due to the Crown, as she or they should think fit, or to make any Grants or Admittances which of Right or Custom ought to be made of any Copyhold Lands, Tenements, or Hereditaments, Parcel of any Manor or Manors of her Majesty, her Heirs or Successors, or to disable the Trustees for Sale of Fee Farm and other Rents therein mentioned, from executing the Powers vested in them as therein mentioned:

And whereas in and by an Act made in the First Year of the Reign of His present Majesty, intituled, "An Act for the Support of His Majesty's Household, and of the Honour and Dignity of

[3]

"the Crown of Great Britain," it is (amongst other Things) Enacted, That the Revenue arising to His Majesty by Rents of Lands, or for Fines of Leases of the same, or any of them (except the Revenue of the Duchy of Cornwall) should, from and immediately after the Demise of his late Majesty King George the Second, be, during His present Majesty's Life, carried to and made Part of the general Aggregate Fund established by the Act of the First Year of the Reign of his late Majesty King George the First, and be, during the said Term, issued and applied, in the Manner thereinaster mentioned, to the Uses to which the said Fund was or should be made applicable:

And whereas in and by another Act made in the Thirty-fourth Year of the Reign of His present Majesty, intituled, "An Act "for the better Management of the Land Revenue of the Crown, "and for the Sale of Fee Farm and other improveable Rents," further Provisions are made touching Grants, Leases, and other Assurances, which should be made or granted by His Majesty, His Heirs or Successors, under the Great Seal, or Seal of the Exchequer, or either of them, of any Manors, Messuages, Lands, Tenements, or Hereditaments, within the Kingdom of England and Dominion of Wales, or any of them, or any Part thereof, then belonging or thenaster to belong to His Majesty, His Heirs or Successors, and being within the ordering and Survey of the Exchequer in England:

and whereas His Majesty has purchased certain Freehold, and Customary or Copyhold and Leasehold Manors, Lands, Tenements, and Hereditaments, out of the Monies issued and applied for the Use of His Privy Purse, or with other Monies over which His Majesty had the uncontrouled Power of Disposition, and which faid Manors, Lands, Tenements, and Hereditaments have been conveyed or surrendered to His Majesty, or to some Person or Persons in Trust for His Majesty, and His Majesty hath hitherto held and enjoyed the same as His sole and exclusive Property; but it may 8 be contended, that by Reason of the general Words used in the said Act in the First Year of her late Majesty Queen Anne, the Free-hold Lands, Tenements, and Hereditaments so purchased by His Majesty, and such as may hereafter be purchased out of such Monies as aforesaid, are subject to the Restrictions and Provisions contained in the faid Acts; and it may also be contended, that such Copyhold or Customary and Leasehold Purchases, by or in Trust for His Majesty as aforesaid, may also fall within the said recited Acts:

[4]

And whereas it is expedient that all Manors, Lands, Tenements, or Hereditaments, of any Tenure whatfoever, which hav been or shall be purchased by and conveyed to or in Trust for His Majesty, or which shall be purchased by and conveyed to or in Trust for His Majesty's Heirs and Successors, out of Monies issued and applied for the Use of His or their Privy Purse, or with any Monies not appropriated to any Public Service, and also all Manors, Lands, Tenements, or Hereditaments which have come to His Majesty, or shall or may hereafter come to His Majesty, His Heirs or Successors, by Gist or Devise, or by Descent, as Heir of any Ancestor or other Person not being King or Queen of this Realm, should be held and enjoyed by His Majesty, His Heirs and Successors, freed and discharged from all and every the Provisions and Restrictions of the said recited Acts of the First Year of her late Majesty Queen Anne, and the First and Thirty-sourth Years of His present Majesty (except as hereinaster provided) and should be saleable and disposeable either by Grant or otherwise in His or their Lifetime, or by His or their last Will and Testament in Writing, in such Manner as he or they shall think sit:

10 Be it therefore Enasted by the KING's Most Excellent Ma-JESTY, 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 none of the Provisions or Restrictions contained in the said Acts of the First Year of her said late Majesty Queen Anne, and the First and Thirty-fourth Years of the Reign of His present Majesty, shall extend to any Manors, Messuages, Lands, Tenements, or Hereditaments, of whatsoever Tenure the same may be, which have at any Time heretofore been purchased by His Majesty, or shall at any Time hereafter be purchased by His Majesty, His Heirs or Successors, out of any Monies issued and applied for the Use of His or their Privy Purse, or with any other 11 Monies not appropriated to any Public Service, or to any Manors, Messuages, Lands, Tenements, Rents, Tythes, Woods, or other Hereditaments, of whatfoever Tenure the fame may be, which have come to His Majesty, or shall or may come to him, or His Heirs or Successors, by Gift or Devise, or by Descent from any of his, her, or their Ancestors, or any other Person or Persons not being Kings or Queens of this Realm; and the Intent of this Enactment is, that the same shall operate as from the Birth of His present Majesty.

and he it further Enacted, That all and fingular the Manors Lands, Tenements, and Hereditaments of Copyhold or Customary
Tenure.

5

Tenure, or of Leasehold Tenure, which have been purchated by His Majesty as aforesaid, or which have come to His Majesty by Gift 12 or Devise, or by Descent from any of His Ancestors, or any other Persons not being Kings or Queens of this Realm, whether the same have been surrendered or assigned to His Majesty, or to any Person or Persons in Trust for His Majesty, shall be, and the same are hereby vested in

his Heirs, Executors, and Administrators, according to the Tenure of such Manors, Lands, Tenements, and Hereditaments respectively, in Trust, nevertheless, for His Majesty; and that all such Copyhold or Customary, and Leasehold Lands, Tenements, and Hereditaments respectively, as shall be purchased in Manner aforesaid by His Majesty, His Heirs or Successors, or shall come to His Majesty, His Heirs or Successors, by Gift or 13 Devise, or by Descent from any of His or their Ancestors, or any other Persons not being Kings or Queens of this Realm, shall be vested in some Trustee or Trustees for His Majesty, His Heirs and Successors, as shall be respectively named or appointed by Instrument in Writing under the Sign Manual of His Majesty, His Heirs and Successors respectively: and the said

His Heirs and Successors respectively; and the said
and such other Trustee or Trustees as aforesaid, shall be duly admitted to such Copyhold or Customary Lands,
Tenements, or Hereditaments as aforesaid, by the Lords or Ladies
of the Manor or Manors of which the same shall be holden, according to the Nature of the Estate therein, on Payment of such Fines,
and subject to such Rents, Services, and Customs as of Right shall 14
be due and accustomed in respect thereof; and the said
and such other Trustee or

Trustees as aforesaid shall be deemed, as in respect of the Lords or Ladies of such Manors respectively, and all other Persons whatsoever, to be the true and only Tenants of such Copyhold or Customary Lands, Tenements, and Hereditaments respectively, so that no Lord or Lady of any Manor, nor any other Person or Persons, shall be prejudiced thereby.

Drovince always, That nothing herein contained shall extend to defeat or impeach any Grant or Disposition which hath been already made by His Majesty, or by His Direction, of any Manors, 15 Messuages, Lands, Tenements, or Hereditaments so purchased by His Majesty as aforesaid, and conveyed, surrendered, or assured to or in Trust for His Majesty, but all such Grants and Dispositions respectively, shall be valid and effectual to all Intents and Purposes, as the same would have been if they had been made after the passing of, or were conformable to the Provisions in this Act contained.

Leasehold Tenure, and whether conveyed or affured to, or otherwife vested in His Majesty, His Heirs or Successors, or to or in any Perfon or Persons in Trust for His Majesty, His Heirs or Successors as aforesaid, unto any Person or Persons, for any Estate or Estates, or for any Intents or Purposes, His Majesty, His Heirs or Successors respectively shall think fit, as any of His Majesty's Subjects may grant, sell, give, or devise any the like Manors, Mcssuages, Lands, Tenements, and Hereditaments respectively, belonging to such Subjects respectively, by their respectively, belonging to such Subjects wills and Testaments respectively, and all and every Person and Persons who shall be seised or possessed of, or entitled to any such Manors, Messuages, Lands, Tenements, or Hereditaments respectively, or any Estate or Interest therein respectively, in Trust for His Majesty, His Heirs or Successors respectively, shall convey, surrenged as a subject of the second of the secon

det, assign, or otherwise assure the same, in such Manner as His Majesty, His Heirs or Successors, under His or their Royal Sign Manual respectively, to be attested as aforesaid, shall direct; and all and every of the Provisions made by Law for the Conveyance of Trust Estates by Infants, Idiots, and Lunatics, shall extend to such Persons as are or shall be a Trustee or Trustees for His Majesty, His Heirs and Successors respectively, and such Trust Estates shall be conveyed, surrendered, and affured by such Infants, Idiots, and Lunatics, or the Committees of such Idiots or Lunatics accordingly.

And he it further Enafted, That if no Disposition by Grant, Will, or otherwise, shall be made in pursuance of this Act by His Majesty, His Heirs or Successors, of any such Manors, Messuages, Lands, Tenements, and Hereditaments as aforesaid, or if any Disposition which shall be so made shall not exhaust the whole Estate or Interest of His Majesty, His Heirs or Successors respectively in the same, then and in every such Case all such Manors, Messuages, Lands, Tenements, and Hereditaments, whereof no such Disposition

676.

[7

fition shall be made as aforesaid, or so much of the Estate and Interest therein respectively as should not have been so disposed of, shall descend and go in such and the same Manner, on the Demise of His Majesty, His Heirs and Successor respectively, as the same would have descended and gone if this Act had not been made, subject nevertheless to the Provisions hereinaster contained, as to so much thereof as shall be Personal Estate of His Majesty and His Successor; and all and every of such Manors, Messuages, Lands, Tenements, and Hereditaments, being of Freehold Tenure in Fee Simple, which shall so descend on the Demise of His Majesty, or any King or Queen of this Realm, shall be subject to all the Restrictions in the said recited Acts contained, in the same Manner 20 as the same would have been subject thereto if this Act had not been made.

Etovided always, and he it further Enacted. That nothing in this Act contained shall extend to defeat, bar, or prejudice any Right or Claim which any Person or Persons now hath or may hereafter have in or to any such Manors, Messuages, Lands, Tenements, and Hereditaments, which now are or which shall at any Time hereafter be, by virtue and in pursuance of this Act, vested in His Majesty, His Heirs or Successors, or in any Person or Persons in Trust for His Majesty, His Heirs or Successors, or to prevent or hinder such Person or Persons from instituting and prosecuting any Actions, Suits, or other Proceedings, in any of His Majesty's Courts, for ascertaining and establishing the same, as he, she, or 21 they might have done if this Act had not been made.

And be it further Enatted, That all and every of such Manors, Messuages, Lands, Tenements, and Hereditaments, whether of Freehold, or Copyhold or Customary, or Leasehold Tenure, which shall be so from Time to Time vested in His Majesty, His Heirs or Successors, or in any Persons or Persons in Trust for His Majesty, His Heirs and Successors respectively, shall from Time to Time be subject and liable to all such Taxes, Rates, Duties, Assessments, and other Impositions, Parliamentary and Parochial, as the same would have been subject and liable to if the same had been the Property of any Subject of this Realm; and all such Rates, Taxes, Assessments, and Impositions shall, so long as the said Manors, 22 Messuages, Lands, Tenements, and Hereditaments shall be vested in His Majesty, His Heirs or Successors, or in any Person or Persons in Trust for His Majesty, His Heirs or Successors as aforesaid, be ascertained, rated, assessments, as if the same Manors, Messuages, Lands, Tenements, and Hereditaments respectively were successors.

8

the absolute and beneficial Estate of any of His Majesty's Subjects; but nevertheless such Rates, Taxes, Assessments, and Impositions, shall be paid and payable in the Manner hereinaster directed, and not otherwise.

And be it further Enacter, That so long as any such Manors, Messuages, Lands, Tenements, or Hereditaments shall be or remain vested in His Majesty, His Heirs and Successors, or in any Trustee or Trustees for His Majesty, His Heirs or Successors as aforesaid, freed and discharged from the Provisions and Restrictions in the said recited Acts respectively, all Taxes, Rates, Duties, Assessing the positions, Rents, and other Annual Payments, Fines and other Outgoings, which shall from Time to Time be charged and chargeable upon, or be or become due and payable in respect of all such Manors, Messuages, Lands, Tenements, and Hereditaments respectively, shall be paid and discharged out of the Privy Purse of His Majesty, His Heirs and Successor sespectively, and Accounts thereof shall from Time to Time be returned to the Person or Persons for the Time being executing the Office of His Majesty's Privy Purse, or his or their Deputy, who shall, by and out of any Monies in his or their Hands applicable for the Use of His Majesty, pay and discharge the same.

and whereas by the Law of England the Queen Confort, Wife of the King, is capable of taking, granting, or disposing of Property as if the were a Feme Sole; but Doubts may arise how far this Capacity of granting or disposing of Property extends, and especially whether, during the Life of the King Her Husband, it includes the Power of devising and bequeathing by last Will and Testament: and whereas His Majesty is desirous that Her Majesty Queen CHARLOTTE, His Majesty's Royal Consort, during His Majesty's Life, should have full and complete Power, as well by Her last Will 25 and Testament as by Deed, to grant, alien, and dispose of any Manors, Messuages, Lands, Tenements, Rents, Tythes, and Hereditaments which have been purchased by Her Majesty, or which shall hereafter be purchased by Her Majesty, or shall become or shall be vested in Her Majesty, or in any Person or Persons in Trust for Her Majesty, under and by virtue of any Deed, Gift, Will, or otherwise, except as hereinaster is mentioned, in the fame Manner as Her Majesty might dispose thereof if she were fole and unmarried; and it may be convenient that the like Power should be secured to every Queen Consort of this Realm for the Time being: Mow therefore be it further Enaften, That it shall be lawful for Her Majesty, at any Time or Times during the joint 26 Lives of Their Majesties, by Deed under Her Hand and Seal, to be executed in the Presence of and attested by Two or more Wit-

[9

theffes, or by Her last Will and Testament in Writing, or any Writing in the Nature of a last Will and Testament, to be signed and published by Her in the Presence of and attested by Three or more Witnesses, to grant, give, alien, dispose of, convey, or devise any Manors, Messuages, Lands, Tenements, and Hereditaments, which have at any Time heretofore been purchased, or which shall at any Time hereafter be purchased by or in Trust for Her Majesty, or which shall hereafter come or devolve upon or vest in Her Majesty, or any Person or Persons in Trust for Her, under or by virtue of any Deed, Gist, Will, or otherwise, for all or any Part of such Estate, Right, and Interest, as Her Majesty, or such Person or Persons in Trust for Her, now hath or have, or shall or may have in any 27 such Manors, Messuages, Lands, Tenements, and Hereditaments, unto any Person or Persons, and for any Intents and Purposes, and in any Manner She shall think sit, as sully and effectually, in all Respects, as she could or might grant, convey, alien, dispose of, give, or devise the same if she were sole and unmarried.

and be it further Enasted, That it shall be lawful for any Queen for the Time being of this Realm, being the Confort of His Majesty, or any of His Successors, in like Manner, at any Time or Times during the joint Lives of the King and fuch Queen Confort for the Time being, by Deed under Her Hand and Seal, or by Her last Will and Testament in Writing, to be respectively executed, figned, published, and attested as aforesaid, to grant, convey, alien, 28 dispose of, give or devise, any Manors, Messuages, Lands, Tenements, and Hereditaments, which shall be purchased by or in Trust for Her, or which shall come to or devolve upon or vest in Her, or any Person or Persons in Trust for Her, under and by virtue of any Deed, Gift, Will, or otherwise, for all or any Part of such Estate, Right, and Interest as She, or such Person or Persons in Trust for Her, shall have in any such Manors, Messuages, Lands, Tenements, or Hereditamets, to any Person or Persons, and for any Intents and Purposes She shall think fit, as fully and effectually, in all Re- 29 spects, as if She were sole and unmarried: Provided always, that nothing in this Act contained shall extend to enable Her Majesty, or any Queen Confort of this Realm, to make any Grant, Conveyance, or Disposition of any Palace, or Capital Mansion House, Gardens, Lands, or Hereditaments belonging to His Majesty, or any of His Successors, in Right of the Crown, which now are or hereaster shall be vested in Her Majesty, or in any such Queen Consort, for Her Life, as and for Her Jointure or otherwise, under any Letters Patent of His Maj sty, or any of His Successors, or by Act of Par-

10 rovided

•

[10

Province always, and he it further Enaster. That nothing in this Act contained shall extend to defeat or prejudice the Rights of the Lords of any Manors of which any Copyhold or Customary Lands, Tenements, or Hereditaments, which shall be so granted, conveyed, aliened, disposed of, given, or devised by Her said Majesty, or any Queen Consort of His Majesty, or any of His Successors for the Time being, may be holden, to such Fine or Fines, or other Profit, upon the Admission of any Grantee or Devisee of such Copyhold Lands, Tenements, or Hereditaments, as shall thentofore have been usually paid upon the Admission of any Tenant or Tenants thereto.

and whereas it is His Majesty's most gracious Desire that all such Personal Estate and Estects as His Majesty shall be possessed of or entitled to at the Time of His Demife, and over which He shall have the full and absolute Power of Disposition by His last. Will and Testament, should be subject and liable to the Payment of all such Debts of His Majesty as shall, during His Lifetime, be properly payable out of His Privy Pure; and that, subject to Debts, the same Personal Estate and Effects should, in case His Majesty should not make any Testamentary Disposition thereof, go to and be distributed amongst such Person or Persons as would have been entitled thereto, under the Laws and Customs of this Realm, if His Majesty had not acceded to the Crown of this Realm, but had, at the Time of His Demise, been a Subject of the King or Queen of this Realm: and whereas it may be expedient that all such Personal Estate and Effects as any of His Majesty's Successors, Kings or Queens of this Realm, shall be possessed or entitled to in like Manner, should also be subject and liable to the like Charge, and Disposition or Distribution; Mow therefore be it further Enafted, That all and fingular the Personal Estate and Esfects whereof or whereto His Majesty, or any of His Successors, shall be possessed or entitled at the Time of His and their respective Demises as aforesaid, shall be subject and liable to the Payment of all such Debts as shall be properly payable out of His or their Privy Purse, and that subject thereto, the same Personal Estate and Esfects of His Majesty and 33 His Successors respectively, or so much thereof respectively as shall not be given or bequeathed, or disposed of as aforesaid, shall go to and be distributable between such Person or Persons respectively, as would, under and by virtue of the Statutes, Laws, and Customs of this Realm, have been entitled thereto as the next of Kin of His faid Majesty, or of such His Successors as aforesaid, in case His said Majesty, or such His Successors respectively, had not at the Time

11

of His or their Demise respectively been Kings or Queens of this Realm.

and whereas divers Lands, Tenements, and Hereditaments have become and may hereafter become vested in His Majesty, His Heirs and Successors, by Escheat or otherwise, in Right of the Crown, which in the Hands of any of His Majesty's Subjects would be chargeable with certain Trusts, or applicable to certain Purposes, and His Majesty, His Heirs or Successors, may be de-34 firous that the fame should be applied accordingly, notwithstanding any Right which He or they may have to hold the same discharged from such Trusts, or without applying the same to such Purposes; but by reason of the Provisions contained in the said Acts of the First Year of her said late Majesty Queen Anne, and the Thirtyfourth Year of His Majesty's Reign, Doubts may be raised whether His Majesty, His Heirs or Successors, can direct such Application thereof: and whereas divers Lands, Tenements, and Hereditaments, as well Freehold as Copyhold, have escheated and may escheat to His Majefty, His Heirs or Successors, for Want of Heirs of the Persons last seised thereof or entitled thereto, or by reason of some Forseiture, or otherwise, although not forseited for Treason or Felony; and it is expedient to enable His Majesty to direct the Execution of any fuch Trusts or Purposes as aforesaid, and to make any Grants of any fuch Manors, Lands, Tenements, or Hereditaments as aforesaid, notwithstanding the Provisions contained in the said recited Acts; De it Enasted, That it shallbe lawful for His Majesty, His Heirs and Successors, by Warrant under His or their Sign Manual, to direct the Execution of any Trusts or Purposes to which any Manors, Messuages, Lands, Tenements, or Hereditaments, which have escheated or shall escheat to His Majesty, His Heirs or Successors, shall have been liable at the Time the same so escheated respectively, or would have been liable in the Hands of any of His Majesty's Sub- 36 jects, and to make any Grants of such Manors, Lands, Tenements, and Hereditaments respectively to any Trustee or Trustees, or otherwise, for the Execution of such Trusts, and to make any Grants of any Lands, Tenements, or Hereditaments which have escheated or shall escheat as aforesaid, to any Person or Persons, either for the Purpose of restoring the same to any of the Family of the Perfon or Persons whose Estates the same had been, or of rewarding any Persons or Person making Discovery of any such Escheat, as to His Majesty, His Heirs or Successors respectively, shall seem sit; any Thing in the faid Acts, or any of them, to the contrary not681.

او درایا

to he printed, 19th June 1200.

A CONTRACTOR OF CONTRACTOR OF