

ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

CAP. CXCII.

An Act to remove certain Difficulties in the Diſpoſition of Copyhold Eſtates by Will.

[12th *July* 1815.]

WHEREAS by the Cuſtoms of certain Manors, Copyhold Eſtates of ſuch Manors paſs by the Laſt Will and Teſtament of the Copyhold Tenants thereof declaring the Uſes of Surrenders made for that Purpoſe: And whereas much Inconvenience has ariſen, from the Neceſſity of making ſuch Surrenders: For Remedy whereof, May it pleaſe Your Majeſty that it may be enacted; and 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 in all Caſes where by the Cuſtom of any Manor in *England* or *Ireland* any Copyhold Tenant of ſuch Manor may by his or her Laſt Will and Teſtament diſpoſe of or appoint his or her Copyhold Tenements, the ſame having been ſurrendered to ſuch Uſes as ſhould be declared by ſuch Laſt Will and Teſtament, every Diſpoſition or Charge made or to be made by any ſuch Laſt Will and Teſtament by any Perſon who ſhall die after the paſſing of this Act, of any ſuch Copyhold Tenements, or of any Right, Title, or Intereſt in or to the ſame, ſhall be as valid and effectual to all Intents and Purpoſes, although no Surrender ſhall have been made to the Uſe of the Laſt Will and Teſtament of ſuch Perſon, as the ſame would have been if a Surrender had been made to the Uſe of ſuch Will.

Diſpoſitions by Will of Copyhold Eſtates made effectual without previous Surrenders to the Uſes thereof.

Perſons admitted under Teſtamentary Diſpoſitions, to pay the like Fees, &c. as would have been payable on ſuch Surrenders.

II. Provided alſo, and it is hereby further enacted, That no Perſon entitled or claiming to be entitled to Copyhold Lands, Tenements, or Hereditaments, in conſequence of any Teſtamentary Diſpoſition, ſhall be entitled to be admitted to the ſame by virtue of any Thing in this Act contained, except upon Payment of all ſuch Stamp Duties, Fees, and Sums of Money as would have been lawfully due and payable in reſpect of the ſurrendering of ſuch Copyhold Lands, Tenements, or Hereditaments, to the Uſe of ſuch Will, or in reſpect of the preſenting, regiſtering, or enrolling ſuch Surrender, had the ſame Lands, Tenements, and Hereditaments been ſurrendered to the Uſe of the Will of the Perſon ſo diſpoſing of the ſame; all ſuch Stamp Duties, Fees, or Sums of Money due as aforeſaid, to be paid in Addition to the Stamp Duties, Fees, or Sums of Money due or payable on the Admiſſion of ſuch Perſon ſo entitled or claiming to be entitled to the ſame Copyhold Lands, Tenements, or Hereditaments, and the Stamp Duties to be affixed to the Copy of the Admiſſion.

This Act not to invalidate Deviſes of Copyholds, &c.

III. Provided always, and it is hereby enacted and declared, That nothing in this Act contained ſhall be conſtrued, deemed, or taken, at Law or in Equity, to render invalid or ineffectual any Deviſe or Diſpoſition of any Copyhold Lands, Tenements, or Hereditaments, or of any Right, Title, or Intereſt in or to Copyhold Lands, Tenements, or Hereditaments, which would be valid or effectual if this Act had not been made; or to render valid and effectual any Deviſe or Diſpoſition of any Copyhold Lands, Tenements, or Hereditaments, or of any Right, Title, or Intereſt in or to any Copyhold Lands, Tenements, or Hereditaments, which would be invalid or ineffectual if a Surrender had been made to the Uſe of the Laſt Will and Teſtament of the Perſon attempting to diſpoſe of the ſame by Will; any Thing herein-before contained to the contrary notwithſtanding.

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