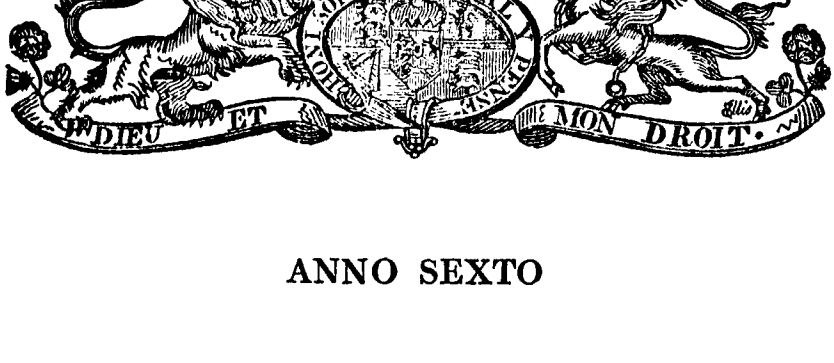


ANNO SEXTO

GULIELMI IV. REGIS.

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CAP. XX.

An Act for imposing certain Restrictions on the Renewal of Leases by Ecclesiastical Persons.

[21st *June* 1836.]

WHEREAS it is expedient that such Provision as is hereinafter contained should be made respecting the granting of Ecclesiastical Leases: 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 after the passing of this Act no Archbishop or Bishop, Ecclesiastical Corporation Sole or Aggregate, Dignitary, Canon, or Prebendary, or other Spiritual Person, nor any Master or Guardian of any Hospital, shall grant any new Lease of any House, Land, Tithes, or other Hereditaments, Parcel of the Possessions of his or their See, Chapter, Dignity, Canonry, Prebend, Benefice, or Hospital, by way of Renewal of any Lease which shall have been previously granted of the same for Two or more Lives, until One or more of the Persons for whose Lives such Lease shall have been so made shall die, and then only for the surviving Lives or Life and for such new Life or Lives as, together with the Life or Lives of such Survivor or Survivors, shall make up the Number of Lives, not exceeding Three in the whole, for which such Lease shall have been so made as aforesaid; and that where any such Lease shall have been granted for Forty Years no such Archbishop, Bishop, Ecclesiastical Corporation Sole or Aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master, or Guardian shall grant

Restrictions on Ecclesiastical Persons granting Leases.

grant any new Lease, by way of Renewal of the same, until Fourteen Years of such Lease shall have expired; and that where any such Lease shall have been made as aforesaid for Thirty Years no such Archbishop, Bishop, Ecclesiastical Corporation Sole or Aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master, or Guardian shall grant any new Lease, by way of Renewal of the same, until Ten Years of such Lease shall have expired; and where any such Lease shall have been granted for Twenty-one Years no such Archbishop, Bishop, Ecclesiastical Corporation Sole or Aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master, or Guardian shall grant any new Lease, by way of Renewal of the same or (in the Case of Archbishops or Bishops) concurrently therewith, until Seven Years of such Lease shall have expired; and that where any such Lease shall have been granted for Years no such Archbishop, Bishop, Ecclesiastical Corporation Sole or Aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master, or Guardian shall grant any Lease, by way of Renewal of the same or otherwise, for any Life or Lives; any Law, Statute, or Custom to the contrary notwithstanding.

Recitals of Lease to be taken as Evidence of Fact.

II. And be it further enacted, That whenever any Archbishop, Bishop, Ecclesiastical Corporation Sole or Aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master, or Guardian shall hereafter grant any renewed Lease of any House, Land, Tithes, or other Hereditaments, Parcel of the Possessions of his or their See, Chapter, Dignitary, Canonry, Prebend, Benefice, or Hospital, such Lease shall contain a Recital or Statement, in the Case of a Lease for Lives, setting forth the Names of the several Persons named as Cestuique vie in the then last preceding Lease of the same Premises, and stating which of such Persons, if any, is or are then dead, or for whose Life that of some other Person has been exchanged by virtue of the Proviso herein-after contained, and in case of a Lease for Years setting forth for what Term of Years the last preceding Lease of the same Premises was granted, and how much of such Term has then expired, and how much remains to come and unexpired, every such Recital or Statement shall, so far as relates to the Validity of the Lease so to be granted as aforesaid, be deemed and taken to be conclusive Evidence of the Truth of the Matter so recited or stated.

Penalty on Persons introducing Recitals into Lease, knowing the same to be false.

III. And be it further enacted, That if any Person shall execute any such Lease, or any Counterpart thereof, knowing such Recital or Statement, or any Part thereof, to be false, or shall wilfully introduce or cause to be introduced, or aid or assist in introducing, any such Recital or Statement into any such Lease knowing the same or any Part thereof to be false, or shall prepare or ingross, or cause to be prepared or ingrossed, any Lease or Counterpart of a Lease containing any such false Recital or Statement as aforesaid, knowing the same or any Part thereof to be false, every Person so offending shall be deemed and taken to be guilty of a Misdemeanor; and every Person so offending shall, in addition to any Punishment to which he may be liable, forfeit and pay to any Person suing for the same the full Sum of Five hundred Pounds, or, at the Option of such Person, Five Years improved annual Value of the Hereditaments comprised in such Lease.

IV. Pro-

Ecclesiastical Persons may grant certain Leases conformable to usual Practice.

IV. Provided nevertheless, and be it enacted, That in Cases where it shall be certified in manner herein-after mentioned that for Ten Years now last past it hath been the usual Practice (such Practice having in the Case of a Corporation Sole commenced prior to the Time of the Person for the Time being representing such Corporation) to renew such Leases for Forty, Thirty, or Twenty-one Years respectively, at shorter Periods than Fourteen, Ten, or Seven Years respectively, nothing herein contained shall prevent any Archbishop, Bishop, Ecclesiastical Corporation Sole or Aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master, or Guardian from granting a renewed Lease conformably to such usual Practice; provided that such usual Practice shall be made to appear to the Satisfaction of the Archbishop of the Province in the Case of a Lease granted by such Archbishop or by a Bishop, and in the Case of a Lease granted by any other Corporation or Person to the Satisfaction of such Archbishop and also of the Bishop having Jurisdiction over such Corporation or Person, and shall before the granting of such Lease be certified in Writing under the Hand of the Archbishop in the one Case, and of the Archbishop and Bishop in the other Case; the Certificate so signed by an Archbishop only to be afterwards deposited in the Registry of such Archbishop, and the Certificate so signed by an Archbishop and also by a Bishop to be afterwards deposited in the Registry of such Bishop, which Certificate shall be conclusive Evidence of the Facts thereby certified.

Not to prevent Ecclesiastical Persons effecting Exchanges under certain Conditions.

V. Provided also, and be it enacted, That nothing herein contained shall prevent any Archbishop, Bishop, Ecclesiastical Corporation Sole or Aggregate, Dignitary, Canon, Prebendary, Spiritual Person, Master, or Guardian from exchanging any Life or Lives in being, for which any Lease shall have been granted as aforesaid, and accordingly granting any renewed Lease with a view to effectuate such Exchange of a Life or Lives; provided that the same shall be approved of (in the Case of an Archbishop) by His Majesty in Council, or (in the Case of a Bishop) by the Archbishop of the Province, or (in the Case of any inferior Corporation or Person) by the Archbishop of the Province and Bishop of the Diocese; such Approbation, when required to be given by His Majesty in Council, to be testified by the President of the Council certifying on the renewed Lease to be granted as aforesaid such Approbation, and in all other Cases to be testified by the Person or Persons whose Approval is hereby required certifying on such renewed Lease his or their Approbation of the same.

Not to prevent Grants under Acts of Parliament;

VI. Provided also, and be it enacted, That nothing in this Act contained shall prevent any Grants or Renewals of Leases which may have been authorized by Acts of Parliament specially relating to the particular Estates demised by such Leases.

nor for same Term as preceding Leases.

VII. Provided also, and be it enacted, That nothing in this Act contained shall prevent a Lease from being granted, with a view to confirm any Title or otherwise, for the Life or Lives of the same Person or Persons or for the Lives or Life of the Survivors or Survivor of them, or for the same Term of Years, and commencing at the same

same Period, as the Lease last granted for a Life or Lives or a Term of Years respectively.

Act not to render valid illegal Leases.

VIII. Provided also, and be it enacted, That no Lease not authorized by the Laws and Statutes now in force shall be rendered valid by any thing in this Act contained.

Leases contrary to this Act void.

IX. And be it enacted, That if any Lease contrary to this Act shall have been granted since the First Day of *March* in the Year One thousand eight hundred and thirty-six, or shall be granted after the passing of this Act, every such Lease shall be void to all Intents and Purposes whatsoever: Provided always, that nothing in this Act contained shall be deemed or taken to affect any Lease granted or to be granted pursuant to any Covenant or Agreement entered into previously to the First Day of *March* One thousand eight hundred and thirty-six.

Act not to extend to Ireland.

X. And be it further enacted, That nothing in this Act contained shall be deemed or taken to extend to *Ireland*.

Act may be altered this Session.

XI. And be it further enacted, That this Act may be altered or amended by any Act during this present Session of Parliament.

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