ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

CAP. CVIII.

An Act to promote the building, repairing, or otherwiſe providing of Churches and Chapels, and of Houſes for the Reſidence of Miniſters, and the providing of Church Yards and Glebes.

[27th *July* 1803.]

WHEREAS a ſufficient Number of Churches and Chapels for the Celebration of Divine Service, according to the Rites and Ceremonies of the United Church of *England* and *Ireland*, and of Manſion Houſes with competent Glebes for the Reſidence of Miniſters officiating in ſuch Churches and Chapels, is neceſſary towards the Promotion of Religion and Morality: And whereas the ſame are either wholly wanting or materially deficient in many Parts of *England* and *Ireland*: And whereas many well diſpoſed Perſons would be deſirous of contributing towards the Supply of ſuch Defects, if they were enabled ſo to do in the Manner herein-after directed: May it therefore 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 all and every Perſon and Perſons having in his or their own Right any Eſtate or Intereſt in Poſſeſſion, Reverſion, or Contingency, of or in any Lands or Tenements, or of any Property of or in any Goods or Chattels, ſhall have full Power, Licence, and Authority, at his and their Will and Pleaſure, by Deed inrolled in ſuch Manner, and within ſuch Time, as is directed in *England* by the Statute made in the Twenty-ſeventh Year of the Reign of King

Perſons by Deed or Will may give Lands not exceeding Five Acres, or Goods and Chattels not exceeding 100*l.* for the Purpoſes of this Act.

Henry the Eighth, and in *Ireland* by the Statute made in the Tenth Year of the Reign of King *Charles* the First, for Inrolment of Bargains and Sales, or by his, her, or their laſt Will or Teſtament in Writing duly executed according to Law, ſuch Deed, or ſuch Will or Teſtament, being duly executed Three Calendar Months at leaſt before the Death of ſuch Grantor or Teſtator, including the Days of the Execution and Death, to give and grant to and veſt in any Perſon or Perſons, or Body Politick or Corporate, and their Heirs and Succeſſors reſpectively, all ſuch his, her, or their Eſtate, Intereſt, or Property in ſuch Lands or Tenements, not exceeding Five Acres, or Goods and Chattels, or any Part or Parts thereof, not exceeding in Value Five hundred Pounds, for or towards the erecting, rebuilding, repairing, purchaſing, or providing any Church or Chapel where the Liturgy and Rites of the ſaid United Church are or ſhall be uſed or obſerved, or any Manſion Houſe for the Reſidence of any Miniſter of the ſaid United Church officiating, or to officiate in any ſuch Church or Chapel, or of any Out-buildings, Offices, Church Yard, or Glebe, for the ſame reſpectively, and to be for thoſe Purpoſes applied, according to the Will of the ſaid Benefactor in and by ſuch Deed enrolled, or by ſuch Will or Teſtament executed as aforeſaid expreſſed, the Conſent and Approbation of the Ordinary being firſt obtained, and in Default of ſuch Direction, Limitation, or Appointment, in ſuch Manner as ſhall be directed and appointed by the Patron and Ordinary, with the Conſent and Approbation of the Parſon, Vicar, or other Incumbent; and ſuch Perſon and Perſons, Bodies Politick and Corporate, and their Heirs and Succeſſors reſpectively, ſhall have full Capacity and Ability to purchaſe, receive, take, hold, and enjoy, for the Purpoſes aforeſaid, as well from ſuch Perſons as ſhall be ſo charitably diſpoſed to give the ſame, as from all other Perſons as ſhall be willing to ſell or aliene to ſuch Perſon or Perſons, Bodies Politick or Corporate, any Lands or Tenements, Goods, or Chattels, without any Licence or Writ of *Ad quod damnum*, the Statute of Mortmain, or any other Statute or Law to the contrary notwithſtanding: Provided always, that this Act or any Thing therein contained, ſhall not extend to enable any Perſon or Perſons being within Age, or of non-ſane Memory, nor Women Covert without their Huſbands, to make any ſuch Gift, Grant, or Alienation; any Thing in this Act contained to the contrary in anywiſe notwithſtanding.

But ſuch Powers not to extend to Perſons within Age, Inſane, or Femes Covert.

II. Provided alſo, and it is hereby further enacted, That no more than One ſuch Gift or Deviſe ſhall be made by any One Perſon, and that if any ſuch Gift or Deviſe as aforeſaid ſhall happen to exceed Five Acres in Lands or Tenements, or the Value of Five hundred Pounds in Goods and Chattels, every ſuch Gift or Deviſe ſhall be good and valid to the Extent aforeſaid; and it ſhall be lawful for the Lord Chancellor for the Time being, on Petition, to make Order for reducing every ſuch Gift or Deviſe to and within the ſaid Limits, and for allotting ſuch ſpecifick Five Acres, and if Occaſion ſhould require, ſuch ſpecifick Goods and Chattels as in his Judgement ſhall be moſt convenient, and to make ſuch further Order touching the Premiſes as to him ſhall appear juſt and reaſonable.

Only One ſuch Gift ſhall be made by One Perſon, and where it exceeds Five Acres or 500*l.* the Chancellor may reduce it.

III. Provided alſo, That no Glebe containing upwards of Fifty Acres, ſhall be augmented with more than One Acre under or by virtue of this Act, but that the Exceſs, if any given or deviſed for the Purpoſe of ſuch Augmentation, ſhall be reduced in Manner aforeſaid, by the ſaid Lord Chancellor.

No Glebe upwards of 50 Acres ſhall be augmented with more than One Acre.

Chancellor, and such Order thereupon shall be by him made as herein-before is directed in the Case of an Exceſs beyond Five Acres.

Plots of Land not exceeding One Acre held in Mortmain, lying convenient to be annexed to some Church, *etc.* may be granted either by Exchange or Benefaction for that Purpose.

IV. And whereas it often happens that small Plots of Land held in Mortmain lie convenient to be annexed to some such Church or Chapel, or House of Residence, as aforesaid, or to some Church Yard, or Curtilage thereto belonging, or convenient to be employed as the Scite of some such Church or Chapel, or House to be hereafter erected, and for the necessary and commodious Use and Enjoyment thereof, and that they might be so employed to the Advantage of the Publick, and without Detriment to the Proprietors thereof, if they were enabled to give and grant the same for the Purposes aforesaid; be it therefore further enacted, That it shall be lawful for every Body Politick or Corporate, Sole or Aggregate, by Deed inrolled as aforesaid, with or without Confirmation, as the Law may require, to give and grant, either by Way of Exchange or Benefaction, any such small Plot of Land not exceeding One Acre, to any Person or Persons, Body Politick or Corporate, his and their Heirs and Successors respectively, to be held, used, and applied for the Purposes aforesaid; and such last mentioned Person and Persons, Bodies Politick and Corporate, and their Heirs and Successors respectively, shall have full Capacity and Ability, with Consent of the Incumbent, Patron, and Ordinary, to take, hold, and enjoy such small Plot of Land for the Purposes aforesaid, without any Licence or Writ of *Ad quod damnum*, the Statute of Mortmain, or any other Act or Law to the contrary notwithstanding.

Accommodation to be provided for Persons resorting to Church, *etc.*

V. Provided also, and it is hereby further enacted and declared, That in every Parochial Church or Chapel hereafter to be erected ample Provision shall be made for the decent and suitable Accommodation of all Persons, of what Rank or Degree soever, who may be entitled to resort to the same, and whose Circumstances may render them unable to pay for such Accommodations.

Rights of giving or devising not affected.

VI. Provided also, That nothing in this Act contained shall be construed to take away or abridge any Right of giving or devising which already exists in any Person whatsoever.

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