



ANNO QUINQUAGESIMO PRIMO

# GEORGI II. REGIS.

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## Cap. 69.

An Act for building and establishing a Church or Chapel of Ease, at *Buxton*, in the County of *Derby*.

[14th May 1811.]

**W**HEREAS the Population of the Town of *Buxton*, in the several Parishes of *Bakewell* and *Hope*, in the County of *Derby*, hath of late Years greatly increased, and the Town is much resorted to, for the Benefit of the Springs and Waters therein, by Invalids and others; And whereas the Chapel of *Buxton* aforesaid, is a Chapel of Ease to the Vicarage of the Parish Church of *Bakewell*, and is within the peculiar Jurisdiction of the Dean and Chapter of *Lichfield*; and the present Chapel is situate at a very inconvenient Distance, and is difficult of Access from the principal Part of the said Town of *Buxton*, and is also very much out of Repair, and not large enough for the Accommodation of the Inhabitants of, and Persons resorting to the said Town: And whereas the said Dean and Chapter of *Lichfield* are Patrons of the said Parish Church of *Bakewell*, and the Reverend *Richard Chapman* is Vicar thereof; and the said Dean and Chapter are also Patrons of the Parish Church of *Hope* aforesaid, and the Reverend *Stephen Hartley* is Vicar thereof: And whereas the Most Noble *William Duke of Devonshire*, by and with the Consent and Approbation of the Honourable and Right Reverend Father in God *James Lord Bishop of the Diocese of Lichfield and Coventry*, and of the said Dean and Chapter of *Lichfield* and Vicars of *Bakewell* and *Hope* respectively, hath lately set apart and appropriated and staked out and allotted, a convenient and suitable Piece or Parcel of Ground, lying in that Part of the said Town of *Buxton* which is within the Parish of *Hope*, for the Purpose of building thereon a Church or

[Loc. & Per.]

public Chapel, and for a Church Yard and Cemetery to the same, and hath already at his own Costs and Charges expended a very considerable Sum of Money, in erecting a Building, intended as and for such Church or public Chapel: And whereas the said intended new Church or public Chapel would be of great Benefit and Advantage to the Inhabitants of the said Town of *Buxton*, for the Purposes of public Devotion, and be much more conveniently situated than the present Chapel, and it would be very expedient that such new Church or public Chapel, when built, should be deemed and considered as the Church or public Chapel of *Buxton*, instead of the present Chapel, and for the Purposes of this Act, to be within the said Township of *Buxton* and Parish of *Bakewell* aforesaid: And whereas the said Dean and Chapter of *Lichfield*, and the said Vicars of *Bakewell* and *Hope* aforesaid, with the Privity and Approbation of the said Lord Bishop of *Lichfield* and *Coventry*, have entered into Articles of Agreement, in the Words or to the Effect following; that is to say, “Articles of Agreement had, made, concluded and fully agreed upon, this Twentieth Day of *February*, in the Year of our Lord One thousand eight hundred and eleven, between the Honourable and Right Reverend Father in God *James* Lord Bishop of the Diocese of *Lichfield* and *Coventry*, the Dean and Chapter of the Cathedral Church of *Lichfield*, the Reverend *Richard Chapman*, of *Bakewell*, in the County of *Derby*, Clerk, and the Reverend *Stephen Hartley*, of *Lilleshall*, in the County of *Salop*, Clerk, of the One Part; and the Most Noble *William* Duke of *Devonshire* of the other Part: Whereas the said Dean and Chapter are Patrons of the Parish Church of *Bakewell* in the said County of *Derby*, lying within the peculiar Jurisdiction of the said Dean and Chapter, and the said *Richard Chapman* is Vicar thereof; and the said *Richard Chapman*, as Vicar of *Bakewell* aforesaid, is entitled to the Advowson Right of Patronage and Nomination of, in and to the Chapel of *Buxton* in the said Parish of *Bakewell*, and also of, in and to the Chapel of *Baslow* in the same Parish, which are respectively Chapels of Ease to the Vicarage of *Bakewell* aforesaid, and also within the Jurisdiction of the said Dean and Chapter of *Lichfield*: And whereas the said Dean and Chapter of *Lichfield* are Patrons of the Parish Church of *Hope* in the said County of *Derby*, lying also within the Jurisdiction aforesaid, and the said *Stephen Hartley* is Vicar thereof: And whereas the said *William* Duke of *Devonshire*, is Patron of the Vicarage of *Tutbury* in the County of *Stafford*, within the Diocese of the said Bishop of *Lichfield* and *Coventry*: And whereas the Population of the Town of *Buxton*, within the several Parishes of *Bakewell* and *Hope* aforesaid, hath of late Years greatly increased, and the Town is much resorted to, for the Benefit of the Springs and Waters therein, by Invalids and others: And whereas the present Chapel of *Buxton* aforesaid is situate at a very inconvenient Distance, and is difficult of Access from the principal Part of the said Town of *Buxton*, and is also very much out of Repair, and not large enough for the Accommodation of the Inhabitants of, and Persons resorting to, the said Town: And whereas the said *William* Duke of *Devonshire*, by and with the Consent and Approbation of the said Lord Bishop of *Lichfield* and *Coventry*, and also of the said Dean and Chapter of *Lichfield*, and Vicars of *Bakewell* and *Hope* respectively, hath lately set apart and appropriated and staked out and allotted, a convenient and suitable Piece or Parcel of Ground, lying in that Part of the said Town of *Buxton* which is within the Parish of *Hope* aforesaid, for the Purpose of building thereon a Church or Chapel, and for a Church Yard and Cemetery to the same, and hath already, at his own Costs and Charges, expended a very considerable Sum of Money in erecting a  
Building,

Building, intended as and for such Church or Chapel: And whereas the said intended new Church or Chapel will be of great Benefit and Advantage to the Inhabitants of the said Town of *Buxton*, for the Purposes of public Devotion, and be much more conveniently situated than the present Chapel, and it will be very expedient that such new Church or Chapel, when built, shall be deemed and considered as the Church or Chapel of *Buxton*, instead of the present Chapel: And whereas the said Dean and Chapter of *Lichfield*, and the said Vicars of *Bakewell* and *Hope* aforesaid, with the Privity and Approbation of the said Lord Bishop of *Lichfield* and *Coventry*, and in order the better to provide a suitable and convenient Church or Chapel for the said Town of *Buxton*, for the Purposes of public Devotion and Divine Worship according to the Rites and Ceremonies of the Church of *England*, have consented and agreed to and with the said *William* Duke of *Devonshire*, his Heirs and Assigns, that the said intended Church or Chapel, when built, shall be taken and deemed to be the Church or Chapel of *Buxton* aforesaid, instead of the said present Chapel, and have and be endowed with all and singular the Privileges, Rights, Profits and Advantages thereunto belonging or appertaining; and further, that the Right of Patronage and Nomination, of or to the said intended Church or Chapel, and also of or to the said Chapel of *Bassow*, shall be respectively vested in the said *William* Duke of *Devonshire*, his Heirs and Assigns, for ever: Now these Presents witness, That for and in consideration of the Premises, and for the Considerations hereinafter mentioned, it is hereby mutually covenanted, agreed and declared, by and between all the said Parties to these Presents, and the said Dean and Chapter of *Lichfield*, and *Richard Chapman* and *Stephen Hartley*, Vicars of *Bakewell* and *Hope* respectively aforesaid, for themselves and their respective Successors severally and respectively, and with the Privity and Approbation of the said *James* Lord Bishop of *Lichfield* and *Coventry*, testified by his being made a Party to and sealing and delivering these Presents, as far as in them lay, and they lawfully can or may in that Behalf, do and doth hereby covenant, promise, grant and agree, to and with the said *William* Duke of *Devonshire*, his Heirs and Assigns, that the said intended new Church or Chapel shall, when finished, be taken and deemed to be the Church or Chapel of *Buxton* aforesaid, instead of the said present Chapel, and have and be endowed with all and singular the Privileges, Rights, Profits and Advantages thereunto belonging or appertaining; and further, that the Advowson, Right of Patronage, free Disposition and Nomination, of, in or to the said intended new Church or Chapel, shall from and immediately after the First Day of *May* now next ensuing (One thousand eight hundred and eleven) appertain to and be vested in and settled upon the said *William* Duke of *Devonshire*, his Heirs and Assigns for ever, freed and absolutely acquitted and released of, from and against all Estates, Rights, Interests, Claims and Demands whatsoever, of the said Dean and Chapter of *Lichfield* and their Successors (except as Ordinary of the said Chapel), and the said *Richard Chapman* and *Stephen Hartley*, Vicars of the said Parishes of *Bakewell* and *Hope*, and each of them, and their respective Successors, and all Persons claiming or to claim by, from or under them or their respective Successors, or any or either of them; and that all the Pews, Seats and Benches, in the said intended Church or Chapel (save and except such Parts thereof as have been agreed to be allotted and set apart for the Use of the Inhabitants of the said Town of *Buxton*, and other Persons having Pews, Seats or Benches, in the present Church or Chapel of *Buxton*, and which are particularly delineated and described in the Plan hereunto annexed), shall be vested in the said *William*  
Duke

Duke of *Devonshire*, his Heirs and Assigns, for ever; and the said Dean and Chapter of *Lichfield*, and *Richard Chapman*, Vicar of *Bakerwell* afore said, for themselves and their respective Successors severally and respectively, by and with the like Privy and Approbation of the said *James* Lord Bishop of *Lichfield* and *Coventry*, testified as afore said, as far as in them lay, and they lawfully can or may in that Behalf, do and doth hereby also covenant, promise, grant and agree to and with the said *William* Duke of *Devonshire*, his Heirs and Assigns, that the Advowson, Right of Patronage, free Disposition and Nomination, of, in and to the said Church or Chapel of *Baslow*, in the said Parish of *Bakerwell*, and within the peculiar Jurisdiction of the said Dean and Chapter of *Lichfield* afore said, shall also, from and immediately after the said First Day of *May* now next ensuing, appertain to and be vested in and settled upon the said *William* Duke of *Devonshire*, his Heirs and Assigns, for ever, freed and absolutely discharged and released of, from and against all Estates, Rights, Interests, Claims and Demands whatsoever, of the said Dean and Chapter of *Lichfield* and their Successors (except as Ordinary of the said Chapel), and the said *Richard Chapman*, Vicar of *Bakerwell*, and his Successors respectively, and all Persons claiming or to claim by, from, or under them or him, or their respective Successors, or any or either of them; and the said *William* Duke of *Devonshire*, by and with the like Privy, Consent and Approbation of the said *James* Lord Bishop of *Lichfield* and *Coventry*, testified as afore said, for himself, his Heirs, Executors and Administrators, and for every of them, doth hereby covenant, promise, grant and agree, to and with the said Dean and Chapter, and their Successors, and also to and with the said *Richard Chapman*, Vicar of *Bakerwell* afore said, and his Successors, that the Advowson, Right of Patronage, free Disposition, Nomination and Presentation, of, in and to the said Church of *Tutbury* afore said, shall, from and immediately after the said First Day of *May* now next ensuing, appertain and belong to, and shall be vested in and settled upon the said *Richard Chapman* and his Successors for the Time being, Vicars of *Bakerwell* afore said, for ever, freed and absolutely discharged and released of, from and against all Estates, Interests, Rights, Claims and Demands whatsoever, of the said *William* Duke of *Devonshire*, his Heirs or Assigns, and all Persons claiming or to claim by, from or under him, them, or any of them; and further, that he the said *William* Duke of *Devonshire*, his Heirs or Assigns, shall and will, on or before the Twenty-ninth Day of *September* now next ensuing, well and effectually settle and assure, by such Deeds, Conveyances and other Assurances, as Counsel shall advise, a good and perfect Estate of Inheritance in Fee Simple of and in Lands and Hereditaments lying in *Tutbury* afore said, or elsewhere, to be approved of by the said Dean and Chapter of *Lichfield* and their Successors for the Time being, of the clear Yearly Value of Ninety-five Pounds, unto the said *Richard Chapman* and his Successors, Vicars of *Bakerwell* for the Time being, or in the Name of One or more Trustee or Trustees, to be named by the said Dean and Chapter, and their Successors for the Time being as afore said, in Trust for the said *Richard Chapman* and his Successors for the Time being, Vicars of *Bakerwell* afore said, and as and for an additional Stipend to the said Vicarage of *Bakerwell*; and moreover, that he the said *William* Duke of *Devonshire*, his Heirs and Assigns, shall and will, at his and their own Costs and Charges, apply for, and use his and their best Endeavours to obtain an Act of Parliament for confirming this Agreement, and every Clause, Matter and Thing herein contained, and for carrying all and every the said Purposes into Execution: In witness whereof, the said Parties to these Presents have hereunto set their Hands

and.

and Seals the Day and Year first above written:” And whereas the Purposes abovementioned, and the several Matters and Things contained in the said Articles of Agreement, cannot be effectually carried into Execution, without the Authority of Parliament; 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 from and after the passing of this Act, the said Articles of Agreement so entered into as aforesaid, and the several Clauses, Matters and Things therein respectively contained, shall be, and the same are hereby absolutely ratified, confirmed and established, and the same and every Part thereof, and the several Clauses and Agreements therein contained and set forth, shall and are hereby declared to be binding and conclusive upon the several Parties thereto respectively, and upon all Persons, Bodies Politic, Corporate or Collegiate whomsoever, as fully and effectually to all Intents and Purposes as if the same had been specifically set forth and enacted in the Body of this Act; any Law, Statute of Mortmain or other Statute, Matter or Thing, to the contrary notwithstanding.

Articles of Agreement of Twentieth February 1811, confirmed.

II. And be it further enacted, That the said intended new Church or public Chapel shall, when finished, be taken and deemed to be the Church or public Chapel of *Buxton* aforesaid, instead of the said present Chapel, and have and be endowed with all and singular the Privileges, Rights, Profits and Advantages thereunto belonging or appertaining, and for the Purposes of this Act, to be within the said Township of *Buxton* and Parish of *Bakewell* aforesaid, and shall be set apart and dedicated to and for the Service of Almighty God, as and for a Place of Divine Worship, according to the Rites and Ceremonies of the Church of *England*, for ever (the same being first duly consecrated according to the Usage of the Church of *England*), and shall and is hereby declared to be a separate and distinct perpetual Cure and Benefice, and shall be called by the Name of “The Church or public Chapel of *Buxton*;” and that every Minister of the said Church or public Chapel shall be thereto admitted and licensed by the said Dean and Chapter of *Lichfield* for the Time being, and shall be deemed and taken by virtue of this Act, to be incorporated and made a Body Politic and Corporate, by the Name of “The Minister of the Church or public Chapel of *Buxton*, in the Parish of *Bakewell*, in the County of *Derby*,” and shall have perpetual Succession, and be enabled to sue and be sued by that Name in all Courts of this Realm; and the said Church or public Chapel, and Yard or Cemetery, inclosed or to be inclosed and belong to the same, shall be vested in the Minister and his Successors for the Time being of the said Church or public Chapel for ever; and the said Church or public Chapel and the Minister thereof, and also the Person or Persons who shall act as or in the Nature of a Church or Chapelwarden thereof respectively, for the Time being, to be appointed as hereinafter is directed, shall be under and subject to the Order and Jurisdiction of the said Dean and Chapter of *Lichfield* and their Successors for the Time being, and shall be visited as other Churches or Chapels in the Jurisdiction of the said Dean and Chapter are visited.

New Chapel to be considered the Church or Chapel of *Buxton*, and set apart for Divine Worship, according to the Rites of the Church of *England*.

III. And be it further enacted, That the Advowson, Right of Patronage, free Disposition and Nomination of, in and to the said new Church or public Chapel, shall, from and immediately after the passing of this Act, appertain to, and the same are hereby vested in and settled upon the said *William*

Right of Patronage of new Chapel, vested in the Duke of *De*

Devonshire, in  
Fee.

Duke of *Devonshire*, his Heirs and Assigns, for ever, freed and absolutely acquitted and released from and against all Estates, Interests, Claims, and Demands whatsoever, of the said Dean and Chapter of *Lichfield* and their Successors (except as Ordinary of the said Church or public Chapel), and the said *Richard Chapman* and *Stephen Hartley*, Vicars of the said Parishes of *Bakewell* and *Hope*, and each of them and their Successors respectively, and all Persons claiming or to claim by, from or under them, or their respective Successors, or any or either of them.

Power to the  
Patron to  
nominate, in  
case of re-  
maining  
void.

IV. And be it further enacted, That in case the said Office or Place of Minister of the said new Church or public Chapel of *Buxton* shall, at any Time or Times hereafter, be suffered to remain void for the Space of Six Calendar Months, without any Nomination thereto by the said *William Duke of Devonshire*, his Heirs or Assigns, by virtue of this Act, then and in every such Case, and so often as it shall happen, it shall and may be lawful for the Dean and Chapter of *Lichfield* and their Successors, to nominate and license a fit and proper Person, duly qualified, to be Minister of the said Church or public Chapel; and that every Person and Persons, after such Nomination and a Licence obtained from the said Dean and Chapter of *Lichfield* for the Time being, shall be deemed and taken to be the Minister of the said Church or public Chapel, to all Intents and Purposes whatsoever, in the same Manner as if such Person had been nominated by the said *William Duke of Devonshire*, his Heirs or Assigns; and in case the said Dean and Chapter, and their Successors for the Time being, shall not nominate a Minister or Ministers to the said Church or public Chapel respectively, within Six Calendar Months next after they are hereby authorized and empowered so to do, then and in every such Case the Nomination of a Minister to the said Church or public Chapel, for that Turn only, shall lapse to the said Lord Bishop of *Lichfield* and *Coventry* for the Time being, and from the said Lord Bishop to the Metropolitan, and from the Metropolitan to the Crown, according to the Course of Law in Presentative Livings or Benefices; and the Right of Nomination of a Minister to the said Church or public Chapel shall or may be recovered, and the Office or Place of Minister thereof shall and may cease and be determined, in like Manner as the Presentation or Incumbency in any Presentative Benefice may now cease or be recovered.

Appoint-  
ment of  
Clerk and  
Sexton.

V. And be it further enacted, That it shall be lawful for the said *William Duke of Devonshire*, his Heirs or Assigns, to nominate or appoint such Person or Persons from Time to Time, as he shall think fit, to officiate as Clerk or Sexton in the said intended new Church or public Chapel; and also from Time to Time to displace and remove such Clerk or Sexton, as the said *William Duke of Devonshire*, his Heirs or Assigns, shall see Cause.

Banns may  
be published  
and Mar-  
riages cele-  
brated  
within the  
Chapelry of  
*Buxton*.

VI. And be it further enacted, That from and after the Consecration of the said new Church or public Chapel, Banns of Matrimony may be published and Marriages celebrated therein, in such Manner and under such Restrictions and Regulations as the same can or may by Law be published or celebrated in Parish Churches or public Chapels where Banns and Marriages are published and celebrated, provided that all such Banns and Marriages shall be published and celebrated according to the Laws and Canons in force within this Realm in that behalf.

All Mar-  
riages, Christ-  
enings and

VII. And be it further enacted, That all Marriages, Christenings, and Burials, had and solemnized within the said new Church or public Chapel, shall

shall be registered in public Registers to be provided and kept for that Purpose; and that such Registers shall be received, in all Courts of Law or Equity, as Evidence of such Marriages, Christenings and Burials, in the same Manner as other Registers or Copies thereof are by Law established or received as Evidence.

Burials to be registered.

VIII. And be it further enacted, That all the Pews, Seats and Benches, in the said Church or public Chapel (save and except such Parts thereof as have been agreed to be allotted and set apart for the Use of the Inhabitants for the Time being of the said Town of *Buxton*, and other Persons having Pews, Seats or Benches in the present Church or Chapel of *Buxton*, and which are hereby declared to be vested in such Inhabitants for the Time being and other Persons respectively, and are particularly delineated on the Plan annexed to the said Articles of Agreement), shall and they are hereby vested in the said *William Duke of Devonshire*, his Heirs and Assigns, for ever.

Pews appropriated.

IX. And be it further enacted, That the Costs and Charges of supporting and keeping in Repair the said new Church or public Chapel, and the Walls and Fences thereof, and the said Yard or Cemetery, shall be defrayed, paid and borne, by the Owner or Owners, Proprietor or Proprietors for the Time being of the Advowson, Right of Patronage and Nomination of, in and to the said new Church or public Chapel; and in case the Proprietor or Proprietors of the said Advowson shall at any Time or Times hereafter neglect or refuse well and truly to repair the said new Church or public Chapel in Manner aforesaid, it shall and may be lawful to and for the said Dean and Chapter of *Lichfield* and their Successors, and the Minister of the said new Church or public Chapel for the Time being, or either of them, to cause an Estimate of the Costs and Charges of making such Repairs to be made, and to recover the Amount of such Estimate by Action of Debt in any of His Majesty's Courts of Record in *Great Britain*.

Repairs of Chapel, &c. to be provided by the Patron.

X. And be it further enacted, That the Owner or Owners of the Advowson of the said new Church or public Chapel shall, and he and they are hereby authorized and empowered to appoint, on or before *Tuesday* in *Easter* Week in each Year, by Writing under his or their Hand and Hands, One or more fit and proper Person or Persons (not being One of the Persons called Quakers) of the Chapelry of *Buxton* aforesaid, whose common and usual Place of Residence shall not exceed Four Miles from the said new Church or public Chapel, to be Warden of the said Church or public Chapel, the first of such Wardens to be appointed as soon as conveniently may be after the Consecration of the said Church or public Chapel; and in case such Owner or Owners of the said Advowson for the Time being shall or may, in any subsequent Year, neglect or refuse to appoint such Warden or Wardens for the Space of One Calendar Month next after *Tuesday* in *Easter* Week, that then it shall and may be lawful to and for the Minister of the said Church or public Chapel for the Time being, and he is hereby authorized and required, by Writing under his Hand, in like Manner to appoint One or more fit and proper Person or Persons to be such Warden or Wardens as aforesaid, for the then present Year; the said Warden and Wardens respectively to be from Time to Time sworn into Office as the Chapel-wardens for the said Chapel of *Buxton* have been heretofore used and accustomed to be sworn.

Appointment of Chapel-warden.

XI. Provided

This Act not to extend to create a new Parish; and Parishioners of Bakewell and Hope not to be liable to the Repairs of the new Chapel. Right of Patronage of Baslow, vested in the Duke of Devonshire.

XI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to erect or make any new Parish, or to affect or alter any Payments or Assessments, either Parliamentary or Parochial, within the said Chapelry of *Buxton*, or Parishes of *Bakewell* and *Hope* aforesaid, or either of them; and that none of the Parishioners of the said Parishes respectively shall be subject or liable to the Repairs of the said new Church or public Chapel, or to any Charge, Rate or Assessment, on account of such Repairs.

XII. And be it further enacted, That the Advowson, Right of Patronage, free Disposition and Nomination of, in and to the said Church or Chapel of *Baslow*, in the said Parish of *Bakewell*, and within the peculiar Jurisdiction of the said Dean and Chapter of *Lichfield* as aforesaid, shall also, from and immediately after the passing of this Act, appertain to, and the same are hereby vested in and settled upon the said *William Duke of Devonshire*, his Heirs and Assigns for ever, freed and absolutely discharged and released of, from and against all Estates, Interests, Claims and Demands whatsoever, of the said Dean and Chapter of *Lichfield* and their Successors (except as Ordinary of the said Church or Chapel), and the said *Richard Chapman*, Vicar of the said Parish Church of *Bakewell*, and his Successors respectively, and all Persons claiming or to claim by, from or under them or him, or their respective Successors, or any or either of them.

Limitation of Actions.

XIII. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, every such Action or Suit shall be commenced within Six Calendar Months next after the Fact committed; and the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at the Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, the Jury shall find for the Defendant or Defendants, or if the Plaintiff shall be nonsuited or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendants have in other Cases by Law.

General Saving of Rights.

XIV. Saving always to the King's Most Excellent Majesty, and to His Heirs and Successors, and to all and every other Person and Persons, Bodies Politic and Corporate, his, her and their Heirs, Successors, Executors and Administrators (other than those meant and intended to be barred and destroyed by this Act) all such Estates, Rights, Titles and Interests, as they, every or any of them, had and enjoyed before the passing of this Act, or could or might have had or enjoyed in case this Act had not been made.

Publick Act.

XV. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.