



Duchy of Cornwall Management Act 1863

1863 CHAPTER 49

36 Power to grant Land for Sites of Churches, &c.

It shall be lawful for the Duke of *Cornwall*, at any Time or Times hereafter, out of the Lands and Possessions of the Duchy of *Cornwall*, to grant any Building proper to be used as or converted into a Church or Chapel or a School for the Education of poor Persons; and any Ground proper for the Site of any Church or Chapel, with or without a Cemetery or Burial Ground thereto; and any Ground proper for a Cemetery or Burial Ground to any Church or Chapel; and any House with its Appurtenances, and with or without a Garden thereto, proper for the Residence of the Spiritual Person who may serve any Church or Chapel, or of the Master or Mistress of any such School; and any Ground proper for the Site or Sites of any such Residence or School; and also to grant any Building or Site for a Building solely for the Celebration of Divine Service by any Denomination of non-conforming Christians, so that in every such last-mentioned Grant the Denomination of Christians to or for whom it shall be granted shall be specified: Provided that not more than One Acre nor Premises of greater Value than Two hundred Pounds be granted in any particular Parish or Place for any One of the Purposes aforesaid; but this Restriction shall not apply where the Excess in Value over the Sum of Two hundred Pounds shall be paid into the Bank of *England* in the Manner herein-before provided in the Case of a Sale for a gross Sum of Money, or where such Excess shall be compensated for by an annual Sum of Money reserved upon the Grant and made payable to the Duke of *Cornwall* as Part of the Revenues of the Duchy of *Cornwall*; and in estimating the Value of the Property to be granted, no Account shall be taken of the Value of any Building the Cost of which shall have been defrayed by public Subscription, or which may have been previously erected solely with the view of being used for the Purpose to which the same is proposed to be devoted by the Grant; and every Grant which shall be made by the Duke of *Cornwall* for any of the Purposes specified in this Section shall be made by Deed under the Seal of the Duchy of *Cornwall*; and every such Grant, when enrolled in the Office of the Duchy of *Cornwall*, shall be valid and effectual against the Duke of *Cornwall*, and sufficient to vest in the Person, Body Politic or Corporate, to be therein named as Grantee, the Premises expressed to be thereby granted; and every such Grantee, his or their Heirs, Executors, Administrators, or Successors, shall, by force of this Act, be adjudged, deemed, and taken to be in the actual Seisin or Possession of the Premises in such Grant specified, and shall have full Capacity and Ability to

Status: This is the original version (as it was originally enacted).

and shall take, hold, and enjoy the same, either absolutely and in perpetuity, or for such limited Estate, Term, or Interest, and under and subject to such Reservations of Rent or other Acknowledgments, Conditions, or Restrictions, as shall be specified, inserted, directed, or contained in any such Grant, any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding : Provided always, that when a free Grant or any Grant for a limited Period shall have been made of any Property under the Provisions in this Section contained, and the same shall afterwards cease to be used for the Purpose for which the same shall have been so granted, or shall be used for any other Purpose, such Property, if unconsecrated, shall revert to and again become Parcel of the Possessions of the Duchy of *Cornwall* in the same Manner as if no such Grant had been made; and no Grant shall at any Time hereafter be made under the Twenty-sixth Section of the said Act of the Seventh and Eighth Years of the Reign of Her present Majesty, Chapter Sixty-five, which shall be contrary to the Provisions hereinbefore contained.