



Ecclesiastical Leases Act 1571

1571 CHAPTER 10 13 Eliz 1

F1

An Acte against Fraudes, defeating Remedies for Dilapidations, &c.
XI

Editorial Information

- X1** Abbreviations or contractions in the original form of this Act have been expanded into modern lettering in the text set out above and below.

Textual Amendments

- F1** Act (except s. 2) repealed (1.4.1978) as to incumbents by [Endowments and Glebe Measure 1976](#) (No. 4), [Sch. 7](#)

Modifications etc. (not altering text)

- C1** Short title given by [Statute Law Revision Act 1948](#) (c. 62), [Sch. 2](#)
C2 Power to exclude Act conferred by [Charities Act 1960](#) (c. 58), [s. 23\(5\)\(6\)](#).
C3 Act excluded by [Cathedrals Measure 1963](#) (No. 2), [s. 53](#), [Sch. 1](#) and [Universities and College Estates Act 1964](#) (c. 51), [s. 1](#)
C4 Act excluded (1.8.1993) by [1993 c. 10](#), [ss. 26\(5\)\(6\)](#), [99\(1\)](#).

Dilapidations and Frauds by Ecclesiastics;

Where dyversand sundry Ecclesiasticall Persons of this Realme being endowed and possessed of auncient Palaces Mansion Houses and other Edyfyces and Buildynges belonging to theyr Ecclesiasticall Benefyces or Lyvinges have of late yeres not onely suffered the same for want of due reperations partly to run to greate ruine and decay and in some part utterly fall downe to the Ground, converting the Tymber Leade and Stones to theyr owne Benefyte and Comodytye, but also have made Deedes of Gyfte & coulourable Alienations & other Conveyaunces of lyke Effect of theyr Goodes and Chattelles in theyr Lyves tyme, to Thintent and of Purpose after theyr Deathes to defeate and defraude theyr Successors of suche just Actions & Remedies as otherwyse they might and should have had for the same agaynst theyr Executors or Administratours of theyr Goodes by the Lawes Ecclesiasticall of thys Realme, to the great defacing of the

*Status: Point in time view as at 01/02/1991.**Changes to legislation: There are currently no known outstanding effects for the Ecclesiastical Leases Act 1571 (repealed 19.11.1998). (See end of Document for details)*

state Ecclesiasticall & intollerable Charges of theyr Successors and evyl President and Example for others, if spedye Remedie be not pyded:

[I.] In Cases of fraudulent Conveyances by Bishops, Parsons, &c. to defeat the Successor's Remedy for Dilapidations, such Successor may have his Action against the Trustee, as if he were Executor, &c.

Yf anye Archbyssshop Byssshop Deane Archdeacon Provost Treasurer Chaunter Chaunceller Prebendary or any other havynge any Dygnitie or Offyce in any Cathedrall or Collegiate Church within this Realme; Or yf any Parson Vycar or other Incumbent of any Ecclesiasticall Lyvyng whereunto do belong any House or Houses or other Buildinges which by Lawe or Custome he is bounde to keepe and maynteyne in reparation, do from henceforth make any Deede or Deedes of Gyft or Alienation or other lyke Conveyaunces of his moveable Goodes or Chattelles to Thintent & Purpose aforesayd, That then the Successour and Successours of hym that shall make suche Deede or Deedes of Gyft or Alienation, shall and maye commence Suite and have such Remedye in any Court Ecclesiasticall of thys Realme competent for the Matter agaynst him or them to whome such Deede or Deedes of Gyfte or Alienation shalbe so made, for the Amendment & Reperation of so much of the sayd Dilapidations and Decayes or just Recompence for the same as hath happened by hys Facte or Default in such sort as he might should or ought lawfully to have yf he or they to whom such Deede or Deedes of Gyft or Alienation shalbe so made, were Executour or Executours of the Testament and last Wyll of hym that made suche Deede or Deedes of Gyft or Alienation or were Administratour or Administratours of his Goodes or Chattels; Any Law Custome or other Thing to the contrary in any wyse notwithstanding.

II All leases by Colleges, Deans, Parsons, &c. except for 21 Years or Three Lives, at the accustomed Rent, declared void.

And for that long and unreasonable Leases made by Colledges Deane and Chapters Parsons Vicars and other having Spyrytuall Promotions be the cheefest Causes of the Dilapidations and the Decaye of all Spyrytuall Lyvynges and Hospitalltye and the utter impoverishing of all Successors Incumbentes in the same; from henceforth al Leases Gyftes Grauntes Feoffmentes Conveyaunces or Estates, to be made had done or suffered by any Master and Fellowes of anye Colledg, Deane & Chapter of any Cathedrall or Collegiate Church, . . . ^{F2}, Parson, Vicar, or any other having anye Spyrytuall or Ecclesiasticall Lyving, [^{X2}or] any Houses Landes Tythes Tenements or other Hereditaments being any percell of the Possessions of any such Colledge Cathedral Church Chapter . . . ^{F2} Parsonage Vycaridg or other Spyrytuall Promotion, or any wayes apparteyning or belonging to the same, or of any of them, [^{X3}to any of them] to any Person or Persons Bodyes Politike or Corporate (other then for the tearme of one and twenty yeres or three Lyves from the tyme as any such Lease or Graunt shalbe made or graunted, wherupon thaccustomed yerely Rent or more shalbe reserved and payable yerely during the sayd tearme) shalbe utterly voyde and of none Effect to al Intentions Constructions and Purposes; Any Law Custome or Usage to the contrary any wayes notwithstanding.

Editorial Information

X2 Note in *The Statutes of the Realm* as follows: *erroneously, as it seems, for "of"*. The Original of this Act is missing: See *Stat. 14 Eliz. c. 14*.§ 3.

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- X3** Note in *The Statutes of the Realm* as follows: *An erroneous Insertion; O. omits.* [*O. refers to a collection in the library of Trinity College, Cambridge*]

Textual Amendments

- F2** Words repealed by [Charities Act 1960 \(c. 58\)](#), [Sch. 5](#)

Modifications etc. (not altering text)

- C5** [S. 2](#) restricted by [Ecclesiastical Leases Act 1572 \(c. 11\)](#), [s. 5](#) and [Tithe Act 1839 \(c. 62\)](#), [s. 15](#); explained by [Ecclesiastical Leases Act 1575 \(c. 11\)](#), [ss. 1, 2](#)

III Proviso for Leases under College Statutes.

Provyded neverthelesse That this Acte nor any thing therein conteyned shalbe taken or construed to make good anye Lease or other Graunt to be made by any such Colledge or Collegiate Church within either of both the Unyversities of Oxforde and Cambridge or els where within the Realme of England, for more yeres then are lymited by the pryvate Statutes of the same Colledge.

IV Proviso for Leases on Surrender, or under Covenant.

Provyded alwayes, That this Acte shall not extend to any Lease hereafter to be made, upon Surrender of any Lease heretofore made, or by reason of any Covenaut or Condycion conteyned in any Lease heretofore made and nowe contynuing, so that the Lease to be made do not conteyne more yeres then the Residue of the yeares of the former Lease nowe contynuing shalbe at the tyme of such Lease hereafter to be made, nor any lesse Rent then ys reserved in the said former Lease.

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