

CAP. VI.

An act for redress of inconveniencies by want of proof of the deceases of persons beyond the seas or absenting themselves, upon whose lives estates do depend.

WHEREAS divers lords of manors and other, have used to grant estates by copy of court-roll for one, two or more life or lives, according to the custom of their several manors; and have also granted estates by lease for one or more life or lives, or else for years determinable upon one or more life or lives; and it hath often happened, that such person or persons for whose life or lives such estates have been granted, have gone beyond the seas, or so absented themselves for many years, that the lessors and reversioners cannot find out whether such person or persons be alive or dead, by reason whereof such lessors and reversioners have been held out of possession of their tenements for many years, after all the lives upon which such estates depend are dead, in regard that the lessors and reversioners when they have brought actions for the recovery of their tenements, have been put upon it to prove the death of their tenants, when it is almost impossible for them to discover the same:

II. For remedy of which mischief so frequently happening to such lessors or reversioners, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and the commons, in this present parliament assembled, and by the authority of the same, That if such person or persons, for whose life or lives such estates have been or shall be granted as aforesaid, shall remain beyond the seas, or elsewhere absent themselves in this realm, by the space of seven years together, and no sufficient and evident proof be made of the lives of such person or persons respectively, in any action commenced for recovery of such tenements by the lessors or reversioners; in every such case the person or persons upon whose life or lives such estate depended, shall be accounted as naturally dead; (2) and in every action brought for the recovery of the said tenements by the lessors or reversioners, their heirs or assigns, the judges before whom such action shall be brought, shall direct the jury to give their verdict as if the person so remaining beyond the seas, or otherwise absenting himself, were dead.

III. And be it further enacted, That in any such action where- in the life or death of any such person or persons shall come in question between the lessor or reversioner and the tenant in possession, it shall and may be lawful for the lessor or reversioner to take exception to any of the jurors returned for the trial of that cause, that the greatest part of the real estate of any of such jurors is held by lease or copy for lives, who upon proof thereof shall be set aside as in case of other legal challenges.

IV. Provided always, and be it enacted by the authority aforesaid, That nothing in this act contained shall extend to any lands held by the life or lives of any person or persons attainted.

Proof. See 6 Ann. c. 18.

Persons beyond the seas, or absenting themselves for seven years. Carthew. 246.

What shall be a good challenge to jurors upon trial of lives in being.

Proviso for lands held by lives of certain traitors attainted.

ed of treason for the horrid murder of his late Majesty of blessed memory, who now conceal or hide themselves, which lands are or have been vested in his Majesty, and are now granted to His royal highness the duke of *York*, but that the course of evidence heretofore used in such cases shall be had and used; any thing to the contrary in this act notwithstanding.

Proviso for persons evicted by this act, the persons not being dead.

V. Provided always, and be it enacted, That if any person or persons shall be evicted out of any lands or tenements by virtue of this act, and afterwards if such person or persons upon whose life or lives such estate or estates depend, shall return again from beyond the seas, or shall on proof in any action to be brought for recovery of the same, be made appear to be living, or to have been living at the time of the eviction; that then and from thenceforth the tenant or lessee, who was outed of the same, his or their executors, administrators or assigns, shall or may re-enter, repossess, have, hold and enjoy the said lands or tenements in his or their former estate, for and during the life or lives, or so long term as the said person or persons upon whose life or lives the said estate or estates depend, shall be living; (2) and also shall upon action or actions to be brought by him or them against the lessors, reversioners or tenants in possession, or other person respectively, which since the time of the said eviction received the profits of the said lands or tenements, recover for damages the full profits of the said lands or tenements respectively, with lawful interest for and from the time that he or they were outed of the said lands or tenements, and kept and held out of the same by the said lessors, reversioners, tenants or other persons, who after the said eviction received the profits of the said lands or tenements, or any of them respectively, as well in the case when the said person or persons upon whose life or lives such estate or estates did depend, are or shall be dead at the time of bringing of the said action or actions, as if the said person or persons were then living.

See 6 Ann. c. 18.

CAP. VII.

EXP. An act to prevent the disturbances of seamen and others, and to preserve the stores belonging to his Majesty's navy royal.
16 Car. 2. c. 5. Who may examine and punish offences and disturbances committed by seamen relating to the navy. Imbezilling of stores and ammunition of the navy. Encouragement of mariners and soldiers serving in the fleet. Altered by 22 & 23 Car. 2. c. 23. s. 10. The continuance of this act for two years, &c.

CAP. VIII.

An act for granting the sum of twelve hundred fifty six thousand three hundred forty seven pounds thirteen shillings, to the King's majesty, towards the maintenance of the present war. EXP.

CAP. IX. (*stat. 2. c. 1.)

An act for taking the accounts of the several sums of money therein mentioned. EXP.

* From this place the subsequent acts are said to be decimo nono & vicelimo Car. 2 by the stile of the roll.

CAP. X (c. 2.)

An act for banishing and disenabling the earl of Clarendon.

CAP.