

same, That all such Lands as have formerly been given to the Use of any Church or Chapel, and for which the Donors or Granters thereof in their Lifetimes have not made a Deed of Gift for the same, or otherwise refuse so to do, and in Confidence of whose Promise the Parish have been at the Charge of Erecting and Building their Churches thereon, be and remain to the Use of the Parish for ever, against all Claims and Pretensions of Claims made, or that hereafter shall be made by such Donors or Granters, or his or their Heirs, Executors or Assigns, as firmly and absolutely as if the same had been made over by Deed of Gift, Grant, or otherwise inrolled and recorded, as aforesaid.

AND to the End it may be known what Lands have been so given to the Use of any Church or Chapel aforesaid, and made over and confirmed by Deed of Gift, or Grant, as aforesaid, the Grand Jury in each respective County within this Province, next after the Publication of this Act, shall have in Charge to enquire by what Titles such Lands, whereupon the several Churches or Chapels aforesaid, within their respective Parishes, and in their Precincts, are held, and to render an Account thereof to the Court, who are hereby empowered, where any such Lands shall appear to be given, and not confirmed, as aforesaid, in open Court to examine Witnesses *in perpetuam rei Memoriam*, and the same cause to be recorded in the County Records, which shall be deemed, adjudged and taken, in all Courts of Record within this Province, as sufficient Proof of the Donation or Grant, as also to the Quantity of Acres given or granted, as aforesaid; and in case it shall appear upon such Examination, that Lands have been given for the Use of any Church, Chapel, or Church-Yard, as aforesaid, but the Quantity thereof not mentioned by the Donors or Granters thereof, as aforesaid, that then and in every such Case, the Vestry of the respective Parish, where such Gift or Grant hath been made, and the Quantity not ascertained, as aforesaid, may demand and take of such Lands, for the Use of the Church and thereto adjacent, Two Acres, and no more, which they shall cause to be surveyed and staked out, and make Returns of Two Certificates thereof; One of which must be recorded in the County Court, and the other in the High Court of Chancery, there to be register'd, *in perpetuam rei Memoriam*, as aforesaid.

AND be it further Enacted by the Authority aforesaid, by and with the Advice and Consent aforesaid, That where the Vestry of any Parish within this Province have, or shall think convenient to place either Church or Chapel of Ease, within their respective Parishes, for the better Conveniency of their Parishioners, but the Owner or Owners of such Land chosen out and appointed by such Vestry, as aforesaid, for the Use of their Parish aforesaid, either refuse to make Sale thereof, or are unreasonable in his or their Demands for the same, or otherwise incapacitated by Nonage, *Non sanae Memoriae*, or beyond the Seas, That then and in every such Case, the respective Vestries of the respective Parishes shall apply themselves to the Commissioners of the County Court whereto they belong, upon whose Application the said Commissioners shall forthwith grant their Warrants to the Sheriff of their County, thereby requiring him, at a certain Day and Time to be by them nominated and appointed, to impanel a Jury of Substantial Freeholders next adjacent to the Land in quest aforesaid; which said Commissioners and Jury aforesaid shall proceed in all things, as by another Act of Assembly (Intituled, *An Act empowering the Commissioners of the several and respective Counties to take up and purchase Land for their County Court-Houses*) they are directed, not exceeding Two Acres, as before in this Act mentioned and expressed; Any thing in this Act, or any other, ordained to the contrary notwithstanding.

Pass'd October 3d, 1704.

Revis'd May 21st, 1715.

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