

Confirming Titles of Lands given to Churches and Chappels.

N^o 8.

over by Deed of Gift, Grant, or otherwise inrolled and recorded as aforesaid.

II. And to the end it may be known what Lands have been so given to the Use of any Church or Chappel 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 inquire by what Titles such Lands, whereupon the several Churches or Chappels 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 of 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, Chappel or Church-yard as aforesaid, but the Quantity thereof not mentioned by the Donors or Grantors 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 registered in perpetuam rei memoriam, as aforesaid.

The Grand Jury to inquire by what Title all such Lands are held, and give an Account thereof to the Court.

Who may examine Witnesses in perpetuam rei memoriam, and record the same to be taken in all Courts, as Proof of the Donation.

Where Lands given for the Use of Church or Church yard, and the Quantity not expressed, the Vestry may demand and take two Acres.

The same to be surveyed, and the Certificates to be recorded in the County Court and the Chancery.

III. 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 shall 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 sana memoria, 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

Vestries empowered to take up two Acres of Land for a Church or Chappel of Ease, and the same to be valued.