

[STATUTES OF GREAT BRITAIN AND IRELAND, 1800] [1]

[39° & 40° GEORGH III.]

CAP. XCVIII.

An Act to restrain all Trusts and Directions in Deeds or Wills, whereby the Profits or Produce of Real or Personal Estate shall be accumulated, and the beneficial Enjoyment thereof postponed beyond the Time therein limited.

[28th July 1800.]

[1] **W**HEREAS it is expedient that all Dispositions of Real or Personal Estates, whereby the Profits and Produce thereof are directed to be accumulated, and the beneficial Enjoyment thereof is postponed, should be made subject to the Restrictions herein-after contained;

[1.] **Settlement of Real or Personal Property as to Accumulation of Rents and Produce.**

May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That no Person or Persons shall, after the passing of this Act, by any Deed or Deeds, Surrender or Surrenders, Will, Codicil or otherwise howsoever, settle or dispose of any Real or Personal Property, so and in such Manner that the Rents, Issues, Profits, or Produce thereof, shall be wholly or partially accumulated; for any longer Term than

the Life or Lives of any such Grantor or Grantors, Settler or Settlers; or

the Term of twenty-one Years from the Death of any such Grantor, Settler, Devisor, or Testator; or

during the Minority or respective Minorities of any Person or Persons who shall be living, or in *Ventre sa Mère* at the Time of the Death of such Grantor, Devisor, or Testator; or

during the Minority or respective Minorities only of any Person or Persons who, under the

Uses or Trusts of the Deed, Surrender, Will or other Assurances, directing such Accumulations, would, for the Time being, if of full Age, be entitled unto the Rents, Issues, and Profits, or the Interest, Dividends, or annual Produce so directed to be accumulated:

and in every case where any Accumulation shall be directed otherwise than as aforesaid,

such Direction shall be null and void, and

the Rents, Issues, Profits, and Produce of such Property so directed to be accumulated, shall, so long as the same shall be directed to be accumulated contrary to the Provisions of this Act, go to and be received by such Person or Persons as would have been entitled thereto if such Accumulation had not been directed.

II. Provided always, and be it enacted, That **Proviso for** nothing in this Act contained shall extend

to any Provision for Payment of Debts of any Grantor, Settler or Devisor, or other Person or Persons, or **Payment of Debts**

to any Provision for raising Portions for any Child or Children of any Grantor, Settler or Devisor, or any Child or Children of any Person taking any Interest under any such Conveyance, Settlement or Devise, or **or raising Portions**

to any Direction touching the Produce of Timber or Wood upon any Lands or Tenements; **and Produce of Timber.**

[1] Raithby's *Statutes at Large*, vol. 20, pp. 545-546.

but that all such Provisions and Directions shall and may be made and given as if this Act had not passed.

Scotland. III. Provided also, and be it enacted, That nothing in this Act contained shall extend to any Disposition respecting Heretable Property within that Part of *Great Britain* called *Scotland*.

Wills made before passing of Act. IV. Provided also, and be it enacted, That the Restrictions in this Act contained shall take effect and be in force with respect to Wills and Testaments made and executed before the passing of this Act, in such cases only where the Devisor or Testator shall be living, and of sound and disposing Mind, after the Expiration of twelve Calendar Months from the passing of this Act.
