



Crown Private Estate Act 1800

1800 CHAPTER 88 39 and 40 Geo 3

An Act concerning the disposition of certain real and personal property of His Majesty, his heirs and successors; and also of the real and personal property of Her Majesty, and of the Queen Consort for the time being. [28th July 1800]

Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Act extended by [Crown Lands Act 1823 \(c. 18\)](#)

Preamble 1702 c. 1. 1760c. 1 and 1794 c. 75. recited.

Whereasin and by an ^{MI}Act passed in the first year of the reign of her late Majesty Queen Anne, intituled “An Act for the better support of her Majesty’s household and of the honour and dignity of the Crown,” it was (amongst other things) enacted, that all and every grant, lease or other assurance, which from and after the twenty-fifth day of March one thousand seven hundred and two should be made or granted by her said Majesty, her heirs or successors, kings or queens of this realm, under the great seal of England, Exchequer seal, seals of the duchy and county palatine of Lancaster, or any of them, or by copy of court roll, or otherwise howsoever, of any manors, messuages, lands, tenements, rents, tythes, woods or other hereditaments (advowsons of churches and vicarages only excepted), within the kingdom of England, dominion of Wales or town of Berwick upon Tweed, or any of them or any part thereof, then belonging or thereafter to belong to her Majesty, her heirs or successors, or to any other person or persons in trust for her Majesty, her heirs and successors, in possession, reversion, remainder, use or expectancy, whether the same were or should be in right of the Crown of England, or as part of the principality of Wales or of the duchy or county palatine of Lancaster, or otherwise howsoever, to any person or persons, bodies politick or corporate whatsoever, whereby any estate or interest whatsoever in law or equity should or might pass from her Majesty, her heirs or successors, should be utterly void and of none effect, unless such grant, lease or other assurance should be made for some term or estate not exceeding thirty-one years or three lives, or for some term of years determinable on one, two or three lives, and unless such grant, lease or assurance respectively should be made to commence from the date or making thereof; and if such grant, lease, or assurance should be made to take effect in reversion or expectancy, that then the same, together with the estate or estates in possession of and in the premises therein contained, should not exceed

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three lives or the term of thirty-one years in the whole, with various other provisions and restrictions; but in the said Act there is a proviso that the said Act should not extend to disable her Majesty, her heirs or successors, to make certain leases, copies or grants of offices, lands or hereditaments, parcel of the duchy of Cornwall, as therein mentioned, or to disable her Majesty, her heirs or successors, to make any grant or restitution of any estate or estates thereafter to be forfeited for any treason or felony whatsoever, or to disable her Majesty, her heirs or successors, to grant, demise or assign any lands, tenements or hereditaments, which should be seized or taken into her or their hands upon any outlawry at the suit of her or their subjects as had been usual, or any estate whatsoever which was or should be seized, extended or taken in execution for any debt owing or to be due to the Crown, as she or they should think fit, or to make any grants or admittances which of right or custom ought to be made of any copyhold lands, tenements or hereditaments, parcel of any manor or manors of her Majesty, her heirs or successors, or to disable the trustees for sale of fee farm and other rents therein mentioned from executing the powers vested in them as therein mentioned: And whereas in and by an Act made in the first year of the reign of his present Majesty, intituled ^{M2}“An Act for the support of his Majesty’s “household and of the honour and dignity of the Crown of “Great Britain,” it is (amongst other things) enacted, that the revenue arising to his Majesty by rents of lands, or for fines of leases of the same or any of them (except the revenue of the duchy of Cornwall), should from and immediately after the demise of his late Majesty King George the Second be during his present Majesty’s life carried to and made part of the general aggregate fund established by the Act of the first year of the reign of his late Majesty King George the First, and be during the said term issued and applied in the manner therein-after mentioned to the uses to which the said fund was or should be made applicable: And whereas in and by another Act made in the thirty-fourth year of the reign of his present Majesty, intituled“ An Act for the better management of the land revenue of the Crown, and for the sale of fee farm and other improveable rents,” further provisions are made touching grants, leases and other assurances, which should be made or granted by his Majesty, his heirs or successors, under the great seal or seal of the Exchequer, or either of them, of any manors, messuages, lands, tenements or hereditaments, within the kingdom of England and dominion of Wales, or any of them or any part thereof, then belonging or thenafter to belong to his Majesty, his heirs or successors, and being within the ordering and survey of the Exchequer in England: And whereas his Majesty has purchased certain freehold and customary or copyhold and leasehold manors, lands, tenements and hereditaments, out of the monies issued and applied for the use of his privy purse, or with other monies not appropriated to any particular service, and which said manors, lands, tenements and hereditaments have been conveyed or surrendered to his Majesty or to some person or persons in trust for his Majesty, and his Majesty hath hitherto held and enjoyed the same as his sole and exclusive property; but by reason of the general words used in the said Act in the first year of her late Majesty Queen Anne the freehold lands, tenements and hereditaments so purchased by his Majesty, and such as may hereafter be purchased out of such monies as aforesaid, may be deemed subject to the restrictions and provisions contained in the said Acts; and it may be doubted whether such copyhold or customary and leasehold purchases by or in trust for his Majesty as aforesaid do not also fall within the said recited Acts: And whereas it is reasonable that all manors, lands, tenements or hereditaments of any tenure whatsoever, which have been or shall be purchased by and conveyed to or in trust for his Majesty, or which shall be purchased by and conveyed to or in trust for his Majesty’s heirs and successors, out of monies issued and applied for the use of his or their privy purse, or with any monies not appropriated to any publick service, and also all manors, lands, tenements or hereditaments, which have come to his Majesty or shall or may hereafter come to his Majesty, his heirs or successors, by the gift or devise of or by descent or otherwise from any ancestor or other person, not being King or Queen of

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this realm, should be held and enjoyed by his Majesty, his heirs and successors, freed and discharged from all the provisions and restrictions of the said recited Acts of the first year of her late Majesty Queen Anne and the first and thirty-fourth years of his present Majesty (except as herein-after provided), and should be saleable and disposeable either by grant or otherwise in his or their lifetime, or by his or their last will and testament in writing, in such manner as he or they shall think fit:

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Marginal Citations

M1 1702 c. 1.
M2 1760 c. 1.,

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Marginal Citations

M1 1702 c. 1.
M2 1760 c. 1.,

- [1.] None of the provisions in the recited Acts shall extend to manors, etc. purchased by his Majesty, his heirs or successors, out of monies not appropriated to any publick service, nor to manors, etc. which have come to his Majesty or shall come to him or his heirs or successors from any person not being kings or queens of the realm. Enactment to operate as from the birth of his Majesty.**

None of the provisions or restrictions contained in the said Acts of the first year of her said late Majesty Queen Anne and the first and thirty-fourth years of the reign of his present Majesty shall extend to any manors, messuages, lands, tenements or hereditaments, of whatsoever tenure the same may be, which have at any time heretofore been purchased by his Majesty or shall at any time hereafter be purchased by his Majesty, his heirs or successors, out of any monies issued and applied for the use of his or their privy purse, or with any other monies nor appropriated to any publick service, or to any manors, messuages, lands, tenements or other hereditaments, of whatsoever tenure the same may be, which have come to his Majesty or shall or may come to him or his heirs or successors by the gift or devise of or by descent or otherwise from any of his, her or their ancestors, or any other person or persons, not being kings or queens of this realm; and the intent of this enactment is that the same shall operate to all intents and purposes as from the birth of his present Majesty.

- 2 Such copyhold or leasehold manors, etc. so purchased, etc. shall be vested in the Earl of Cardigan in trust, and such as shall be purchased, etc. shall be vested in such trustees as his Majesty shall appoint. Trustees to be admitted to the lands according to the nature of the estate therein, and shall be deemed the tenants.**

And all and singular the manors, lands, tenements and hereditaments of copyhold or customary tenure or of leasehold tenure, which have been purchased by his Majesty as aforesaid, or which have come to his Majesty by the gift or devise of or by descent or otherwise from any of his ancestors, or any other persons, not being kings or queens of this realm, whether the same have been surrendered or assigned to his Majesty or to any person or persons in trust for his Majesty, shall be and the same are hereby vested in James Earl of Cardigan, his heirs, executors and administrators, according to the tenure of such manors, lands, tenements, and hereditaments respectively, in trust nevertheless for his Majesty; and all such copyhold or customary and leasehold

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lands, tenements, and hereditaments respectively, as shall be purchased in manner aforesaid by his Majesty, his heirs or successors, or shall come to his Majesty, his heirs or successors, by the gift or devise of or by descent or otherwise from any of his or their ancestors, or any other persons, not being kings or queens of this realm, shall be vested in some trustee or trustees for his Majesty, his heirs and successors, from time to time to be respectively named or appointed by instrument in writing under the sign manual of his Majesty, his heirs and successors respectively; and the said James Earl of Cardigan and such other trustee or trustees as aforesaid shall be duly admitted to such copyhold or customary lands, tenements or hereditaments as aforesaid by the lords or ladies of the manor or manors of which the same shall be holden, according to the nature of the estate therein, on payment of such fines and subject to such rents, services and customs as of right shall be due and accustomed in respect thereof; and the said James Earl of Cardigan and such other trustee or trustees as aforesaid shall be deemed, as in respect of the lords or ladies of such manors respectively, and all other persons whatsoever, to be the true and only tenants of such copyhold or customary lands, tenements and hereditaments respectively, so that no lord or lady of any manor nor any other person or persons shall be prejudiced thereby.

Modifications etc. (not altering text)

C3 S. 2 extended by [Crown Private Estates Act 1862 \(c. 37\)](#), ss. 3, 4

3 Grants already made by his Majesty not to be defeated by this Act.

Provided always, that nothing herein contained shall extend to defeat or impeach any grant or disposition which hath been already made by his Majesty, or by his direction, of any manors, messuages, lands, tenements or hereditaments so purchased by his Majesty as aforesaid, and conveyed, surrendered, or assured to or in trust for his Majesty; but all such grants and dispositions respectively shall be valid and effectual to all intents and purposes as the same would have been, if they had been made after the passing of or were conformable to the provisions in this Act contained.

4 His Majesty, his heirs and successors, may sell or devise such estates as his Majesty's subjects may like estates belonging to them. Trustees shall convey such estates as his Majesty, etc. shall direct. Provisions for conveyance of trust estates by infants shall extend to trustees for his Majesty.

And notwithstanding any thing in the said recited Acts contained, or any other statute, law, custom or usage to the contrary, it shall be lawful for his Majesty, his heirs and successors, from time to time, by any instrument under his and their royal sign manual attested by two or more witnesses, or by his and their last will and testament in writing, or any writing in the nature of a last will or testament, to be signed and published by his Majesty, his heirs and successors respectively, in the presence of and to be attested by three or more witnesses, at his and their free will and pleasure, to grant, sell, give or devise all and every or any of the manors, messuages, lands, tenements and hereditaments, so purchased or to be purchased by or which have or shall so come to his Majesty, his heirs or successors as aforesaid, whether of freehold or copyhold or customary or leasehold tenure, and whether conveyed or assured to or otherwise vested in his Majesty, his heirs or successors, or to or in any person or persons in trust for his Majesty, his heirs or successors as aforesaid, unto any person or persons, for any estate or estates, or for any intents or purposes, his Majesty, his heirs or successors respectively shall think fit, as any of his Majesty's subjects

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may grant, sell, give or devise any the like manors, messuages, lands, tenements and hereditaments respectively, belonging to such subjects respectively, by their respective deeds or other instruments or last wills and testaments respectively ; and all and every person and persons who shall be seised or possessed of or entitled to any such manors, messuages, lands, tenements or hereditaments respectively, or any estate or interest therein respectively, in trust for his Majesty, his heirs or successors respectively, shall convey, surrender, assign or otherwise assure the same, in such manner as his Majesty, his heirs or successors, under his or their royal sign manual respectively, to be attested as aforesaid, shall direct; and all and every of the provisions made by law for the conveyance of trust estates by infants, idiots and [F1persons of unsound mind] , shall extend to such persons as are or shall be a trustee or trustees for his Majesty, his heirs and successors respectively, and such trust estates shall be conveyed, surrendered and assured by such infants, idiots and [F1persons of unsound mind] , or the committees of such idiots or [F1persons of unsound mind] accordingly.

Textual Amendments

- F1 Words substituted by virtue of (E.W.) [Mental Treatment Act 1930 \(c. 23\), s. 20\(5\)](#) and (N.I.) [Mental Treatment Act \(Northern Ireland\) 1932 \(c. 15\), s. 7\(2\)](#)

Modifications etc. (not altering text)

- C4 S. 4 amended by [Crown Private Estates Act 1862 \(c. 37\), s. 5](#) and as to “idiot” by [Mental Health Act \(Northern Ireland\) 1948 \(c. 17\), s. 73\(1\)](#)

5 **If no disposition of such estates be made by his Majesty, or a disposition be made which shall not exhaust the whole, the estate undisposed of shall descend as if this Act had not been made, subject to certain provisions. Freeholds which shall so descend shall be subject to the restrictions of the recited Acts.**

And if no disposition by grant, will or otherwise shall be made in pursuance of this Act by his Majesty, his heirs or successors, of any such manors, messuages, lands, tenements and hereditaments as aforesaid, or if any disposition which shall be so made shall not exhaust the whole estate or interest of his Majesty, his heirs or successors respectively, in the same, then and in every such case all such manors, messuages, lands, tenements and hereditaments, whereof no such disposition shall be made as aforesaid, or so much of the estate and interest therein respectively as shall not have been so disposed of, shall descend and go in such and the same manner, on the demise of his Majesty, his heirs and successors respectively, as the same would have descended and gone if this Act had not been made, subject nevertheless to the provisions herein-after contained as to so much thereof as shall be personal estate of his Majesty and his successors; and all and every of such manors, messuages, lands, tenements and hereditaments, being of freehold tenure in fee simple, which shall so descend on the demise of his Majesty, or any King or Queen of this realm, shall be subject to all the restrictions in the said recited Acts contained, in the same manner as the same would have been subject thereto if this Act had not been made.

Modifications etc. (not altering text)

- C5 S. 5 extended by [Crown Private Estates Act 1862 \(c. 37\), s. 7](#)

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6 Estates so vested in his Majesty or in trustees shall be subject to all taxes.

And all and every of such manors, messuages, lands, tenements and hereditaments, whether of freehold or copyhold or customary or leasehold tenure, which shall be so as aforesaid from time to time vested in his Majesty, his heirs or successors, or in any person or persons in trust for his Majesty, his heirs and successors respectively, shall from time to time be subject and liable to all such taxes, rates, duties, assessments and other impositions, parliamentary and parochial, as the same would have been subject and liable to, if the same had been the property of any subject of this realm; and all such rates, taxes, assessments and impositions shall, so long as the said manors, messuages, lands, tenements and hereditaments shall be vested in his Majesty, his heirs or successors, or in any person or persons in trust for his Majesty, his heirs or successors as aforesaid, be ascertained, rated, assessed or imposed thereon, in the same manner and form in all respects as if the same manors, messuages, lands, tenements and hereditaments respectively were the absolute and beneficial estate of any of his Majesty's subjects; but nevertheless such rates, taxes, assessments and impositions shall be paid and payable in the manner herein-after directed, and not otherwise.

7 Taxes, etc. charged upon such estates to be paid out of the privy purse.

And so long as any such manors, messuages, lands, tenements or hereditaments shall be or remain vested in his Majesty, his heirs and successors, or in any trustee or trustees for his Majesty, his heirs or successors as aforesaid, freed and discharged from the provisions and restrictions in the said recited Acts respectively, all taxes, rates, duties, assessments, impositions, rents and other annual payments, fines and other outgoings, which shall from time to time be charged and chargeable upon or be or become due and payable in respect of all such manors, messuages, lands, tenements and hereditaments respectively, shall be paid and discharged out of the privy purse of his Majesty, his heirs and successors respectively, and accounts thereof shall from time to time be returned to the person or persons for the time being executing the office of his Majesty's privy purse, or his or their deputy, who shall, by and out of any monies in his or their hands applicable for the use of his Majesty, pay and discharge the same.

8 Her Majesty during the joint lives of their Majesties, by deed, or by will, may dispose of manors, etc. purchased by or in trust for, or that may vest in her Majesty, or in trust for her, and may bequeath all such chattels and personal estate as if she were sole;

And whereas by the law of England the Queen Consort, wife of the King, is capable of taking, granting or disposing of property as if she were a feme sole, but doubts may arise how far this capacity of granting or disposing of property extends, and especially whether during the life of the King her husband it includes the power of devising and bequeathing by last will and testament: And whereas his Majesty is desirous that her Majesty Queen Charlotte, his Majesty's royal consort, during his Majesty's life should have full and complete power, as well by her last will and testament as by deed, to grant, alien and dispose of any manors, messuages, lands, tenements, rents, tythes and hereditaments, which have been purchased by or in trust for or otherwise vested in her Majesty, or which shall hereafter be purchased by or in trust for or shall be otherwise vested in or in trust for her Majesty, under and by virtue of any deed, gift, will or otherwise, except as herein-after is mentioned, and of any goods and chattels, whether real or personal, and personal estate of what kind soever belonging to her Majesty, in the same manner as her Majesty might dispose thereof if she were sole and unmarried, and it may be convenient that the like power should be secured to every Queen consort

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of this realm for the time being: Now therefore be it further enacted, that it shall be lawful for her Majesty at any time or times during the joint lives of their Majesties, by deed under her hand and seal, to be executed in the presence of and attested by two or more witnesses, or by her last will and testament in writing, or any writing in the nature of a last will and testament, to be signed and published by her in the presence of and attested by three or more witnesses, to grant, give, alien, dispose of, convey or devise any manors, messuages, lands, tenements and hereditaments, which have at any time heretofore been purchased or which shall at any time hereafter be purchased by or in trust for her Majesty, or which shall hereafter come to or devolve upon or vest in her Majesty or any person or persons in trust for her, for any estate of inheritance or freehold or for any copyhold or customary estate, under or by virtue of any deed, gift, will or otherwise, for all or any part of such estate, right and interest as her Majesty or such person or persons in trust for her now hath or have or shall or may have in any such manors, messuages, lands, tenements and hereditaments, and also by her last will and testament in writing to give and bequeath all such chattels and personal estate whatsoever as aforesaid, unto any person or persons and for any intents and purposes and in any manner she shall think fit, as fully and effectually in all respects as she could or might grant, convey, alien, dispose of, give, devise or bequeath the same, if she were sole and unmarried.

9 as also any Queen of this realm during the joint lives of the King and such Queen consort. Act not to enable her Majesty or any Queen consort to dispose of any palace, etc. belonging to the King in the right of the crown, vested in her for life.

And it shall be lawful for any Queen for the time being of this realm, being the consort of his Majesty or any of his successors, in like manner, at any time or times during the joint lives of the King and such Queen consort for the time being, by deed under her hand and seal, or by her last will and testament in writing, to be respectively executed, signed, published and attested as aforesaid, to grant, convey, alien, dispose of, give or devise any manors, messuages, lands, tenements and hereditaments, which shall be purchased by or in trust for her, or which shall come to or devolve upon or vest in her or any person or persons in trust for her, for any estate of inheritance or freehold or any copyhold or customary estate, under and by virtue of any deed, gift, will or otherwise, for all or any part of such estate, right and interest as she or such person or persons in trust for her shall have in any such manors, messuages, lands, tenements or hereditaments, and also by her last will and testament in writing to give and bequeath all such her chattels, whether real or personal, and personal estate whatsoever, to any person or persons and for any intents and purposes she shall think fit, as fully and effectually in all respects as if she were sole and unmarried: Provided always, that nothing in this Act contained shall extend to enable her Majesty or any Queen consort of this realm to make any grant, conveyance or disposition of any palace or capital mansion house, gardens, lands or hereditaments, belonging to his Majesty or any of his successors in right of the crown, which now are or hereafter shall be vested in her Majesty or in any such Queen consort for her life, as and for her jointure or otherwise, under any letters patent of his Majesty or any of his successors or by Act of Parliament, or to make any grant, conveyance or disposition, which her Majesty and such Queen consort could not make, if sole and unmarried.

10 Monies for the privy purse or not appropriated to any publick service, or effects which shall not come to his Majesty, or to his successors in right of the crown

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shall be deemed personal estate, and subject to disposition by will in writing and shall be liable to all debts payable out of the privy purse.

And whereas it is his Majesty’s most gracious desire that all such personal estate and effects as his Majesty shall be possessed of or entitled to at the time of his demise, and over which he shall have the full and absolute power of disposition by his last will and testament, should be subject and liable to the payment of all such debts of his Majesty as shall during his lifetime be properly payable out of his privy purse: And whereas it is reasonable that all such personal estate and effects as any of his Majesty’s successors, kings or queens of this realm, shall be possessed or entitled to in like manner should also be subject and liable to the like charge; and it is expedient to fix and regulate what personal estate and effects of his Majesty and his successors are subject to such testamentary disposition, and in what form such disposition shall be made: Now therefore be it further enacted and declared, that all such personal estate of his Majesty and his successors respectively, as shall consist of monies which may be issued or applied for the use of his or their privy purse, or monies not appropriated to any publick service, or goods, chattels or effects which have not or shall not come to his Majesty or shall not come to his successors respectively with or in right of the crown of this realm, shall be deemed and taken to be personal estate and effects of his Majesty and his successors respectively subject to disposition by last will and testament; and that such last will and testament shall be in writing, under the sign manual of his Majesty and his successors respectively, or otherwise shall not be valid; and that all and singular the personal estate and effects, whereof or whereto his Majesty or any of his successors shall be possessed or entitled at the time of his and their respective demises, subject to such testamentary disposition as aforesaid, shall be liable to the payment of all such debts as shall be properly payable out of his or their privy purse; and that, subject thereto, the same personal estate and effects of his Majesty and his successors respectively, or so much thereof respectively as shall not be given or bequeathed or disposed of as aforesaid, shall go in such and the same manner on the demise of his Majesty and his successors respectively, as the same would have gone if this Act had not been made.

11, 12. F2

Textual Amendments
F2 Ss. 11, 12 repealed by Statute Law Revision Act 1871 (c. 116)

Changes to legislation:

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