

poration aggregate constituted without a head^q: as the collegiate church of Southwell in Nottinghamshire, which consists only of prebendaries; and the governors of the Charter-house, London, who have no president or superior, but are all of equal authority. In aggregate corporations also, the act of the major part is esteemed the act of the whole^r. By the civil law this major part must have consisted of two thirds of the whole; else no act could be performed^s: which perhaps may be one reason why they required three at least to make a corporation. But, with us, *any* majority is sufficient to determine the act of the whole body. And whereas, notwithstanding the law stood thus, some founders of corporations had made statutes in derogation of the common law, making very frequently the unanimous assent of the society to be necessary to any corporate act; (which king Henry VIII found to be a great obstruction to his projected scheme of obtaining a surrender of the lands of ecclesiastical corporations) it was therefore enacted by statute 33 Hen. VIII. c. 27. that all private statutes shall be utterly void, whereby any grant or election, made by the head, with the concurrence of the major part of the body, is liable to be obstructed by any one or more, being the minority: but this statute extends not to any negative or necessary voice, given by the founder to the head of any such society.

WE before observed that it was incident to every corporation, to have a capacity to purchase lands for themselves and successors: and this is regularly true at the common law^t. But they are excepted out of the statute of wills^u; so that no devise of lands to a corporation by will is good: except for charitable uses, by statute 43 Eliz. c. 4^w. And also, by a great variety of statutes^x, their privilege even of purchasing from any living grantor is greatly abridged; so that now a corporation, either ecclesiastical or lay,

^q 10 Rep. 30.

^r Bro. *Abr. tit. Corporation.* 31. 34.

^s *Ff.* 3. 4. 3.

^t 10 Rep. 30.

^u 34 Hen. VIII. c. 5.

^w Hob. 136.

^x From *magna carta*, 9 Hen. III. c. 36. to 9 Geo. II. c. 36.

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