ANNO VICESIMO QUINTO

VICTORIÆ REGINÆ.

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C A P. XVII.

An Act to extend the Time for making Enrolments under the Act passed in the last Session of Parliament, intituled *An Act to amend the Law relating to the Conveyance of Land for Charitable Uses*, and to explain and amend the said Act. [16th *May* 1862.]

WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act to amend the Law relating to the Conveyance of Land for Charitable Uses*, Time was given for enrolling certain Deeds, Assurances, and Instruments therein referred to until the Expiration of Twelve Calendar Months next after the passing of the said Act: And whereas the said Act received the Royal Assent on the Seventeenth Day of *May* One thousand eight hundred and sixty-one, so that the Time thereby given for making such Enrolments will expire at the End of Twelve Calendar Months from that Day: And whereas from the great Number of Deeds, Assurances, and Instruments to be enrolled under the Provisions aforesaid it is reasonable to allow an Extension of Time for that Purpose: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and

24 & 25 Vict. c. 9.

Commons,

Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Extension of Time for Enrolment of Deeds and Assurances.

1. The Enrolment of every Deed, Assurance, and Instrument which shall be enrolled before the Seventeenth Day of *May* One thousand eight hundred and sixty-four shall, for the Purposes of the said Act, have the same Force and Effect which it would have had if such Enrolment had been within Twelve Calendar Months next after the passing of the said Act.

Recited Act comprises all Lands whether of Freehold or of Customary or Copyhold Tenure.

2. And whereas by the said Act it is enacted that certain Assurances to be thereafter made *bonâ fide* on a Sale for a full and valuable Consideration should not be deemed null and void by reason of the Consideration consisting wholly or partly of a Rent, Rentcharge, or other annual Payment reserved as therein mentioned, and Doubts have arisen whether the said Enactment refers to any Hereditaments not of Copyhold or Customary Tenure: Be it therefore declared and enacted, That the said Enactment comprises and extends to all Hereditaments whether of Freehold or of Customary or Copyhold Tenure, and to every Estate and Interest therein.

As to Deeds, &c. executed prior to passing of recited Act.

3. No Deed, Assurance, or Instrument executed previously to the passing of the said Act shall, for the Purposes thereof, require Acknowledgment prior to Enrolment.

Acts to apply to Cases where separate Deed executed as well after as before passing of recited Act.

4. And whereas it is by the Fourth Section of the said Act enacted, that where the Charitable Uses of any such Deed or Assurance for Conveyance as is therein mentioned had been declared by any separate Deed or Instrument, then, if neither of the said Deeds or Instruments had been enrolled, it should not be necessary to enrol such Deed or Assurance for Conveyance, but every such Deed or Assurance for Conveyance should be void, unless such other separate Deed or Instrument should be enrolled within such Time as therein mentioned: And whereas it may happen that such Deed or Assurance of Conveyance may have been executed before the passing of the said Act, but the separate Deed or Instrument declaring the Charitable Uses may not have been executed until after the passing of the said Act: Be it therefore enacted, That the said Act and this Act shall be taken to apply as well to Cases where such separate Deed or Instrument shall be or shall have been executed after as to Cases where it may have been executed before the passing of the said Act; provided only that, if not already executed, it be executed within Six Months next after the passing of this Act.

Provision as to Money expended

5. In all Cases in which Money shall have been really and *bonâ fide* expended before the passing of this Act, in the substantial and permanent

permanent Improvement, by building or otherwise, for any Charitable Use, of Land of any Tenure whatsoever, of which Possession is now held by virtue of any Deed or Assurance conveying or purporting to convey the same, or declaring any Trusts or Trust thereof for such Charitable Use, all Money so expended shall be deemed, for the Purposes of the said Act, equivalent to Money actually paid by way of Consideration for the Purchase of the said Land. before passing of Act in permanent Improvements.

6. Nothing in this Act contained shall extend to render null and void any Deed or Assurance already good and valid. Act not to invalidate any Deed.

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