Interests of and in the same respectively, in Trust for Her Majesty, Her Heirs and Successors, for the Use and Service of the Revenue of Excise.

Act may be amended, &c.

XXXV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. XXI.

An Act for rendering a Release as effectual for the Conveyance of Freehold Estates as a Lease and Release by the same Parties. [18th *May* 1841.]

'WHEREAS it is expedient to lessen the Expence of conveying Freehold Estates:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Deed or Instrument of Release of a Freehold Estate, or Deed or Instrument purporting or intended to be a Deed or Instrument of Release of a Freehold Estate, which shall be executed on or after the Fifteenth Day of *May* One thousand eight hundred and forty-one, and shall be expressed to be made in pursuance of this Act, shall be as effectual for the Purposes therein expressed, and shall take effect as a Conveyance to Uses or otherwise, and shall operate in all respects both at Law and Equity as if the releasing Party or Parties who shall have executed the same had also executed in due Form a Deed or Instrument of Bargain and Sale or Lease for a Year for giving Effect to such Release, although no such Deed or Instrument of Bargain and Sale or Lease for a Year shall be executed; provided that every such Deed or Instrument so taking effect under this Act shall be chargeable with the same Amount of Stamp Duty as any Bargain and Sale or Lease for a Year would have been chargeable with (except progressive Duty) if executed to give Effect to such Deed or Instrument, in addition to the Stamp Duties which such Deed or Instrument shall be chargeable with as a Release or otherwise under any Act or Acts relating to Stamp Duties.

A Release to be effectual although no Lease for a Year shall be executed.

Release chargeable with the Stamp Duty to which the Lease for a Year would have been liable.

II. 'And whereas many Deeds or Instruments of Bargain and Sale or Leases for a Year, to give effect to Deeds or Instruments of Release of Freehold Estates heretofore executed, have been lost or mislaid;' be it enacted, That where, in or by any Deed or Instrument of Release of Freehold Estates executed before the Fifteenth Day of *May* One thousand eight hundred and forty-one, any Deed or Instrument of Bargain and Sale or Lease for a Year for giving effect to such Deed or Instrument of Release shall be recited, or by any Mention thereof in such Deed or Instrument of Release appear to have been made or executed, such Recital or Mention thereof shall be deemed and taken to be conclusive Evidence of the Deed or Instrument of Bargain and Sale or Lease for a Year so recited

The Recital or Mention of a Lease for a Year in a Release executed before the passing of this Act, to be Evidence of the Execution of such Lease for a Year.

or mentioned having been made and executed; and such Deed or Instrument of Release shall also have the like Effect as if the same had been executed after the Fifteenth Day of *May* One thousand eight hundred and forty-one, whether such Deed or Instrument of Bargain and Sale or Lease for a Year shall or shall not have been lost or mislaid, or may or may not be produced: Provided always, that this Act shall not prejudice or affect any Proceedings at Law or in Equity pending at the Time of the passing of this Act, in which the Validity of any Bargain and Sale or Lease for a Year shall be in question between the Party claiming under such Bargain and Sale or Lease for a Year and the Party claiming adversely thereto; and such Bargain and Sale or Lease for a Year, if the Result of such Proceedings shall invalidate the same, shall not be rendered valid by this Act.

Construction of the Word "Freehold."

III. And be it enacted, That in the Construction of this Act the Word "Freehold" shall have not only its usual Signification, but shall extend to all Lands and Hereditaments for the Conveyance of which, if this Act had not been passed, a Bargain and Sale or Lease for a Year, as well as a Release, would have been used.

Act may be amended, &c.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.