ANNO TERTIO

GEORGII IV. REGIS.

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C A P. CXVI.

An Act for the more convenient and effectual registering in *Ireland* Deeds executed in *Great Britain*. [5th *August* 1822.]

FOR facilitating the Registry of Deeds, Conveyances, and Wills executed in *Great Britain*, which it may be necessary to register in *Ireland*, and for the more effectual Registry thereof, 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 this present Parliament assembled, and by the Authority of the same, That all Deeds, Conveyances, or Wills required to be registered in *Ireland* in and by an Act passed by the Parliament of *Ireland* in the Sixth Year of the Reign of Her Majesty Queen *Anne*, intituled *An Act for the public registering of all Deeds, Conveyances, and Wills that shall be made of any Honors, Manors, Lands, Tenements, or Hereditaments,* or any other Act now in force, the Memorial whereof shall be proved in *England*, shall be registered in the Manner following; that is to say, the Memorial of the Deed, Conveyance, or Will so to be registered in *Ireland*, being prepared, signed, sealed, and attested by such Person and Persons, and in such Manner and Form as by the Act so made in the Sixth Year of the Reign of Her Majesty Queen *Anne* hath or have been in that behalf prescribed and directed, One of the Witnesses to said Memorial, being also a Witness to the Deed, Instrument, or Writing therein mentioned, shall prove the Execution of said Memorial

How Deeds executed in Great Britain shall be registered in Ireland.

upon Oath, to be made before One of the Extraordinary Commissioners appointed by the Court of Chancery in *Ireland* for taking Affidavits in *Great Britain*, and who are respectively hereby empowered and required to administer such Oath, and shall at the same Time produce unto the said Extraordinary Commissioner the Deed, Instrument, or Writing in the said Memorial mentioned, together with a true Copy of said Memorial, such Copy to be at the same Time verified in like Manner upon Oath, to be made by such Witness before said Extraordinary Commissioner, who is hereby empowered and required to administer the same, which Copy and Oath respectively are not to be charged or chargeable with any Stamp Duty; and which Oaths shall respectively be in the Words and Form following:

OATH of the Execution of the Memorial, and to be subscribed or annexed to said Memorial.

Oath of the Execution of the Memorial.

'THE above-named *A. B.* of in maketh Oath, that he is a subscribing Witness to the Deed of which the above [within *or* annexed] Writing is a Memorial, and saw the same duly executed by , and that he this Deponent is also a subscribing Witness to the above [within *or* annexed] Memorial, and saw the same duly executed by the above named ; and saith the Name *A. B.*, subscribed as a Witness to the Execution of the said Deed and Memorial respectively, is the proper Name, and of the Handwriting of this Deponent; and this Deponent saith, that at or immediately before the Time of his deposing hereto, he this Deponent delivered the said Deed and Memorial, together with a true Copy of the said Memorial, to , One of the Extraordinary Commissioners of the Court of Chancery in *Ireland* for taking Affidavits in *Great Britain*, in the Office of the said in upon this Day the Day of One thousand eight hundred and .

A. B.

Sworn before me in my Office in this Day of One thousand eight hundred and .

C. D. One of the Extraordinary Commissioners of the Court of Chancery of *Ireland* for taking Affidavits in *Great Britain.*'

OATH to be made by the Witness to verify the Copy of the Memorial, and to be subscribed or annexed to the said Copy.

Oath of the Verification of a Copy.

'I *A. B.* of in make Oath, that the foregoing [*or* the within *or* annexed] Writing is a true Copy of a certain Memorial which was duly executed by , to which Memorial this Deponent is a subscribing Witness, and which said Memorial this Deponent at the Time of his deposing hereto delivered, together with the Deed, Instrument, or Writing whereof the same is a Memorial, to One of the Extraordinary Commissioners of the Court of Chancery in *Ireland*

'land for taking Affidavits in *Great Britain*, in the Office of the said
' in and this Deponent at
' the same Time, and therewith, delivered to the said
' the foregoing [*or* within *or* annexed] Copy of the said Memorial.

' *A. B.*

' Sworn before me in my Office in this
' Day of One thousand
' eight hundred and

' *C.D.* One of the Extraordinary Commissioners of the
' Court of Chancery in *Ireland* for taking Affidavits in
' *Great Britain.*'

On Production of Deed, Memorial, and Copy, the Extraordinary Commissioner to certify the same.

II. And be it further enacted by the Authority aforesaid, That upon the said Deed, Instrument, or Writing, together with the Memorial and Copy thereof, being as herein-before required produced to the said Extraordinary Commissioner, and Proof being made thereof as before mentioned, such Extraordinary Commissioner shall immediately mark said Deed, Instrument, or Writing, with the Initials of his Name, and Day, Month, and Year when so produced to him, and thereupon return the same to the Party, and by Certificate to be signed by him, and endorsed or written upon the said Memorial and Copy respectively, certify the same in the Form or to the Effect following; that is to say,

FORM of Certificate to be endorsed upon the original Memorial.

Form of Certificate.

' I DO hereby certify, That the Deed, of which the within Writing is a Memorial, was delivered to me in my Office in
' by a subscribing Witness thereto, upon this Day *day*
' the Day of One thousand eight hundred
' and ; and that the Execution of the said Deed and
' Memorial was then proved by the said , as required by
' the Statute in that Case made and provided; and I do hereby fur-
' ther certify, that the said at the same Time, and
' therewith, delivered to me a Copy of the within Memorial, which
' he then verified upon Oath, as by said Statute is required; and
' that I have endorsed a Certificate upon said Copy, corresponding in
' Purport herewith.

' *C.D.* One of the Extraordinary Commissioners of the
' Court of Chancery in *Ireland* for taking Affidavits in
' *Great Britain.*'

FORM of Certificate to be endorsed upon the Copy of the Memorial.

Form of Certificate to be endorsed on the Copy.

' I DO hereby certify, That the Deed, of the Memorial of which
' Deed the within Writing is a Copy, was delivered to me in my
' Office in in by a subscribing Witness thereto,
' upon *day* the Day of One thousand
' eight hundred and ; and that the Execution of said
' Deed and Memorial was then proved by the said
' as required by the Statute in that Case made and provided; and I
' do hereby further certify, that the said at the same
' Time, and therewith, delivered to me the within Copy of the said
' Memorial,

'Memorial, which he then verified upon Oath, as by said Statute 'is required; and I have certified the same upon the said Memorial.

'*C.D.* One of the Extraordinary Commissioners of the 'Court of Chancery in *Ireland* for taking Affidavits in '*Great Britain.*'

Memorial and Copy with Certificates to be transmitted to the Registrar of Deeds in Ireland, who shall enter the same, and the Copy and Certificate shall be returned to the Extraordinary Commissioner in Great Britain.

56 G. 3. c. 56.

III. And be it further enacted by the Authority aforesaid, That the said Extraordinary Commissioner shall thereupon deliver the said Memorial and Copy, with said respective Certificates, to the Person or Persons concerned, to be by such Person or Persons transmitted to the Registrar of Deeds in *Ireland*; and that the Registrar of Deeds in *Ireland* shall, upon receiving the same, register the said Memorial, and enter the same in the alphabetical Calendars kept by him, in the Manner in which all other Memorials are registered and entered by him, without the Deed or Instrument in such Memorial mentioned being produced unto the said Registrar or Deputy Registrar, or the Stamps thereon examined by him; any thing whatsoever in an Act passed in the Fifty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to repeal the several Stamp Duties in* Ireland, *and also several Acts for the Collection and Management of the said Duties, and to grant new Stamp Duties in lieu thereof, and to make more effectual Regulations for collecting and managing the said Duties*, in anywise to the contrary thereof notwithstanding; and the said Registrar or Deputy Registrar shall certify the Registry thereof in Writing upon the Copy of said Memorial in the Form or to the Effect herein-after mentioned; and thereupon deliver the said Copy and such Certificate thereon, signed by him, to the Party or Parties concerned, to be by him, her, or them returned to the Extraordinary Commissioner in *Great Britain* before whom the said Memorial had been proved; and said Extraordinary Commissioner shall, upon Receipt thereof, endorse upon the Deed or Instrument, the Memorial of which Deed or Instrument has been so registered, a Certificate under his Hand of the Registry thereof, in the Form or to the Effect herein-after mentioned, and shall, upon Payment of his Fees, return said Deed, Instrument, or Writing to the Person or Persons concerned, together with the certified Copy of said Memorial, first endorsing upon said Copy a Memorandum or Note of his having endorsed upon said Deed a Certificate corresponding with the *Irish* Register's said Certificate of the Registry thereof; for which several Duties the Extraordinary Commissioners aforesaid are hereby respectively authorized to demand and receive the Fees following; that is to say,

	£	s.	d.
For administering the Oath to the Witness of the Execution of the Deed and Memorial - -	0	2	6
For administering the Oath to the Witness upon his verifying the Copy of the Memorial - -	0	2	6
For the Certificate upon the Memorial - -	0	3	6
For the Certificate upon the verified Copy thereof	0	3	6
For the Certificate upon the Deed of the Registry thereof in *Ireland* - - - -	0	3	6
	0	15	6

IV. And

IV. And be it further enacted by the Authority aforesaid, That the Certificate to be given by the Registrar of Deeds in *Ireland*, upon the Copy of the Memorial so to be registered, shall be in the Form or to the Effect following:

Form of Certificate to be given by the Registrar on the Copy of the Memorial.

'A MEMORIAL of the within-mentioned Deed was entered in the Register's Office in the City of *Dublin*, in that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*, upon *day* the Day of in the Year of our Lord at or near the Hour of 6'Clock in the noon, in Book Page and Number ; and the Execution of said Deed and Memorial was duly proved in that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, before One of the Extraordinary Commissioners of the Court of Chancery of *Ireland* for taking Affidavits in *Great Britain*, as appears by said Memorial and the Certificate of said thereon.

Register.'

V. And be it further enacted by the Authority aforesaid, That the Certificate to be given by the Extraordinary Commissioner as before mentioned, upon the Deed, Instrument, or Writing, the Execution whereof shall have been so proved before said Extraordinary Commissioner in Manner aforesaid, whereof a Memorial also so proved before said Extraordinary Commissioner shall have been so registered in *Ireland*, shall be in the Form or to the Effect following:

Form of Certificate to be given by the Extraordinary Commissioner.

'A MEMORIAL of the within Deed was entered in the Register's Office in the City of *Dublin* upon *day* the Day of in the Year of our Lord at or near the Hour of o'Clock in the noon, in Book , Page , and Number ; the Execution of said Deed and Memorial having been first duly proved before me, pursuant to the Statute in that Case made and provided, and such Registry appearing by the Certificate of the Register in *Ireland* upon the Copy of said Memorial, and by my Attestation thereof upon said Register's Certificate. Dated this Day of One thousand eight hundred and .

'*C.D.* One of the Extraordinary Commissioners of the Court of Chancery in *Ireland* for taking Affidavits in *Great Britain*.'

And the said Certificate, so signed by such Extraordinary Commissioner, shall be taken and allowed as Evidence of the Registry of the Memorial therein mentioned in all Courts of Record whatsoever in *Great Britain* and *Ireland* respectively: Provided always, that the Registrar or Deputy Registrar of Deeds in *Ireland* shall, upon the Production of any Deed, Instrument, or Writing, a Memorial whereof shall have been proved upon Oath before One of the Extraordinary Commissioners aforesaid, register such Memorial, and shall endorse a Certificate of the Registry thereof upon the said produced Deed or Instrument in the usual Manner; any thing herein-before contained to the contrary notwithstanding.

On Production of any Deed, Registrar in Ireland shall register Memorial and endorse Certificate of Registry.

Deeds registered according to the Regulations herein prescribed, deemed effectual.

VI. And be it further enacted by the Authority aforesaid, That every Deed, Conveyance, or other Instrument in Writing, a Memorial whereof shall be duly registered according to the Regulations in this Act prescribed, shall be deemed and taken as good and effectual in Law and Equity, according to the Priority of Time of registering such Memorial, of, for, and concerning the Honors, Manors, Lands, Tenements, and Hereditaments, in such Deed, Conveyance, or other Instrument in Writing mentioned or contained, according to the Right, Title, and Interest of the Person or Persons so conveying such Honors, Manors, Lands, Tenements, and Hereditaments, against all and every other Deed, Conveyance, or Disposition of the Honors, Manors, Lands, Tenements, or Hereditaments, or any Part thereof, comprised or contained in any such Memorial as aforesaid.

Penalty on forging Memorials and Certificates, and for swearing falsely.

VII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time forge or counterfeit any such Memorial or Certificate as are herein-before mentioned, and be thereof lawfully convicted, such Person or Persons shall incur and be liable to such Pains and Penalties as in and by an Act of Parliament made in *Ireland* in the Twenty-eighth Year of the Reign of Queen *Elizabeth*, intituled *An Act against forging Evidence*, are imposed upon such like Offenders as therein mentioned; and if any Person or Persons shall at any Time wilfully swear falsely before any such Extraordinary Commissioner in any of the Cases aforesaid, and be thereof lawfully convicted, such Person or Persons shall incur and be liable to the same Pains and Penalties as if such Oath had been made in any of the Courts of Record in *Great Britain* or *Ireland*.

Public Act.

VIII. And be it further enacted by the Authority aforesaid, That this present Act shall be taken and allowed, in all Courts within the United Kingdom of *Great Britain* and *Ireland*, as a Public Act; and all Judges, Justices, and other Persons therein concerned, are hereby required as such to take Notice thereof, without specially pleading the same.

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