ANNO PRIMO

VICTORIÆ REGINÆ.

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C A P. L.

An Act to facilitate the Conveyance of Lands and Buildings for the Purposes of Two Acts passed respectively in the Fifth and Sixth Years of His late Majesty King *William* the Fourth.

[15th *July* 1837.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Amendment and better Administration of the Laws relating to the Poor in* England *and* Wales: And whereas another Act was passed in the Sixth Year of the Reign of His said late Majesty, intituled *An Act to facilitate the Conveyance of Workhouses and other Property of Parishes and of Incorporations or Unions of Parishes in* England *and* Wales: And whereas Doubts are entertained as to whether the herein recited Acts respectively apply to Lands or Buildings or other Hereditaments of Copyhold or Customary Tenure; and it is expedient that such Doubts should be removed, and that the Provisions of the said Acts should be extended in some respects: Be it therefore enacted and declared 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 the Provisions of the said herein recited Acts apply to and comprise Lands and Buildings and other Hereditaments of Copyhold or Customary

4 & 5 W. 4. c. 76.

5 & 6 W. 4. c. 69.

Provisions of recited Act to extend to Copyhold Lands, &c.

tomary Tenure, as well as Lands, Buildings, and other Hereditaments of Freehold Tenure.

Provision for Enfranchisement of Copyholds.

II. And be it enacted, That whenever any Contract shall be entered into for the Purposes of the said recited Acts or either of them, or of this Act, respecting any Lands, Buildings, or other Hereditaments of Copyhold or Customary Tenure, it shall be lawful for the Poor Law Commissioners to direct that the Difference in Value of such Lands or Buildings or other Hereditaments, as of Copyhold or Customary Tenure, and the Freehold or Fee Simple thereof, including therein the Value of any Fine, Heriot, or Customary Due, Payment, or Rent, or any Service capable of being valued, in respect of such Land or Building or other Hereditaments, shall be ascertained by such Means as they shall think fit; and that such Difference in Value when so ascertained shall be paid to or invested for the Use and Benefit of the Lord of the Manor of which such Lands or Buildings or other Hereditaments shall be Parcel, or such other Person as would be entitled to the Fines payable upon Death or Alienation of the same, or to such Heriot, Dues, Payment, Rent, or Service respectively; and upon and from the making of such Payment or Investment such Lands or Buildings or other Hereditaments shall thenceforth be deemed enfranchised and for ever discharged from every Fine, Customary or Copyhold, Heriot, Due, Payment, Rent, Suit, or Service; and such Lands and Buildings and other Hereditaments shall thenceforth be and remain of the Tenure of Free and Common Socage: Provided always, that if any such Lord of the Manor or other Person be under any legal Disability, the Powers of the said recited Acts, and of every other Act for building, hiring, or purchasing Workhouses, or for acquiring Lands for Workhouse Purposes, enabling Persons under Disability to convey or otherwise dispose of and deal with Property, shall apply to such Lord of the Manor or other Person as amply and fully as if the Case had been expressly provided for in such Acts or any of them: Provided also, that if such Lord of the Manor or other Person be dissatisfied with such Valuation, and shall within Seven Days after a Tender made to him of the Amount thereof, or after Notice left at his last known Place of Residence, or with his known Agent, of such Amount being ready to be paid to him or invested as aforesaid, send Notice by the Post to the Poor Law Commissioners of such Dissatisfaction, it shall be lawful for the Poor Law Commissioners to direct a further Valuation to be made, at or within such Period as they may see fit, by Two Valuers, one to be named by the Poor Law Commissioners, and the other by such Lord of the Manor or other Person, which Two Persons so named shall previous to their entering on their Valuation name a Third Valuer to be referred to in case they disagree, and the Award of such Three Valuers, or any Two of them, shall be binding on all Parties; and on Payment or Investment, under the Provisions of the said recited Acts or any of them, or of this Act, of the Amount of such last-mentioned Valuation, such Lands or Buildings and other Hereditaments shall thenceforth be deemed enfranchised and discharged in manner aforesaid, and be and remain of the Tenure of Free and Common Socage: Provided always, that it shall be lawful for any Overseers, Guardians, Lord of

the Manor, or other Person to complete any voluntary Agreement for the Purchase and Enfranchisement of any Copyhold or Customary Lands, Buildings, or other Hereditaments, under the Direction and with the Approbation of the Poor Law Commissioners, in like Manner as if such Agreement had been originally made under this Act, any thing in the said Acts or either of them, or in this Act, to the contrary notwithstanding; and in every such Case, if any Lord of the Manor or other Person be under legal Disability, the Power of the said recited Acts and of any other Act for building, hiring, or purchasing Workhouses, or for acquiring Lands for Workhouse Purposes, enabling Persons to convey or otherwise dispose of or deal with Property, shall apply to such Lord of the Manor or other Person as amply and fully as if the Case had been expressly provided for in such Acts or any of them.

Steward of Manor to enter Certificate on Rolls of the Manor, and to furnish a Parchment Copy thereof to the Poor Law Commissioners.

III. And be it enacted, That when and so soon as any such Enfranchisement as aforesaid shall have been made it shall be lawful for the Steward of the Manor whereof the same Lands or Buildings were Parcel, and he is hereby required, on Receipt of a Certificate of such Valuation being made and Enfranchisement effected, under the Hands and Seal of the Poor Law Commissioners, to enter such Certificate on the Rolls or Books of the said Manor, and to furnish a Copy of such Entry, written on Parchment, to the Poor Law Commissioners, or to such Person or Persons as they may direct, and to certify the same to be a true Extract under his Hand; and such Certificate or a Copy thereof under the Seal of the Poor Law Commissioners shall thenceforth be Evidence of such Enfranchisement.

Mode of Conveyance.

IV. And be it enacted, That all Conveyances or Instruments by way of Sale or Exchange, or Assignment or Security or Transfer, to be made under the Authority of the said recited Acts or either of them, or of this Act, may be made in such Form as the Poor Law Commissioners shall by any Order or Orders signed by them and sealed with their Common Seal direct or approve of, or as near thereto as the Number of Parties, the Nature of the Interests, and the Circumstances of each Case will admit, and shall be valid and effectual in the Law, without Livery of Seisin being made, or any Bargain and Sale to vest Possession being executed, and without being enrolled.

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