



Assessionable Manors Award Act 1848

1848 CHAPTER 83 11 and 12 Vict

An Act to confirm the Awards of Assessionable Manors Commissioners, and for other Purposes relating to the Duchies of *Cornwall* and *Lancaster*. [31st August 1848]

Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Preamble not relevant to ss. 6, 14

I-V^{F1}

Textual Amendments

- F1 The whole Act except ss. 6 and 14 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), [Sch. 1 Pt. IV](#)

VI Provisions in 7 & 8 Vict. c. 65. as to Enrolments, and examined and certified Copies thereof, being Evidence of original Instruments, to apply to other instruments duly enrolled.

And whereas by the ^{M1}Duchy of Cornwall Act 1844, it is declared and provided, that Enrolments or examined Copies of Enrolments of Deeds, Certificates, Receipts, or other Instruments, appearing or purporting to have been made, given, or executed under the Authority of that Act, or of any Act theretofore passed relating to the Lands or Possessions of the said Duchy, shall be admissible in Evidence for the Purposes therein specified; and it is expedient that such Provision should be amended, and made to extend and apply to other Instruments duly enrolled among the Records of the Duchy, and that the Proof thereof should be further facilitated: Where any Deed, Certificate, Receipt, or other Instrument relating to the Lands or Possessions of the said Duchy shall have been duly enrolled in the Office of the said Duchy, the Enrolment in the Books of the said Office, or an examined Copy of such Enrolment, or a Certificate purporting to set forth a true Copy of the whole or of Part thereof, and purporting to be signed and certified by the Keeper of the Records of the Duchy for the Time being,

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shall, in the Absence of Evidence to the contrary, and without producing the Original, or calling any attesting Witness, and (in the Case of a certified Copy) without Proof, other than the Production of such Certificate, that such certified Copy is in fact a true Copy, be admitted by and before all Courts and Justices and in all legal Proceedings to be Proof of such original Instrument or Enrolment thereof, or of so much thereof as the said certified Copy purports to set forth, and that the Original was duly made, granted, given, or executed by the Parties thereto.

Marginal Citations

M1 1844 c. 65.

VII— F2
XIII.

Textual Amendments

F2 The whole Act except ss. 6 and 14 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), [Sch. 1 Pt. IV](#)

XIV Certain of the Provisions in 7 & 8 Vict. c. 65. and in this Act relating to Enrolments, and examined and certified Copies thereof, extended to the Possessions of Her Majesty in right of the Duchy of Lancaster.

And whereas by the ^{M2}Duchy of Cornwall Act 1844, it is also enacted, that every Deed or Instrument whereby any Manors, Messuages, Lands, Tenements, or Hereditaments now or at any Time hereafter Parcel of the Lands or Possessions of the Duchy of *Cornwall* shall after the passing of the same Act be purchased, sold, exchanged, leased, licensed, to be demised, enfranchised, or granted under the Authority of the same Act or of any other Act, or otherwise, shall, within Six Calendar Months after the Date of such Deed or Instrument, be enrolled in the Office of the Duchy of *Cornwall*; and it is by the same Act enacted, that the Keeper of the Records of the Duchy of *Cornwall* shall and he is thereby required to enrol every Deed or Instrument thereby directed to be enrolled in the Office of the said Duchy in Order of Time as the same shall respectively be brought to the said Office for that Purpose, and certify under his Hand, or under the Hand of his Deputy for the Time being, upon the said Deeds or Instruments respectively when enrolled, the Fact of their having been so enrolled; and by the same Act it is also enacted, that in all Cases where the Enrolment of any Deed or other Instrument, or Minute or Document, before the said Keeper of the Records, has been or shall be omitted or delayed beyond the Period provided for the Enrolment and Entry thereof respectively, it shall be lawful for the Council of His said Royal Highness, or others the Commissioners for managing the Affairs of the said Duchy for the Time being, for every reasonable Cause to them shown for the Omission or Delay, and they are thereby authorized and empowered, to permit the making of any such Enrolment or Entry *nunc pro tunc*, and the same respectively when made under such Authority shall be as valid and effectual as if made within the Period therein-before limited for that Purpose: And whereas it is expedient that the several Provisions and Enactments in the said ^{M2}Duchy of Cornwall Act 1844, and in this Act, or one of them, expressly or by Reference contained, relating to the Enrolment of Deeds, and to the Time within which such Enrolment shall be made, and declaring and providing that Enrolments, or examined Copies of Enrolments, Deeds, Certificates, Receipts, or other Instruments

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or Certificates, purporting to set forth a true Copy of the whole or of Part thereof, and purporting to be signed and certified by the Keeper of the Records of the Duchy for the Time being, shall, in the Absence of Evidence to the contrary, and without producing the Original, or calling any attesting Witness, and in the Case of a certified Copy without Proof, other than the Production of such Certificate, that such certified Copy is in fact a true Copy, be admitted, by and before all Courts and Justices, and in all legal Proceedings, to be Proof of such original Instrument or Enrolment thereof, or of so much thereof as the said certified Copy purports to set forth, and that the Original was duly made, granted, given, or executed by the Parties thereto, and authorizing the Council of His said Royal Highness, or others the Commissioners for managing the Affairs of the said Duchy for the Time being, to permit the making of any Enrolments or Entry *nunc pro tunc*, shall be extended to Deeds and other Instruments relating to Manors, Messuages, Lands, Tenements, and Hereditaments the Possessions of Her Majesty in right of Her Duchy of *Lancaster*, and Enrolments of such Deeds and other Instruments, and certified Copies of such Enrolments or any Parts thereof:

The said Provisions, Declarations, and Enactments in the said last-mentioned Act and in this Act or in one of the same Acts expressly or by reference contained relating to the aforesaid several Acts, Matters, and Things in this present Clause or Provision mentioned or referred to, shall be and the same are hereby made applicable to Deeds, Certificates, Receipts, or other Instruments hereafter to be executed, made, or signed relating to Manors, Messuages, Lands, Tenements, and Hereditaments now or at any Time hereafter Parcel of the Possessions of Her said Majesty, Her Heirs and Successors, in right of Her said Duchy of *Lancaster*, and to Enrolments of such Deeds, Certificates, Receipts, or other Instruments, and certified Copies of such Enrolments or Parts thereof, as fully as the same Provisions, Declarations, and Enactments are by the said last-recited Act and this Act, or either of them, made applicable to Deeds, Certificates, Receipts, or other Instruments relating to any Manors, Messuages, Lands, Tenements, or Hereditaments, Parcel of the Possessions of the Duchy of *Cornwall*, and Enrolments of such Deeds, Certificates, Receipts, and other Instruments, and certified Copies thereof or any Part thereof, and as fully as if the Manors, Messuages, Lands, Tenements, and Hereditaments of or belonging to Her said Majesty in right of Her said Duchy of *Lancaster*, and Deeds, Certificates, Receipts, and other Instruments relating to the same Hereditaments, and Enrolments of such Deeds, Certificates, Receipts, and other Instruments, and certified Copies thereof or any Parts thereof, and the Keeper of the Records of the Duchy of *Lancaster*, and the Chancellor and Council of the same Duchy, had been respectively mentioned, named, and referred to therein, either alone and instead of or in addition to the Council of the Duchy of *Cornwall*, or other the Commissioners for managing the Affairs of the same Duchy, and any Manors, Messuages, Lands, Tenements, or hereditaments, Parcel of the Lands or Possessions of the Duchy of *Cornwall*, and any Deeds, Certificates, Receipts, or other Instruments relating to the same Hereditaments, and Enrolments of any such Deeds, Certificates, Receipts, and other Instruments, and certified Copies thereof or of any Parts thereof, and the Keeper of the Records of the Duchy of *Cornwall*, and His said Royal Highness, or the Commissioners for managing the Affairs of the said Duchy for the Time being, and as if the Provisions, Declarations, and Enactments in the last-recited Act and herein-before mentioned or referred to had been specially repeated in this Act, and had, together with the Provisions in this Act in reference to the said Acts, Matters, and Things in this present Provision or Clause mentioned or referred to, been applied to the Manors, Messuages, Lands, Tenements, and Hereditaments, Parcel of the Possessions of Her said Majesty in right of Her said Duchy of *Lancaster*, and any Deeds, Certificates, Receipts, or other Instruments relating to the same Hereditaments, and Enrolments of such Deeds, Certificates, Receipts, or other Instruments, and

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certified Copies thereof or any Parts thereof, and the Keeper of the Records of the said Duchy of *Lancaster*, and the Chancellor and Council of the same Duchy.

Marginal Citations

M2 [1844 c. 65](#).

XV, **F3**
XVI.

Textual Amendments

F3 The whole Act except ss. 6 and 14 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), **Sch. 1 Pt. IV**

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