



Land Registry Act 1862

1862 CHAPTER 53

GENERAL PROVISIONS

Fraud

138 Fraud a Misdemeanor.

If any Person fraudulently procures, assists in fraudulently procuring, or is privy to the fraudulent Procurement of any Order of the Court of Chancery in relation to registered Land, or fraudulently procures, assists in fraudulently procuring, or is privy to the fraudulent Procurement of the Entry on the Register of any Caveat or Notice of a Charge, or of the Erasure from the Register or Alteration on the Register of any Caveat or Notice of a Charge, such Person shall be deemed to be guilty of a Misdemeanor ; and any Order procured by Fraud, and any Act consequent on such Order, and any Entry, Erasure, or Alteration so made by Fraud, shall be void as between all Parties or Privies to such Fraud.

139 Punishment.

Any Person convicted of a Misdemeanor under the last preceding Section shall be liable to Imprisonment for any Term not exceeding Three Years, with or without Hard Labour, or to be fined such Sum as the Court by which he is convicted shall think just.

140 Interpretation of Terms.

In the Construction of this Act (except where the Context or other Provisions require a different Construction), the Word " Person " shall include Her Majesty, Her Heirs and Successors, and the Duke of *Cornwall* for the Time being, and also a Body Politic or Corporate ; the Word " Possession " shall include Receipt of the Rents and Profits ; the Word " Land " shall include Messuages, Tenements, and Hereditaments, corporeal or incorporeal; and the Word " Incumbrance " shall mean any legal or equitable Mortgage in Fee or for any less Estate, and also any Money secured or charged on Land by a Trust, or by Judgment, Decree, or Order of any Superior Court of Law or Equity, and also any Legacy, Portion, Lien, or other Charge whereby a gross Sum of Money is

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secured to be paid, and also any annual or periodical Charge which by the Instrument creating the same, or by any other Instrument, is made repurchasable on Payment of a gross Sum of Money, and also any Arrear remaining unpaid of any annual or periodical Charge, for Payment of which Arrear a Sale of any Land charged therewith might be decreed by a Court of Equity.