



Yorkshire Registries Act 1884

1884 CHAPTER 54

Registration

5 Mode of registration

The registration of any assurance, will, or other instrument under this Act, shall be effected in the following manner:

- (1) There shall be presented for enrolment in the register—
 - (A) In the case of deeds, wills, or other assurances which may be registered under this Act, except private Acts of Parliament or memoranda of charge, or affidavits of vesting under any Act of Parliament, a memorial thereof prepared in accordance with the provisions of this Act and any rules made thereunder, or such deed, will, or other assurance as aforesaid, at full length at the option of the person registering the same ;
 - (B) In the case of a private Act of Parliament, a Queen's Printer's copy of such Act, or a memorial thereof prepared in accordance with the provisions of this Act, and any rules made thereunder;
 - (C) In the case of any memorandum of charge, caveat, notice, or affidavit which may be registered under this Act, such memorandum, caveat, notice, or affidavit at full length;
- (2) Immediately on receipt of any instrument or memorial thereof presented for enrolment in the register, an entry shall be made in a book of reference to be kept for that purpose, setting forth—
 - (A) The date of the instrument.
 - (B)
 - (1) In the case of a deed, the names of the parties.
 - (2) In the case of a will, the name of the testator.
 - (3) In the case of an order of court or certificate of appointment of trustee in, bankruptcy, the title of the cause or matter wherein the same purports to be made, and the names of the parties thereto, if any.
 - (4) In the case of a private Act of Parliament, the title of the Act.
 - (5) In the case of an order of the Land Commissioners, the name of the landowner whose lands are charged.

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- (6) In the case of an award of the Land Commissioners, the names of the persons in whose favour the award is made.
 - (7) In the case of a memorandum of charge, the name of the landowner whose lands are charged.
 - (8) In the case of a caveat, the names of the persons by and in whose favour the same is given.
 - (9) In the case of a notice of a will the names of the testator, and of the person by whom such notice is given.
 - (10) In the case of an affidavit of intestacy, the names of the deceased and of the deponent.
 - (11) In the case of an affidavit of vesting, the title of the Act of Parliament under which such vesting has been effected, and the name of the deponent.
- (C) The names of all the parishes in which the lands affected by such instrument are situate.
 - (D) The volume, page, and number of the register where such instrument or memorial thereof is, or is intended to be enrolled.
 - (E) The date, hour, and minute when such instrument or memorial thereof was received at the office for the purpose of registration.

And upon such entry being duly made, such instrument shall be deemed to have been registered under this Act, and the date, hour, and minute so entered as aforesaid shall be deemed for all purposes to be the date of registration, provided that if such entry be duly made in respect of part only of the lands affected by any such instrument, such instrument shall as to the lands with respect to which such entry has been duly made, but not as to the residue of the lands affected thereby, be deemed to have been registered under this Act: Provided that if such instrument shall afterwards be registered as to the omitted lands, a note of such registration and of the date thereof shall be made in the book of reference, and such registration shall thenceforth be valid and effectual as to such omitted lands.

- (3) As soon as conveniently may be after the presentation of any instrument or memorial thereof for enrolment in the register, such instrument or memorial thereof shall be duly enrolled in the register and the volume, page, and number of the register where the same is so enrolled, shall correspond with the entry made or to be made in the book of reference relating to such instrument, and an entry shall be made in the margin of the register opposite any instrument or memorial thereof so enrolled of the date of registration.