

C A P. XIX.

An Act to enable Infants who are seized or possessed of Estates in Fee, in Trust, or by Way of Mortgage, to make Conveyances of such Estates.

‘ W H E R E A S many Inconveniences do and may arise by Reason that Persons under the Age of one and twenty Years, having Estates in Lands, Tenements, or Hereditaments, only in Trust for others, or by Way of Mortgage, cannot (though by the Direction of the *Cestuy que Trust*, or Mortgagor) convey any sure Estate in any such Lands, Tenements, or Hereditaments, to any other Person or Persons;’ For Remedy thereof, be it enacted 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 from and after the tenth Day of *May* one thousand seven hundred and nine, it shall and may be lawful to and for any such Person or Persons, under the Age of one and twenty Years, by the Direction of the High Court of *Chancery* or the Court of *Exchequer*, signified by an Order made upon hearing all Parties concerned, on the Petition of the Person or Persons for whom such Infant or Infants shall be seized or possessed in Trust, or of the Mortgagor or Mortgagors, or Guardian or Guardians of such Infant or Infants, or Person or Persons entitled to the Monies secured by or upon any Lands, Tenements, or Hereditaments, whereof any Infant or Infants are or shall be seized or possessed by Way of Mortgage, or of the Person or Person entitled to the Redemption thereof, to convey and assure any such Lands, Tenements, or Hereditaments, in such Manner as the said Court of *Chancery* or the Court of *Exchequer* shall, by such Order so to be obtained, direct, to any other Person or Persons; and such Conveyance or Assurance so to be had and made as aforesaid, shall be as good and effectual in Law, to all Intents and Purposes whatsoever, as if the said Infants or Infant were, at the Time of making such Conveyance or Assurance, of the full Age of one and twenty Years; any Law, Custom, or Usage to the contrary in any wise notwithstanding.

After 10 May 1709, any Person under the Age of 21, being Trustee, &c. may by the Directions of the Courts of Chancery, or Exchequer, convey such Lands, &c.

and such Conveyance shall be good.

An Infant being Trustee, &c. may be compelled to make such Conveyance, &c.

II. And be it further enacted by the Authority aforesaid, That all and every such Infant or Infants, being only Trustee or Trustees, Mortgagee or Mortgagees as aforesaid, shall and may be compelled by such Order, so as aforesaid to be obtained, to make such Conveyance or Conveyances, Assurance or Assurances as aforesaid, in like Manner as Trustees or Mortgagees of full Age are compellable to convey or assign their Trust Estates, or Mortgages.

C A P. XX.

An Act for the publick registering of Deeds, Conveyances, and Wills, and other Incumbrances which shall be made of, or that may affect any Honors, Manors, Lands, Tenements, or Hereditaments, within the County of *Middlesex*, after the twenty-ninth Day of *September* one thousand seven hundred and nine.

‘ W H E R E A S by the different and secret Ways of conveying Lands, Tenements and Hereditaments, such as are ill-disposed have it in their Power to commit Frauds, and frequently do so, by Means whereof several Persons (who through many Years Industry in their Trades and Employments, and by great Frugality, have been enabled to purchase Lands, or to lend Monies on Land Security) have been undone in their Purchases and Mortgages by prior and secret Conveyances, and fraudulent Incumbrances; and not only themselves, but their whole Families thereby utterly ruined:’ For Remedy whereof, may it please your most Excellent Majesty (at the humble Request of the Justices of the Peace, Gentlemen and Freeholders of the County of *Middlesex*) that it may be enacted; and be it enacted 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 a Memorial of all Deeds and Conveyances, which from and after the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred and nine, shall be made and executed, and of all Wills and Devises in Writing, made or to be made and published, where the Devisor or Testatrix shall die after the said twenty-ninth Day of *September*, of or concerning, and whereby any Honors, Manors, Lands, Tenements, or Hereditaments in the said County, may be any Way affected in Law or Equity, may be registred in such Manner as is herein after directed; and that every such Deed or Conveyance, that shall at any Time after the said twenty-ninth Day of *September* be made and executed shall be adjudged fraudulent and void against any subsequent Purchaser or Mortgagee for valuable Consideration, unless such Memorial thereof be registred as by this Act is directed, before the registering of the Memorial of the Deed or Conveyance under which such subsequent Purchaser or Mortgagee shall claim; and that every such Devise by Will shall be adjudged fraudulent and void against any subsequent Purchaser or Mortgagee for valuable Consideration, unless a Memorial of such Will be registred at such Times and in such Manner as is herein after directed.

A Memorial of Conveyances, made after Sept. 29, 1709, and of all Wills, &c. that may affect any Honors, &c. within the County of *Middlesex*, may be registred; and every Conveyance made after such Memorial registred, shall be void, &c. unless such Memorial be registred before the registering of the Conveyance, under which, &c.

The like of a Devise by Will. 6 Annæ, c. 35; Abr. Ca. Eq. 353. Registers appointed.

II. And for settling and establishing a certain Method, with proper Rules and Directions for registering such Memorials as aforesaid, be it further enacted by the Authority aforesaid, That one publick Office for registering such Memorials of and concerning any Honors, Manors, Lands, Tenements, and Hereditaments, that are situate, lying, and being within the said County, shall be erected and established in Manner following; that is to say, That for the better and more effectual putting in Execution the several Matters and Things in this Act contained, the sworn Clerk to execute the Office of Inrolment in the High