

The London Gazette.

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From Saturday July 28. to Tuesday July 31. 1716.

An Abstract of the Act (passed in the last Session of Parliament) to oblige Papists to register their Names, and real Estates.

ENacted, That all Persons not having taken the Oaths before the last Day of Trinity Term 1716, having any Estate in Lands, &c. in England or Wales, &c. who is a Popish Recusant or Papist, or educated in the Popish Religion, or whose Parent is a Papist, shall if they be, on 24 June, 1716. of the Age of 21, by 20 Jan. 1716, and if they be, on the said 24 June unborn, or under that Age, within the space of six Months after they attain to that Age, and have an Estate, take the Oaths appointed by an Act of this Session, For the further Security of His Majesty's Person and Government, &c. and repeat and subscribe the Declaration 30 Car. 2. in the High Court of Chancery, King's Bench, Common Pleas, or Exchequer, or at the General Quarter-Sessions where such Lands &c. do lye, between 9 and 12 in the Forenoon, or in default shall, within six Months next after the Time hereby appointed for them to take the Oaths, and to within six Months after they, or any Trustee for them, shall come into the Possession of the Profits of any Lands, &c. register their Names and Lands; and shall express in such Register in what Place such Lands lye, and who are the Possessors thereof, and of every Part thereof, and what Interest they have in the same, and the yearly Rent reserved, if the same be Lett; and if Lett upon Lease, then by whom such Lease was made, what yearly Rent is reserved thereon, and what Fine was paid for such Lease, if the same was made by himself, or any in Trust for him, or that he was Party thereto, and the Time when such Entry made, in a Parchment Book or Roll to be kept by the Clerk of the Peace where such Lands lye.

Every Person whose Name and Estate ought to be registred, is to take care that his Name be, within the said six Months, subscribed to such Registry in the presence of two Justices of the Place, in open Sessions, either by himself, or by his lawful Attorney, authorized under his Hand and Seal, and executed in the presence of two or more Witnesses, two of which Witnesses shall make Proof of such Execution on Oath at the Quarter-Sessions where such Name shall be subscribed, or Registry produced; and the Justices at the Quarter-Sessions are to examine the Witnesses on Oath for that Purpose; and two Justices shall subscribe their Names to every Entry, as Witnesses that the same was duly made, on forfeiture of 20 l. to the King.

The Clerks of the Peace are to keep Parchment Books or Rolls at some notorious Place in the County, &c. and shall, by themselves or Deputies, register the Christian and Surnames of all those who shall come in Person and desire to be registred, or shall send any Writing under their Hands to such Clerk, desiring him to register their Names; and shall register their Estates in such Manner and Words as they shall, by any Writing signed by them, desire such Clerk, &c. to register the same: Provided they who desire such Registry do tender the Fees hereby appointed, and do apply to him to enter such Registry, and deliver in Writing the Words they desire to have registred, Ten Days at least before the Quarter-Sessions when the Entries are to be Subscribed; and the Clerk, &c. shall enter their Names and Registry of their Estates before the Quarter-Sessions, and carry the Books and Rolls to the next Quarter-Sessions, till the time of Subscribing shall be expired, that all those whose Names shall be registred, or their Attornies, may come to the Quarter-Sessions, and subscribe their Names; and the Clerk shall keep Alphabetical Tables of their Surnames, and of the Place where

the Lands lye, with Reference to the Books where such Names and Lands are registred; and shall carefully keep all Warrants of Attorney on a File, together with the Books or Rolls, and shall enter such Warrants on Record; and shall have for such Registry and Entry on Record Three Pence for every 200 Words, to be paid by the Person Registering, and Four Pence for every Search; and are to make Search on Request of any Person who shall pay such Fees, and to permit such Person to inspect the Tables, Books, and Rolls, and such Letters of Attorney; and are to give Copies of such Registries, Subscribed by himself or Deputy, to those who desire such Copies, and tender him the Fees; and are to permit such Persons to examine the same with the Rolls or Books, and to take a Fee of Three Pence for every 200 Words in such Copy, and no more. Clerks refusing to do any thing hereby required, and convicted thereof, shall forfeit their Office.

If any Person hereby required to take the Oaths, &c. or in default to register his Name and Estate, shall not either take the Oaths, &c. or register his Name and Estate, and subscribe his Name, or procure it to be done by his Attorney within the Times limited, or shall not register the same truly, he shall forfeit the Fee-Simple and Inheritance of all such Lands, &c. not registred, or fraudulently registred, whereof he, or any in Trust for him, was seized at the Time of such Default or Fraud in Registering, and the full Value of the Inheritance of all such Lands whereof he or any in Trust for him was not seized in Fee-Simple at the Time of such Default, two Thirds to the King, and the other to a Protestant who shall sue for the same at the Courts in Westminster, in such Action or other Process as shall be proper, according to the nature of the Case, and of the thing sued for, or in the Chancery; and the Person suing in Chancery shall be entitled to demand all such Discoveries as he might do if he were a Purchaser on a valuable Consideration, and to demand a Discovery of all Incumbrances and Titles any way affecting the same, and of all Trusts relating thereto, or protecting the same; to which no Demurrer shall be allowed, but the Defendant shall sufficiently answer the same at large; and he may bring an Ejectment upon his own Demise, and give this Act, &c. in Evidence; and if it shall appear on Tryal, that the Estate sued for is the Estate of the Person so neglecting to register, or fraudulently Registering, and the Defendant cannot make it appear that he took the Oaths, &c. or that he registred his Name and the Estate sued for, a Verdict shall be given for the Lessor of the Plaintiff in such Ejectment, and Judgment shall be had as upon Verdicts of Ejectment, and the Lessor shall have Costs of Suit; and by such Judgment Two third Parts of the Lands, &c. shall be vested in the King, and the other in the Lessor of the Plaintiff in the Ejectment.

Such Person being beyond Sea on 18 June, 1716 may take the Oaths, &c. by 20 May 1717. or in default may register within six Months after, which shall be as good and effectual as it would have been if such Person had taken the Oaths, &c. before 20 Jan. 1716.

In case such Person so making Default, or committing Fraud in Registering, shall, before Conviction, convey over such Lands, then the Person so purchasing, &c. not knowing, at the time of Purchase, the Offender to be within the Description of this Act, shall not be prejudiced for such Forfeiture; but the Offender shall forfeit the Value of the Lands.