

1959 No 1399

MANORIAL INCIDENTS AND RECORDS

Manorial Documents Rules 1959

*Made
Coming into Operation*

*7th August 1959
1st September, 1959*

I, Raymond, Baron Evershed, Master of the Rolls, in exercise of the powers conferred upon me by subsection (7) of section 144A of the Law of Property Act, 1922, hereby make the following Rules:—

1 (1) In these Rules, unless the context otherwise requires:—

“Manorial documents” means court rolls, surveys, maps, terriers, documents and books of every description relating to the boundaries, wastes, customs or courts of a manor, but does not include the deeds or other instruments required for evidencing the title to a manor or agreements or draft agreements relating to compensation, or any documents which came into being after 31st December 1925;

“Lord of the manor” means the lord for the time being of the manor, or any person entitled to manorial documents;

“Record repository” means the Public Record Office, any local authority, public library, museum, or historical or antiquarian society to which manorial documents are transferred in pursuance of a direction given by the Master of the Rolls under subsection (4) of section 144A of the Law of Property Act 1922 or that subsection as applied by section 7(1) of the Local Government (Records) Act 1962, and any repository approved by the Master of the Rolls as a place of deposit for manorial documents under Rule 5 hereof.

(2) The Interpretation Act 1889, applies to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2 The lord of the manor shall cause all manorial documents in his possession or under his control to be kept and used under conditions suitable for their safe and proper preservation and shall upon request furnish to the Master of the Rolls particulars of all such documents.

3 The lord of the manor shall inform the secretary of the Historical Manuscripts Commission whether any manorial documents in his possession or under his control are damaged or decayed, or whether he is unable to preserve them under proper conditions, in order that proposals may be made for the repair or better preservation of the documents; and the lord of the manor shall, so far as he is able, give effect to any such proposals.

4 Every change in the ownership of manorial documents shall be notified by the new owner to the secretary of the Historical Manuscripts Commission.

5 The lord of the manor may deposit manorial documents for their better preservation in a repository approved by the Master of the Rolls, and documents so deposited shall be deemed to remain under the control of the lord of the manor.

5A Where the lord of the manor intends to remove manorial documents from a record repository, he shall, at least three months before their removal, give to the secretary of the Historical Manuscripts Commission written notice of his intention, containing particulars of the documents and stating the place to which he intends to remove them.

6 The controlling authority of the repository shall furnish to the lord of the manor and to the secretary of the Historical Manuscripts Commission an inventory in the form set out in the Schedule hereto of any documents deposited in pursuance of the last foregoing Rule.

7 Where any manorial documents are transferred to the Public Record Office or to any local authority, public library, museum or historical or antiquarian society in pursuance of a direction given by the Master of the Rolls under subsection (4) of section 144A of the Law of Property Act 1922 or that subsection as applied by section 7(1) of the Local Government (Records) Act 1962 the Keeper of Public Records, the local authority or the governing body of the public library, museum or historical or antiquarian society, as the case may be, shall cause to be furnished to the secretary of the Historical Manuscripts Commission an inventory of the documents in the form set out in the Schedule hereto, and shall not without the consent of the Master of the Rolls permit any such documents to pass out of his or their custody.

8 The controlling authority of a record repository shall cause all manorial documents to be kept and used under conditions suitable for their safe and proper preservation and shall comply with any directions from time to time given by the Master of the Rolls in that behalf.

9 Whenever requested by the lord of the manor or the Master of the Rolls, the controlling authority of a record repository shall produce manorial documents to him or in accordance with his directions.

10 The controlling authority of a record repository shall on payment of the prescribed fees permit manorial documents to be inspected at all reasonable times by any person interested in land enfranchised by or under the Copyhold Act 1894, or the Law of Property Act 1922, and shall permit the taking of copies of such documents; and shall also, with the consent of the lord of the manor, permit the inspection of manorial documents, and the taking of copies thereof, for the purpose of historical research.

11 No manorial documents may be removed outside England and Wales without the consent of the Master of the Rolls.

12 The Manorial Documents Rules, 1926, are hereby revoked.

13 These Rules may be cited as the Manorial Documents Rules 1959, and shall come into force on the first day of September 1959.

Evershed, M.R.

Dated the seventh day of August, 1959.

SCHEDULE

Rules 6, 7

INVENTORY of Manorial Documents

relating to the Manor of.. . . . in the Parish of.. . . .
.. . . in the County of.. . . .

The documents of which particulars are set out below were—

A deposited by.. . . ., the lord of the manor, under Rule 5 of the Manorial Documents Rules 1959,

B transferred in pursuance of a direction given by the Master of the Rolls under subsection (4) of section 144A of the Law of Property Act 1922,

Delete A or B as may be appropriate.

on the.. . . . day of.. . . . 19.. .

Signed.. . . .

Particulars of Documents

Reference No	Date	Description	Condition (Here insert "good", "fair" or "in need of repair" as may be appropriate)