

USING THE EAST RIDING REGISTER OF DEEDS

The East Riding Register of Deeds was established in 1708 and includes records for Hull and the East Riding up to April 1974. Searches involve the use of indexes first and then registers containing memorials of deeds, usually abbreviated copies. Researchers therefore need to know the name of the buyer or seller of the property as well as an approximate date for the transaction. Electoral registers may help in establishing who owned the property at a particular date, the registers for 1885-1915 have both ownership and occupier divisions. The registers of duties on land values, also known as 'Domesday Books', can be useful as they indicate owner, occupier and acreage c.1910 although not all properties are numbered or named. The Register relates to the ownership of land so details of tenants are not recorded unless they leased property for a term of more than 21 years. These records also relate to freehold or long leasehold land, information about copyhold land tenancies will be given in the relevant manorial records. Researchers also should be aware that it was not compulsory to register a deed.

Background

The East Riding Register of Deeds was established by an Act of 1707 to help prevent fraudulent land transfer and to protect the interests of purchasers and mortgagees. The Registry Office was located at Beverley and a Registrar, known as the Register, was elected by freeholders having an estate of the annual value of £100. The 1884 Yorkshire Registries Act enabled the county authority to have responsibility for the Registry and so from 1889 the East Riding County Council administered the Registry. Following local government reorganisation in 1974 Humberside County Council was responsible for the Registry for its final two years. Compulsory registration was introduced into the area by an Order in Council which came into force on 1 April 1974, when the registration of deeds dated from that date ceased. Memorials of deeds were entered on the Register up to 31 March 1976 but only if they were of deeds dated up to 31 March 1974. The records remained in the Registry building which became part of the Humberside County Archive Office and subsequently the East Riding Archives. Similar Registries of Deeds for the West Riding (1704-1970), North Riding (1736-1970) and Middlesex (1709-1940) have their records cared for by the West Yorkshire Archive Service (Wakefield), the North Yorkshire Record Office and the London Metropolitan Archives. Information about land registration after March 1974 is available from the York Land Registry, James House, James Street, York, YO1 3YZ. The Land Registry also provides a central online service at landregisteronline@landregistry.gsi.gov.uk.

Using the Register of Deeds

The Register includes original memorials (usually abbreviated copies), registers of memorials and registers of enrolments. The main source used by researchers is the actual registers and these can be accessed through various types of index volumes.

There are surname indexes to sellers for 1708-1882 and buyers 1828-1882 then a combined index from 1883 onwards. Township indexes arranged in date order of registration cover 1708-1882 and then continue in a modified form until 1925. More information about these and examples of entries are given later in this guide. Staff will explain how to use the indexes and locate information but they are unable to offer any legal advice about interpreting deeds. The records also only relate to deeds dated up to 31 March 1974 so we cannot answer any queries relating to the current ownership of a particular property.

Specific enquiries can be answered by staff on payment of the standard search fee, for example 'a conveyance to George Bates of a house in Northgate, Cottingham c.1860'. We are however unable to undertake lengthy searches because of the staff time involved, for example 'supply copies of references to the family Bates during 1800-1850'. A list of record searchers is available for researchers who are unable to visit to consult the records themselves. Photocopies also can be provided from the Register of Deeds on payment of the current copying charges.

Property owners who have access to their own deeds may find it useful to note the details of dates and parties from the earliest ones to go back further on the Register. Researchers may find it difficult to locate information because of changes of name due to marriage. Further difficulties may arise when there is no plan attached to a deed or the plan lacks precise measurements. Handwriting styles, particularly some capital letters, can also cause problems although staff will assist with these.

Original Memorials

From 1708 to 1884 a memorial (abbreviated copy) of the original deed was written on vellum or parchment under the hand or seal of one of the grantors or grantees or devisees. It was then attested by two witnesses, one of whom was a witness to the execution of the deed. The memorial and the original deed were both taken to the Registrar or his deputy and proved upon oath. Date, time and details of registration were endorsed on the original deed before it was returned. The memorial was then retained and its details copied into paper registers.

The amount of information in each memorial was carefully specified. The precise date of the original deed or will, the names of all parties and witnesses, and their abode, and details of the property involved were to be recorded.

From 1885 each memorial was submitted on a standard sized printed paper form and examined against the original deed. Details of registration were endorsed on the original deed before it was returned as in earlier years. The memorials however were themselves bound into volumes rather than being copied into separate paper registers. This practice continued until the closure of the Registry.

Registers of Memorials

It can be seen from the previous section that the registers contain memorials in two forms. The registers until 1884 consist of transcribed memorials, containing full text but lacking seals and original signatures. The registers rather than the original memorials are the records generally produced for public use as they are easier to handle and read. The original memorials were previously stored in very large bundles making them difficult to use although they are available if required for legal purposes.

The registers from 1885 contain the original memorials on standardised forms bound into volumes. They contain many different types of documents relating to land, for example conveyances, mortgages, wills and leases exceeding a term of 21 years.

This range includes appointments of trustees, orders of adjudication in bankruptcy, caveats, deeds of confirmation, deeds of enfranchisement, leases of fishing rights, deeds of gift, grants of letters of administration, memoranda of charges, receipts, deeds of rectification and transfers of mortgage. The 1925 Law of Property Act added compensation agreements, deeds relating to ex-copyhold property, vesting assents and vesting deeds.

It was rare until 1884 for plans to be submitted with memorials, although they could be referred to in the text. A duplicate of any plan noted as attached to a deed had to be submitted and enrolled in the Register from 1885. The majority of plans were bound with the memorials into the volumes. A few extra large plans were endorsed with the registration particulars and then kept separately. Any affected bound memorial had a marginal note inserted to warn of a separate large plan.

Another change in force from 1885 was the option to register deeds at full length.

Registers of Enrolments

The Act of 1707 that established the East Riding Registry of Deeds also provided for the enrolment of deeds of bargain and sale. These were transcribed at full length into parchment volumes, unlike the abbreviated memorials of other deeds. These enrolments were held to be as effectual as if enrolled at one of the Courts of Record at Westminster or in the enrolment books of the County Clerk of the Peace.

Enclosure awards could also be enrolled at the Registry and over 170, dating from 1735 to 1847, are available in bound parchment volumes. A few sealed original awards were also deposited for safe keeping between 1752 and 1863.

Personal Names Indexes

Between 1708 and 1882 an index to the surnames of vendors or grantors was kept, arranged by initial letter in the order of registration. The entry also included the name of the purchaser or grantee, township where the property lay and book reference e.g.

(1718 B) Baron, Jno. & ux. to Hudleston Bridlington F 195/426

From 1828 to 1882 an index to the surnames of purchasers or grantees was also kept in a similar format to the vendors index e.g.

(1830 B) Botterill, Jane from Spanton & ux. & al. Nafferton EL 115/137

For 1883 and 1884 a pilot system of a condensed index to include all the names of the parties to the deeds was introduced and these names were in strict alphabetical order. From 1885 the same format was used to the closure of the Registry e.g.

(1956-60)	Date of registration	Nature of instrument	Township	Place of enrolment
Smith, John	26.3.1960	Conveyance	Eastburton	Vol. 1170 Page 449 No 405

Place Names Indexes

From 1708 to 1882 this index was arranged by initial letter and in date order of registration. The entries also included the names of the parties and book reference e.g.

(1708 B) Beverley Butler vid & al. to Moyser A 2/3

The place name index is particularly useful before 1828 when the date of purchase and name of the previous owner of the land are being searched. The index continued in modified form until 1925.

Wills Indexes

For 1708-1827 references to wills appear in the vendors index in normal sequence e.g.

(1781 H) Hall, Thos. will of Kingston sup. Hull BC 525/827

A modern typescript index to wills in this period is also now available, this is arranged in strict alphabetical order. It includes full name, status/occupation, abode, township(s) where property lay, date of will and date of memorial registration with volume reference.

For 1828-1884 there is a separate 19th century index in two volumes, this was arranged by surname initial letter in the order of registration. The township address of the person and the township where the affected property lay were both given e.g.

(1847 G) Gray, Paul Hornsea & al. GG 391/471
(of) Kingn. upon Hull

From 1885 onwards wills, probates and letters of administration can be readily identified from the general personal names index although the township address of the person is not given. A separate source guide to wills about similar records here is also available.

Volume References

Volumes, or 'books' in Registry terminology, were given letter references until 1884. The earliest books ran from A-Z then in a sequence AA, AB, etc. The letters I and V were omitted to prevent confusion with J and U. Volumes were given numbers 1-100 from 1885-June 1898 (first series), then a new sequence was begun from 1 up to volume 1894 when the Registry closed (second series).

In an index the figures after the volume letter or number refer to the page and item number of the memorial. When requesting a particular volume it is sufficient to ask for the volume by its letter reference or number, e.g. Deeds Book AL or Deeds Volume 1700. The exception is if the volume number is between 1-100 then the year required also should be stated to prevent confusion between the first and second series as described above. Researchers will need to note the full reference for their own use especially if the index volumes are no longer in front of them. It is also important to quote full references when completing photocopy order forms.

Additional Information

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Henry Barker, *A Manual on the Registration of Deeds under the Yorkshire Registries Act, 1884*, London, 1884

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C. J. Haworth, *The Yorkshire Registries Acts 1884 and 1885*, London, 1907

Peter Roebuck, 'The Irish Registry of Deeds', *Irish Historical Studies*, vol. xviii, no. 69, March 1972 (compares English and Irish systems)

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Reginald J. Smith, *The Yorkshire Registries Acts 1884, with Rules and Forms*, 1885

West Yorkshire Archive Committee, *Guide to the Quarter Sessions records of the West Riding of Yorkshire 1637-1971 and official records and Guide for Family Historians* 1984