

21 VICTORIÆ, 1858.

A BILL

For the better preservation of Registered Instruments.

WHEREAS certified copies of Deeds and other Instruments registered
in the General Registry are now required by law to be upon
vellum or parchment and such copies are found more liable to become
obliterated than copies made upon paper And whereas it is expedient
5 that the law in this respect should be altered and that copies for regis-
tration should hereafter be on paper and that fresh copies on paper should
be substituted for certain copies upon vellum and parchment already
partially obliterated Be it therefore enacted by the Queen's Most Excellent
Majesty by and with the advice and consent of the Legislative Council
10 and Legislative Assembly of New South Wales in Parliament assembled
and by the authority of the same as follows:—

1. The words "written upon vellum or parchment" in the
thirteenth section and the words "upon good vellum or parchment" in
the fifteenth section of the Act of Council seventh Victoria number six-
15 teen shall be repealed.

Words "vellum" or
"parchment" in 7
Vic. No. 16 sections
13 and 15 repealed.

2. All certified copies of all Deeds or other Instruments whatsoever
hereafter registered in the "General Registry for New South Wales"
shall be made upon good paper being eighteen inches in length and twelve
inches in breadth And every such copy shall have a clear margin or border
20 of two inches in breadth along the whole length of such copy without any
writing or printing upon either side of the paper along such margin or
border And any such copy not so made shall not be registered and
shall be rejected by the Registrar General or his Deputy Provided
that if any copy of any deed or other instrument made on parchment or vellum
25 under the said recited Act before the commencement of this Act shall
be presented for registration then upon proof to the satisfaction of the
Registrar General or his Deputy of the fact last aforesaid and further that
a paper copy in accordance with this Act cannot be procured such Registrar
General or Deputy may register such parchment or vellum copy together
30 with a paper copy as prescribed by this Act but without the necessity for
such paper copy being signed by any party to the original deed or instru-
ment and such Registration shall be valid for all purposes.

Copies for registra-
tion to be on paper.

New copies of copies
in danger of deface-
ment.

3. Whenever it shall appear to the Registrar General that any certified copy already registered in his office is partially injured and in danger of obliteration he may cause a true paper copy thereof to be made And the same when attested as accurate under the hand of the Registrar General or his Deputy shall be registered together with and as of the same registered number as the original certified copy and shall thereupon and thereafter be identical therewith for all intents and purposes. 5

Provision for
Registered Copy
being illegible.

4. Provided that if for the purpose of making any such true paper copy as last aforesaid it shall be deemed necessary to refer to the original deed or other instrument the Registrar General or his Deputy may by 10 notice in writing under his hand transmitted by the Post to any person in whose possession custody or power such original may be require such person to produce the same at the office of the General Registry within a time to be named in such notice not being less than one month from the date thereof And every person receiving such notice and having such original in his 15 possession custody or power shall so produce the same or such person may in lieu thereof furnish a paper copy of such original Deed or Instrument made according to this Act and certified as a true copy and duly signed by some party to the original Deed or Instrument And such paper copy shall be registered with and as of the same registered number and shall 20 have the same priority of Registration as the parchment copy so previously registered.

Cost of new copies.

5. The additional official cost incurred by the making of any fresh paper copies in the office of the General Registry shall be repaid to the Registrar General by the Colonial Treasurer out of the fees of the said Office 25 paid over to him.

Commencement and
short title.

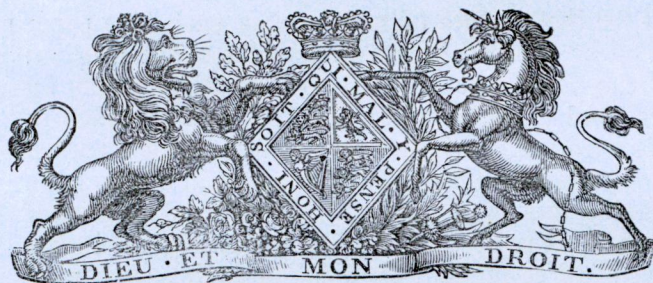
6. This Act shall commence on the first day of one thousand eight hundred and fifty- And shall be styled and may be cited as the "Registered Deeds better preservation Act of 1858."

This PUBLIC BILL, having been this day passed by the LEGISLATIVE COUNCIL, is ready for presentation to the LEGISLATIVE ASSEMBLY, for its concurrence.

Legislative Council Chamber, }
Sydney, 12th May, 1858. }

WM. MACPHERSON,
Clerk of the Legislative Council.

New South Wales.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

No. .

An Act for the better preservation of Registered Instruments.

WHEREAS certified copies of Deeds and other Instruments registered in the General Registry are now required by law to be upon vellum or parchment and such copies are found more liable to become obliterated than copies made upon paper And whereas it is expedient that the law in this respect should be altered and that copies for registration should hereafter be on paper and that fresh copies on paper should be substituted for certain copies upon vellum and parchment already partially obliterated Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. So much of the thirteenth section of the Act of Council seventh Victoria number sixteen as contains the words "written upon vellum or parchment" and so much of the fifteenth section of the same Act as contains the words "upon good vellum or parchment" shall be repealed.

Words "vellum" or "parchment" in 7 Vic. No. 16 sections 13 and 15 repealed.

2. All certified copies of all Deeds or other Instruments whatsoever hereafter registered in the "General Registry for New South Wales" shall be made upon good paper being eighteen inches in length and twelve inches in breadth And every such copy shall have a clear margin or border of two inches in breadth along the whole length of such copy without any writing or printing upon either side of the paper along such margin or border And any such copy not so made shall not be registered and shall be rejected by the Registrar General or his Deputy Provided that if any copy of any deed or other instrument made on parchment or vellum under the said recited Act before the commencement of this Act shall be presented for registration then upon proof to the satisfaction of the Registrar General or his Deputy of the fact last aforesaid and further that

Copies for registration to be on paper.

Registered Deeds better Preservation Act.—1858.

a paper copy in accordance with this Act cannot be procured such Registrar General or Deputy may register such parchment or vellum copy together with a paper copy as prescribed by this Act but without the necessity for such paper copy being signed by any party to the original deed or instrument and such Registration shall be valid for all purposes.

3. Whenever it shall appear to the Registrar General that any certified copy already registered in his office is partially injured and in danger of obliteration he may cause a true paper copy thereof to be made And the same when attested as accurate under the hand of the Registrar General or his Deputy shall be registered together with and as of the same registered number as the original certified copy and shall thereupon and thereafter be identical therewith for all intents and purposes.

4. Provided that if for the purpose of making any such true paper copy as last aforesaid it shall be deemed necessary to refer to the original deed or other instrument the Registrar General or his Deputy may by notice in writing under his hand transmitted by the Post to any person in whose possession custody or power such original may be require such person to produce the same at the office of the General Registry within a time to be named in such notice not being less than one month from the date thereof And every person receiving such notice and having such original in his possession custody or power shall so produce the same or such person may in lieu thereof furnish a paper copy of such original Deed or Instrument made according to this Act and certified as a true copy and duly signed by some party to the original Deed or Instrument And such paper copy shall be registered with and as of the same registered number and shall have the same priority of Registration as the parchment copy so previously registered.

5. The additional official cost incurred by the making of any fresh paper copies in the office of the General Registry shall be repaid to the Registrar General by the Colonial Treasurer out of the fees of the said Office paid over to him.

6. This Act shall commence on the first day of June one thousand eight hundred and fifty-eight And shall be styled and may be cited as the "Registered Deeds better preservation Act of 1858."

New copies of copies in danger of defacement.

Provision for Registered Copy being illegible.

Cost of new copies

Commencement and short title.