Legislative Council.

24° Victoriæ, 1861.

A BILL

To further amend the Law relative to the Registration of Deeds affecting Real Estate.

(Presented by Mr. Johnson, 24 *January*, 1861.*)*

WHEREAS by section eighteen of the Act twenty-second Victoria number one it was enacted that no Instrument thereafter executed and registered under the provisions of any Act in force for the Registration of Deeds should lose any priority to which it would be entitled by virtue of such registration by reason only of bad faith in the conveying party if the party beneficially taking under such Instrument acted *bonâ fide* and there was a valuable consideration for the same paid or given And whereas it is expedient to extend the said provisions of the said Act as herein provided 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:—

Preamble.

22 Vic. No. 1 sec. 1.

1. No Instrument executed prior to the commencement of the said hereinbefore mentioned Act and registered at any time under the provisions of any Act in force for the Registration of Deeds shall lose or be deemed to have lost any priority to which it would be entitled by virtue of such registration by reason only of bad faith in the conveying party if the party beneficially taking under such Instrument acted *bonâ fide* and there was a valuable consideration for the same paid or given Provided that nothing herein shall extend to any case where an adverse title has been established by the judgment of any competent Court or shall hereafter be established by any such judgment in any action or suit now pending or which shall be commenced within six months after the passing hereof.

Deeds registered prior to 22nd Vict. No. 1 not to lose priority by *mala fides* of conveying party.

Except where adverse title established by judgment of Court.

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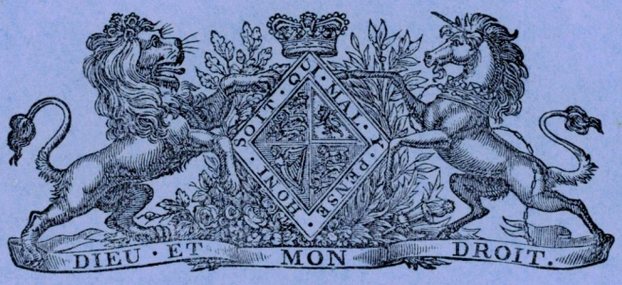
[*Price*, ½*d*.]



This PUBLIC BILL *originated in the* LEGISLATIVE COUNCIL, *and, having this day passed, is now ready for presentation to the* LEGISLATIVE ASSEMBLY *for its concurrence.*

Legislative Council Chamber,
Sydney, 13 *February,* 1861.

R. O'CONNOR,
Clerk of the Legislative Council.

New South Wales.

ANNO VICESIMO QUARTO

VICTORIÆ REGINÆ.

****

No. .

An Act to further amend the Law relative to the Registration of Deeds affecting Real Estate.

Preamble.

22 Vic. No. 1 sec. 18.

WHEREAS by section eighteen of the Act twenty-second Victoria number one it was enacted that no Instrument thereafter executed and registered under the provisions of any Act in force for the Registration of Deeds should lose any priority to which it would be entitled by virtue of such registration by reason only of bad faith in the conveying party if the party beneficially taking under such Instrument acted *bonâ fide* and there was a valuable consideration for the same paid or given And whereas it is expedient to extend the said provisions of the said Act as herein provided 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:—

Deeds registered prior to 22nd Vict. No. 1 not to lose priority by *mala fides* of conveying party.

1. No Instrument executed prior to the commencement of the said hereinbefore mentioned Act and registered at any time under the provisions of any Act in force for the Registration of Deeds shall lose or be deemed to have lost any priority to which it would be entitled by virtue of such registration by reason only of bad faith in the conveying party if the party beneficially taking under such Instrument acted *bonâ fide* and there was a valuable consideration for the same paid or given Provided that nothing herein shall extend to any case where an adverse title has been established by the judgment of any competent Court or shall hereafter be established by any such judgment in any action or suit now pending or which shall be commenced within six months after the passing hereof.

Except where adverse title established by judgment of Court.

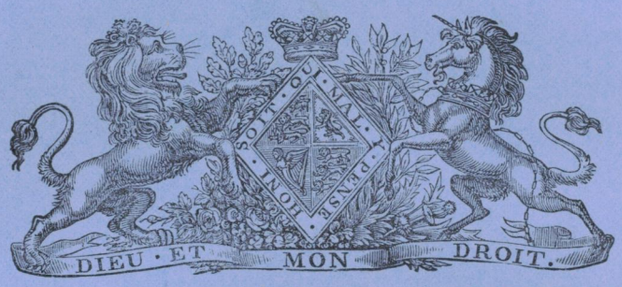
[*Price*, ½*d*.]

REGISTRATION OF DEEDS AFFECTING REAL ESTATE LAW AMENDMENT BILL.

SCHEDULE of the Amendment made by the Legislative Assembly in the Bill, intituled, "An Act to further amend the Law relative to the Registration of Deeds affecting "Real Estate,"—*returned to the Legislative Council with Message of* 5 *March,* 1861.

CHA. TOMPSON,
Clerk of the Legislative Assembly.

Clause 1, line 23. *Substitute* "twelve" for "six."



This PUBLIC BILL *originated in the* LEGISLATIVE COUNCIL, *and, having this day passed, is now ready for presentation to the* LEGISLATIVE ASSEMBLY *for its concurrence.*

Legislative Council Chamber,
Sydney, 13 *February,* 1861.

R. O'CONNOR,
Clerk of the Legislative Council.

The LEGISLATIVE ASSEMBLY *has this day agreed to this Bill with an Amendment.*

Legislative Assembly Chamber,
Sydney, 5 *March,* 1861.

CHA. TOMPSON,
Clerk of Legislative Assembly.

New South Wales.

ANNO VICESIMO QUARTO

VICTORIÆ REGINÆ.

* *

No. .

An Act to further amend the Law relative to the Registration of Deeds affecting Real Estate.

Preamble.

22 Vic. No. 1 sec. 18.

WHEREAS by section eighteen of the Act twenty-second Victoria number one it was enacted that no Instrument thereafter executed and registered under the provisions of any Act in force for the Registration of Deeds should lose any priority to which it would be entitled by virtue of such registration by reason only of bad faith in the conveying party if the party beneficially taking under such Instrument acted *bonâ fide* and there was a valuable consideration for the same paid or given And whereas it is expedient to extend the said provisions of the said Act as herein provided 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:—

Deeds registered prior to 22nd Vict. No. 1 not to lose priority by *mala fides* of conveying party.

1. No Instrument executed prior to the commencement of the said hereinbefore mentioned Act and registered at any time under the provisions of any Act in force for the Registration of Deeds shall lose or be deemed to have lost any priority to which it would be entitled by virtue of such registration by reason only of bad faith in the conveying party if the party beneficially taking under such Instrument acted *bonâ fide* and there was a valuable consideration for the same paid or given Provided that nothing herein shall extend to any case where an adverse title has been established by the judgment of any competent Court or shall hereafter be established by any such judgment in any action or suit now pending or which shall be commenced within ~~six~~ **twelve** months after the passing hereof.

Except where adverse title established by judgment of Court.

NOTE.—The word to be *omitted* is *ruled through*; that to be *inserted* is printed in **black** letter.

New South Wales.

ANNO VICESIMO QUARTO

VICTORIÆ REGINÆ.

No. VII.

An Act to further amend the Law relative to the Registration of Deeds affecting Real Estate. [Assented to, 20th March, 1861.]

Preamble.

22 Vic. No. 1 sec. 18.

WHEREAS by section eighteen of the Act twenty-second Victoria number one it was enacted that no Instrument thereafter executed and registered under the provisions of any Act in force for the Registration of Deeds should lose any priority to which it would be entitled by virtue of such registration by reason only of bad faith in the conveying party if the party beneficially taking under such Instrument acted *bonâ fide* and there was a valuable consideration for the same paid or given And whereas it is expedient to extend the said provisions of the said Act as herein provided 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:—

Deeds registered prior to 22nd Vict. No. 1 not to lose priority by *mala fides* of conveying party.

1. No Instrument executed prior to the commencement of the said hereinbefore mentioned Act and registered at any time under the provisions of any Act in force for the Registration of Deeds shall lose or be deemed to have lost any priority to which it would be entitled by virtue of such registration by reason only of bad faith in the conveying party if the party beneficially taking under such Instrument acted *bonâ fide* and there was a valuable consideration for the same paid or given Provided that nothing herein shall extend to any case where an adverse title has been established by the judgment of any competent Court or shall hereafter be established by any such judgment in any action or suit now pending or which shall be commenced within twelve months after the passing hereof.

Except where adverse title established by judgment of Court.

By Authority: Thomas Richards, Government Printer, Sydney, 1861.

[*Price*, 1*d*.]