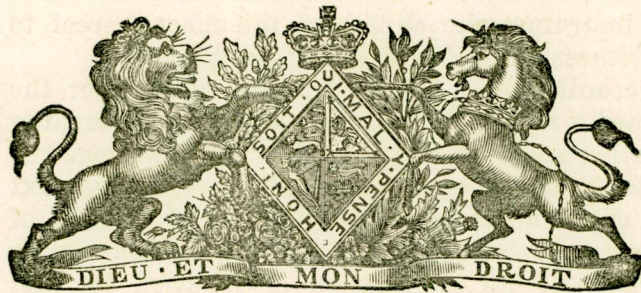


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,  
Sydney, 16 December, 1879. }

STEPHEN W. JONES,  
Clerk of Legislative Assembly.

## New South Wales.



ANNO QUADRAGESIMO TERTIO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

No. .

An Act to amend the ~~Act 19~~ Victoria No. 2 law relating to Secret Bills of Sale of Chattel Property.

(As amended and agreed to in Select Committee.)

**W**HEREAS the Act of Council nineteen Victoria number two <sup>Preamble.</sup> intituled "*An Act for preventing Frauds upon Creditors by Secret Bills of Sale of personal Chattels*" requires **with certain other enactments** to be amended Be it therefore enacted by the Queen's  
5 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. Every Bill of Sale referred to in the first section **within the** <sup>All Bills of Sale to be registered.</sup> meaning of the said recited Act ~~unless hereafter executed~~ **which shall**  
10 **not be filed or recorded as thereby provided within thirty days from the** time of the execution thereof ~~shall except as against such person making or giving the same~~ **and every Bill of Sale within the meaning of the** said Act now existing and not already filed or recorded which shall  
15 **not be filed or recorded within three months after the passing of this** Act shall be absolutely void ~~to all intents and purposes whatsoever.~~

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.



*Secret Bills of Sale Act Amendment*

2. Every such Bill of Sale filed or recorded as aforesaid shall ~~(unless the same be in contravention of the second section of the said recited Act and save as is hereinafter mentioned)~~ **from the time of such filing or recording** be valid against all judgment creditors all assignees ~~or trustees in insolvency or bankruptcy or under any deed or deeds for the benefit of creditors and all other persons whomsoever and shall not be affected by or be subject to the provisions contained in the fifty-fifth section of the Act fifth Victoria number seventeen any enactment at present in force notwithstanding~~ **Provided that the same shall have been made and executed *bonâ fide* and for the consideration alleged in such Bill of Sale and shall not have been subsequently satisfied or shall not be otherwise affected under the provisions of the said Act fifth Victoria number seventeen except as herein contained** And provided also that no such Bill of Sale ~~so filed or recorded as~~ **aforesaid shall affect any law relating to landlords and tenants.**
3. Every Bill of Sale hereafter executed shall be attested by a solicitor of the Supreme Court who shall in such attestation state that before execution of the instrument he explained the effect thereof to the grantor who in the witness's belief understood the same.
4. The filing or recording of a Bill of Sale under this or the recited Act shall be deemed a registration thereof within the meaning of this and the next section and every registration shall be renewed at the expiration of twelve months thereafter or within ten days next following by the filing of an affidavit stating the date of the Bill of Sale the names residences and occupations of the parties thereto as mentioned therein the date of its registration or renewed (or last renewed) registration the amount due or claimed to be due on the instrument and that it is still a subsisting security for that sum.
5. If more than the period limited by the last section shall in any case elapse after the registration or renewed registration of a Bill of Sale without a renewal or further renewal of its registration as the case may be such Bill of Sale shall thereupon become absolutely void **Provided that no renewal shall in any case be necessary by reason only of a transfer or assignment of the instrument.**
6. Where two or more Bills of Sale of or upon the same chattels or some of them shall have been executed by the grantor to the same or some other grantee every such instrument shall operate or take effect as to such chattels according to priority not of date but in the time of filing or recording of the same.
7. If any grantor in a Bill of Sale whether executed before or after the commencement of this Act and whether filed recorded or registered or not shall after execution of the instrument by him execute without the written consent of the grantee any Bill of Sale of or upon the same chattels or any of them to any other person with intent to defraud any person such grantor shall be deemed guilty of a misdemeanor and be liable to imprisonment with or without hard labour for any period not exceeding three years with or without a fine not exceeding one hundred pounds in addition thereto.
8. This Act may be cited as the "Secret Bills of Sale Act ~~Amendment Act of 1879 of 1880.~~"

Bills of Sale duly registered to be valid notwithstanding 55 sec. 5 Vie. No. 17.

Bills of Sale how to be attested.

Recording of Bills of Sale to be yearly renewed.

Consequence of neglect.

As to priority among grantees.

Punishment for fraud in executing subsequent grants.

Short title.

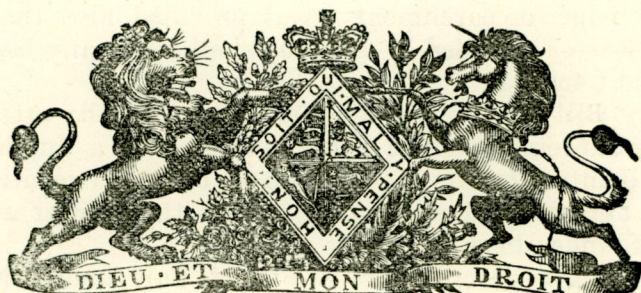


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Legislative Assembly Chamber,  
Sydney, 16 December, 1879. }

STEPHEN W. JONES,  
Clerk of Legislative Assembly.

## New South Wales.



ANNO QUADRAGESIMO TERTIO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

No. .

An Act to amend the ~~Act 19~~ Victoria No. 2 law relating to Secret Bills of Sale of Chattel Property.

(As amended in Committee of the Whole.)

**W**HEREAS the Act of Council nineteen Victoria number two <sup>Preamble.</sup> intituled "*An Act for preventing Frauds upon Creditors by Secret Bills of Sale of personal Chattels*" requires **with certain other enactments** to be amended 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. Every Bill of Sale referred to in the first section ~~within the meaning of the said recited Act unless hereafter executed~~ **which shall** <sup>All Bills of Sale to be registered.</sup> ~~not be filed or recorded as thereby provided within thirty days from the time of the execution thereof shall except as against such person making or giving the same and every Bill of Sale within the meaning of the said Act now existing and not already filed or recorded which shall not be filed or recorded within three months after the passing of this Act shall be absolutely void to all intents and purposes whatsoever and every mortgage of chattel property hereafter shall be by deed and be deemed a Bill of Sale within this Act.~~

2. Every such Bill of Sale filed or recorded as aforesaid shall <sup>Bills of Sale duly registered to be valid notwithstanding 55 sec. 5 Vic. No. 17.</sup> ~~(unless the same be in contravention of the second section of the said recited Act and save as is hereinafter mentioned)~~ **from the time of such filing**

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.



*Secret Bills of Sale Act Amendment*

5 filing or recording be valid against all judgment creditors all assignees  
 or trustees in insolvency or bankruptcy or under any deed or deeds  
 for the benefit of creditors and all other persons whomsoever and  
 shall not be affected by or be subject to the provisions contained in  
 10 the fifty-fifth section of the Act fifth Victoria number seventeen any  
 enactment at present in force notwithstanding and no such Bill of Sale  
 shall be valid for any purpose until filed or recorded Provided that the  
 same shall have been made and executed *bonâ fide* and for the  
 consideration alleged in such Bill of Sale and shall not have been  
 15 subsequently satisfied or shall not be otherwise affected under the provisions  
 of the said Act fifth Victoria number seventeen except as herein contained  
 that every defeasance condition or trust affecting it shall appear therein  
 or on the same paper or parchment And provided also that no such  
 Bill of Sale so filed or recorded as aforesaid shall affect any law relating  
 20 to landlords and tenants.

3. Every Bill of Sale hereafter executed shall be attested by a Bills of Sale how  
to be attested.  
 solicitor of the Supreme Court in actual practice or a Justice of the  
 Peace who shall in such attestation state that before execution of the  
 instrument he explained the effect thereof to the grantor who in the  
 20 witness's belief understood the same.

4. The filing or recording of a Bill of Sale under this or the Recording of Bills  
of Sale to be  
yearly renewed.  
 recited Act shall be deemed a registration thereof within the meaning  
 of this and the next section and every registration shall be renewed at  
 the expiration of every twelve months thereafter or within ten days next  
 25 following by the filing of an affidavit stating the date of the Bill of  
 Sale the names residences and occupations of the parties thereto as  
 mentioned therein the date of its registration or renewed (or last  
 renewed) registration the amount due or claimed to be due on the  
 instrument and that it is still a subsisting security for that sum.

30 5. If more than the period limited by the last section shall in Consequence of  
neglect.  
 any case elapse after the registration or renewed registration of a Bill  
 of Sale without a renewal or further renewal of its registration as the  
 case may be such Bill of Sale shall thereupon become absolutely void  
 Provided that no renewal shall in any case be necessary by reason only  
 35 of a transfer or assignment of the instrument.

6. Where two or more Bills of Sale of the same chattels or some As to priority  
among grantees.  
 of them shall have been executed by the grantor to the same or some  
 other grantee every such instrument shall take effect as to such  
 chattels according to priority not of date but in the time of filing or  
 40 recording of the same.

7. If any grantor in a Bill of Sale shall after execution of the Punishment for  
fraud in executing  
subsequent  
grants.  
 instrument by him execute without the written consent of the grantee  
 any Bill of Sale of the same chattels or any of them to any  
 other person with intent to defraud any person such grantor shall be  
 45 deemed guilty of a misdemeanor and be liable to imprisonment with  
 or without hard labour for any period not exceeding three years with  
 or without a fine not exceeding one hundred pounds in addition thereto.

8. No Bill of Sale executed after the passing of this Act duly Reference to Small  
Debts Act s. 32.  
 filed or recorded as provided by the recited Act and of which the  
 50 registration shall where necessary be annually renewed as required by  
 this Act shall be affected by the thirty-second section of the Act of  
 one thousand eight hundred and forty-six commonly called the Small  
 Debts Act (tenth Victoria number ten) or any provision therein.

9. Nothing in this Act shall as against any assignee under the Saving of sections  
7 and 8 of Insol-  
vent Act.  
 55 "Insolvent Act of 1841" or the Acts amending the same be taken to  
 render valid any Bill of Sale made without valuable consideration or  
 having the effect of preferring any then existing creditor to another.

3. 10. This Act may be cited as the "Secret Bills of Sale Act Short title.  
 Amendment Act of 1879 of 1880."



SECRET BILLS OF SALE [ACT AMENDMENT] BILL.

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*SCHEDULE of the Amendments referred to in Message of 18th May, 1880.*

JOHN J. CALVERT,  
Clerk of the Parliaments.

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- Page 1, Title, line 1. *Omit* " Act 19 Victoria No. 2 " *insert* " law "
- „ Preamble, line 3. *After* " requires " *insert* " with certain other enactments "
- „ clause 1, line 8. *Omit* " referred to in the first section " *insert* " within the  
" meaning "
- „ clause 1, line 9. *Omit* " unless " *insert* " hereafter executed which shall  
" not be "
- „ clause 1, lines 11 and 12. *Omit* " shall except as against such person making  
" or giving the same " *insert* " and every Bill of Sale within the meaning  
" of the said Act now existing and not already filed or recorded which  
" shall not be filed or recorded within three months after the passing  
" of this Act shall "
- „ clause 1, line 15. *Omit* " to all intents and purposes whatsoever " *insert* " and  
" every mortgage of chattel property hereafter shall be by deed and be  
" deemed a Bill of Sale within this Act "
- „ clause 2, lines 19 and 20. *Omit* " (unless the same be in contravention of the  
" second section of the said recited Act and save as is hereinafter mentioned ) "  
*insert* " from the time of such filing or recording "
- „ 2, clause 2, lines 1 to 3. *Omit* " judgment creditors all assignees or trustees in  
" insolvency or bankruptcy or under any deed or deeds for the benefit of  
" creditors and all other "
- „ clause 2, lines 3 to 5. *Omit* " and shall not be affected by or be subject to the  
" provisions contained in the fifty-fifth section of the Act fifth Victoria number  
" seventeen " *insert* " any enactment at present in force notwithstanding  
" and no such Bill of Sale shall be valid for any purpose until filed or  
" recorded "
- „ clause 2, lines 9 to 11. *Omit* " shall not have been subsequently satisfied or  
" shall not be otherwise affected under the provisions of the said Act fifth  
" Victoria number seventeen except as herein contained " *insert* " that every  
" defeasance condition or trust affecting it shall appear therein or on  
" the same paper or parchment "
- „ clause 2, line 14. *Omit* " so filed or recorded as aforesaid "
- „ *After* clause 2 *insert* new clauses 3 to 9 inclusive.
- „ clause 3, 10, line 59. *Omit* " Amendment Act of 1879 " *insert* " of 1880 "
-



The first and principal object of the present Association, and having this day  
formed, is to secure the rights of the people in their own country.

STEPHEN W. JONES  
Gent of the Legislature

The Legislature of the State of Maryland

AND CARRIAGE  
of the Legislature

THE STATE OF MARYLAND  
IN SENATE

January 11, 1841

REPORT  
OF THE

COMMISSIONERS OF THE LAND OFFICE

IN ANSWER TO A RESOLUTION PASSED BY THE SENATE

IN APRIL, 1840

AND BY THE HOUSE OF REPRESENTATIVES

IN APRIL, 1841

AND BY THE SENATE

IN APRIL, 1841

AND BY THE HOUSE OF REPRESENTATIVES

IN APRIL, 1841

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AND BY THE HOUSE OF REPRESENTATIVES

IN APRIL, 1841

AND BY THE SENATE

IN APRIL, 1841

AND BY THE HOUSE OF REPRESENTATIVES

IN APRIL, 1841



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

Legislative Assembly Chamber,  
Sydney, 16 December, 1879. }

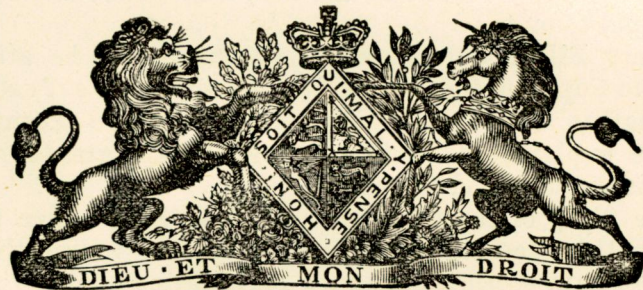
STEPHEN W. JONES,  
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber,  
Sydney, 18th May, 1880. }

JOHN J. CALVERT,  
Clerk of the Parliaments.

## New South Wales.



ANNO QUADRAGESIMO TERTIO

# VICTORIÆ REGINÆ.

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No. .

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**W**HEREAS the Act of Council nineteen Victoria number two Preamble. intituled "*An Act for preventing Frauds upon Creditors by Secret Bills of Sale of personal Chattels*" requires **with certain other enactments** to be amended 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. Every Bill of Sale ~~referred to in the first section~~ **within the meaning of the said recited Act unless hereafter executed which shall** All Bills of Sale to be registered.  
10 **not be filed or recorded as thereby provided within thirty days from the time of the execution thereof shall except as against such person making or giving the same and every Bill of Sale within the meaning of the said Act now existing and not already filed or recorded which shall not be filed or recorded within three months after the passing of this**  
15 **Act shall be absolutely void to all intents and purposes whatsoever and every mortgage of chattel property hereafter shall be by deed and be deemed a Bill of Sale within this Act.**

2. Every such Bill of Sale filed or recorded as aforesaid shall Bills of Sale duly registered to be valid notwithstanding 55 sec. 5 Vie. No. 17.  
20 ~~(unless the same be in contravention of the second section of the said recited Act and save as is hereinafter mentioned)~~ **from the time of such** filing

148—

filing

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.



*Secret Bills of Sale Act Amendment*

~~filing or recording be valid against all judgment creditors all assignees or trustees in insolvency or bankruptcy or under any deed or deeds for the benefit of creditors and all other persons whomsoever and shall not be affected by or be subject to the provisions contained in the fifty-fifth section of the Act fifth Victoria number seventeen any enactment at present in force notwithstanding and no such Bill of Sale shall be valid for any purpose until filed or recorded~~ Provided that the same shall have been made and executed *bonâ fide* and for the consideration alleged in such Bill of Sale and shall not have been

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3. Every Bill of Sale hereafter executed shall be attested by a solicitor of the Supreme Court in actual practice or a Justice of the Peace who shall in such attestation state that before execution of the instrument he explained the effect thereof to the grantor who in the witness's belief understood the same.

Bills of Sale how to be attested.

4. The filing or recording of a Bill of Sale under this or the recited Act shall be deemed a registration thereof within the meaning of this and the next section and every registration shall be renewed at the expiration of every twelve months thereafter or within ten days next following by the filing of an affidavit stating the date of the Bill of Sale the names residences and occupations of the parties thereto as mentioned therein the date of its registration or renewed (or last renewed) registration the amount due or claimed to be due on the instrument and that it is still a subsisting security for that sum.

Recording of Bills of Sale to be yearly renewed.

5. If more than the period limited by the last section shall in any case elapse after the registration or renewed registration of a Bill of Sale without a renewal or further renewal of its registration as the case may be such Bill of Sale shall thereupon become absolutely void Provided that no renewal shall in any case be necessary by reason only of a transfer or assignment of the instrument.

Consequence of neglect.

6. Where two or more Bills of Sale of the same chattels or some of them shall have been executed by the grantor to the same or some other grantee every such instrument shall take effect as to such chattels according to priority not of date but in the time of filing or recording of the same.

As to priority among grantees.

7. If any grantor in a Bill of Sale shall after execution of the instrument by him execute without the written consent of the grantee any Bill of Sale of the same chattels or any of them to any other person with intent to defraud any person such grantor shall be deemed guilty of a misdemeanor and be liable to imprisonment with or without hard labour for any period not exceeding three years with or without a fine not exceeding one hundred pounds in addition thereto.

Punishment for fraud in executing subsequent grants.

8. No Bill of Sale executed after the passing of this Act duly filed or recorded as provided by the recited Act and of which the registration shall where necessary be annually renewed as required by this Act shall be affected by the thirty-second section of the Act of one thousand eight hundred and forty-six commonly called the Small Debts Act (tenth Victoria number ten) or any provision therein.

Reference to Small Debts Act s. 32.

9. Nothing in this Act shall as against any assignee under the "Insolvent Act of 1841" or the Acts amending the same be taken to render valid any Bill of Sale made without valuable consideration or having the effect of preferring any then existing creditor to another.

Saving of sections 7 and 8 of Insolvent Act.

10. This Act may be cited as the "Secret Bills of Sale Act Amendment Act of 1879 of 1880."

Short title.