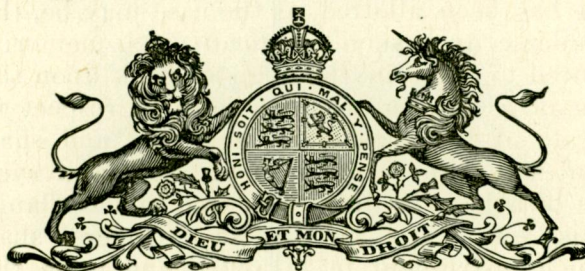


This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber,
Sydney, 9th September, 1903.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO TERTIO

EDWARDI VII REGIS.

Act No. , 1903.

An Act to amend the Real Property Act, 1900, and to facilitate the transfer of land.

BE it enacted by the King'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:—

5 **1.** This Act may be cited as the "Real Property (Amendment) Short title.
Act, 1903."

10 **2.** Section ninety-six of the Real Property Act and section one hundred and nine of the Real Property Act, 1900, shall not be deemed to have applied and shall not apply to any instrument signed by any married woman purporting to transfer or otherwise to deal with any land which by the Married Women's Property Act, 1893, or the Married Women's Property Act, 1901, or otherwise, the married woman was entitled to have and to hold and to dispose of as her separate property.

Real Property (Amendment).

3. Section one hundred and twelve of the Real Property Act, Provisions in lieu of
1900, is repealed, and the following shall be read in its place:— sec. 112.

- “ Upon the production to the Registrar-General of a certificate—
- 5 “ (a) of the Colonial Treasurer or of the Under Secretary for Finance and Trade of the payment in full of the purchase money of any land alienated in fee from the Crown; or
- “ (b) of the Secretary or Under Secretary for Lands that any land allotted by way of exchange under the Crown Lands Acts has been so allotted;

10 together with a memorandum of transfer, mortgage, or lease duly executed by the purchaser from the Crown of such land, or the person to whom such land has been allotted, as the case may be, the Registrar-General shall endorse upon such certificate such memorial as he is hereinbefore required to enter in the register-book upon the

15 registration of any dealing of a like nature with land in respect to which the grant or certificate of title has been registered, and shall sign such endorsement, and stamp the same with his seal; and such instrument shall thereupon be held to be duly registered in accordance with the provisions of this Act. And the Registrar-General shall

20 file such certificate and such instrument in his office, and upon the registration of the grant of such land the Registrar-General shall enter thereon a memorial of such dealing, and shall endorse such instrument with the certificate of registration as hereinbefore provided for the registration of instruments generally :

25 Provided that no such registration shall be effected until a sum sufficient to cover the deed fee, stamp duty, and assurance fee payable in respect of any such Crown grant, when issued, has been paid to the the Colonial Treasurer.”

4. Upon any summons or proceedings under section one hundred
30 and twenty-one of the Real Property Act, 1900, the Supreme Court may in its absolute discretion and notwithstanding anything in the said section to the contrary, make such order as to the costs and expenses of and attendant upon such summons or proceedings as it may deem just; and all costs and expenses to be paid by the Registrar-General

35 under any such order shall be paid out of the assurance fund under the said Act.

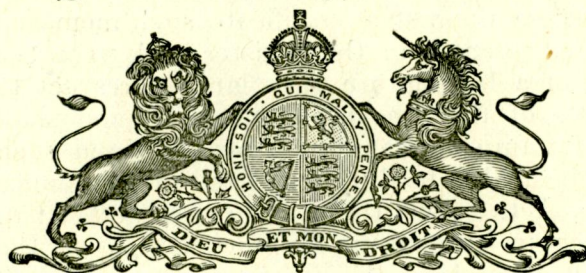
Costs under sec. 121 of the Real Property Act.

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, September, 1903.* }

Clerk of the Parliaments.

New South Wales.



ANNO TERTIO

EDWARDI VII REGIS.

Act No. , 1903.

An Act to amend the Real Property Act, 1900, and to facilitate the transfer of land.

BE it enacted by the King'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:—

5 **1.** This Act may be cited as the "Real Property (Amendment) Short title.
Act, 1903."

10 **2.** Section ninety-six of the Real Property Act and section one hundred and nine of the Real Property Act, 1900, shall not be deemed to have applied and shall not apply to any instrument signed by any married woman purporting to transfer or otherwise to deal with any land which by the Married Women's Property Act, 1893, or the Married Women's Property Act, 1901, or otherwise, the married woman was entitled to have and to hold and to dispose of as her separate property.

Real Property (Amendment).

3. Section one hundred and twelve of the Real Property Act, 1900, is repealed, and the following shall be read in its place:—

Provisions in lieu of
sec. 112.

- “ Upon the production to the Registrar-General of a certificate—
- 5 “ (a) of the Colonial Treasurer or of the Under Secretary for Finance and Trade of the payment in full of the purchase money of any land alienated in fee from the Crown; or
- “ (b) of the Secretary or Under Secretary for Lands that any land allotted by way of exchange under the Crown Lands Acts has been so allotted;

10 together with a memorandum of transfer, mortgage, or lease duly executed by the purchaser from the Crown of such land, or the person to whom such land has been allotted, as the case may be, the Registrar-General shall endorse upon such certificate such memorial as he is hereinbefore required to enter in the register-book upon the

15 registration of any dealing of a like nature with land in respect to which the grant or certificate of title has been registered, and shall sign such endorsement, and stamp the same with his seal; and such instrument shall thereupon be held to be duly registered in accordance with the provisions of this Act. And the Registrar-General shall

20 file such certificate and such instrument in his office, and upon the registration of the grant of such land the Registrar-General shall enter thereon a memorial of such dealing, and shall endorse such instrument with the certificate of registration as hereinbefore provided for the registration of instruments generally :

25 Provided that no such registration shall be effected until a sum sufficient to cover the deed fee, stamp duty, and assurance fee payable in respect of any such Crown grant, when issued, has been paid to the the Colonial Treasurer.”

4. Upon any summons or proceedings under section one hundred

30 and twenty-one of the Real Property Act, 1900, the Supreme Court may in its absolute discretion and notwithstanding anything in the said section to the contrary, make such order as to the costs and expenses of and attendant upon such summons or proceedings as it may deem just; and all costs and expenses to be paid by the Registrar-General

35 under any such order shall be paid out of the assurance fund under the said Act.

Costs under sec. 121
of the Real Property
Act.

Legislative Council.

No. , 1903.

A BILL

To amend the Real Property Act, 1900, and to facilitate the transfer of land.

[MR. WISE ;—9 July, 1903.]

BE it enacted by the King'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:—

5 **1.** This Act may be cited as the "Real Property (Amendment) Short title.
Act, 1903."

10 **2.** Section ninety-six of the Real Property Act and section one hundred and nine of the Real Property Act, 1900, shall not be deemed Acknowledgments
to have applied and shall not apply to any instrument signed by any by married women.
10 married woman purporting to transfer or otherwise to deal with any land which by the Married Women's Property Act, 1893, or the Married Women's Property Act, 1901, the married woman was entitled to have and to hold and to dispose of under such Act as her separate property.

Provisions in lieu of
sec. 112.

3. Section one hundred and twelve of the Real Property Act, 1900, is repealed, and the following shall be read in its place:—

“Upon the production to the Registrar-General within twelve months from the date thereof of a certificate—

“ (a) of the Colonial Treasurer of the payment in full of the purchase money of any land alienated in fee from the Crown; or

“ (b) of the Secretary for Lands that any land allotted by way of exchange under the Crown Lands Acts has been so allotted; together with a memorandum of transfer, mortgage, or lease duly executed by the purchaser from the Crown of such land, or the person to whom such land has been allotted, as the case may be, the Registrar-General shall endorse upon such certificate such memorial as he is hereinbefore required to enter in the register-book upon the registration of any dealing of a like nature with land in respect to which the grant or certificate of title has been registered, and shall sign such endorsement, and stamp the same with his seal; and such instrument shall thereupon be held to be duly registered in accordance with the provisions of this Act. And the Registrar-General shall file such certificate and such instrument in his office, and upon the registration of the grant of such land the Registrar-General shall enter thereon a memorial of such dealing, and shall endorse such instrument with the certificate of registration as hereinbefore provided for the registration of instruments generally :”

“Provided that no such registration shall be effected until a sum sufficient to cover the deed fee, stamp duty, and assurance fee payable in respect of any such Crown grant, when issued, has been paid to the Colonial Treasurer.”

Costs under sec. 121
of the Real Property
Act.

4. Upon any summons or proceedings under section one hundred and twenty-one of the Real Property Act, 1900, the Supreme Court may in its absolute discretion and notwithstanding anything in the said section to the contrary, make such order as to the costs and expenses of and attendant upon such summons or proceedings as it may deem just; and all costs and expenses to be paid by the Registrar-General under any such order shall be paid out of the assurance fund under the said Act.