

No. VII.

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

Preamble.

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 Vic.
No. 1 not to lose
priority by *mala
fides* of conveying
party.

Except where
adverse title estab-
lished by judgment
of Court.

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.