

## No. VII.

An Act to amend the Real Property Act of 1862. [21st February, 1873.]

REAL PROPERTY ACT  
AMENDMENT.

**W**HEREAS it is expedient to amend the Real Property Act of 1862 in manner hereinafter 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:—

1. Upon the registration of any memorandum of transfer in the form marked D in the Schedule to the Real Property Act of 1862 comprising the whole of the land described in any grant or certificate of title it shall not be necessary for the transferee to take out a certificate of title in his own name but he may receive the grant or certificate of title of the transferrer or in the case of a sale by a mortgagee the grant or certificate of title of the mortgagor with a memorial of the transfer in each case indorsed thereon and the Registrar General shall not after registering any such transfer enter a memorandum cancelling such grant or certificate of title as required by the Real Property Act of 1862 and each successive transferee (if any) of the whole of such land may at his option take out a certificate of title in his own name or may receive the same grant or certificate of title upon which the memorial or memorials of any previous transfer or transfers have been indorsed as aforesaid but the Registrar General whenever in his opinion any grant or certificate of title shall be incapable of containing with convenience any further indorsements may compel the last transferee to receive a certificate of title in his own name.

Preamble.  
Transfer by endorse-  
ment on certificate.

2. A transferee of land shall not be required in any case to present in duplicate a memorandum of transfer for the purpose of registration.

Transfer need not be  
in duplicate.

3. The effect given by section twenty-six of the Real Property Act of 1862 to a certificate of title issued in the name of a deceased person shall extend to every Crown grant in the name of a deceased person who would have been entitled thereto if living.

Crown grant in name  
of deceased person.

4. In addition to the charges and fees provided by the Real Property Act of 1862 the Registrar General may charge for any certificate of title which shall exceed in length six folios of seventy-two words each a further sum of two shillings for each folio or part of a folio in excess of such six folios and if there shall be more than one diagram in such certificate a further sum of one shilling for every such diagram after the first diagram.

Charges for long  
certificates &c.

5. All plans hereafter to be prepared and required to be deposited for the purposes of the Real Property Act of 1862 shall if required by the Registrar General be in duplicate.

Plans to be in dupli-  
cate.

6. This Act shall be construed together with the said Real Property Act of 1862 and except so far as any portion of the said Real Property Act of 1862 may be repealed or altered or added to by this Act the provisions of the said Real Property Act of 1862 shall remain in full force.

Act incorporated  
with Act of 1862.

7. This Act may be cited for all purposes as the "Real Property Act Amendment Act of 1873."

Short title.