

No. VII.

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

WHEREAS it is expedient to amend the Real Property Act of Preamble.
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 Transfer by endorse-
ment on certificate.
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 cer-
tificate 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.

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

3. The effect given by section twenty-six of the Real Property Crown grant in name
of deceased person.
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.

4. In addition to the charges and fees provided by the Real Charges for long
certificates &c.
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.

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

6. This Act shall be construed together with the said Real Act incorporated
with Act of 1862.
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.

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