

Act No. 47, 1897.

An Act to provide for and to validate the exchange or surrender of land by trustees, executors, and administrators; to provide for a notification being made in the register and on the grant or certificate of title of land which has become Crown land; and to enable corrections in Crown grants to be made and to validate any such corrections heretofore made. [10th December, 1897.]

REAL PROPERTY
(CROWN LANDS).
—

BE it 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. (1) An exchange with or surrender to Her Majesty or the Governor under the Crown Lands Act of 1895, or any Act amending or repealing the same, may be effected by a trustee or executor, in respect of land which he holds as trustee or executor, as if a power

Exchange or
surrender made by
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Real Property (Crown Lands).

power to that effect were contained in the instrument creating such trust or the will appointing such executor as the case may be, or by any administrator in respect of land which he holds as administrator: Provided that no such exchange or surrender shall be effected by any administrator without the consent of all persons beneficially interested, or the order of the Court in that behalf, which may be obtained in the same manner as an order under the thirty-fifth section of the Probate Act of 1890: Provided that any land assured to any trustee, executor, or administrator by Her Majesty or the Governor by way of exchange as aforesaid shall be held by him subject to the same trusts as the land exchanged or surrendered by him.

Validation of previous exchanges and surrenders by trustees, executors, or administrators.

(II) Any exchange with or surrender to Her Majesty or the Governor effected before the commencement of this Act by a trustee, executor, or administrator in respect of land held by him as trustee, executor, or administrator shall be deemed to have been and to be as valid as if at the time of the exchange or surrender he had held the same in his own right: Provided that any land assured to any trustee, executor, or administrator by Her Majesty or the Governor before the commencement of this Act by way of exchange as aforesaid shall be deemed to have been and shall be held by him subject to the same trusts as the land exchanged or surrendered by him.

Endorsement on grant of certificate of title of land which has become Crown land.

2. Upon any land under the provisions of the Real Property Act becoming Crown land within the meaning of the Crown Lands Acts, the Registrar-General shall cause a notification in the form or to the effect of the Schedule hereto to be made or indorsed on the duplicate in the register book of the grant or certificate of title of the land, and (except where the production of the grant or certificate of title is dispensed with under section ninety-one of the Real Property Act) shall also make the said endorsement on the grant or certificate of title.

Corrections of errors in Crown grants.

3. (I) The Registrar-General may exercise the same powers for the purpose of correcting errors in Crown grants registered under the Real Property Act as are conferred on him by section eleven of the said Act in respect of certificates of title:

(II) All corrections heretofore made or purporting to have been made by the Registrar-General at the request of the Secretary for Lands in any Crown grant registered under the Real Property Act shall be as valid as if made under the authority of this Act.

Short title.

4. This Act may be cited as the "Real Property (Crown Lands) Act, 1897."

SCHEDULE.

BY virtue of [*here state the transfer, proclamation, or other document in virtue of which the land has become Crown land*] the land described in this [*grant or certificate of title*] has become vested in Her Majesty as Crown lands within the meaning of the Crown Lands Acts.