



Western Australia.

ANNO QUINQUAGESIMO QUINTO

VICTORIÆ REGINÆ.

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No. VII.

AN ACT to amend "The Bills of Sale Act, 1879," and to extend the Security on future and after acquired Property.

[ Assented to, 16th February, 1892. ]

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 Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Preamble.

1. THE Fourteenth section of "The Bills of Sale Act, 1879," hereinafter called the Principal Act, is hereby repealed, and the following words substituted in lieu thereof:—

Repeal of 14 sec. of 43 Vict., 19.

" A Judge of the Supreme Court, on the application of the grantee and on being satisfied on evidence, by affidavit or otherwise, that the omission to register a Bill of Sale or an affidavit of renewal thereof, within the prescribed time, was not due to any neglect or default of the grantee, or that the omission or misstatement of the name, residence, or occupation of any person in any Bill of Sale or affidavit of renewal thereof was accidental or due to

Time for registration to be extended, and omissions, &c., in Register rectified, in certain cases.

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## *Bills of Sale Act, 1879, Amendment Act, 1892.*

“inadvertence, shall extend the time for such registration on such terms and conditions (if any) as to security, notice by advertisement or otherwise, or as to any other matter as he may think fit to direct, and shall order such omission or misstatement to be rectified by the insertion in the register of the true name, residence, or occupation.”

Affidavits not to be affected by irregularities.

2. NO affidavit to be filed or used under this Act or the Principal Act shall be rendered void or affected by any irregularity whatever appearing therein, unless such irregularity shall, in the opinion of a Judge of the Supreme Court, directly affect the substance of the affidavit.

Attestation of a Bill of Sale. Repeal of sub-section 1 of section 10 of “The Bills of Sale Act, 1879.”

3. THE execution of every Bill of Sale by the grantor shall be attested by one or more credible witness or witnesses, not being a party or parties thereto. Sub-section one of section ten of “The Bills of Sale Act, 1879,” relating to the attestation of a Bill of Sale is hereby repealed.

Acts not to apply to debentures of incorporated Company.

4. NOTHING in this Act or the Principal Act shall apply to any debenture issued by any mortgage, loan, or other incorporated company and secured upon the capital stock, or goods, chattels, and effects of such company.

Legal interest in future and after acquired chattels to be deemed to pass to grantee of Bill of Sale.

5. WHENEVER by a Bill of Sale executed after the passing of this Act the grantor thereof shall purport or covenant to grant or assign to the grantee any “Personal Chattels” within the meaning of the Principal Act, not in existence at the time of the making of such Bill of Sale, or which the grantor may thereafter acquire, the property and legal interest in such future or after acquired chattels shall, immediately upon the coming into existence of such chattels or on their being acquired by the grantor, be deemed to pass at law to the grantee of the Bill of Sale, subject nevertheless to the provisions thereof.

Short title and incorporation.

6. THIS Act may be cited as “The Bills of Sale Act, 1879, Amendment Act, 1892,” and shall be incorporated and read with the Principal Act.

Repeal of 46 Vic., No. 13.

7. THE Act No. 13, passed in the forty-sixth year of the reign of Her present Majesty, is hereby repealed.

In the name and on behalf of the Queen I hereby assent to this Act.

ALEX. C. ONSLOW, Administrator.