

WESTERN AUSTRALIA

ANNO QUADRAGESIMO OCTAVO

VICTORIÆ REGINÆ

No. 13

An Act to simplify the procedure in amending Deeds of Grant which contain an erroneous description of the boundaries of the land contained therein.

[Assented to 10th September, 1884.]

WHEREAS the procedure in amending Deeds of Grant which contain an erroneous description of the boundaries of allotments in the towns of the Colony, as provided in the fifth section of the 8th Victoria, No. 9, is cumbrous and inconvenient, and whereas there is no similar provision contained in the Act 4th and 5th Victoria, No. 20, relating to the boundaries of country lands or lands not included within the provisions of the first recited Act; And whereas it is desirable that a simple method of procedure should be provided for the amendment of the Deeds of Grant referred to in the said Acts: Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

1. In any case in which the true boundaries of any lands or allotments shall have been duly adjusted under the powers of the said recited Acts or of either of them, and the said boundaries so adjusted as aforesaid shall differ from those contained in any grant thereof from the Crown, issued previously to such adjustment, it shall be lawful for the Surveyor General to endorse or cause to be endorsed on the back or other convenient part of the deed or instrument of grant, if it shall be produced to him for that purpose, the true boundaries as so adjusted

Amendment of deeds of grant and enrolled copies thereof which contain an erroneous description of the boundaries of the lands therein

Amendment of Deeds of Grant

and which he shall sign, and the said deed so endorsed and signed as aforesaid shall be forthwith given or forwarded by the Surveyor General to the Registrar of Deeds, and the said Registrar shall make and sign a memorandum of such endorsement in the margin or in some other convenient part of the enrolled copy of the said deed, and shall re-deliver the said deed to the person producing the same as aforesaid.

Repeal of sec. 5
of 8 Vic., No. 9

2. The fifth section of the Act 8th Victoria, No. 9, is hereby repealed, but this repeal shall not affect the validity or invalidity of anything done or omitted to be done under the provisions of either of the said recited Acts.

Amendment of
enrolled copies
of lost deeds of
grant

3. If any such Crown Grant as aforesaid shall have been lost, the grantee, his heir or assignee, or other the owner for the time being of the lands or allotments contained therein, may apply to the Surveyor General to forward to the Registrar of Deeds a certified copy of the entry in the Record Book kept by the Surveyor General of the true boundaries of the said lands or allotments, and the Surveyor General shall, on such application being duly made to him as aforesaid, forward a certified copy of the entry in the said book of the true boundaries of the said lands or allotments, without fee, to the Registrar of Deeds, who shall thereupon make and sign a memorandum of the true boundaries of the said lands or allotments in the margin or in some other convenient part of the enrolled copy of the said deed.

F. NAPIER BROOME,
GOVERNOR.
