



Western Australia.

ANNO QUADRAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

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No. XXII.

AN ACT to further amend "The Transfer of Land Act, 1874."

[ Assented to, 8th September, 1883. ]

WHEREAS it is expedient to further amend "The Transfer of Land Act, 1874," and "The Transfer of Land Act, 1874, Amendment Act, 1878": 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:—

Preamble.

1. SECTION 6 of "The Transfer of Land Act, 1874, Amendment Act, 1878," shall be and the same is hereby amended by adding to the proviso thereto the following words "nor to the case of a mortgagee now or hereafter applying for the purpose of exercising his power of sale, nor to the case of his guardian on behalf of any infant, nor to that of his committee on behalf of any lunatic or person of unsound mind."

Amendment of 42  
Vict., No. 15, Sec.  
6.

2. SECTION 4 of "The Transfer of Land Act, 1874, Amendment Act, 1878," shall be and the same is hereby amended by omitting the words "dealing with such land signed by such person," and by substituting the following words "following as far as

Amendment of 42  
Vict., No. 15, Sec.  
4.

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circumstances will permit the form prescribed by the said Act, in the case of land already under its operation, or together with an ordinary or statutory conveyance or other instrument at common law dealing with such land, signed by such person or by the person lawfully entitled thereto."

Satisfaction of mortgages executed prior to land being registered, and remedies of mortgagees.

**3.** WHEN land shall have been brought under the operation of "The Transfer of Land Act, 1874," and a certificate shall have issued subject to a mortgage or other encumbrance made or given before the issuing of such certificate, such mortgage or other encumbrance may be discharged in like manner as if it were a mortgage or other encumbrance prescribed by and registered under the said Act, and the mortgagee or other the person claiming under such mortgage or encumbrance may exercise the same rights and remedies as if the mortgage or other encumbrance had been made and registered in the form and manner prescribed by the said Act.

Amendment of 33 Vict., No. 13, Sec. 103.

**4.** SECTION 103 of "The Transfer of Land Act, 1874," shall be and the same is hereby amended by striking out all the words after "purpose" and by substituting therefor the following words, "and such power shall be in force from the time of noting thereof until revocation or extinguishment."

Short title.

**5.** THIS Act may be cited as "The Transfer of Land Amendment Act, 1883."

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

F. NAPIER BROOME, Governor.