

Transfer of Real Property

WESTERN AUSTRALIA

ANNO VICESIMO QUARTO

VICTORIÆ REGINÆ

No. 3

An Ordinance to explain and extend an Ordinance, intituled 'An Act for the Quieting of Titles to Lands in this Colony by declaring valid certain Instruments and Transactions affecting the same.'

[Assented to 5th October, 1860.]

WHEREAS it is expedient to extend and explain the operation of the Ordinance of the 7th year of the reign of Victoria, No. 9 of 1844: 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:—

1. That the first, second and fifth sections of the said recited Ordinance shall respectively be read and applied as if the words 'on or before the first day of January, one thousand eight hundred and sixty-one,' had been inserted therein respectively, instead of the words 'on or before the first day of January next.'

2. That the third section of the said recited Ordinance shall be read and applied as if the words 'and the several Ordinances of Council 7th of Victoria, No. 10 of 1843, 18th of Victoria, No. 8 of 1855, and 19th of Victoria, No. 14 of 1856,' had been added thereto at the end thereof.

3. And whereas doubts exist as to the operation of the fourth section of the said recited Ordinance, No. 9 of 1843: Be it enacted that such last recited section shall extend and apply to all mortgages of lands whatsoever, whether the same may purport to be drawn or prepared in pursuance of the Ordinance of the second William the Fourth, intituled 'An Act to facilitate and simplify the Transfer of Real Property,' or as a mortgage in fee or by demise or otherwise howsoever.

A. E. KENNEDY,
GOVERNOR AND COMMANDER-IN-CHIEF.

N.B.—Any provisions or portions of the above Acts which are inconsistent with 'The Transfer of Land Act, 1874,' are repealed by the 1st section of that Act, q.v.