

Deeds Registration.

ANALYSIS.

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A BILL INTITULED

AN ACT to provide for the Registration of Instruments affecting Land in cases where it is uncertain in what Registration District such Land is situate.

WHEREAS the boundaries of the several Registration Districts constituted by or under the provisions of "The Deeds Registration Act 1868," hereinafter called "the said Act," are in many cases formed by imaginary lines, and instruments affecting land on or near such boundaries may often be registered in the wrong Registration District.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

1. The Short Title of this Act shall be "The Deeds Registration Act 1870."

2. Whenever the officer by whom any Crown Grant of land shall be hereafter prepared shall be satisfied that reasonable doubts exist as to the Registration District in which the whole or any part of the land therein comprised is situate, such officer shall indorse on the grant a memorandum in the form following, that is to say—

Doubts exist as to the Registration District in which the within-mentioned land is situate. This grant must be registered in the Registration Districts of [*naming the several districts between which the doubt exists*].

And the Secretary for Crown Lands shall subscribe his signature to such memorandum when the grant upon which it is indorsed is entered of record in his office.

3. Whenever any person having in his possession any instrument, capable of being registered under the said Act, shall entertain a doubt as to the Registration District in which any land thereby affected is situate, he may submit such instrument to the Registrar of Deeds for any one of the districts as to which the doubt exists, and such Registrar upon being satisfied that there is reasonable ground for entertaining such doubt shall on being requested so to do indorse thereon a memorandum in the same terms as the memorandum to be indorsed on grants, with the substitution of the term "instrument" for the term "grant" and modifying the form thereof (if need be) so as to apply only to part of the land comprised in such instrument; and shall date and sign such memorandum and affix the seal of his office thereto.

4. As soon as any Registrar of Deeds shall have been duly informed of any of the indorsements hereinbefore mentioned having been made on any grant or instrument, he shall forthwith enter in a conspicuous place on the page in the index book appropriated to the land affected, a notice to the following effect—

Search must be made against this land in [*naming the several Registration Districts specified in the memorandum*] and shall add to such notice a reference to this Act.

5. Until the memorial of the Registrar-General of Land hereinafter mentioned has been registered as hereinafter provided no instrument bearing any such indorsement as aforesaid, or affecting land comprised in any instrument bearing such indorsement, shall be deemed to be duly registered against the land so affected unless and until it shall have been registered in the manner prescribed by this Act in each of the Registration Districts mentioned in such memorandum.

6. Whenever any such indorsement as aforesaid shall have been made on any instrument the same, and every other instrument affecting any land comprised therein, may be registered in the manner prescribed in either of the subdivisions following that is to say—

(1.) The instrument may be left for registration in each of the Registration Districts named in the indorsement, in succession (without regard to the order in which the same are named) and registered in the same manner as if such instrument were to be registered there only. Provided that no fee shall be charged for registering any instrument against any land after the same has been once registered against the same land, either before or after the passing of this Act.

(2.) The person leaving the instrument for registration at the office of any Registrar of Deeds may leave therewith one or more copies thereof and of the necessary plan and indorsement; and the Registrar of Deeds, who shall receive the same, shall, without delay and without fee, satisfy himself that such copy is correct and thereupon certify the same under his hand and the seal of his office to be a true copy, and forthwith forward the same by post to the Registrar of Deeds for each of the other Registration Districts named in the indorsement, who upon receipt thereof shall forthwith register the same as if it were an original instrument; but without fee. And registration of such copy shall have the same effect for all purposes as registration of the original.

7. Whenever it is ascertained with certainty in what Registration

Memorandum may be indorsed on instruments.

Notice to be entered in Registrar's books.

Instruments to be registered in all districts mentioned in memorandum.

Mode of registration.

Memorial to be

District any land affected by any instrument bearing any such indorsement as aforesaid is situate, the Registrar-General of Land shall, on being requested so to do, execute a memorial, in so many parts as may be necessary, in the form following that is to say—

registered when
locality of land
ascertained.

5 The piece of land hereinafter described that is to say [*describing so much of the land affected as has been ascertained to be in a certain Registration District*] as the same is delineated on the plan drawn in the margin hereof has now been
10 and all instruments affecting the same must after the registration of this memorial be registered in such district only.

Dated this day of 18

15 and shall cause the same to be registered in each of the Registration Districts named in any such indorsement as aforesaid, which shall be done without fee; and after such memorial has been registered in such Registration Districts all instruments affecting the land described in such memorial shall, so far as concerns such land, be registered only in the Registration District named in such memorial.

20 8. After any such memorial as last aforesaid has been registered in the Registration District named therein, all instruments affecting the land therein described which shall have been at any time registered against such land in such last-mentioned district shall be
25 deemed to have been duly registered against such land, though not registered in any other Registration District.

After registration
of memorial instru-
ments to be
registered in one
district only.

9. All words used in this Act shall have the same signification as the same words in the said Act.

Interpretation.