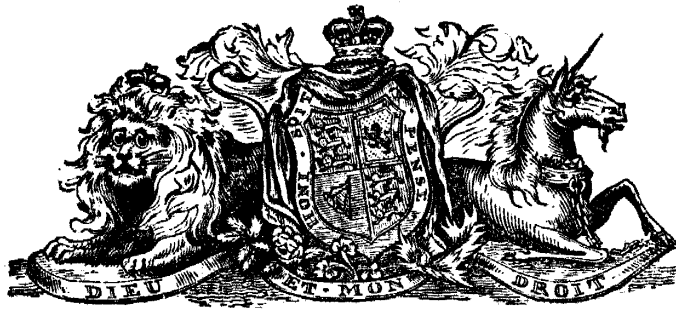


X *Deemed. See L 190 \$ 756; 25 QBD, 279.
282: 9 c f o c o s 455: 3 2 C \$ 340.*



1854.

No. 19.

*This Act is Repealed
by No. 27 of 1862.
No 27 of 1862 repealed
in part by No. 6 of '65-6
Repealed in part
by No. 6 of '65-6*

*An Act to amend the Law relating to the Registration, Enrolment, and
Deposit of Wills, and other Deeds and Instruments.*

[Assented to, December 15, 1854.]

WHEREAS an Act was passed, in the fifth year of the reign of Her present Majesty, No. 8, intituled "An Act to provide for the Registration of Deeds, Wills, Judgments, Conveyances, and other instruments;" and whereas the provisions of the said Act relating to the registration of wills, have been found to operate to the prejudice of persons claiming as devisees, and whereas it is expedient to amend the said Act, and the laws now in force relating to the registration, enrolment, and deposit of deeds and instruments, whereby the title of real property in South Australia may be affected—Be it therefore Enacted, by the Lieutenant-Governor of South Australia, with the advice and consent of the Legislative Council of the same, as follows:

1. Every will affecting real estate in South Australia, in any case where the testator shall have died after the first day of March, one thousand eight hundred and forty-two, may be registered in the public Registry Office of South Australia, by memorial, and the production of a probate of the will, or of the letters of administration with the will annexed, or of any exemplification of such probate or letters of administration, and that for the purposes of registration under the laws now in force in South Australia, such probate, letters of administration, or an exemplification thereof, shall be deemed and taken to be the original will.

Wills may be registered by production of probate, &c.

2. The laws now in force concerning the enrolment and deposit of wills, shall be deemed to be complied with, by the enrolment or deposit of

Probates, &c., may be enrolled or deposited, in lieu of original will.

of a probate of any will, or of letters of administration with the will annexed, or of any exemplification of such probate or letters of administration.

Abodes of witnesses need not be inserted in memorials.

3. It shall not be necessary in any memorial of a deed or instrument filed in the said Registry Office, to insert the place or places of abode of the witness or witnesses to the execution of such deed or instrument, and, notwithstanding the provisions of the said recited Act, all deeds and instruments registered by memorial before the passing of this Act, shall be deemed to be duly registered, although the place or places of abode of the witness or witnesses attesting the execution thereof, shall not have been inserted in the memorial: Provided always, that in other respects the said recited Act shall have been complied with.

Subsequent enrolment, or deposit of deeds, to release persons from covenants to produce.

4. Whenever any person shall have entered into a covenant for the production of any deed or instrument, and such deed shall have been, or after the passing of this Act, shall be enrolled or deposited, under the provisions of any Act or Ordinance of Council in force, for the time being, in South Australia, such subsequent enrolment or deposit shall release the person so having covenanted as aforesaid, from all liability in respect of such deed so enrolled or deposited.

Commencement of Act.

5. This Act shall commence and take effect from and after the passing thereof.

** i.e. In Respect of any Covenant
for production of deeds -*