

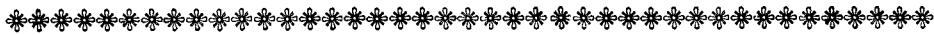
ANNO SEPTIMO

VICTORIÆ REGINÆ,

Eng. 45 Vc. 21

No. 3.

Ann. 69. 17 V. No 2



*By His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT,
Baronet, Lieutenant-Governor of the Island of Van Diemen's
Land and its Dependencies.*

*AN ACT for rendering a Release as effectual for the
Conveyance of Freehold Estates as a Lease and Release
by the same Parties.*

WHEREAS it is expedient to lessen the expense of conveying Freehold Estates—

BE IT THEREFORE ENACTED by His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT Baronet Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies by and with the advice of the Legislative Council that every Deed or Instrument of Release of a Freehold Estate or Deed or Instrument purporting or intended to be a Deed or Instrument of Release of a Freehold Estate which shall be executed at any time after this Act shall come into operation and shall be expressed to be made in pursuance of this Act shall be as effectual for the purposes therein expressed and shall take effect as a Conveyance to Uses or otherwise and shall operate in all respects both at Law and Equity as if the releasing party or parties who shall have executed the same had also executed in due form a Deed or Instrument of Bargain and Sale or Lease for a Year for giving effect to such Release although no such Deed or Instrument of Bargain and Sale or Lease for a Year shall be executed.

A Release to be effectual although no Lease for a Year shall be executed.

In case of loss of Deeds of Bargain and Sale or Lease for a Year.

Recital thereof in Release to be conclusive evidence of execution.

This Act not to prejudice prior proceedings.

Construction of the word "Freehold."

II. AND WHEREAS many Deeds or Instruments of Bargain and Sale or Leases for a Year to give effect to Deeds or Instruments of Release of Freehold Estates heretofore executed have been lost or mislaid—BE IT ENACTED that where in or by any Deed or Instrument of Release of Freehold Estates executed before this Act shall come into operation any Deed or Instrument of Bargain and Sale or Lease for a Year for giving effect to such Deed or Instrument of Release shall be recited or by any mention thereof in such Deed or Instrument of Release appear to have been made or executed such recital or mention thereof shall be deemed and taken to be conclusive evidence of the Deed or Instrument of Bargain and Sale or Lease for a Year so recited or mentioned having been made and executed and such Deed or Instrument of Release shall also have the like effect as if the same had been executed after the passing of this Act whether such Deed or Instrument of Bargain and Sale or Lease for a Year shall or shall not have been lost or mislaid or may or may not be produced—PROVIDED ALWAYS that this Act shall not prejudice or affect any proceedings at Law or in Equity pending at the time of the coming of this Act into operation in which the validity of any Bargain and Sale or Lease for a Year shall be in question between the party claiming under such Bargain and Sale or Lease for a Year and the party claiming adversely thereto and such Bargain and Sale or Lease for a Year if the result of such proceedings shall invalidate the same shall not be rendered valid by this Act.

III. AND BE IT ENACTED that in the construction of this Act the word "Freehold" shall have not only its usual signification but shall extend to all Lands and Hereditaments for the Conveyance of which if this Act had not been passed a Bargain and Sale or Lease for a Year as well as a Release would have been used.

E. EARDLEY-WILMOT.

Passed the Legislative Council this third
day of November, one thousand eight
hundred and forty-three,

ADAM TURNBULL, *Clerk of the Council.*