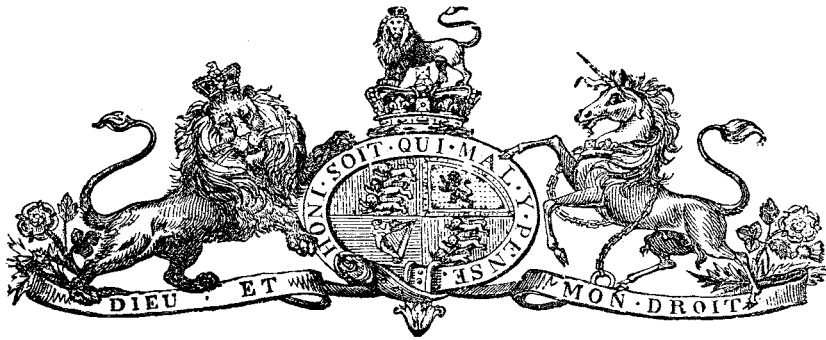


T A S M A N I A.

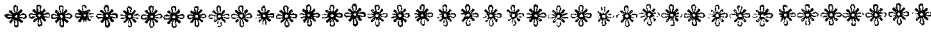


1886.

ANNO QUINQUAGESIMO

VICTORIÆ REGINÆ,

No. 8.



AN ACT to further amend *The Real Property Act* A.D. 1886.  
[8 December, 1886.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

- 1 This Act may be cited as “The Real Property Act, No. 5.” Short title.
- 2 In this Act, unless the context otherwise determines— Interpretation.  
 “The Principal Act” means *The Real Property Act*, and 25 Vict. No. 16.  
 includes every Act amending the same :  
 “Under the Act” means under the provisions of the  
 Principal Act.

*Application of “The Settled Land Act” to Land held under the Act.*

- 3 In the application of “The Settled Land Act, 1884,” (herein referred to as the said Act), to settled land held under the Act, the following provisions shall have effect :—
  - i. The registered proprietor, or the registered proprietors, if more than one, shall be deemed to be the trustee or trustees of the settlement;

Application of 48 Vict. No. 10 to land held under *Real Property Act*.

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- ii. Where under the provisions of the said Act any power or authority is conferred upon a tenant for life, then upon the written request of the tenant for life, and upon the performance by the tenant for life of the conditions imposed by the said Act upon the exercise of such a power or authority by a tenant for life, the registered proprietor or registered proprietors shall have and shall and may exercise that power or authority ;
- iii. Where under the provisions of the said Act any instrument is to be executed by a tenant for life in order to the exercise of any such power or authority, that instrument shall be executed by the registered proprietor or registered proprietors, and such execution shall have the same operation as the execution of such an instrument by a tenant for life is declared to have under the said Act ;
- iv. A registered proprietor or registered proprietors executing a power or authority in accordance with the provisions of the said Act upon the written request of the tenant for life, or with the sanction of the Court if, being the tenant or the tenants for life, he is himself or they are themselves the sole trustee or trustees of the settlement, shall not by reason thereof incur any personal liability to his or their beneficiaries or to any other person, and no such registered proprietor or registered proprietors shall, for the purpose of executing any such power or authority or complying with any such request, be bound to enter into any personal covenant or contract ;
- v. Where under the provisions of the said Act it is provided that land shall be conveyed to any uses or trusts, that expression shall be taken to mean that the land shall be transferred to trustees, and shall be held by them as trustees upon such uses or trusts ;
- vi. Where under the provisions of the said Act it is provided that a contract made by a tenant for life shall be binding on the settled land, that expression shall be taken also to mean that the contract shall be binding on the registered proprietor, and that he shall be bound to give effect thereto in the same manner as if he had made it himself, subject, however, to the provisions of the said Act ;
- vii. In this Section the term "registered proprietor" includes any person possessed of or entitled to any charge upon land ;
- viii. The term "Deed" used in the said Act shall include any instrument executed in pursuance of the provisions of the Principal Act.

Persons dealing with registered proprietor not bound to inquire.

**4** Nothing hereinbefore contained shall be taken to require any person dealing with a registered proprietor of land held under the Act to inquire whether all or any of the provisions of "The Settled Land Act, 1884," have been complied with in respect of the proposed dealing.

*Estates Tail.*

Tenancies in tail to pass the fee simple.

**5** Where any limitation which would heretofore have limited to any person an estate tail, whether legal or equitable, in any land under the Act, is made after the commencement of this Act, such limitation shall

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be deemed to give to such person an estate in fee simple (legal or equitable, as the case may be,) in such land. A.D. 1886.

**6** Where under any will or settlement executed before the commencement of this Act an estate for life in any such land is given to any person, followed by an estate for life in remainder to any child of such person and ultimately or immediately by an estate tail in remainder to any grandchild of such person, such person and the child of such person may together, when such child attains the age of twenty-one years, bar the entail and dispose of the estate as fully and effectually as if the estate given to the child had been instead of an estate for life an estate tail similar to the estate tail given to the grandchild; and this provision shall extend to equitable as well as to legal estates.

Where successive life estates are given to parent and child with estate tail to grandchild, parent and child may bar the entail as if the estate tail were given to the child.

**7** Subject to the provisions of the two last preceding sections, an estate tail under the Act shall have the same incidents as a similar estate under the general law, and the proprietor of such an estate shall have the same power to bar the estate tail and create an estate in fee simple absolute as against all persons whose estates are to take effect after the determination or in defeasance of the estate tail as is possessed by the owner of a corresponding estate tail in land not under the Act by virtue of the Act of Council of the 17 *Victoriæ*, No. 8.

Tenant in tail under the Act entitled to deal with the estate as effectually as tenant in tail under the general law.

**8** A transfer or mortgage in the ordinary form by a tenant in tail under the Act having power to create an estate in fee simple shall create such estate in favour of a transferee, mortgagee, or transferee under the power of sale in the mortgage, and a transferee from a tenant in tail, or under a mortgage from a tenant in tail, or a mortgagee after foreclosure shall be entitled to be registered and receive a certificate for the larger estate which the tenant in tail is empowered to confer, but a mortgage under the Act, if discharged, shall not bar the entail.

Transferee from tenant in tail may be registered for larger estate which a tenant in tail can confer.

*Crown Grants.*

**9** The registration of a Crown Grant in the manner prescribed by the principal Act shall be deemed and taken to be an enrolment of record of such Grant, and it shall be unnecessary to enrol the same in the Supreme Court of *Tasmania*, and such enrolment by registration shall relate back to the date of the Grant, and either part of such Grant when registered under the Act shall be a sufficient evidence of a duly enrolled Grant of the land therein described to the person therein named on the day of the date thereof.

Registration of Crown Grants to be deemed enrolment of record.

**10** The effect given by section Twenty-seven of the Principal Act to a certificate of title issued in the name of a deceased person shall extend to every Crown Grant in the name of a deceased person who would have been entitled thereto if living.

Crown Grant in name of deceased person.

**11** Upon production of a receipt of the Treasurer of the Colony for the full purchase money of any land sold by Her Majesty in fee together with an instrument dealing with such land signed by the purchaser, the Recorder of Titles shall endorse upon such receipt such memorial as he is under the Act required to enter in the register book upon the registration of any dealing of a like nature with land registered, and shall sign such endorsement, and shall endorse such instrument with the certificate of

Dealings may be registered prior to issue of Crown Grant.

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registration under the Act required on the registration of a like instrument after a grant has been registered, and so on from time to time with respect to any other dealings before the registration of the grant, and every such instrument shall thereupon be held to be duly registered under the Act. The Recorder of Titles shall file such receipt and instrument in the office, and upon the registration of the grant of the land, he shall enter thereon a memorial of every dealing endorsed on such receipt, and issue a certificate of title to the then transferee of the land (if any).

*Title by Endorsement.*

On transfer of all the land comprised in grant or certificate, transferee need not take out new certificate, but transfer may be by indorsement.

**12** Upon the registration of any memorandum of transfer of an estate of freehold in any land in Form D. of the Schedule to the Principal Act, comprising the whole of the land described in any grant or certificate of title, it shall not be necessary for the transferee to take out a certificate of title in his own name, but he may receive the grant or certificate of title of the transferrer, or in the case of a sale by a mortgagee the grant or certificate of title of the mortgagor with a memorial of the transfer in each case endorsed thereon under the hand and seal of the Recorder of Titles, and the Recorder of Titles shall not, after registering any such transfer, enter a memorandum cancelling such grant or certificate of title as required by the Principal Act, and each successive transferee (if any) of the whole of such land may at his option take out a certificate of title in his own name, or may receive the same grant or certificate of title upon which the memorial or memorials of any previous transfer or transfers have been indorsed as aforesaid, but the Recorder of Titles whenever, in his opinion, any grant or certificate of title shall be incapable of containing with convenience any further indorsements, may compel the last transferee to receive a certificate of title in his own name.

Grant, &c. may be returned if portion only of land transferred.

**13** When portion only of the land comprised in a grant or certificate of title has been transferred, the transferrer may have the grant or certificate of title returned to him with the memorial or memorials of such transfer or transfers as may have been registered endorsed thereon, and the Recorder of Titles may also endorse thereon a memorandum under his hand showing the portion of the land comprised therein of which the transferrer remains registered proprietor. Provided always that the Recorder of Titles may refuse to re-issue such grant or certificate if he shall be of opinion that it is inadvisable so to do.

Balance certificates.

**14** Nothing in the last foregoing section contained shall be deemed to preclude the Recorder of Titles from issuing a balance certificate of title under Section Forty-five of the Principal Act whenever required thereto by the transferrer.

*Tenancy in Common.*

Each tenant in common to receive a distinct certificate of title.

**15** In all cases where two or more persons are entitled as tenants in common to undivided shares of or in any land, such persons may receive one certificate for the entirety or separate certificates for the undivided shares.

*Tenancy in Remainder, &c.*

Remainderman, &c. may receive separate certificate of title for their estates.

**16** Subject to the provisions of this Act and of "The Settled Land Act, 1884," the proprietor of an estate of freehold in remainder or reversion in land in respect of which a certificate of title has been issued for a life estate therein may have his estate in remainder or reversion, as the

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case may be, registered on such certificate of title in the manner provided by the Eighty-ninth Section of the Principal Act, or may receive a separate certificate of title for such estate which shall refer to the certificate of title for the particular estate, provided that where such proprietor has become entitled pursuant to a memorandum of transfer it shall not be necessary for the Recorder of Titles to refer the title of such proprietor to the Lands Titles Commissioners. A.D. 1886.

*Transfer and Mortgage.*

**17** Whenever it is desired that a mortgage shall be registered by the transferee of land under the Act contemporaneously with registration of the transfer, it shall be lawful to insert in the transfer words showing that it is made subject to a mortgage of even date therewith and intended to be registered contemporaneously with the registration thereof, and the transfer shall give the particulars of such mortgage. In such mortgage the mortgagor shall be described as "Registered proprietor, or entitled to be registered proprietor," and may, for a description of the land intended to be affected, refer to the transferrer's grant or certificate of title, and the Recorder of Titles shall thereupon register such transfer and mortgage, and thereupon the mortgage shall be as valid and effectual to all intents and purposes as if the transferee had been actually registered proprietor at the date of the execution of such mortgage. Transfer and mortgage.

*Transmissions.*

**18** In addition to the persons empowered by the Eightieth Section of the Principal Act to apply to be registered as proprietors by transmission on the death of a deceased registered proprietor, it shall be lawful for any person having a power of disposition over an estate of freehold in any land belonging to a deceased registered proprietor to make the application. And every such application shall be proceeded with in the manner indicated by the said Eightieth and the Eighty-first Sections of the same Act. Provided, that in any application to be registered proprietor by transmission, whether under this Section or the said Eightieth Section, the Lands Titles' Commissioners may, if so advised by their Solicitor, dispense with the publication of all or any of the notices directed to be published by the said Eighty-first Section, and the Recorder of Titles shall, unless he shall have received a caveat forbidding him so to do, register the applicant, or such person as he or the person applying in his behalf may by any writing under his hand appoint, as proprietor at the expiration of such time, not being more than one month, as the said Commissioners shall direct; and the said Commissioners may direct any caveat to be entered by the Recorder of Titles for the protection of the interests of such other persons (if any) as may appear to the Solicitor to the Lands Titles' Commissioners to be interested in such land. Applications to be registered by transmission.

**19** Upon the registration of any person claiming any estate of freehold in the land of a deceased proprietor, it shall not be necessary for such first-mentioned person to take out a certificate of title in his own name, where the transmission is of the whole of the land comprised in the grant or certificate of title surrendered and for the whole of the estate of the deceased registered proprietor, but he may receive the grant or certificate of such registered proprietor with a memorial of the transmission indorsed thereon, provided that the Recorder of Titles, Registration on transmission by indorsement.

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whenever in his opinion any grant or certificate of title shall be incapable of containing with convenience any further indorsements, may compel the last proprietor applying for registration to receive a certificate of title in his own name.

*Imperfect Title.*

Additional indemnity fund for imperfect title.

**20** Notwithstanding anything to the contrary in the Principal Act contained, the Lands' Titles Commissioners may, after the publication of such advertisements as they may deem fit, direct the Recorder of Titles to bring any land under the Act, or may recommend the issue of a grant, upon the applicant proprietor contributing to the Assurance Fund in augmentation thereof such an additional sum of money as the Commissioners shall certify under the hand of their Chairman to be in their judgment a sufficient indemnity by reason of the non-production of any document affecting the title, or of the imperfect nature of the evidence of title, or against any uncertain or doubtful claim or demand arising upon the title.

*Caveats.*

Caveat may be lodged against report that applicant entitled to grant in equity and good conscience.

**21** In cases where applications of persons claiming to be entitled to grants from the Crown of any lands in equity and good conscience shall have been received by the Recorder of Titles, any person having or claiming any interest in any such land may, within such time, not being less than Thirty days, by any direction of the Lands Titles Commissioners for that purpose limited, lodge a caveat with the Recorder of Titles in the form A. in the Schedule hereto forbidding him to report to the Governor that the applicant is entitled in equity and good conscience to a grant of the said land ; and every such caveat shall particularise the estate, interest, lien, or charge claimed by the person lodging the same, and the provisions of Sections Twenty-three, Twenty-four, and One hundred and thirty of the Principal Act relating to caveats forbidding the bringing of land under the Act shall, *mutatis mutandis*, apply with respect to a caveat under this Section.

Supreme Court to decide caveats.

The Supreme Court of *Tasmania* in its claims to grants of land jurisdiction shall be a Court of competent jurisdiction to decide between the applicant and the caveator in all cases where caveats shall have been entered under the provisions of *The Real Property Act, No. 2*, or this Act.

26 Vict. No. 1.

Caveat may be lodged by judgment creditor.

**22** It shall be lawful for the judgment creditor of any person holding land under the Act to enter a caveat in the manner prescribed by section Eighty-two of the Principal Act, and the practice, procedure, and mode of dealing with such caveat shall in all respects be the same as if such judgment creditor claimed an estate or interest in such person's land within the meaning of that section ; and the Court or a Judge, in deciding on the validity or otherwise of such caveat, shall be guided by the ordinary rules of law and equity as to upholding or setting aside a judgment.

*Surrenders to the Queen.*

How land under the Act surrendered to the Queen.

**23** Land held under the Act shall be surrendered to Her Majesty the Queen by the form of Transfer prescribed by the Principal Act ; and the Recorder of Titles shall register the same in the usual way ; and such registration shall be deemed and taken to be an enrolment of record of such transfer, and the register book with the registration memorial of

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such transfer endorsed thereon and signed by the Recorder of Titles shall be sufficient evidence of a duly enrolled surrender to Her said Majesty of the land described in the folium whereon such memorial is endorsed. A.D. 1886.

*Extensions.*

**24** Any mortgage, encumbrance, or lease may be extended at any time by endorsing thereon the word "extended," which endorsement shall be signed by the respective parties to such mortgage, encumbrance, or lease, or their transferees, and attested. Extension of mortgages, &c.

**25** Such endorsement shall, when registered, have the effect of an extension for one year of the term limited by the mortgage, encumbrance, or lease, or by any previous extension, subject to the same terms and conditions, but words may be added extending the term for any other period and varying or altering the said terms and conditions; and every such extension shall have the same effect as if expressed in the original instrument, and the Recorder of Titles shall, upon production thereof to him, enter a memorial of such extension on the original certificate and on the original instrument filed in his office: Provided that no extension of a lease of land mortgaged or encumbered shall be binding upon the mortgagee or encumbrancee unless he shall have consented thereto in writing: Provided also that no extension of the first mortgage of land subject to other mortgage or mortgages where the terms or conditions of such first mortgage are varied or altered shall be binding upon the other mortgagee or mortgagees, unless such other mortgagee or mortgagees shall have consented thereto in writing. Effect and registration of extension.  
Extension of lease not to bind non-consenting mortgagees or encumbrances.  
Extension of first mortgage not to bind other mortgagees without consent.

*Easements.*

**26** Whenever any certificate of title, or any duplicate thereof, either already registered or issued, or hereafter to be registered or issued, under any of the provisions or otherwise under the operation of the Principal Act shall contain any statement to the effect that the person named in the certificate is entitled to any easement therein specified, such statement shall be received in all courts of law and equity as conclusive evidence that he is so entitled. Extension of Section 33 of 25 Vict. No. 16.

**27** Whenever any transfer or any such certificate of title as aforesaid shall contain the words "Together with a right of carriage way over \_\_\_\_\_," (specifying or describing the road or roads over which the easement is created, and referring to a diagram endorsed whereon such road or roads is or are distinguished by a green line), such words shall have the same effect and shall be construed as if there had been inserted in such transfer or certificate the words contained in the Schedule hereto, and marked B. Creation of right of way.

**28** Form C. of the Schedule to the Principal Act shall be deemed to extend to the setting forth of the easements mentioned in this Act. Reference to form of certificate.

*Witnesses.*

**29** Instruments executed pursuant to the provisions of the Principal Act, if attested by one witness, shall be held to be duly attested, and such witness may be:— Attestation of instruments.

Within the limits of *Tasmania*—

The Recorder of Titles or a Justice of the Peace, Notary Public, Solicitor of the Supreme Court, duly certificated Conveyancer,

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Clerk to a Solicitor or Conveyancer, Commissioner for taking Affidavits, Town Clerk, Council Clerk, Bank Manager, or Secretary or Manager of Building Society.

Without the limits of *Tasmania*—

Either a Notary Public or Commissioner for taking Affidavits, or else the Mayor or other Chief Officer of any City or Municipal Corporation within the United Kingdom of *Great Britain and Ireland*, or the Officer Administering the Government of, or the Judge of any Court of Record in, any *British Possession*, or the *British Consular Officer* (which expression shall include Consul-General, Consul, and Vice-Consul, and any person for the time being discharging the duties of Consul-General, Consul, or Vice-Consul), at any foreign place.

Proof of signature.

Such witness, whether within or without the limits of *Tasmania*, may also be any other person, but in such case he shall appear before one of the officers or persons aforesaid, who, after making due enquiries of such witness, shall endorse upon the instrument a certificate in the form C. in the Schedule hereto, and such certificate shall be deemed sufficient proof of the due execution of such instrument.

Schedule.

*Corporations, &c.*

Corporations may appoint person to sign certificate of correctness.  
25 Vict No. 16.

**30** It shall be lawful for a corporation aggregate to appoint, by writing, under the common seal of such corporation, any person on their behalf to sign the certificate of correctness for the purposes of *The Real Property Act* prescribed by Section One hundred and seven thereof; and if any such person shall falsely or negligently so certify he shall incur therefor a penalty not exceeding Fifty Pounds: Provided always, that such penalty shall not prevent the person who may have sustained any damage or loss in consequence of error or mistake in any such certified instrument or any duplicate thereof from recovering damages against the corporation on whose behalf the same shall have been certified.

Liquidator of company incorporated under 33 Vict. No. 22 may be registered proprietor of lands of company.

**31** Upon the winding up of any company incorporated under the provisions of *The Companies Act*, 1869, the liquidators shall be entitled to be registered as proprietors in respect of any land, estate, or interest of which the company was registered proprietor under the Act, and the Recorder of Titles, upon the receipt of a copy of the appointment of such liquidators, if appointed under a voluntary winding up, or an office copy of the order appointing such liquidators, if appointed by the Supreme Court of *Tasmania*, accompanied by an application in writing under their hands to be so registered in respect of such land, estate, or interest of such company, shall enter in the register-book, upon the folium constituted by the grant or certificate of title of such land, a memorial notifying the appointment of such liquidators, and upon such entry being made such liquidators shall be deemed and taken to be the registered proprietors of the estate or interest of such company in such land, and shall hold the same subject to the equities upon and subject to which the company held the same; but for the purposes of any dealings therewith under the Act, such liquidators shall be deemed to be absolute proprietors thereof: Provided always, that in the case of a voluntary winding up the said application shall be supported by such evidence of the said appointment having been legally made as the Recorder of Titles may deem necessary.



*Real Property.**Miscellaneous.*

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**32** Any lease or sub-lease produced for registration under the Principal Act may be in triplicate.

Leases &c. may be in triplicate.

**33** Notwithstanding anything to the contrary contained in the Principal Act, the following instruments, from and after the commencement of this Act, shall not be required to be in duplicate—

Certain instruments need not be in duplicate.

Transfers, other than transfers of easements-in-gross;

Surrenders of leases, except in cases where the lease shall have been registered in triplicate under the provisions of this Act;

Discharges of mortgages and encumbrances:

Provided, that if in any case any such surrender or discharge, as the case may be, shall be partial only, it shall not be lawful to endorse the same on the lease or memorandum of mortgage or of encumbrance, but every such surrender or discharge, as the case may be, shall be by an instrument in the form D. and E. in the Schedule hereto respectively, and the Recorder of Titles shall, on the production thereof, deal with any such surrender or discharge in all respects as if the same had been carried out by endorsement on the lease, mortgage, or encumbrance, as the case may be.

**34** It shall be lawful for a duly certificated Conveyancer to do and perform any of the acts which, under the Principal Act or this Act, it is competent for a solicitor to do and perform, and every such conveyancer shall be liable to incur penalties under the principal Act in the same manner in every respect as solicitors are now liable to incur the same thereunder.

Duly certificated conveyancers.

**35** Where, under the provisions of this Act, any person, instead of taking out a certificate of title in his own name, shall receive the grant or certificate with a memorial of the transfer or transmission endorsed thereon, every such person shall pay the fee for a new certificate specified in the Schedule to "The Real Property Act, No. 3," as if he had taken out a certificate of title in his own name.

Fee on certificate of title.

31 Vict. No. 17.

**36** All the words after the word "marriage" in the tenth line of Section Seventy-eight of *The Real Property Act* shall be and the same are hereby expunged from and after the commencement of this Act.

Amendment in Section 78 of 25 Vict. No. 16.

**37** So much of Section 87 of *The Real Property Act* as provides that tenants in common shall be bound to receive distinct certificates of title, Sections 96, 97, and 98 of the same Act, so much of Section 4 of *The Real Property Act, No. 2*, as provides that no application under that section from a married woman shall be received unless her husband shall consent in such application, Section 9 of the last-mentioned Act, and so much of Section 53 of *The Waste Lands Act* as provides that Crown Grants shall be enrolled and recorded in the Supreme Court of Tasmania, so far as the same section affects land to be dealt with under the Act, shall be and the same are hereby repealed.

Repeal.

**38** *The Real Property Act*, and every Act altering or amending the same, save so far as the same may be altered or amended by this Act, and this Act, shall be read and construed together as one Act.

Acts to be read together.

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*Real Property.*


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A.D. 1886.

**SCHEDULE.****A.****CAVEAT FORBIDDING REPORT TO GOVERNOR THAT APPLICANT ENTITLED TO GRANT.**

TAKE notice, that I, \_\_\_\_\_ claiming estate or interest [*here state the nature of the estate, &c. claimed, and the ground on which such claim is founded*] in land described as [*here state particulars of description from declaration of applicant*] in Notice dated the \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, advertising the same as land in respect of which a Grant will be issued, do hereby forbid you to report to the Governor that the Applicant is entitled in equity and good conscience to a Grant of the said land, and I hereby appoint \_\_\_\_\_ as the place at which notices relating hereto may be served.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_.

*To the Recorder of Titles of the Colony of Tasmania.*

**B.****CREATION OF RIGHT OF CARRIAGE WAY IN A TRANSFER OF FREEHOLD LAND.**

TOGETHER with full and free right and liberty to and for the transferee hereunder, and to and for the registered proprietor or proprietors for the time being of the land hereby transferred, or any part thereof, and his, her, and their tenants, servants, agents, workmen, and visitors to go, pass, and repass at all times hereafter and for all purposes, and either with or without horses or other animals, carts or other carriages, into and out of and from the said land, or any part thereof, through, over, and along the road or way, or several roads or ways, delineated and distinguished by a green line on the said diagram.

**C.****CERTIFICATE OF RECORDER OF TITLES, &c. TAKING DECLARATION OF ATTESTING WITNESS.**

APPEARED before me at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ One thousand eight hundred and \_\_\_\_\_ *C.D.*, the attesting witness to this instrument, and declared that he personally knew *A.B.*, the person signing the same, and whose signature the said *C.D.* attested, and that the name purporting to be the signature of the said *A.B.* is his own handwriting, and that he freely and voluntarily signed such instrument.

**D.****PARTIAL SURRENDER OF LEASE.**

I, *A.B.* of \_\_\_\_\_ being registered as the Proprietor of Lease No \_\_\_\_\_, having received this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, the sum of \_\_\_\_\_ hereby surrender the said Lease so far as the same relates to all that piece of land situated &c. \_\_\_\_\_ containing &c. [*Here describe land affected at length, or by reference to plan endorsed.*]

*Witness—*

*Lessee.*  
Accepted—  
*Lessor.*

**E.****PARTIAL DISCHARGE OF MORTGAGE.**

I, *A.B.* of \_\_\_\_\_ being registered as the Proprietor of Mortgage No. \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ have received this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_, the sum of \_\_\_\_\_ in full satisfaction and discharge of the said Mortgage, so far as the same relates to all that piece of land situated, &c., containing, &c. [*here describe land affected at length, or by reference to plan endorsed.*]

*Witness—*