

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 29 January, 1884.* }

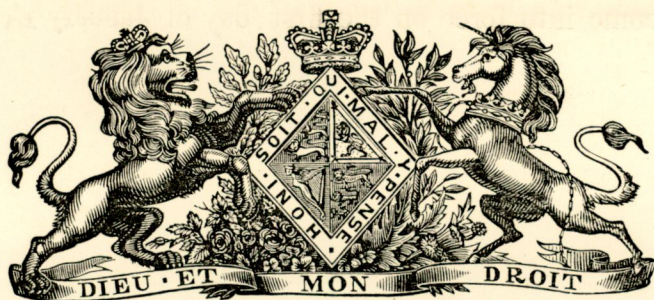
STEPHEN W. JONES,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, February, 1884.* }

Clerk of the Parliaments.

New South Wales.



ANNO QUADRAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. .

An Act to alter the Law respecting remedies for Trespass to Land.

WHEREAS it is desirable to discourage actions between neighbours Preamble.
for trifling and long past trespasses on land the title to which
is not in dispute Be it therefore enacted by the Queen's Most Excel-
lent Majesty by and with the advice and consent of the Legislative
5 Council and Legislative Assembly of New South Wales in Parliament
assembled and by the authority of the same as follows:—

1. This Act may be cited as the "Limitation of Actions for Short title.
Trespass Act of 1884."

2. In any action hereafter to be brought in respect of any Limitation of time
for actions if title
undisputed.
10 trespass to land committed after the passing of this Act the plaintiff's
title to or possession of which the defendant shall not by his defence
have disputed the plaintiff shall not recover any damages for any act
of trespass committed more than twelve months before the action shall
have been begun **Provided always that nothing hereinbefore contained**
15 **shall apply to any plaintiff who at the time when such act of trespass**
was committed was beyond seas or under any legal disability.

142—

3.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Limitation of Actions for Trespass.

3. When in any such action brought in the Supreme Court the defendant by his pleas shall have admitted the plaintiff's title to and possession of the land alleged to have been trespassed upon the plaintiff may begin his action *de novo* for not more than two hundred 5 pounds in the nearest District Court of the district in which the alleged trespasses have been committed which commencement of action in the District Court shall operate as a stay of proceedings in the Supreme Court action and in such District Court action the parties shall be bound by their pleadings in the Supreme Court action and all 10 the costs incurred in such Supreme Court action up to such admission shall be costs in the cause to abide the event of the trial in the District Court And in all such actions continued by the plaintiff in the Supreme Court after such admission as aforesaid the plaintiff shall if his verdict do not exceed two hundred pounds recover only the same 15 costs as he would have recovered in the District Court.

Re-commencement of Supreme Court actions in District Court on admission of title.

Otherwise no more costs than damages.

4. This Act shall come into force on the first day of January 1864. Act comes into force.
May next.



VICTORIA REGINA

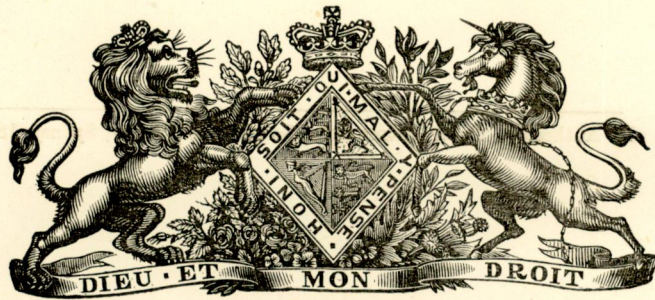
In Act to alter the Law respecting remedies for Trespass to Land.

WHEREAS it is desirable to determine the law in relation to trespass to land, and to amend the law in that behalf made by the Queen's Most Excellent Majesty in and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. The Act may be cited as the Limitation of Actions for Trespass Act of 1864.

2. It is not lawful for any person to be brought in respect of any trespass to land committed after the passing of this Act by the plaintiff, or to or possession of which the defendant shall not by his defence have departed the plaintiff shall not recover any damages for any act of trespass committed more than twelve months before the action shall have been begun. Provided always that nothing herein contained shall apply to any plaintiff who at the time when such act of trespass was committed was beyond seas or under any legal disability.

New South Wales.



ANNO QUADRAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. VII.

An Act to alter the Law respecting remedies for Trespass to Land. [Assented to, 31st March, 1884.]

WHEREAS it is desirable to discourage actions between neighbours for trifling and long past trespasses on land the title to which is not in dispute Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the "Limitation of Actions for Trespass Act of 1884."

2. In any action to be brought in respect of any trespass to land committed after the passing of this Act the plaintiff's title to or possession of which the defendant shall not by his defence have disputed the plaintiff shall not recover any damages for any act of trespass committed more than twelve months before the action shall have been begun Provided always that nothing hereinbefore contained shall apply to any plaintiff who at the time when such act of trespass was committed was beyond seas or under any legal disability.

3.

Limitation of Actions for Trespass.

Re-commencement of Supreme Court actions in District Court on admission of title.

3. When in any such action brought in the Supreme Court the defendant by his pleas shall have admitted the plaintiff's title to and possession of the land alleged to have been trespassed upon the plaintiff may begin his action *de novo* for not more than two hundred pounds in the nearest District Court of the district in which the alleged trespasses have been committed which commencement of action in the District Court shall operate as a stay of proceedings in the Supreme Court action and in such District Court action the parties shall be bound by their pleadings in the Supreme Court action and all the costs incurred in such Supreme Court action up to such admission shall be costs in the cause to abide the event of the trial in the District Court And in all such actions continued by the plaintiff in the Supreme Court after such admission as aforesaid the plaintiff shall if his verdict do not exceed two hundred pounds recover only the same costs as he would have recovered in the District Court.

Otherwise no more costs than damages.

Act comes into force.

4. This Act shall come into force on the first day of May next.

By Authority: THOMAS RICHARDS, Government Printer, Sydney, 1884.

[3d.]

