

A BILL

To declare that the Imperial Statute, 9th George the Third, chapter 16, commonly known as the Nullum Tempus Act, is not in force in New South Wales.

[MR. WANT;—6 November, 1895.]

- W**HEREAS by section twenty-four of an Act of the Imperial Legislature, intituled "*An Act to provide for the administration of justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof, and for other purposes relating thereto,*" being chapter eighty-three of the ninth year of the reign of King George the Fourth, it was enacted that all laws and statutes in force within the realm of England at the time of the passing of the said Act should (except as therein excepted) be applied in the administration of justice in the Courts of New South Wales and Van Diemen's Land respectively, so far as the same could be applied within the said Colonies, and that as often as any doubt should arise as to the application of any such laws or statutes in the said Colonies respectively, it should be lawful for the respective Legislatures of the said colonies to declare whether such laws or statutes should be deemed to extend to such colonies and to be in force within the same, with power to establish such limitations and modifications of any such laws and statutes as might be deemed expedient in that behalf. And whereas doubts have arisen as to the application in the Colony of New South Wales of the statute commonly known as the "Nullum Tempus Act," being chapter sixteen of the ninth year of the reign of King George the Third, and it is desirable that such doubts should be removed: 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. It is hereby declared and enacted that the statute commonly known as the "Nullum Tempus Act," being chapter sixteen of the ninth year of the reign of King George the Third, intituled "*An Act to amend and render more effectual an Act made in the twenty-first year of the reign of King James the First intituled 'An Act for the general quiet of the subjects against all pretences of concealment whatsoever,'*" shall not be deemed to extend to or be in force within the Colony of New South Wales, or to have at any time extended to or been in force within the same.
2. Nothing in this Act shall affect any right or title whether of the Crown or a subject which has been determined by any Court before the passing of this Act, and nothing in this Act shall have any application in respect of any suit, action, or other proceeding pending at the passing of this Act, or of any rehearing thereof or appeal therefrom.
3. This Act may be cited as the "Nullum Tempus Act Declaratory Act."
- Preamble.
- The Nullum Tempus Act declared not to extend to New South Wales.
- Saving of rights determined or pending.
- Short title.

To the Hon. the Secretary of the Treasury
Washington, D.C.

Dear Sir:

I have the honor to acknowledge the receipt of your letter of the 10th inst.

in relation to the proposed amendment to the Act of March 3, 1879.

The proposed amendment is in accordance with the provisions of the Act.

and it is believed that it will be found to be in accordance with the

policy of the Government in this respect.

I am, Sir, very respectfully,
Your obedient servant,

Wm. A. Rorer

Secretary of the Treasury

Washington, D.C.

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