ANNO DUODECIMO

VICTORIÆ REGINÆ.

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C A P. XXII.

An Act to remove Doubts concerning the Validity of certain Grants of Land in the Colony of *New South Wales*. [24th *May* 1849.]

WHEREAS by a Proclamation bearing Date the Eighth Day of *June* One thousand eight hundred and twenty-nine, made and published by his Excellency Lieutenant General *Ralph Darling*, then Captain General and Governor in Chief of the Colony of *New South Wales*, reciting that much Inconvenience had been occasioned by the Want of sufficient Titles for Allotments of Land in the Town of *Sydney*, and that such Titles had not been issued by the Government, except in a few Instances, since the Thirtieth Day of *June* One thousand eight hundred and twenty-three, in order to remedy the said Inconvenience, and to give the necessary Security to private Property, it was thereby ordained and proclaimed, that, on Application being made, a Grant in Fee Simple should be issued, under the Conditions in the said Proclamation specified, to every Person, or his lawful Representative, who on or before the said Thirtieth Day of *June* One thousand eight hundred and twenty-three was *bonâ fide* in possession, by Lease from the Government, whether such Lease was then expired or not, or by mere Right of Occupancy, of any Allotment of Land in the Town of *Sydney* which had not theretofore been alienated by the Crown, and not specified in

a certain Order of the Government bearing even Date with the said Proclamation Number Thirty, or otherwise notified theretofore as being required for public Purposes, reserving, however, and keeping harmless, all Rights of other private Individuals which might be lawfully established at any Time thereafter: And whereas since the issuing of the said Proclamation Grants in Fee Simple of Allotments of Land in *Sydney* which had been before leased by the Government have from Time to Time been made and issued to divers Persons claiming the said Land, under the Terms and Conditions set forth in the said Proclamation: And whereas at the Time of the making and issuing of divers of the said Grants Leases which had been issued by the Government of Lands comprised in such Grants were unexpired, and the said Leases were not surrendered nor cancelled, nor recited nor mentioned in the said Grants: And whereas Doubts have been entertained whether such Grants are valid; and it is expedient that such Doubts as aforesaid should be removed by Authority of Parliament: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Grants made and issued after the Date and Publication of the said Proclamation, and before the Seventeenth Day of *June* One thousand eight hundred and forty-eight, by or in the Name of the Governor or Person administering the Government of the said Colony for the Time being, or by or in the Name of either of Her Majesty's Predecessors King *George* the Fourth and King *William* the Fourth, or by or in the Name of Her Majesty, of any Lands situated in *Sydney*, shall (notwithstanding that the Leases which had been issued of the same Lands were at the Time of the making and issuing of such Grants unexpired, and that such Leases were not recited in the said Grants,) be and be deemed and taken to have been from the respective Dates thereof as valid and effectual in the Law to grant and convey such Lands to all Intents and Purposes as if such Leases had been recited and set forth in such Grants.

Grants of Lands in Sydney confirmed.

II. Provided always, and be it enacted, That nothing in this Act contained shall be deemed or taken to affect or prejudice the Rights of any Person or Persons to any Lands or Hereditaments which have been erroneously or wrongfully granted to any Grantee thereof, contrary to the true Intent and Meaning of the said Proclamation, anything in any such Grant or in this Act to the contrary notwithstanding.

Saving as to Lands erroneously granted.

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Printers to the Queen's most Excellent Majesty. 1849.