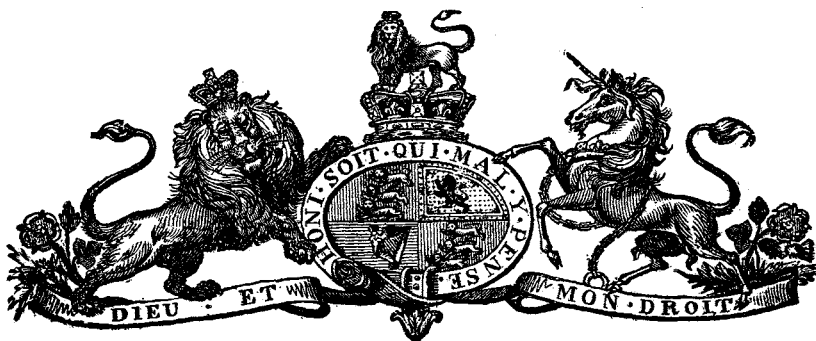


T A S M A N I A.



1856-7.

ANNO VICESIMO

Repealed by 1 Geo V. 20.

VICTORIÆ REGINÆ,

English
No. 24.
546 A. c. 69

AN ACT for perpetuating Testimony in certain Cases.

[5 June, 1857.]

[546 Vic. c. 69.]

WHEREAS it is expedient to extend the means of perpetuating Testimony in certain Cases: 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:—

PREAMBLE.

1 Any person who would, under the circumstances alleged by him to exist, become entitled upon the happening of any future event to any Estate or Interest in any property Real or Personal, the Right or Claim to which cannot by him be brought to Trial before the happening of such event, shall be entitled from and after the passing of this Act, and whether all or any of the circumstances which would entitle any such person may have occurred previously to the passing of this Act, to file a Bill in the Supreme Court of *Tasmania* to perpetuate any Testimony which may be material for establishing such Claim or Right; and all Laws, Rules, and Regulations not contrary to the provisions of this Act now in force or in use in Suits to perpetuate Testimony, or respecting Depositions taken in such Suits, or the

Bills to perpetuate Testimony may be filed by Persons claiming any interest contingent on a future event.

punishment of Perjury committed in making such Depositions, shall be in force and used and applied in all Suits to be instituted under the authority of this Act, and in respect to Depositions taken on such Suits.

Attorney-General
to be party where
Queen interested.

2 In all Suits which may be so instituted under the authority of this Act touching any matter or thing in which Her Majesty, Her Heirs and Successors, may have any estate or interest, it shall be lawful to make the Attorney-General for the time being a Party Defendant thereto; and in all proceedings in which the Depositions taken in any such Suit in which the Attorney-General for the time being was so made a Defendant may be offered in evidence, such Depositions may be admissible, notwithstanding any objection to such Depositions upon the ground that Her Majesty, Her Heirs or Successors, were not parties to the Suit in which such Depositions were taken.