

THE SUCCESSION ACT DECLARATORY ACT OF 1884⁽¹⁾ (QUEENSLAND, ADOPTED) IN ITS APPLICATION TO THE TERRITORY OF PAPUA.

An Act to Explain certain Provisions of the "Succession Act of 1867."

WHEREAS doubts have arisen whether the provisions of the seventh section of the Act of the first year of King James the Second, entitled "*An Act for reviving and continuance of several Acts of Parliament therein mentioned,*" have been repealed by the "*Succession Act of 1867,*" and it is expedient to remove such doubts: Preamble.

Be it therefore declared and enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. The provisions of the seventh section of the said first-mentioned Act are, and have always been in force in the Colony of Queensland, so that if after the death of a father any of his children shall die, or shall have died intestate, without wife and children, in the lifetime of the mother, every brother and sister, and the representatives of them, shall have, and shall be deemed to have had an equal share with her in the surplusage of the estate of such intestate: 7th section
1 Jas. 2 c.
17 in force.

Provided always that nothing herein contained shall of itself invalidate or disturb the distribution of the estate of any intestate person heretofore made upon the assumption that the mother was entitled to the whole of the surplusage thereof.⁽²⁾

2. This Act may be cited as "*The Succession Act Declaratory Act of 1884.*"⁽¹⁾ Short title.

(1) Particulars of this Act are set out in the following Table:—

ACT OF THE STATE OF QUEENSLAND.

Citation of Act.	Ordinance by which adopted.	Date on which adoption took effect.
<i>The Succession Act Declaratory Act of 1884</i> (48 Vic. No. 11) (a)	<i>The Courts and Laws Adopting Ordinance (Amended) of 1889</i> (No. 6 of 1889)	23.11.1889 (Supplement to British N.G. Govt. Gaz. of 23.11.1889)

(a) Continued in force in the Territory of Papua by Section 6(1) of the *Papua Act 1905*.

(2) See also Sections 29-31 of the *Succession Act of 1867* (Queensland, adopted), printed on p. 4336.

WILLS AND INTESTACY—