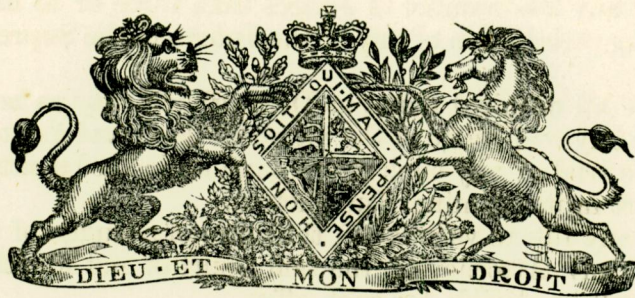


*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber,  
Sydney, 19 March, 1879.* }

STEPHEN W. JONES,  
*Clerk of Legislative Assembly.*

## New South Wales.



ANNO QUADRAGESIMO SECUNDO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

No. .

An Act to provide for the Appointment of an Additional Judge of the Supreme Court.

**W**HEREAS it has become necessary to make such further provision Preamble.  
for the Administration of Justice in the Supreme and Circuit  
Courts as may ensure the more speedy and effective disposal of the  
increased Circuit and other Judicial business devolving upon the Judges  
5 of the Supreme Court in its several jurisdictions 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 :—

10 1. It shall be lawful for the Governor with the advice of the  
Executive Council by Commission under the Great Seal of the Colony  
to appoint in Her Majesty's name a Barrister of England Ireland or of  
this Colony of not less than five years standing or an Attorney of the  
Supreme Court of the said Colony of not less than ten years standing  
15 to be a Judge of the Supreme Court in addition to the present Chief  
Justice and the three puisne Judges of the said Court.

Power to appoint a  
fifth Judge of the  
Supreme Court.

*Supreme Court (Additional Judge).*

2. The Judge so to be appointed shall from the date of his Commission hold his office as a Judge of the Supreme Court for all purposes whatsoever and with the like tenure of office as any other Judge of the said Court and shall be liable to removal from his office  
 5 only in such manner and on such grounds as the present Judges of the said Court are by law liable to removal therefrom.

Tenure of office of  
such fifth Judge.

3. The Judge so to be appointed shall be paid a yearly salary of two thousand pounds which salary shall be secured and be payable in like manner as the salaries of the present Judges of the Supreme  
 10 Court are secured and made payable And such Judge shall be entitled to a pension upon his retirement of the same amount and upon the same conditions as are respectively provided by law in case of the retirement of any of the present puisne Judges of the said Court.

His salary and  
pension.

4. The Supreme Court shall for the purpose of hearing Equity  
 15 Appeals as well as for all other purposes be lawfully constituted by the presence in Court of at least any three Judges of the said Court Provided that nothing herein shall take away any power to hear and determine any matter in the Common Law or Ecclesiastical Jurisdiction of the said Court or in Lunacy or Insolvency which by any existing  
 20 law may be heard by any less number of Judges than three or to alter or abridge any existing jurisdiction of any of the Judges of the Supreme Court.

Provision declaratory  
of the constitution  
of Supreme Court.

5. The trial of all criminal issues at Darlinghurst may as here-  
 tofore be held before any one Judge of the Supreme Court and a sitting  
 25 of such Judge for the trial of any such issues shall be deemed a sitting of the Supreme Court in its Criminal Jurisdiction.

Provision as to trial  
of criminal issues at  
Darlinghurst.

6. In case of any future vacancy in the office of a Judge of the  
 said Supreme Court any Attorney of the said Court of not less than  
 ten years standing shall be eligible for such office.

Appointment of  
future Judges.

30 7. This Act may be cited for all purposes as the "Supreme  
 Court (Additional Judge) Act of 1879."

Short title.

. SUPREME COURT (ADDITIONAL JUDGE) BILL.

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*SCHEDULE of the Amendments referred to in Message of 2nd April, 1879.*

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- Page 1, clause 1, lines 13, 14. *Omit* "or an attorney of the Supreme Court of the  
"said Colony of not less than ten years standing"
- „ 2, clause 5, line 24. *After* "Court" *insert* "And for the purposes of any such  
"trial and of the judgment to be given thereupon the Judge so sitting  
"shall have all the powers of the full Court and may pronounce or  
"record sentence of death in cases of murder as in any other capital  
"case and the same powers shall be deemed to have been vested in  
"every Judge heretofore so sitting"
- „ clause 5, line 31. *After* "Jurisdiction" *add* "Provided that nothing in this  
"section shall prevent the reservation of any point or points of law  
"arising on any such trial or affect the provisions of any Act respecting  
"the statement of a case by any such Judge for the opinion and the  
"decision of the Court"
- „ clause 6. *Omit* clause 6.
-

THE UNITED STATES OF AMERICA

IN SENATE

CONFIRMATION OF APPOINTMENT

OF

THE

MEMBER OF THE

COURT OF APPEALS

FOR THE

SEVENTH CIRCUIT

AND

THE

MEMBER OF THE

COURT OF APPEALS

FOR THE

NINTH CIRCUIT

*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, 19 March, 1879.* }

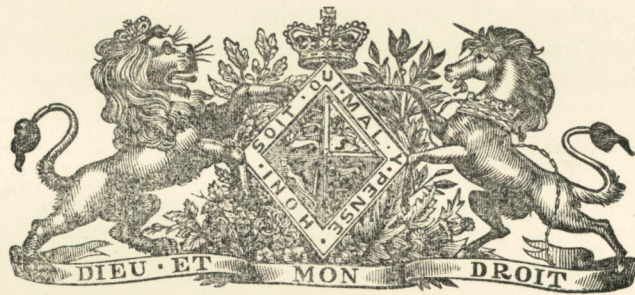
STEPHEN W. JONES,  
*Clerk of Legislative Assembly.*

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

*Legislative Council Chamber,  
Sydney, 2nd April, 1879.* }

JOHN J. CALVERT,  
*Clerk of the Parliaments.*

## New South Wales.



ANNO QUADRAGESIMO SECUNDO

# VICTORIÆ REGINÆ.

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No. .

An Act to provide for the Appointment of an Additional Judge  
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**W**HEREAS it has become necessary to make such further provision Preamble.  
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5 of the Supreme Court in its several jurisdictions 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:—

10 1. It shall be lawful for the Governor with the advice of the  
Executive Council by Commission under the Great Seal of the Colony Power to appoint a  
fifth Judge of the  
Supreme Court.  
to appoint in Her Majesty's name a Barrister of England Ireland or of  
this Colony of not less than five years standing ~~or an Attorney of the~~  
~~Supreme Court of the said Colony of not less than ten years standing~~  
15 to be a Judge of the Supreme Court in addition to the present Chief  
Justice and the three puisne Judges of the said Court.

517—

2.

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

*Supreme Court (Additional Judge).*

2. The Judge so to be appointed shall from the date of his Commission hold his office as a Judge of the Supreme Court for all purposes whatsoever and with the like tenure of office as any other Judge of the said Court and shall be liable to removal from his office <sup>Tenure of office of such fifth Judge.</sup>
- 5 only in such manner and on such grounds as the present Judges of the said Court are by law liable to removal therefrom.
3. The Judge so to be appointed shall be paid a yearly salary of two thousand pounds which salary shall be secured and be payable in like manner as the salaries of the present Judges of the Supreme <sup>His salary and pension.</sup>
- 10 Court are secured and made payable And such Judge shall be entitled to a pension upon his retirement of the same amount and upon the same conditions as are respectively provided by law in case of the retirement of any of the present puisne Judges of the said Court.
4. The Supreme Court shall for the purpose of hearing Equity <sup>Provision declaratory of the constitution of Supreme Court.</sup>
- 15 Appeals as well as for all other purposes be lawfully constituted by the presence in Court of at least any three Judges of the said Court Provided that nothing herein shall take away any power to hear and determine any matter in the Common Law or Ecclesiastical Jurisdiction of the said Court or in Lunacy or Insolvency which by any existing
- 20 law may be heard by any less number of Judges than three or to alter or abridge any existing jurisdiction of any of the Judges of the Supreme Court.
5. The trial of all criminal issues at Darlinghurst may as heretofore be held before any one Judge of the Supreme Court <sup>Provision as to trial of criminal issues at Darlinghurst.</sup> And for
- 25 the purposes of any such trial and of the judgment to be given thereupon the Judge so sitting shall have all the powers of the full Court and may pronounce or record sentence of death in cases of murder as in any other capital case and the same powers shall be deemed to have been vested in every Judge heretofore so sitting and a sitting
- 30 of such Judge for the trial of any such issues shall be deemed a sitting of the Supreme Court in its Criminal Jurisdiction Provided that nothing in this section shall prevent the reservation of any point or points of law arising on any such trial or affect the provisions of any Act respecting the statement of a case by any such Judge for the
- 35 opinion and the decision of the Court.
6. In case of any future vacancy in the office of a Judge of the <sup>Appointment of future Judges.</sup> said Supreme Court any Attorney of the said Court of not less than ten years standing shall be eligible for such office.
7. 6. This Act may be cited for all purposes as the "Supreme <sup>Short title.</sup> Court (Additional Judge) Act of 1879."
- 40