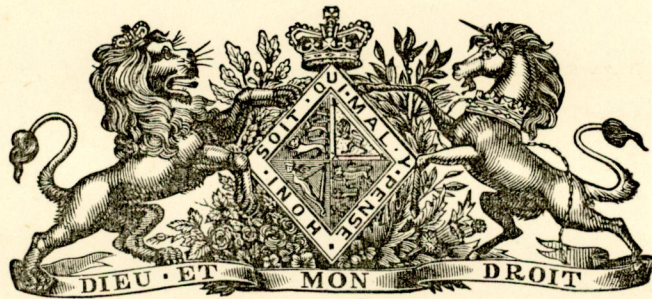


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 18 June, 1884. }*

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUADRAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. .

An Act to regulate Appeals to and the Constitution of the
Supreme Court sitting in Banco.

WHEREAS it is expedient to make provision for the better Preamble.
regulation of the constitution of the Full Court sitting in
Banco and whereas also it is inexpedient that a Judge of the Supreme
Court should take part in the hearing of an appeal from his own
5 decision or in the hearing of any matter arising out of any cause or
matter in which he may have sat as Judge and coming before the Full
Court on motion or otherwise 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
10 Parliament assembled and by the authority of the same as follows:—

1. That from and after the passing of this Act no Judge of the
Supreme Court shall sit as a Judge on the hearing of an appeal from
any judgment rule order decree ruling or decision made by himself or
on the hearing of any motion for a new trial of any cause or matter
15 tried before himself in which a verdict has been found by a jury or in
which a verdict has been found by the said Judge without a jury or on
the

No Judge to sit on an
appeal from his own
judgment.

Supreme Court Appellate Jurisdiction.

the hearing of any motion in arrest of judgment or to enter judgment *non obstante veredicto* or to enter a verdict for plaintiff or defendant or to enter a non-suit or to reduce damages in any cause or matter which may have been tried before the said Judge.

5 2. That the Full Court on the hearing of any such appeal or motion shall consist of three Judges of the Supreme Court. Full Court to consist of three Judges.

3. That the Court may make such rules and regulations for the more effectual carrying out of the objects of this Act as it may from time to time consider expedient. Court to have power to make rules.

10 4. This Act may be cited as the "Supreme Court Appellate Jurisdiction Act of 1884." Short title.

[3d.]

Sydney: Thomas Richards, Government Printer.—1884.

SUPREME COURT APPELLATE JURISDICTION BILL.

SCHEDULE of the Amendments referred to in Message of 12th August, 1884.

- Page 1, Preamble, lines 1 to 7. *Omit* "Whereas it is expedient to make provision for
"the better regulation of the constitution of the Full Court sitting in Banco
"and whereas also it is inexpedient that a Judge of the Supreme Court should
"take part in the hearing of an appeal from his own decision or in the hearing
"of any matter arising out of any cause or matter in which he may have sat
"as Judge and coming before the Full Court on motion or otherwise"
- „ Preamble, line 7. *Omit* "therefore"
- „ clause 1, line 11. *Omit* "That from and after the passing of this Act"
- „ clause 1, line 12. *Omit* "as a Judge"
- „ clause 1, line 13. *After* "from" *insert* "or on a motion to set aside"
- „ clause 1, line 13. *Omit* "rule"
- „ clause 1, line 14. *After* "him" *omit* remainder of clause.
- Page 2, clause 2, line 6. *Omit* "That"
- „ clause 2, line 6. *Omit* "Full"
- „ clause 2, line 7. *Omit* "of the Supreme Court"
- „ clause 3. *Omit* clause 3, *insert* new clause 3.
- „ clause 4. *Omit* clause 4.
-

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, 18 June, 1884. }*

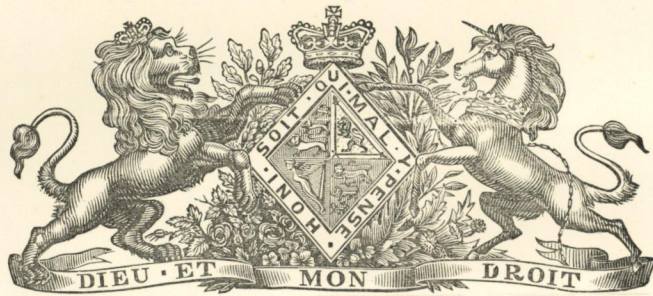
STEPHEN W. JONES,
Clerk of Legislative Assembly.

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

*Legislative Council Chamber,
Sydney, 12th August, 1884. }*

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO QUADRAGESIMO OCTAVO

VICTORIÆ REGINÆ.

No. .

An Act to regulate Appeals to and the Constitution of the Supreme Court sitting in Banco.

WHEREAS it is expedient to make provision for the better regulation of the constitution of the Full Court sitting in Banco and whereas also it is inexpedient that a Judge of the Supreme Court should take part in the hearing of an appeal from his own decision or in the hearing of any matter arising out of any cause or matter in which he may have sat as Judge and coming before the Full Court on motion or otherwise 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. That from and after the passing of this Act No Judge of the Supreme Court shall sit as a Judge on the hearing of an appeal from or on a motion to set aside any judgment rule order decree ruling or decision made by himself or on the hearing of any motion for a new trial of any cause or matter tried before himself in which a verdict has been found by a jury or in which a verdict has been found by the said

Preamble.

No Judge to sit on an appeal from his own judgment.

Supreme Court Appellate Jurisdiction.

said Judge without a jury or on the hearing of any motion in arrest of judgment or to enter judgment *non obstante veredicto* or to enter a verdict for plaintiff or defendant or to enter a non-suit or to reduce damages in any cause or matter which may have been tried before the said Judge.

2. That The Full Court on the hearing of any such appeal or motion shall consist of three Judges of the Supreme Court. Full Court to consist of three Judges.

3. That the Court may make such rules and regulations for the more effectual carrying out of the objects of this Act as it may from time to time consider expedient. Court to have power to make rules.

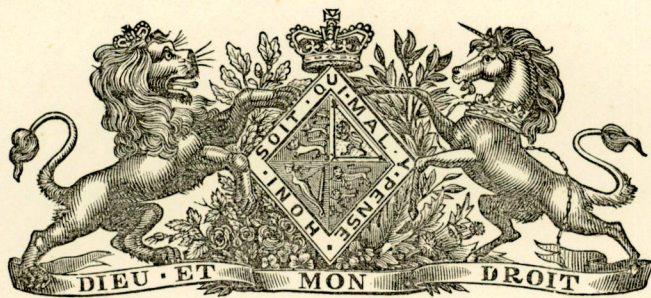
3. Provided always that this Act shall not apply to any judgment order decree or ruling pronounced or made pro forma by consent of parties nor to any motion for a rule nisi only nor to the hearing of an appeal or motion before two Judges only where the parties consent thereto. Proviso as to certain rules &c.

4. This Act may be cited as the "Supreme Court Appellate Jurisdiction Act of 1884." Short title.

Sydney: Thomas Richards, Government Printer.—1884.

[3d.]

New South Wales.



ANNO QUADRAGESIMO OCTAVO

VICTORIÆ REGINÆ.

No. XIII.

An Act to regulate Appeals to and the Constitution of the Supreme Court sitting in Banco. [Assented to, 29th August, 1884.]

BE it 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. No Judge of the Supreme Court shall sit on the hearing of an appeal from or on a motion to set aside any judgment order decree ruling or decision made by him. No Judge to sit on an appeal from his own judgment.
2. The Court on the hearing of any such appeal or motion shall consist of three Judges. Court to consist of three Judges.
3. Provided always that this Act shall not apply to any judgment order decree or ruling pronounced or made *pro formâ* by consent of parties nor to any motion for a rule *nisi* only nor to the hearing of an appeal or motion before two Judges only where the parties consent thereto. Proviso as to certain rules &c.

By Authority : THOMAS RICHARDS, Government Printer, Sydney, 1884.

THE
VICTORIA MEMORIAL

By the Hon. the Secretary of the War Office
and the Hon. the Secretary of the Admiralty
in answer to a Resolution of the House of Commons
passed on the 11th July 1884