

A BILL

To validate certain Grants of Probates and Letters of Administration heretofore made and to amend the "*Equity and Banco Business Expediting Act*" (22 Vic. No. 14) in certain particulars.

[MR. DALLEY;—11 April, 1883.]

WHEREAS it is provided by the Act twenty-second Victoria number fourteen intituled the "*Equity and Banco Business Expediting Act*" that the Supreme Court may be holden before and by the Primary Judge in Equity for the granting of probates and letters of administration or letters *ad colligendum* and for the disposal of all motions and matters in relation thereto. And whereas the said Act contains no provision that in case of the absence from Sydney or illness of the Primary Judge in Equity or that in case there should be no Judge holding such office the said Court may be holden for the purposes aforesaid before any of the other Judges thereof. And whereas from time to time during such absence from Sydney or illness of the Primary Judge in Equity and at times when there was no Judge holding such office grants of probates and of letters of administration and *ad colligendum* have heretofore been made by the other Judges of the said Court sitting alone. And whereas doubts have arisen as to the validity of such grants. And whereas it is expedient to render the same valid and effectual and to make provision for the granting of probates and letters of administration and *ad colligendum* in the absence from Sydney or illness of the Primary Judge in Equity or when no Judge holds such office. 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. All grants of probates and letters of administration and *ad colligendum* heretofore made during the absence from Sydney or illness of the Primary Judge in Equity or when no Judge held such office shall be held to have been as valid and effectual to all intents and purposes as if the same had been granted by the Primary Judge in Equity.

2. In case of the absence from Sydney or illness of the Primary Judge in Equity or in case there should be no Judge holding such office the Supreme Court may be holden before and by any of the other Judges thereof sitting alone for the granting of probates and letters of administration or letters *ad colligendum* and for the disposal of all motions and matters in relation thereto.

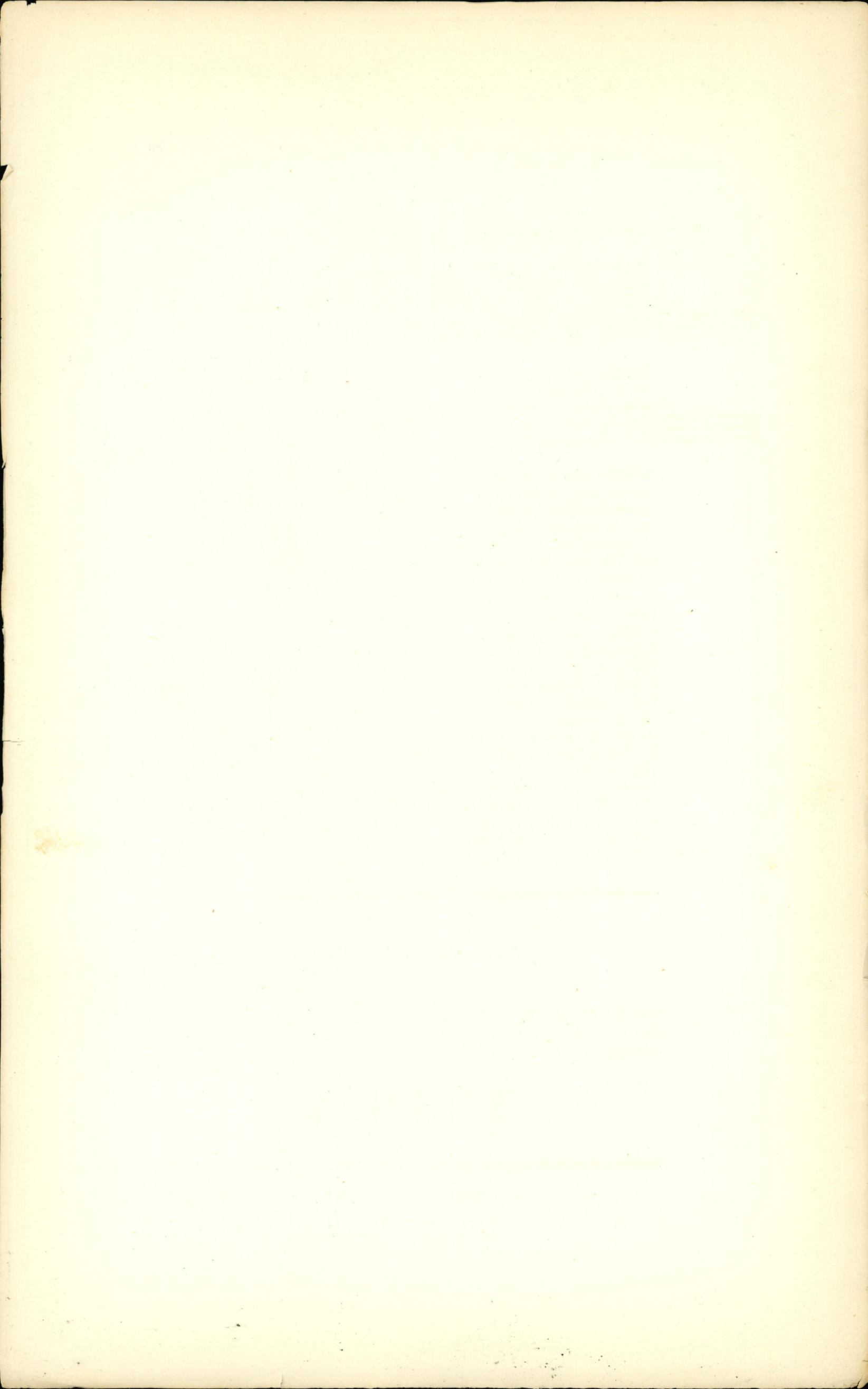
3. This Act may be cited as the "*Ecclesiastical Procedure Act* 1883."

Preamble.

Validation of certain grants of probate and letters of administration.

Provision for the granting of probates and letters in certain cases.

Short title.



ECCLESIASTICAL PROCEDURE BILL.

SCHEDULE of the Amendment referred to in Message of 20th April, 1883.

STEPHEN W. JONES,
Clerk of the Legislative Assembly.

Page 2, clause 2, line 21. *Add* to clause “**And such Judge may grant such probates
“ or letters of administration or letters ad colligendum and entertain
“ all motions in relation thereto in Chambers as well as in Court.”**

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

*Legislative Council Chamber,
Sydney, 17th April, 1883. }*

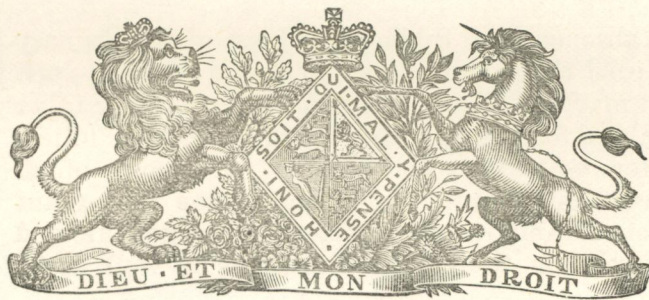
ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with an Amendment.

*Legislative Assembly Chamber,
Sydney, 20 April, 1883. }*

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUADRAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act to validate certain Grants of Probates and Letters of Administration heretofore made and to amend the "*Equity and Banco Business Expediting Act*" (22 Vic. No. 14) in certain particulars.

WHEREAS it is provided by the Act twenty-second Victoria Preamble.
number fourteen intituled the "*Equity and Banco Business Expediting Act*" that the Supreme Court may be holden before and by the Primary Judge in Equity for the granting of probates and letters of administration or letters *ad colligendum* and for the disposal of all motions and matters in relation thereto And whereas the said Act contains no provision that in case of the absence from Sydney or illness of the Primary Judge in Equity or that in case there should be no Judge holding such office the said Court may be holden for the purposes aforesaid before any of the other Judges thereof And whereas from time to time during such absence from Sydney or illness of the Primary Judge in Equity and at times when there was no Judge holding such office grants of probates and of letters of administration and *ad colligendum* have heretofore been made by the other Judges of the said Court sitting alone And whereas doubts have arisen as to

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NOTE.—The words to be *inserted* are printed in black letter.

Ecclesiastical Procedure.

the validity of such grants And whereas it is expedient to render the same valid and effectual and to make provision for the granting of probates and letters of administration and *ad colligendum* in the absence from Sydney or illness of the Primary Judge in Equity or
 5 when no Judge holds such office 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. All grants of probates and letters of administration and *ad colligendum* heretofore made during the absence from Sydney or illness of the Primary Judge in Equity or when no Judge held
 15 such office shall be held to have been as valid and effectual to all intents and purposes as if the same had been granted by the Primary Judge in Equity.
2. In case of the absence from Sydney or illness of the Primary Judge in Equity or in case there should be no Judge holding such
 20 office the Supreme Court may be holden before and by any of the other Judges thereof sitting alone for the granting of probates and letters of administration or letters *ad colligendum* and for the disposal of all motions and matters in relation thereto And such Judge may grant
 25 such probates or letters of administration or letters *ad colligendum* and entertain all motions in relation thereto in Chambers as well as in Court.
3. This Act may be cited as the "Ecclesiastical Procedure Act
 1883."

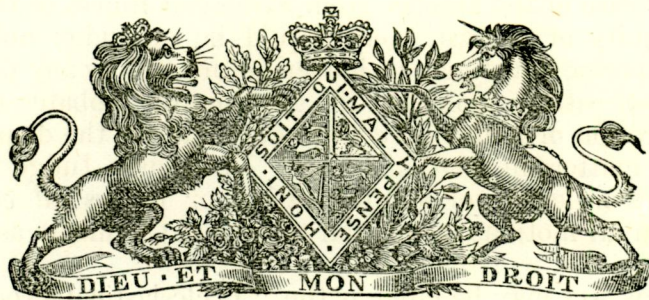
Validation of certain grants of probate and letters of administration.

Provision for the granting of probates and letters in certain cases.

Short title.

[3d.]

New South Wales.



ANNO QUADRAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. XXI.

An Act to validate certain Grants of Probates and Letters of Administration heretofore made and to amend the "*Equity and Banco Business Expediting Act*" (22 Vic. No. 14) in certain particulars. [Assented to, 27th April, 1883.]

WHEREAS it is provided by the Act twenty-second Victoria Preamble. number fourteen intituled the "*Equity and Banco Business Expediting Act*" that the Supreme Court may be holden before and by the Primary Judge in Equity for the granting of probates and letters of administration or letters *ad colligendum* and for the disposal of all motions and matters in relation thereto And whereas the said Act contains no provision that in case of the absence from Sydney or illness of the Primary Judge in Equity or that in case there should be no Judge holding such office the said Court may be holden for the purposes aforesaid before any of the other Judges thereof And whereas from time to time during such absence from Sydney or illness of the Primary Judge in Equity and at times when there was no Judge holding such office grants of probates and of letters of administration and *ad colligendum* have heretofore been made by the other Judges of the said Court sitting alone And whereas doubts have arisen as to the
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Ecclesiastical Procedure.

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Validation of certain grants of probate and letters of administration.

1. All grants of probates and letters of administration and *ad colligendum* heretofore made during the absence from Sydney or illness of the Primary Judge in Equity or when no Judge held such office shall be held to have been as valid and effectual to all intents and purposes as if the same had been granted by the Primary Judge in Equity.

Provision for the granting of probates and letters in certain cases.

2. In case of the absence from Sydney or illness of the Primary Judge in Equity or in case there should be no Judge holding such office the Supreme Court may be holden before and by any of the other Judges thereof sitting alone for the granting of probates and letters of administration or letters *ad colligendum* and for the disposal of all motions and matters in relation thereto And such Judge may grant such probates or letters of administration or letters *ad colligendum* and entertain all motions in relation thereto in Chambers as well as in Court.

Short title.

3. This Act may be cited as the "Ecclesiastical Procedure Act 1883."

By Authority: THOMAS RICHARDS, Government Printer, Sydney, 1883.

[3d.]