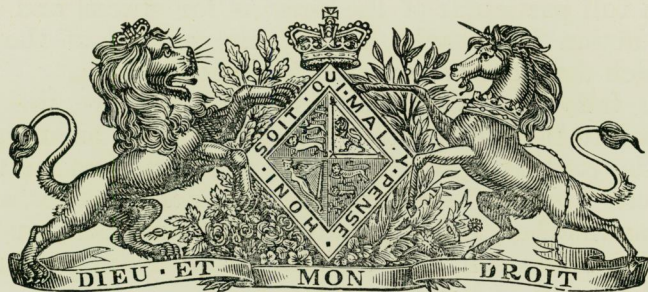


New South Wales.



ANNO SEXAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. XXXI. (A.D. 1897.)

An Act to consolidate enactments relating to compensation to relatives of persons killed by accidents. [Assented to, 6th December, 1897.]

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. This Act may be cited as the "Compensation to Relatives Act of 1897." Short title.

2. The enactments mentioned in the Schedule to this Act to the extent therein expressed are hereby repealed. Repeal. Schedule.

3. Whensoever the death of a person is caused by a wrongful act, neglect, or default, and the act, neglect, or default is such as would (if death had not ensued) have entitled the party injured to maintain an action and recover damages in respect thereof, then and in every such case the person who would have been liable if death had not ensued shall be liable to an action for damages, notwithstanding the death of the person injured, and although the death has been caused under such circumstances as amount in law to felony. An action to be maintainable against any person causing death through neglect, &c., notwithstanding the death of the person injured. 11 Vic. No. 32, s. 1.

Compensation to Relatives.

Action to be for the benefit of certain relations, and shall be brought by and in the name of executor or administrator of the deceased.

Ibid. s. 2.

Only one action shall lie and to be commenced within twelve months.

Ibid. s. 3.

Plaintiff to deliver a full particular of the person for whom such damages shall be claimed.

Ibid. s. 4.

Construction of Act.

Ibid. s. 5.

4. Every such action shall be for the benefit of the wife, husband, parent, and child of the person whose death has been so caused, and shall be brought by and in the name of the executor or administrator of the person deceased, and in every such action the jury may give such damages as they may think proportioned to the injury resulting from such death to the parties respectively for whom and for whose benefit such action is brought, and the amount so recovered, after deducting the costs not recovered from the defendant, shall be divided amongst the before-mentioned parties in such shares as the jury by their verdict find and direct.

5. Not more than one action shall lie for and in respect of the same subject matter of complaint, and every such action shall be commenced within twelve months after the death of such deceased person.

6. In every such action the plaintiff on the record shall be required, together with the declaration, to deliver to the defendant or his attorney a full particular of the persons for whom and on whose behalf such action is brought, and of the nature of the claim in respect of which damages are sought to be recovered.

7. The following words are intended to have the meanings hereby assigned to them respectively, so far as such meanings are not excluded by the context or by the nature of the subject matter, that is to say, the word "parent" shall include father and mother, and grandfather and grandmother, and stepfather and stepmother; and the word "child" shall include son and daughter, and grandson and granddaughter, and stepson and stepdaughter.

SCHEDULE.

Reference to Act.	Title of Act.	Extent of Repeal.
11 Vic. No. 32 ...	An Act for compensating the families of persons killed by accidents.	The whole.

By Authority: WILLIAM APPELATE GULLICK, Government Printer, Sydney, 1897.

[3d.]

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Council Chamber,
Sydney, 30th November, 1897.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SEXAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. XXXI. (A.D. 1897.)

An Act to consolidate enactments relating to compensation to relatives of persons killed by accidents. [Assented to, 6th December, 1897.]

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. This Act may be cited as the "Compensation to Relatives Short title.
Act of 1897."

2. The enactments mentioned in the Schedule to this Act to the Repeal.
Schedule.
extent therein expressed are hereby repealed.

3. Whensoever the death of a person is caused by a wrongful An action to be
act, neglect, or default, and the act, neglect, or default is such as maintainable against
would (if death had not ensued) have entitled the party injured to any person causing
maintain an action and recover damages in respect thereof, then and death through
in every such case the person who would have been liable if death had neglect, &c.,
not ensued shall be liable to an action for damages, notwithstanding notwithstanding the
the death of the person injured, and although the death has been death of the person
caused under such circumstances as amount in law to felony. injured.
11 Vic. No. 32, s. 1.

Compensation to Relatives.

Action to be for the benefit of certain relations, and shall be brought by and in the name of executor or administrator of the deceased.

Ibid. s. 2.

Only one action shall lie and to be commenced within twelve months.

Ibid. s. 3.

Plaintiff to deliver a full particular of the person for whom such damages shall be claimed.

Ibid. s. 4.

Construction of Act.

Ibid. s. 5.

4. Every such action shall be for the benefit of the wife, husband, parent, and child of the person whose death has been so caused, and shall be brought by and in the name of the executor or administrator of the person deceased, and in every such action the jury may give such damages as they may think proportioned to the injury resulting from such death to the parties respectively for whom and for whose benefit such action is brought, and the amount so recovered, after deducting the costs not recovered from the defendant, shall be divided amongst the before-mentioned parties in such shares as the jury by their verdict find and direct.

5. Not more than one action shall lie for and in respect of the same subject matter of complaint, and every such action shall be commenced within twelve months after the death of such deceased person.

6. In every such action the plaintiff on the record shall be required, together with the declaration, to deliver to the defendant or his attorney a full particular of the persons for whom and on whose behalf such action is brought, and of the nature of the claim in respect of which damages are sought to be recovered.

7. The following words are intended to have the meanings hereby assigned to them respectively, so far as such meanings are not excluded by the context or by the nature of the subject matter, that is to say, the word "parent" shall include father and mother, and grandfather and grandmother, and stepfather and stepmother; and the word "child" shall include son and daughter, and grandson and granddaughter, and stepson and stepdaughter.

SCHEDULE.

Reference to Act.	Title of Act.	Extent of Repeal.
11 Vic. No. 32 ...	An Act for compensating the families of persons killed by accidents.	The whole.

In the name and on the behalf of Her Majesty I assent to this Act.

Government House.
Sydney, 6th December, 1897.

FREDK. M. DARLEY,
Lieutenant-Governor.

Memo. and Certificate to accompany the Compensation to Relatives Bill.

THIS Bill merely puts into modern wording and into the same form as the other Consolidating Bills the Act 11 Victoria No. 32.

I certify that it solely consolidates, and in no way alters, adds to, or amends the law contained in the Statute dealt with.

CHAS. G. HEYDON,
Commissioner for the Consolidation of the Statute Law.

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, 28th October, 1897.

JOHN J. CALVERT,
Clerk of the Parliament.

New South Wales.

Compensation to Relatives Bill.

TABLE showing how the sections of Acts intended to be consolidated have been dealt with.

Section of Act.	Section of Bill.	Remarks.
11 VIC. No. 32.		
1	3	Omitting what is contained in the Interpretation Bill.
2	4	
3	5	
4	6	
5	7	

No. (A.D. 1897.)

An Act to consolidate enactments relating to compensation to relatives of persons killed by accident.

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. This Act may be cited as the "Compensation to Relatives Act of 1897."
2. The enactments mentioned in the Schedule to this Act to the extent therein expressed are hereby repealed.
3. Whensoever the death of a person is caused by a wrongful act, neglect, or default, and the act, neglect, or default is such as would (if death had not ensued) have entitled the party injured to maintain an action and recover damages in respect thereof, then and in every such case the person who would have been liable if death had not ensued shall be liable to an action for damages, notwithstanding the death of the person injured, and although the death has been caused under such circumstances as amount in law to felony.

Compensation to Relatives Bill

Table showing how the sections of Acts intended to be consolidated have been dealt with.

Section of Act	Section of Bill	Remarks
1	1	
2	2	
3	3	
4	4	
5	5	
6	6	
7	7	Quoting what is contained in the Inter- pretation Bill
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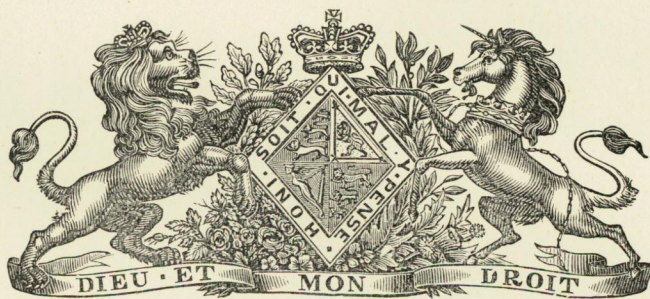
H. C. 1176 No. 32

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, 28th October, 1897.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SEXAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. . (A.D. 1897.)

An Act to consolidate enactments relating to compensation to relatives of persons killed by accidents.

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:—

5 1. This Act may be cited as the "Compensation to Relatives Short title. Act of 1897."

2. The enactments mentioned in the Schedule to this Act to the extent therein expressed are hereby repealed. Repeal. Schedule.

10 3. Whensoever the death of a person is caused by a wrongful act, neglect, or default, and the act, neglect, or default is such as would (if death had not ensued) have entitled the party injured to maintain an action and recover damages in respect thereof, then and in every such case the person who would have been liable if death had not ensued shall be liable to an action for damages, notwithstanding the death of the person injured, and although the death has been caused under such circumstances as amount in law to felony. An action to be maintainable against any person causing death through neglect, &c., notwithstanding the death of the person injured. 11 Vic. No. 32, s. 1.

Compensation to Relatives.

4. Every such action shall be for the benefit of the wife, husband, parent, and child of the person whose death has been so caused, and shall be brought by and in the name of the executor or administrator of the person deceased, and in every such action the
- 5 jury may give such damages as they may think proportioned to the injury resulting from such death to the parties respectively for whom and for whose benefit such action is brought, and the amount so recovered, after deducting the costs not recovered from the defendant, shall be divided amongst the before-mentioned parties in such shares
- 10 as the jury by their verdict find and direct.
5. Not more than one action shall lie for and in respect of the same subject matter of complaint, and every such action shall be commenced within twelve months after the death of such deceased person.
- 15 6. In every such action the plaintiff on the record shall be required, together with the declaration, to deliver to the defendant or his attorney a full particular of the persons for whom and on whose behalf such action is brought, and of the nature of the claim in respect of which damages are sought to be recovered.
- 20 7. The following words are intended to have the meanings hereby assigned to them respectively, so far as such meanings are not excluded by the context or by the nature of the subject matter, that is to say, the word "parent" shall include father and mother, and grandfather and grandmother, and stepfather and stepmother; and the word
- 25 "child" shall include son and daughter, and grandson and granddaughter, and stepson and stepdaughter.
- Action to be for the benefit of certain relations, and shall be brought by and in the name of executor or administrator of the deceased. Ibid. s. 2.*
- Only one action shall lie and to be commenced within twelve months. Ibid. s. 3.*
- Plaintiff to deliver a full particular of the person for whom such damages shall be claimed. Ibid. s. 4.*
- Construction of Act. Ibid. s. 5.*

SCHEDULE.

Reference to Act.	Title of Act.	Extent of Repeal.
11 Vic. No. 32 ...	An Act for compensating the families of persons killed by accidents.	The whole.

Sydney: William Applegate Gullick, Government Printer.—1897.

[6d.]

Memo. and Certificate to accompany the Compensation to Relatives Bill.

THIS Bill merely puts into modern wording and into the same form as the other Consolidating Bills the Act 11 Victoria No. 32.

I certify that it solely consolidates, and in no way alters, adds to, or amends the law contained in the Statute dealt with.

CHAS. G. HEYDON,
Commissioner for the Consolidation of the Statute Law.

Compensation to Relatives Bill.

TABLE showing how the sections of Acts intended to be consolidated have been dealt with.

Section of Act.	Section of Bill.	Remarks.
11 VIC. No. 32.		
1	3	Omitting what is contained in the Interpretation Bill.
2	4	
3	5	
4	6	
5	7	

Compensation to Relatives Bill

Table showing how the various provisions of the bill are to be considered in the House

Section	Number of Pages	Number of Lines
Section 1	1	1
Section 2	1	1
Section 3	1	1
Section 4	1	1
Section 5	1	1
Section 6	1	1
Section 7	1	1
Section 8	1	1
Section 9	1	1
Section 10	1	1
Section 11	1	1
Section 12	1	1
Section 13	1	1
Section 14	1	1
Section 15	1	1
Section 16	1	1
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Section 88	1	1
Section 89	1	1
Section 90	1	1
Section 91	1	1
Section 92	1	1
Section 93	1	1
Section 94	1	1
Section 95	1	1
Section 96	1	1
Section 97	1	1
Section 98	1	1
Section 99	1	1
Section 100	1	1

Legislative Council.

No. , 1897.

A BILL

To consolidate enactments relating to compensation to
relatives of persons killed by accidents.

[MR. WANT;—13 October, 1897.]

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:—

- 5 1. This Act may be cited as the "Compensation to Relatives Act of 18 . . ."Short title.
2. The enactments mentioned in the Schedule to this Act to the extent therein expressed are hereby repealed.Repeal. Schedule.
- 10 3. Whensoever the death of a person is caused by a wrongful act, neglect, or default, and the act, neglect, or default is such as would (if death had not ensued) have entitled the party injured to maintain an action and recover damages in respect thereof, then and in every such case the person who would have been liable if death had not ensued shall be liable to an action for damages, notwithstanding the death of the person injured, and although the death has been caused under such circumstances as amount in law to felony.An action to be maintainable against any person causing death through neglect, &c., notwithstanding the death of the person injured. 11 Vic. No. 32, s. 1.
- 15

Action to be for the benefit of certain relations, and shall be brought by and in the name of executor or administrator of the deceased.

Ibid. s. 2.

4. Every such action shall be for the benefit of the wife, husband, parent, and child of the person whose death has been so caused, and shall be brought by and in the name of the executor or administrator of the person deceased, and in every such action the jury may give such damages as they may think proportioned to the injury resulting from such death to the parties respectively for whom and for whose benefit such action is brought, and the amount so recovered, after deducting the costs not recovered from the defendant, shall be divided amongst the before-mentioned parties in such shares as the jury by their verdict find and direct. 5 10

Only one action shall lie and to be commenced within twelve months.

Ibid. s. 3.

5. Not more than one action shall lie for and in respect of the same subject matter of complaint, and every such action shall be commenced within twelve months after the death of such deceased person.

Plaintiff to deliver a full particular of the person for whom such damages shall be claimed.

Ibid. s. 4.

6. In every such action the plaintiff on the record shall be required, together with the declaration, to deliver to the defendant or his attorney a full particular of the persons for whom and on whose behalf such action is brought, and of the nature of the claim in respect of which damages are sought to be recovered. 15

Construction of Act.

Ibid. s. 5.

7. The following words are intended to have the meanings hereby assigned to them respectively, so far as such meanings are not excluded by the context or by the nature of the subject matter, that is to say, the word "parent" shall include father and mother, and grandfather and grandmother, and stepfather and stepmother; and the word "child" shall include son and daughter, and grandson and granddaughter, and stepson and stepdaughter. 20 25

SCHEDULE.

Reference to Act.	Title of Act.	Extent of Repeal.
11 Vic. No. 32 ...	An Act for compensating the families of persons killed by accidents.	The whole. 30