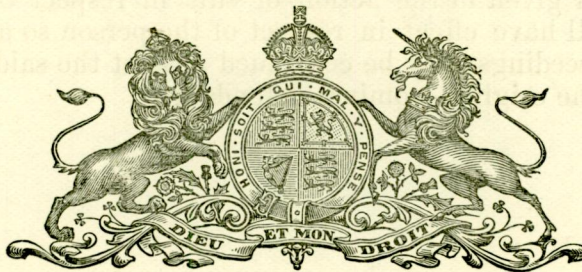


New South Wales.



ANNO QUARTO

EDWARDI VII REGIS.

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Act No. 4 1904.

An Act to amend the Claims against the Government and Crown Suits Act, 1897. [Assented to, 18th October, 1904.]

BE it enacted by the King'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 "Claims against the Govern- Short title.  
ment and Crown Suits (Amendment) Act, 1904," and shall be construed with the Claims against the Government and Crown Suits Act, 1897, hereinafter called the Principal Act.

2. The death of a nominal defendant appointed under section Action not to abate  
three of the Principal Act shall not cause the action or suit to abate, by reason of death of  
but it may be continued as hereinafter provided. nominal defendant.



*Claims against the Government and Crown Suits (Amendment).*

Governor to appoint fresh nominal defendant.

3. (1) Where such death has occurred before the commencement of this Act, the Governor shall, within fourteen days from such commencement by notification in the Gazette, appoint any person resident in New South Wales to be a nominal defendant.

(2) Where such death occurs after the commencement of this Act the Governor shall appoint in like manner some such person to be a nominal defendant within fourteen days after being petitioned to do so by the claimant.

Order of court for amendment of pleadings.

4. On such appointment being made, the court before whom any such action or suit is pending, or a judge of such court, may order that the pleadings, issue, or record in the action or suit be amended by substituting for the original defendant the name of the nominal defendant so appointed; and thereupon all judgments, decrees, and orders made or given in the action or suit in respect of the original defendant shall have effect in respect of the person so appointed, and all future proceedings may be continued against the said person as if he had been the original nominal defendant.

By Authority : WILLIAM APPEGATE GULLICK, Government Printer, Sydney, 1904.

[3d.]

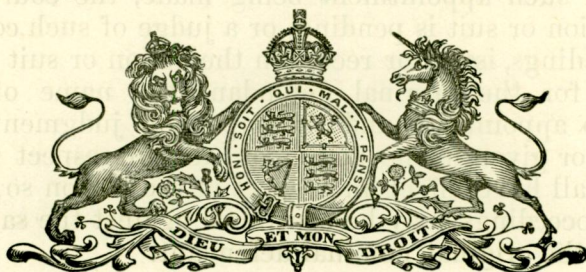


*I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*Legislative Assembly Chamber,  
Sydney, 13 October, 1904.* }

RICHD. A. ARNOLD,  
*Clerk of the Legislative Assembly.*

## New South Wales.



ANNO QUARTO

# EDWARDI VII REGIS.

\*\*\*\*\*

## Act No. 4, 1904.

An Act to amend the Claims against the Government and Crown Suits Act, 1897. [Assented to, 18th October, 1904.]

**B**E it enacted by the King'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 "Claims against the Govern- Short title.  
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2. The death of a nominal defendant appointed under section Action not to abate  
by reason of death of  
nominal defendant.  
three of the Principal Act shall not cause the action or suit to abate, but it may be continued as hereinafter provided.

3.

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

W. P. CRICK,  
*Chairman of Committees of the Legislative Assembly.*



*Claims against the Government and Crown Suits (Amendment).*

Governor to appoint fresh nominal defendant.

3. (1) Where such death has occurred before the commencement of this Act, the Governor shall, within fourteen days from such commencement by notification in the Gazette, appoint any person resident in New South Wales to be a nominal defendant.

(2) Where such death occurs after the commencement of this Act the Governor shall appoint in like manner some such person to be a nominal defendant within fourteen days after being petitioned to do so by the claimant.

Order of court for amendment of pleadings.

4. On such appointment being made, the court before whom any such action or suit is pending, or a judge of such court, may order that the pleadings, issue, or record in the action or suit be amended by substituting for the original defendant the name of the nominal defendant so appointed; and thereupon all judgments, decrees, and orders made or given in the action or suit in respect of the original defendant shall have effect in respect of the person so appointed, and all future proceedings may be continued against the said person as if he had been the original nominal defendant.

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

HARRY H. RAWSON,  
Governor.

State Government House,  
Sydney, 18th October, 1904.



*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, 5 October, 1904.* }

RICHD. A. ARNOLD,  
*Clerk of the Legislative Assembly.*

## New South Wales.



ANNO QUARTO

EDWARDI VII REGIS.

\*\*\*\*\*

Act No. , 1904.

An Act to amend the Claims against the Government and Crown Suits Act, 1897.

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10    2. The death of a nominal defendant appointed under section Action not to abate  
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nominal defendant.  
three of the Principal Act shall not cause the action or suit to abate,  
but it may be continued as hereinafter provided.



*Claims against the Government and Crown Suits (Amendment).*

3. (1) Where such death has occurred before the commencement of this Act, the Governor shall, within fourteen days from such commencement by notification in the Gazette, appoint any person resident in New South Wales to be a nominal defendant. Governor to appoint fresh nominal defendant.

5 (2) Where such death occurs after the commencement of this Act the Governor shall appoint in like manner some such person to be a nominal defendant within fourteen days after being petitioned to do so by the claimant.

10 4. On such appointment being made, the court before whom any such action or suit is pending, or a judge of such court, may order that the pleadings, issue, or record in the action or suit be amended by substituting for the original defendant the name of the nominal defendant so appointed; and thereupon all judgments, decrees, and orders made or given in the action or suit in respect of the original Order of court for amendment of pleadings.  
15 defendant shall have effect in respect of the person so appointed, and all future proceedings may be continued against the said person as if he had been the original nominal defendant.

Sydney : William Applegate Gullick, Government Printer. — 1904.

[3d.]

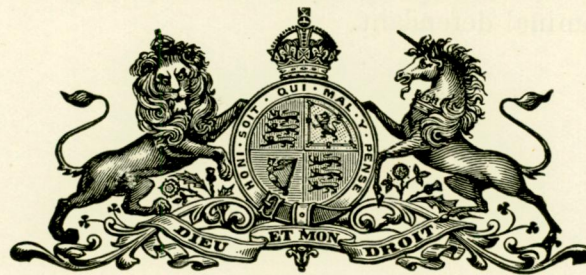


*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly Chamber, }  
Sydney, 5 October, 1904. }*

RICHD. A. ARNOLD,  
*Clerk of the Legislative Assembly.*

## New South Wales.



ANNO QUARTO

EDWARDI VII REGIS.

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Governor to appoint fresh nominal defendant.

5 (2) Where such death occurs after the commencement of this Act the Governor shall appoint in like manner some such person to be a nominal defendant within fourteen days after being petitioned to do so by the claimant.

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Order of court for amendment of pleadings.



GAZETTE

Sydney : William Applegate Gullick, Government Printer. - 1904.

[3d.]