

## No. X.

### An Act to alter and improve the mode of elect- ing a Chairman for Courts of General and Quarter Sessions in New South Wales. [20th September, 1839.]

QUARTER SESSIONS  
CHAIRMAN.  
—

**W**HEREAS by an Act of the Governor and Council passed in the Preamble.  
tenth year of the reign of His late Majesty King George the  
Fourth intituled “ *An Act for instituting and regulating Courts of* 10 Geo. IV. No. 1.  
*General Quarter Sessions in New South Wales*” provision is made  
for the election nomination and appointment of a Justice of the Peace  
qualified as therein-mentioned to act as a Chairman of the several  
Courts of Quarter Sessions in the said Colony and whereas it is  
expedient to alter and amend the said Act so far as the same relates  
to such provision and whereas by another Act passed in the fourth  
year of the reign of His late Majesty King William the Fourth  
intituled “ *An Act to amend an Act of the Governor and Council* 4 Wm. IV. No. 16.  
*intituled ‘An Act for instituting Courts of General and Quarter Sessions*  
*in New South Wales’*” provision is made for the nomination and  
appointment of a Chairman of Quarter Sessions for the district of  
Bathurst and it is expedient that so much thereof as relates to the  
nomination and appointment of a Chairman for said district should  
be altered Be it therefore enacted by His Excellency the Governor  
with the advice of the Legislative Council That from and after the  
passing of this Act so much of the said recited Acts as relates to the  
election nomination and appointment of a Chairman of the several  
Courts of Quarter Sessions in the Colony aforesaid or any of them  
and the qualifications required for such office shall be and the same is  
hereby repealed.

Repealed so far as  
relates to the ap-  
pointment of Chair-  
man of Quarter  
Sessions.

2. And be it enacted That the said Chairman shall be chosen Justices to meet for  
nominated and appointed in manner following that is to say the election at some  
Justices of the Peace for the said Colony shall and they are place where Petty  
hereby required to attend at some place within the said Colony Sessions are holden  
on the first Monday  
where

*Quarter Sessions Chairman.*

in September in every year.

Votes to be given in writing.

Proceedings to be transmitted to Colonial Secretary by Police Magistrate if present if not by senior Magistrate attending.

The Governor to declare in favour of the candidate having majority of votes.

In case of equality of votes Governor to appoint any one of the candidates.

Certain provisions in 4 Wm. IV. No. 16 not to be repealed.

where Petty Sessions have been duly appointed to be holden and between the hours of twelve and four o'clock in the day on the third Tuesday in the month of October in the present year and on the first Monday in the month of September in every following year the said Justices so attending at such time and at such place or places shall then and there declare in writing in the form or to the effect set forth in the Schedule to this Act annexed which of the several Justices of the Peace for said Colony they severally and respectively desire to have appointed as such Chairman as aforesaid and the Police Magistrate of the district if present at the meeting or if not then the senior Magistrate present shall forthwith transmit the voting paper or papers or any declaration in writing as aforesaid to the Colonial Secretary for the purpose of being laid before His Excellency the Governor and the Justice of Peace in whose favour the greatest number of Justices throughout the Colony shall have so recorded their votes or declarations in writing as aforesaid shall be declared and appointed by the said Governor to be Chairman of the several Courts of Quarter Sessions within the said Colony for the year then next following commencing from the first day of January of such year Provided always that if there should be an equality of votes for two or more Justices it shall be lawful for the said Governor and he is hereby required to appoint either of the said Justices to be such Chairman as he shall see fit Provided always that nothing herein contained shall be construed to extend to any place where Petty Sessions are or shall be held within the district of Port Phillip or any other district within the said Colony for which a Chairman of the Quarter Sessions is now or shall be hereafter actually nominated and appointed under the provision of the said hereinbefore last recited Act of Council for the appointment of Chairman to distant places.

3. And be it declared and enacted That nothing hereinbefore contained shall be construed to repeal or alter the provisions contained in the Act hereinbefore last recited for the appointment of a Chairman at distant places and also for supplying the place of the Chairman in case of death resignation removal or illness but the same shall remain and be in full force and effect and shall be held to apply as far as the same may be necessary to the Chairman so to be elected nominated and appointed under and by virtue of the provisions of this Act.

### SCHEDULE REFERRED TO.

NEW SOUTH WALES } At the Petty Sessions holden at  
TO WIT. } for the district of \_\_\_\_\_ for the election of a Chairman  
of the Quarter Sessions for the Colony of New South Wales in pursuance of an Act intituled  
"An Act to alter and improve the mode of electing a Chairman for Courts of General and  
"Quarter Sessions in New South Wales" I (or we) hereby certify and declare my (or our)  
vote (or votes) to be in favour of \_\_\_\_\_ Esq. proposed at the said Petty  
Sessions as Chairman of the Quarter Sessions for the said Colony for the year

A. B. \_\_\_\_\_ J. P.

and address.

Witness

Presiding Justice.

Esq. }