

No. XXXIV.

SUPREME COURT
PROCESS.

An Act to make further provision for the issue and service of Process in the Supreme Court. [9th October, 1849.]

Preamble.
Charter of Justice.

Every writ &c. of
Supreme Court may
be served by the
Sheriff or by any
other person.

Writs of summons
and subpœna may in
certain cases be
issued at Brisbane
Bathurst Goulburn
and Maitland.

WHEREAS by the Charter of Justice for the Colony of New South Wales it is ordered that the Sheriff or his deputies shall execute all the writs summonses rules orders warrants commands and process of the Supreme Court. And whereas it is expedient to make further provision in that behalf Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That after the passing of this Act every writ summons rule or order of the said Court requiring service may be served by the Sheriff or his deputies or by any other person.

2. And be it enacted That it shall be lawful for the Judges of the said Court by any general Rule or Rules from time to time made to empower any Commissioner of the said Court for taking affidavits or recognizances resident at Brisbane Bathurst Goulburn or Maitland under such regulations as to fees and costs and otherwise as to the said Judges shall seem proper to receive any prœcipe for and to issue any such writ of summons of the said Court as aforesaid and also any writ of subpœna to give evidence in any case Civil or Criminal Provided that every such writ of summons shall be returnable in the Supreme Court at Sydney and that every such prœcipe shall as soon as conveniently may be after the issue of the writ to which the same relates be transmitted by the Commissioner who received the same to the office of the Prothonotary of the said Supreme Court.
