

## No. XLI.

An Act to enable the Governor from time to time to appoint a Barrister to act as Judge of the Circuit Court at Brisbane. [28th December, 1852.]

MORETON BAY  
JUDGE.

WHEREAS it is expedient to provide for the case of the Judges Preamble.  
of the Supreme Court not being able in future (without injury to the suitors generally of that Court) to hold a Circuit Court at Brisbane Be it enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof as follows:—

1. It shall be lawful for His Excellency the Governor from time to time by Commission under his hand and seal as occasion may require to appoint some fit and proper person (being a Barrister in actual practice of not less than five years standing) in the place and stead of a Judge of the Supreme Court to be and act as Judge of and at the Circuit Court to be holden at Brisbane in the District of Moreton Bay in this Colony and every Barrister so appointed shall from the date of such Commission at and in such Circuit Court and in relation thereto and in respect of all matters and things done or to be done at and in such Court or in reference to any proceedings therein including

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the summoning of Jurors to attend such Court have and exercise all and singular the powers and authorities which are now by law vested in the Judges of the Supreme Court or in the Judge presiding or who would otherwise have presided at such Court and the title of every such Barrister while acting under any such Commission as aforesaid shall be "Circuit Judge for the Circuit District of Brisbane."

2. Nothing in the preceding section shall invalidate or affect any act done or ordered to be done or any writ or precept issued in reference to such Circuit Court by any Judge of the Supreme Court before the issue of the Commission for such Circuit Court.

Saving acts previously done by Supreme Court Judges.