

## No. XXV.

DISTRICT COURTS  
ACT AMENDMENT.

### An Act to amend the District Courts Act of 1858. [9th April, 1859.]

Preamble.

WHEREAS it is expedient to amend in certain particulars the District Courts Act of 1858. Be it therefore 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:—

Act 22 Vic. No. 18  
s. 70 extended to  
£200.

Section 98 extended  
to £200.

Judges not to practise as Crown Prosecutor.

1. The seventieth section of the District Courts Act of 1858 relating to the set-off by a defendant of any debt or demand against a plaintiff shall be and the same is hereby amended so that instead of the amount limited by the proviso to the said section the limit within which any such set-off shall be allowed shall be two hundred pounds.

2. The ninety-eighth section of the said Act empowering a Judge of the Supreme Court in certain cases to order a cause brought in that Court to be heard in a District Court shall be and the same is hereby amended so that instead of the amounts limited thereby any such order may be made and the consequent proceedings may be had and taken where the claim indorsed on the writ does not exceed two hundred pounds or where such claim though originally exceeding that amount is reduced in the manner in the said section mentioned to a sum not exceeding two hundred pounds.

3. No Judge of a District Court shall practise as a Crown Prosecutor.

*Public Loans.*

4. Payment of any fine imposed by any Court under the authority of the District Courts Act of 1858 may be enforced upon the order of any District Court Judge in like manner as payment of any debt adjudged in such Court and shall be accounted for as in the said Act directed.

5. It shall be lawful for the Governor with the advice of the Executive Council from time to time to order by Proclamation in the *Gazette* that the provisions of the Act of Council eleventh Victoria number twenty shall extend and apply to such districts as shall from time to time have been proclaimed as districts under the provisions of the "District Courts Act of 1858" and thereupon jurors lists shall be prepared published and corrected for the several towns and places in such districts respectively at which District Courts shall have been ordered to be holden and all the other provisions contained in the said Act of Council which are applicable to the districts already proclaimed shall extend and apply *mutatis mutandis* to such newly proclaimed districts and the towns and places therein.

6. That notwithstanding anything contained in the District Courts Act of 1858 it shall be lawful to the Governor with the advice of the Executive Council from time to time to define the limits within which each of the Courts appointed to be held shall have jurisdiction within the meaning of the fifth section of such Act. Provided always that no alteration in any such limits shall take effect until after three months from the notification thereof in the *Government Gazette*.

7. This Act may be cited as the "District Courts Act Amendment Act of 1859." Short title.