

## No. II.

## An Act to authorize the appointment of one or more Judges of the Supreme Court for a limited period. [1st July, 1879.]

SUPREME COURT  
TEMPORARY JUDGE.

WHEREAS by reason of the absence on sick leave of two of the Preamble. Judges of the Supreme Court the business in the said Court has fallen into arrear and delay and loss are thereby inflicted upon suitors and others. And whereas it has become an urgent necessity to appoint one or more Judges of the said Court not exceeding two to hold office for a limited period in order to check the further accumulation of arrears in the said Court and to prevent as far as possible the administration of Justice from being further retarded or impeded. 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:—

1. It shall be lawful for the Governor with the advice of the Executive Council at any time within twelve months from the passing of this Act by Commissions under the Great Seal of the Colony to appoint in Her Majesty's name in addition to the Chief Justice and three Puisne Judges of the Supreme Court any persons not exceeding two and whether Barristers or not any law to the contrary notwithstanding to be Judges of the Supreme Court for a term not exceeding twelve calendar months from the date of each such Commission.

2. Each Judge so to be appointed shall from the date of his Tenure of office. commission hold office as a Judge of the Supreme Court for all purposes whatsoever for a term not exceeding twelve calendar months and no longer and shall be liable to removal from office during such term in such manner and upon such grounds only as the other Judges of the said Court are by law liable to removal therefrom.

3. Each Judge so to be appointed shall during his term of office Salary &c. be paid a salary at the yearly rate of two thousand pounds which salary shall be secured and be payable in like manner as the salaries of the present Judges of the Supreme Court are secured and made payable. And in the event of any such Judge being at any time hereafter appointed permanently to the office of Judge of the said Court he shall be entitled to count his judicial service under this Act for the purposes of his pension.

4. The Supreme Court shall for the purpose of hearing Equity Provision declaratory of the constitution of Supreme Court. Appeals as well as for all other purposes be lawfully constituted by the presence in Court of at least any three Judges of the said Court. Provided that nothing herein shall take away any power to hear and determine any matter in the Common Law or Ecclesiastical Jurisdiction of the said Court or in Lunacy or Insolvency which by any existing law may be heard by any less number of Judges than three or to alter or abridge any existing jurisdiction of any of the Judges of the Supreme Court.

5. This Act may be cited for all purposes as the "Supreme Short title. Court Temporary Judge Act of 1879."