

## No. XXX.

### An Act to further amend the "District Courts Act of 1858." [6th April, 1881.]

DISTRICT COURTS  
ACT FURTHER  
AMENDMENT.

WHEREAS it is expedient to further amend in certain particulars Preamble. 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:—

1. In any cause suit or proceeding tried or heard in any District Court in which any person has now a right of appeal or to whom a right of appeal is given by this Act it shall be lawful for any person aggrieved by the ruling order direction or decision of the Judge at any time within eight days after the same shall have been made or given to appeal against such ruling order direction or decision by motion to the Supreme Court instead of by special case such motion to be *ex parte* in the first instance and to be granted on such terms as to costs security or stay of proceedings as to the said Court shall seem fit and if pending such eight days or at the time of their expiration the Court shall not be sitting in banc such motion may be made before any Judge thereof And at the trial or hearing of any such cause suit or proceeding the Judge at the request of either party shall make a note of any question of law raised at such trial or hearing and of the facts in evidence in relation thereto and of his decision thereon and of his final decision of the cause suit or proceeding and he shall at the expense of either party requiring the same for the purpose of appeal furnish a copy of such note or allow a copy to be taken of the same which copy shall be used and received on such motion and at the hearing of such appeal and the costs thereof shall be in the discretion of the Court.

2. The right of appeal given by section ninety-four of the "District Courts Act of 1858" shall extend to all causes in which the amount claimed exceeds ten pounds And to all actions of replevin where the amount of rent in respect of which any distress was or might have been made exceeds ten pounds And to all actions for the recovery of tenements where the yearly rent or value of the premises exceeds ten pounds And to all proceedings in interpleader where the money claimed or the value of the goods in question exceeds ten pounds.

3. This Act may be cited as the "District Courts Act further Amendment Act of 1881." Short title.