

No. IX.

An Act to alter the Law relating to the appointment of District Court Judges. [28th September, 1866.]

DISTRICT COURTS
AMENDMENT.

WHEREAS since the passing of the "District Courts Act of 1858" the Governor with the advice of the Executive Council has in some instances appointed two persons to be at the same time Judges of the respective District Courts ordered to be held within one and the same district and whereas the persons so appointed have by the Governor with the like advice been appointed Chairmen of the Courts of Quarter Sessions holden within the limits of such district and whereas doubts exist as to the legality of such appointments and it is expedient to remove such doubts 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. The said Act shall be deemed and taken to have authorized and to authorize the appointment by the Governor with the advice of the

Two or more District Court Judges may

the

Felons Apprehension Act Continuation.

be appointed in the same district.

the Executive Council of two or more persons to be and act at the same time as Judges of the respective District Courts appointed to be held in one and the same District.

Two or more Chairmen of Quarter Sessions may be appointed in the same district.

2. The said Act shall be deemed and taken to have authorized and to authorize the Governor with the like advice to appoint the Judges so appointed as in the last preceding section of this Act mentioned or one of them to be the Chairmen or Chairman of the Courts or of any one or more of the Courts of Quarter Sessions holden or to be holden within the limits of the District for which such Judges may have been or shall be appointed.

No proceedings to be invalid by reason of appointment of two Judges to the same district.

3. No proceeding civil or criminal shall be held invalid by reason of two persons having been appointed to be and act at the same time as Judges of the respective District Courts or as Chairmen of the Courts of Quarter Sessions in one and the same District.

Judges to act separately in judicial but together in administrative matters.

4. Where two or more Judges or two or more Chairmen shall be appointed for the District Courts or Courts of Quarter Sessions respectively in one and the same district only one of such Judges or Chairmen shall sit preside or act at any trial civil or criminal or at the hearing of any application or the making of any order in reference thereto but in the appointment and removal of officers the appointment of the times for holding District Courts and in the discharge of other administrative duties imposed by the said Act or by any Act amending the same upon the Judge of any District Court the whole of such Judges shall concur.

Short title.

5. This Act may be cited as the "District Courts Amendment Act of 1866."