

## No. X.

COMMISSIONERS  
FOR AFFIDAVITS.

### An Act to make better provision for the taking of Affidavits to be used in the Supreme Court. [11th March, 1874.]

Preamble.

**W**HEREAS it is expedient to make provision as hereinafter mentioned for the appointment of Commissioners for taking Affidavits and for the confirmation of Commissions already issued 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:—

Chief Justice to have power to appoint Commissioners for taking affidavits.

1. All Justices of the Peace for the Territory shall have power to take and receive Affidavits in all matters pending in the Supreme Court or in any Court or Courts and the Chief Justice of the Supreme Court for the time being shall have power by one or more Commission or Commissions under the seal of the said Court to authorize as many persons as he may think necessary to take and receive affidavits concerning any matter within the jurisdiction of any Court or Courts And every person wilfully swearing or affirming falsely in any affidavit to be made before any person who shall be so authorized to take affidavits shall be deemed guilty of perjury and shall incur and be liable

Persons wilfully swearing falsely in affidavits guilty of perjury.

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*Imprisonment on Civil Process Amendment.*

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liable to the same pains and penalties as if such person had wilfully sworn or affirmed falsely in open Court in any judicial proceeding in the Supreme Court. Provided that nothing herein shall be held to invalidate or require the renewal of any Commission already issued by any Chief Justice for taking affidavits but the same are hereby confirmed and declared to be and to have been valid. Provision as to existing Commissions.

2. Every person now authorized or who may hereafter be authorized to act under any such Commission shall receive for his own use such fees as are now or shall from time to time be fixed by Rule of the Supreme Court. Fees to be paid for taking affidavits.

3. This Act may be cited as the "Commissioners for Affidavits Act of 1874." Short title.

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