



ANNO VICESIMO OCTAVO ET VICESIMO NONO

VICTORIÆ REGINÆ.

A.D. 1865.

No. 15.

An Act to amend an Act, No. 31 of 1855-6, intituled "An Act to consolidate the several Ordinances relating to the establishment of the Supreme Court of the Province of South Australia," and for other purposes.

[Assented to, 4th August, 1865.]

WHEREAS it is expedient to amend an Act, No. 31 of 1855-6, intituled "An Act to consolidate the several Ordinances relating to the establishment of the Supreme Court of the Province of South Australia," and to afford further facilities for Appeals to the Court of Appeals—Be it therefore Enacted, by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows :

Preamble.

1. The Court of Appeals of the Province of South Australia shall have power and authority to receive and hear appeals from the judgments, decrees, orders, and sentences of the Supreme Court of the said Province in all cases, although the sum or matter in issue shall not amount to One Hundred Pounds, anything in the said Act No. 31 of 1855-6 to the contrary notwithstanding.

Appeals may be brought in all cases without reference to amount in dispute.

2. Within three months from the passing hereof, any person may appeal to the said Court of Appeals from any judgment, decree, order, or sentence of the Supreme Court heretofore made, by giving fourteen days' previous notice in writing, to the opposite party, or his attorney, and to the Master of the Supreme Court; and such notice shall be a stay of execution, provided recognizance shall

Any person may appeal within three months after decision.

Recognizance to be a stay of execution.

Court of Appeals Amendment Act.—1865.

be entered into in like manner, as is provided for giving bail on appeal under "The Supreme Court Procedure Act, 1855".

Clerk of Court of Appeals may take recognizance.

3. In any case where bail is required to be given by the said Act or any other Act regulating appeals, the Clerk of the Court of Appeals may take the recognizance of any person offering to put in bail on appeal, and such recognizance shall have the same effect as if it had been taken by a Judge of the Supreme Court.

Short title.

4. This Act may be cited in all cases as "The Court of Appeals Amendment Act, 1865."

In the name and on behalf of the Queen I hereby assent to
this Act.

D. DALY, Governor.