



ANNO QUADRAGESIMO SEPTIMO ET QUADRAGESIMO
OCTAVO

VICTORIÆ REGINÆ.

A.D. 1884.

No. 311.

An Act to declare the Law of the Northern Territory,
and to make better provision for the Adminis-
tration of Justice therein, and for other purposes.

[Assented to, September 10th, 1884.]

WHEREAS it is desirable to assimilate, as far as possible, the Preamble.
law of the Northern Territory to the law of the rest of
South Australia, and to make better provision for the adminis-
tration of justice in the Northern Territory.—Be it Enacted by the
Governor 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 :

1. In this Act the following terms shall, so far as is consistent Interpretation.
with the context, have the meanings hereby respectively assigned to
them, namely—

“The law of South Australia” shall mean the law, from what-
ever source derived, and in whatever form expressed, which
for the time being has been or is now operative in that
portion of the province which is south of the twenty-sixth
parallel of south latitude :

“The Northern Territory” shall mean all that portion of the said
province lying to the north of the twenty-sixth parallel of
south latitude, and between the one hundred and twenty-
ninth and the one hundred and thirty-eighth degrees of east
longitude, together with the bays and gulf there situated,
and all and every the islands adjacent to any main land
within such limits as aforesaid :

“Deputy

The Northern Territory Justice Act.—1884.

“Deputy Sheriff” shall mean the deputy appointed by the Sheriff to perform the duties of Sheriff in the Northern Territory, pursuant to the Northern Territory Deputy Sheriff’s Act, 1874:

“Supreme Court” shall mean the Supreme Court of the said province.

Law of South Australia to apply to Northern Territory.

2. The law of South Australia, except the Statutes set forth in the Schedule hereto, and except any Statute repealed by any of the Statutes so set forth, shall be, and since the twenty-second day of September, one thousand eight hundred and sixty-three, shall be deemed to have been, the law of the Northern Territory so far as applicable thereto, and, as regards Statutes, so far as the Northern Territory shall not have been expressly excepted therefrom.

Future Statutes to apply to Northern Territory.

3. All future Statutes of the Parliament of South Australia shall, so far as applicable, apply to the Northern Territory, except in so far as the Northern Territory shall be expressly excepted from the operation of such Statutes.

Saving of Statutes purporting expressly to apply to the Northern Territory.

4. Nothing in this Act contained shall be held to repeal or restrict the operation of such Statutes or parts of Statutes as purport expressly to apply to the Northern Territory.

Appointment of Judge of Northern Territory.

5. The Governor may appoint any practitioner of the Supreme Court to be a Judge in the Northern Territory, under the style of “The Judge of the Northern Territory.”

Commission may issue to Judge of Northern Territory under 15 of 1875, and he may try capital cases.

6. Any commission issued under section 2 of the Northern Territory Justice Act, 1875, may be directed to the Judge of the Northern Territory, and he shall thereupon possess and exercise the like powers and jurisdiction, and perform the like duties, and enjoy the like privileges and immunities as if the said Act had provided that commissions could be issued to such Judge under the said section, and as if the proviso thereto had not contained the exception of felony punishable by death. And the Judge of the Northern Territory shall possess and exercise in the Northern Territory, and in relation to the Public Trustee for the Northern Territory, the like powers and jurisdictions as are exercised by a Judge of the Supreme Court under the Public Trustee Act, 1880, in relation to the Public Trustee.

Sentence of death not to be executed till lapse of time for appeal under 15 of 1875.

7. No sentence of death shall be carried out until the lapse of the time provided by the seventh section of the Northern Territory Justice Act, 1875, for notice of appeal by the person convicted, and of any extended time allowed as therein mentioned, nor during the pendency of any appeal by the person convicted, nor till after dismissal thereof.

Provisions of 15 of 1875 to apply to Judge of Northern Territory and

8. Save as aforesaid, all the provisions of the said Act regarding the person to be appointed under such Commission shall apply to the
Judge

The Northern Territory Justice Act.—1884.

Judge of the Northern Territory, and the provisions of the said Act relating to the Deputy Sheriff shall, *mutatis mutandis*, continue to apply to him. Deputy Sheriff.

9. The provisions of "The Northern Territory Justice Act, 1875," shall be incorporated and read with this Act, save so far as inconsistent therewith. Incorporation of 15 of 1875.

10. The Governor may appoint an officer to act in and for the Northern Territory as deputy of the Public Trustee, and to be called the Public Trustee for the Northern Territory; and such officer, before entering upon his office, shall give security, to the satisfaction of the Governor, for the collection and due payment of and accounting for all real and personal property which shall come to the hands of such officer. Governor may appoint Deputy Public Trustee for Northern Territory.
See 188 of 1880.

11. The officer so appointed shall be under the general control and supervision, and shall be subject in all things to the directions of, the Public Trustee, and, subject to such control, supervision, and directions, shall, in relation to the Northern Territory, perform the duties and enjoy the powers and immunities provided by law with regard to the Public Trustee; and the provisions of the "Public Trustee Act, 1880," shall, *mutatis mutandis*, apply to such officer. Duties of Public Trustee for Northern Territory.

12. The seal to be used by such officer shall be engraved with the words "Public Trustee for the Northern Territory." His seal.

13. The power of making rules and regulations contained in section 33 of the Public Trustee Act, 1880, shall extend to authorise the making of rules and regulations with reference to the exercise and performance of the powers and duties of the Public Trustee for the Northern Territory. Rules and regulations.

14. This Act may be cited as "The Northern Territory Justice Act, 1884." Short title

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

WILLIAM C. F. ROBINSON, Governor.

The Northern Territory Justice Act.—1884.

THE SCHEDULE.

2nd Schedule of 271,
1882.

Number of Act.	Title of Act.
No. 9 of 1853	An Act to regulate the occupation of Crown Lands in South Australia.
No. 5 of 1857-8	An Act for regulating the sale and other disposal of Waste Lands belonging to the Crown in South Australia.
No. 18 of 1858	An Act to amend "The Waste Lands Act."
No. 20 of 1858	An Act for an Assessment on Stock, and for other purposes therein mentioned.
No. 13 of 1859	An Act to provide for the definition of Boundaries of Runs and the survey of Lands for Mineral Purposes by means of licensed surveyors.
No. 7 of 1861	An Act to amend an Act, No. 20 of 22nd Victoria, intituled "An Act for an Assessment on Stock, and for other purposes therein mentioned."
No. 16 of 1862	An Act to provide for an appeal against assessments of the Waste Lands of the Crown leased for pastoral purposes.
No. 17 of 1862	An Act to provide for the future appropriation of proceeds of the Waste Lands of the Crown in the province of South Australia.
No. 22 of 1862	An Act to further amend an Act, No. 20 of 22nd Victoria, intituled "An Act for an Assessment on Stock, and for other purposes therein mentioned."
No. 13 of 1863	An Act to provide for the reduction of the Assessment of certain Pastoral Lands.
No. 2 of 1864	An Act to enable the Governor to lease for mineral purposes land the property of the Government not being Waste Lands of the Crown.
No. 8 of 1864	An Act to authorise certain reductions in the valuations of runs under the Act intituled "An Act for an Assessment on Stock, and for other purposes therein mentioned," and to provide for the compensation for improvements to be allowed on resumption to lessees of pastoral lands under renewed leases.
No. 22 of 1864	An Act to extend the terms of certain leases of the Waste Lands of the Crown for pastoral purposes, and to make provision for payment in certain cases for improvements effected on lands comprised in leases granted for renewed terms under the Act, No. 20 of 1858, intituled "An Act for an Assessment on Stock, and for other purposes therein mentioned."
No. 6 of 1865-6	An Act to repeal an Ordinance, No. 10 of 1846, "To encourage the Fencing of Land," and to make other provisions in lieu thereof.
No. 8 of 1865-6	An Act to amend Act No. 18 of 1858, intituled "An Act to amend the Waste Lands Act."
No. 16 of 1865-6	An Act to amend the Laws relating to the leasing of Waste Lands of the Crown within the province of South Australia for pastoral purposes.
No. 23 of 1867	An Act to repeal "The Mineral Leases Act, 1862," and to make other provisions for the leasing and occupation of the Waste Lands of the Crown in the province of South Australia for mineral purposes.
No. 13 of 1868-9	An Act to amend "The Waste Lands Amendment Act, 1867."
No. 14 of 1868-9	An Act to further amend "The Waste Lands Act."
No. 4 of 1869-70	An Act to amend "The Waste Lands Amendment Act, 1868-9."
No. 17 of 1869-70	An Act to amend the laws relating to the leasing for pastoral purposes of certain of the Waste Lands of the Crown in the province of South Australia, and for other purposes.
No. 26 of 1870-71	An Act to amend the Laws relating to Gold Mining, and for other purposes.
No. 27 of 1870-71	An Act to further amend "The Waste Lands Amendment Act, 1868-9."
No. 18 of 1872	An Act to regulate the Alienation and Sale of the Waste Lands of the Crown.